

## ORDINANCE CC 16-

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**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHASTA LAKE  
APPROVING REZONE 11-02 (AMENDMENT TO ZONE MAP AND AMENDMENT TO  
SHASTA LAKE MUNICIPAL CODE TITLE 17 (ZONING) TO ADD CHAPTER 17.63,  
MOUNTAIN GATE AT SHASTA AREA PLAN PLANNED DEVELOPMENT.**

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**WHEREAS**, the City of Shasta Lake (City) received an application for General Plan Amendment GPA 11-01 (land use map designation change, Area Plan and Design Guidelines, and Plan Line Amendment); Rezone Z 11-02 (Zone Map amendment and Planned Development Zone); Tentative Subdivision Map SD 11-01; and a Development Agreement, filed by Mountain Gate Meadows, LLC, for the Mountain Gate at Shasta Area Plan project (Project); and

**WHEREAS**, all of the discretionary applications are related but approved under separate resolutions or ordinances; and

**WHEREAS**, the subject property is identified as Assessor's Parcel Numbers 007-400-037, -052, -053, -054; 307-210-028, -031, -032, -033, -034, -035, -036, -037; 307-220-001, -002, -003, -004; 307-240-001; 307-380-001, -002, -003, located generally in the northeast section of the City of Shasta Lake, generally south of the Mountain Gate/I-5 interchange and north of the Shasta Dam Boulevard/I-5 interchange on the west side of I-5; and

**WHEREAS**, on December 15, 2015, City Council conducted a duly noticed public hearing, considered the Planning Commission's recommendation and adopted Resolution CC 15-\_\_\_\_ 1) certifying that the Environmental Impact Report (EIR) (SCH 2012-042010) for the Project was completed in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code, State of California, §§21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000 *et seq.*); 2) adopting the Mitigation Monitoring and Reporting Program; and 3) adopting Findings of Fact and a Statement of Overriding Considerations for the Project.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHASTA LAKE DOES ORDAIN AS FOLLOWS:**

**SECTION 1:** After hearing testimony, considering all evidence submitted into the administrative record, and engaging in due deliberation of the matters presented, City Council:

1. Finds and determines the above recitals are true and correct and have served as the basis, in part, for the actions set forth herein; and
2. Finds and determines, because City Council approved Resolution CC 15-\_\_\_\_ certifying the Environmental Impact Report (EIR) (SCH 2012-042010) and adopting Findings of Fact and a Statement of Overriding Considerations, which analyzed the approvals contemplated by this Ordinance, the approval of actions included in this Ordinance complies with the California Environmental Quality Act (CEQA) (Public Resources Code §§21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000 *et seq.*); and
3. Approves an amendment to the City's Zone Map, as shown on **Exhibit A** to this Resolution, for all parcels within the Mountain Gate at Shasta Plan Area from Planned Development-Specific Plan (PD-SP) to Planned Development (PD); and

4. Approves an amendment to Shasta Lake Municipal Code Title 17 (Zoning) by adding Chapter 17.63 (Mountain Gate at Shasta Planned Development), included as **Exhibit B** to this Ordinance.

**SECTION 2: Severability:** If any provision of this ordinance or the applications thereof to any person or circumstances is held invalid, the remainder of the ordinance and the applications of such provision will remain in effect to the extent permitted by law.

**SECTION 3: Effective Date:** This ordinance shall be effective thirty (30) days following its second reading and posting as provided for by City Code.

**I HEREBY CERTIFY** that the foregoing Ordinance was introduced and read at a regular meeting of the City Council of the City of Shasta Lake held on the 15<sup>th</sup> day of December 2015 and was passed upon second reading at a regular meeting of the City Council of the City of Shasta Lake held on the 5<sup>th</sup> day of January 2016.

**PASSED, APPROVED, AND ADOPTED** this 5<sup>th</sup> day of January 2016 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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**LORI CHAPMAN-SIFERS, Mayor**

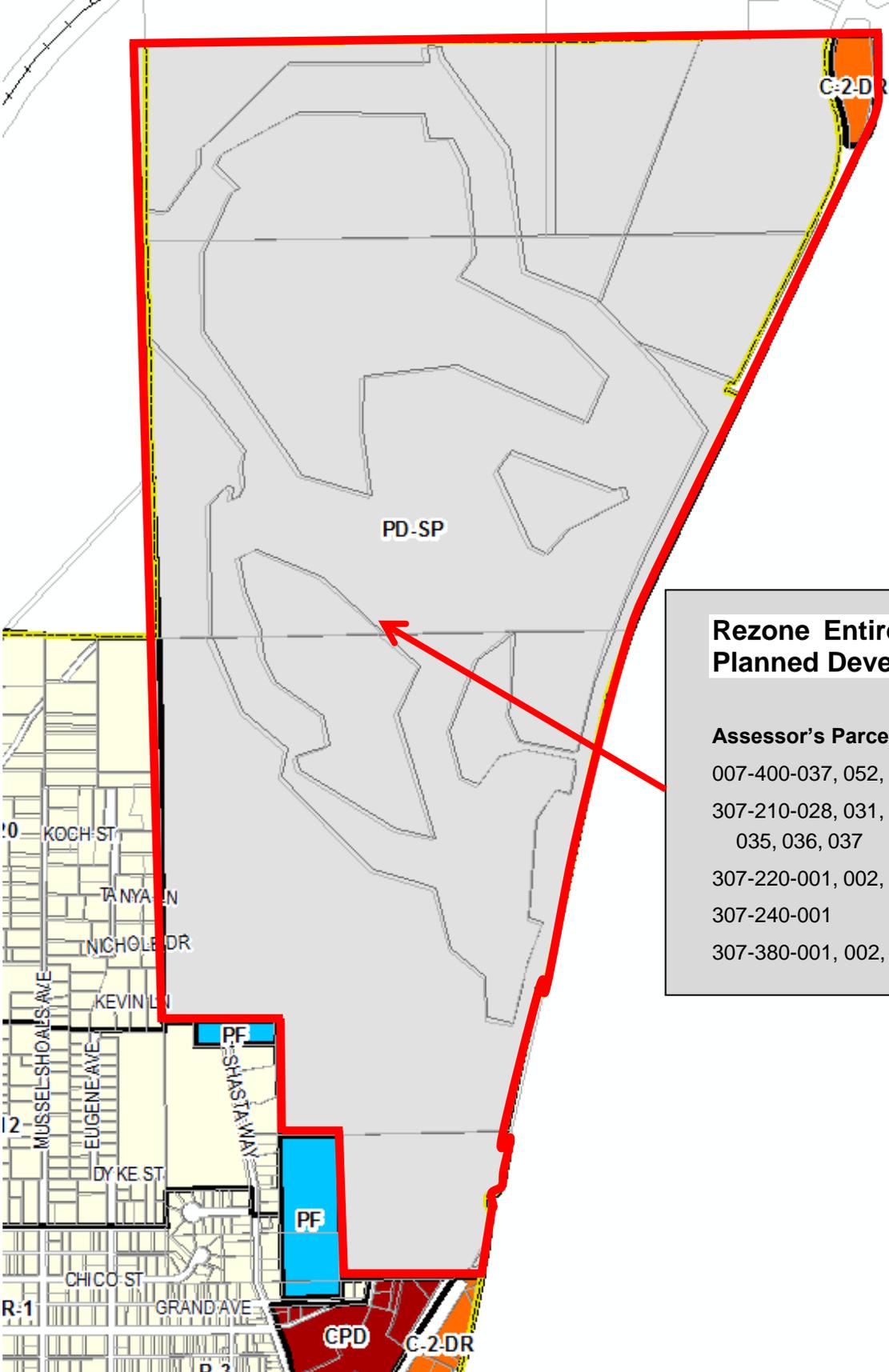
**ATTEST:**

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**TONI M. COATES, CMC, City Clerk**

# EXHIBIT A

Ordinance:  
Rezone Z 11-02



**Rezone Entire Plan Area to  
Planned Development (PD)**

**Assessor's Parcel Numbers:**

- 007-400-037, 052, 053, 054
- 307-210-028, 031, 032, 033, 034,  
035, 036, 037
- 307-220-001, 002, 003, 004
- 307-240-001
- 307-380-001, 002, 003

**CHAPTER 17.63****MOUNTAIN GATE AT SHASTA PLANNED DEVELOPMENT****Sections:**

<b>17.63.010</b>	Purpose
<b>17.63.020</b>	Objectives
<b>17.63.030</b>	Applicability of Regulations
<b>17.63.040</b>	Allowable Density and Density Transfer
<b>17.63.050</b>	Permitted and Conditionally Permitted Uses
<b>17.63.060</b>	Other Permitted Uses
<b>17.63.070</b>	Live-Work Units
<b>17.63.080</b>	Development Permit Procedures
<b>17.63.090</b>	Site and Building Development Plans
<b>17.63.100</b>	Site and Building Development Standards
<b>17.63.110</b>	Architectural and Site Design Standards
<b>17.63.120</b>	Parking
<b>17.63.130</b>	Streets
<b>17.63.140</b>	Administrative Modifications
<b>17.63.150</b>	Environmental Review
<b>17.63.160</b>	Appeals
<b>17.63.170</b>	Administrative Enforcement

**17.63.010 Purpose**

The purpose of this Chapter is to guide and regulate the land use and development of the Mountain Gate at Shasta Area Plan (Area Plan).

**17.63.020 Objectives**

The Area Plan has been designed to ensure the project will have positive benefits for the community. Objectives of the Area Plan are to:

- A. Provide a comprehensively planned project that is sensitive to environmental issues including wetlands, flood protection, the City's hillside grading concerns, and tree preservation.
- B. Protect the highest quality natural features and resources of the site.
- C. Conform to General Plan policies that designate the project site for urban development through implementation of an Area Plan.
- D. Promote compact mixed-use development that strives to provide a balance of uses, diverse housing and transportation choices, and contributes to a jobs-to-housing balance within the region.
- E. Provide a balanced mix of land uses that will allow a self-sufficient community, thereby reducing demands on regional roadways and services.

- F. Provide for a full range of housing densities and product choices affordable to a broad spectrum of income levels.
- G. Provide a master-planned community on a suitable site of sufficient size in proximity to an existing freeway, with access from existing interchange facilities.
- H. Establish a circulation system that meets local and regional transportation needs and accommodates a variety of transportation modes, including off-street trail systems and on-street bicycle lanes.
- I. Establish a pedestrian-friendly community that provides a continuous system of trails to link neighborhoods together and provide safe routes to parks and community-serving areas.
- J. Provide required park facilities sized to meet the needs of residents in the Area Plan and located as neighborhood focal elements.
- K. Provide a comprehensively planned infrastructure system (e.g., water treatment and distribution systems, sewer treatment and collection systems, electrical distribution systems, fire suppression facilities, general government facilities) to serve the needs of future residents of the development area.
- L. Provide adequate infrastructure improvements without adversely affecting existing levels of service.
- M. Phase development and infrastructure to respond to market demand while requiring new development to provide the infrastructure and public facilities necessary to serve the developing area.
- N. Establish financial mechanisms to ensure that the full range of services needed to serve the Area Plan are funded by the community and not by existing city residents.
- O. Provide revenue for the maintenance of public open space areas and park facilities, infrastructure, and public services within the development area.

**17.63.030 Applicability of Regulations**

The regulations of this Chapter shall apply exclusively to the property defined within this Planned Development District known as the Mountain Gate at Shasta Area Plan. The Planned Development Zone District shall be combined with the regulations of Title 17 (Zoning) of the City of Shasta Lake Municipal Code (SLMC).

**17.63.040 Allowable Density and Density Transfer**

**A. Allowable Density**

Table 2-1 of the Area Plan identifies proposed densities for each sub-areas of the Area Plan. An estimated unit yield and probable maximum units for each area has been identified and is based on factors such as site location, topography, sensitive biological habitat, and anticipated market demand for a variety of housing products.

It is anticipated that some development may be clustered and designed to ensure density that might be reduced due to topography or to avoid sensitive biological habitat. As these areas develop, a more detailed assessment of the Area Plan may result in the need to adjust (reduce or increase) the Site and Building Development Standards and/or number of units assigned to a particular area within the Area Plan.

## **B. Density Transfer**

It is the intent of the Area Plan to permit flexibility in adjusting the number of residential units assigned to each sub-area. To further this intent, units assigned to specific land use classifications or parcels may be transferred within the Area Plan boundaries, provided that all the following criteria are met:

1. The transferring and receiving parcels are within the Area Plan boundaries and the total maximum number of approved units is not increased (unless an increase is separately approved by the Planning Commission and City Council).
2. The cumulative increase or decrease in units resulting from the minor density adjustment does not change the number of pre-transfer units allocated to any one of the parcels receiving or transferring the units by more than 20 percent (20%), based on the density ranges shown in Table 2-1 of the Area Plan.
3. The adjustments in density do not have a significant adverse effect on planned infrastructure, roadways, schools, other public facilities or sensitive biological habitat.

To request a minor density adjustment, the owners of both the transferring and receiving parcels shall submit to the Development Services Director or his/her designee (Director) an application on a form prescribed by the Director and all information needed to determine compliance with the above unit-transfer criteria. This submittal shall include information identifying the impacted parcels and designating the number of units being transferred, site plans and maps, and any other necessary documentation requested by the Director.

Upon approval of any density transfer, the Director shall prepare an updated Area Plan density table reflecting the adjusted unit counts and densities for all sub-areas of the Area Plan. The revised table will allow the Director to track total residential units within the Area Plan.

### **17.63.050 Permitted and Conditionally Permitted Uses**

- A. Table 17.63.050a identifies uses permitted outright; uses permitted pursuant to issuance of a Use Permit or Administrative Permit; and uses permitted after review and approval of a Zoning/Site Development Permit pursuant to Section 17.63.080 of this Chapter. Land Use Areas identified in Table 17.63.050a are those referenced in Table 2-1 of the Area Plan.
- B. Housing types may vary in each of the residential sub-areas as project designs incorporate the project site topography and site amenities. Housing types for each of the sub-areas will be determined at the time of submittal of subsequent tentative subdivision maps.
- C. Several identified public uses (i.e., parks, fire station, electric substation) are likely to occur as indicated in Table 2-1 of the Area Plan; however, it is possible that public uses will be located in other development areas as reviewed and approved by the Development Services Director or his/her designee if found to be consistent with the intent of the Area Plan.

**Table 17.63.050a**

**PERMITTED AND CONDITIONALLY PERMITTED USES**

<b>P</b>	Uses Permitted Outright
<b>AD</b>	Uses Permitted after review and approval of an Administrative Permit by the Development Services Director or his/her designee
<b>UP</b>	Uses permitted after review and approval of a Use Permit by the Planning Commission
<b>Z</b>	Uses permitted after review and approval of a Zoning/Site Development Permit by the Development Services Director or his/her designee
<b>-</b>	Use Not Permitted

AREA:	A	F, Q, S	L, M, N, O, P	D, E, G, I	R	H	C, J, K
	<i>Commercial</i>	<i>Very-Low Density</i>	<i>Low Density</i>	<i>Medium Density</i>	<i>High Density</i>	<i>Mixed Use</i>	<i>Parks</i>
<b>LAND USE</b>							
<b>RESIDENTIAL</b>							
Single-Family	-	P	P	P	-	-	-
Two-Family	-	-	-	-	AD	Z	-
Multiple-Family (apartments)	-	-	-	-	AD	AD	-
Condominiums	-	-	-	-	AD	AD	-
Live-Work Units	-	-	-	-	-	Z	-

AREA:	A	F, Q, S	L, M, N, O, P	D, E, G, I	R	H	C, J, K
	<i>Commercial</i>	<i>Very-Low Density</i>	<i>Low Density</i>	<i>Medium Density</i>	<i>High Density</i>	<i>Mixed Use</i>	<i>Parks</i>
<b>LAND USE</b>							
Non-dwelling accessory structures appurtenant to the permitted use	P	P	P	P	P	P	-
Small Family Daycare Home (six or fewer)	-	P	P	P	P	P	-
Large Family Daycare Home (seven or more)	-	AD	AD	AD	AD	AD	-
Bed and Breakfast Guest Facility	-	AD	AD	AD	-	AD	-
Home occupation business per SLMC 17.88.220	-	Z	Z	Z	Z	Z	-
Accessory dwelling units (second units): Allowed pursuant to SLMC Chapter 17.81, Affordable Housing							

<b>COMMERCIAL</b>							
Automobile/Vehicle Service and Repair: Gasoline, diesel, propane, butane, fuel oil dealers/stations; Gasoline station convenience mini -marts; Oil, tune-up, brake and muffler shops; Tire sales and installation; Self-serve and non-self-serve auto wash; Small engine repair (excludes body and fender work, vehicle painting, towing, vehicle dismantling, or repair of heavy trucks or construction vehicles).	UP	-	-	-	-	-	-
Automobile sales and leasing: automobiles, trucks, motorcycles, lawn and garden-type tractors.	AD	-	-	-	-	-	-
Bars, nightclubs, wine tasting, brewery.	UP	-	-	-	-	-	-
Eating and Drinking Establishment (no drive-thru).	P	-	-	-	-	AD	-
Eating and Drinking Establishment (with drive-thru).	AD	-	-	-	-	-	-
Outdoor dining in conjunction with an approved Eating and Drinking Establishment	P	-	-	-	-	P	-
Hotel / Motel	AD	-	-	-	-	-	-

Instructional services or facilities: Health/fitness club, dance or music studio, driving school, photography, arts and crafts.	Z	-	-	-	-	Z	-
Offices: Administrative, executive, insurance, legal, medical, professional, real estate, travel agency, etc.	P	-	-	-	-	P	-
Personal Service Uses: Barber, beauty salon, day spa, tattoo parlor, locksmith, shoe repair, computer repair, print shop, Laundromat ( <b><u>no on-site dry cleaning</u></b> ).	P	-	-	-	-	P	-
Recreation/Entertainment: Movie theater, miniature golf, bowling alley, ice/roller skating rink, tennis/racquetball courts, pinball arcades/electronic games centers, pool/card rooms.	AD	-	-	-	-	UP	-
Small Retail Sales (under 15,000 square feet for single tenant):  Grocery/ food/ beverage market, florist, bookstore, drug store, pet store, hardware store, furniture, appliances, electronics, variety store.	Z	-	-	-	-	Z	-
Large Retail Sales (over 15,000 square feet for single or multi-tenant):  Grocery store, home improvement center, discount or wholesale retail sales.	AD	-	-	-	-	UP	-
Temporary Uses: Farmer's Markets; produce sales; carnivals; Christmas tree or pumpkin sales.	Z	-	-	-	-	Z	AD

Veterinarian / Animal Hospital (no outdoor kennels).	Z	-	-	-	-	UP	-
<b>PUBLIC AND SEMI-PUBLIC FACILITIES</b>							
Public Government Offices	P	-	-	-	-	P	-
Fire Station	AD	-	-	AD	-	AD	-
Law Enforcement Substation (no jail)	AD	-	-	-	-	AD	-
Public utility substations, structures, facilities, water tanks, etc.	Z	Z	Z	Z	Z	Z	-
Park and Recreation Facilities: Public park, playground, sports fields, gymnasiums, swimming pools, picnic facilities, including related food concessions.	AD	-	-	AD	Z	AD	P
College and Trade School, public or private	P	-	-	-	-	P	-
Schools, K-12, public or private	AD	-	-	AD	-	AD	-
Nursery School, Pre-School (licensed or certified by the state).	P	-	-	-	AD	P	-
Day Care Center (licensed or certified by the state for 14 or more) for children or adults.	P	-	-	-	-	P	-

Clubs and Lodges.	AD	AD	AD	AD	AD	AD	-
Conference Center, Meeting Hall.	AD	AD	AD	AD	AD	AD	-
Community Center, Youth Center, Senior Center.	AD	AD	AD	AD	AD	AD	-
Religious Facilities (church, temple, synagogue, shrine, mosque, etc.) used exclusively for religious worship and incidental accessory uses.	AD	AD	AD	AD	AD	AD	-
Cultural Institution: Library, museum, art gallery, performance art center, amphitheater.	P	-	-	-	-	P	-
Amphitheater / Performance Center – Outdoor.	AD	-	-	-	-	AD	AD
Commuter Parking Lot	P	-	-	-	-	P	-
Electric Charging Station	P	-	-	P	P	P	Z

### **17.63.060 Other Permitted Uses**

- A. Table 17.63.050.a identifies representative land uses for each sub-area of the Area Plan. During implementation of the Area Plan, other land uses may be proposed that are not specifically listed, but are consistent with the intent of the Area Plan and this Chapter.

The Director may make a determination that a requested use is similar to those uses listed as permitted uses or uses subject to issuance of a Use Permit, Administrative Permit, or Zoning/Site Development Permit if the following findings are made:

1. The proposed unlisted use is similar in character and impact to a listed use; and
2. The proposed use will be treated in the same manner as the listed use including determining where it is allowed, what permits are required, and what standards affect its establishment.

### **17.63.070 Live-Work Units**

- A. A Live-Work unit means a structure or portion of a structure:

1. That combines a commercial activity allowed in the zone with a residential living space for the owner of the business and that person's household, or the owner's employee; and
2. Where the resident owner or employee of the business is responsible for the commercial activity performed; and
3. Where the Live-Work unit complies with all applicable state and local Building and Fire-Life Safety codes.

- B. Allowable Commercial uses in Live-Work Units:

1. Art and craft work such as ceramics, painting, photography, sculpture, and similar cottage industries;
2. Office uses by architects, attorneys, consultants, writers, owners of e-commerce businesses;
3. One-on-one services and lessons such as music, art, dance, tutoring, licensed counseling;
4. Tailoring and sewing;
5. Limited, brief, pet care services such as grooming;
6. Hair Stylists;
7. Catering preparation for off-site events;
8. Cottage food businesses;
9. Other occupations determined by the Director to be similar and compatible in nature to the uses listed above.

- C. Prohibited Commercial Uses in Live-Work Units
1. Adult entertainment activities/businesses;
  2. The retail sale of food and/or beverages with customers arriving on-site.
  3. Entertainment, drinking, and public eating establishments;
  4. Animal hospitals and clinics;
  5. The boarding or breeding of animals;
  6. Sales, repair or maintenance of vehicles, including automobiles, boats, motorcycles, aircraft, trucks, or recreational vehicles;
  7. Commercial cabinet or furniture making;
  8. Mobile food vendors;
  9. Gun and weapons sales;
  10. Uses which involve medical procedures;
  11. Uses that require explosives or highly combustible materials;
  12. Welding, machine shop operations, or metal fabricating (except for artisan metal sculpture); and
  13. Other uses that the Director determines to be similar in character to those listed above.
- D. A valid City Business License and Zoning/Site Development Permit for the commercial use shall be maintained at all times.
- E. Only one business per Live-Work unit is allowed.
- F. No more than two employees (excluding residents of the dwelling unit) may be employed, unless otherwise provided pursuant to issuance of a use permit by the Planning Commission.
- G. Residential areas are permitted above or below the commercial component, or in a portion of a single-story structure, provided there is internal access between the residential and commercial space.
- H. At least ten percent but no more than 35 percent of the total floor area of the Live-Work unit shall be working space.
- I. The commercial component shall be restricted to the unit and shall not be conducted in the yard, garage or any accessory structure.
- J. No portion of a Live-Work unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.

- K. Access to the commercial component shall be oriented to the street and shall have at least one access separate from the living space.
- L. Signage intended to promote on-site commercial uses shall be restricted to two 1½ square-foot signs permanently affixed to the door or wall of the business component.
- M. Customer vehicle trips and business-related deliveries shall be limited to 7:00 AM to 8:00 PM, Monday through Sunday.
- N. Customer vehicle trips are limited to no more than eight per day, and no more than two customers shall be on-site at any given time. Business-related deliveries are limited to no more than one per day. The commercial use shall not generate vehicular traffic that will interfere with residential traffic circulation.
- O. The Live-Work unit shall be required to provide two-car covered parking in an attached or detached garage, plus two additional off-street parking spaces unless the property is part of a shared parking arrangement pursuant to Section 17.63.130.
- P. No outdoor storage of materials or equipment related to the business shall be permitted.
- Q. No outdoor activity related to the business shall be permitted.
- R. The commercial component shall not detract from, or otherwise be a nuisance to, the residential character or appearance of the dwelling unit or neighborhood and shall not generate external noise, odor, glare, vibration or electrical interference detectable to the normal sensory perception by adjacent neighbors;
- S. No explosive, toxic, combustible or flammable materials in excess of what would be allowed incidental to normal residential uses shall be stored or used on the premises.
- T. After approval, a Live-Work unit shall not be converted to either entirely residential use or entirely business use unless authorized by the Director.

#### **17.63.080 Development Permit Procedures**

- A. **Use Permits:** The process for reviewing and approving Use Permits shall be the procedure outlined in SLMC Section 17.92.020.
- B. **Administrative Permits:** The process for reviewing and approving Administrative Permits shall be the process outlined in SLMC Section 17.92.050.
- C. **Zoning/Site Development Permits:** The process for reviewing and approving Zoning/Site Development Permits shall be as follows:
  - 1. An application for an Zoning/Site Development permit shall be made in writing on a form prescribed by the Director, and shall be accompanied by the following:
    - a. A clear and concise description of the use and accompanying activities;
    - b. Site plans, maps or other documents showing the details of the proposed use, building or facilities, including how the applicable design standards of this Chapter will be satisfied; and
    - c. Information demonstrating compliance with the criteria applicable to the proposed use.

2. No application shall be accepted as complete unless and until all fees, the application form and related information are filed with and accepted by the Director. Failure of any applicant to respond, within thirty (30) days of mailing, to any notice that the application is incomplete or to any request to clarify, amplify, correct or otherwise supplement the application may be deemed, at the discretion of the Director, an abandonment of the Zoning/Site Development permit application, in which case no further action shall be taken upon it.
3. The Director shall consider approval of the application after the application is deemed complete.
4. If the Director determines that the proposed use meets all criteria applicable to the proposed use, the Director will approve or conditionally approve the proposal.
5. If the Director determines that the proposed use does not meet all criteria applicable to the proposed use, the director shall deny the application.
6. The Director may refer any Zoning/Site Development permit proposal to the Planning Commission for a decision when it is determined that the nature of the project, or the existence of a policy question, requires such referral.
7. The granting of any Zoning/Site Development permit may be conditioned upon the dedication of land or the posting of a bond to guarantee the installation of public improvements, provided the dedication or public improvements are reasonably related to the use for which the Zoning/Site Development permit is granted.
8. Any Zoning/Site Development permit granted under this section may be limited to a term set when the permit is granted. The establishment, maintenance or operation of any use under this section shall cease at the end of the term established by the permit, if any. The term limit on the permit may be extended by the Director upon written request by the applicant prior to expiration of the term based on conditions appropriate at the time of such time extension.
9. Every Zoning/Site Development permit issued under this section is revocable. Whenever the Director determines that one or more grounds exist for revocation, the applicant shall be notified in writing by the Director of the date of revocation as set forth in SLMC 17.92.040.
10. Every Zoning/Site Development permit expires and is automatically null and void without further action by the City if the activity or use for which the Zoning/Site Development permit was granted has not been actively and substantially commenced within two year of the date of its approval.
11. The Director may extend the time for commencement of the use or activity during the two years following approval of the Zoning/Site Development permit, if an application for an extension of time is made prior to expiration of the Zoning/Site Development permit. An extension of time shall be approved if the applicant shows reasonable cause for the extension. Reasonable cause exists if the applicant shows that circumstances beyond his/her control have prevented him/her from taking sufficient action.

### **17.63.090 Site and Building Development Plans**

- A. All applicants shall submit a conceptual development plan of the project showing the location of buildings, building elevations, streets, walkways, parking and landscaping, the proposed uses of the buildings and grounds, staging of the development and other information which the Director may require in order for the City to properly evaluate the application.
- B. Prior to issuance of a building permit, detailed development plans, drawn to scale, shall be submitted to the Director for plan check and approval to ensure conformity with the approved conceptual development plans and with the intent of the Area Plan.

### **17.63.100 Site and Building Development Standards**

Site and building development standards are as shown in Table 17.63.100.a. Specific requirements shall be identified during preparation and review of conceptual development plans for each subsequent development project and may vary from the standards identified in Table 17.63.100a based on topography, surrounding uses, sensitive biological habitat, density transfers and other development constraints. Minor modifications may be approved by the Director pursuant to Section 17.63.150 of this Chapter.

TABLE 17.63.100 a MINIMUM SITE AND BUILDING DEVELOPMENT STANDARDS						
AREA PLAN SUB-AREA:	Area A	Areas F, Q, S	Areas L, M, N, O, P	Areas D, E, G, I	Area H	Area R
Land Use Description:	Commercial	Very-Low Density 1-2 du/ac	Low Density 2-4 du/ac	Medium Density 4-7 du/ac	High Density 11-20 du/ac	High Density 11-30 du/ac
		Large Lot	Medium and Large Lot	Small and Medium Lot	Mixed Use	Multi-Family
Allowed Housing Types:	N/A	Single-Family Detached	Single-Family Detached; Duplexes	Single-Family Detached or Attached; Duplex; Townhomes; Alley-Loaded; Green Court	Apartments; Townhomes; Live-Work Units; Alley Loaded; Green Court	Apartments; Duplexes; Townhomes
Maximum Floor Area Ratio (FAR) (commercial); Maximum building coverage (residential)	0.25	0.5	0.5	0.7	Residential: 0.7 Non-Residential: 0.1	0.7
Minimum Lot Size (Square Feet) <sup>1</sup>	10,000	15,000	6,000	4,000	3,000	10,000
Minimum Lot Width (feet)	80	100	60	50	Residential: 30 Non-Residential: 30	80
Minimum Lot Depth (feet)	110	150	100	80	Residential: 70 Non-Residential: 70	100
Setbacks (feet) <sup>2</sup>						
Front Yard to Dwelling / Commercial Building	10	15	15	10	Residential: 10 Non-Residential: 10	10
Front Yard to Garage	N/A	20	20	20	Residential: N/A Non-Residential: N/A	20
Side Yards <sup>3</sup>	0	5 and 10	5 and 10	5 and 5	Residential: 0 and 5 Non-Residential: 0	5 and 15
Side Yard adjacent to street	10	10	10	10	Residential: 10 Non-Residential: 10	15
Rear Yard <sup>4</sup>	0	15	15	10	Residential: 10 Non-Residential: 10	10
Rear Yard with Alley Access	N/A	5	5	5	Residential: 5 Non-Residential: N/A	5
Maximum Building Height – Dwelling / Commercial Building <sup>5</sup>	40	30	30	30	Residential: 45 Non-Residential: 40	45
Maximum Building Height – Accessory Buildings	18	18	18	18	Residential: 18 Non-Residential: 18	18
Parking	Refer to Area Plan					
Landscaping						
Outdoor Lighting						
Signage						
Fencing						
Outdoor Trash Receptacles						

<sup>1</sup> Lots developed through clustering may be smaller in size than indicated in Table 17.63.100a, provided the smallest proposed lot is not less than ¼ of the minimum required lot size for the Sub-Area of the Area Plan. Building sites of less than two acres shall be determined by reference to net acreage as defined by SLMC Section 17.02.050.

<sup>2</sup> - Lots over one acre require 30-foot setbacks unless waived by the Shasta Lake Fire Protection District.  
- When a commercial use abuts a residential use, the front yard shall be the same as the residential within twenty five (25) feet of the residential use.  
- When a commercial use abuts a residential use, the side yard shall be fifteen (15) feet.

<sup>3</sup> Side yard setbacks for attached residential uses are 0 and 0

<sup>4</sup> When the commercial use abuts a Residential Sub-Area, the rear yard shall be 15 feet. If it abuts a public street, the rear yard shall be 10 feet.

<sup>5</sup> When the commercial use abuts a Residential Sub-Area, the height limit is 20 feet, single-story.

### **17.63.110 Architectural and Site Design Standards**

- A. Architectural and site design shall be governed by Area Plan Section 7.0 (Design Guidelines). These Guidelines shall be considered during the design and review of all future development proposals, and are to be used in conjunction with other applicable zoning development standards, ordinances and/or special development requirements.
- B. The City's design criteria are not intended to be rigid or restrict creative solutions. For uses that require a Use Permit, the Planning Commission, at its discretion, shall have the authority to consider and accept alternative site and/or building designs that are determined to meet the general intent of the adopted Design Guidelines. For uses that require an Administrative Permit or Zoning/Site Development Permit, this authority shall extend to the Director pursuant to the authority granted by this Chapter.

### **17.63.120 Parking**

- A. Off street parking shall be consistent with the provisions of SLMC Section Chapter 17.86.
- B. Development in mixed-use areas shall require review and approval of a Master Parking Plan by the Director prior to issuance of a building permit.
- C. Development proposed in mixed-use areas may include a shared parking arrangement as part of the Master Parking Plan. The Director may approve the request based on factors such as anticipated parking demands and the days and hours of operation for each use.
- D. Where a proposed use is not specifically listed in SLMC Chapter 17.86, the Director has the authority to determine the required number of parking spaces based on similarity of the proposed use to other listed uses.

### **17.63.130 Streets**

- A. Except as modified by the City Engineer as needed to ensure safe and efficient traffic (e.g., in the vicinity of fire hydrants, public utility facilities, public transit stops, school bus stops, etc.) the requirements for minimum right-of-way widths shall be as indicated in the Area Plan and on any subsequent tentative subdivision map or improvement plans.

### **17.63.140 Administrative Modifications**

- A. The Director may determine through the plan review and permitting process that a particular request for approval is in substantial conformity with the provisions and intent of the Area Plan. "Substantial conformity" may include requests for a fifteen percent (15%) or less adjustment to quantifiable or measurable standards contained in the Area Plan or Development Standards and requests that are not readily quantifiable or measurable, which the Director determines are minor in nature. All other requests for variations shall be submitted to the Planning Commission for review and consideration.
- B. Administrative Modifications are appropriate for requests that conform to one or more of the following criteria or circumstances:
  - 1. The Director determines that the proposed adjustments are off-set by the merits of the proposed design and do not significantly change the anticipated physical characteristics, goals, and intent of the Area Plan.

2. Granting of the Administrative Modification will result in design improvements, where there are space or other restrictions on the site which preclude literal compliance with the Development Standards without hardship.
3. Granting of the Administrative Modification, with any conditions imposed, will not be materially detrimental to the public welfare or injurious to the property or improvements.
4. Proposed changes to land use diagram shapes or to the alignment of streets maintain the general land use pattern and/or provide an improved circulation system consistent with the intent and direction of the vision, goals, and policies of the Area Plan.
5. The proposed change is not expected to significantly increase environmental impacts beyond the levels identified in the Final EIR pursuant to Section 17.63.160 of this Chapter.
6. An Administrative Modification may be reviewed and acted upon by the Director. In granting an Administrative Modification, the Director may impose conditions to safeguard public health and safety, and to ensure that development so authorized is consistent with the objectives and intent of the Area Plan. No Planning Commission or City Council review is required, unless the Administrative Modification is appealed pursuant to Section 17.63.170 of this Chapter.

#### **17.63.150 Environmental Review**

All applications for a development entitlement shall be reviewed for conformity with the Area Plan and for compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq.* The certified Environmental Impact Report (EIR) for the Area Plan shall serve as the base environmental document for subsequent entitlement approvals within the Area Plan. The Director will determine the appropriate level of environmental review for subsequent projects.

The rules governing the extent of any future environmental review are set forth in Sections 15183 and 15183.5 of the State CEQA Guidelines. Under this section of the State CEQA Guidelines, projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

The Director will consider environmental effects that were not analyzed as significant effects in the certified EIR for the project, or if there are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the project. In addition, the City will consider whether there are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

**17.63.160 Appeals**

An applicant or any interested party who disagrees with the Director's decision to issue, issue with conditions, or to deny a permit or time extension may appeal such decision to the Shasta Lake Planning Commission by submitting a written appeal within five (5) calendar days of the decision pursuant to the requirements of SLMC Section 17.92.050(G). A decision of the Planning Commission may be appealed to the City Council if the appeal is submitted in writing to the City Clerk within five (5) calendar days following the Planning Commission's action. The fee for filing an appeal shall be the same as that required for appeals of actions related to a use permit.

**17.63.170 Administrative Enforcement**

The provisions of SLMC Section 17.94.060 for administrative enforcement shall apply.