

# ARTICLE III ZONING DISTRICTS AND ALLOWABLE LAND USES

## CHAPTER 17.58 GEOLOGIC HAZARDS OVERLAY ZONE (GH)

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### **17.58.010 Purpose and Findings**

In the interest of safeguarding life and personal property from the threat of loss due to seismic shaking and resultant ruptures or ground failure, landslides, and other potential geologic hazards, the GH overlay zone is established. More specifically, the GH overlay zone will allow the City to exercise the mandated approval authority with special studies zones as established by the State Geologist required by the provisions of the Geologic Hazards Zones Act (Chapter 7.5, Division 2, of the California Public Resources Code).

### **17.58.020 Definitions**

As used in this chapter the following definitions apply:

- A. **Structure for Human Occupancy** is one that is regularly, habitually, or primarily occupied by humans.
- B. **Geologist Registered in State** is deemed to be technically qualified to evaluate geologic reports.
- C. **Engineer Registered in State in Appropriate Specialty** is deemed to be technically qualified to evaluate engineering reports in that specialty.

### **17.58.030 Applicability**

The GH zone shall be designated on the zoning map by adding "GH" following the basic zone designation to indicate the addition of the requirements herein. The standards set forth in this chapter shall apply to all properties designated as geologic hazard areas by the General Plan or by pertinent local, state, or federal agencies.

### **17.58.040 Structure Placement on Fault Prohibited**

No structure for human occupancy shall be permitted to be placed across the trace of an active fault or, further-more, within the area within fifty feet of an active fault, which shall be assumed to be underlain by active branches of that fault unless and until proven otherwise by an appropriate geologic investigation and submission of a report by a geologist registered in the state. This fifty-foot standard is intended to represent minimum criteria only for all structures.

### **17.58.050 Geologic Report Required**

- A. Applications, permits, or zoning devices for all real estate developments and structures for human occupancy within the GH overlay zone shall be accompanied by a geologic report prepared by a geologist registered in the state and directed to the problem of potential surface fault displacement through the site, landslides, liquefaction, and ground shaking.
- B. One copy of all such geologic reports shall be filed with the State Geologist by the City within thirty days of submission. The State Geologist shall place such reports on open file.
- C. Requirements for geologic reports may be satisfied, for a single- or two-family residence if, in the judgment of technically qualified City personnel, sufficient information regarding the site is available from previous studies in the same area.
- D. Technically qualified personnel within or retained by the City shall evaluate the geologic and engineering reports required herein and advise the City of their findings.

### **17.58.060 Approval or Denial of Applications**

- A. If it is determined that an undue hazard would not result from the development of property under the GH zone designation, the City Council shall be so advised by the technically qualified personnel as provided in subsection D of Section 17.66.050. The Council shall then make a determination that the processing of

any application, permit, or zoning device shall proceed.

- B. If insufficient information is available to make an accurate determination of hazard, or the Council determines that the risk involved in a certain type of development is sufficiently substantial, then it shall be required that exhaustive and comprehensive geologic and engineering studies be undertaken in a similar manner as provided in Section 17.66.050 for geologic reports.
- C. If after due study and consideration, the matter still cannot be resolved by a declaration of "no undue hazard," then the application, permit, or zoning device shall be denied. The Commission, by resolution of intent, shall then reconsider the base zone designation in light of the geologic/engineering studies and the General Plan.

#### **17.58.070 Applicability of Prior Studies**

When there is sufficient data in the form of or studies of the same location, or extensive information relative to nearby properties which is germane to the subject location allowing a determination to be made, the requirement for geologic and engineering studies may be waived at the discretion of the technically qualified review personnel as provided for in subsection D of Section 17.56.050.