

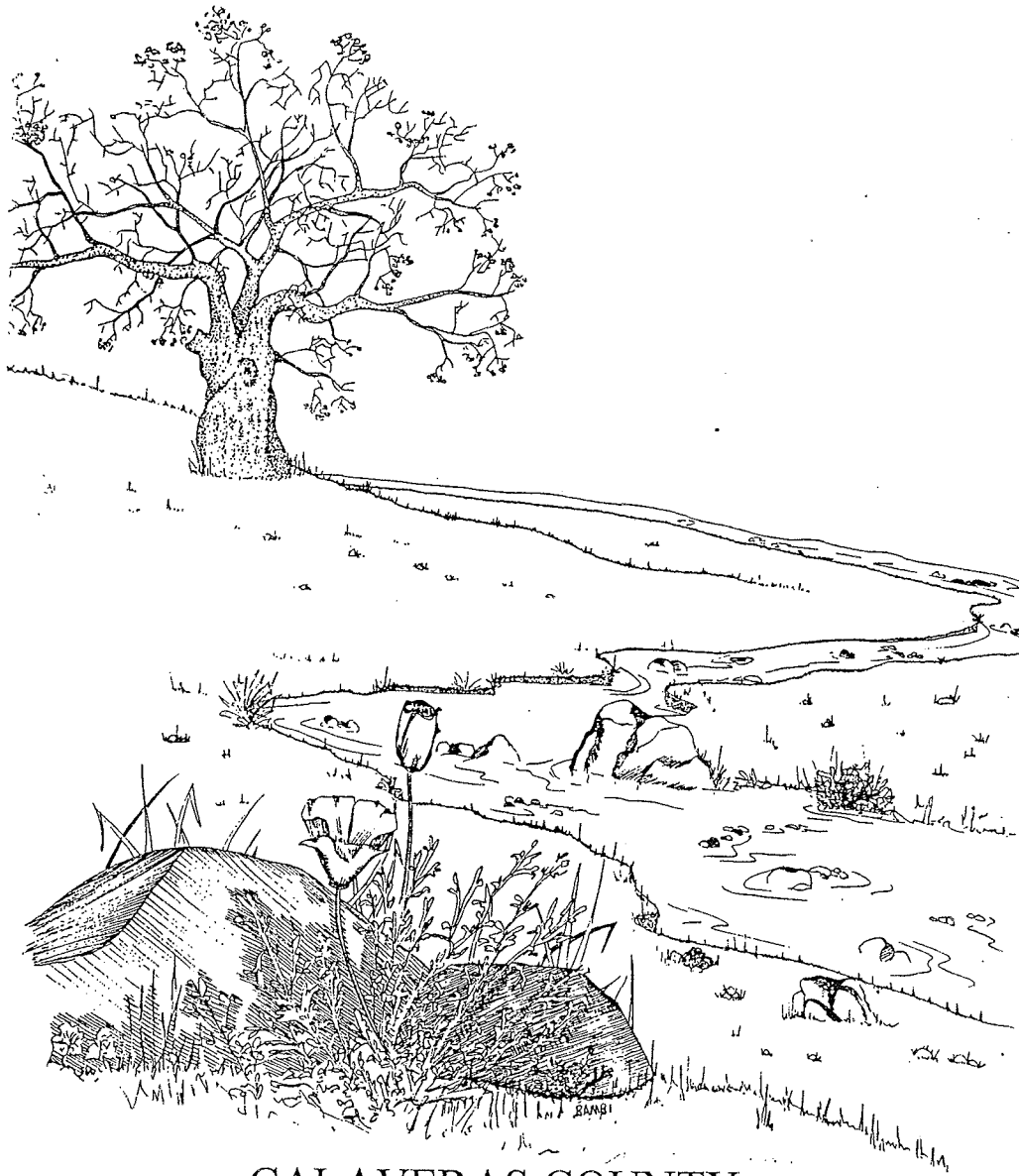
RANCHO CALAVERAS SPECIAL PLAN



CALAVERAS COUNTY
CALIFORNIA

May 10, 1999

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May 10, 1999

BOARD OF SUPERVISORS, COUNTY OF CALAVERAS,
STATE OF CALIFORNIA

May 10, 1999

RESOLUTION

NO. 99-140 A RESOLUTION APPROVING GENERAL PLAN AMENDMENT #2 for 1999

WHEREAS, the Board of Supervisors of the County of Calaveras is permitted to amend the General Plan four (4) times during a calendar year; and

WHEREAS, an Update to the Rancho Calaveras Special Plan was developed for the Rancho Calaveras Community from 1997 to 1999; and

WHEREAS, a request for a general plan amendment for Stephen Drammer to amend the land use designation from Professional Offices to Commercial for the eastern half of the property in the Murphys-Douglas Flat Community Plan, identified as APN 68-019-01, is requested; and

WHEREAS, the Planning Commission of the County of Calaveras did conduct public hearings on March 18, 1999 and April 1, 1999 on both requests and makes recommendations to the Board of Supervisors concerning the proposed changes in the General Plan; and

WHEREAS, the Board of Supervisors duly advertised and considered the Planning Commission recommendation and all of the testimony presented to it, including its staff report and initial study, at a public hearing.

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Calaveras does hereby amend the General Plan for the second time in 1999 with the adoption of the 1999 Rancho Calaveras Special Plan as shown in Exhibit A and an amendment to the Murphys Douglas Flat Community Plan as shown in Exhibit B.

BE IT FURTHER RESOLVED that the Board of Supervisors bases its decision on the findings as shown in Exhibits A and B.

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Calaveras does hereby amend the General Plan for the second time in 1999 with the adoption of the 1999 Rancho Calaveras Special Plan as shown in Exhibit A and an amendment to the Murphys Douglas Flat Community Plan as shown in Exhibit B.

ON A MOTION by Supervisor Bailey

Seconded by Supervisor, Tryon the foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Calaveras. State of California on the 10th day of May, 1999 by the following votes:


AYES: Supervisors Thein, Stein, Callaway, Tryon & Bailey

NOES: None

ABSENT: None

ABSTAIN: None



 Chairperson, Board of Supervisors

County Clerk and Ex-Officio Clerk to
the Board of Supervisors, of the County of
Calaveras, California

EXHIBIT A

GENERAL PLAN AMENDMENT 98-81 Rancho Calaveras Special Plan Update

APNs: Various covering over 3,600 parcels

AMENDED LAND USE DESIGNATIONS: None

FINDINGS:

1. A Negative Declaration has been recommended for this project.
2. There is not significant public controversy on public record regarding issues associated with this project.
3. The proposed general plan amendment is consistent with General Plan Implementation Measure II-5C-1 " Review and update Special Plans as needed, consistent with state law and amendment procedures contained in the Plans."

Evidence: The Rancho Calaveras Special Plan Update was initiated in 1997 at the request of local Citizens and sanctioned formally by the County. All Advisory Committee meetings were open to the public and public participation was encouraged. Meetings were noticed in the local newspapers and through committee members.

4. There are no proposed changes in land use designation associated with the Special Plan Update.

Evidence: The proposed changes focused on policies and implementation measures of the plan reflecting recent concerns about the intrusion of livestock onto smaller lots, the addition of secondary dwellings on residentially zoned properties, the use and maintenance of equestrian trails, and re-confirming the prohibition of commercial land uses in the Planning Area.

**CALAVERAS COUNTY
BOARD OF SUPERVISORS**

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DISTRICT TWO

Paul Stein (Chair)

DISTRICT THREE

Merita Callaway (Chair)

DISTRICT FOUR

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DISTRICT FIVE

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PREFACE

This is a revision to the 1983 Rancho Calaveras Special Plan. This update consists of minor editorial changes, the effect of updated legislative changes regarding manufactured homes and accessory dwellings, and new sections on pedestrian/equestrian easements, animals, and a glossary. The impetus of this update was to re-evaluate the policy prohibiting commercial businesses in the Rancho Calaveras area.

The result was to re-affirm that the Rancho Calaveras community still desires to maintain the rural residential atmosphere and to prohibit commercial and multifamily development.

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1.0 INTRODUCTION

Special Plans are a part of the General Plan, although contained in a separate published booklet. Due to the breadth of coverage required for the county-wide General Plan, emphasis is not focused upon the individual issues of specific areas of the County. The Special Plan and Community Plan process is designed to fill the need to resolve local planning issues. Special Plans are intended to serve areas possessing architectural or historic characteristics, scenic resources, or special use. Special Plans are utilized primarily by larger subdivisions, scenic highway corridors, and areas of the County which share a common bond. A Special Plan is designed solely for the purpose of resolving specific land use issues within a limited area.

Special Plans contain a greater level of specificity regarding permitted land uses than are established in the General Plan with respect to land use policies, consistent zoning, and issues of local concern. In this regard the more specific Special Plan policies supplement and refine the policies of the General Plan. When a Special Plan does not address an issue that is covered in the General Plan, the policies of the General Plan apply.

The issues of commercial zoning, multiple family residential zoning and manufactured home usage have been frequently discussed topics in the Rancho Calaveras Subdivision. Interest centered on inconsistencies between the deed restrictions, county zoning, and the county-wide General Plan. These inconsistencies at times resulted in misunderstandings and controversy, and gave rise to a general feeling of uncertainty regarding the types of land uses permitted in Rancho Calaveras. In response to a group of local residents, in 1982 the Calaveras County Board of Supervisors created a local Community Advisory Committee to develop a Special Plan for Rancho Calaveras with the expressed purpose to take a look at the issues, resolve conflicts, and fill the gaps between the existing zoning and county-wide General Plan. The individual members of the Committee represented a wide range of viewpoints and included members and non-members of the Rancho Calaveras Property Owners Association (RCPOA). The Board of Supervisors adopted the original Rancho Calaveras Special Plan on November 28, 1983. This update covers the same three topics plus pedestrian/equestrian easements and animals.

2.0 HISTORICAL PERSPECTIVE

2.1 Overview

Rancho Calaveras was originally developed by the Pacific-Cascade Land Company between 1966 and 1969 primarily as a second home recreational subdivision. With 3,615 lots, Rancho Calaveras is the largest residential subdivision in Calaveras County.

Recreational facilities include a clubhouse, swimming pool, tennis courts, lakes and river front property. These facilities are private property, owned and maintained for use by members of the RCPOA, which is a non-mandatory association.

Calaveras County Water District (CCWD) supplies water to approximately 80% of the lots, with individual wells as the water source for the remainder. The method of sewage disposal for lots in Rancho Calaveras is by individual septic system. Introduction of sewer lines into Rancho Calaveras would require an affirmative vote of the property owners.

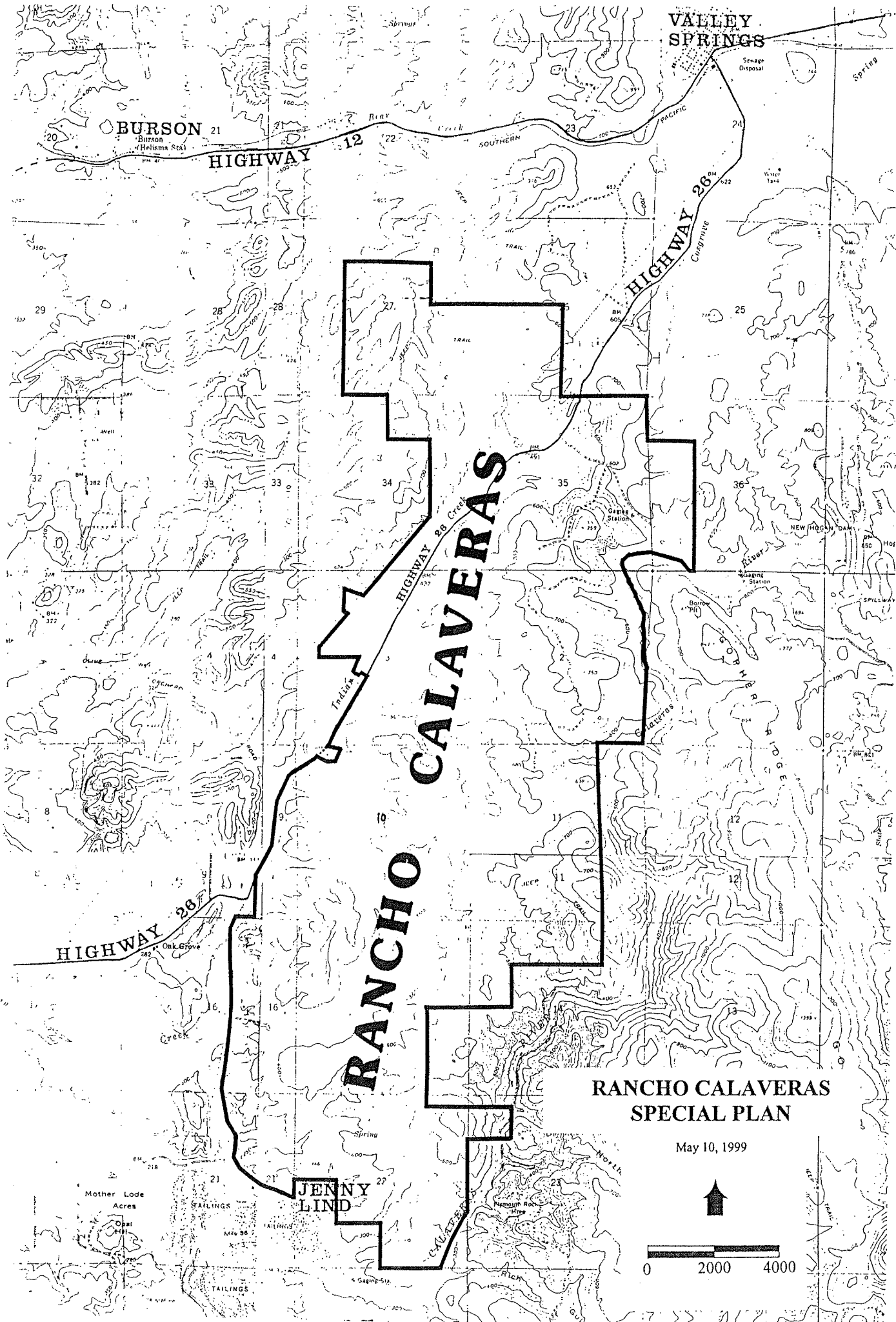
2.2 Zoning and General Plan

The zoning of Rancho Calaveras has not changed appreciably since the subdivision was originally approved in the 1960's. The vast majority of the subdivision (approximately 3,465 lots) was zoned Rural Residential (RR), with approximately 150 lots zoned Highway Frontage (H-1). The H-1 lots were located in three areas: Silver Rapids Road in the vicinity of the abandoned freeway alignment location, the intersection of Garner Place and Hwy 26, and the vicinity of Mann and Baldwin Streets.

The original H-1 zoning was replaced by Highway Service (HS) zoning with adoption of the revised zoning ordinance in 1978. The rezoning to HS was automatic for all parcels that were already zoned H-1, as the HS replacement zoning was very similar to the original H-1. The HS zone, as had the original H-1 zone, does not allow any outright commercial or multiple family residential uses, but rather, use permit approval is required by the Planning Commission with a finding that the use is consistent with the County General Plan.

In 1973 the County adopted a General Plan that designated the entire Rancho Calaveras Subdivision as "Rural Residential", a designation that did not allow any commercial or multiple family residential uses in the H-1 zone and its HS successor. The General Plan adopted in April 1982 continued this policy by designating Rancho Calaveras "Single Family Residential". Consequently, since 1973 the General Plan has prevented approval of any use permits or rezoning for commercial or multiple family residential development.

The original Rancho Calaveras Special Plan was adopted in 1983, which contained an implementation measure that required rezoning of all HS parcels to Rural Residential (RR). This rezoning was approved by the Board of Supervisors on June 4, 1984.



BURSON 21
Burson
Helisma St. & Co.
P.M. 47

VALLEY SPRINGS

HIGHWAY 12

HIGHWAY 26
Carpenter

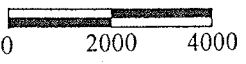
HIGHWAY 28
Oak Grove

RANCHO CALAVERAS

**RANCHO CALAVERAS
SPECIAL PLAN**

JENNY LIND

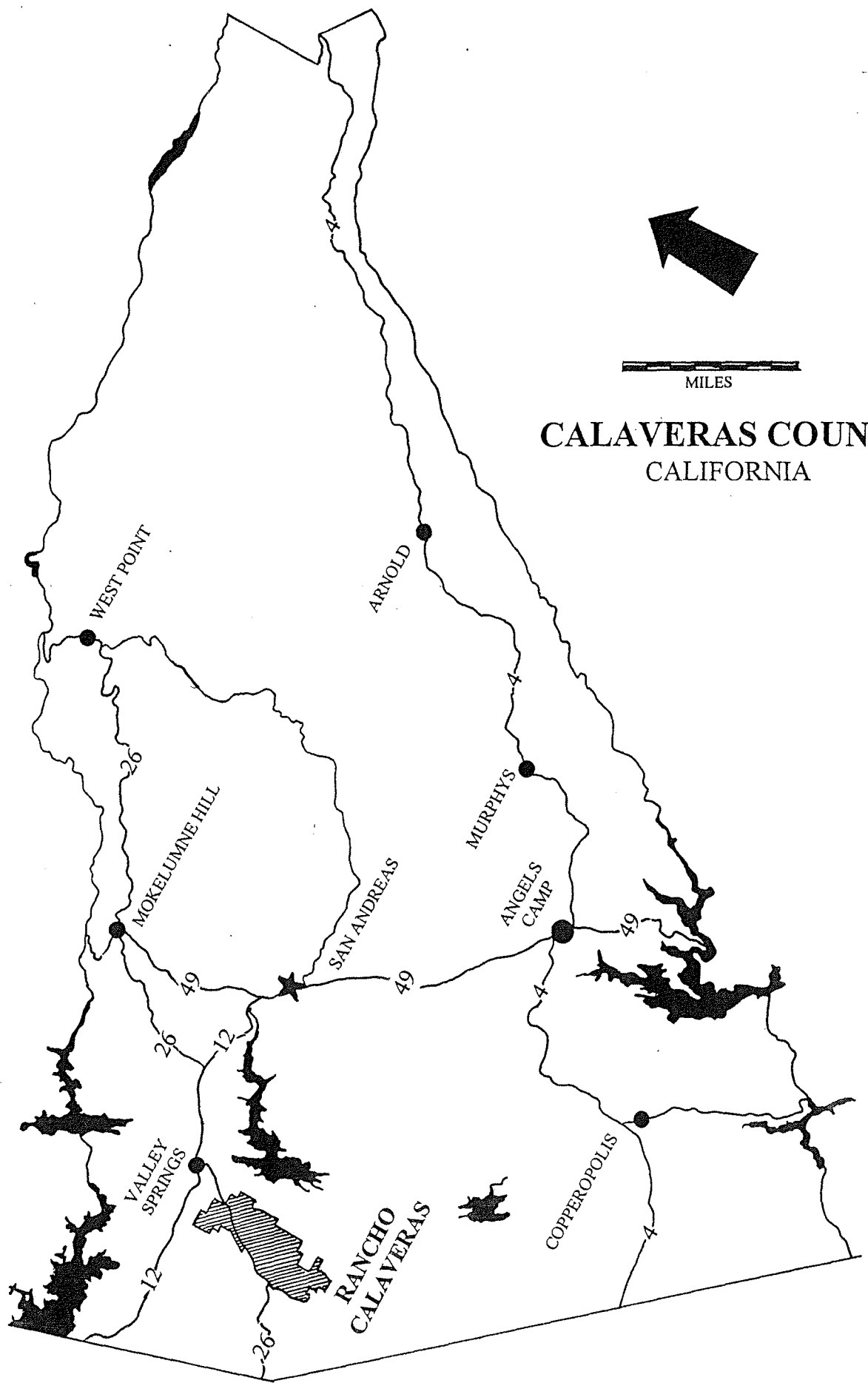
May 10, 1999





MILES

CALAVERAS COUNTY CALIFORNIA



2.3 Deed Restrictions

The deed restrictions, sometimes known as the C.C. and R.'s (Covenants, Conditions, and Restrictions) are another land use regulation affecting Rancho Calaveras. Deed restrictions involve a private "contract" between the developer (and usually a successor association) and a lot owner within a subdivision. Unlike zoning, the County had no involvement in the content of the C.C.&R.'s, and has no enforcement responsibility.

After the developer sold out the subdivision, the enforcement of the deed restrictions became the responsibility of the residents of the subdivision. The deed restrictions for Rancho Calaveras establish an Architectural Control Board for the approval of all development. The deed restrictions are useful in developing a land use plan in that they reference the original intent of the subdivider, but are not the sole determinant for County land use policy.

2.4 Existing Land Use

Today, approximately 1,700 out of the 3,615 total lots in Rancho Calaveras are developed with single family residential homes. Ideally, the homes are individually designed and built, as opposed to being "tract homes". This residential growth is scattered, with the most developed areas having access to CCWD water, public roads and electric utility service. Multiple family residential, commercial, and mobilehome park developments within the subdivision have not been permitted.

3.0 COMMERCIAL LAND USES

3.1 Existing Land Use Outside Rancho Calaveras

The area surrounding Rancho Calaveras has changed markedly since the subdivision was first proposed. Whereas Rancho Calaveras was originally separated from Valley Springs by three miles of rural ranch land, that area has now been developed with several subdivisions, most notably La Contenta. In the area between Valley Springs and Rancho Calaveras there are approximately 200 acres zoned commercial.

To the west and south, the surrounding area continues to be divided into smaller parcels at a slow rate. To the east lie the Calaveras River, rugged terrain, and New Hogan Lake.

Immediately adjacent to Rancho Calaveras is La Contenta Subdivision, which has 9 acres of commercial zoning on parcels having public water and sewer. These parcels appear to be the most suitable of any in the area for commercial zoning because of the available public services and good access to Highway 26.

Across from La Contenta, adjacent to the sewer and water system in La Contenta, there are approximately 64.8 acres in one to 10 acre parcels already zoned for commercial development. Further down Highway 26 in Country View Estates Subdivision, 11.9 acres have been rezoned to

commercial, with another acre across the highway in the Gold Creek Estates subdivision. Thus, in the immediate vicinity of La Contenta, there are 86 acres already commercially zoned.

Beyond this area, to the edge of Valley Springs, there is an additional 112 acres already zoned commercial, for a total of nearly 200 acres commercially zoned property within a short drive of Rancho Calaveras. This amount of property should accommodate the commercial needs of Rancho Calaveras and vicinity, without commercial zoning within Rancho Calaveras, where there are access, sewage disposal, and size limitations.

3.2 Commercial Land Use in Rancho Calaveras

Permanent commercial zoning has not been established in Rancho Calaveras. The most closely related use that falls into the category of commercial is the Real Estate Office on Highway 26 at Baldwin. This is a legal non-conforming use as it was established when lots were first sold by Pacific-Cascade, and it predates the 1973 Plan. If discontinued for a period of more than one year, any such future use must obtain approval of a conditional use permit from the Planning Commission.

Limitations on commercial development include: commercial use would conflict with existing single family residences; the need for individual sewage disposal would restrict the useable area for parking; narrow lots would result in multiple driveways with congested access; the appearance of commercial development would be of a "strip commercial" appearance due to its length and narrow lots. Due to these limitations, the area was determined to be unsuitable.

Churches and schools are uses which are allowed in the Rural Residential (RR) zone only upon approval of a conditional use permit. For purposes of this Special Plan, these uses are considered acceptable provided they are deemed to be compatible with the surrounding area of the proposed site. All other commercial uses identified under conditional uses in the RR zone are not allowed within the Special Plan area.

3.3 Home Business

The only "commercial" use allowed by the zoning ordinance in Rancho Calaveras is the low intensity home business use known as a "Residential Occupation or a "Rural Home Business" as defined by County Code. This use shall be subordinate to the residential uses of the site, and shall not cause any hazards, traffic noise, dust, or change in physical appearance that would detract from, conflict with, or endanger the surrounding residential area. If any home business is the cause of repeated legitimate complaints, it may result in relocation of the business to an appropriate commercial location.

Business signs, where allowed for home businesses, are restricted to a total display of six square feet and are to be placed on the subject property, and not within the building setback or road right-of-way.

3.4 Summary of Major Findings

With the development of La Contenta, Quail Oaks, and other approved subdivisions, Rancho Calaveras is no longer an island surrounded by agricultural land as it was 25 years ago. Instead, nearly 200 acres of commercial zoning are located nearby, with sewer and water service either immediately available or close at hand. These areas are, for the most part, larger parcels with better access than is available in Rancho Calaveras.

Exclusion of commercial development from Rancho Calaveras has been a County policy since adoption of the 1973 General Plan. Other than the one real estate office established for original sale of the subdivision (now Country Oaks Realty), no permanent commercial uses have been established in Rancho Calaveras and no precedent has been set to allow commercial development.

With relatively slow build out of the subdivision, the demand for commercial services is easily satisfied by development of the more suitable existing commercial lots in the vicinity of La Contenta. As commercial uses have not been established and have not been allowed since 1973, continuation of this policy to exclude commercial development does not eliminate any private property rights that already exist. This plan concludes that no land shall be identified for commercial usage in Rancho Calaveras.

3.5 Special Plan Recommendations

Goal 1: Preserve the existing rural residential character of Rancho Calaveras.

Policy 1A: No commercial zoning or uses shall be established in Rancho Calaveras except for those uses that qualify as a home business in conformance with Chapter 17.68 of the Zoning Code.

Policy 1B: Nonconforming uses that are consistent with the original legal requirements under which they were established shall be allowed to continue.

Implementation Measure 1B-1: All parcels within the in Rancho Calaveras Special Plan shall be designated and zoned Rural Residential.

Implementation Measure 1B-2: Amend Section 17.22.030 of the Zoning Code to reflect the specific objectives of a Special Plan area.

Implementation Measure 1B-3: Except for schools and churches, all commercial uses identified in Section 17.22.030, Conditional Uses in the Rural Residential Zone, are prohibited.

4.0 MULTIPLE FAMILY RESIDENTIAL AND ACCESSORY DWELLINGS

4.1 Existing Land Use Outside Rancho Calaveras

Immediately adjacent to Rancho Calaveras is the La Contenta Subdivision, which has 4.5 acres of multiple family residential zoning on parcels having public water and sewer. There is an additional 2 acres of multiple family residential zoning in the New Hogan Lake Estates Subdivision. These parcels appear to be suitable for multiple family residential zoning because of the available public services and good access to Highway 26.

Within the Valley Springs Community Plan area there are approximately 12 acres already zoned multiple family residential, for a total of 18.5 acres multiple family residential zoned property within a short drive of Rancho Calaveras.

4.2 Existing Land Use in Rancho Calaveras

Rancho Calaveras is comprised of single family detached residences. All parcels within the Rancho Calaveras Special Plan are designated and zoned Rural Residential. This designation and zoning does not allow any multiple family land uses. The C.C.&R's do not identify any lots within the Rancho Calaveras Subdivision for multiple family development.

4.3 Accessory Dwellings

Rural Residential zoning formerly allowed structures known as guest houses in addition to a primary residence on a parcel. The structure was required to be detached from the main residence, and was not intended for permanent occupancy. Kitchen facilities were not permitted in these structures.

In 1986, the County enacted an ordinance change permitting "accessory dwellings", pursuant to State Law. An accessory dwelling is a second living unit on a parcel, which in the County General Plan is permitted on parcels larger than one acre upon issuance of an accessory dwelling permit.

The original intent of the Rancho Calaveras development was to allow dwellings on small parcels of land and create a spacious country living atmosphere. An overabundance of dwellings usually necessitates the removal of trees and other plant life causing damage to the environment and destroying the scenic beauty of the area.

The soils that exist in Rancho Calaveras are generally no very deep, not conducive to standard septic systems, and can be prone to septic failures if proper design and installation procedures are not strictly adhered to. The County currently has seven types of systems available in addition to experimental ones. A County-wide monitoring report reflected a 70% functional rate, however, the other 30% should not be considered to be failing. Minor defects, such as stuck float switches and alarms disconnected by property owners, are included in this 30%. On a small parcel that includes

an accessory dwelling, it is virtually impossible to correct these failures, the consequences being septic waste flowing on top of the ground and into neighboring parcels, resulting in health hazards and possible property condemnation.

Without strict regulation of accessory dwellings on small parcels, potential problems exist, including but not limited to septic system failure, pollution, noise, erosion, road stress, water availability, as well as public support systems such as law enforcement and fire protection accessibility. Based on these limitations the Rancho Calaveras Special Plan designates that an accessory dwelling shall not be permitted on parcels less than 2 acres, and that such accessory dwelling not exceed 640 square feet.

4.4 Summary of Major Findings

The conventional single family detached residence is the exclusive land use within Rancho Calaveras. No multiple family dwelling units are located within the subdivision.

The zoning ordinance, General Plan, and deed restrictions have not allowed multiple family residential development in Rancho Calaveras. Existing soils limitations, small parcel sizes, and the absence of a community sewage disposal system render the Rancho Calaveras Subdivision unsuitable for multiple family development. Nearby parcels in La Contenta, already zoned R3 and having public sewer and water, are the most suitable for multiple family residential development.

This Special Plan designates that no multiple family uses be permitted in the Rancho Calaveras Subdivision.

4.5 Special Plan Recommendations

Goal 2: Protect the existing single family rural residential character of Rancho Calaveras.

Policy 2A: Prohibit multiple family residential development in Rancho Calaveras.

Implementation Measure 2A-1: Prohibit R-2 (duplex), or R-3 (multiple family residential) zoning within Rancho Calaveras.

Policy 2B: Restrict the use of accessory dwellings in Rancho Calaveras.

Implementation Measure 2B-1: Amend Section 17.22.030 of the Zoning Code to reflect the specific objectives of a Special Plan area.

Implementation Measure 2B-2: Allow consideration of an accessory dwelling not to exceed 640 square feet on parcels of two acres or larger.

5.0 SINGLE FAMILY RESIDENTIAL LAND USE

5.1 Existing Land Use

Among existing homes, there is a great divergence in style. Several areas contain homes of individualistic and unusual style, while other areas have more common residential and cabin styles. Pursuant to State Law, manufactured homes may be allowed within the subdivision.

5.2 Zoning Background

For the period before June 15, 1976, mobilehomes could have been allowed in Rancho Calaveras on a yearly use permit basis. No approvals by the County were ever granted. Prior to 1986, mobilehome zoning was required for all parcels less than 4.75 acres in size. Since there are very few parcels within the Special Plan area that are greater than 4.75 acres, mobilehome zoning was necessary as a prelude to allowing mobilehomes on virtually all parcels within the study area.

There was not an outright prohibition against mobilehome zoning anywhere in the County, however there was a defacto policy of requiring the same zoning for all similar parcels within a subdivision, including Rancho Calaveras. Two previous attempts to obtain mobilehome zoning on individual lots in Rancho Calaveras were both denied on the basis of 1) the entire subdivision was not included in the proposed zoning and 2) the zoning was found to be incompatible with existing residences.

County policy on mobilehomes has changed in several respects, in response to changes in state law and the evolution of mobilehome design and construction. Foremost of the State law changes was SB 1960, the so called "Mobilehome Bill of Rights". Current policy allows a Manufactured Home any place a conventional house is otherwise permitted, except within historical districts. When manufactured homes are permitted, they must meet the 1976 Housing and Urban Development's (HUD) nationally standardized construction standards. Such units are also taxed as "land improvements" rather than as motor vehicles.

5.3 Various Categories of Dwellings

Different rules, regulations and standards govern the various types of dwellings: conventional (or "stick-built"), mobile homes, manufactured, modular, and prefabricated.

Mobile homes were built under HUD standards prior to June 15, 1976. Manufactured homes are built under revised HUD standards that were adopted June 15, 1976. For all intents and purposes the term "mobile home" no longer applies to these units. Conventional, modular, and prefabricated (Pre-Fab) houses are built under the standards set forth in the 1995 California Building Code which is an amended version of the 1994 Uniform Building Code. Modular and Pre-Fab units are those which are partially or totally built at factories and brought to job sites for completion. Under current State and County regulations, manufactured, modular, pre-fab, and conventional housing are

permitted in Rancho Calaveras. Mobile homes are to be located within State approved mobile home parks.

5.4 Manufactured Home Design

Many of the manufactured homes today are beautiful, and meet or exceed the appearance of some conventionally built houses. Other manufactured homes still resemble the older, simpler style of rectangular, metal sided boxes that many people find aesthetically unacceptable and incompatible with conventionally built houses. Senate Bill 1960 did provide a means to control some aspects of manufactured home design and materials, such as roof overhang, roofing material and siding material. But, such restrictions are applicable to manufactured homes only to the extent that they are applied to conventionally built homes. Calaveras County imposes construction standards, through the use of the Uniform Building Code, but does not review design standards for single family homes in Rancho Calaveras. As a result, the County imposes structural design requirements upon manufactured homes as would apply to the design standards for conventionally built homes.

Government Code Section 65852.3 does allow the County to preclude installation of a manufactured home if more than 10 years have elapsed between the date of the manufacture of the home and the date of the application for the issuance of the building permit. In order to encourage an enhanced aesthetic standard for the installation of manufactured homes, this Plan imposes the 10 year requirement.

5.5 Temporary Trailer Permits

To facilitate owner built housing, the county allows temporary use of a travel trailer or mobile home during construction of a residence. A temporary trailer permit can be obtained only after issuance of the building permit for the residence for a 12 month time period. If the dwelling has not been completed within 12 months, the trailer or mobile home shall be removed.

5.6 Summary of Major Findings

This Special Plan continues the existing policy that excludes mobile homes from Rancho Calaveras. Manufactured homes as defined in Section 5.3 have been permitted since 1976.

5.7 Special Plan Recommendations

Goal 3: Preserve the existing rural residential character of Rancho Calaveras.

Policy 3A: Permit only housing that meets the requirements of all applicable codes.

Implementation Measure 3A-1: Enforce all applicable building codes, zoning ordinances, and environmental regulations.

Implementation Measure 3A-2: Amend Section 17.55.020.B.3 of the Zoning Code to require that manufactured homes installed within the boundaries of the Rancho Calaveras Special Plan shall be no older than 10 years as allowed by Government Code Section 65852.3.

Policy 3B: Maintain a rural residential density for the Plan area.

Implementation Measure 3B-1: Designate all those parcels zoned Rural Residential - 3 acre density (RR-3) in the original Rancho Calaveras Subdivision as a three acre density on the land use map.

Implementation Measure 3B-2: While recognizing the legally existing ½ acre lots in the original Rancho Calaveras Subdivision, designate the remainder of the Rancho Calaveras Special Plan area as a one acre density on the land use map.

Implementation Measure 3B-3: Utilize the following Table for consistent zones within the Plan area:

Table 1 Consistent Zones for Land Use Designations ¹			
Land Use Designation	Public Services	Density	Consistent Zones ²
Rural Residential - 3 acre density	Well and septic District water and septic or sewer	5 acre density 3 acre density	RR-5, PS RR-3, PS
Rural Residential - 1 acre density	Well and septic District water and septic District water and sewer	5 acre density 1 acre density 1 acre density	RR-5, PS RR-1, PS RR-1, R1 (only with density transfer), PS
Recreation	District services, well or septic	35% lot coverage	REC, PS

¹ The above table indicates the zoning districts which are consistent with the land use designations. The land use designations have multiple zones which are considered consistent. This does not mean, however, that each parcel is entitled to any of the zones listed. Various factors will be considered at the time of application, such as compatibility with the surrounding neighborhood, circulation, and any related matter.

² RR - Rural Residential R1 - Single family residential REC - Recreation PS - Public Service

6.0 PEDESTRIAN/EQUESTRIAN EASEMENTS

6.1 Background

The Rancho Calaveras Subdivision was developed with Pedestrian/Equestrian easements along property lines of certain parcels to provide reasonable access to and from streets and roads and the Rancho Calaveras Property Owners Association facilities throughout the subdivision. The recorded

Covenants, Codes, and Restrictions specify that these easements are reserved for "the use of pedestrians, animals, and vehicles of all kinds". These easements were dedicated to the public but were not accepted by the Board of Supervisors for public use, and are therefore private easements which directly benefit the residents of the subdivision and are only for their use until such time the County should accept the dedication.

While the concept of providing these easements was a good design feature, the reality is that they were prepared on paper without any provisions for actual construction or maintenance. Therefore, the easements were never formally identified and over the years this has presented problems. In many cases the easements are not physically suitable for a trail; the topography is such that access is impeded by a steep drop off or embankment. Additionally, individual lot owners are responsible for the maintenance of the easements across their parcels, and in many circumstances have blocked them through fencing and there are a few that have actually constructed driveways, residences or other accessory buildings on the easements.

Over the years approximately nine individual lot owners successfully petitioned the County to have these easements "summarily vacated" across their lot, either a portion or in its entirety. In the past there has been discussion of abandonment of all such easements, but it was decided to review each on an individual basis.

This Special Plan acknowledges that many of the easements are impractical for use, particularly for vehicles. However, there may be a value to establishing a trail system for recreational purposes and for alternate routes throughout the subdivision without having to utilize the road system.

The Special Plan addresses these private easements to the extent of the protection of those easements which are viable.

6.2 Special Plan Recommendations

Goal 4: Encourage the preservation and development of practical pedestrian/equestrian easements throughout the Rancho Calaveras Special Plan area.

Policy 4A: Identify and support those easements which are physically practical and which provide reasonable access to and from streets and roads.

Implementation Measure 4A-1: Establish an advisory committee to evaluate all existing easements throughout the Rancho Calaveras Subdivision with the purpose of recommending adoption of those routes which are practical into the Special Plan.

Implementation Measure 4A-2: Evaluate new development within or future expansion of the Rancho Calaveras Special Plan area for potential pedestrian/equestrian easements to enhance the existing system.

7.0 ANIMALS

7.1 Discussion.

The Rancho Calaveras Special Plan area is designated and zoned Rural Residential. The original subdivision was comprised of ½ to 3 acre Rural Residential zoning. The parcel sizes and rural character were intended to allow various hoofed and/or farm animals, including birds.

Prior to 1986, the County's zoning code limited the number of adult hoofed animals by acreage, however currently there is no such zoning limitation. In some circumstances this has created a problem in several ways: too many animals on a parcel creating potential health hazards, nuisances (i.e. objectionable smells and flies), and animals on absentee owner lots creating potential physical care problems for the animals.

The intent of the Rural Residential zoning is to provide lands in which the residential use is the primary land use, and to allow personal farming practices. The keeping of animals without an associated residence is considered a violation of the principal of the RR zoning and within the boundaries of the Plan is prohibited.

See Title 6 of the Calaveras County Code for dog and kennel regulations.

7.2 Special Plan Recommendations

Goal 5: Strive to maintain compatibility between residential use and the keeping of various hoofed, farm animals, birds, or pets within the Plan area.

Policy 5A: Support the limitation of hoofed and/or farm animals, birds, and pets within the Special Plan area and the prohibition of the keeping of same on absentee owner lots within the Special Plan area.

Implementation Measure 5A-1: Work with the County to adopt standards into County Code to ensure the quality of care of animals and to reduce nuisances to adjoining neighbors.

Implementation Measure 5A-2: Amend the appropriate section(s) of County Code to prohibit the keeping of animals on lands without an associated residence within the Special Plan area.

GLOSSARY

Absentee Owner - An owner of land within the Special Plan that resides outside the boundaries of the Special Plan.

Accessory Dwelling - Either an attached or detached dwelling unit which provides potential living facilities for one or more persons, and exceeds the permitted density for a parcel by one unit.

Architectural Control Board - A Board established under the CC&Rs for the Rancho Calaveras Subdivision with powers granted to the Rancho Calaveras Property Owners Association to enforce the provisions contained in the CC&Rs.

CC&Rs (Covenants, Conditions and Restrictions) - Additional recorded restrictions enforceable by the Rancho Calaveras Property Owners Association and lot owners within the Subdivision. CC&Rs are not enforceable by the County.

Design Standards - Pertains to the house design, materials of which it is constructed, roof overhang, roofing material and siding material.

Easements - A right, privilege, or liberty which one has in land owned by another; it is a right to a limited use in another's land for some special and definite purpose.

private easements - an easement which is intended to and does benefit the possessor of a particular tract of land in the physical use and enjoyment made of that land and which is described as appurtenant to that land.

public easements - an easement which exists for the benefit of the holder independently of his possession of any land and which does not benefit any particular land possessed by the holder.

General Plan - The Calaveras County General Plan is a comprehensive, long term plan for the physical development of the County, which includes community, special, and specific plans.

Home Business - Home business means a low intensity home business which would not detract or conflict with the surrounding residential area, is subservient to the use of the dwelling as a residence, and meets the requirements of the Zoning Code, Chapter 17.68. The following applies in the Special Plan area:

Residential Occupation (Section 17.68.020) - on parcels less than two acres

Rural Home Business (Section 17.68.030) - on parcels two acres or larger

Manufactured Home - Homes built under revised HUD standards that were adopted June 15, 1976, which comply with Uniform Building Code standards.

Mobile Home - HUD standard manufactured housing, or a nonpermanent shelter, as defined in the Vehicle Code, which is more than eight feet wide and forty feet long, and is not built to Uniform Building Code (UBC) standards.

Modular Home - Homes which comply with Uniform Building Code (UBC) standards, built wholly or partially at off site factories and then brought to the job site and assembled with permanent foundations.

Multiple-family Residential - A group of attached dwelling units within one structure (i.e. triplex, apartments, condominiums, or co-ops).

Multiple Land Use - Land which is zoned to be used for a combination of residential, multifamily, commercial, and/or industrial.

Pre-fab Housing - Homes which comply with UBC standards, built wholly or partially at off site factories and then brought to the job site and assembled with permanent foundations.

Rancho Calaveras Property Owners Association (RCPOA) - A non profit California corporation which is not mandatory to join.

Rural Residential - Rural Residential is a land use designation and means lands for personal ranches in which residential use is the primary land use.

Single Family Home - A home built to house an individual(s) or one family.

Single Family Residential - Single Family Residential is a land use designation which allows single family homes on less than half acre lots.

Stick Built Homes - Homes that are built on site which meet the standards of the Uniform Building Code.

Temporary Trailer Permit - A permit granted by the County, not to exceed twelve months, for use of a trailer while a permanent dwelling is being built.

Uniform Building Code - Construction standards adopted by Calaveras County.