



SHASTA LAKE PLANNING COMMISSION SPECIAL MEETING AGENDA

JANUARY 15, 2026

6:00 P.M.

Shasta Lake City Council Chambers
4488 Red Bluff Street ■ Shasta Lake, CA 96019

Chair: Darlene Brown

Vice Chair: Cherrel Kirkland

Planning Commissioners: Jeff Bowman, Duke Fleming, Randy Trotter

OTHER WAYS TO PARTICIPATE IN THE MEETING

- Watch a livestream of the meeting online or view the recording any time after the meeting concludes at the following: cityofshastalake.gov/meetings
- Submit public comment electronically before the meeting to: claam@cityofshastalake.gov. Public comments by email will be read into the record during consideration of the item the comment addresses. Each public comment will be limited to three minutes of reading. Include the item number you are commenting on in the subject line of the email. Once the vote has taken place on an item, no additional public comments will be accepted.
- Submit public comment by mail addressed to City Clerk, City of Shasta Lake, PO Box 777, Shasta Lake, CA 96019. Mailed comments must be received one day prior to the meeting to be included.

1.0 6:00 PM CALL TO ORDER – REGULAR MEETING

1.1 Statement for the record of Planning Commissioners Present

1.2 Pledge of Allegiance

2.0 APPROVAL OF PLANNING COMMISSION MEETING MINUTES

2.1 Approval of Minutes for the Planning Commission Meeting of December 4, 2025.

3.0 PUBLIC COMMENT - for non-agendized matters within the City's jurisdiction.

Each speaker is allocated three (3) minutes to speak. Speakers may not cede their time. Comments should be limited to matters within the purview of the Planning Commission. Pursuant to The Brown Act, the Planning Commission cannot take action on Public Comment Items.

4.0 PLANNING COMMISSION REGULAR AGENDA

4.1 **Comprehensive Zoning Ordinance (CZO) Update Workshop #15 - Consideration of Draft Chapters .** This workshop focuses on Draft Chapters 17.40 – Development and Site Regulations; and 17.43 – Standards for Specific Land Uses. (pg. 5)

- **Chapter 17.40.** Provides standards applicable to site development for most land uses. It addresses a wide range of activities and site improvements that

are part of typical development, including but not limited to trash enclosures, walls and fences, noise, keeping of animals, landscaping, utility installations, and more. These standards ensure development is compatible with adjacent properties, is safe, functional and meets General Plan goals and community expectations.

- **Chapter 17.43.** This chapter addresses activities and uses of property that because of their nature have a potential for negative neighborhood or community impacts. It also establishes direction for regulation of uses that are subject to special limitations contained in state law. Examples include but is not limited to adult entertainment businesses, accessory dwelling units, emergency shelters, and home occupations.

Recommendation: Staff is recommending Planning Commission consideration of the presentation and public comment. If determined appropriate, staff recommends the Commission provide direction on any desired modifications and authorize posting of the draft ordinances for public review and comment.

5.0 PUBLIC HEARING

5.1 None

6.0 COMMUNICATIONS / REPORTS

6.1 Planning Commissioner's Reports

6.2 City Staff Reports

6.3 Information Items

7.0 ADJOURNMENT

Meetings are broadcast on the Wednesday following the meeting at 6:00 PM and the following Friday at 2:00 PM on Charter Channel 181. Videos of meetings are also available through the City website:

www.cityofshastalake.gov

In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call (530) 275-7407. Notification 48 hours prior to the meeting is requested to enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).



SHASTA LAKE PLANNING COMMISSION
REGULAR MEETING MINUTES
December 4, 2025
6:00 P.M.

Shasta Lake City Council Chambers
4488 Red Bluff Street ■ Shasta Lake, CA 96019

1.0 6:00 PM CALL TO ORDER – REGULAR MEETING

1.1 Chair Brown stated for the record that all Planning Commissioners present

1.2 Commissioner Kirkland led the Pledge of Allegiance

2.0 APPROVAL OF PLANNING COMMISSION MEETING MINUTES

2.1 A motion was made/seconded (Kirkland/Fleming) and passed to Approve Minutes for October 16, 2025, Special Planning Commission Meeting

3.0 PUBLIC COMMENT PERIOD - for non-agendized matters within the City’s jurisdiction.

3.1 There was no public comment.

4.0 PLANNING COMMISSION REGULAR AGENDA

4.1 Comprehensive Zoning Ordinance (CZO) Workshop #14 - Consideration of Draft Chapter 17.41 – Off-Street Parking and Loading.

A motion was made/seconded (Trotter/Bowman) and carried; the item was approved.

5.0 PUBLIC HEARING

5.1 Consideration and Recommendation to the City Council re: Amendments to the City of Shasta Lake Municipal Code Chapter 17.10 – Cannabis Business Land Use

A motion was made/seconded (Trotter/Kirkland) and carried; the item was approved as amended.

6.0 COMMUNICATIONS / REPORTS

6.1 Planning Commissioner’s Reports

6.2 City Staff Reports

6.3 Information Items

7.0 ADJOURNMENT: With no further business, Chair Brown adjourned the meeting at 7:31 pm.

APPROVAL DATE: January 15, 2026

Charity Tatlow, CMC
City Clerk



CITY OF SHASTA LAKE

PLANNING COMMISSION
STAFF REPORT
Special Meeting
January 15, 2026

Staff Assigned: Jim Hamilton, Annuitant Planner

Project	Comprehensive Zoning Ordinance (CZO) Update Workshop #15 - Consideration of Draft Chapters 17.40 – Development and Site Regulations; and 17.43 – Standards for Specific Land Uses.
File	RZ 24-01
Assessor’s Parcel #	Citywide
Location	Citywide
Applicant	N/A
Property Owner	N/A
Representatives	N/A
Significant / Applicable Legal Authority	Shasta Lake Municipal Code Title 17.04; and California Government Code Title 7. Planning and Land Use [65000 - 66499.58]
Environmental Determination:	Not applicable at this time.

SUMMARY:

On September 19, 2023, the City Council initiated a comprehensive update (CZO) to Title 17 (Zoning) of the Municipal Code. This followed adoption of the 2040 General Plan and an interim zoning ordinance, and the zoning code diagnostic report which established the scope of work for the project was approved in March 2024. This meeting represents the 15th Commission workshop on the CZO.

1. **Workshop Purpose:** Review draft Chapters 17.40 (Development & Site Regulations) and 17.43 (Standards for Specific Land Uses) of the Comprehensive Zoning Ordinance (CZO).
2. **Goal:** Obtain Planning Commission feedback and authorize posting for public comment.
3. **Next Steps:** Incorporate Commission changes, and post drafts online for public review.

This report also includes the following attachments:

- [Attachment A](#) - Draft Chapter 17.40 – Development and Site Regulations.
- [Attachment B](#) - Draft Chapter 17.43 – Standards for Specific Land Uses.
- [Attachment C](#) - CZO Project Status.

REQUEST:

Staff is requesting the Planning Commission do the following:

1. Review the draft chapters.
2. Provide feedback and suggest modifications, as necessary.
3. Authorize staff to post the revised drafts for public comment.

RECOMMENDED MOTION:

"I move that the Commission authorize the posting of the administrative drafts (including any Commission directed modifications) of Chapter 17.40 – Development and Site Regulations and Chapter 17.43 – Standards for Specific Land Uses, for public review and comment."

BACKGROUND:

Given the range of topics and land uses covered by these chapters, this report provides only summary detail on the ordinance contents. To facilitate the Commission's review, ordinance sections have text identifying a "NEW" zoning provision. Where current Title-17 ordinances are carried over and have been altered in some fashion, they have been labeled "MODIFIED" or "REORGANIZED."

Modified ordinances have been refined to integrate General Plan policy or changes in state law, while those labeled as reorganized are based on existing standards that have been modified to improve readability or fit the new code format. Provisions that are unchanged from Title 17, or contain only very minor modifications, have no special identification. Following is a brief discussion of the purposes and intended use of these CZO chapters.

Chapter 17.40 – Development and Site Regulations

This chapter provides the "what and how" applicable to site development for land uses. The ordinance addresses a wide range of activities and improvements that are part of new development. This includes things like trash enclosure location and design, walls and fences, noise standards, landscaping, utility installation, and others, which are necessary to ensure safe and functional development that will meet community standards. This chapter replaces current SLMC Chapter 17.84 - General Development Standards, and portions of Chapter 17.94 – Administration and Enforcement.

Chapter 17.43. – Standards for Specific Land Uses

This ordinance applies to specific activities or uses of property that, because of their nature or potential for negative impacts, must be addressed on a case-by-case basis. Some uses are also subject to implementation of specific requirements or limitations in state law. Examples include adult entertainment businesses, ADUs, emergency shelters, and others.

To retain community oversight and provide appropriate direction, the city must have ordinances and processes in place that are legally compliant with state law. This chapter replaces or supplements provisions found in current SLMC Chapter 17.88 – Special Uses.

OVERVIEW

Together, the provisions of these two chapters respond to the following topics:

Special uses. Includes standards needed for some land uses because of their unique characteristics and/or potential for negative impacts. This helps ensure well planned and orderly development that is consistent with General Plan policy direction, while also responding to limits imposed by state law (e.g., Sections. 17.43.120 – Electric vehicle charging facilities; or 17.43.195 – Low barrier navigation centers).

Streamlined administration. A community can manage development more efficiently by establishing standards which are tailored to site specific or land use specific impacts. These tools help avoid recreating effective responses on a case-by-case basis. In turn this can allow for more streamlined permitting by reducing the need for Commission level use permits. (e.g., Sec. 17.43.070 – Automobile/vehicle repair, minor and major; or Sec. 17.43.100 – Day care center (15 or more clients)).

New development guidance. The ordinances provide guidance for uses like ADUs, gas stations, home occupations, and others. This provides guidance needed for new development to satisfy community standards, particularly where state law may limit local authority. (e.g., Sec. 17.43.030 – Accessory dwelling units; 17.43.130 – Gas stations/convenience gas marts).

Land Use compatibility. The ordinances address development and use issues that can negatively impact adjacent properties, to help mitigate potential problems over the short and long term (e.g., Sec. 17.40.010 – Buffer yards for land use compatibility and privacy; or 17.43.210 – Short-term rentals).

Enforcement. Land use and development ordinances are necessary tools to support effective enforcement of the community standards and state laws (e.g., Sec. 17.43.050 – Animals; or Sec. 17.43.040 – Adult entertainment businesses).

- *How was the draft ordinance created?* These ordinances have been built around the city's existing zoning and project review practices. When necessary to address changes in state law or General Plan policy direction, these have been incorporated into modifications or approaches using best practices from jurisdictions around the state and have been used to shape specific code provisions.
- *What happens if there is a conflict between one ordinance provision and another?* When a conflict exists between the standards of different ordinances, the more restrictive standard will typically apply. To address unique circumstances, flexibility is also provided through the permit process, to allow more detailed consideration of site or use specific issues.

PLANNING COMMISSION OPTIONS

The Planning Commission has the following options:

1. **Approve the staff request.** The draft ordinance and related information will be posted on the project website for public review and comment. In spring 2026, the ordinances will return to the Commission as part of the ordinance adoption process and final recommendations to the City Council.
2. **Approve the staff request, with modifications.** The draft ordinances would be posted, after incorporation of any Commission directed changes.
3. **Continue action to a future meeting.** If the Planning Commission desires additional information or time to review the attached materials, the Commission should continue action on this matter until a subsequent Commission meeting.

ATTACHMENTS:

- A. Draft Chapter 17.40 – Development and Site Regulations.
- B. Draft Chapter 17.43 – Standards for Specific Land Uses.
- C. Project Status Update.

Chapter 17.40 - DEVELOPMENT AND SITE REGULATIONS

17.40.001 Purpose and applicability.

The standards and requirements of this chapter are applicable to both new and existing development. The purposes of this chapter are as follows:

- A. To protect areas having unique environmental, physical, historical or scenic features.
- B. To promote development that features amenities and design features consistent with community standards and expectations.
- C. To encourage creative approaches to the use of land and related physical development.
- D. To obtain the advantages of coordinated, flexible, and comprehensive land use planning, which is necessary to achieve the goals and policies of the city's general plan.
- E. To ensure compatibility between land uses through suitable project design.
- F. To protect the public's health and safety through suitable project design and mitigation of potentially adverse operational or property conditions.
- G. To ensure consistency with adopted plans, architectural guidelines, and/or special development standards.
- H. To ensure that necessary on-site and off-site improvements are provided to support new development and modified uses of property, particularly in areas of the city that have minimal public improvements.

17.40.005 Yards (REORGANIZED)

- A. General. The regulations for yards shall apply in all districts unless different yards are shown on a recorded parcel map or final map, or are reflected in an applicable discretionary entitlement. Except as otherwise provided for in this code, no permanent building or structure shall be permitted within any required yard area.
- B. Measurement from roads. Yards shall be measured from existing property lines, or road right-of-way lines if the property lines are within a road right-of-way, except that lots fronting on roads, including future roads, designated in the city general plan to serve as a collector or arterial shall meet one of the following ultimate right-of-way criteria:
 - 1. If a plan line has been established and adopted for any street, required yards shall be measured from such right-of-way line.
 - 2. If no plan line has been adopted, the yard shall extend from the centerline of the road and shall extend a distance equal to one-half the distance of the ultimate right-of-way, as designated in the general plan, plus the yard required by the appropriate district.
- C. Preexisting development. Buildings or other permanent development located in a required yard, and which existed before the effective date of this title, that do not comply with the yard requirements of the district in which they are located may be enlarged or modified, provided the modification or expansion conforms to the current development standards of the applicable district or applicable discretionary approval. Nonconforming uses, structures, or sites are also subject to the provisions of Chapter 17.46 of this title.

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- D. Dwellings facing side yards. A dwelling which is to be located with the main entrance facing any side property line shall have a minimum ten-foot side yard on the main entrance side.
 - E. Corner/Key lots. For corner/key lot situations, the required street-side yard of the corner lot shall be as follows:
 - 1. Within twenty-five (25) feet of the side property line of the key lot, the side yard shall be equal to the front yard required on the key lot by the applicable district standards.
 - 2. Beyond twenty-five (25) feet on the side property line of the key lot, the side yard shall be fifty (50) percent of the front yard required on the key lot by the applicable district standards.
 - F. Flag lots. Front yards on flag lots shall be located on either the side on which the property line is a continuation of the driveway lot line, or at the lot line nearest and perpendicular to the driveway.
 - H. Agricultural buildings. Except as otherwise authorized by this title, barns, stables, chicken houses and similar accessory buildings that house animals shall not be closer than fifty (50) feet from the road right-of-way line, and shall not be constructed closer to a dwelling unit on an adjacent property than permitted as set forth in Section 17.43.050 - Animals.
 - I. Residential accessory buildings - general. Except as otherwise provided for in this title, accessory buildings shall be located as follows (see also Figure 17.40.005-A):
 - 1. Garages facing street side yards. If an attached or detached garage faces a street-side yard, the minimum street-side yard shall be twenty (20) feet.
 - 2. General – Except as provided for in Section 17.43.030- Accessory dwelling units, accessory buildings and structures larger than 120 square feet in size shall be located at least five feet from the interior side lot line on the front half of the lot and no closer than four (4) feet from an interior side lot line on the rear half of the lot. Where a twelve-foot or wider side yard is required by the applicable zoning district, no accessory buildings or structures subject to issuance of a building permit shall be permitted within a twelve-foot side yard for the front half of the lot, and shall be located at least ten feet from the rear property line. On corner lots, accessory buildings and structures, except garages, shall be located at least ten feet from the streetside lot lines.
 - 3. Distance from main buildings. Detached accessory buildings shall be located at least six feet from the main buildings.
 - 4. Front yard. Detached accessory buildings shall not encroach into a required yard, unless otherwise provided for in this title, or as authorized by separate discretionary entitlement.
 - 5. Exception—topography. Notwithstanding any other provisions of this chapter, if the elevation of the front half of a lot at fifty (50) feet from the centerline of the traveled roadway is seven feet above or below the grade of the centerline, a private garage, attached or detached, may be built to a minimum of five feet from the front line of the lot, if the lot is smaller than two acres, and safe ingress/egress to the garage can be provided as determined by the city engineer. At a minimum, such ingress/egress shall comply with the unobstructed vision standards of Section 17.40.140

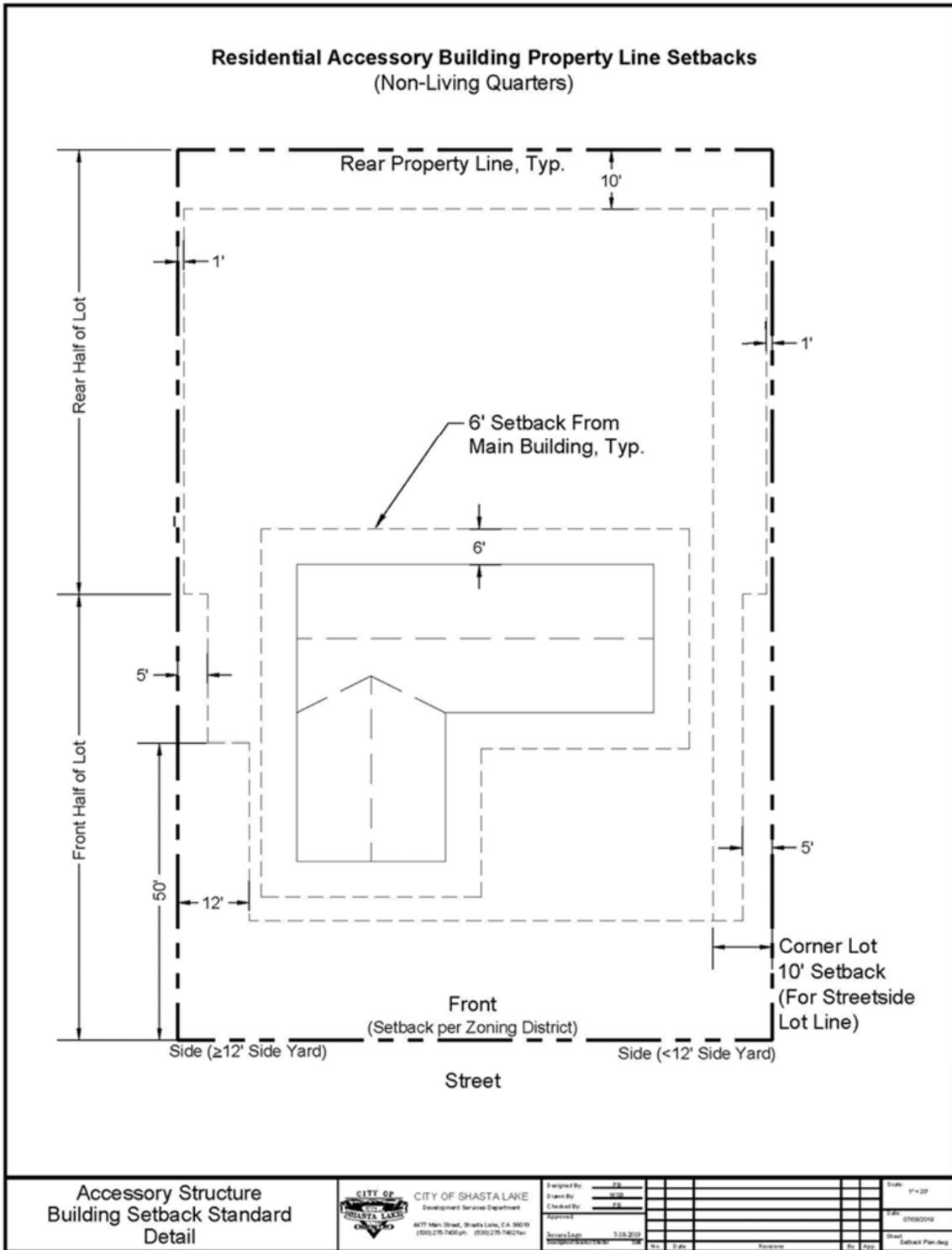


Figure 17.40.005-A (TO BE REVISED)

17.40.010 Buffer yards and second-story setbacks for land use compatibility. (NEW)

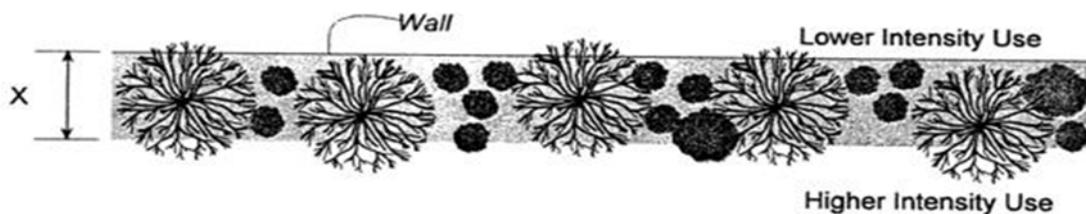
- A. Purpose and intent. The purposes of the regulations in this section are to:
 1. Establish screening requirements and other appropriate controls designed to ensure an orderly relationship between neighboring developments.
 2. To enable different uses to be located near one another in a compatible manner.
 3. Improve the appearance of individual properties, neighborhoods, and the city.
 4. To achieve compliance with general plan polices requiring compatibility between residential land uses and commercial, industrial, and public service uses.

These requirements do not apply when residential uses are constructed within the boundary of a mixed-use or commercial district.

- B. Applicability.
 1. A buffer yard is required to be provided by new development only. Buffer yards are not in addition to the setback requirements established in this title. Required yards and structure setbacks that are consistent with this section may be used to satisfy the buffer yard requirement. Where a buffer yard is required pursuant to Schedule 17.40.010-A, and the adjacent property has been fully developed, buffer yard requirements are not applicable.
 2. Sky plane standards per subsection 17.040.010.J, are applied to new or modified buildings only. Where sky plane compliance is achieved by project design, topography, or compliance with other development standards, no additional conformance is necessary. The sky plan is only applicable to properties where the vertical topographic difference between structures on adjacent properties is no more than 5 feet from finished grade, and all impacted buildings are located outside of required setbacks.
- C. Standards. Schedule 17.40.010-A summarizes buffer yard widths and wall height requirements for each type of buffer yard. The buffer yard shall incorporate the following:
 1. Planting of trees and shrubs of suitable type, size and spacing to achieve year-round screening.
 2. Construction of a wall made of decorative block, concrete panel or other equivalent material between the applicable land uses. The approving authority may increase allowable wall heights by up to 20% when determined necessary to address land use impacts caused by differences in topography between adjacent properties.
 4. Where a solid fence or wall exists between different land use districts, it need not be replaced if the approving authority determines that the residential uses are or will be adequately buffered given the topographic and other conditions of the site.

Schedule 17.40.010-A: Buffer Yard Standards

Adjacent Zoning Districts	Minimum Buffer Yard Width (X)	Wall Height
Commercial or mixed-use district adjacent to a residential district.	15 feet	7 feet
Light industrial district adjacent to a residential district.	20 feet	7 feet
General industrial district adjacent to a residential district.	30 feet	7 feet



X = Buffer Yard width. See Schedule 17.40.010-A Buffer Yard

- D. Buffer plan required. A buffer plan must be submitted to the director with a building permit, or any site development permit or discretionary permit application involving new commercial or industrial development which abuts a residential district. The buffer plan may be combined with the project site plan or landscaping plan. The plan shall identify the buffer yard location, plant locations and types, a plant list and key, location of utility easements, roads, emergency access, walkways, proposed mechanical equipment, proposed trash enclosures, proposed loading areas, and existing and proposed structures on the site.
- E. Alternative buffer yard design. Alternative buffer yard designs may be approved when the alternative design meets the purposes of this section. Alternative buffer yard designs may be considered when the site size, shape, topography, easements or existing buildings on the property make the application of the buffer yard standards unnecessary or infeasible.
- F. Replacement of vegetation. All buffer yard vegetation shall be properly maintained in a healthy condition. Dying, damaged or removed vegetation shall be replaced within 90 days, in a manner that complies with the approved site and landscaping plan and the requirements of this section.
- G. Uses of buffer yards. Buffer yards shall not be used for parking, driveways, trash enclosures, or as a building area, except that surface parking is permitted in buffer yards provided such parking is set back ten (10) feet from the property line. Required utility infrastructure may be located within a buffer yard.
- H. Exceptions. Where a new use is separated from existing or planned development by a developed public street or alley, rail right-of-way, utility easement, or designated floodplain or open space that meets the required buffer width, no buffer yard shall be required.
- I. Access. Pedestrian and/or vehicular openings in a buffer yard that are necessary to facilitate property access are allowed.
- J. Sky plane standards. The sky plane establishes transitional building heights in mixed-use, commercial and industrial districts that directly abut a RE, SR, or UR district. The sky plane is represented by a line drawn at forty-five degrees, originating at the common property line at ground level, extending for a horizontal distance of forty-five feet. The approving authority shall apply this standard if determined necessary to buffer adjacent residential properties from the potential impacts of nonresidential uses (see figure).

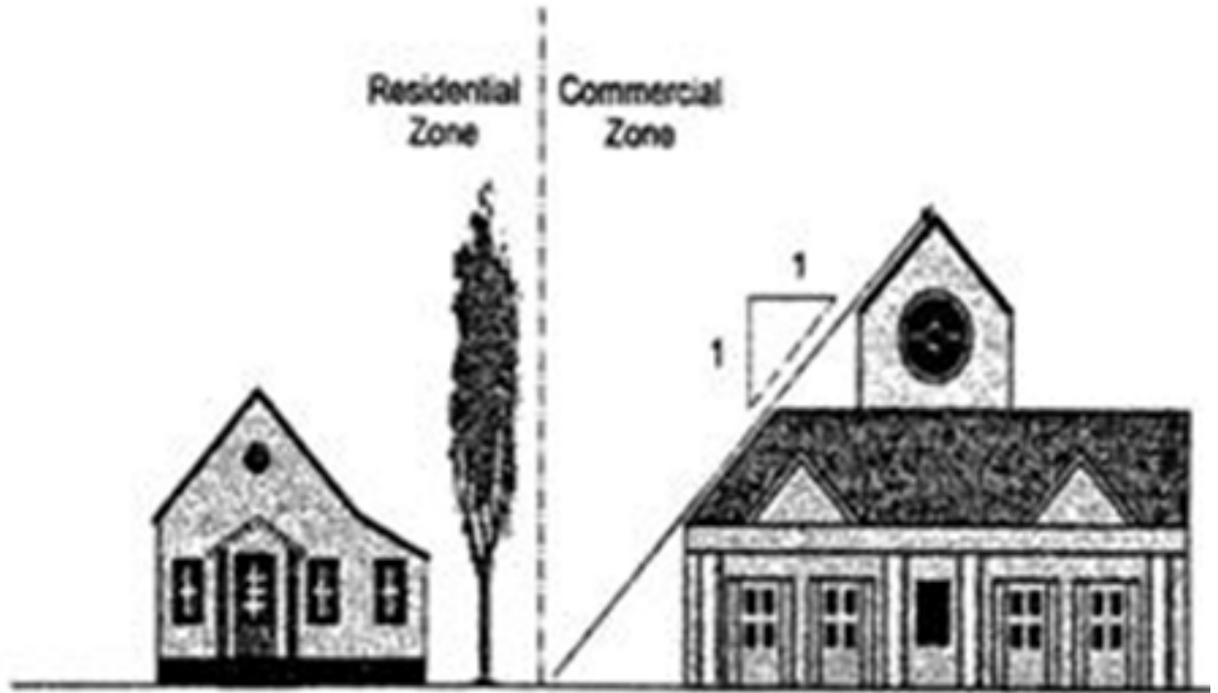


Illustration of skyplane for commercial development. (To be revised)

- K. Multi-story residential development setback. In order to limit impacts to the privacy of residents of adjacent residential developments, and to ensure adequate building bulk and height transitions between single-family and multiple-family districts, the following multistory setback requirements are established:
1. The property line setback for a second or higher story, where a UR-2, UR-3, or mixed use district abuts an RE, SR, or UR-1 district, shall be twenty-five feet.
 2. The minimum side yard shall be increased two feet per story for each story over two in a multiple-family building, unless the second story and above is set back ten feet from the ground level building face.

17.40.020 Permitted encroachments into required yards.

The following building and equipment projections are allowed within required yard setbacks without a minor exception or variance, unless otherwise restricted by this code. Encroachment into a public service or utility easement is not permitted.

- A. Fireplaces and chimneys may project up to 18 inches into a required yard.
- B. Architectural features such as cornices, eaves, canopies, and awnings may project up to 2 feet.
- C. Uncovered decks and raised patios up to 18 inches in height may be located no closer than 18 inches to any side or rear property line and may project up to five feet into a front yard setback. Uncovered decks and raised patios 18 inches and over in height are subject to the setback requirements for accessory structures of the applicable district.
- D. Living area over a garage may project up to five feet into the required front yard setback.

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- E. Bay windows may encroach up to two feet into a required yard. In a five-foot-wide side yard, the projection shall occupy no more than 20% of the wall plane.
 - F. Mechanical equipment may project up to three feet into a side yard, for no more than 20% of an adjacent wall planes. Pool equipment is subject to the setback requirements of Section 17.40.150 of this chapter.
 - G. Ramps and other structures necessary to accommodate the needs of a disabled person may encroach into a required setback, where the encroachment will provide a reasonable accommodation consistent with the Americans with Disabilities Act and state law.

17.40.030 Compliance with conditions of approval. (NEW)

- A. Purpose and Intent. The purpose of this section is to recognize any special development conditions, limitations or environmental mitigation requirements established by a subdivision approval so that such requirements will be of record and binding to future development, following the recordation of a final map or parcel map. This section is intended to acknowledge that project conditions of approval shall be recognized as enforceable when the approval authority finds it necessary to apply such development conditions to subsequent development following map recordation.
- B. Applicability. This section shall apply to all lots of record created by either a parcel map or final map, where certain conditions of approval were determined necessary and adopted with approval of said map, and which are intended to control subsequent development on parcels created by the map. This section shall not be construed as limiting the type of land uses allowed by the base zoning district, unless the project also includes a planned development approval.
- C. Effect of map conditions. Conditions of approval established for a tentative map, including a parcel map, shall apply on an ongoing basis under the following circumstances:
 - 1. Special development needs (e.g., utility infrastructure and capacity limitations, adequate emergency access, etc.), conditions or environmental mitigation requirements were identified during the project approval process that must apply to development within the subdivision after lots are formally created. Such requirements may include, but are not limited to:
 - a. Structure setbacks from open space easements.
 - b. Requiring the use of nonflammable building materials, residential sprinkler systems or other public-safety measures.
 - c. Maintenance responsibility of landscape, parking areas, open-space/fire-break management easements, and other required or specified improvements on the property.
 - d. Limitations on lot grading activities.
 - e. Location of driveways, main buildings and accessory structures.
 - f. The preservation of significant trees, scenic resources, or other natural features.
 - 2. A statement of special conditions has been established as a matter of record on the property title as provided in subsection D of this section.
- D. Recordation of conditions of approval. When determined necessary by the approving authority, conditions may be recorded so that they will appear in the title of the affected properties by either: (1) a statement of conditions placed on the parcel map or final map as permitted by the Subdivision Map Act and/or (2) the recording of a statement of conditions as a separate instrument. To fulfill the intent of this section, the content and method of the notice shall be determined by the director in consultation with the city attorney.
- E. Modification of conditions.

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1. A recorded statement of conditions may be modified or removed from affected properties the consent of the approving authority. A public notice shall be required when considering the request. All property owners within the affected subdivision shall be notified of the public hearing.
 2. Modifications to the statement of conditions shall be recorded in the manner necessary to document any approved changes to special conditions which were previously established by the approving authority.
 4. Decisions by the approving authority may be appealed in accordance with the requirements of Chapter 17.11 (Common Procedures) of this title.

17.40.040 Design criteria and objective standards for new development.

(NEW/MODIFIED/REORGANIZED)

- A. Purpose. These design criteria are intended to be used as a reference to assist project designers and project applicants in understanding and responding to the city's goals and objectives for high-quality residential, commercial, and industrial development. The criteria below shall complement the development regulations contained in this code by providing examples of potential design solutions and by providing appropriate design interpretations. These project design criteria are intended to:
 1. Encourage originality, flexibility, and innovation in site planning and development, including the architecture, landscaping, and design of proposed developments in relation to the city as a whole and/or surrounding areas and uses.
 2. Discourage monotonous, drab, unsightly, dreary and inharmonious developments, minimize discordant and unsightly surroundings and visual blight, and avoid inappropriate and poor-quality design that conflicts with community goals and general plan policy direction.
 3. Aid in assuring that structures, signs and other improvements are properly related to their sites and the surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping.
 4. Ensure that proper attention is given to the exterior appearances of multiple-family residential, commercial, and industrial structures, signs and other improvements.
- B. Applicability. Except where specifically identified as a mandatory requirement within a zoning district, these criteria are considered advisory for uses not requiring a discretionary land use entitlement. These criteria shall be used in conjunction with uses that are subject to a discretionary land use entitlement to encourage appropriate design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. Discretionary permits include non-ministerial site development permits (SDP-D), administrative permits (AP), use permits (UP), variances, and planned development district (PD).
- C. Criteria formulation and adoption. The director shall develop specific design criteria for application to new development. Such criteria shall be adopted by resolution of the city council, following a recommendation by the planning commission.
- D. Alternatives. Applicants may submit alternative design solutions for consideration, and the approving authority may authorize such modifications when they result in equal or superior design. Adopted design criteria shall address the following topics :
 1. Multiple-family housing development, including transitions between uses, building design, massing and location, interior and exterior circulation, recreation/common facility needs, and the preservation of natural resources.

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2. Office, commercial and industrial development, including site design, parking layout/location, building location, building massing, appropriate use of signage, use of architectural features, landscape features and public use areas.
 3. Mixed-use development including site design, parking layout/location, building location and orientation, building massing, appropriate use of signage, architectural features, landscape features and required public and residential space.
- D. Design objectives. New development shall comply with the intent and direction set forth in the general plan, this section, and any related design criteria and policies adopted by council action. The following objectives shall be reflected in new or modified development that requires a land use entitlement. These objectives are to be used in conjunction with other applicable development standards, ordinances, and special development requirements. If a design objective conflicts with a specific standard of other ordinances or codes, the specific standard shall prevail. The approving authority, at its discretion, may approve alternative site and/or building designs that are determined to meet the intent of this section.
1. Mixed Use, commercial and industrial site design.
 - a. Sites shall be developed in a coordinated manner and shall complement adjacent structures through building placement and orientation, architecture, colors and building size and mass.
 - b. Multiple buildings on the same project site shall incorporate pedestrian plazas, courtyards, pocket parks, or other pedestrian use areas.
 - c. Sites shall be designed to reduce the appearance of domination by vehicles. Methods to achieve this include:
 - 1) Orienting buildings to front of the property or on adjacent streets, and placing parking at the rear and/or sides of the buildings.
 - 2) Designing the required parking area into smaller connected lots rather than large, single-use lots.
 - 3) Providing well-defined pedestrian walkways through parking areas and from public sidewalks into the site. Well-defined walkways may use pavers, changes in pavement color, texture and composition of paving materials and vertical plantings such as trees and shrubs. The minimum width of pedestrian walkways shall be 48 inches.
 - 4) Parking areas shall be designed to be partially screened from view from adjacent streets and building. Screening can be accomplished through a number of methods, including:
 - i. Orienting buildings away from parking areas.
 - ii. Placing buildings between adjacent streets and parking lots.
 - iii. Using landscape screening, architecturally treated walls, landscaped trellis, and similar methods.
 - 5) Sites located on collector or arterial streets shall incorporate transit-compatible designs. Transit compatibility means designs that are pedestrian-oriented, provide safe and convenient access to transit facilities, and foster efficient transit service.
 - 6) Where feasible, commercial sites shall be designed to provide vehicle and/or pedestrian connections to adjacent commercial sites and residential neighborhoods.
 - 7) Bicycle parking and storage areas shall be provided as set forth in Chapter 17.41 – Off Street Parking and Loading.

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- 8) All new or relocated on-site electric utility lines shall be placed underground. Utility lines located along project adjacent street frontages shall be placed underground where such street frontage is being modified in a manner that requires relocation of the lines.
 - 9) Phased projects shall be designed so that each project phase is complete in all its functional aspects including but not limited to traffic circulation, parking, pedestrian access, visual character, and drainage and landscaping improvements.

E. Building design objectives.

1. No specific architectural style is required. Design themes that reflect the city's small-town atmosphere, natural resources and recreation-based heritage are preferred. Such themes may include the use of stone, heavy timbers, metal or natural-appearing materials and colors in the building design. Building accents that relate to the community's historic origins are also encouraged. Reliance on or use of standardized "corporate or franchise" design prototypes that are not representative of local development styles is strongly discouraged.
2. Buildings shall reflect a design that has considered the building location, site conditions, and surrounding development. Building design should provide a sense of permanence and timelessness. Quality construction and materials shall be used.
3. A consistent visual identity and architectural treatment shall be applied to all sides of buildings visible to the public. All building sides shall have an equivalent level of high-quality materials, building detailing and adequate window placement.
4. Long blank walls are to be avoided. Positive methods to achieve this objective include changes in colors and materials, placement of windows, use of awnings and canopies, and architectural details and features such as corners, wall setbacks, and offsets. Windows at ground level may be tinted; however, mirrored windows are not allowed. Reflective roofing is not allowed.
5. Buildings facing streets shall incorporate pedestrian-scaled entrances. Pedestrian-scaled entrances are those that provide an appropriate expression of human activity or use in relation to building size.
6. Modulation (defined as a measured setback or offset in a building face) shall be incorporated to reduce the overall bulk and mass of buildings. The planes of exterior walls should not run in one continuous direction more than fifty (50) to sixty (60) feet without an offset or setback.
7. Large buildings should have height variations to give the appearance of distinct elements.
8. Building design and/or facade shall incorporate traditional building materials such as masonry, stone, heavy timbers, brick and other natural appearing materials.
9. Building colors and roof materials should accent, blend with, or complement surroundings. Bright or brilliant colors should be reserved for building trim and accents.
10. Existing buildings that have faded exterior color(s), and/or that have generally a worn or weathered appearance, should be repainted prior to the establishment of new uses.
11. Landscape areas or planting beds should be provided around perimeters to separate buildings from surrounding pavement areas.
12. Outdoor storage areas, mechanical equipment, utility vaults, and trash receptacles must not be visible from adjacent streets and pedestrian walkways.
13. Outdoor mechanical equipment shall be appropriately screened from view and to minimize noise. The method of screening shall be architecturally integrated with the building with respect to materials, color, shape and size.

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14. Utility and other site services should be located on the least visible side of a building or site or within interior building spaces.
 15. Ground-level outdoor trash and recycling enclosures shall utilize construction materials and colors compatible with the main structure.
 16. Materials used for site features such as fences, screen walls, and signs should be appropriate to the district where the development is located and should complement building design through materials, color, shape, and size.
 17. Developments should provide a transition with adjacent uses regarding building location, size and scale as required by this code. No single building or development should dominate adjacent uses in terms of size, bulk, view blockage, or shading.

F. Sign objectives.

1. Building signs.

- a. Individual letters rather than cabinet signs are preferred.
- b. Backlit individual letters are a preferred alternative.
- c. Signs should be compatible in scale and proportion with building design and other signs.
- d. A specific sign program or concept should be designed for multiple tenant buildings or complexes. Color and letter style shall be coordinated when businesses share the same building and consistent sign patterns (placement on buildings) shall be utilized.
- e. Exposed neon tubes are acceptable for non-letter sign elements but are discouraged for letters.

2. Freestanding signs.

- a. Freestanding signs should provide only name and address of the building and/or building tenants.
- b. Project landscaping should be designed to incorporate freestanding signs as required by Chapter 17.42-Signs.

G. Landscaping objectives.

1. Provide unity of design through repetition of plants and coordination with adjacent developments.
2. Landscape materials should be hardy species that are adaptable to local conditions, easily maintained, and drought tolerant. Use of native plants is strongly encouraged.
3. The design for parking areas shall include local climate-adapted tree species that, at maturity, shade parking lots and pedestrian travel ways.
4. Landscape islands or medians shall have no dimension narrower than four to five feet.
5. Interior landscaping is required for parking lots containing ten or more spaces at a ratio of twenty (20) square feet of landscape area for every one hundred (100) square feet of parking area. All landscaped areas should be protected by wheelstops or curbing or be of sufficient width to prevent damage to plants by overhanging vehicles.
6. Existing vegetation should be incorporated into overall site design, with a particular focus on preservation of native trees.
7. Landscaped areas shall be irrigated by mechanical sprinkler systems. Reclaimed water should be used in the irrigation system if practicable.

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8. Required perimeter setback areas shall be densely landscaped with a combination of trees and shrubs, which form a ninety (90) percent ground cover within three years of planting.
 9. Interior site landscaping is required to define pedestrian ways, enclose outdoor gathering and seating areas, and reduce building mass.
 10. Architectural features such as low walls, fountains and sculptures may be used in places where planting areas are limited or restricted.
 11. Project entrances should be enhanced through changes in paving materials such as brick pavers and textured and colored concrete, providing entry structures and unity in planting trees and shrubs.
 12. Individual trees along walkways and along sidewalks in the internal portions of projects should be planted in tree wells or planter boxes.
 13. Stormwater detention facilities shall be incorporated into project landscaping and open space areas where feasible.
 14. Stormwater detention facilities shall be landscaped. Where facilities do not include landscaping, they shall be visually screened from streets and surrounding properties.
- F. Exterior lighting. Lighting shall comply with the requirements of Section 17.40.080 and the following:
1. Moving and flashing lights not required for public safety are prohibited.
 2. Use cut-off lenses or hoods to prevent glare and light spill off project site onto adjacent properties, buildings and roadways.
 3. Lighting standards shall be designed and sized to be compatible with the character of the development.
 4. Lighting shall comply with building code requirements, including BUG standards as reflected in the Green Building code.
- G. Design criteria for multi-family development of 4 or more units. The following design standards are applicable to residential development of 4 or more units in a single or multiple buildings on the same site.
1. Private and common outdoor living area. Each multiple-family residential development shall provide private and common areas for its tenants. Private areas consist of covered or uncovered balconies, decks, patios, porches, fenced yards, and similar areas outside the residence. A minimum of eighty square feet with a minimum depth of ten feet shall be provided with each dwelling unit. The minimum depth may be reduced to six feet for upper-story units.

Common outdoor-activity areas typically consist of landscape areas, walks, patios, swimming pools, barbeque areas, shade elements, playgrounds, turf, or other such improvements as are appropriate to enhance the outdoor environment of the development. All areas not improved with buildings, parking, vehicular access ways, trash enclosures, and similar items shall be developed as common areas with the attributes described above. Common areas in developments of twenty or more dwelling units must be of sufficient size and arrangement so that they allow adequate area for gathering, play, and other outdoor activities for their tenants and guests.
 2. Garage frontage limitations. Where garage doors face a street, garage fronts (in linear feet) shall not exceed forty-five percent of the width of the lot as measured at the proposed building setback line. This limitation may be exceeded by an additional ten percent of the lot frontage where the garage is setback beyond the front door of the residence and is separated from the front of the unit by a minimum depth of five (5) feet, measured from a line extended parallel to the plane of the front door or wall. In the case of garages designed to accommodate three or more vehicles, at least one garage front must be offset from the remaining garage fronts by at least two feet.

H. Adoption or amendment of design guidelines and objective development standards. The city council may adopt or amend design guidelines and/or objective development standards applicable to one or more zoning districts, overlay zones, planned development districts, or specific land uses. Guidelines and standards may be adopted by resolution or ordinance. Once adopted, such standards or guidelines shall apply to all new development, substantial expansions or exterior alterations, and changes of use. In the event of a conflict between other provisions of this code and adopted design standards or guidelines, the more restrictive provision shall apply to the extent specified in the adopting action.

17.40.045 Objective design and development criteria for residential development. (NEW)

The purpose of this section is to provide the public, building and design professionals, and decision-makers with objective design and development standards (collectively ODS) for application to new or expanded multi-family residential and residential mixed-use developments in the city.

17.40.045.010 Applicability. (NEW)

These standards shall be used during the design and review of all new multiple family and mixed use residential development proposals seeking ministerial or streamlined approval pursuant to state law. They shall be applied consistent with the direction of the general plan and the applicable requirements of state law and shall be applied in conjunction with applicable zoning district development standards, and any special development requirements affecting a property based on its location within the city. In the event that a ODS criteria conflicts with a specific development standard of this code, the specific standard shall prevail.

- A. Application of this section shall apply to all new multiple family residential or residential mixed use projects that meet the following criteria:
 - 1. Multi-family residential projects: A project consisting of multi-family residential uses with two or more dwelling units at a density equal to or greater than twenty (20) units per acre, including detached and attached condominiums.
 - 2. Residential and commercial mixed use projects: A project featuring a combination of residential and other uses where at least two-thirds of the square footage of the development is designated for residential uses at a density equal to or greater than twenty (20) units per acre.
 - 3. Exterior building modifications, and any interior modifications that increase the number of residential units or the commercial floor area for a development by 10% or more, are subject to the adopted objective design standards established herein.

17.40.045.020 Incorporation objective design standards manual(s) by reference.(NEW)

The following listed objective design standards manuals of the City of Shasta Lake are incorporated by reference into this section and title, and are applicable as if contained within and as part of the municipal code.

- A. City of Shasta Lake Multifamily and Mixed Use Residential Objective Design Standards manual. (Adopted by city council resolution/ordinance: number and date - TBD)
- B. Shasta Lake Village Mixed Use District Multiple-family Residential and Mixed Use Objective Design Standards manual. (Adopted by city council resolution/ordinance: number and date – TBD)

17.40.045.030 Additional standards.(NEW)

- A. Eligible projects must comply with all other objective standards in this title and code for topics or requirements on which this chapter is silent.
- B. The city maintains regulatory documents or direction that may affect the design direction applicable to multi-family residential and residential mixed-use development projects. These documents include the

general plan, the municipal code and zoning ordinance, and site specific zoning designations (i.e., planned development). In the case of a conflict between an objective design standard and another development standard, the most restrictive provision shall prevail unless prohibited by state law.

17.40.045.040 Exceptions to ODS requirement.(NEW)

All projects are required to comply with the ODS outlined in the applicable ODS checklist, manual or ordinance. An applicant for a ministerial approval may request up to three (3) minor exceptions from such standards if they are unable to meet the requirement. This provision allows for limited discretionary review by the director in order to provide flexibility for projects that have a site constraint and which have alternative design solution to a specific standard(s).

- A. Requests shall be made by the applicant in writing to the director as part of the permit or entitlement application. The applicant shall acknowledge that such requests will toll the mandatory project review timeline otherwise required by state law until a decision on the request has been made.
- B. The written justification for each exception request must identify the ODS provision that is requested to be waived, and how the request meets the exception findings listed below. The director shall consider the request and related information and make findings to approve or deny the request. The decision of the director may be appealed to the planning commission in accordance with the appeal procedures established in this title.
 - 1. Exceptions – required findings. An exception/exemption(s) shall be granted only if both of the following findings are made:
 - a. The project design otherwise meets the intent of the applicable ODS manual and the general plan.
 - b. With the granting of the exception or waiver, the project will meet or exceed the minimum density (20 dwelling units/acre) required by affordable housing law, or the general plan land use designation, as applicable.
 - 2. Application of state density bonus law. Density bonus law allows for increased density and reductions in required development standards (i.e., concessions, incentives, and waivers) for residential projects that meet applicable affordability standards. The exception process set forth in this section is allowed in conjunction with the concessions, incentives and waiver process permitted under state density bonus law (Government Code Section 65915). If an applicant requests a concession, incentive, and/or exemption from an ODS requirement, it shall also be counted as one (1) affordable housing incentive pursuant under this title and applicable state law.

17.40.045.050 Modification of objective design standards.(NEW)

- A. Tracking requirement. Each modification of the content of the ODS manual or checklist shall be tracked. The tracking shall include the approval body, the approval date, and the approval record number (i.e., resolution or project title).
- B. Minor modification. Minor modifications include modifications to 1) comply with changes in state law; 2) ensure consistency with policies, goals, and objectives of the general plan or those that may be established by the city council; and 3) revisions to existing standards necessary to clarify the standard or its application. Such minor modifications shall not result in a significant change to any ODS provision without approval of the planning commission.
- C. Major modification. Major modifications include permanent modifications that result in the addition or removal of standards and shall be reviewed by the planning commission. Any approved major modifications shall be approved via resolution at a noticed public meeting.

17.40.050 Development on substandard lots.

A legally created lot having a width, depth, or area, which is less than required by the base district in which it is located may be occupied by any permitted or conditional use allowable in the district. Except where otherwise permitted by this title, a substandard lot shall remain subject to the same yard and density requirements as a standard lot.

A legally created lot that contains less area than is required by the applicable district and is not merged pursuant to the state Subdivision Map Act and/or local ordinance shall be considered a building site if one of the following criteria is met:

- A. All other development standards of the district in which the lot is located and all other applicable city development standards, except the district applicable lot standards, are met; or
- B. A variance is approved by the planning commission.

17.40.055 Building sites.

The following general development standards apply to determining the adequacy of building sites.

- A. Gross versus net acreage. Building sites of two acres or more shall be determined by reference to gross acreage. Building sites of less than two acres shall be determined by reference to net acreage.
- B. Exception—public uses. The minimum building site required in any district shall not apply to lots or sites created for a public use or public utility when the lot or site is owned or operated by the city or other public utility or service.
- C. Exception – approving authority. Based on site or use specific consideration, the approving authority for a project may consider exceptions of up to 10% of the otherwise required building site standards as set forth in 17.40.055.A, when necessary to satisfy the requirements of state law, or the goals and policies of the general plan.

17.40.060 Development on lots divided by district boundaries.

The regulations applicable to each district shall be applied to the lot area within that district, and except as otherwise authorized by this title, no use other than parking that serves a principal use on a site shall be located in a district in which it is not an allowable use.

17.40.070 Height limits. (MODIFIED)

The following general height regulations apply to all properties:

- A. Towers, spires, cupolas, chimneys, elevator penthouses, water tanks, monuments, and similar structures and necessary mechanical appurtenances, covering not more than twenty percent of the top floor roof area to which they are accessory, the approving authority may approve exceedence of the maximum permitted height of a district by ten feet. Except as otherwise allowed in this title, approval of a use permit is required to exceed the maximum permitted height by more than ten feet.
- B. Fences. The following shall apply, unless otherwise provided by this title:
 - 1. The height of any fence, wall, hedge, screen, planting or other dividing structure placed, grown or maintained in any residential or commercial district shall not exceed three feet within any required front yard or within any side yard on the street side of a corner lot.
 - 2. The height of any fence, wall or other dividing structure placed in any residential district shall not exceed seven feet in any rear or interior side yard, except as provided in subsection C.4.
- C. Height exceptions. The following exceptions apply to height regulations in this title:

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1. Roof Structure. Roof structures for the housing of elevators, stairways, tanks, ventilating fans, solar equipment or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, radio and television antennas or similar structures may be erected above the height limits specified in this title, but no roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space.
 2. Slope. Where the average grade under any structure exceeds fifteen (15) percent, the maximum height limit may be increased by fifteen (15) feet on the downhill side of the building.
 3. Transmission lines. The height limitations provided in this title do not apply to electric transmission lines or towers.
 4. Use permit. Except as otherwise provided in this section, any structure, building or fence in any district may be erected to a greater height or number of stories than the limit established for the district, provided that a use permit is issued.
- D. Fire safety. Whenever the lowest portion of the roof is greater than twenty (20) feet from the ground, roof access for fire safety shall be provided as required by the local fire authority.

17.40.080 Lighting.

Exterior lighting of existing and new development is regulated to eliminate light spillover and glare on vehicle operators, pedestrians and residential or sensitive land uses. These regulations protect against both nuisance and hazard aspects of excess light and glare. Therefore all lighting, exterior and interior, shall be designed and located so as to confine direct lighting to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted.

No lighting shall be of a type or shall be operated in a location or manner such that it constitutes a hazard to vehicular traffic, either on private property or on abutting streets. Such determinations shall be the responsibility of the city engineer, and the director may require information from the responsible party or property owner when necessary to make the required determination(s). All new or modified development that involves the construction placement of new lighting, or the replacement of existing lighting shall comply with the following as applicable:

- A. Plans required. For new multifamily (5 or more units), mixed-use, commercial or industrial development involving the installation or modification of lighting shall submit a plan detailing the locations, size, height, orientation and design of all outdoor lighting prior to installation. A detailed drawing or other information acceptable to the director and identifying the type and design of light fixtures and the level of wattage, shall be provided.
- B. Lighting standards.
 1. All exterior lights shall be designed, located, installed, directed, shielded and operated in such a manner as to prevent objectionable light at, and glare across, property lines. Exterior lighting shall be directed downward and away from adjacent properties and the public right-of-way. Shielded means that the light rays are directed onto the site, and the light source element is not directly visible from an adjacent property or rights-of-way.
 2. All parking area lighting, including building- and pole-mounted lighting, shall be shielded so as to prevent light spillover at property lines to the degree feasible.
 3. All building lighting, other than architectural lighting, shall be fully shielded, not allowing any upward distribution of light. Floodlighting, if used, must be shielded to prevent light trespass across the property line and light element above a ninety-degree, horizontal plane.

17.40.090 Loading spaces and docks.

In all zoning districts except industrial districts, where a new loading space or dock will be visible from an adjacent public street or residential or mixed use district boundary it shall be screened with a solid wall or fence a minimum of six feet in height, or by an equivalent screening device or technique approved by the director, unless a minor exception pursuant to Chapter 17.15, is granted by the approving authority based on site-specific circumstances.

17.40.100 Noise standards. (NEW)

- A. Purpose. The purposes of this chapter are to:
 - 1. Control unnecessary, excessive and nuisance noise.
 - 2. Protect the public health, safety and general welfare.
 - 3. Declare that creating, maintaining or causing noise in excess of the limits prescribed by this section is a public nuisance and shall be treated as such for determining a violation and achieving correction.
- B. General noise regulations. Notwithstanding any other provision of this title and in addition thereto, it is unlawful for any person to willfully or negligently make or continue or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace and quiet of any residential area or which causes any discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. Noncommercial public speaking and public assembly activities conducted on any public space or public right-of-way shall be exempt from the operation of this section.
- C. Factors of determination. The factors which will be considered in determining whether a violation of this ordinance exists shall include, but is not be limited to, the following:
 - 1. The sound level of the alleged objectionable noise.
 - 2. The sound level of the ambient noise.
 - 3. The use and zoning of the area from which the noise emanates.
 - 4. The time of day or night the noise occurs.
 - 5. Whether the noise is continuous, recurrent or intermittent.
- D. Noise measurement. Noise shall be measured utilizing the hourly energy-equivalent noise level (L_{eq}).
- E. Noise limits. The ambient noise level varies throughout the community, depending upon proximity to streets, topography, time of day and the specific type of land use. The provisions of this section address noise intrusions over and above the noise normally associated with a given location (intrusions over the ambient level). Schedule 17.40.100-A describes the noise standard for emanations from any source as measured on adjacent properties. Maximum sound levels shall be determined as follows:
 - 1. Exterior noise limits.
 - a. The noise standards for the various categories of land use as set forth in Schedule 17.40.100-A, unless otherwise specifically indicated, shall apply to all such property within a designated zone. No person shall operate or cause to be operated, any source of sound at any location within the incorporated city or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person which causes the noise level when measured on any other property to exceed the noise standard for that land use specified in Schedule 17.40.100-A.

- b. If the measured ambient level is above that permissible, the allowable noise exposure standard shall be increased to reflect the actual ambient noise level.

Schedule 17.40.100-A: Exterior Noise Standards

Receiving Land Use Category	Time Period	Noise Level (Hourly L _{eq} /dB)
Residential	10 p.m.—7 a.m.	45
	7 a.m.—10 p.m.	60
Commercial and Mixed-Use	10 p.m.—7 a.m.	55
	7 a.m.—10 p.m.	65
Industrial	10 p.m.—7 a.m.	N/A ¹
	7 a.m.—10 p.m.	N/A ¹

¹ Industrial noise shall be measured at the property line of the adjacent nonindustrial district boundary. The noise level of industrial activities at the property boundary shall not exceed the standards for the receiving district.

- F. Prohibited acts. The following acts are prohibited where they result in noise levels exceeding the standards in Schedule 17.40.100-A.
1. Loading and unloading. Loading, unloading, opening, closing or other handling of boxes, crates, containers, materials or similar objects between the hours of ten p.m. and seven a.m. in such a manner as to cause a noise disturbance across a residential real property line;
 2. Construction or demolition.
 - a. Operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work in or within 300 feet of a residential district such that the sound creates a noise disturbance across a residential property line during the following times:
 - i. May 15 through September 15: Between the weekday hours of seven p.m. and six a.m. and weekends and holidays between eight (8) p.m. and nine (9) a.m.
 - ii. September 16 through May 14: Between the weekday hours of seven p.m. and seven a.m. and weekends and holidays between eight (8) p.m. and eight (8) a.m.
 3. Domestic power tools and equipment. Operation of any mechanically powered saw, lawn or garden tool or similar outdoor tool between ten p.m. and seven a.m. on weekdays (or nine p.m. and eight a.m. on weekends and legal holidays) so as to create a noise disturbance across a residential real property line.
- G. Emergency exemptions. The provisions of this chapter shall not apply to:
1. The emission of sound for the purpose of alerting persons to the existence of an emergency.
 2. The emission of sound in the performance of emergency work.
- H. Miscellaneous exemptions.
1. Warning devices. Warning devices necessary for the protection of public safety, such as police, fire and ambulance sirens, are exempted from the provisions of this chapter.
 2. Outdoor activities. The provisions of this chapter shall not apply to occasional outdoor gatherings, public dances, shows, sporting or entertainment events, provided that such events are conducted pursuant to a permit or license issued by the city relative to the staging of such events.
 3. Churches and public service organizations. Churches or public service organizations that use unamplified bells, chimes or other similar devices are exempt from the provisions of this chapter so long as the noise-causing activity is conducted between seven a.m. and ten p.m. and the playing period does not exceed thirty minutes in any one day. Amplified noise shall comply with the provisions of this ordinance.

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4. Municipal solid waste collection. The collection of solid waste, vegetative waste, and recyclable materials by the city or an authorized vendor shall be exempt from the provisions of this chapter.
 5. Public Works construction projects. Street, utility, and similar public works projects undertaken by or under contract to the city, county, state or a public utility regulated by the California Public Utilities Commission are exempt from this ordinance when conducting emergency or otherwise permitted repair work.
 6. Public utility facilities. The operation of facilities, including, but not limited to, electric power transformers and related equipment, sewer lift stations and related equipment, municipal wells and pumping stations, is exempt from this ordinance.
- I. Federal and State activities. Any state or federal activity is exempt from the provisions of this chapter to the extent regulation thereof has been preempted by state or federal laws.
 - J. Applicability to pre-existing facilities or uses. This ordinance shall not apply to a commercial or industrial facility in existence prior to the effective date of this ordinance. As used in this section, “industrial facility” means any legally established building, structure, factory, plant, premises, use, activity or portion of facility used for manufacturing or industrial purposes, and “commercial facility” means any legally established building, structure, use, activity or premise or portion thereof used for commercial purposes.
 - K. Special event - temporary waiver from noise standards. Notwithstanding any provision of this chapter, the director may grant a temporary waiver of the applicable noise standards for a period not exceeding three consecutive days, subject to the findings in section 17.40.100.L, below. The director may authorize such a waiver subject to the issuance of an administrative or temporary use permit.
 - L. Discretionary approval for modification of noise standards. The operator of any outdoor activity may seek approval to deviate from any of the following: (a) the maximum sound limits, (b) the time limits, or (c) the requirement for sound measurement as set forth in this ordinance, on the grounds that due to the nature or design of the operator’s facility or the location of the activity, a higher sound level, or amplified sound ending at a later time, will not substantially increase the likelihood that violations of the standards set forth in this ordinance will result in a public nuisance. As part of the application, the director may require the submittal of an analysis of the sound-related characteristics of the facility or activity, prepared by an acoustical engineer, which identifies the potential impacts of the project, and which recommends specific mitigations if available. A temporary use permit may be granted for periods exceeding three days , subject to the findings below.
 1. A temporary exception to exceed the sound limit or modify the time restrictions of the noise ordinance may be granted by the approving authority upon a showing that a facility or use, because of its design, location, or other characteristics, is capable of handling higher sound levels or later activity without substantially increasing the likelihood that violations of the noise ordinance's purposes will occur.
 2. The activity for which the permit is requested will not result in a public nuisance because the nature or design of the operator’s facility or the location of the activity, or the specific conditions or mitigations required by the approval, will permit a higher sound level, or the ending of the noise event at a later time than established by the ordinance.

17.40.110 Performance standards—citywide and I-5 adjacent. (NEW)

The following performance standards shall apply to all uses in all zoning districts. Temporary construction activities that comply with approved construction hours and mitigation plans, emergency operations by public agencies, and any activities conducted under a permit that includes approved mitigation measures specifically addressing the standards of this section, are exempt from these performance standards.

A “reasonable person” for the purposes of applying these performance standards refers to a typical individual who evaluates the condition(s) in question with an ordinary degree of care, prudence, and intelligence, and is not based on the subjective beliefs or intentions of any particular individual. This ensures predictability in

enforcement by focusing on whether the performance standard would be met from the perspective of a reasonable observer, and not the unique viewpoint of a property owner or city official.

- A. Noise. No use shall create noise levels which exceed the standards of Section 17.40.100 of this chapter, except where exempted or otherwise permitted by this title.
 - 1. Acoustic Study Required. For permanent new or modified uses that the director determines may not meet the standards of the noise ordinance or general plan, the director may require that an acoustic analysis be prepared. The analysis shall, at a minimum, conform to the following standards:
 - a. The analysis shall be prepared by a qualified person experienced in environmental noise assessment and architectural acoustics.
 - b. Noise levels shall be documented with sufficient sampling periods and locations to adequately describe local noise conditions and noise sources.
 - c. Existing and projected noise levels shall be estimated in terms of L_{eq} and L_{dn} or CNEL, and noise levels shall be compared to the existing ambient noise levels.
 - d. Appropriate mitigation shall be identified, and when feasible, preference shall be given to site planning and building design rather than noise barriers.
 - e. Noise exposure after the application of prescribed mitigation measures shall be estimated or measured.
 - 2. Noise Attenuation Measures. The approving authority may require the incorporation of any noise-attenuation measures deemed necessary to ensure that applicable noise standards are not exceeded, including, but not limited to, noise walls exceeding the maximum height limits and minimum setbacks of the applicable zoning district.
- B. Vibration. No use, activity, or process shall generate vibration that is perceptible by a reasonable person without instruments at any point along the property line of the lot from which the vibration originates.
- C. Odors. No use, process or activity shall produce objectionable odors on a permanent basis, that are detectable by a reasonable person and which are perceptible without instruments at the property lines of any residential district.
- D. Hazardous materials. The use, handling, storage, and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations, the California Fire and Building Codes, and other applicable laws.
- E. Heat and humidity. Uses, activities and processes shall not produce emissions of heat or humidity at the property line that cause material distress, discomfort, or injury to a reasonable person.
- F. Electromagnetic Interference. Uses, activities and processes shall not cause electromagnetic interference with normal radio, television, or telephone reception in "R" districts or with the function of other electronic equipment beyond the property line of the site on which they are situated.
- G. Air quality and residential development within 500 feet of Interstate 5. Pursuant to general plan policy, and the direction of the state of California, residential development is prohibited within 500 feet of a freeway without inclusion of specified mitigation measures as outlined in the California Air Resources Board Technical Advisory "*Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways.*" Such mitigation measures shall reduce air quality impacts on residents to a less than significant level.

17.40.120 Solid waste containers and enclosures. (REORGANIZED/MODIFIED)

- A. Purpose. The purposes and intent of this ordinance are to:
 1. Establish criteria for the construction of trash- and recycling-container enclosures in conjunction with multiple-family residential, mixed-use, commercial and industrial developments. The approving authority is authorized to require that a trash container enclosure meeting the standards of this section be constructed as a condition of obtaining a site development permit, administrative permit, use permit or building permit on any site that does not have an enclosure meeting the standards of this section.
 2. Ensure that enclosures are functional, serviceable, durable, unobtrusive and architecturally compatible with adjacent buildings and development.
 3. Ensure adequate areas for the storage of recyclable materials as required by the state of California.
 4. To ensure compliance with Chapter 8.04 – Refuse Collection, of the municipal code.
- B. Applicability.
 1. Trash and recycling container enclosures are required for all new multiple-family developments consisting of five or more dwelling units, and for all commercial and industrial developments. Alterations (including cumulative alterations) resulting in a increase in floor area of twenty percent or more, or 5,000 square feet, whichever is less, require installation of a recyclable-materials enclosure.
 2. Trash and recycling enclosures may be functionally combined into a single unit or established at separate locations on a parcel, subject to the design criteria established in this section, with the director or designee’s approval.
 3. The director is authorized to require that a trash-container enclosure meeting the standards of this section be constructed as a condition of obtaining a building permit on any site that does not have such an enclosure and is otherwise required to have one by this code or state law.

Schedule 17.40.120-A:

Applicability of Recycling and Solid Waste Enclosure Regulations

Zoning District(s)	Applicability
SR and UR districts.	5 or more dwelling units
LI, I, and PS districts	All development
C, MU, VMU, and PD districts	All development ¹

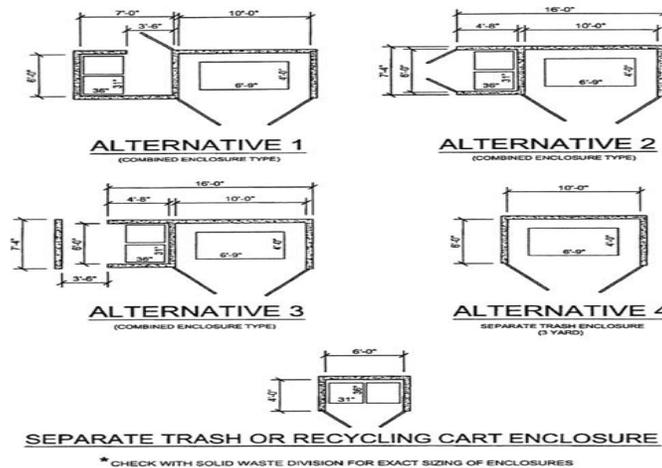
¹ Also applies to residential development with four or more dwellings units in commercial, mixed-use, and planned development districts.

- C. Location and orientation. All enclosures shall comply with the California Fire Code and shall meet the following requirements unless the director determines that they are infeasible. A building permit shall not be issued for new development where an enclosure is required until the director or designee approves the enclosure location and design.
 1. No enclosure shall be located within a required front yard or street side yard setback area unless it can be demonstrated that, due to the originality of design, architectural treatments or lack of visibility to the public right-of-way, the location meets the intent of this section.

2. Trash enclosures shall be located so that front-load equipment having a seventeen-and-a-half-foot wheelbase and an outside turning radius of forty-five feet has sufficient maneuvering area and, where feasible, so that the collection equipment can avoid backing. The enclosure pad with an apron area ten feet in width and twelve feet in length shall not have a slope, including cross slope, exceeding two percent. The pad shall not be elevated above the apron.
3. The enclosure openings shall be oriented so that front-load disposal equipment can access the container directly through the enclosure opening without removing it from the enclosure.
4. Trash and recycling enclosures shall be located so that front-load collection equipment can enter and exit the property using driveways and avoid backing maneuvers where feasible. If the use of through driveways is not practical, sufficient maneuvering area shall be provided to allow collection equipment to enter the public right-of-way in a forward direction. Enclosures shall not be placed in areas where collection equipment will have to back into the street to exit the property. The director or other approving authority may approve alternate locations when acceptable to the city's waste hauler and when considered appropriate based on site constraints and traffic conditions on abutting streets.
5. Recycling enclosures shall be located within ten feet of a driveway aisle or parking area. A minimum four-foot-wide pedestrian walkway shall be provided between the enclosure entrance and the driveway or parking area.
6. All container types shall be consolidated to minimize the number of collection sites and located so as to reasonably equalize the distance from the buildings they serve.
7. The area in front of trash enclosures shall be kept clear of obstructions, and painted, striped and marked "No Parking."

D. Materials, construction and design. Container enclosures shall be constructed and maintained as follows:

1. Minimum size. The minimum size of trash and/or recycling container enclosures shall be determined by the solid waste hauler and the city, and will be based on the container sizes required to adequately serve the residence or business entity.



RECYCLING AND TRASH CONTAINER ENCLOSURES - EXAMPLES

3. Minimum Height. Six feet for trash and recycling enclosures.

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4. Accessibility. Accessibility requirements apply to enclosures that must be accessible as required by the California Building Code Chapter 11B, and as per federal guidelines – American with Disabilities Act. For applicable enclosures, there must be an accessible path of travel from the building to the enclosure.
 3. Enclosure material. Solid masonry or concrete tilt-up with decorated exterior-surface finish compatible to the main structure(s). If the enclosure is not visible from a public walkway, commercial parking lot, street or residential area, the enclosure may be constructed of chain-link fencing with wood or plastic inserts with the approval of the director.
 4. Gate material. Decorative, solid, heavy-gauge metal or a heavy-gauge metal frame with a view-obscuring material covering is required. If not directly visible from a public street or residential area, the enclosure gates may be constructed of chain link with wood or plastic inserts with the director's approval.
 5. Gate construction. Gates shall be hung so that they do not decrease the minimum width requirement for the enclosure opening. Gates are to be secured in the closed position by steel cane bolts or similar. Holes are to be drilled to secure the cane bolts and hold the enclosure gates in the open position during collection.
 6. Enclosure pad. Four-inch-thick minimum concrete pad.
 7. Bumpers. To protect the trash enclosure walls, bumpers measuring at least two inches high by six inches wide shall be affixed to the interior floor at the base of the trash enclosure walls. The bumpers should be made of concrete, steel or other suitable material and anchored to the concrete pad.
 8. Protection for enclosures. Concrete curbs or equivalent shall protect enclosures from adjacent vehicle parking and travelways.
 9. Travelways and area in front of enclosure. An adequate base to support the collection truck weight as operated by the waste hauler is required.
 10. Signs. A sign identifying the recycling collection area(s) and the materials accepted shall be posted adjacent to the recycling container enclosure.
- E. Combined container enclosures. Enclosures shall utilize separate collection areas, and entrances may be served by a common gate. The enclosure(s) shall be designed such that the recycling and composting bins can be serviced without removal of the trash bins.

17.40.130 Screening of mechanical equipment. (MODIFIED/REORGANIZED)

Ground- and roof-mounted mechanical and utility equipment located on a property shall be screened from view from public streets, public gathering areas, and from residential districts as required below. Such equipment includes, but is not limited to, heating and air conditioning equipment, refrigeration equipment, utility equipment (i.e., transformers, cross-connection control devices, exhaust fans and vents, and similar equipment). The location and screening proposed for this equipment shall be depicted on building and site plans submitted to the city for approval of a building permit, site development permit, or use permit.

The location and method of screening shall be approved prior to issuance of building permits. Modification of these requirement may be approved by the director when requested by the utility provider in order to meet code or operational requirements. This section shall not prohibit roof-mounted equipment installed prior to the adoption of this code from being repaired or replaced, and does not require installation of screening for such replacement equipment if it is equivalent to the equipment being replaced and in the same location.

- A. Multi-family residential uses. Roof-mounted heating and air-conditioning equipment is prohibited unless a zoning exception is granted pursuant to Chapter 17.15. Ground-mounted equipment shall be screened from adjacent public right-of-ways, including trails and parks when feasible.

B. Commercial uses.

1. Ground-mounted HVAC units and utility equipment such as electric and gas meters, panels, junction boxes, and similar equipment shall be screened from view of public streets, parks, plazas, etc., using architecturally compatible walls and/or landscape.
2. Utility transformers, cross-connection control devices and similar equipment shall be located to minimize their visibility from public streets to the extent practicable. In commercial developments, these devices shall be located adjacent to service alleys or other locations that are not immediately adjacent to public streets or public dedicated public event and gathering spaces. When visible from these areas, the equipment shall be oriented so that it can be screened with berms, walls, landscape or a combination thereof, while maintaining access as required by the utility.
3. Roof-mounted mechanical equipment shall be screened with building elements that are designed for that purpose as an integral part of the building design.
4. Wall-mounted mechanical equipment that protrudes more than twelve inches from the outer building wall shall be designed to blend with the color, design and materials of the building, except when otherwise required for code compliance.

C. Industrial uses.

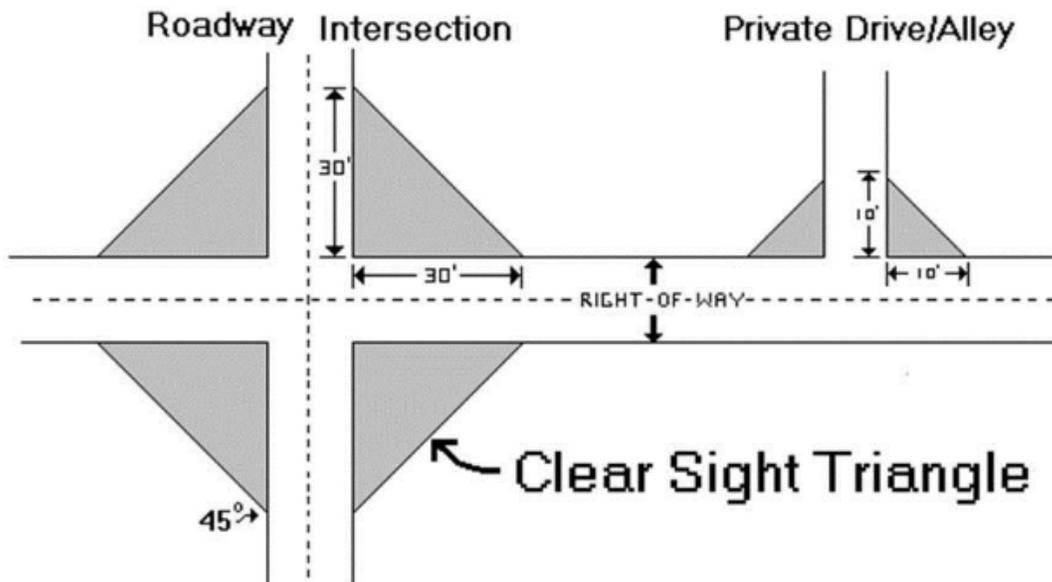
1. Ground-mounted HVAC units and utility equipment shall be screened from view from public streets and adjacent residential districts.
2. Recognizing the unique nature of industrial operations, alternative screening measures for roof- and wall-mounted equipment is permissible for buildings exceeding ten thousand square feet in size. Acceptable methods include, but shall not be limited to, increased setbacks, increased landscape screening, grouping of the equipment on specific portions of the building or site, painting or other measures that result in camouflaging the equipment from public view.

17.40.140 Sight obstructions at intersections.

Visibility at street intersections and at locations of property ingress/egress shall not be inhibited above a height of three feet by vegetation or structures, signs, fences and walls, or other obstructions. This restriction shall apply to all land within a triangular area bound by the curb line or edge of pavement, and a diagonal line joining points on the curb lines thirty feet back from the point of their intersection (see also Clear Sight Triangle figure).

In the case of a rounded corner, the triangular area is measured between the tangents to the curve of the curb line and a diagonal line joining points on the tangents thirty feet back from the point of their intersection. The tangents referred to are those at the beginning and at the end of the curve of the line at the corner.

Private driveways and alleys shall maintain a minimum clear vision triangle distance of 10 feet at their intersection with a public street. These standards are minimums and may be increased by the city engineer when necessary to establish safe vehicle operations. In circumstances where state standards are applicable, such standards shall govern.



17.40.145 Street improvement requirements. (REORGANIZED/MODIFIED)

All new construction of residential, commercial or industrial buildings shall have primary access from a new or existing paved street. The standards for street construction shall be as established by the city engineer, subject to approval by the city council.

A. General Requirements.

1. If an existing street provides access, it shall meet fire safety standards for load and accessibility, or shall be modified to meet such standards prior to occupancy or commencement of the applicable property use. Street improvements include sidewalks, drainage and other related improvements.
2. If the street is constructed with the project, it shall be constructed to city development standards for paved streets, including sidewalks, drainage, and other related improvements.

B. Exceptions. Where determined necessary to insure reasonable use of property given site specific constraints and public safety needs, the director or other approving authority, in consultation with the city engineer, may approve an exception to the requirements of this section, subject to the following standards, and compliance with the provisions of Chapter 17.46 – Nonconforming Uses, Structures, and Sites.

1. The property owner shall sign a deferred improvement agreement by which the owner agrees to participate without protest in an assessment district formed to provide required street improvements. Said agreement shall be recorded and shall run with the land, and shall obligate any owner, heirs, successors, or assigns to such requirement. When sixty (60) percent or more of the owners within a block have signed a deferred improvement agreement, the city council shall call up said agreements and require the improvement of said street.
2. In lieu of improvements or a deferred improvement agreement, the city council may authorize collection of a specified mitigation fee for the pro-rata share of a project's required street improvements, and/or for mitigation of any air or water quality impacts which may result from a lack of such improvements. The amount of the mitigation fee shall be determined based on standard technical analysis, and approved by the city council. A fund shall be established in the city treasury, and all such mitigation fees shall be deposited in said fund. Policies and procedures for expenditure of money in the fund shall be as established by the city council. The funds shall

only be used for street improvements, including necessary design and assessment proceedings required for the improvements, or for mitigation projects which offset the impacts for which the fee is collected.

3. Existing conforming or nonconforming residential structures, including accessory structures, which do not have frontage on a paved street may be replaced or modified provided the new structure is not more than ten percent larger than the existing floor area, and the property owner signs a deferred improvement agreement or pays the required mitigation fee as set forth in this section.

17.40.150 Swimming pool – setbacks and requirements. (REORGANIZED/MODIFIED)

- A. Purpose. The purpose of this section is to establish property-line setback and pool safety requirements for swimming pools.
- B. Applicability. The provisions of this section apply to all outdoor swimming pools.
- C. Construction Locations.
 1. Outdoor swimming pools in residential zoning districts.
 - a. Swimming pools shall not be constructed within twenty feet of a front property line; within ten (10) feet of the street-side property line of a corner lot; within five feet on an interior side-yard property line; and within five feet of a rear property line. On interior residential lots in which a twelve-foot or wider side yard is required, no accessory structures which are subject to issuance of a building permit including swimming pools, shall be permitted within the twelve-foot side yard for the front fifty (50) feet of that side yard. All setbacks shall be measured from the inside face of the pool wall.

Exceptions: Exceptions to these setback requirements may be approved by the director as set forth in Chapter 17.15- Minor Exceptions.
 - b. Aboveground or on-ground pools shall be located on the rear half of the lot and are subject to the same setback standards as referenced in 1.a, above. Associated decking and ladders over eighteen inches above grade shall not be located within five feet of a property line.
 - c. No portion of an in-ground pool shall encroach into the area created by an imaginary line traversing at a forty-five degree angle away from the bottom of the foundation of a residential or accessory structure located within five (5) feet of the pool, and under no circumstance shall a swimming pool be placed so near any property line that the vertical or lateral support of adjacent properties or buildings would be affected.
 - d. Swimming pools, pool decking, and mechanical or utility appurtenances for the pool shall not encroach into open-space easements. Such structures may encroach into a public utility easement only upon approval from the city engineer. If approval is granted, an encroachment permit must be issued in conjunction with the swimming pool permit.
 2. Outdoor swimming pools in mixed-use or commercial districts. Pools intended for multiple-family or commercial uses shall not be located closer than fifteen feet to any public right-of-way, and shall otherwise meet the setbacks for structures. Exceptions to this setback requirements may be approved by the director as set forth in Chapter 17.15 - Minor Exceptions.
 3. Indoor swimming pools in all districts. Indoor swimming pools shall be considered as part of a structure, and shall meet all applicable setback requirements appurtenant to the structure in which the pool is enclosed.
- D. Required safety standards. All swimming pools not constructed within a secure building shall be completely surrounded by a secure physical enclosure as required by the building code. The building official may require modifications or alternative measures to these standards when it is determined

necessary to protect public safety, or when necessary to allow for the reasonable use of property and the building official determines that such modification will not result in a safety hazard.

17.40.160 Underground utilities.

All electrical, telephone, cable television and similar distribution lines providing direct service to a development site shall be installed underground within the site. The director or other approving authority may waive this requirement upon a determination that the installation is infeasible or unnecessary based on site-specific development constraints or infrastructure conditions.

17.40.170 Walls, fences and dividing structures. (REORGANIZED/MODIFIED)

A. Residential Districts.

1. Height. Fences or walls in required front-yard setbacks or within a required street-side yard setback shall not exceed three feet. All other fences shall not exceed seven feet in height, with any attachments to the fence of similar/compatible architecture and materials as the fence to which it is attached. Legal, nonconforming fences may be repaired or replaced but shall meet the height standards established for fences in the applicable district. Fence or wall heights between sloped or terraced lots are measured from the grade of the "uphill" side of the fence. Walls and fences required by a permit, parcel map, or subdivision approval may exceed the height limits and minimum setbacks of the zoning district if consistent with the conditions of approval for the project. A fence may exceed this height limit if a use permit is first secured. The following shall apply, except as otherwise provided for by this title:
 - a. The height of any fence, wall, hedge, screen, planting or other dividing structure placed, grown or maintained in any residential or commercial district shall not exceed three feet within any required front yard or within any side yard on the street side of a corner lot.
 - b. The height of any fence, wall or other dividing structure placed in any residential district shall not exceed seven feet in any rear yard, or in any required side yard not subject to subsection a.1 of this section.
2. Design. In all commercial and multiple-family zoning districts, fencing shall be treated as an integral part of the architecture, with materials, colors, and detailing drawn from the building they surround or adjoin. Fences or walls adjacent to freeways, highways, or arterial or collector streets that are required as a condition of development by the city shall be constructed of decorative masonry, concrete-block, concrete-panel, or other material approved by the director. Solid fences or walls shall not be placed within areas of designated one-hundred-year floodplain without proper openings to pass floodwaters in accordance with the requirements of the Federal Emergency Management Agency.
3. Barbed wire, razor wire, and electric fencing is prohibited in all residential districts unless the director determines that said fencing is necessary for security, animal containment, or other reasonable purpose, and would not be detrimental to the neighborhood in which the property is located. In no case shall such security fences be located within five (5) feet of a public sidewalk or right-of-way.

B. Nonresidential Districts.

1. Location. Fences or walls exceeding 36 inches in height shall not be constructed within a required street front or street side setback area unless a site development permit (SDP-D) is approved by the director.
2. Height. Fences or walls shall not exceed six feet in height unless the director determines that additional height is necessary for screening or security purposes due to the topography of the site

and adjacent properties, and a zoning exception has been approved. Walls and fences required by the city as a condition of approval for development may exceed the height limits and minimum setbacks of the zoning district as required by the conditions of approval for the project.

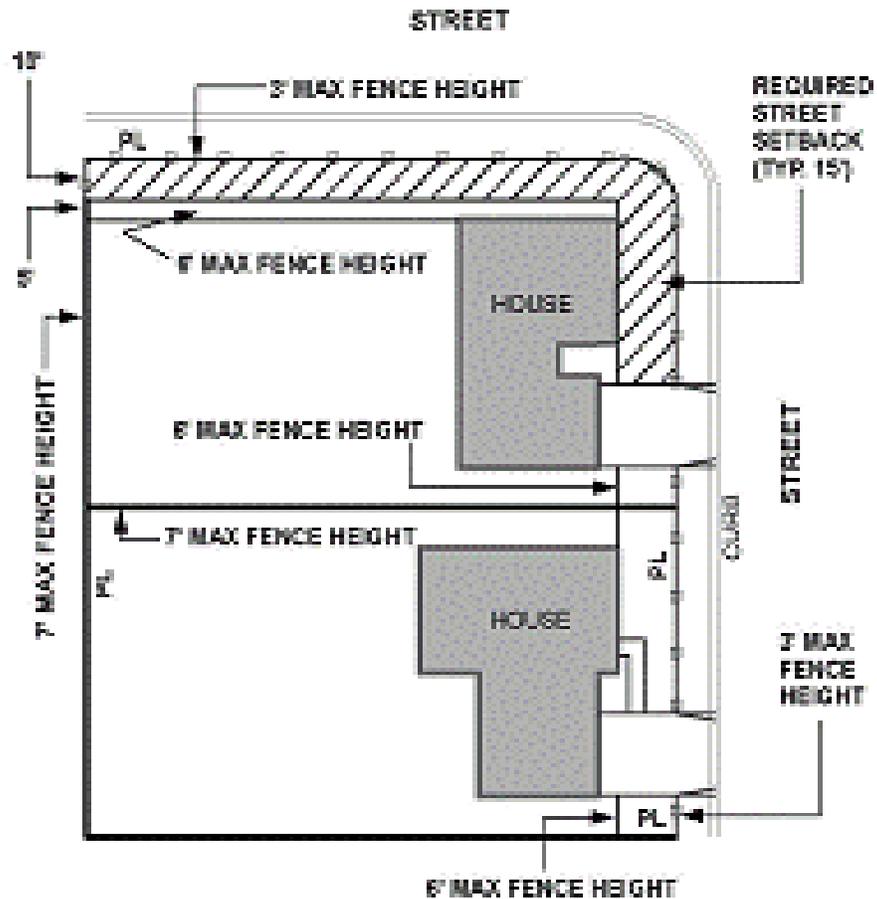


Figure 1 to be replaced

3. Monitored electrified security fence systems (**NEW**). "Monitored perimeter security fence system" means a perimeter alarm system with an assembly of powered equipment, including but not limited to: a monitored alarm device and electric energizer which is intended to periodically deliver pulses to a security fence, a battery charging device used exclusively to charge the system's battery, and other integrated components. The design, construction, and use of monitored perimeter security fence systems shall be allowed, subject to issuance of a use permit and the following requirements:
 - a. IEC Standard No. 60335-2-76. Unless otherwise specified herein, monitored perimeter security fence systems shall be constructed and operated in conformance with the

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- specifications set forth in International Electrotechnical Commission (IEC) Standard No. 60335-2-76, current edition.
- b. Power source. The energizer for monitored perimeter security fence systems must be driven by a commercial storage battery not to exceed twelve volts DC. The storage battery is charged primarily by a solar panel. The solar panel may be augmented by a commercial trickle charger.
 - c. Perimeter barrier. Monitored perimeter security fence systems shall be installed behind a non-electrified fence or wall that complies with Section 17.40.170. B.
 - d. Emergency gate access/system shutoff. Before a monitored perimeter security system is activated, the fire district shall locate and approve a Knox device. The Knox device will be installed at the main entry gate and must be fully functional at all times when the monitored perimeter security fence system is operational.
 - e. Setback. The perimeter security fence shall be set back a minimum of six inches from a non-electrified fence or wall in order to prevent inadvertent access to the battery-charged fence.
 - f. Design/Height. The monitored perimeter security fence shall be visually transparent and comprised of twenty twelve and one-half gauge galvanized steel wires which are run horizontally to a height of ten feet, or two feet higher than the perimeter barrier fence, whichever is greater.
 - g. Warning Signs. Monitored perimeter security fence systems shall be clearly identified with bilingual warning signs that read: "Warning—Electric Fence" at intervals of not less than thirty feet.
 - h. Location. Monitored perimeter security fence systems shall only be permitted on commercial and industrial zoned properties.
 - i. Alarm requirements. All monitored perimeter security fence systems shall be permitted in accordance with the requirements of Chapter 9.16 (Commercial and Residential Alarms), and shall be subject to the fees and other requirements of Chapter 9.16.
 - j. It shall be unlawful for any person to install, maintain or operate a monitored perimeter security fence system in violation of this chapter or Chapter 9.38 (Burglary and Robbery Alarm System).
 - k. The monitored perimeter security fence system shall transmit a signal to an alarm monitoring business and shall not directly connect to or call law enforcement. The business or permittee must first verify the alarm event prior to requesting deployment of law enforcement.
4. Fence design and locations. Fencing visible from a street shall be treated as an integral part of the architecture, with materials, colors, and detailing drawn from the building they surround or adjoin. Barbed wire shall not be erected and maintained within twenty-five feet of any public right-of-way. The use of razor wire or similar materials must be set back a minimum of fifty feet from the right-of-way. Barbed, razor, and similar wires may extend eighteen inches above the height limits established by this section. Fences or walls shall not be placed within an area of a one-hundred-year floodplain without proper openings to pass floodwaters in accordance with the requirements of the Federal Emergency Management Agency.
 5. Exceptions. The director may approve minor modifications to these provisions with the issuance of a site development permit (SMP-D).

17.40.190 Landscaping standards. (CONSOLIDATED)

The following general landscaping standards apply to new development, and too expansions or significant modifications of existing development exceeding 10% of floor area, and to modification of landscaping required by previous approvals.

A. Areas requiring landscaping.

1. Parking areas. Parking areas, including setback areas containing vehicle spaces that abut a public street shall be landscaped to a depth of ten feet, measured from the abutting street right-of-way line. May contain openings for walkway and/or driveway purposes, in accordance with city standards.
2. Large parking areas. Open parking areas which contain twenty (20) or more spaces, shall be landscaped with a minimum of five percent of the gross lot area used for off-street parking and access thereto, exclusive of any landscaped setbacks abutting the street right-of-way, or area used for walkways or driveways. The required landscaping shall include one tree for every eight parking spaces, of a species suited to the areas climate zone.
3. Parking next to residential areas. A minimum 10-foot-wide landscaped buffer strip shall be planted and maintained along the edge of parking areas that abut residential districts. This shall be counted as a part of the five percent landscaped area described in subsection (A)(2) of this section, if applicable.
4. Commercial industrial and multi-family yard areas. For commercial, industrial or multifamily residential uses, required yards adjoining public streets shall be landscaped to a minimum depth of ten feet.
5. Adjacent to freeways. A use in a commercial or industrial district whose side or rear yard abuts a freeway right-of-way shall have a ten-foot-wide screened landscaped area and shall include trees planted forty (40) feet on center, with a minimum of three trees in each applicable planting area.
6. Landscaping materials. Required landscaping may consist of a combination of plant and non-plant material, provided no less than fifty (50) percent of the required landscaped area shall be living plant material, based on mature plant size.
7. Watering. All required planted areas shall be served with permanent watering systems, except where native plants that do not need a watering system are used. All plants shall be maintained in a living condition.
8. Border materials. Except where abutting a sidewalk, all required landscaped areas shall be enclosed by either a concrete curb having a minimum height of six inches or a wooden frame constructed from materials such as railroad ties or other heavy lumber materials that measure no less than six inches in diameter.
9. Maintenance. All required landscaped areas shall be maintained in a neat and clean condition.
10. Sight distance. In order to provide safe sight distance at driveways and street intersections, all plant material within a thirty (30) foot triangle at the intersection of streets, and a fifteen (15) foot triangle at the intersection of driveways and streets, shall be no more than two feet in height above the curb level, except for trees which are trimmed so that no branches extend lower than six feet above curb level.

Standards in this section, except tree replacement requirements (Ch. 12.36 – Tree Conservation), may be modified if a minor exception is first obtained. To grant an exception, the approving authority must find that site-specific conditions or project-specific operational conditions other than cost require such modification, and that no feasible alternative, including redesign of the project, can reasonably address the specific requirement.

- B. Landscaping plan required. All landscaping required by this section shall be installed and maintained in good condition and in accordance with the approved landscaping plan. The plan shall be submitted to and approved by the development services director or his or her designee prior to issuance of a building permit or use permit, and shall show the location, size and variety of all plantings, water supply and other pertinent improvements.
- C. Water-efficient landscaping. All landscaping plans and installations shall comply with the requirements of Chapter 15.10 -Water Efficient Landscaping.
- D. Tree conservation. All new or modified landscaping shall comply with the requirements of Chapter 12.36 – Tree Conservation.

17.40.200 Combining uses.

More than one allowable use authorized by the applicable zoning district may be permitted on a lot, provided there is no conflict between the uses, and further provided that all applicable requirements and city development standards are met. Each use must meet the lot or building area requirements without using the lot or building area requirements of another use, except when otherwise allowed by this code. For lots for which a use permit or planned development has been approved, the permissible uses are those specifically identified by the approval.

17.40.210 Solar energy and shade control.

Pursuant to California Public Resources Code Section 25985, the city declares itself exempt from the provisions of Chapter 12 (commencing with Section 25908) to Division 15 of the Public Resources Code (Solar Shade Control Act) relating to solar energy and shade control. (See Ord. 97-99 § 1 (part))

17.40.220 Calculating residential density. (NEW)

The base number of dwelling units allowed in a district shall be computed as setforth in this section. Schedule 17.40.220-A below establishes the maximum density in a district and Schedule 17.40.220-B establishes the minimum density allowed in a district. These ranges are based on the applicable general plan land use district and the requirements of state law. Project density may be adjusted within the allowable density ranges, subject to the provisions below and the permitting requirements of this title.

Schedule 17.40.220-A: Maximum Permissible Density

Districts	Maximum Density
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RR-5	1 unit/5 acres
RR-2	1 unit/2 acres
RE	2 units/acre
RS-1	3 units/acre
RS-2	6 units/acre
UR-1	12 units/acre
UR-2	20 units/acre
UR-3	30 units/acre
VMU	30 units/acre
MU	30 units/acre

Schedule 17.40.220-B: Minimum Permissible Density

Districts	Minimum Density
RR-5	None
RR-2	None
RE	None
RS-1	None
RS-2	None
UR-1	6 units/acre
UR-2	20 units/acre
UR-3	20 units/acre
VMU	6 units/acre
MU	1 units/acre

- A. Calculating density. Density is expressed as the number of dwelling units per acre permitted on the lot or project area, minus slope areas exceeding 20%, FEMA-designated 100-year flood areas and other environmentally sensitive land or previously dedicated open spaces. Density credit shall not be given for lands encumbered by a public or quasi-public agency for utility easements or rights-of-way for which compensation for said easement or right-of-way has been paid. Allowable density for steep slope areas is established in Chapter 17.51.
- B. Minimum housing density required in specified zoning districts. To ensure that multiple-family zoning districts support the city’s Regional Housing Needs Allocation (RHNA) requirements and state housing law, new residential development in the UR-2 and UR-3 zoning districts shall be designed and approved, consistent with the state established minimum density requirements for suburban jurisdictions (see Gov. Code § 65583.2(h)(2)). Developments using the state density bonus law shall calculate the project’s unit count as established in this section, and then may apply allowable density bonus thresholds when applicable.
- C. Net vs gross developable acreage – definitions and use. The purpose of this section is to refine project level density calculations by shifting from gross to net residential density when necessary and appropriate, to allow equitable use of land which is otherwise constrained by environmental, infrastructure, or site limitations.

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1. Maximum or minimum residential density may be based on either "gross developable acres" or "net developable acres," as defined below, and utilizing whichever method results in density consistent with the applicable general plan land use designation's density range for dwelling units.
 - a. Gross residential density: The total number of dwelling units divided by the total land area of the parcel or development site, including all rights-of-way, open spaces, easements, and otherwise unbuildable land.
 - b. Net Residential Density: The total number of dwelling units divided by the net developable area—the gross parcel area minus exclusions such as wetlands, riparian buffers, steep slopes (20% or greater), public parks/open space, internal roads, stormwater facilities, and easements.

 - D. Subdivision of pre-city incorporation lots containing two or more legal units. Where existing parcels of land within a residential district contain two or more detached legally constructed residences, development may be allowed to exceed the applicable General Plan land use density, provided that:
 1. All such residences were constructed before July 2, 1993.
 2. At least one residence occupies each newly created lot.
 3. Each newly created lot and other improvements meet applicable development standards.
 4. The project site is not located within an environmentally sensitive area, on slopes exceeding 20%, and not located within the VHFHSZ or a FEMA-designated flood zone.

 - E. Density increases. Increases in density beyond those identified in this section may be permitted under certain specified circumstances. Increases over the maximum density may be allowed in the UR-2, UR-3, and MU district under the following circumstances:
 1. The planning commission determines that the applicable design standards and guidelines required by this code and state law are in evidence, and the project meets the applicable goals and policies of the general plan; and
 2. The planning commission determines that the increase in density is acceptable considering the following factors: site topography, available public-street access, availability of utilities, existing neighborhood characteristics including the average density of surrounding development; or
 3. A density bonus consistent with Government Code Section 65915, et seq., is approved.

Section 17.40.230 Application of floor area ratio (FAR). (NEW)

Floor area ratio (FAR) standards control the intensity of development to ensure that the scale of development is compatible with the purposes of the applicable zoning district, and the availability of necessary infrastructure. This standard applies to all development located on a lot within a mixed use, commercial, and industrial district.

- A. FAR definition and limitations.
 1. The allowable FAR for a property in a specific zoning district is identified in Division 3 of this title. The floor area ratio of a site is defined as the ratio of the total floor area of all buildings on the lot or building site, excluding applicable exceptions and adjustments, to the total area of the lot or building site. Non-habitable spaces are excluded from the FAR calculation. Accessory structures, such as garages and sheds, are included in the FAR calculation for a property.
 2. Calculation of FAR:

-
- a. FAR = Total Floor Area of the Building(s) / Total Lot Area. Example: For a lot with an area of 10,000 square feet that is located in the VMU district, if the FAR standard is 1.0, the maximum total floor area of all buildings is 10,000 square feet.
 - B. Exceptions and adjustments. The approving authority may grant a modification to a FAR standard in a district, provided that the proposed development is consistent with the goals and policies of the general plan, and the required findings in Section 17.40.240 are made in the affirmative. When the application of a floor area ratio standard conflicts with state law, the requirements of state law shall govern.
 - C. Compliance required. All permit applications for new or expanded development shall include FAR calculations to determine compliance with this code. The director or designee shall verify compliance prior to the approval of the applicable entitlement or issuance of building permits.

17.40.240 Entitlements for projects exceeding district density or intensity standards. (NEW)

Where a property is zoned seeks to exceed the floor area or density standards provided for in this title, the project applicant may seek approval to supersede the standards of the applicable district up to the maximum allowed by the general plan. Any such modification is subject to the approval of a use permit or planned development zoning, as applicable.

- A. The approving authority may approve a development plan that deviates from the floor area or density limitations established for the applicable zoning district, provided the findings below are made in the affirmative.
 - 1. The approved development plan, as conditioned, is consistent with the zoning district's purposes as established in this title.
 - 2. The site for the proposed development is adequate in size and shape to accommodate such uses, densities and intensities, and the design of all structures, yards, open spaces, setbacks, walls and fences, parking areas, loading areas, landscape and other features can be accommodated.
 - 3. The proposed development, as designed or conditioned, will not have a substantial adverse effect on the surrounding property or the permitted use thereof and will be compatible with the surrounding area's planned land use character.
 - 4. The public services and facilities, including circulation improvements, required to service the project site will be provided by existing infrastructure or will be constructed.
 - 5. The proposed development carries out the intent of the general plan by providing a more efficient use of the land, and it includes an excellence of architecture and site design, including the provision of public amenities, which is greater than that which could be achieved through the application of the base district regulations. Where the development will be reserved on a long-term basis for affordable housing, FAR limits may be modified by the approving authority as required by state law.

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17.43.010 Purpose and applicability.

There are certain activities and uses of property that, because of their nature, must necessarily be reviewed or addressed on a case-by-case basis. The uses and activities identified in this chapter may be located in most or all districts, subject to the specified limitations and requirements of this chapter and title.

Specified uses set forth herein must comply with the standards of this chapter and title in order to obtain approval. Uses that are permitted with limitations or permitted upon approval of a discretionary permit in a zoning district must comply with the regulations and standards of this chapter. Where a conflict exists between the standards and requirements of this chapter, and those of the applicable zoning district, the most restrictive standard or requirement shall govern.

17.43.020 Accessory uses and structures. (MODIFIED/REORGANIZED)

An accessory use, structure or building, shall be allowed only in conjunction with a principal use or building to which it relates when located on the same parcel, lot, or building site area, and under the same regulations as an allowable principal use in a zoning district. Accessory structures, buildings, and uses shall be constructed of similar and compatible architecture and materials as the main structures. Accessory uses are subject to the following standards and limitations.

- A. Residential accessory uses. There are certain land uses which, because of their characteristics or purpose, are permitted in residential areas, provided they meet applicable standards. The uses described in this section may be permitted in conjunction with residential uses, subject to the criteria and limitations herein. Accessory dwelling units (ADUs) and buildings intended for human habitation, are also subject to the requirements of Section 17.43.030.
 - 1. An attached or detached two-car garage or carport not exceeding five hundred fifty (550) square feet of floor area is allowable. In addition, one thousand (1,000) square feet of floor area in the same or separate accessory building(s) is permitted with approval of a administrative permit by the director. Any detached building under one hundred twenty (120) square feet of roof area is not considered a part of the total. Additional floor area that exceeds these standards may be permitted with approval of a use permit.
 - a. Property that meets the allowable use and permit criteria established for agricultural uses by this title, on a lot or building site larger than one acre, shall be exempt from the residential accessory building size criteria described in subsections A.1 of this section. Buildings exceeding these standards and designed and intended for agricultural use are subject to approval of an administrative permit.
 - 2. Non-residential accessory uses. Non-residential accessory uses and structures located in commercial, industrial, mixed use and public facilities districts are subject to the permitting, location and development standards of the primary use, including but not limited to, floor area ratio, design guidelines and parking requirements.

17.43.030 Accessory dwelling units. (MODIFIED/REORGANIZED)

- A. Purpose and application. The purpose of this section is to comply with the state law and the city's general plan direction pertaining to development of accessory dwelling units as a means to increase the

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supply of housing. This section also establishes standards for the development of accessory dwellings to ensure that they remain compatible with the purposes of state law and the general plan.

Any application that meets the requirements of this section for an accessory dwelling unit shall be approved as a ministerial act, without a public hearing, when the project is exempt from the California Environmental Quality Act (CEQA), and when the unit(s) complies with the applicable requirements for development. The city will ministerially review applications for accessory dwelling units, in conformance with this code, and with Section 65852.2 of the Government Code. Prior to the city accepting an application for an accessory dwelling, all plans, required application materials, and fees necessary for such a review shall be submitted, reviewed, and accepted as complete, as set forth below.

1. Initial project screening. The materials to be submitted shall include a site plan, roof plan, floor plan, and elevations that have been confirmed by the city to comply with the applicable objective design standards as established or referenced by the municipal code. The pre-building permit application screening review shall be completed through the ministerial review procedure established in Section 17.13.030.B. When plans do not comply with the established objective standards for the project, they shall be returned to the applicant, accompanied with written comments listing the items that are defective or deficient, and a description of how the application may be remedied.
2. Selection of alternative permit process. At any time, an applicant may voluntarily apply for non-ministerial project review via the administrative permit process. In so doing the applicant is acknowledging that the ministerial review processes established in this code and state law are being waived.

Failure to provide required materials in a proper and accurate manner shall result in the application being returned as incomplete. A failure by the applicant to respond in a reasonable and timely manner before the lapse of the 60-day review period by submitting corrected plans in compliance with this code, or by requesting a time extension, shall be grounds for denial of the project.

B. Definitions.

1. Accessory Dwelling Unit (ADU). An ADU is an attached or detached residential dwelling unit located on the same lot as a proposed or existing primary residence. It provides complete independent living facilities for one or more persons, including: Permanent provisions for living, sleeping, eating, cooking, and sanitation. May include an efficiency unit or a manufactured home. Can be created by new construction, addition, or conversion of existing space.
2. Junior Accessory Dwelling Unit (JADU). A JADU is a smaller accessory residential unit that is no more than 500 square feet in size and is contained entirely within an existing or proposed single-family residence. It must have a cooking facility (sink and appliances) and may share a bathroom with the main home. It also requires a separate entrance to the outside and may have interior connection to the main dwelling.

- C. Location. Subject to compliance with the requirements of this title and code, an accessory dwelling unit shall be considered a permitted use of property in any zoning district that allows single-family and/or multiple-family residences.

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D. Development standards. Accessory dwelling units (ADUs) shall be approved when the application complies with the following development standards, as applicable:

1. Number of units. Accessory dwelling units shall be allowed as follows:
 - a. Single-family residential development. Following pre-application screening, the city shall review and if appropriate approve through an application for a building permit, accessory dwelling unit(s) within any zoning districts that allows residential development, or where there is an existing non-conforming single-family residence. Such units shall comply with the applicable standards of this title, and the requirements of state law.
 - b. Accessory dwelling units located within a Very High Fire Hazard Severity Zone (VHFHSZ) shall be subject to objective building and safety standards, including but not limited to requirements for fire-resistant construction, defensible space, and access. The city shall not deny a ministerial application for an accessory dwelling unit in the VHFHSZ solely based on its location within the zone, unless the city makes specific written findings, based on substantial evidence that the ADU would have a specific, adverse impact on public health and safety or the physical environment that cannot be mitigated through the imposition of objective standards.
 - c. Multiple-family residential development. In any zoning district that allows multifamily dwellings there shall be an existing or proposed primary multifamily residential dwelling unit complex with two or more attached units in order to allow an accessory dwelling unit to be constructed in compliance with state mandated multifamily ADU standards. The City shall ministerially approve through an application for a building permit ADUs/JADUs within an existing or proposed multifamily complex , as follows:
 - i. No more than two external fully detached ADUs within an existing or proposed multifamily complex with two or more attached units on a lot zoned for either multiple-family residential uses or mixed uses.
 - ii. In addition, at least one more internal attached ADU is allowed to be created from existing or proposed non-habitable space within the existing or proposed multifamily dwelling unit or mixed-use residential building, including their attached garages.
 - iii. In addition to the three allowed ADUs within a multifamily dwelling complex or mixed-use complex, additional internal ADUs are allowed to be created from existing or proposed non- habitable residential space, provided the total number of such internal ADUs does not exceed twenty-five percent (25%) of the number of the existing or proposed primary multifamily dwelling units permitted on the property. Any percentage resulting in a partial unit shall be rounded down to the next full unit.
2. Location. An accessory dwelling unit shall have the following minimum setbacks:
 - a. Side Yard. Minimum of four (4) feet.
 - b. Rear Yard. Minimum of four (4) feet.

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- c. Front Yard. Minimum of twenty (20) feet, unless otherwise authorized by this title. As allowed by state law and this title, a proposed accessory dwelling or a portion of an accessory dwelling that is no more than eight hundred (800) square feet in area may project into the front yard a maximum of five (5) feet.
 - d. Eave to Eave. Minimum 4-foot setback between eaves of any new construction on a lot.
 - e. Existing Structures. No additional setback shall be required for construction of an accessory dwelling, which involves conversion of either existing living area or an existing accessory structure, or for construction that replaces an existing building in the same location with the same dimensions as it was prior to demolition. An addition of up to 150 square feet is permissible for required ingress and egress.
 - f. An accessory dwelling may be attached or detached from the existing primary dwelling unit. If detached, it shall be separated from the primary dwelling unit by a minimum of six feet unless it involves the conversion of an existing structure.
 - g. Property line setbacks shall not apply to the conversion of existing, detached, legally constructed accessory buildings. If attached, the ADU must meet all building setbacks required of the primary dwelling, except when it involves conversion of existing floor area.
 - h. Where a property is located within the mapped Very High Fire Hazard Severity Zone (VHFHSZ) it shall be subject to the objective development standards as established by this code for development in the VHFHSZ. When a conflict exist between the provisions of this code and the requirements of state law as it relates to development within the VHFHSZ, the more restrictive provision shall apply.
3. Dwelling size:
- a. The floor area of a detached ADU shall not be less than two hundred twenty (220) square feet, as described in California Building Code Chapter 12, Section 1208.4. The floor area of an attached JADU shall not be less than one hundred fifty (150) square feet nor more than five hundred (500) square feet.
 - b. The total area of floor space of an attached accessory dwelling unit shall not exceed fifty (50) percent of the proposed or existing primary dwelling living area or one thousand two hundred (1,200) square feet, whichever is smaller.
 - c. The total area of floor space for a detached accessory dwelling unit shall not exceed one thousand two hundred (1,200) square feet.
 - d. The minimum floor space of a detached “manufactured” accessory dwelling unit as defined in Section 18007 of the Health and Safety Code, shall not be less than three hundred and twenty (320) square feet, and shall not exceed one thousand two hundred (1,200) square feet.
4. Architectural compatibility. An attached or detached accessory dwelling unit shall incorporate the same or similar architectural features, building materials, and colors as the primary dwelling unit.

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5. Off-Street parking. One off-street parking space shall be provided for every newly constructed, detached ADU. No additional parking shall be required if the unit is, or will be, part of a primary residence or existing accessory structure. The required parking may be covered or uncovered. Pursuant to state law, the additional space may be a tandem space within a driveway or may be located in the front yard setback immediately adjacent to the driveway, unless specific health and safety findings are made that use of the setback areas or tandem parking is not feasible based upon site or topographical conditions, or fire and life safety requirements. Required parking shall not conflict with parking required for the primary dwelling.

6. Utilities. An accessory dwelling may share existing utilities with the primary residence. Alternatively separate electric, water, and gas meter may be allowed on the property for each primary dwelling unit and each accessory unit. Both the primary dwelling and accessory unit shall be connected into the city's sewer system if available. Where sewer service is not available, the primary dwelling unit and accessory unit shall be connected to a septic system approved by the Shasta County Department of Environmental Health. If public sewer service is available within one hundred (100) feet of the property line within a public right-of-way or easement, it shall be extended to provide sewer service to the property if the septic system fails or is inadequate per Shasta County Environmental Health requirements.

Applicable utility connection and capacity fees shall apply when associated with newly installed separate services for a detached accessory dwelling unit. For newly constructed ADUs or those that expand beyond 150 square feet, the city shall charge a proportional utility connection fee or capacity charge. These fees shall be based on the proportional impact of the ADU or JADU.

7. Adequacy of utility infrastructure or emergency access. The city council may determine that there exist areas in the city that have inadequate utility services or access for new development when necessary to protect public safety or when located within the very high fire hazard severity zone. The city council may determine that such areas of the city have inadequate utility capacities for either source, storage, distribution/collection and/or treatment of potable water, or adequate fire flows, sewer services, electricity distribution, or emergency access. The director or building official may deny an application for a new residential dwelling unit in such areas based on such city council designation or determination, and subject to making the required findings for such denial are .

8. Permanent foundation. A permanent foundation is required for all accessory dwelling units.

9. Other applicable standards. Except as modified by this section, the development standards for accessory dwellings shall be the same as those established for the primary use in the zoning district in which it is located.

10. Accessory dwellings shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary dwelling is situated.

11. A mobile/manufactured accessory residential unit must be certified by California Department of Housing and Community Development.

12. Design standards.

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- a. When an accessory unit entry is constructed to face the same street as the primary unit, it shall be designed to appear that there is one unit on the lot. On a corner lot, the entrance for the primary dwelling unit may face one street, and the entrance of the accessory unit may face the other street. An exception to this requirement may be approved by the director or designee, if such exception improves the architectural compatibility of the unit with the primary residence.
 - b. Windows located on a side yard are permitted only on the top third of the second story for the unit to allow for light transmission (includes clerestory windows). Alternatively, permanently opaque windows may be installed at any height with the approval of the director or designee. An exception to this requirement may be approved by the director, if the modification improves the architectural compatibility of the unit with the primary residence.
13. Height. A detached accessory dwelling unit shall not exceed the following heights:
- a. New construction. The maximum height limit of an accessory unit shall not exceed the allowable building height for an accessory building established in the applicable zoning district, or 22 feet, whichever is more. When the unit involves a horizontal expansion of an existing building, it shall match and maintain the height and style of the roof to which it is attached.
 - b. Conversion. The height limit of an ADU that is a conversion of an existing properly permitted structure shall be the height of that structure.
14. Neither the primary dwelling nor the accessory unit may be sold separately. The term of the rental of the accessory dwelling unit shall not be less than thirty-one (31) days.
15. Parking. One additional parking space shall be required for an accessory dwelling, unless one of the following applies:
- a. The unit will be located in a conversion of an existing garage, carport or other covered parking structure, or a replacement structure thereof, in which case no additional space is required.
 - b. The unit is part of the existing primary residence or of an existing accessory structure in which case no additional space is required.
- E. California Building Code requirements which apply to additions to existing single-family dwellings, and construction of new dwelling units, as appropriate, shall also apply to ADUs.
- F. Approval by the Shasta County Environmental Health Department is required where an onsite waste treatment system is being used.
- G. Preexisting units. An accessory residential unit existing prior to adoption of this section, the use of which is nonconforming in the zoning district in which it is located, may be considered conforming if the director or designee issues a zoning clearance determining that the unit complies with all applicable requirements of this section.
- H. Temporary emergency unit. A mobile or modular home, no older than ten years with a current license from the state department of housing and community development, may be occupied on a temporary

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period not to exceed one (1) year pursuant to approval of a site development permit (SDP-M) by the development services director or designee, The use of the temporary unit shall not be considered a permanent unit. Such use is subject to the following requirements and limitations.

1. A recreational vehicle may be occupied for emergency temporary use if it satisfies the following criteria:
 - a. It is certified by the American National Standards Institute (ANSI).
 - b. It has a National Highway Traffic Safety Administration (NHTSA) seal.
 - c. It is no older than ten years.
 2. The temporary use is limited to primary family members to include parents, siblings, children, grandparents, and grandchildren.
 3. The unit can utilize existing on-site water and wastewater services.
 4. The temporary unit location shall meet the minimum setback requirements of the zoning district in which it is located and shall be placed on the rear one-half of the lot or alternatively screened with wood or block fencing seven (7) feet in height.
 5. The maximum period for use of a temporary unit is six months in order for the property owner to add to the primary dwelling or complete a permanent accessory unit. No more than one six-month extension of time may be granted by the development services director or designee.
 6. The temporary unit must be removed from the site at the end of the emergency period. No permanent storage of a mobile home is permitted on-site. A notice of violation will be recorded with the county recorder if the mobile home is not removed after the emergency period ends, And abatement proceedings will be initiated through the city's abatement process.
- I. Residency. The accessory unit or another permitted dwelling unit on the same lot shall be occupied by the property owner, as their “primary legal residence” or in the instance where the property owner does not reside on the same lot or the property owner is a legal entity other than a human being, then the accessory unit shall not be rented, leased or sublet separate from the tenant occupying the primary single family dwelling unit that is host to the accessory unit.

17.43.040 Adult entertainment businesses.

- A. Purpose. The city council finds that "adult entertainment" businesses, because of their very nature, are recognized as having objectionable operational characteristics, particularly when several are concentrated within close proximity, thereby having a deleterious effect upon the adjacent properties. Special regulation of these businesses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhoods. The primary purpose of the regulation is to prevent concentration or clustering of these businesses in any one area. For the purposes of this section, the definitions set out in subsections B through D of this section apply.
- B. Definitions

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Adult entertainment businesses . "Adult entertainment businesses" means any business or establishment which offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas." "Adult entertainment businesses" includes the following defined terms:

"Adult bookstore" means an establishment having as a substantial or significant portion of its stock in trade, books, magazines and other periodicals which are distinguished or characterized by an emphasis on matter depicting "specified sexual activities" or "specified anatomical areas."

"Adult mini motion picture theater" means an enclosed building with a capacity for less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

"Adult motion picture arcade" means any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on matter depicting "specified sexual activities" or "specified anatomical areas."

"Adult motion picture theater" means an enclosed building with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depiction, describing or relating to "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

"Cabaret" means a nightclub, theater or other establishment which features live performances by topless and/or bottomless dancers, "go-go" dancers, exotic dancers, strippers or similar entertainers, where such performances are distinguished or characterized by an emphasis on matter depicting "specified sexual activities" or "specified anatomical areas."

"Massage parlor" means any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments or any other treatment or manipulation of the human body occurs as part of or in connection with "specified sexual activities" or where any person providing such treatment, manipulation or service related thereto exposes "specified anatomical areas."

"Model studio" means any business where, for any form of consideration or gratuity, figure models who display "specific anatomical areas" are provided to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by persons paying such consideration or gratuity.

"Sexual encounter center" means any business, agency or person who, for any form of consideration or gratuity, provides a place where three or more persons, not all members of the same family, may congregate, assemble or associate for the purpose of engaging in "specified sexual activities" or exposing "specified anatomical areas."

C. Specified sexual activities. "Specified sexual activities" includes the following:

1. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship.
2. Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence.
3. Use of human or animal masturbation, sodomy, oral copulation, coitus or ejaculation.

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4. Fondling or touching of nude human genitals, pubic region, buttocks or female breast.
 5. Masochism, erotic or sexually oriented torture, beating or the infliction of pain.
 6. Erotic or lewd touching, fondling or other contact with an animal by a human being.
 7. Human excretion, urination, menstruation or vaginal or anal irrigation.
- D. Specified anatomical areas. "Specified anatomical areas" includes less than completely and opaquely covered:
1. Mature human genitals.
 2. Mature human buttocks.
 3. Mature human female breast below a point immediately above the top of the areola.
 4. Human male genitals in a discernable turgid state, even if completely and opaquely covered.
- E. Regulation of location.
1. In those land use districts where the "adult entertainment" businesses regulated by this section would otherwise be permitted uses, it shall be unlawful to establish any such "adult entertainment" business if the location is:
 - a. Within five hundred (500) feet of any area zoned for residential use, or
 - b. Within one thousand (1,000) feet of any other "adult entertainment" business, or
 - c. Within one thousand (1,000) feet of any public or private school, park, playground, public building, church, any noncommercial establishment operated by a bona fide religious organization or any establishment likely to be used by minors.
 2. The "establishment" of any "adult entertainment" business shall include the opening of such a business as a new business, the relocation of such business or the conversion of an existing business location to any "adult entertainment" business use.
- F. Waiver of locational provisions.
1. Any property owner or authorized agent may apply to the planning commission for a waiver of any locational provisions contained in this chapter. The planning commission, after a hearing, may waive any locational provision, if all of the following findings are made:
 - a. The proposed use will not be contrary to the public interest and the intent and purpose of this chapter will be observed, and
 - b. The proposed use will not enlarge or encourage the development of a "skid row" area, and
 - c. The establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation, and
 - d. All applicable regulations of this code will be observed.
 2. The procedure for this hearing shall be the same as that provided in Chapter 17.11 of this title, with, among other matters, the same notice requirements, the same right of appeal to the city council and the same fees payable by the applicant.

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17.43.050 Animals. (NEW)

The purpose of this ordinance is to appropriately regulate the keeping of poultry, farm and other animals consistent with the lifestyle emphasized in zoning districts that include residential development. To permit the keeping of such animals and to ensure that their presence does not create an undue burden on residents, the following standards will apply, unless otherwise provided for in the applicable zoning district. It is also appropriate that hen chickens and bees be allowed within a city environment to the extent that they do not constitute a nuisance or hazard to neighboring properties.

- A. The keeping of cats, dogs, and other household pets for non-commercial purposes, and the keeping of bees for non-commercial purposes, is permitted in accordance with Title 6 of the municipal code.
- B. For noncommercial purposes, the keeping of animals shall be permitted, subject to compliance with the standards of this section. The minimum site area for the keeping of the specified animals and the required permit approval shall be as identified in the table below, and the number of animals allowed is subject to the requirements of this section.

Table 17.43.050 -1 Area Requirements

Animal Type	Minimum Area	Approval Required
1. Large animals	One (1) acre	Permitted in the RR districts. AP in the RE and SR districts.
2. Small animals	20,000 square feet	Permitted in the RR districts. SDP-D in the SR and UR districts.
3. Hen chickens. Roosters older than 3 months are prohibited.	No minimum site area.	Permitted in the RR and SR districts. SDP-D in UR and Mixed Use districts. Prohibited in the VMU district,

- C. All animal enclosures, including corrals, pens, feed areas, paddocks, uncovered stables and similar enclosures are subject to the following setback and notice requirements:
 - 1. Enclosures shall not be located within fifteen feet of a side or rear property line, or within fifty feet of a front property line, and enclosures shall not be constructed closer to a residence on an adjoining property than the distance specified below:

a. Large animals:

1. Horses, mules, donkeys, jennies, and similar.	100 feet
2. Cattle	100 feet
3. Pigs, hogs ¹	500 feet
4. Goats	100 feet
5. Sheep	100 feet
6. Large fowl (including geese, turkeys, and similar)	75 feet

¹ Maximum number allowed is three sows and one boar.

b. Small animals:

1. a. Poultry ¹	40 feet
2. b. Rabbits	40 feet

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¹Exception - Hen Chickens. The side and rear property line setbacks may be reduced to five feet, and the setbacks from a residence on an adjoining property may be reduced to thirty feet for the keeping of small animals if the resident(s)/property owner(s) on abutting property or properties provide written permission in a form acceptable to the director, that reduced setbacks are acceptable to them. Permission granted in accordance with this section is revokable by the person residing on or owning an abutting property by notifying the development services department in writing. The zoning clearance provisions of this title shall be utilized for documentation of this permission. Upon revocation, the setbacks established by this section shall be applicable.

- D. Animals are described in terms of "units" in this section to further define the relationships among animals of differing sizes and to determine the number of animals permitted on a given parcel.
1. Large animals: Each large animal is equal to one animal unit.
 2. Small animals:
 - a. Ten poultry equals one animal unit.
 - b. Ten rabbits equal one animal unit.
 - c. Five turkeys or other similar size large fowl equal one animal unit.
 - d. Specific standards for the keeping of the following animals:
 - i. Poultry: All poultry shall be contained within coops or pens and shall not be allowed to run free on any property. Rooster chickens over three months in age are prohibited. The maximum number of poultry allowed on a residential or mixed use zoned property is twenty (or two animal units). In the RR-2 and RR-5 district, a larger number may be allowed for a non-commercial use with approval of an administrative permit.
 - ii. Rabbits: All rabbits shall be contained in coops or pens and not be allowed to run free on any property. The maximum number of rabbits allowed is twenty (two animal units). In the RR-2 and RR-5 district, a larger number may be allowed for a non-commercial use with approval of an administrative permit.
 - iii. Turkeys, geese, and large fowl: All large fowl shall be contained within coops or pens and shall not be allowed to run free on any property. The maximum number of large fowl allowed on any property is ten (two animal units). In the RR-2 and RR-5 district, a larger number may be allowed for a non-commercial use with issuance of an administrative permit.
- E. The maximum animal density on a site is determined by the following lot sizes, provided that a residence is located on the lot.
1. Lots up to nineteen thousand nine hundred ninety-nine square feet in area: Up to six hen chickens over three months old .
 2. Lots twenty thousand to thirty-nine thousand, nine hundred ninety-nine square feet in area: Small animals at a density equal to one animal unit.
 3. Lots forty thousand square feet or larger in area: Large animals at a density equal to one animal unit per 40,000 square feet. Small animals at a density equal to one animal unit. One additional small animal unit is allowed for each additional twenty thousand square feet of lot size.

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Fractional animal units may be combined to equal a full unit. For example, five poultry and five rabbits equal one animal unit.

- F. Animal needs. Every person who keeps an animal that normally resides outside, or that is kept outside unsupervised for extended periods of time, shall ensure that the animal is provided with an enclosure and treatment that complies with chapter and Chapter 6.08 – Animals, of the municipal code.
- G. Private stables. In districts which do not list livestock as a permitted use, horses and private stables may be permitted subject to the approval of an administrative permit, if the following criteria are met:
 - 1. The minimum lot area upon which a horse may be kept is one acre. and one horse may be kept for each one acre.
 - 2. Stables and paddocks shall be located not less than twenty (20) feet from the side or rear property lines, not less than fifty (50) feet from the front property line and not less than forty (40) feet from any dwelling on the same or adjacent property.
- H. Unsanitary conditions prohibited. No person shall keep an animal in an unsanitary condition within the city. Conditions shall be considered unsanitary where the keeping of the animal results in an accumulation of fecal matter, an odor, insect infestation, or rodent attractants which endanger the health of the animal or any person, or which disturb or are likely to disturb the enjoyment, comfort, or enjoyment of property of any person in or about any dwelling, office, hospital, or commercial establishment pursuant to Chapter 6 – Animals, of this code.
- I. Questions regarding the classification of animals not specifically identified are to be referred to the director for a determination as to their appropriate category (household pet, small animal, large animal, or exotic or wild animal).

17.43.060 Reserved.

17.43.070 Automotive and vehicle repair uses (minor and major). (NEW)

Automobile repair and heavy vehicle service uses shall be located, developed, and operated in compliance with the following standards. In all cases an administrative permit is required when the use is adjacent to the boundary of any residential district. An exception to the standards of this section may be allowed by the approving authority based on site specific conditions, and satisfaction of the required findings in Section 17.15.040.

- A. Minimum lot or building site size. Ten (10) thousand square feet, or as specified in the applicable zoning district.
- B. Buffer yards. A commercial buffer yard shall be provided when adjacent to any residential districts, consistent with Section 17.40.010 of this title.
- C. Noise mitigation. All automobile repair uses performing body and fender work or similar noise-generating activity and located within three hundred (300) feet of a residential district boundary shall be enclosed in a masonry or similar building with sound-attenuating construction to absorb noise. Repair and other operations shall not result in exceedance of noise limits contained in this code at a residential property line.
- D. Litter. The premises shall be kept in an orderly condition at all times. No used or discarded automotive parts or equipment or permanently disabled, junked or wrecked vehicles may be stored outside the main building in a manner making it directly visible from a public street.
- E. Work areas. All repair work shall be performed within the building, including disassembly and assembly activities.

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- F. Work bay doors. Bay doors should not directly face a residential district boundary. The intent of this section is that direct visibility and noise is eliminated to the maximum extent practicable given the circumstances of the particular site.

17.43.080 Bed and breakfast inns.

A bed and breakfast guest facility may utilize a portion of a one-family residence in any residential, mixed use or commercial district, provided that:

- A. If the lot is less than one acre, there shall be no more than two guest rooms. On lots over one acre, there shall not be more than four guest rooms.
- B. There shall be no more than two adults per guest room.
- C. The guest rooms may be in a detached accessory building if located in a district that permits guest houses. Such building shall be located behind the primary residence, shall not exceed twenty (20) feet in height (unless it is existing), and shall be architecturally compatible with the principal residence.
- D. Neither the principal residence nor the guest rooms shall be a mobile home.
- E. The owner shall occupy the primary residence.
- F. The guest rooms shall not have individual kitchen facilities.
- G. Meals shall be limited to overnight guests.
- H. One sign, not to exceed six square feet, shall be permitted.
- I. Separate bed and breakfast guest facilities shall not be located within one thousand five hundred (1,500) feet driving distance of each other when located within a residential district.
- J. Off-street parking shall be provided, as specified by Chapter 17.86 of this title. The parking area shall be located in an inconspicuous area and shall be surfaced as required by Chapter 17.41 (Parking and Loading).
- K. The facility shall not interfere with or adversely impact surrounding residential uses as determined by the director, or other approving authority.
- L. No employees are permitted other than those residing in the residential unit.
- M. The requirements of the Division of Environmental Health shall be met.
- N. Permit review and revocation. This use is subject to compliance review at any time and can be revoked after a hearing and finding by the planning commission that the use is detrimental to the neighborhood. Revocation proceedings shall be conducted in accordance with this title.

17.43.090 Reserved.

17.43.100 Daycare center – 14 or more. (NEW)

The purpose of this section is to establish minimum standards for daycare centers serving 14 or more clients. The intent is to ensure that the operation of such facilities provides for the needs of clients, while also retaining compatible with adjacent uses. The approving authority may place conditions on such facilities as necessary to ensure compatibility with adjacent uses.

- A. Development Standards.

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1. Minimum Lot Size. Ten (10) thousand square feet.
2. Minimum Lot Frontage. Eighty feet.
3. Maximum Building Height. Per district standard, not to exceed 35 feet.
5. Buffer Yards. Apply at all interior property lines based on the standards established in Section 17.40.010 of this title.
6. Minimum building and parking setbacks. Front and street side—fifteen feet; interior side—ten feet; All setback areas shall be landscaped.
7. Outdoor activity area. A minimum 200 square foot on-site outdoor activity area (e.g., playground) appropriate to the needs of those under care is required.
8. Compatibility of appearance. When located within a residential district, the building and grounds shall replicate a residential style to the greatest extent feasible . The approving authority shall have the right to condition the approval as necessary to ensure conformance with this provision.
9. Off-Street parking and loading. To ensure that sufficient parking is provided on-site, the following requirements shall apply: one parking space for every ten children or clients, plus one space for each teacher/employee, plus a clearly marked loading space.
10. Hours of Operation. When located within a residential district, normal hours of operation shall be limited to seven a.m. to seven p.m. Monday through Friday. The planning commission may consider other operating hours with approval of a use permit.
11. License and Permit. The facility shall be state-licensed and inspected as required by state law. In addition to the permit required by this title, a state license or permit to operate shall be provided to the city prior to the commencement of the use. Facilities operated by a religious or public education entity are exempt from the requirement to obtain a city permit.
12. Exceptions. Exceptions to the standards are subject to approval by the planning commission.

17.43.110 Reserved.

17.43.120 Electric vehicle charging facilities. (NEW)

The purpose of this section is to support the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations, while promoting protection of public health and safety and preventing specific adverse land use impacts that are inconsistent with the general plan and may result from the installation and use of such charging stations.

17.43.120.010 Applicability.

This section applies to the permitting of electric vehicle charging systems in the city. Electric vehicle charging systems legally established or permitted prior to the effective date of this chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of the charging system in such a way as to require new permitting. Routine operation and maintenance shall not require a permit.

17.43.120.020 Electric vehicle charging system requirements.

- A. All electric vehicle charging systems shall meet the requirements of the City of Shasta Lake Electric Service System Rules and Regulations, California Green Building Code, California Electrical Code, the

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Society of Automotive Engineers, the National Electrical Manufacturers Association, other accredited testing laboratories, and the rules of the Public Utilities Commission regarding safety and reliability.

- B. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code, and those of the City of Shasta Lake Electric Service System Rules and Regulations. Electric vehicle charging equipment shall be considered a continuous load.
- C. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy type, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect function and purpose of planned or existing building elements and structures.

17.43.120.030 Duties of the building official.

- A. All documents required for submission of an electric vehicle charging system application shall be made publicly available on the city's website.
- B. By resolution, the city council shall adopt by resolution a checklist of all requirements with which electric vehicle charging systems comply to be eligible for expedited review.
- C. The electric vehicle charging system permit process and checklist shall substantially conform to recommendations contained in the most current version of the Plug-In Electric Vehicle Infrastructure Permitting Checklist contained in the Zero-Emission Vehicles in California: Community Readiness Guidebook adopted by the Governor's Office of Planning and Research.
- D. The city shall allow the electronic submittal of the electric vehicle charging station application and related materials.

17.43.120.040 Permit review.

- A. As set forth in municipal code Chapter 15.02 – Process for State Mandated Building Permit Expediting, review of the permit application shall be limited to the review of whether the application meets local, state and federal health and safety requirements. The application shall be administratively reviewed by the building official or designee, as a nondiscretionary ministerial permit.
- C. An application for an electric vehicle charging station shall be deemed complete and the permit available for issuance, when the building official determines that the application satisfies all the requirements found in the application checklist.
- D. If an application is deemed incomplete, a written plan check correction notice will be provided within the legally applicable time frame, detailing the deficiencies in the application and any additional information or documentation required.
- E. The building official or designee, in consultation with the director, may require an applicant to apply for a use permit if the building official finds, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health and safety. The building official's decision to require a use permit may be appealed by the applicant to the planning commission pursuant to Chapter 17.11 – Common Procedures of this title.
- F. If a use permit is required, the application for the permit may be denied if the planning commission makes written findings, based upon substantial evidence in the record, that the use would have a specific, adverse impact upon the public health or safety and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. Such findings shall include the basis for the rejection of potential feasible alternatives for preventing the specified, adverse impact.

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17.43.120.050 Parking adjustment.

- A. EV Parking standards—all vehicles and uses.
1. Minimum parking requirements. A parking space equipped with electric vehicle supply equipment (EVSE) or when designated for future EV charging, shall count as one standard automobile parking space toward the minimum of off-street parking requirements of Chapter 17.41. [*California Vehicle Code § 22511.2*]
 2. Accessible charging spaces. An accessible EV charging space that includes an access aisle shall count as two standard parking spaces toward minimum parking requirements. [*California Vehicle Code § 22511.2(b)*]
 3. Reduction of required parking spaces. Where the installation of EVSE and associated equipment reduces the number of parking spaces otherwise required for a use, the minimum parking requirement shall also be reduced by the amount necessary to accommodate the EV charging station installation. No discretionary approval shall be required for such reduction. [*Gov. Code §§ 65850.7 & 65850.71*]
 4. No additional parking is required. The city shall not require additional parking spaces beyond those otherwise required by this title solely because EV charging stations are installed to serve a parking space. In cases where electric vehicle charging reduces the otherwise required spaces for a use, there shall be no exclusive use right for electric vehicle charging, and all space shall be available to users regardless of vehicle nature.

17.43.130 Gas stations and convenience gas marts. (NEW)

When allowed by Division III - Base Zoning District Regulations, approval for a gas station or convenience gas mart shall meet the following performance and design standards:

- A. New Facilities. New facilities shall comply with the following standards:
1. Minimum site area: thirty thousand square feet.
 2. Minimum frontage: one hundred feet on each street.
 3. The following pump island setbacks shall apply:
 - a. Parallel to a street. No portion of a pump island oriented parallel or parallel to a street shall be located thirty-five feet or closer to the adjacent street right-of-way. However, a canopy or roof structure over a pump island and access aisles may encroach within twenty feet of the street right-of-way.
 - b. Perpendicular to a street. No portion of a pump island-oriented perpendicular to a street shall be located closer than fifty feet from the street property line. A larger distance may be required to satisfy on-site circulation requirements for parking and emergency-vehicle access.
 4. Design. The roof and any pump island canopy within a multi-tenant development shall incorporate the architectural elements of the main buildings.
 5. Landscape shall be provided and maintained in compliance with the following regulations, as well as those outlined in Chapter 15.10 - Water Efficient Landscaping.

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- a. A minimum twenty-foot-wide inside dimension and six-inch-high curbed landscaped planter area shall be provided along the front and street side property lines, except for openings required for vehicular circulation.
 - b. An on-site planter area of not less than three hundred square feet shall be provided at the corner of two intersecting streets. Landscape shall not exceed a height of thirty inches at this location.
6. Exterior light sources shall be energy-efficient, stationary, and shielded or recessed within the roof canopy to ensure that all light is directed away from or shielded from adjacent properties and public rights-of-way. Lighting shall not be of an intensity so as to cause a traffic hazard on adjacent streets, or be used as an advertising element, or adversely affect adjacent properties in compliance with this title.
 7. All commercial activities shall be conducted entirely within an enclosed structure, except as follows:
 - a. The dispensing of petroleum and related products, water, and air from pump islands.
 - b. The provision of emergency services.
 8. No vehicle may be parked on the premises for the purpose of vehicular sales without required city approvals.
 9. No used or discarded vehicle parts or equipment, or disabled, junked or wrecked vehicles shall be located in any area outside the main structure where visible from adjacent streets, except as provided by Section 17.43.160.
 10. Modifications to these requirements may be approved by the planning commission on a case-by-case basis.

17.43.140 Home occupations including food preparation. (MODIFIED)

Purpose. Residents may desire to use their places of residence for limited business activity, and the city supports such effort. Commercial activities are allowed in residential districts or dwellings to the extent that, to all outward appearances, a passersby will not be aware of the activity. Home occupations are allowed within all zoning districts subject to obtaining the appropriate business license and zoning clearance. At a minimum home occupations shall meet the following standards.

A. Standards.

1. There shall be no exterior evidence of the conduct of a home occupation except as allowed herein, including, but not limited to, outside storage, electrical interference, dust, smoke, vibration, odors, fumes, or advertising signs of any kind.
2. The floor space occupied by a home occupation shall not exceed twenty-five percent of the floor space of the dwelling unit if located within the dwelling unit, or four hundred square feet if in an attached garage or residential accessory building.
3. Business activity which creates noise not normally associated with a residential use or which creates a noise nuisance as established by this title is prohibited.
4. No equipment or process shall be used in home occupations which create uncustomary noise, vibration, glare, or odors such that they are detectable to the normal senses of a reasonable person.

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5. Except for a cottage food operation, only the residents of the dwelling unit shall engage in the home occupation; no employees shall be permitted on the premises in connection with the home occupation except those who are residents of the property. Pursuant to Section 113758 of the Health and Safety Code, a cottage food operation may employ one non-household member as an employee.
 6. Customers or clients shall not be permitted at the residence except to receive educational, therapeutic, or counseling services where not more than two clients shall receive service at any one time. Pursuant to Section 113758 of the Health and Safety Code, direct sales may occur from a cottage food operation.
 7. The conduct of any home occupation shall not reduce or render unusable areas provided for the required off-street parking or prevent the number of cars designated to be parked in a garage from parking on the site.
 8. A home occupation shall not create vehicle or pedestrian traffic beyond that which is customary in a residential district, nor in any case shall it require the parking of more than one additional vehicle at any one time. The number of customer vehicle trips generated by the home occupation and the timing of such trips is limited as follows. If the home occupation generates more customer vehicle trips than allowed by this subsection, a use permit must be secured.
 - a. If the lot is one acre or less in size, up to four customer vehicle trips may be permitted daily.
 - b. If the lot is larger than one acre in size, up to eight customer vehicle trips may be permitted daily.
 - c. Customer vehicle trips shall be limited to 7:00 A.M. to 8:00 P.M. Monday through Saturday, and 8:00 A.M. to 5:00 P.M. Sundays.
 9. No items may be displayed or sold on the exterior of the residence or accessory building.
 10. On-site storage or parking of oversized or specialized commercial vehicles and the storage of materials in excess of the space limitation provided herein is prohibited.
- B. Reasonable accommodation for disabled individuals. Persons with demonstrated physical handicaps may be permitted special review by the director. A resident may request waiving one or more, or a portion thereof, of the requirements of subsections of this section by seeking a zoning exception pursuant to this title. Notification of the request shall be made to property owners within one hundred feet of the subject property. In reviewing the request, the director shall consider the applicant's physical inability to function within the requirements of this section, given the purposes of this section. Determinations made by the director may be appealed to as provided for in this code.
- C. Inspections. Applicants for home occupations shall permit a reasonable inspection of the premises by appropriate city staff when requested in writing by the director, as necessary to determine compliance with this section and title. Such inspection shall be granted within a reasonable period of time, but no later than fourteen days after such inspection is requested.
- D. Home Occupation Affidavit. Prior to issuance of a business license, the applicant shall attest that he/she understands the above requirements by signing the home occupation affidavit available at the development services department.
- E. Cottage Food Operation. A cottage food operation, as defined and as limited in Section 113758 of the Health and Safety Code, is an allowable home occupation subject to the standards set forth in this section.

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17.43.150 Manufactured homes in a residential district.

Manufactured homes, including mobile homes, are allowed in all zoning districts which permit one-family residences subject to the following development standards. A "manufactured home" also means a "mobile home" as defined in this title or state law.

- A. All manufactured homes shall be placed on a permanent foundation system of state-approved design, or a permanent foundation system designed by a licensed architect or structural engineer as required by Section 65852.3 of the State of California Government Code.
- B. The manufactured home shall be certified under the National Mobile Home Construction and Safety Standards Act of 1974.
- C. Manufactured homes placed on a foundation system shall not be older than ten years of age measured from the date of manufacture of the unit to the date of building permit application except that manufactured homes lawfully installed prior to the effective date of this ordinance which have been certified under the National Manufactured Home Construction and Safety Act of 1974 shall be exempt from the ten-year age standard.
- D. Manufactured homes shall provide parking in accordance with Chapter 17.41. The exterior wall covering and roof material of any garage, carport or accessory building shall be the same as those of the manufactured home.
- E. Requirements for building height, lot coverage, side yard setbacks, front yard setbacks, rear yard setbacks, and usable open space shall be the same requirements as those for a single family residence in the zone district in which the manufactured home is located.
- F. Exterior wall covering materials and roofing materials shall conform to the requirements of the State of California Department of Housing and Community Development (HCD) and the uniform building code for frame constructed dwellings. Exterior wall coverings shall extend (at a minimum) to the top of the perimeter foundation.
- G. A foundation enclosure shall be installed between the finish grade and the siding material. Add-on siding is needed to extend the exterior siding to the foundation enclosure point shall consist of materials similar to the main exterior siding. Venting per the uniform building code is required.
- H. All roof and gable overhangs shall extend not less than six inches when measured horizontally from the wall. Roof and gable overhangs shall be manufactured or engineered and designed to appear as an integral part of the manufactured home.
- I. The roof of the manufactured home shall have a minimum pitch of not less than a nominal three inches of vertical rise for each twelve (12) inches of horizontal run.
- J. Roof design shall meet the snow load requirements of the city of Shasta Lake, and roofing materials shall meet the requirements of a Class A or B fire rating as defined by the currently adopted uniform building code.
- K. A ramada or other free-standing structure shall not be allowed to be constructed over a manufactured home without approval of a use permit.

17.43.155 Mobile food service vehicles (food trucks). (REORGANIZED)

Commercial food service vehicles parked on private or public property from which operators sell or prepare food and beverages for sale to the public shall comply with the following conditions and requirements. The specific use must be in conformance with conditions of approval, approved site plans, County health permits,

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or other required approvals. Modifications to the following criteria may be approved by the director where the modification(s) will not result in a public nuisance, or an adverse impact to the public health, safety, or general welfare.

- A. Definition. A mobile food service vehicle is defined as a movable conveyance or vehicle from which food or drinks are distributed directly to the consumer, and which is operating at a stationary location. This includes but is not limited to food preparation trucks (typically referred to as food trucks or catering trucks), food preparation trailers (sometimes called catering wagons or concession trailers), tow-behind carts, carts on caster wheels, and any other motorized or non-motorized mobile conveyance used to distribute food to customers.
- B. Mobile food vendors shall comply with the following standards and requirements.
1. Shall be registered with the California Department of Motor Vehicles and shall be permitted by the Shasta County Environmental Health Division, and operators shall possess a valid City of Shasta Lake business license.
 2. Mobile food service vehicle(s) are allowed in industrial districts, commercial districts, and the commercial areas of mixed-use and planned (PD) development districts, subject to issuance of a site development permit (SDP-D). The use may not be operated on any property without the written consent of the property owner. The permit approval must be kept on-site during the vending activity. Mobile food service vendors are not allowed to operate in public parks or other public facilities without separate written approval from the City of Shasta Lake.
 3. Mobile food service vehicle shall be permitted only on developed sites with an established primary use, which is permitted for commercial, industrial or public and semipublic uses.
 4. Mobile food service vehicle may park on approved sites for up to one hour prior to operating and up to one hour after ceasing daily operations.
 5. Mobile food service vehicle, including seating areas but excluding customer parking, shall not utilize more than ten percent of on-site parking spaces.
 6. Mobile food service vehicle(s) shall only operate between 7:00 a.m. and 10:00 p.m., except on sites adjacent to a residential district, in which case they shall only operate between 8:00 a.m. and 9:00 p.m.
 7. Subject to issuance of the necessary approvals, a maximum of three food service vehicle(s) may be permitted at a location. Additional food service vehicle(s) are allowable, in conjunction with a permitted special event(s), and as regulated by other applicable permit approval or special exception.
 8. Food service vehicle(s) shall not be located in any fire lane, travel lane, entrance/exit, or on any parking space that is otherwise determined by the director to be required for the operation of the commercial or industrial activity on the property. Food service vehicle(s) may not occupy more than 10 percent of required site parking. Exceptions to this limitation may be considered when it can be demonstrated that adequate parking for the primary use(s) will be available during the operation of the food truck.
 9. Food trucks shall maintain trash receptacles on-site within 25 feet of the location of the vehicle and shall pick up any trash left on-site prior to ceasing daily operations.
 10. Food service vehicles may not operate within 150 feet of the primary entrance of a licensed restaurant or similar food service during the hours the food service is open for business

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unless the vendor has received the written consent of the food service provider. Operating within 500 ft. of the outside perimeter of public-school property is prohibited during the hours school is in session, or one hour preceding or one hour after the first and last school session.

11. Food service vehicle(s) may not be operated in any residential (R) district or residential area of a planned development district, except when associated with an approved temporary use or activity. Roaming mobile vendors selling ice cream may operate within any residential district between the hours of 11:00 a.m. and 7:00 p.m.
12. Use of outdoor speakers is prohibited without prior permit approval. Limited temporary signage is permitted but may not obstruct any pedestrian path of travel or required clear vision area at a driveway ingress, egress, or street intersection.

17.43.160 Outdoor retail sales and storage. (NEW)

- A. Permanent outdoor storage or sales is allowed in conjunction with a permitted commercial or industrial use, provided a site development (SDP-D) permit is issued, and subject to the following standards. Temporary outdoor sales and temporary seasonal sales are subject to the requirements of Chapter 17.47 – Temporary Uses. Outdoor sales or outdoor storage areas in excess of the limits established in this title require approval of an administrative permit, except when otherwise modified by the base zoning district requirements.
 1. Storage shall be located on the rear portion of the lot.
 3. No material shall be stored to a height greater than that of the wall or fence enclosing the storage area.
 4. Screening required. All nonauto-mobile/vehicle outdoor sales and activity areas shall be screened from adjacent public rights-of-way and residential districts by decorative solid walls, solid fences, or landscaped berms. Storage shall be screened by a solid wall or fence (with solid gates when necessary), not less than seven (7) feet in height. If the storage or sales area abuts a residential or mixed use district, the screening shall include a zone wall or fence, a minimum of seven (7) feet in height, with a landscaped buffer area, a minimum of ten (10) feet in width separating the storage or sales area from the adjacent residential district boundary.
 5. Location on private property required. Outdoor sales or storage areas shall be located entirely on private property outside any required setback, fire lane, fire access way, or landscaped planter. In zoning districts which do not have required setbacks or setbacks less than fifteen (15) feet; a minimum setback of fifteen (15) feet from any public right-of-way is required.
 6. Location of merchandise. Displayed merchandise shall occupy a fixed, specifically identified location that does not disrupt the normal function of the site or its circulation, and does not encroach upon required parking spaces, driveways, pedestrian walkways, or required landscaped areas. Outdoor display and storage shall not obstruct sight distance or otherwise create hazards for vehicle or pedestrian traffic.
 7. Sales of autos, boats, motorcycles, mobile homes, agricultural equipment; nursery or garden supplies, and other permanent outdoor sales and storage uses require approval of a use permit, or as otherwise required by the applicable base zoning district .

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17.43.165 Public uses and facilities.

- A. Public uses and public utilities are subject to the permitting standards set forth in the applicable base zoning district. Such uses are allowable in all districts if a use permit is first issued, provided the use is found to be compatible with surrounding land uses. Public utility transmission lines, towers, distribution poles and lines, regardless of height, and gas pipelines are permitted uses within public rights of way, and in easements dedicated for such purpose.
- B. A use permit or other entitlement shall not be issued for a public use or utility in a natural resource overlay district if there is an alternative site outside of such overlay district, unless the impacts from the project on the resource have been adequately mitigated.

17.43.168 Recycling centers (small). (NEW)

The recycling of glass, plastic, aluminum and other materials is important to the community and the sustainability of resources. Allowing for and appropriately regulating small collection and recycling facilities in appropriate locations support the goals of the general plan, and the requirements of state law. The specific purposes of this section include:

- A. Providing convenient access to residents to encourage recycling activities.
- B. Regulating the operations and locations of recycling centers, including small collection facilities or container redemption centers, is necessary to ensure the compatibility of such uses with surrounding uses and properties by avoiding potentially negative impacts such as noise, traffic circulation, and litter associated with recycling activities.
- C. Regulation of such facilities will help ensure that these facilities provide a safe customer environment while limiting potential adverse effects on surrounding properties.

17.43.168.010 Definitions.

As used in this section, the following words shall have the meanings below:

- A. Recycle: The process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste, and returning them to the manufacturing stream in the form of raw material for new, reused, or reconstituted products that meet the quality standards necessary to be used in the marketplace.
- B. Small beverage container recycling center: A facility designed to only recycle California beverage containers (e.g., reverse vending machines), and which occupies an area of less than five hundred (500) square feet.
- C. Small collection recycling center: A site where beverage containers as defined in this title may be redeemed for cash or other compensation, and which occupies an area not exceeding one thousand (1,000) square feet. The facility may accept containers by donation, redemption or purchase, and recyclable materials from the public. Such facility may be a beverage container recycling center or utilize reverse vending machine(s).

17.43.168.020 Permit and location requirements.

- A. The location of a proposed facility on any site shall be subject to the approval of an administrative use permit in accordance with this title.
 - 1. A small collection recycling center or a small beverage container recycling center is an allowable use in the Heavy Commercial and Light Industrial zoning districts of the city.

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2. A small beverage container recycling facility may be allowed as an accessory use to an approved principal commercial or industrial use. For purposes of this section, any mixed use zoning district, including any mixed use district of a specific plan, shall be considered a primarily commercial district,
- B. Recycling centers and facilities are prohibited in all residential zoning districts in the City, including any residential district of a specific plan or planned development district.

18.43.168.030 Development and operating standards.

- A. A minimum of one hundred (100) linear feet of separation shall be provided between a proposed recycling facility and any residential property, as measured from the nearest residential property line.
- B. An operational plan for a continuing cleaning and maintenance program, as well as the control of noise, odor, dust, and litter, shall be submitted for review and approval with the required application.
- C. Conditions of approval may be imposed to protect the public health, safety, convenience, and welfare, including but limited to days and hours of operation, odor and dust control requirements, cleaning and maintenance of the facility and surrounding area, design and appearance of related structures, or any other conditions necessary to avoid or mitigate any potential nuisance effects of such facilities.

17.43.170 Residential condominiums. (NEW)

This section provides standards for the creation of residential "air space" condominium projects, including common-interest developments and community apartment projects, when allowable in accordance with applicable zoning, the general plan and municipal code, and the Subdivision Map Act.

- A. Required approvals. The following discretionary approvals are required to support development of a new residential condominium project:
 1. An application processed and approved in accordance with Shasta Lake Municipal Code (SLMC) .
 2. A preliminary condominium plan to be considered for approval by the planning commission, and processed in accordance with Title 16 – Subdivisions, and this section.
- B. Project size. The minimum area for a residential condominium project shall be one acre, unless the planning commission determines, based on the merits of a particular development, that the project is viable on a smaller site, consistent with the other requirements of this section and title.
- C. Building and site design. Residential condominium projects shall comply with the adopted design criteria for multiple-family development as specified under Section 17.40.040, Design standards, and requirements. Residential condominium projects shall also comply with the building height, setbacks, and other development standards applicable to multiple-family development in the applicable zoning district(s).
- D. Common ownership and maintenance association. Residential condominium projects shall have and maintain a functional property-owners' association established in accordance with the California Civil Code, which shall:
 1. Own all common property within the development.
 2. Provide administration and management for the maintenance of common improvements, lands, and facilities, including, but not limited to private driveways; sidewalks; pathways; common areas; on-site and abutting right-of-way landscape and irrigation systems; common laundry facilities; fencing; private streetlights; exterior of all buildings; swimming pool and

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other recreational facilities; and any other private common facility, utility, improvement, or natural area.

3. Pay public utilities not billed separately to each unit.
 4. Enforce standards within the development. The articles of incorporation and covenants, conditions, and restrictions (CC&Rs) for the property-owners' association shall be reviewed and approved by the city prior to recording of the applicable subdivision map.
- E. Private and common open space.
1. Each dwelling unit in a residential condominium project shall include private open-space area, consistent with the standards applicable to multiple-family development in the district.
 2. All residential condominium projects shall include common open space, consisting of landscape areas, walks, patios, swimming pools, barbeque areas, shade elements, playgrounds, turf, or other such improvements and amenities which are necessary to enhance the living environment for residents. Except for approved natural open-space areas, areas not improved with buildings, parking, walkways, driveways, trash enclosures, and similar features may be developed as common areas with the type of attributes described above. The minimum amount of common open space required shall be determined based on the applicable general plan classification as follows:

Schedule 17.43.170 – A Common Open Space Requirement

Residential Density (units/acre)	Minimum Common Open Space (square feet/unit)
3-6	500
7-20	300
21 and above	200, or as otherwise determined necessary by the planning commission

3. The covenants, conditions, and restrictions and homeowners' association document shall require the continued maintenance of all common open-space areas.
- F. Off-Street parking. Off-street parking shall be provided in accordance with Chapter 17.41. The ongoing parking of recreational vehicles on-site shall be limited to approved outdoor large-vehicle storage and parking areas only.
- G. Private storage space. Each unit shall have at least one hundred cubic feet of enclosed, weatherproofed, and lockable private storage space, with a minimum horizontal surface area of twenty-five square feet in addition to guest, linen, pantry, and clothes closets customarily provided within a residential unit. Such space shall be provided in any location as approved by the planning commission at the time of approval.
- H. Laundry facilities. A laundry area shall be provided in each unit for a washer and dryer or, if common laundry areas are provided, such facilities shall consist of not less than one automatic washer for each five units or fraction thereof and one automatic dryer for each eight units or fraction thereof.
- I. Utilities. All units within a residential condominium project shall be served by separate public water, sewer, gas and electric connections and meters. Each unit shall have access to its own

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meter(s) and heating and cooling system, which shall not require entry through another unit to service. Each unit shall have its own electrical panel, or access thereto, for all electrical circuits which serve the unit. All new or expanded electrical service lines shall be located underground.

17.43.180 Self-storage facilities. (NEW)

All self-storage warehouses shall comply with the property development standards for the district in which they are located, and with the standards listed below. Where there is a conflict between the provisions of this section and the base district standards, the more restrictive shall apply. The provisions of this section shall apply to new self-storage warehouse uses and to any new construction of facilities to expand an existing facility.

- A. Business activity. No retail, repair or other commercial use shall be conducted out of the individual rental storage units, without the necessary city approval.
- B. Outside storage. No boats, trailers, and/or other vehicles shall be parked or otherwise stored outside the storage units except in areas approved for such uses.
- C. Hazardous materials. Conditions restricting storage of hazardous materials, limitations on the use of the storage units, and restriction on vehicle maneuvering may be required by the approving authority when determined necessary to comply with local and state requirements, and to satisfy the required findings for approval of such use(s).
- D. Setbacks. Buildings shall be set back a minimum of twenty feet from the public right of way or as required by the base zoning district, whichever standard is more restrictive. The setback area shall be landscaped in accordance with this code. Developments abutting a residential district shall meet the buffer yard requirements of Section 17.40.
- E. Wall design. Where exterior walls are required or proposed, they shall be constructed of decorative block, concrete panel, stucco, or similar durable material. The walls shall include architectural relief through variations in height, the use of architectural "caps," decorative posts or pilasters, or similar measures. Gate(s) shall be decorative iron or comparable material and setback a minimum of 20 feet from the public right of way.
- F. Building design and materials. The following requirements apply to building elements that are adjacent to a public street (including state and federal highways), or a residential or mixed use district:
 - 1. Building walls. Building walls shall be constructed of split face block, stucco, or similar durable material. A change in wall plane of at least twelve inches in depth shall be used at least every sixty feet in horizontal building or wall length.
 - 2. Roofs. Metal roofs shall have a flat finish to reduce reflective glare.
- G. Additional criteria. Where this code requires a site development permit, administrative permit, or a use permit, the approving authority may apply conditions as necessary to ensure compliance with the general plan and the municipal code.

17.43.190 Shelters for the homeless and emergency shelters. (MODIFIED)

- A. Purpose. California Government Code Section 65583(a)(4) requires that each jurisdiction provide for at least one zoning district in which an emergency shelter is a permissible use. The Government Code also permits jurisdictions to provide specified development and operational standards related to emergency shelters. The purposes of this section are to establish such standards to ensure that the development of homeless shelters (shelters) is allowed, and such

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use does not adversely impact the use of adjacent properties, or the surrounding neighborhood, and that they are developed in a manner which protects the health, safety, and general welfare of residents and businesses.

- B. Applicability and approval. The objective performance and development standards of this title shall apply to all shelters, and all shelters shall obtain ministerial approval as set forth in section 17.43.195.030 - Ministerial approval requirements.
- . A use permit is required to establish a shelter that does not meet the location, development, and/or operational standards of this section, or that would provide more beds than allowed by this section. Except as otherwise established, the planning commission may approve modifications to the following standards when necessary to support the purposes of this ordinance or the requirements of state law. In all cases the emergency shelter must be an allowable use in the district where it is located.
- C. Zone. Emergency homeless shelters shall be allowed in the Heavy Commercial (GC) zoning district as a permitted by right use provided that the property boundaries are located more than five hundred feet from a residential or mixed use district boundary, a public park, or a school, and at least three hundred feet from any other shelter (measured from property line to property line) except when it is separated there from by a federal highway or railroad right-of-way, and subject to these standards, or as otherwise required by California Government Code Section 65583, which is incorporated in this section by reference.
- D. Number of Beds. The maximum number of beds or persons permitted to be served nightly by the facility shall be fifteen (15). The number of beds may be increased if an administrative permit is issued by the development services director or his/her designee, subject to the following findings:
1. The city has been declared a disaster area by either the Governor or the President; or
 2. The annual homeless count exceeds fifteen (15) homeless people within the city.
- E. Parking. One uncovered parking space per bed shall be required. A reduced number of spaces may be permitted if an administrative permit is issued by the development services director or his/her designee to justify fewer spaces.
- F. Waiting Space. Exterior waiting space shall be provided that is covered and handicapped accessible in the amount of uncluttered space of twenty-five (25) square feet per bed. Interior waiting space shall be provided that will provide for fifteen-person occupancy, is handicapped accessible and is approved by the fire department for exiting.
- G. Onsite management shall be provided for all hours the shelter is open for occupancy and shall include a period of one hour before opening and one hour after closing should the facility be open for less than twenty-four (24) hours.
- H. Emergency shelters may be immediately adjacent to each other on the same site if they are operated by one management operator such that the management of the facilities are coordinated. In no case shall facilities with more than thirty (30) beds total be located closer than three hundred (300) feet.
- I. The maximum length of stay for each person shall be as allowed by state law.
- J. Outside security lighting shall be provided for all entrances and exits, parking and storage areas. Lighting will meet California Energy Commission lighting standards for night lighting and will not expose adjacent properties to excessive light or glare.

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- K. On-site security shall be provided for the hours during which the shelter is in operation and open to provide services. Emergency contact information shall be provided to the city for twenty-four-hour access to management staff, and response staff must be located within a 15-minute response time.
- L. Accessory uses and activities. Shelters may provide one or more of the following types of common facilities located within a building for the exclusive use of the residents, central cooking and dining room(s), recreation room, counseling center, child-care facilities, and other necessary support services.
- M. Shelter Provider. The provider shall demonstrate, to the satisfaction of the director, that it currently operates a shelter within the State of California, or has done so within the past two years, or that it has management staff available that has a minimum of two years' experience in the operation of a homeless shelter. Modifications to the operational plan may be requested at any time and shall be subject to the review and written approval of the director. The service provider shall ensure ongoing compliance with the following:
1. Staff and other services shall be made available to assist residents in obtaining permanent shelter.
 2. An operational plan (plan) shall be provided for the review and approval of the approving authority. The approved plan shall remain active throughout the operational life of the facility, and all operational requirements covered by the plan shall be complied with at all times. At a minimum, said plan shall contain provisions addressing the following:
 - a. Security and safety-addressing both on- and off-site needs, including provisions to ensure the security and separation of male and female sleeping areas, as well as any family areas within the facility.
 - b. Loitering/trespass/noise control measures regarding operational controls to minimize trespass on private property or the congregation of clients in the vicinity of the facility during hours that clients are not allowed on-site and/or when services are not being provided.
 - c. Management of client areas-including a system that will minimize negative impacts to adjacent property for daily admittance and discharge and monitoring of interior or exterior waiting areas.
 - d. Staff training to provide adequate knowledge and skills to assist clients in obtaining permanent shelter.
 - e. Communication standards to maintain ongoing communication and response to operational issues which may arise as may be identified by the general public or city staff.
 - f. Litter control providing for the regular daily removal of litter attributable to clients within the vicinity of the facility.
- N. Inspections and correction of violations. Pursuant to state law, the city shall inspect emergency shelters on an annual basis and shall respond to all violations or complaints received in a timely manner. Inspections, notice of violations and correction of violations shall proceed as set forth in subsection 17.43.195.040.

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17.43.195 Low-barrier navigation centers. (NEW)

The purpose of this chapter is to establish development standards for low-barrier navigation centers and to ensure this use is constructed and operated in a manner that is consistent with the requirements and allowances of state law, specifically Article 12 of Chapter 3 of Division 1 of Planning and Zoning Law commencing with California Government Code Section 65660.

17.43.195.010 Applicability

The provisions of this chapter apply to all low-barrier navigation center projects. An applicant shall provide all information as requested by the director or designee to determine compliance with the requirements of law and this code.

17.43.195.020 Definitions.

“Low-Barrier Navigation Centers”: A housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and permanent housing. “Low barrier” means operation of industry accepted best practices to reduce barriers to entry. Application for the required permit shall demonstrate the following, and shall include other necessary information or assurances required to confirm the following:

1. The presence of partners if it is not a population-specific site intended for survivors of domestic violence or sexual assault, women, or youth.
2. Pets.
3. The storage of possessions.
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

“Use by Right”: Use by right has the meaning defined in subdivision (i) of Section 65583.2. Division 13 (commencing with Section 21000) of the California Public Resources Code shall not apply to actions taken by a public agency to lease, convey, or encumber land owned by a public agency, or to facilitate the lease, conveyance, or encumbrance of land owned by a public agency, or to provide financial assistance to, or otherwise approve, a Low-Barrier Navigation Center constructed or allowed by this section.

17.43.195.030 Ministerial approval requirements.

A ministerial site development approval (SDP-M) is required prior to establishment of a low-barrier navigation center in the VMU and MU zoning districts. The permit shall be issued as a ministerial action without discretionary review, public notice or a public hearing. Pursuant to California Government Code Section 65943, the director, or designee, shall within 30 days of submittal approve the application upon a determination that the project complies with the requirements of state law.

17.43.195.040 Development and operational standards.

A low-barrier navigation center development is a use by-right in areas zoned for mixed-use and nonresidential zones permitting multifamily uses, if the director determines the application meets all of the following application requirements:

- A. Connected services. It offers services to connect people to permanent housing through a services plan that identifies required services staffing.

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- B. Coordinated entry system. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- C. Code compliant. It complies with the applicable chapters of the California Welfare and Institutions Code.
- D. Homeless management information system. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

17.43.195.040 Inspections and violations. (NEW)

- A. Annual inspection required. Pursuant to Health and Safety Code (HSC) section 17974.1(b), the city or county shall conduct, and the operator shall allow an annual inspection of any low barrier navigation center or emergency shelter which is permitted to operate within the city limits. If during the annual inspection, the city or county determines that such facility is substandard, it shall be treated as a violation of applicable city codes and HSC sections 17974-17974.6. Such violation shall be subject to those remedies permitted by law.
- B. Complaints. The city or county shall evaluate all complaints received from the public or users regarding substandard conditions at emergency shelters or navigation centers operating within the city limits and shall conduct any inspection required to determine if a violation exists. Such inspections shall be conducted in a timely manner and may be announced or unannounced. Any identified substandard conditions shall be resolved as required by this code and state law (Health and Safety Code sections 17974-17974.6.).
- C. Correction of violations. The owner or operator of the emergency shelter or low barrier navigation center shall be responsible for the correction of any violations for which a notice of violation has been given. The owner or operator of the facility shall correct each violation within 30 days of receipt of a notice of violation or citation. The responsible authority, in its sole discretion, may grant the owner or operator a 30-day extension to correct a violation. A failure to correct a violation within the timeframes established in this code or state law, is subject to any and all penalties established in this code and/or state law.

17.43.200 Single room occupancies (SRO).

- A. Purpose. This section provides for the development of single-room occupancies (SROs).
- B. Kitchen and Bathroom Facilities. SROs without kitchen or bathroom facilities shall be provided with congregate on-site facilities sufficient for the number of SROs pursuant to the California Building Code. Congregate bathrooms with showers must have individual stalls that can be locked.
- C. Laundry. For all SRO buildings, congregate laundry facilities shall be provided with one washer or dryer for every five units.
- D. Unit Size. The minimum size for a unit shall be two hundred (200) square feet, and the maximum shall be four hundred (400) square feet. Units of two hundred (200) square feet shall house no more than one person. No unit shall house more than two people.

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- E. Community Room. Buildings with over ten units shall provide a common community area that is at least fifty (50) square feet per 5 rooms.
- F. Building and Development Standards. SRO buildings shall meet all state and local building and development standards, including parking, in accordance with the zoning district in which they are located.
- G. Management Plan. All SRO buildings of seven or more units shall provide a management plan that includes the placement of the congregate facilities (laundry, bathrooms, and kitchens), number of units, number of beds, and provision for twenty-four-hour on-site management. If the units are for transitional or supportive housing, the management plan must designate and meet the requirements for transitional or supportive housing including length of stay and the designation and contracting for supportive services. Verification of the services to be provided by contract must be provided. For emergency and security purposes, the management plan must provide the name, title and contact information for the management and responsible staff .
- H. Zoning Districts. SRO buildings are permitted in the mixed use (VMU and MU) and the GC and VC zoning districts with an administrative permit. SRO buildings are permitted in the mixed use zoning districts as second floor uses only, where the residential is combined with commercial uses on the first floor. An exception may be made and approved by the development services director or his/her designee for disabled accessible units with the provision of a site plan which defines which units are accessible.

17.43.210 Short-term rentals.

- A. Purpose. The purpose of this section is to establish an appropriate permitting process and standards for short-term rental of single-family dwellings and dwelling units located in the City of Shasta Lake; to provide a visitor experience and accommodation as an alternative to the typical hotel, motel, and bed and breakfast accommodations customarily permitted in the city; to minimize potential negative secondary effects of short-term rental use on surrounding residents and neighborhoods; to retain the residential character of the neighborhoods in which any such use occurs; and to ensure the payment of required transient occupancy taxes.
- B. Definitions. For purposes of this section, the following short-term rental facilities are established:
 - 1. "Hosted Homestay." An owner (or the primary occupant with the written permission of the owner) occupied single-family dwelling unit where, for compensation, individual overnight room accommodations are provided for a period of less than thirty (30) days. Hosted homestays do not include the provision of meals prepared by the hosts for consumption on-site by guests.
 - 2. "Vacation Rental." An entire dwelling unit where, for compensation, overnight accommodations are provided for a period of thirty (30) days or less, and the owner (or the primary occupant with the written permission of the owner) may or may not reside within the dwelling unit for the term of the rental.
- C. "Short-Term Rental Permit" requirements. No person shall use, advertise, or market for use, any dwelling unit on any parcel in any zoning district for short-term rental purposes without first obtaining approval as required by this section. The provisions of this section apply to all existing and future short-term rentals as defined in this section. Existing short-term rental facilities shall either apply for, or obtain authority to operate, within sixty (60) days of the effective date of the ordinance from which this section is derived. The following approval process is established:

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1. Hosted Homestay and Vacation Rentals. Permitted within all zoning districts subject to obtaining an administrative approval from the development services director or designee. Applicants shall be required to provide information determined necessary by the director, or designee, to establish compliance with this section and shall pay an application fee as may be established by resolution of the city council. Administrative permits for short-term rentals issued by the director or designee in accordance with the provisions governing administrative permits, shall expire twelve (12) months from issuance unless renewed annually.
- D. Permitted locations. The regulations of this section apply to legal short-term rentals within a legally established single-family dwelling in all zoning districts.
- E. General requirements—Hosted Homestays and Vacation Rentals.
 1. No more than one dwelling unit on a lot may be used at any one time for rental purposes.
 2. A maximum of two rooms may be available for rent at any time within a hosted homestay.
 3. Occupancy shall be limited to a maximum of two adults plus one child per rented room.
 4. The property owner or the primary occupant with the written permission of the owner must always occupy the residence when rooms are being provided for rent within a hosted homestay.
 5. A minimum of one on-site parking space shall be provided for each room that is rented beyond three rooms. Guest parking spaces shall be within the primary driveway or other on-site location. External changes to a property including converting significant areas of front yard landscape for purposes of meeting parking requirements is not allowed.
 6. Short-term rentals shall comply with applicable building, health, fire and safety codes, including provision of working smoke and carbon monoxide detectors.
 7. The owner shall post emergency evacuation instructions and "house policies" inside the home in a common area accessible to all tenants. The house policies shall be included in the rental agreement and shall be enforced by the owner. At a minimum, the house policies must:
 - a. Establish outdoor "quiet hours" between 10:00 p.m. and 7:00 a.m. to minimize disturbance to neighboring residents. Outdoor activities shall be prohibited during "quiet hours."
 - b. Require that guest vehicles be parked on the premises and further directing that on-street parking for periods in excess of four hours is prohibited.
 - c. Provide notice that the property shall not be used to host non-property owner related weddings or other events involving the assembly of more than ten people.
 8. On-site advertising signs or other displays indicating that the residence is being utilized as a short-term rental is prohibited.
 9. A city business license shall be obtained, and transient occupancy taxes paid in accordance with chapter(s) 3.20 and 5.04 as applicable. All advertising for any short-term rental shall include the City of Shasta Lake transient occupancy tax number and the

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- business license number, assigned to the owner-applicant. With submittal of transient occupancy taxes, the operator shall also submit a statement indicating the number of daily guest stays, and the number of guests for the reporting period.
10. The short-term rental permit is not transferable to a subsequent property owner or to another property.
 11. This section shall not be construed as waiving or otherwise impacting on the rights and obligations of any individual, group, or the members of any homeowner's association, as defined, to comply with or enforce CC&Rs.
- F. General requirements for vacation rentals.
1. With the exception of items 2 and 4 listed in section 17.43.210.E. above, the general requirements for hosted homestays shall apply to all vacation rentals as defined herein.
 2. The following additional provisions shall be applicable to vacation rentals. These provisions may be supplemented by additional requirements established by the development services director, or designee, when necessary to maintain compatibility of the use with surrounding properties.
 - a. A vacation rental shall not be rented to multiple unrelated parties concurrently unless the owner (or the primary occupant with the written permission of the owner) is residing on the premises during the rental period, in which case the rental shall be limited to two unrelated parties.
 - b. The owner/applicant shall keep on file with the city the name, telephone number, and email address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the vacation rental. This information shall be posted in a conspicuous location within the vacation rental dwelling. The local contact person shall be available twenty-four (24) hours a day to accept telephone calls and respond physically to the vacation rental within sixty (60) minutes, if necessary. The name and contact information of the local contact person will be made available to the public.
 - c. Depending on the physical nature of the property and surrounding properties, where full city street improvements exist, the director, or designee, may allow on-street guest parking not to exceed credit for one parking space as required by this section.
- G. Application Requirements. Applicants for a short-term rental use shall apply for an administrative permit and shall pay the application fee established by resolution of the city council. In making a determination to approve, conditionally approve, or deny an application, the director or designee may consider factors, including but not limited to, proximity of the property to other vacation rentals, bed and breakfast establishments, and neighborhood and site characteristics including but not limited to availability of adequate parking, potential for traffic impacts, and other factors which may adversely affect the general public and neighborhood welfare and/or safety.
- H. Permit Renewal. Holders of an administrative permit allowing for a short-term rental use shall apply annually for a renewal of the permit and shall pay the renewal fee established by resolution of the city council. In making a determination to approve, conditionally approve, or deny a renewal application, the director or designee may consider factors including but not

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limited to, prior complaints from neighbors and code enforcement activity, timeliness of business license renewal, timeliness of transient occupancy tax submittals, proximity of the property to other vacation rentals, proximity to bed and breakfast establishments, and other relevant neighborhood and site characteristics.

- I. Violations and revocations. Enforcement of the provisions of this section may include the civil and equitable remedies as permitted by state law, and the issuance of a citation and fine or other legal remedy as provided for in this code. Upon notification by the city, any short-term rental operating in violation of the requirements of this section must terminate operations immediately, pending final resolution of the violation. Further, a permit issued under the authority of this section may be revoked in accordance with the procedures established in this code.

17.43.220 Supportive housing.

- A. Purpose. The purpose of this section is to comply with those California Government Code sections which define supportive housing development and identify supportive housing development as a residential use subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.
- B. Zoning district. Supportive housing is allowed in zoning districts where other residential uses are allowed under the same development standards and requirements of the applicable district. Supportive housing with six or fewer residents is recognized as single-family residential and shall be allowed in zoning districts in which other single-family residential uses are allowed as permitted uses. Supportive housing with seven or more residents shall be recognized as multi-family residences and shall be allowed in zoning districts in which other multi-family residential uses are allowed as permitted uses or as uses requiring a use permit.
- C. Supportive services. Supportive housing proposals shall provide evidence that clients and/or residents are participating in a program which provides supportive services on an ongoing basis. Evidence of the required supportive services can be presented with a contract for the services, on-site staff with professional credentials or with appropriate licenses. Upon the request of the director, management shall provide evidence of clients and/or residents participating in such services.
- D. Compliance plan. For multi-family developments, a plan shall be provided to the director that describes how the development will meet the development standards of the zoning district in which it is located.

17.43.230 Transitional housing.

- A. Purpose. The purpose of this section is to comply with those California Government Code Sections which define transitional housing development and identify transitional housing development as a residential use subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.
- B. Zoning district. Transitional housing is allowed in zoning districts where other residential uses are allowed under the same development standards and requirements of the applicable zoning district. Transitional housing with six or fewer residents is recognized as single-family residential and shall be allowed only in zoning districts in which other single-family residential uses are allowed as permitted uses. Transitional housing with seven or more residents shall be recognized as multi-family residences and shall be allowed only in those zoning districts in which other multi-

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family residential uses are allowed. Transitional housing located in an existing non-conforming residence may be permitted with approval of a use permit.

- C. Transitional units. Transitional units shall be available for a minimum of six months and a maximum of two years. Evidence of the transitional nature of the program shall be provided through a management plan that outlines the transition period and the programs and other services that will assist clients and/or residents in making a transition to permanent housing.

17.43.240 Telecommunications and wireless facilities. (MODIFIED)

- A. Purpose. The purpose of this section is to provide a uniform and comprehensive set of standards for the development, siting, installation, and operation of wireless telecommunications antennas and related facilities ("wireless telecommunications facilities"). These regulations are intended to protect and promote public safety, community welfare, and the aesthetic quality of the city, while also providing for the necessary development of wireless telecommunications infrastructure in accordance with state and federal law. The city intends to apply these regulations to accomplish the following specific purposes:
1. Foster an appropriate residential environment, prevent visual blight, protect and preserve public safety and the general welfare, and maintain the character of both residential and commercial areas in compliance with applicable state and federal legislation, and the general plan.
 2. Consider wireless telecommunications facilities a primary commercial use of property and are prohibited in residentially zoned districts unless such location is necessary to provide wireless services to residents and businesses in the city.
 3. Establish a process for obtaining necessary permits for wireless telecommunication facilities that provides certainty to applicants and to the public while ensuring compliance with applicable development requirements.
 4. Regulate the siting and design of wireless telecommunications facilities in a manner that supports broad public access to wireless services, consistent with applicable federal and state law and the City's police powers.
 5. Manage wireless telecommunications facilities so that their placement and design support residents' access to modern information resources and services, while protecting public safety, aesthetics, and neighborhood character.
 6. Regulate wireless telecommunications facilities in a manner that allows modern communications infrastructure to contribute to the City's economic vitality, without creating unreasonable impacts on adjacent land uses or the public right-of-way.
 7. Establish clear land use standards and permitting procedures that allow for the deployment, modification, and upgrading of advanced wireless telecommunications infrastructure for residents, businesses, industries, and visitors, consistent with applicable law and local design objectives.
 8. Establish standards for wireless telecommunications facilities that promote reliable emergency communications and public-safety coordination, and that avoid harmful interference with the City's and other public-safety emergency communication systems.
 9. Ensure all proposed facilities:

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- a. Are designed, sited, and operated in a manner that protects public safety, preserves community character, and avoids visual blight, consistent with applicable state and federal law.
 - b. Are located and designed to minimize visual and land-use impacts, including the use of stealth techniques, collocation, and site-specific screening measures.
 - c. Are treated as commercial land uses and are sited in a hierarchy of preferred locations. Placement in residential districts is prohibited unless an applicant demonstrates that such a location is technically necessary to provide reliable service.
 - d. Provide reliable wireless services to residents, businesses, and emergency response agencies without interfering with public-safety communication systems.
 - e. Utilize the least intrusive means of achieving service objectives, considering available technology, feasible collocation opportunities, and site-specific constraints.
 - f. Are implemented through a predictable permitting process that requires applicants to submit sufficient technical and design information to demonstrate compliance with this section and with all applicable federal and state regulations.
 - g. Are designed to accommodate future technological improvements, reduce the number of new facilities required over time, and allow for facility modification or removal when improved technologies become feasible.
 - h. Are removed and the site restored when the facility is abandoned or discontinued.
- B. Applicability. The provisions of this chapter shall apply to all new or modified facilities for the transmission and/or reception of wireless radio, television, and other communication signals, including, but not limited to, commercial wireless communications services (personal communication, cellular and paging) including, without limitation, antennae, small cell installations, masts, poles, towers, structures, buildings, additions to existing antennae, masts, poles, towers, structures, or buildings.
- C. Locational criteria - amateur radio antennas. An amateur radio antenna may be installed on a lot in any district if it complies with the following criteria:
- 1. Setbacks. Location in any required front or street side yard, or within ten feet of a side and rear property line is prohibited.
 - 2. Maximum Height. Twenty feet above the district height limit. Additional height may be authorized with a use permit.
 - 3. Surface Materials and Finishes. Highly reflective surfaces are prohibited.
- D. Locational criteria - satellite antennas. A satellite antenna exceeding twenty-four inches in diameter may be installed on a lot in any zoning district if it complies with the following criteria. Antennas twenty-four inches or smaller in diameter are exempt from these requirements if they are affixed to the main or accessory structure and are not otherwise exempt under the OTARD rule. Satellite or other customer-premises antennas that are exempt from local regulation under 47 C.F.R. §1.4000 shall not be regulated under this section to the extent of that exemption.
- 1. Residential districts.

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- a. Setbacks. Shall be located on the rear one-half of the lot; shall be at least ten feet from any rear or side property line; and, in the case of a corner lot, shall not project beyond the front yard setback on the lot or on an adjacent lot.
 - b. Screening. A screen, fence, or earth berm shall be constructed to hide the base of the antenna from view from the street and adjoining front yards in cases where the antenna is not in the rear half of the lot.
 - c. Maximum Height. Twenty feet, measured from ground level immediately under the antenna to the highest point of the antenna in its highest position.
 - d. Abutting Interior Lot. In case of an interior lot abutting upon two streets, it shall not be erected so as to encroach upon the front yard required for either street.
2. Other districts.
- a. Setbacks. Shall not be located closer than fifteen feet to any public street as measured from the edge of the right-of-way.
 - b. Maximum Height. Thirty-five feet, measured from ground level immediately under the antenna to the highest point of the antenna in its highest position. If mounted on a roof, the antenna shall not extend more than ten feet above the height limit established for the district.
 - c. Screening. The structural base of a satellite antenna, including all bracing and appurtenances, but excluding the dish itself, shall be screened from view from public rights-of-way and any adjoining residential district by walls, fences, buildings, landscape, or combinations thereof of not less than four feet high.
 - d. Undergrounding. All wires and/or cables necessary for the operation of the antenna or reception of the signal shall be placed underground, except for wires or cables attached flush with the surface of a building or the structure of the antenna.
 - e. Surface Materials and Finishes. Highly reflective surfaces shall not be permitted.
 - f. Advertising. Antennas shall not be used for advertising purposes.
- E. Locational criteria - microwave receiving and transmitting antennas or relay equipment. Microwave antennas and equipment may be installed with a site development permit on any lot in a commercial or industrial district, except within a required setback area. All wires or cables necessary for the operation of the antenna shall be placed underground, except wires or cables that may be attached flush with the surface of a building or structure. Landscape or solid screening a minimum of six feet in height shall be placed around the base of any tower to screen the tower base from view, and to provide a physical separation between the tower and any pedestrian or vehicular circulation on a site.
- F. Compliance with applicable codes and standards. Telecommunication and wireless communication facilities constructed in the city shall comply with all applicable city, state, and federal codes and standards, and with the requirements below.
1. Technical studies requirement. **(NEW)**

The director may require the applicant to submit technical studies, prepared by qualified professionals, to demonstrate compliance with applicable standards and to support the granting of any permit for wireless telecommunications facilities. Such studies may include, but are not limited to the following:

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- i. **Radio Frequency (RF) Emissions Compliance Reports** to verify adherence to FCC safety standards.
- ii. **Structural Analysis** to confirm the integrity of towers, poles, and foundations.
- iii. **Visual Impact Assessments** or photo simulations to evaluate aesthetic and community compatibility.
- iv. **Noise Studies** for associated equipment.
- v. **Interference Analysis** to ensure no harmful disruption to existing services.

The director may require peer review or third-party verification of a submitted technical study to ensure accuracy and objectivity. All costs associated with the preparation, submission, and review of such studies, including any peer review, shall be borne by the applicant. The director's determination regarding the necessity, scope, and adequacy of such studies or peer review shall be final and not subject to appeal.

- G. Permits. The director shall maintain a project application checklist that outlines the minimum requirements to ensure the purposes of this section are met for all projects. All telecommunication and wireless communication facilities shall be subject to the following:
1. Zoning clearance.
 - a. Applications that qualify as "Eligible Facilities Requests" (EFR) under 47 U.S.C. §1455(a) and 47 C.F.R. §1.6100 shall be processed with zoning clearance and approved in the manner required by federal law. The standards of this section shall not be applied to such requests in a manner inconsistent with such law. Building-mounted facilities and new facilities that collocate on or within an existing approved tower or other facility, and that comply with all relevant standards for the district, may be approved with a zoning clearance, except where this section expressly requires an administrative permit or use permit.
 2. Administrative permit. Facilities that require an administrative permit shall include:
 - a. All ground-mounted facilities, except personal use satellite dishes that are 36 inches or less in size, and that are not collocated with other existing facilities or are within 300 feet of a residential district boundary.
 - c. Facilities determined to have a significant impact on designated scenic resources. In such a case, the director may require an independent third-party review, at the expense of the applicant, to confirm the radio frequency needs of the applicant.
 3. Use permits. Facilities that require a use permit shall include:
 - a. Multiple communication sites proposed by a single applicant, in which case a use permit will serve as a master land use permit for all sites under a single review.
 - b. New or expanded facilities that do not otherwise comply with the requirements of this section or federal requirements. These include collocations that involve the installation of new improvements or facilities that constitute a 'substantial change' as defined by 47 C.F.R. §1.6100, or that replace a facility no longer in conformance with the zoning or building codes of the city, and the standards of state or federal law.
 4. Permitting timelines. (NEW) The FCC established timeframes for local governments to act on wireless facility applications shall apply to applications, subject to the requirement that all

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necessary application information and materials required to make the necessary determinations and findings are provided in a timely manner:

- a. 60-days for EFRs
 - b. 90 days for collocation applications.
 - c. 150 days for applications for new facilities.
- H. Height. All telecommunication and wireless communication facilities shall be limited to the minimum height necessary, as demonstrated by technical evidence, to achieve the applicant's service objectives using the least intrusive means feasible, and, where feasible, shall allow for the future collocation of antenna arrays. Building-mounted facilities shall not exceed fifteen feet above the maximum height permitted for the district within which they are located.
- I. Minimum setbacks. Telecommunication and wireless communication facilities, including supports and accessory facilities, shall be set back two times the height of the tower from a residential district boundary. The approving authority may reduce this setback if the applicant demonstrates, through technical and visual impact analysis, that a reduced setback achieves equivalent or superior visual and safety performance, including through the use of stealth design or other mitigation.
- J. Preferred locations. Telecommunication and wireless communication facilities shall be collocated with existing facilities where feasible regardless of zoning district. All facilities shall be designed and located to minimize their visibility, considering technological requirements, by means of appropriate placement, screening, stealth techniques, and camouflage. The permit shall authorize the smallest and least visible antenna(s) feasible to accomplish the coverage objectives. Wireless telecommunications facilities proposed for locations where they would be visible from the public right-of-way or from existing residential development shall incorporate techniques to camouflage the facility to the extent practicable.
- K. Prohibited locations. Telecommunication and wireless communication facilities shall not be located:
1. On the site of any designated federal, state, or local historic landmark. unless the applicant demonstrates that no feasible alternative exists and the approving authority determines that the facility is designed to minimize impacts on historic resources to the maximum extent feasible.
 2. Within 1,500 feet of an existing tower, unless collocated on an approved facility or multiple-user site, or the applicant demonstrates, through objective technical evidence, that collocation or use of an existing site is not feasible and that the proposed site represents the least intrusive means of providing reliable service. The approving authority may approve a facility that does not meet this standard if the facility is determined, based on substantial evidence, to be technologically required or visually preferable compared to feasible alternatives.
 3. Within a residential zoning district, unless building-mounted in a stealth manner, satisfactorily disguised in a stealth structure, or totally enclosed within a building.
- Where a provider can demonstrate the need for a wireless telecommunication facility in an otherwise prohibited location, the planning commission may consider such request by use permit. Approval of the permit is subject to those conditions of approval that may be determined necessary to satisfy the requirements and findings of this section and title.
- L. Visual compatibility. . The approving authority will review applications to ensure compliance with stealth technology requirements when necessary and may require facility modifications to achieve better concealment . The following standards of visual compatibility and screening shall apply:

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1. All antennas, towers, or related equipment shall be coated with a non-reflective finish or paint consistent with the visual background as viewed from public rights-of-way where the facility is to be located.
 2. Acceptable screening for ground-mounted equipment shall include existing vegetation and/or new landscaping, which is designed and located pursuant to the requirements of Section 17.40.190.
 3. Building-mounted equipment shall be located, painted, and/or architecturally designed so as to be compatible with adjacent buildings and/or uses.
 4. All wireless telecommunications facilities must employ stealth technology and concealment methods to minimize visual impact of new or expanded facilities, when required to do so by the approving authority. Such measures include, but are not limited to, camouflaged monopoles, flagpole disguises, or stealth structures designed as integral building elements. .
 5. In designated scenic corridors or view-sheds identified in the general plan or by separate city council action. Facilities shall be designed and sited to avoid breaking the skyline or dominating public views to the maximum extent feasible.
- M. Interference. Interference with a public-safety radio system is prohibited. Prior to receiving approval, applicants shall submit engineering reports evaluating and documenting compliance with this requirement. Nothing in this section shall be interpreted to regulate radio-frequency emissions in a manner inconsistent with federal law.
- N. Technology and design efficiency. When feasible and economically reasonable, applicants shall utilize available technology that reduces facility size, height, or visibility. This requirement shall not compel modification or removal in a manner inconsistent with federal law, including 47 U.S.C. §1455(a).
- O. Discontinuance of use. The service provider shall notify the city of any intent to discontinue operation no less than thirty days prior to discontinuation. Upon discontinuance of use, all equipment shall be removed and the property restored to the preconstruction condition within ninety days, unless the facility is being actively marketed for sale or lease. In such cases, use of the facility must be re-established with one (1) year of the discontinuance of use.

Attachment C: CZO UPDATE PROJECT STATUS – END OF 2025
12/29/25

This attachment provides an overview of the status of the code update project. It does not include information on required notices, review by other organizations or state agencies, environmental review, or other necessary work products.

CZO Project Element	Status	Remaining
Village Mixed Use District (VMU) - Design Guidelines and Objective Development Standards.	Administrative drafts of the commercial design guidelines document and the mixed-use/multiple-family objective design standards (ODS).	Stakeholder and PC/CC acceptance. After consideration by the VMU Stakeholder group, the guidelines will be presented to the Planning Commission for review and recommendation. At that point, we need to decide whether to move them forward for adoption as a standalone action or include them with the full CZO actions.
Division 1 - General Provisions [Ch. 17.01 and .02].	Administrative draft completed, posted.	Final proof/edits before circulation.
Division 2 - Administration [Ch. 17.10 – 17.24].	Administrative draft completed, posted.	Final proof/edits before circulation.
Division 3 – Base District Regulations [Ch. 17.26 – 17.38].	Administrative draft completed, posted.	Final proof/edits before circulation.

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<p>Division 4 – Regulations Applying in All Districts. [Ch. 17.40 – Ch. 17.52]</p>	<p>Administrative drafts of the following have been reviewed by the PC and posted:</p> <p>Ch. 17.41- <i>Parking and Loading.</i></p> <p>Ch. 17.42 - <i>Signs.</i></p> <p>Sec.17.43.230 – <i>Wireless telecommunication facilities.</i></p> <p>Sec. 17.43.090 – <i>Residential condominiums.</i></p> <p>Sec. 17.45.083 – <i>Ministerial approval of two-unit housing development within single-family residential zone districts (SB-9); and Sec. 17.45.084 – Urban lot splits within single-family zone districts (SB-9).</i></p> <p>Chapter 17.49 – <i>Cannabis Business Land Use</i> (90% complete/PC reviewed 12/4/25).</p>	<p>Remaining to complete:</p> <p>Chapter 17.45-Affordable Housing. Chapter 17.46-Nonconforming Uses. Chapter 17.47-Temporary Uses. Chapter 17.48 – Creek Corridor Development. Chapter 17.50 – Historic Preservation. Chapter 17.51 – Steep Slopes and VHFHSZ. Chapter 17.52 - Open Space Preservation (Cluster development incentives).</p>
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<p>Division 5 – Overlay and Special Purpose District Regulations [Ch. 17.53 – 17.57].</p>	<p>Administrative draft complete and posted.</p>	<p>Final proof/edits before circulation.</p>
<p>Division 6 – General Terms and Measurements [Ch. 17.60 – 17.62].</p>	<p>In progress.</p>	<p>Chapters 17.60 – Use Classifications Chapter 17.61 – List of Definitions Chapter 17.62 – Rules of Measurement</p>
<p>Zoning Map.</p>	<p>Administrative draft complete and posted.</p>	<p>Also involves several GPAs for the Council to bless, assuming acceptance from property owners. I am planning to bring these GPAs at the same time as the zoning map adoption process is underway.</p>