

SANTA CLARA COUNTY
Rural Base Zoning Districts

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- A Exclusive Agriculture
- AR Agricultural Ranchlands

CHAPTER 2.20 RURAL BASE DISTRICTS

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§ 2.20.010 Purposes

The intent of the rural base districts is to maintain and preserve the predominantly rural character of lands to which they are applied. The base districts further regulate the type of land uses and intensity of development permitted in rural areas in a manner that implements the general plan and which protects natural resources and maintains compatibility between uses.

This chapter defines the allowable land uses and development standards for each of the rural base districts, which include the A "Exclusive Agriculture," AR "Agricultural Ranchlands," HS "Hillsides," and RR "Rural Residential" districts. The specific purposes of each of these base districts are described below.

- A. **A Exclusive Agriculture.** The purpose of the Exclusive Agriculture district, also known as the A district, is to preserve and encourage the long-term viability of agriculture and agricultural lands, recognizing the vital contributions agriculture makes to the economy and quality of life within the county. The intent of this district is to reserve those lands most suitable for agricultural production for agricultural and appropriate related uses. This zoning district will provide stability for ongoing agricultural operations and provide for new uses necessary to support a viable local agriculture industry. This district is also intended to retain in open space uses those lands which may be suitable for future urbanization until such time as they are included within a city's urban service area and public facilities and services can be economically provided, consistent with community plans and objectives. This district is meant to apply to all portions of the county designated as Agriculture: Large Scale, Agriculture: Medium Scale, and Open Space Reserve in the general plan. Note that § 2.20.050 applies to this district.
- B. **AR Agricultural Ranchlands.** The purpose of the Agricultural Ranchlands district, also known as the AR district, is to preserve ranching, the natural

resources, and the rural character of the areas to which it applies. Permitted uses include ranching or agriculture, low-intensity recreation, mineral extraction, and land in its natural state. Very-low-intensity residential, commercial, industrial and institutional uses may also be allowed if they primarily serve the rural ranchland residents or are necessary for the enhancement and protection of the natural resources of the area and do not require a substantially higher level of service than presently provided. This district is meant to apply to all parcels designated Ranchlands in the general plan. Note that § 2.20.060 applies to this district.

- C. **HS Hillside.** The purpose of the Hillside district, also known as the HS district, is to preserve mountainous lands unplanned or unsuited for urban development primarily in open space and to promote those uses which support and enhance a rural character, which protect and promote wise use of natural resources, and which avoid the risks imposed by natural hazards found in these areas. These lands are watersheds and may also provide such important resources as minerals, forests, animal habitat, rare or locally unique plant and animal communities, historic and archeological sites, scenic beauty, grazing lands, and recreational areas. Additionally, lands zoned Hillside define the setting or viewshed for the urban area of the county.

Development shall be limited to avoid the need for public services and facilities. Permitted uses include agriculture and grazing, very low density residential use, low density, low intensity recreation, mineral and other resource extraction, and land in its natural state. Low-intensity commercial, industrial, and institutional uses may also be allowed if they require a remote, rural setting in order to primarily serve the rural residents or community, or if they support the recreational or productive use, study, appreciation, or enhancement of the natural environment. Clustering of development, particularly residential, is encouraged in order to preserve contiguous open space and achieve efficiency in the provision of access to dwellings. This district is meant to apply to all parcels designated Hillside in the general plan. Note that § 2.20.070 applies to this district.

- D. **RR Rural Residential.** The purpose of the Rural Residential district, also known as the RR district, is to permit rural residential development in certain limited unincorporated areas of the county designated by the general plan. Residential use and limited agricultural uses accessory to residential use are the primary uses intended within the district. Agricultural and open space uses that are compatible with the residential uses are also permitted. Commercial, industrial and institutional uses may be established only where they serve the needs of the resident rural population and result in a net overall reduction in travel demand for rural residents. This district is meant to apply to all parcels designated Rural Residential in the general plan. Note that § 2.20.080 applies to this district.

§ 2.20.020 Use Regulations

The following tables, Tables 2.20-1 and 2.20-2, specify the allowable land uses for the rural base districts, listed by use classification as defined in Chapter 2.10. The regulations for each district are established by letter designations as follows:

- “R” designates use classifications that are permitted by right.
- “S” designates use classifications permitted with a special permit, subject to the provisions of Chapter 5.60, Special Permit.
- “A” designates use classifications permitted with architecture and site approval, subject to the provisions of Chapter 5.40, Architecture and Site Approval.
- “U” designates use classifications permitted with a use permit and architecture and site approval, subject to the provisions of Chapter 5.65, Use Permit, and Chapter 5.40, Architecture and Site Approval.
- “-” designates use classifications that are not allowed.

Supplemental regulations for the establishment and conduct of a use are referenced in the “Supplemental Regulations” column of the tables. Use classifications not listed in the tables are prohibited in the rural base districts.

Table 2.20-1

**RESIDENTIAL USES
IN RURAL BASE DISTRICTS**

- R** Permitted by Right
- S** Special Permit (Ch 5.60)
- A** ASA (Ch 5.40)
- U** Use Permit/ ASA (Ch 5.65; 5.40)
- Not Permitted

USE CLASSIFICATIONS	ZONING				Supplemental Regulations
	A	AR	HS	RR	
Residences: Single-Family	R	R	R	R	Note 1.
Residential Accessory Structures & Uses	R	R	R	R	§ 4.20.020
Agricultural Employee Housing					
Short Term	S	S	S	S	§ 4.10.040
Long Term	U	R	U	U	§ 4.10.040, Note 2 (AR)
Community Care					
Limited	R	R	R	R	§ 4.10.090, Note 3
Expanded	U	U	U	U	§ 4.10.090, Note 4
Domestic Animals					
Dogs & Cats	R	R	R	R	Note 5
Other (see Ag: Livestock, Table 2.20-2)					

Table 2.20-1

**RESIDENTIAL USES
IN RURAL BASE DISTRICTS**

R Permitted by Right
S Special Permit (Ch 5.60)
A ASA (Ch 5.40)
U Use Permit/ ASA (Ch 5.65, 5.40)
 - Not Permitted

USE CLASSIFICATIONS	ZONING				Supplemental Regulations
	A	AR	HS	RR	
Home Occupations					
General	R	R	R	R	§ 4.10.180
Expanded	S	S	S	S	§ 4.10.180, Note 6
Residential – Communal Institutional	U	U	U	U	§ 4.10.300, Note 7
Secondary Dwellings	R	R	R	R	§ 4.10.340, Notes 1, 8
Temporary Residences / Construction	R	R	R	R	§ 4.10.380

NOTES:

1. Single-family dwellings, including certain additions, and new secondary dwellings, may be subject to the building site approval provisions of Section C12-300 et seq. of the County Ordinance Code.
2. On lots 10 acres or larger in AR districts, a second one-family dwelling for agriculture worker housing is allowed as a matter of right and is not subject to the supplemental use regulations.
3. Facilities qualifying as "Large-Family Day-Care Homes," serving between 7 and 12 persons, are subject to an administrative permit, per the provisions of Division B24 of the County Ordinance Code.
4. Not a permitted use in areas with the "Agriculture-Large Scale" Land Use Plan designation of the general plan.
5. Not to exceed two (2) dogs and five (5) cats over four months of age on parcels less than five acres, or three (3) dogs and five (5) cat over four months of age on parcels five acres or more, unless the required permit is secured pursuant to County Ordinance Code §A33-171.
6. Expanded home occupations permitted on lots one-acre or larger. For additional applicable criteria, see §4.10.200.
7. In rural districts, the floor area of Residential – Communal Institutional uses shall be limited to 10,000 square feet, or less.
8. Two classes of detached secondary dwellings are subject to the special permit process: (a) those exceeding permissible separation between primary and secondary dwelling, and (b) those attached to accessory building where cumulative floor area exceeds allowed area specified for secondary dwellings. Class "b" shall not be construed to allow the secondary dwelling portion to exceed the applicable maximum area allowed for secondary dwellings. See § 4.10.340(D) for more complete information.

Table 2.20-2

**NON-RESIDENTIAL USES
IN RURAL BASE DISTRICTS**

R Permitted by Right
S Special Permit (Ch 5.60)
A ASA (Ch 5.40)
U Use Permit/ ASA (Ch 5.65, 5.40)
- Not Permitted

USE CLASSIFICATIONS	ZONING				Supplemental Regulations
	A	AR	HS	RR	
Agriculture					
General	R	R	R	R	
Livestock	R	R	R	R	Note 1 (HS)
Agricultural Accessory Structures/ Uses	R	R	R	R	§ 4.20.020
Agricultural Processing					
Small Scale	R	R	R	R	§ 4.10.030
Medium Scale	A	-	-	-	§ 4.10.030
Large Scale	U	-	-	-	§ 4.10.030
Agricultural Research	A	-	-	-	
Agricultural Sales					
Limited	R	R	R	R	§ 4.40.110 (Signs)
General	A	A	A	A	§ 4.40.110
Farmers' Markets	U	U	-	-	
Agriculturally Related Entertainment & Commercial Uses	U	-	-	-	§ 4.10.050
Aircraft Landing Strips—Private	U	U	-	-	Note 2
Antennas—Commercial					
Minor	A	A	A	A	
Major	U	U	U	U	
Bed & Breakfast Inns	U	U	U	U	§ 4.10.060, Note 3
Butcheries	U	U	-	-	
Camps & Retreats	U	U	U	U	§ 4.10.070, Note 4
Cemeteries	U	U	U	U	§ 4.10.080, Note 4
Churches [See "Religious Institutions"]					
Clubs—Private & Nonprofit	U	U	U	U	Note 5
Community Care					
Limited	R	R	R	R	§ 4.10.090, Note 6
Expanded	U	U	U	U	§ 4.10.090, Note 4
Corporation Yards	U	U	-	U	§ 4.10.100

Table 2.20-2

NON-RESIDENTIAL USES
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U Use Permit/ ASA (Ch 5.65, 5.40)
- Not Permitted

USE CLASSIFICATIONS	ZONING				Supplemental Regulations
	A	AR	HS	RR	
Dairies	U	U	-	-	§ 4.10.110
Entertainment—Seasonal Outdoor	-	-	U	-	§ 4.10.120
Feed Lots	U	U	-	-	§ 4.10.130
Golf Courses & Country Clubs	U	-	U	U	§ 4.10.140, Note 4
Golf Driving Ranges	U	-	-	U	§ 4.10.150, Note 4
Helipads	-	-	U	-	§ 4.10.160
Historic Structures—Use Conversion	A	A	A	A	§ 4.10.170
Hospitals & Clinics	U	U	U	U	§ 4.10.190, Notes 4 & 5
Hunting & Fishing Preserves	U	R	-	-	Note 7
Informational Displays					
Small	R	-	-	-	
Large	U	-	-	-	
Kennels—Commercial	U	U	U	U	§ 4.10.200
Laboratories and Testing Services (Limited)	U	-	-	-	
Livestock Auction Yards	U	U	-	-	§ 4.10.210
Manufacturing: Small Scale Rural	U	U	-	-	Note 5
Museums	U	U	U	U	Note 8
Mushroom Farms	U	U	-	U	§ 4.10.220
Nonprofit Institutions	U	U	U	U	§ 4.10.230, Notes 4 & 5
Nurseries					
Retail	U	U	U	U	Note 9
Wholesale	R	R	R	U	Note 9
Offices (Limited)	U	-	-	-	Note 10
Oil & Gas Extraction	U	U	U	U	
Poultry and Egg Farms—Commercial	U	U	-	U	§ 4.10.240
Radio-Controlled Model Aircraft Facilities	U	-	-	-	§ 4.10.250
Reception Facilities	U	U	U	U	§ 4.10.260

Table 2.20-2

**NON-RESIDENTIAL USES
IN RURAL BASE DISTRICTS**

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A ASA (Ch 5.40)
U Use Permit/ ASA (Ch 5.65, 5.40)
 - Not Permitted

USE CLASSIFICATIONS	ZONING				Supplemental Regulations
	A	AR	HS	RR	
Recreational Playgrounds & Sports Fields	U	U	U	U	§ 4.10.270 (A Zoning District)
Recreational Vehicle Parks	-	-	U	U	§ 4.10.280
Recycling Facilities					
Collection Facilities – Consumer Recycling	R	R	R	R	
Recycling/ Processing Facilities – Consumer Waste	-	-	-	-	
Concrete, Asphalt & Soil Recycling	U	U	U	U	Note 11
Composting & Wood Recycling	U	U	U	U	
Hazardous Materials	-	-	-	-	
Religious Institutions	U	U	U	U	§ 4.10.290, Notes 4 & 5
Restaurants & Bars (Limited)	-	U	U	-	Note 12
Retail Sales & Services: Local-Serving	-	U	U	-	§ 4.10.310, Note 5
Rodeos and Equestrian Event Facilities	U	U	-	-	§ 4.10.320
Schools	U	U	U	U	§ 4.10.330, Notes 4 & 5
Sport Shooting	-	U	U	-	§ 4.10.350
Stables – Commercial	U	U	U	U	§ 4.10.360
Surface Mining	U	U	U	U	§ 4.10.370
Swim & Tennis Clubs	-	-	U	U	
Timber Harvest Operations – Commercial	-	U	U	-	Note 13
Truck Sales & Services: Storage (Limited)	U	-	-	-	Note 14
Underground Mining	U	U	U	U	
Utilities					
Minor	A	A	A	A	
Major	U	U	U	U	
Veterinary Clinics & Hospitals	U	U	U	U	Note 15
Well-Drilling Operations	A	-	-	-	

Table 2.20-2

**NON-RESIDENTIAL USES
 IN RURAL BASE DISTRICTS**

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S Special Permit (Ch 5.60)
A ASA (Ch 5.40)
U Use Permit/ ASA (Ch 5.65, 5.40)
 - Not Permitted

USE CLASSIFICATIONS	ZONING				Supplemental Regulations
	A	AR	HS	RR	
Wind Energy Conversion Systems – Commercial	U	U	U	U	§ 4.10.390
Wineries					
Limited	R	R	R	R	
General	A	A	A	A	
Expanded–Receptions/ Special Events	U	U	U	U	

NOTES:

- Livestock breeding, raising and keeping is limited in HS districts as follows: Not more than three (3) large animals or six (6) medium animals per acre as a matter of right, or a proportional combination totaling three (3) animal units where each large animal constitutes one (1) animal unit, and each medium animal constitutes 0.5 animal unit. Special permit required for numbers of large and medium animals exceeding these limits. There are no specified numerical limits for small animals.
- Landing strip, including approach and departure zones, shall be located a safe distance from residential development to prevent significant hazard.
- Bed and breakfast inns are prohibited within the Los Gatos Hillside Specific Plan area, except as provided under the classification Historic Structures–Use Conversion.
- Not a permitted use in areas with the "Agriculture-Large Scale" Land Use Plan designation of the general plan.
- The use shall be limited in scale and shall primarily serve the local (rural) community. The location shall be accessible and convenient to the local population to be served.
- Facilities qualifying as "Large-Family Day-Care Homes," serving between 7 and 12 persons, are subject to an administrative permit, per the provisions of Division B24 of the County Ordinance Code.
- The minimum lot size for hunting preserves shall be one hundred sixty (160) acres.
- Museums in rural districts shall be limited in scale and must relate to the locally significant cultural, historical or social themes of the rural area.
- The size of buildings for on-site sales and ancillary office associated with nurseries shall be kept to a minimum.
- Offices ancillary to a permitted agricultural activity in A districts that contain no more than 2,400 square feet of floor area are allowed as a matter of right. Offices larger than 2,400 square feet are subject to a use permit.

11. Concrete, asphalt and soil recycling within rural districts is a permitted use only in association with an existing quarry operation in any rural base zoning district.
12. Restaurants and bars in rural districts shall be limited in scale, with a maximum floor area of 1,200 square feet, and shall primarily serve the local (rural) residents.
13. Timber harvest of commercial tree species as defined by the County Tree Preservation and Removal Ordinance, Division C16 of the County Ordinance Code, including but not limited to Redwood and Douglas Fir, may be subject to the regulatory and permitting authority of the California Department of Forestry and Fire Protection.
14. Truck storage uses in rural districts shall be limited to agriculture-related tractors, trucks, trailers, and similar equipment.
15. The minimum lot size for veterinary clinics and hospitals shall be two and one-half (2.50) acres.

§ 2.20.030 Development Standards

- A. **Standards.** Table 2.20-3 establishes property development standards for the rural base districts. A “-” indicates there is no applicable standard or requirement.

Table 2.20-3

**RURAL BASE DISTRICTS:
PROPERTY DEVELOPMENT STANDARDS**

	A	AR	HS	RR
Minimum lot area for subdivision or lot line adjustment (acres)				
Without use of slope-density	-	160	160	-
With slope-density	-	§ 2.20.040	§ 2.20.040	§ 2.20.040
With combining district	Chapter 3.10	-	-	Chapter 3.10
Setbacks (feet)				
Front	30	30	30	30
Side	30	30	30	30
Rear	30	30	30	30
Scenic road	100	100	100	100
Height (max)				
Feet	35	35	35	35
Stories	2	3	3	2
Additional standards/criteria	§ 2.20.050	§ 2.20.060	§ 2.20.070	§ 2.20.080
Accessory buildings	See Chapter 4.20, Supplemental Development Standards			

B. **Measurement.** The standards shown in Table 2.20-3 are subject to the following rules of measurement:

1. Where a lot abuts a road, setbacks from that road shall be measured from the edge of ultimate right-of-way (see "setback" definition in §6.10.030);
2. Setbacks from all property lines not abutting a street shall be measured from the property line unless otherwise specified; and
3. Height shall be measured according to the provisions of Article 6, Definitions.
4. Precision of numbers for the purposes of measurement and calculation shall be as stipulated in § 1.20.030: Precision of Numbers/Rounding.

§ 2.20.040 Slope-Density Requirements

Table 2.20-4 describes the required land area per dwelling unit (density), as well as the minimum lot sizes, for the AR, HS and RR districts with application of slope-density requirements. Additional regulations for the AR, HS, and RR districts are described in Sections 2.20.060, 2.20.070, and 2.20.080, respectively.

Table 2.20-4

SLOPE DENSITY PROVISIONS IN RURAL BASE DISTRICTS

Base District	Allowed Density: Land area per dwelling unit (acres) ¹			Minimum parcel size
	Avg. slope < 10%	Avg. slope ≥ 50%	Avg. slope 10-50%	
AR	20	160	1 $.0609375 - .00109375 * S$	Same as land area per dwelling [see also 2.20.060]
HS (cluster permit required) ²	20	160	1 $.0609375 - .00109375 * S$	2 acres for cluster [see also 2.20.070]
RR (clustering optional)	5	20	1 $.2375 - .00375 * S$	Same as land area per dwelling; 1 acre for cluster [see also 2.20.080]

NOTES:

1. The variable "S" represents the average slope of the entire property that is the subject of the application. Average slope is determined according to the formula $S = (0.00229 \times IL) / A$, where

I is the contour interval in feet;
L is the combined length of contour lines in scale feet;
A is the gross area in acres of the subject lot or area of land; and,
S is the average slope expressed as a percentage.

Where the average slope is less than 10%, the land area per dwelling shall be no less than 5 acres in RR, and no less than 20 acres in AR and HS. Where the average slope exceeds 50%, the land area per dwelling shall be 20 acres in RR, and 160 acres in AR and HS.

The maximum number of lots or dwelling units allowed is determined by dividing the gross land area of the subject property by the minimum land area per dwelling unit and rounding down to the nearest whole number.

2. See § 2.20.060, 2.20.070, and 2.20.080 for additional standards for AR, HS, and RR districts. For specific provisions pertaining to cluster permit and procedures, see Chapter 5.45, Cluster Permits.

§ 2.20.050 A Districts: Agricultural Preservation Criteria

- A. **New Uses.** Any newly proposed use in an A district must be found to be in compliance with all of the following general criteria.
 1. The use must be compatible with and not substantially interfere with the continuation of any on- or off-site agricultural operation.
 2. The use should not be of a sensitive nature that would itself be negatively impacted by any existing or future on-site or off-site agricultural use.
 3. The use will not require public urban services or infrastructure, or establishment of special districts or similar entities.
 4. The use should be consistent with the rural image of the agricultural area.
 5. Any new non-agricultural use should be sited to avoid taking the most viable agricultural lands out of active agricultural production.
 6. Any new use should not significantly inhibit the future development of adjacent parcels consistent with general plan land use designations of nearby cities.
 7. The use must clearly enhance the long-term viability of local agriculture and agricultural lands.
- B. **Permitted as of Right.** Uses permitted as a matter of right have been found to comply with the criteria in subsection A.

§ 2.20.060 AR Districts: Specific Subdivision and Road Provisions

- A. **Limitations on Lots Created from Property under Contiguous Ownership.**
No subdivision shall be approved which would result in the creation of more than

four (4) new lots from one or more original lots under contiguous ownership during any three (3)-year period. At the time of subdivision application, the entire area of land held in contiguous ownership by the applicant shall be indicated as part of the application even though the proposed land division might affect only a portion of the holding.

- B. **Limitation on New Lot Creation by Geographic Area.** The AR district includes two geographic areas for the purpose of regulating the number of new lots created in a single calendar year and in three (3) consecutive years. Area A lies to the north of East Dunne Avenue and Coe State Park. Area B includes the remainder of the district, including all lands in the AR district located west of Highway 101. Such areas are shown on the map located in the Planning Office titled "AR Zoning District Subareas A & B."

The total number of new lots that may be created in the AR district over the time periods indicated shall be limited as specified in Table 2.20-5. All lots created in the AR district through subdivision, including those for which building site approval is not obtained, shall count toward the annual subdivision limits set forth below.

Table 2.20-5

MAXIMUM NUMBER OF NEW LOTS ALLOWED IN AR DISTRICTS*

	Area A (north of Coe State Park)	Area B (remainder of district)
Lots <160 acres		
1 year	40	20
3 years	75	38
Lots ≥160 acres		
1 year	20	10

*By subdivision, over the time period specified.

- C. **Lot Size Reduction.** A subdivision may include a lot or lots as small as 20 acres in size even if the applicable slope density formula (see §2.20.040, Slope-Density Requirements) indicates a larger minimum land area per dwelling. The following restrictions apply to such subdivisions:
1. The total number of lots in such a subdivision may not exceed the number of lots that would be permitted through application of the slope density formula.
 2. When a subdivision yields a lot (or lots) smaller than the lot size calculated by the slope-density formula, no other lot may be created as part of that subdivision that is of such size and average slope that it could be further subdivided. Such a subdivision must include individual slope-density calculations for all proposed lots larger than 40 acres.

- D. **Road Standards.** Ranch roads serving the internal needs of ranches may be of gravel or hard dirt surface, and of widths suitable for ranch uses. Such roads shall not be considered as acceptable for the purpose of subdivision unless they meet applicable county standards for the AR zoning district. Routine maintenance of ranch roads shall not require grading permits so long as the alignment of the road is not substantially changed, pursuant to Section C12-421, Exemptions, of the County Grading Ordinance.

§ 2.20.070 HS Districts: Supplemental Development Standards

- A. **Setbacks--Substandard Named Subdivisions.** Setbacks may be reduced on lots less than one acre in identified substandard subdivisions as specified in Table 2.20-6 below. The substandard subdivisions to which this provision applies are Aldercroft Heights, Chemeketa Park, Call of the Wild, Lake Canyon, Mountain Spring, Oakmont and Redwood Estates.

Table 2.20-6

**SETBACKS ON LOTS OF ONE (1) ACRE OR LESS
IN SUBSTANDARD SUBDIVISIONS**

Yard	Setbacks
Front	20 ft.
Side	20 ft., or 10% of lot width to minimum of 5 ft.
Side, Exterior (corner lot)	20 ft., or 10% of lot width to minimum of 10 ft.
Rear	20 ft.

- B. **Special IIS Subdivision Regulations.** A cluster permit is required for subdivision of land into lots of less than 160 acres within the HS zoning district, except as specified for a two-lot subdivision below. The following provisions apply only to the subdivision of land in the HS district. Provisions for application of the 20-160 acre slope density formula are provided in §2.20.040, Slope Density Requirements.
1. For any two-lot subdivision of a parcel legally created prior to November 22, 1983, the minimum parcel size shall be determined through the use of the 20-160 acre slope density formula. Minimum lot size shall be the same as the land area per dwelling unit figure determined by the slope density formula. No clustering of development or permanent dedication of open space shall be required. However, any subsequent land division of either of the two lots so created shall be required to meet the cluster permit and open space dedication requirements applicable to land division in the IIS district set forth below.

2. A cluster permit is required for the division of land into lots of less than 160 acres, except as specified above (subsection 2.20.070(B)(1)). A cluster arrangement of residential home sites shall achieve economy of land use and efficiency of access, while avoiding or minimizing impact to the natural environment to the extent feasible. Defined development areas shall include no more than 10% of the total land area subject to the land division, with at least 90% of the remaining land area preserved in permanent open space by means of dedication of development rights which prevents future subdivision of such lands. Cluster development proposals may be arranged in more than one cluster provided that the multiple cluster arrangement achieves economy of land use and efficiency of access intended by this ordinance and the applicable provisions of the Hillside general plan land use designation.
3. The land area per dwelling unit shall be determined by the use of the 20–160-acre slope density formula. The permissible density or number of dwellings may be limited through subdivision approval to less than the maximum number of dwellings indicated by the slope-density equation if deemed necessary to ensure the public health, safety, and general welfare or to achieve consistency with any applicable goal or policy of the general plan.
4. The minimum parcel size for any lot created as part of a cluster is no less than two (2) acres. Land area to achieve the minimum requirement of 90% permanent open space may be arranged as portions of parcels or as a single parcel, provided that the maximum density of development permitted by the slope-density formula is not exceeded and the land devoted to open space is configured as large, contiguous, usable areas.
5. Land uses permitted on lands dedicated as permanent private open space are limited to the following uses:
 - a) Agriculture.
 - b) Agricultural accessory structures, including windmills (not residential accessory structures).
 - c) Wood cutting and commercial timber harvest.
 - d) Outdoor recreation, non-commercial, including riding stables, corrals, trails, and other similar uses intended for residents of homes within the cluster subdivision.
 - e) Utilities, wells, and water storage and distribution facilities.

§ 2.20.080 RR Districts: Supplemental Development Standards

- A. **Special Subdivision Regulations.** A cluster permit is required for subdivision of land in RR districts into lots less than the land area per dwelling unit as

determined by the applicable 5-20 acre slope density formula, or to divide land into lots less than the minimum lot size specified by the applicable lot size combining district, such as the "-5ac." combining district. The following provisions apply only to the subdivision of land in the RR district. Provisions for application of the 5-20 acre slope density formula are provided in §2.20.040, Slope Density Requirements.

1. Absolute minimum lot size for any parcel created by a RR cluster subdivision shall be one (1) acre. Minimum lot size requirements may be greater than one (1) acre if necessary to ensure compliance with applicable development standards, such as for septic systems, wells, access, and related site improvements.
2. Permanent dedication of development rights and open space preservation shall be required for lands involved in any RR cluster subdivision to ensure that no further subdivision is possible which would exceed the maximum density of land allowed by the general plan through subdivision.
3. Land uses permitted on lands dedicated as permanent private open space as part of a cluster subdivision are limited to the following:
 - a) Agriculture.
 - b) Agricultural accessory structures, including windmills (not residential accessory structures).
 - c) Wood cutting and commercial timber harvest.
 - d) Outdoor recreation, non-commercial, including riding stables, corrals, trails, and other similar uses intended for residents of homes within the cluster subdivision.
 - e) Utilities, wells, and water storage and distribution facilities.