

Chapter 17.01 TITLE, STRUCTURE AND PURPOSES

17.01.010 Title and authority.

Title 17 of the Shasta Lake Municipal Code shall be known and cited as the "Zoning Ordinance of the City of Shasta Lake," "Shasta Lake Zoning Ordinance," "Zoning Ordinance," "Zoning Code," title or code. The Zoning Map of the city is explicitly made part of the ordinance codified in this title.

The authority for the regulations contained in this title is based on Section 7, Article XI of the California Constitution, the provisions of the California Planning and Zoning Law (Division 1 of Title 7 of the California Government Code), which provide for the regulation of the intensity of land use and the adoption of standards for the regulation of population density and the police power granted to municipalities by the laws of the state of California.

In addition, the provisions of this title relating to the regulation and control of subdivisions are herein adopted pursuant to the authority of the Subdivision Map Act (Division 2 of Title 7 of the California Government Code). The applicable provisions of the Subdivision Map Act are incorporated by this reference as though fully set forth in this title.

17.01.020 Purpose.

The broad purposes of the zoning ordinance are to implement the general plan and promote and protect the public health, safety, peace, comfort, and general welfare of the residents of Shasta Lake. Generally, the zoning ordinance is intended to:

- A. Promote and protect public health, safety, peace, morals, comfort, convenience, and general welfare.
- B. Protect the social and economic stability of residential, commercial, industrial, resource production, and recreational activities within the city through the orderly, planned use of the land.
- C. Implement the general plan and facilitate and guide growth in accordance with the general plan.
- D. Direct growth with a priority on those areas where infrastructure and urban services can be reasonably and economically provided.
- E. Ensure consistency between general plan land use designations and policies, and the zoning districts that implement the general plan.
- F. Maintain and enhance the physical appearance and function of both new and existing development.
- G. Provide development standards to help achieve compatibility between different land uses.
- H. Ensure that service demands of new development will not exceed the capacities of existing streets, utilities, or public services.
- I. Protect environmentally sensitive areas.
- J. Limit development on slopes exceeding twenty percent to mitigate potential hazards and maintain the aesthetic benefit of hillside areas.
- K. Establish reasonable standards regulating the use and physical development of land.

17.01.030 Organization.

A. Structure of Regulations.

The zoning regulations consist of six parts:

- Division I: General Provisions.
- Division II: Administration.
- Division III: Base District Regulations.
- Division IV: Regulations Applying in All Districts.
- Division V: Overlay District Regulations.
- Division VI: Terms and Measurements.

B. Regulations. Four general types of zoning regulations control the use and development of property as set forth in this ordinance. They include, but are not limited to, the following:

1. Administrative Regulations. Contains detailed procedures for the administration of this zoning ordinance and enforcement of zoning regulations. Administrative regulations are contained in Division II of this title.
 2. Land Use Regulations. These regulations govern land uses permitted, those permitted within specified limitations, conditionally permitted uses, and prohibited uses in each zoning district, including special requirements, if any, applicable to temporary and specific uses. Land use regulations for base zoning districts are in Division III of the zoning regulations. Land use regulations for overlay districts are in Division IV. Certain regulations applicable in all or several districts and standards that govern special uses are in Division V.
 3. Development Regulations and Standards. Control the height, bulk, location and appearance of structures and the physical layout of property. Development regulations for base zoning districts are in Division III of the zoning regulations; development regulations for overlay districts are in Division V. Certain development regulations applicable in more than one base or overlay district are in Division IV. These include regulations governing site development, parking and loading, signs, standards for specific uses, nonconforming uses, structures, and signs, surface mining and reclamation, and environmental protection and open space or natural resource preservation.
 4. General Terms. Division VI includes a list of definitions for terms used in the zoning ordinance and rules for measurement (distances, heights, lot widths, depths and areas and setback averaging). This includes definitions for specific uses and activities.
- C. Graphic Illustrations. Graphic illustrations are included in the code for the purposes of explanation and clarification. Where a graphic conflicts with the text or provisions of this title, the text shall govern.

17.01.040 General rules for applicability of zoning regulations.

All development shall comply with the standards, regulations, criteria, and procedures of this title.

- A. Applicability to Property. Zoning regulations shall apply to all land within the city of Shasta Lake, including land owned by the city of Shasta Lake and other local, state, or federal agencies to the extent allowed by law and subject to the provisions set forth in this title.
- B. Applicability to Streets and Rights-of-Way. Public streets, utilities and other rights-of-way shall be in the same zoning district as contiguous property. Where contiguous properties are classified in different

zoning districts, the centerline of the street or right-of-way shall be the district boundary unless otherwise depicted on the zoning map or the general plan diagram.

- C. Compliance with Regulations. No land shall be used, and no structure shall be constructed, occupied, enlarged, or altered in any zoning district except in accordance with the provisions of this title.
- D. Public Nuisance. Neither the provisions of this chapter nor the approval of any permit authorized by this title shall authorize the creation or maintenance of any public nuisance.
- E. Compliance with Public Notice Requirements. Compliance with public notice requirements prescribed by this title shall be deemed sufficient notice to allow the city to proceed with a public hearing and act on an application, regardless of actual receipt of mailed or delivered notice.
- F. Requests for Notice. Where this chapter requires that notice be given by first class mail to "any person who has filed a written request for such notice," the request shall be filed with the director or the city clerk.
- G. Conflict with Other Regulations. Where conflict occurs between the provisions of this title and any other city code, chapter, resolution, guideline, or regulation, the more restrictive provision shall control except as may otherwise be specified in this title.
- H. Relation to Prior Ordinance. No provision of this title shall validate any use or structure established, constructed, or maintained in violation of the prior zoning ordinance except as may be specifically authorized by this title.
- I. Time of Approval. All approvals granted pursuant to the provisions of this title by the director, planning commission or city council are effective at the time the permit or approval is granted after any time—which may be allowed by law for appeal of the permit, approval, or other action—has been completed. Where good reason exists, the effective time of approval may be modified by the permit or approval.
- J. Extension of Time for Holidays and Weekends. If a deadline for compliance with the provisions of this title falls on a weekend or holiday, the time for performing such an act shall be extended to the next working day, except where specifically modified by the permit or approval.
- K. Zoning of Land Proposed for Annexation to the City. Prior to submittal of a request to the local agency formation commission for annexation of property to the city, the director shall recommend to the city council an appropriate rezoning. The recommended rezoning shall be consistent with a specified general plan designation for land within the city's sphere of influence. If rezoning is approved by the city council, the zoning shall become effective upon annexation of the property.
- L. Application During Local Emergency. The city council may authorize a deviation from any provision of this title during a local emergency declared and ratified under the Shasta Lake Municipal Code by resolution without notice or public hearing.
- M. Reasonable Accommodation for Disabled Person. In accordance with the Federal Fair Housing Act (FHA) and the California Fair Employment and Housing Act (FEHA), the city shall consider exceptions to the provisions of this title when required by federal or state law.
- N. Affordable Housing. The city shall consider exceptions or waivers to this code and its processes and regulations when necessary to achieve compliance with all applicable state affordable housing laws. Such exceptions or waivers shall not require a general plan amendment or rezoning of a property when the land use type is consistent with the purposes of the base zoning district.

17.01.050 Applicability of land use and development regulations.

- A. Establishment of Base and Overlay Zoning Districts. Base and overlay zoning districts into which the city is divided are established as set forth in Chapter 17.02 of this title.

17.01.060 Consistency with the general plan.

- A. An application for any permit, license or approval submitted pursuant to this title shall not be accepted as complete for processing unless it is consistent with the applicable general plan land use designation; however, the concurrent filing of a general plan amendment application with an amendment to a zoning district or the provisions of this title shall be allowed. In any case, where there is a conflict in regulation between this title and the general plan, the general plan shall prevail.
- B. Any permit, license, or approval issued pursuant to this title shall be consistent with the general plan, any applicable specific plans, and all other applicable laws, titles, ordinances, codes, policies, and regulations.

17.01.070 Rules for construction of language.

In addition to the general provisions of the Shasta Lake zoning ordinance, the following rules of construction shall apply:

- A. The particular controls the general.
- B. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
 - 1. "And" indicates that all connected words or provisions shall apply.
 - 2. "Or" indicates that the connected words or provisions may apply singly or in any combination.
 - 3. "Either ... or" indicates that the connected words or provisions shall apply singly but not in combination.
- C. References to departments, commissions, boards, or other offices are to those of the city of Shasta Lake unless otherwise indicated.
- D. References to a public official in the city shall be to the person who performs the function referred to, including a designated deputy of such official.
- E. All references to days are to calendar days unless otherwise indicated.
- F. Section and sub-section headings contained in this title shall not be deemed to modify or in any manner affect the scope, meaning, or intent of any chapter or section.
- G. The words "activities" and "facilities" include any part thereof.
- H. "Director" means the development services director or his or her designee unless otherwise stipulated.

17.01.080 Rules for interpretation.

- A. Zoning Regulations. Where uncertainty exists regarding the interpretation of any provision of this chapter or its application to a specific site, the director shall determine the intent of the provision. The director may choose, based on the facts or the potential effect of the interpretation of the applicable provision, to forward such interpretation or decision to the planning commission for final action.

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- B. Zoning Map. Determinations of applicable zoning districts and related mapping shall proceed as set forth in Chapter 17.02 (Zoning Plan) of this title.
 - C. Record of Interpretation. The director shall keep a record of interpretations made pursuant to this section that shall be available to the public.
 - D. The director's or planning commission's determination, as set forth in this section, may be appealed in accordance with the provisions of Section 17. 11. 090 (Appeals) of this title.

17.01.090 Compliance required.

All persons empowered by the Shasta Lake Municipal Code to grant permits, licenses, certificates, or any other approvals shall comply with the provisions of this chapter. Responsibility for enforcement, penalties and abatement is addressed more specifically in Division II of this title and other applicable provisions of the Shasta Lake Municipal Code.

Chapter 17.02 ZONING PLAN

17.02.010 Title and authority.

The authority for the regulations contained in this chapter is based on the general plan and the provisions of California Planning and Zoning Law, which provides for regulating the intensity of land use, the adoption of standards for regulating population density, and the protection of public health and safety.

17.02.020 Purpose.

The broad purpose of the zoning plan is to implement the general plan land use element, including the general plan land use diagram. Generally, the zoning plan will:

- A. Promote and protect public health, safety, peace, morals, comfort, convenience, and general welfare.
- B. Implement the general plan and facilitate and guide growth in accordance with the general plan.
- C. Direct growth with a priority on those areas where infrastructure and urban services can be reasonably and economically provided.
- D. Ensure consistency between the general plan land use designations and the policies that implement the general plan.
- E. Protect environmentally sensitive areas.
- F. Help mitigate potential hazards to people and property through appropriate zoning designations.

17.02.030 Zoning plan definition.

The city's zoning plan includes the regulations established in this title and the zoning districts reflected in this chapter. The zoning districts established in this chapter are intended to implement the land use direction of the general plan land use diagram, including zoning districts necessary to implement the policy direction of the general plan effectively.

17.02.040 General rules for applicability of zoning districts.

To the extent allowed by law and subject to the applicable provisions set forth in this title, the zoning districts, including base and overlay districts as set forth in the zoning plan, shall apply to all land within the city of Shasta Lake, including land owned by the city of Shasta Lake and other local, state, or federal agencies.

17.02.050 Establishment of zoning districts.

The city's zoning plan, including zoning nomenclature, is established as set forth below. It includes base districts, overlay districts and special purpose districts.

- A. Establishment of Zoning Districts. The city's zoning plan is established as set forth in **Table 17.02.050-A** below.

Table 17.02.050-A: Zoning District Designations

ZONING DISTRICT	GENERAL PLAN
Residential Zoning Districts	Applicable Land Use Designation
"RR-5" Rural Residential – 5 acres minimum.	Rural Residential B
"RR-2" Rural Residential – 2 acres minimum.	Rural Residential A
"RE" Residential - Estate	Suburban Residential (transition district)
"SR-1" Suburban Residential – Single Family	Suburban Residential
"SR-2" Suburban Residential – Two Family	Suburban Residential and Urban Residential (transition district)
"UR-1" Urban Residential - Medium Density	Urban Residential
"UR-2" Urban Residential - Medium Density	Urban Residential High B
"UR-3" Urban Residential - High Density	Urban Residential High A
Commercial Zoning Districts	
"MU" Mixed Use	Mixed Use
"VMU" Village Mixed Use	Village Mixed Use
"GC-V" General Commercial – Visitor serving	Commercial (Major entryways).
"GC" General Commercial	Commercial
"HC" Heavy Commercial	Commercial
Industrial Zoning Districts	
"LI" Light Industry	Light Industrial
"I" Industry	Industrial
Special Purpose Districts	
"PD" Planned Development District	Can be combined with any base and/or overlay district.
"PF" Public Facilities District	Public Facilities, including improved parks and open space. Can be combined with any base district.
"OS" Open-Space District	Open Space. Can be combined with any base district.
Overlay Districts	
"SP" Specific Plan Overlay District	Can be combined with any land use designation.
"NR-" Natural Resources Overlay District including: - Floodplain: "NR-F" - Mineral Resources: "NR-MR" - Environmental Resources: "NR-ER"	Natural Resources. This district may be combined with any base or special purpose district. The Natural Resources overlay includes approved mineral resource extraction areas, FEMA 100-year floodplains and related lands, steep slope areas 20% or >, sensitive environmental resources, visual resources and wildlife habitat areas.

- B. Zoning Designation System. Land use and development regulations applicable to a property shall be shown on the zoning map by zoning designations consisting of letters and number designators as reflected in the schedules below.
1. A land use designator, indicating the principal land uses permitted in each district, shall be a component of all zoning designations (e.g., "SR" - single-family residential district).

2. A residential density designator indicating a maximum base dwelling unit density per acre or minimum lot size (e.g., "SR-1" residential district with a maximum allowable density of 3 dwelling units per gross acre or "RR-5" a rural residential district indicating a minimum lot size of 5 acres). NOTE: Subject to the approval of a rezoning or other specified process, a property's allowable base density may be increased to the maximum allowed by the applicable general plan land use designation.
3. Zoning overlay and special purpose district designators shall be included in an individual property's zoning designation if the provisions of one or more overlay or special purpose districts are applicable to property or portion of a property (e.g., "SR-2-NR -F" indicates a Suburban Residential Single-Family base zoning district combined with an overlay district which reflects the applicability of the Natural Resources – F (Floodplain) zoning overlay to the property).

Table 17.02.050-B:

Minimum and Maximum Residential Densities

Base District Zoning Designation	Allowable Density
RR-5	5 a/du ¹
RR-2	2 a/du
RE	0.5 a/du
SR-1	1-3 du/a ²
SR-2	3-6 du/a
UR-1	6-12 du/a
UR-2	10-20 du/a
UR-3	15-30 du/a
VMU	6-30 du/a
MU	1-30 du/a

¹: "a/du" – acres per residential dwelling unit. ²: "du/a" – residential dwelling units per acre.

Table 17.02.050-C:

Mixed Use, Commercial and Industrial Districts – Maximum allowable Intensity

Base District	Maximum Intensity (FAR or "floor area ratio")
MU	1.0 FAR
VMU	3.0 FAR
GC-V	1.0 FAR
GC	1.0 FAR
HC	2.0 FAR
IL	1.0 FAR
I	1.0 FAR

- C. Establishment of special purpose subdistricts. A special purpose subdistrict is applied to certain properties to further the intent of the general plan. These areas are identified on the zoning map and are described as follows:
 1. "-V" A designation, in combination with the base district designation (e.g., "GC-V"); signifies that appropriate uses are those which are primarily intended to serve the traveling public and to

provide retail services to the general public. Allowable uses are identified in the use regulations in Division III of this title and typically consist of hotels, motels, restaurants, retail services, and similar uses but exclude uses such as vehicle sales, major vehicle repair or maintenance, and other uses involving significant outdoor storage and display.

2. “-B” A historic special-purpose designation used to define a minimum residential lot size. The building site (B) subdistrict was utilized in historic zoning designations. The “B” designation was combined with a principal district to stipulate a minimum building site standard other than that applicable in the principal district. This subdistrict reflects the historic practices of Shasta County and the city and is no longer applicable with the adoption of this title. A minimum building site standard that is different from the applicable base zoning district shall be established through the approval of a planned development zoning overlay.
 3. “-NR-” The Natural Resource Overlay zone provides for the protection of natural resources and the public. It includes regulatory flood zones (NR-F), designated mineral resources areas (NR-MR), and potentially sensitive or significant environmental resource areas which may be subject to special development requirements or protections.
- D. Establishment of special purpose and overlay zoning districts. Overlay and special purpose zoning districts, one or more of which may be combined with a base district, are established as follows:

Table 17.02.050-D: Overlay and Special Purpose Districts

District Designator	District Title
"OS"	Open Space
"PF"	Public Facilities
"NR-"	Natural Resources
"PD-"	Planned Development
"SP-"	Specific Plan

- E. General references to classes of base districts. References to "R" or "residential" districts refer to all rural residential, residential estate, single-family, medium-density, high-density, and mixed-use residential districts. References to "C" or "commercial" districts refer to all commercial districts. References to "I" or "industrial" districts refer to all industrial districts. References to "MU" districts refer to mixed-use districts as established in the general plan.

17.02.060 Rules for interpretation of the zoning map.

- A. Zoning Map. Where uncertainty exists regarding the boundary of a zoning district, the following rules shall apply:
1. Zoning district boundaries shown as approximately following the property line of a lot or an open-space line shown on a final subdivision map shall be construed to follow such lines. Zoning boundaries shown as approximately following areas classified as "Open Space" or "FEMA Flood zone" shall be construed to follow such lines on the general plan natural resources overlay and related zoning district.
 2. Where a district boundary divides a lot, the location of the district boundary shall be determined by the director or the planning commission. Such determinations shall not constitute an amendment of the zoning map.

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3. District boundaries shown as approximately following right-of-way lines of freeways, streets, railroads, or other identifiable boundary lines shall be construed to follow such right-of-way or boundary lines.
 4. District boundaries shown as lying within right-of-way lines of freeways, streets, railroads, or other identifiable boundary lines shall be construed to follow the centerline of such right-of-way or boundary lines.
 5. District boundaries shown as lying at the edge of a stream or creek shall be construed to follow the adopted one-hundred-year floodplain boundary identified for the watercourse or other measurable boundary as may be established in this code.
 6. If any uncertainty remains as to the location of a district boundary or other feature shown on the zoning map, the location shall be determined by the director. Such determinations shall not constitute an amendment of the zoning map.
- C. Record of interpretation. The director shall keep a record of interpretations made pursuant to this chapter that shall be available to the public.
 - D. The director or planning commission's determination may be appealed to the city council in accordance with the provisions of Section 17. 11. 090 (Appeals) of this title.

17.02.070 Compliance required.

All persons empowered by the Shasta Lake Municipal Code to grant permits, licenses, certificates, or any other approvals shall comply with the provisions of this chapter. Responsibility for enforcement, penalties and abatement is addressed more specifically in this title and in other applicable provisions of the Shasta Lake Municipal Code.