AGENDA

September 25, 2024

CITY OF CITRUS HEIGHTS CITY COUNCIL

6:00 PM REGULAR MEETING
City Hall Council Chambers
6360 Fountain Square Drive, Citrus Heights, CA

HOW TO PARTICIPATE:

The City of Citrus Heights welcomes your interest and involvement in the City's legislative process. The Council may take up any agenda item at any time, regardless of the order listed. If you wish to address the Council during the meeting, please fill out a Speaker Identification Sheet and give it to the City Clerk. When you are called upon to speak, step forward to the podium and state your name for the record. Normally speakers are limited to five minutes each with 30 minutes being allowed for all comments. Any public comments beyond the initial 30 minutes may be heard at the conclusion of the agenda. The Mayor has the discretion to lengthen or shorted the allotted times. Alternatively, you may submit your comment by 4:00 p.m. on the meeting day by completion of an online Speaker Card at https://www.citrusheights.net/FormCenter/City-Council-Meetings-Speaker-Card-30. Written public comments shall be limited to 250 words or less. Each comment will be read aloud by the City Clerk.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection during normal business hours at City Hall, located at 6360 Fountain Square Drive. Audio / Visual presentation material must be provided to the City Clerk's Office at least 48 hours prior to the meeting. Email subscriptions of the agenda are available online by signing up with the City's Notify Me service.

If you need a disability-related modification or accommodation, to participate in this meeting, please contact the City Clerk's Office 916-725-2448, cityclerk@citrusheights.net, or City Hall 6360 Fountain Square Drive at least 48 hours prior to the meeting. TDD: California Relay Service 7-1-1.

9-25-2024 Regular City Council Agenda Packet (PDF)

Documents:

09-25-24 REGULAR COUNCIL AGENDA PACKET.PDF

CALL REGULAR MEETING TO ORDER

1. Flag Salute

2. Roll Call: Council Members: Lopez-Taff, Middleton, Schaefer, Karpinski-Costa

3. Video Statement

APPROVAL OF AGENDA

PRESENTATIONS

4. Proclamation Of The City Of Citrus Heights Proclaiming September 28 – October 4, 2024 As "Good Neighbor Week"

PUBLIC COMMENT

Members of the public are entitled to address the City Council concerning any item within the City Council's subject matter jurisdiction. Pursuant to the Brown Act, the City Council is prohibited from discussing or acting on any item raised during "Public Comment" not appearing on the posted agenda.

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

CONSENT CALENDAR

It is recommended that all consent items be acted on simultaneously unless separate discussion and/or action are requested by a Council Member.

5. SUBJECT: Approval Of Minutes
RECOMMENDATION: Approve the Minutes of the Meeting of September 11, 2024

6. SUBJECT: Second Reading - Ordinance Amending Citrus Heights Code Chapter 50 – Nuisances, Article III. – Camping, Sections 50-500 To 50-508
STAFF REPORT: K. Frey / W. Herman / R. Jones
RECOMMENDATION: Adopt Ordinance No. 2024-005 an Ordinance of the City Council of the City of Citrus Heights, California Amending Chapter 50, Article III of the Citrus Heights Municipal Code Relating to Camping

7. SUBJECT: Zoning Code Updates Second Reading
STAFF REPORT: C. Kempenaar / A. Bermudez / S. Lui
RECOMMENDATION: Ordinance No. 2024-006 an Ordinance of the City Council of the City of Citrus Heights Amending Various Sections of Chapter 106 of the Citrus Heights Municipal Code (Zoning Code Section)

8. SUBJECT: Conflict Of Interest Code Biennial Update
STAFF REPORT: A. Van
RECOMMENDATION: Adopt Resolution No. 2024-___ A Resolution of the City Council of the City of Citrus Heights, California, Adopting an Amended Conflict of Interest Code and a List of Designated Positions

9. SUBJECT: Update To On-Call Professional Engineering Services Including Federal Aid Projects, Approval Of Amendment To Professional Engineering Service Agreements

STAFF REPORT: R. Cave / L. Blomquist

RECOMMENDATION: Adopt Resolution No. 2024-___ A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute Amendments to Agreements with Coastland Civil Engineering, Inc., Ghirardelli & Associates, Inc. and UNICO Engineering, Inc. to Provide On-Call Professional Engineering Services Including Federal Aid Projects

10. SUBJECT: 2024 Bridge Maintenance Project – Authorization Of Additional Work – City Project 21-09

STAFF REPORT: R. Cave / L. Blomquist / D. Kehrer

RECOMMENDATION: Adopt Resolution No. 2024-___ A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute Change Orders up to 46% of the Contract Amount with Coastline Water Resources, Inc. for the 2024 Bridge Maintenance Project and Increasing the Total Authorized Construction Budget to $1,087,345

PUBLIC HEARINGS

11. SUBJECT: Zoning Code Update – Recycling Center (Small Collection Facilities Update)

STAFF REPORT: C. Kempenaar / A. Turcotte / A. Bermudez

RECOMMENDATION: Staff recommends the following:

a. Move to determine the proposed amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the Guidelines; and

b. Move to introduce for first reading, read by title only and waive the full reading of Ordinance No. 2024-___ An Ordinance of the City Council of the City of Citrus Heights, Amending Sections 106.26.030 and 106.42.1090 of the Citrus Heights Municipal Code Related to Small Recycling Centers

REGULAR CALENDAR

12. SUBJECT: Gateway Activation Project – PLPB-5475(051) – Award Professional Services Agreement

STAFF REPORT: R. Cave / L. Blomquist

RECOMMENDATION: Adopt Resolution No. 2024-___ A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Agreement for Professional Services with Dokken Engineering for the Gateway Activation Project

13. SUBJECT: Beautification Crew Program – Efforts And Outcomes

STAFF REPORT: A. Turcotte / R. Cave

RECOMMENDATION: This report is for informational purposes only with no recommended action

DEPARTMENT REPORTS

CITY MANAGER ITEMS

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

ADJOURNMENT

Dr. Jayna Karpinski-Costa , *Mayor*
MariJane Lopez-Taff, *Vice Mayor*
Porsche Middleton, *Council Member*
Tim Schaefer, *Council Member*
Vacant, *Council Member*

CITY OF CITRUS HEIGHTS
CITY COUNCIL
Regular Meeting of Wednesday, September 25, 2024
City Hall Council Chambers, 6360 Fountain Square Dr., Citrus Heights, CA
Regular Meeting 6:00 p.m.

HOW TO PARTICIPATE:

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IN PERSON	ONLINE	ON TELEVISION
		
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September 20, 2024

Amy Van, City Clerk

REGULAR CITY COUNCIL MEETING
6:00 PM

CALL REGULAR MEETING TO ORDER

1. Flag Salute

2. Roll Call: Council Members: Middleton, Schaefer, Lopez-Taff, Karpinski-Costa

3. Video Statement

APPROVAL OF AGENDA

PRESENTATIONS

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COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

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STAFF REPORT: K. Frey / W. Herman / R. Jones
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RECOMMENDATION: Ordinance No. 2024-006 an Ordinance of the City Council of the City of Citrus Heights Amending Various Sections of Chapter 106 of the Citrus Heights Municipal Code (Zoning Code Section)

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STAFF REPORT: A. Van
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RECOMMENDATION: Adopt Resolution No. 2024-___A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute Amendments to Agreements with Coastland Civil Engineering, Inc., Ghirardelli & Associates, Inc. and UNICO Engineering, Inc. to Provide On-Call Professional Engineering Services Including Federal Aid Projects

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STAFF REPORT: R. Cave / L. Blomquist / D. Kehrer
RECOMMENDATION: Adopt Resolution No. 2024-___ A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute Change Orders up to 46% of the Contract Amount with Coastline Water Resources, Inc. for the 2024 Bridge Maintenance Project and Increasing the Total Authorized Construction Budget to $1,087,345

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STAFF REPORT: C. Kempenaar / A. Turcotte / A. Bermudez
RECOMMENDATION: Staff recommends the following:

    a. Move to determine the proposed amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the Guidelines; and

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STAFF REPORT: A. Turcotte / R. Cave
RECOMMENDATION: This report is for informational purposes only with no recommended action

DEPARTMENT REPORTS

CITY MANAGER ITEMS

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

ADJOURNMENT

CITY OF CITRUS HEIGHTS
CITY COUNCIL
MINUTES
Special and Regular Meeting of Wednesday, September 11, 2024
City Hall Council Chambers
6360 Fountain Square Dr., Citrus Heights, CA

CALL SPECIAL MEETING TO ORDER

The special meeting was called to order at 5:00 p.m. by Vice Mayor Karpinski-Costa.

1. Roll Call: Council Members present: Lopez-Taff, Middleton, Schaefer, Karpinski-Costa
   Council Members absent: None
   Staff Members present: Feeney, Jones and Van

PUBLIC COMMENT

None

CLOSED SESSION

2. CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION
   Initiation of Litigation Pursuant to Government Code 54956.9(d)(4) (1 case)

The City Council, City Manager and City Attorney participated in the closed session.

REPORT OUT OF CLOSED SESSION

There was no reportable action from closed session.

ADJOURNMENT

Vice Mayor Karpinski-Costa adjourned the special meeting at 5:45 p.m.

CALL REGULAR MEETING TO ORDER

The regular meeting was called to order at 6:00 p.m. by Vice Mayor Karpinski-Costa.

1. Flag Salute led by Vice Mayor Karpinski-Costa in honor of the fallen on September 11, 2001.

2. Roll Call: Council Members present: Lopez-Taff, Middleton, Schaefer, Karpinski-Costa
   Council Members absent: None
   Staff Members present: Feeney, Herman, Huber, Jones, Kempenaar, Lui, Piva, Turcotte, Van and department directors.

3. The video statement was read by City Clerk Van.

APPROVAL OF AGENDA

ACTION: On a motion by Council Member Schaefer, seconded by Council Member Middleton, the City Council approved the agenda.

AYES: Lopez-Taff, Middleton, Schaefer, Karpinski-Costa
NOES: None
ABSENT: None

PRESENTATIONS

4. Proclamation of the City of Citrus Heights Recognizing "Firefighter Appreciation Month" and "California Firefights Memorial Day"

Council Member Schaefer read and presented the proclamation to representatives from the Sacramento Metropolitan Fire District.

5. Recognition of Tansu Karademir on the Occasion of His Appointment as Citrus Heights Postmaster

Vice Mayor Karpinski-Costa read and presented the certificate of recognition to Citrus Heights Postmaster Tansu Karademir.

6. Proclamation of the City of Citrus Heights Proclaiming September 15-21, 2024, as "National Forensic Science Week"

Council Member Lopez-Taff read and presented the proclamation to Danielle Stephenson, Senior Crime Scene/Property Evidence Specialist.

PUBLIC COMMENT

David Shelton suggested the Police Department consider using drones for patrol and other law enforcement activities.

Natalee Price thanked the City Council for sending her to the Neighborhood USA (NUSA) conference. She said at NUSA, she was asked, "What is your city known for?" and after pondering the question, the Residents' Empowerment Association of Citrus Heights (REACH) is going to hold a strategic retreat to discuss what community members want the city to be known for and how residents can support a vision for their city. She announced Good Neighbor Week September 28 – October 4. She stated residents can go to www.CHGoodNeighbor.com to nominate a good neighbor recognizing what they do to make lives better in the community and beginning September 28 you can register an act of neighboring. She also stated you can learn about various activities happening that week on the website. She thanked the REACH board members, Neighborhood Area board members, and community volunteers that make up our city.

City Clerk Van stated a public comment card was submitted for Item 15, however there is no Item 15 on the agenda. She summarized Simone Johnson's comments related to a recommendation to add a no cost sign up for community members to aid in the tier 1 and tier 2 food generator food recovery requirements with Measures to support contact of approved community members.

SPECIAL ITEM

7. Selection of Mayor and Vice Mayor

ACTION: On a motion by Council Member Schaefer, seconded by Council Member Middleton, the City Council appointed Jayna Karpinski-Costa as Mayor and MariJane Lopez-Taff as Vice Mayor.

AYES: Middleton, Schaefer, Lopez-Taff, Karpinski-Costa
NOES: None
ABSENT: None

8. **SUBJECT:** City Council Vacancy
STAFF REPORT: A. Van
RECOMMENDATION: Staff recommends the City Council consider and discuss the options for filling the vacant City Council District 1 seat and provide direction to staff

City Clerk Van stated the item was a result of Bret Daniels' resignation effective August 31 that created a vacancy for District 1 seat. Pursuit to California government code, it sets forth the procedures in the event of a City Council vacancy and states the City Council shall within 60 days of commencement of the vacancy either fill the vacancy by appointment or call a special election to fill the vacancy. She stated the District 1 seat is already scheduled to be filled at the November 5, 2024 General Election and therefore it is not necessary for the City Council to call a special election. The seat could remain vacant until the election and the person elected is seated. If the Council desires to fill by appointment, the individual would only hold office until December 11, 2024, at which time the successful District 1 candidate from the election would be seated.

Public Comment

Albert Fox spoke in support of leaving the District 1 seat vacant until the November 5, 2024 General Election.

City Council comments followed.

ACTION: On a motion by Council Member Middleton, seconded by Vice Mayor Lopez-Taff, the City Council moved to keep the City Council District 1 seat vacant until the successful candidate from the November 5, 2024 election is seated.

AYES: Middleton, Schaefer, Lopez-Taff, Karpinski-Costa,
NOES: None
ABSENT: None

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

Council Member Middleton went to the 9/11 Remembrance event hosted by the Sylvan Cemetery District. She attended a Community Meeting hosted by State Assembly Member Hoover and State Senator Niello. She attended the Sacramento Regional Family Justice Center Annual Gala. She went to the 15th Annual Multicultural Business and Career Expo hosted by Russian American Media. She volunteered at Loaves and Fishes on Labor Day to feed our unhoused population.

Council Member Schaefer attended a Sacramento Regional Transit event introducing new cars. He attended two Sacramento Area Council of Governments meetings. He attended a REACH board meeting. He attended a Community Meeting hosted by State Assembly Member Hoover and State Senator Niello. He went to the 9/11 Remembrance event hosted by the Sylvan Cemetery District.

Vice Mayor Lopez-Taff attended a Community Meeting hosted by State Assembly Member Hoover and State Senator Niello. She attended the Sacramento Regional Family Justice Center Annual Gala. She went to the 15th Annual Multicultural Business and Career Expo hosted by Russian American Media.. She attended a 2 x 2 Committee meeting with the San Juan Unified School District.

Mayor Karpinski-Costa went to the 15th Annual Multicultural Business and Career Expo hosted by Russian American Media. She went to the Polish Festival. She attended the Sacramento Regional Family Justice Center Annual Gala. She attended a Community Meeting hosted by State Assembly Member Hoover and State Senator Niello. She hosted Monday with the Mayor and announced it would continue through her tenure as mayor. She had a meeting with Police Chief Turcotte. She attended a Sacramento Area Sewer District meeting.

CONSENT CALENDAR

9. **SUBJECT:** Approval of Minutes
RECOMMENDATION: Approve the Minutes of the Meeting of August 28, 2024

10. **SUBJECT:** Regulatory Agreement with Habitat for Humanity of Greater Sacramento for Sayonara Drive
STAFF REPORT: C. Kempenaar / A. Bermudez / N. Piva
RECOMMENDATION: Adopt Resolution No. 2024-089 A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Affordable Housing Regulatory Agreement with Habitat for Humanity of Greater Sacramento (HFHGS) for the Sayonara Housing Project

ACTION: On a motion by Council Member Schaefer, seconded by Vice Mayor Lopez-Taff, the City Council adopted Consent Calendar Items as follows:

Item 9

AYES:	Schaefer, Lopez-Taff, Karpinski-Costa
NOES:	None
ABSTAIN:	Middleton
ABSENT:	None

Item 10

AYES:	Middleton, Schaefer, Lopez-Taff, Karpinski-Costa
NOES:	None
ABSENT:	None

PUBLIC HEARINGS

11. **SUBJECT:** Zoning Code Updates
STAFF REPORT: C. Kempenaar / A. Bermudez / S. Lui
RECOMMENDATION: Staff recommends the following:

a. Move to determine the proposed amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the Guidelines; and

b. Move to introduce for first reading, read by title only and waive the full reading of Ordinance No. 2024-___ An Ordinance of the City Council of the City of Citrus Heights amending various sections of Chapter 106 of the Citrus Heights Municipal Code (Zoning Code Section)

Community Development Director Kempenaar introduced the item.

Assistant Planner Lui explained that the General Plan acts as a guide for the City's future development in line with goals, objectives, and policies. The Zoning Code implements the General Plan by outlining standards and uses in zoning designations, and regulates building design and other items. The Zoning Code is updated annually to address items for compliance if there are changes in the state law and with factors such as economic development or newly adopted strategic goals. The Planning Commission reviewed the Zoning Code changes on August 13 and recommended approval of the sections presented tonight. She noted the changes include adding a 10-foot setback requirement for Accessory Dwelling Units (ADU) balconies, and clarifying existing standards on parking. The most notable Zoning Code changes were made to the Alcohol Beverage Sales/Convenience Stores section to eliminate duplicative processes and retain the City's discretion through the Letter of Public Convenience and Necessity (PCN) process. With the elimination of distance requirements between stores, the City is proposing operational requirements to limit establishment hours and increase security measures to all retailers selling alcohol.

Mayor Karpinski-Costa opened the public hearing.

Public Comment

Sheri Merrick spoke in support of the proposed Zoning Code changes.

Mayor Kapinski-Costa closed the public hearing.

ACTION: On a motion by Council Member Schaefer, seconded by Vice Mayor Lopez-Taff, the City Council determined the proposed amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the Guidelines.

AYES:	Middleton, Schaefer, Lopez-Taff, Karpinski-Costa
NOES:	None
ABSENT:	None

ACTION: On a motion by Council Member Schaefer, seconded by Council Member Middleton, the City Council introduced for first reading, read by title only and waived the full reading of Ordinance No. 2024-___ An Ordinance of the City Council of the City of Citrus Heights Amending Various Sections of Chapter 106 of the Citrus Heights Municipal Code (Zoning Code Section).

AYES: Middleton, Schaefer, Lopez-Taff, Karpinski-Costa
NOES: None
ABSENT: None

REGULAR CALENDAR

12. **SUBJECT:** Approval of Economic Development Support Fund Grant Request by the Citrus Heights Chamber of Commerce
STAFF REPORT: M. Huber
RECOMMENDATION: Adopt Resolution No. 2024-090 A Resolution of the City Council of the City of Citrus Heights, Approving a $25,000 Grant to the Citrus Heights Chamber of Commerce from the Economic Development Support Fund

Economic Development and Community Engagement Director Huber briefed this item as part of City's annual partnership with the Citrus Heights Chamber of Commerce. The City has served as a top tier sponsor of the Chamber which gets privileges in marketing, promotions and co-sponsorships. The second component of the request is to help cover the cost of renting the Citrus Heights Community Center in order to host monthly luncheons. The third request is to help the Chamber relocate to a more prominent and visible office space in the Sunrise MarketPlace. The total request is $25,000 which was reviewed and approved by the Quality of Life Committee. Staff recommends the City Council approve the full amount.

Sheri Merrick, on behalf of the Citrus Heights Chamber of Commerce, highlighted the organization's membership successes, programs available to the business community, strategic partnerships, website developments, and marquee events. She gave an overview of their plans to relocate their office to the Sunrise MarketPlace.

City Council questions and comments followed.

ACTION: On a motion by Council Member Schaefer, seconded by Vice Mayor Lopez-Taff, the City Council adopted Resolution No. 2024-090 A Resolution of the City Council of the City of Citrus Heights, Approving a $25,000 Grant to the Citrus Heights Chamber of Commerce from the Economic Development Support Fund.

AYES: Middleton, Schaefer, Lopez-Taff, Karpinski-Costa
NOES: None
ABSENT: None

13. **SUBJECT:** Ordinance of the City Council of the City of Citrus Heights Amending Citrus Heights Code Chapter 50 – Nuisances, Article III. – Camping, Sections 50-500 to 50-508
STAFF REPORT: K. Frey / W. Herman / R. Jones
RECOMMENDATION: The City Council now has the following options for consideration:

a. Conduct the second reading and adopt Ordinance No. 2024-___ An Ordinance of the City Council of the City of Citrus Heights Amending Chapter 50, Article III of the Citrus Heights Municipal Code Relating to Camping

b. Discuss the proposed ordinance and if the City Council makes any substantive changes to the ordinance, conduct another first reading of Ordinance No. 2024-___ An Ordinance of the City Council of the City of Citrus Heights Amending Chapter 50, Article III of the Citrus Heights Municipal Code Relating to Camping

Police Lieutenant Herman introduced the item as a second reading of the proposed ordinance amendment to the Camping Ordinance, Chapter 50 of the Municipal Code. He noted at the last meeting, City Council had discussion around passenger vehicles and what other rules are being enforced throughout the region. City Council took action to exclude passenger vehicles from the ordinance. Staff did additional research and brought additional information for the Council to consider tonight. The key updates include expanded definitions and camping on private property. Per the California Vehicle Code, a "passenger vehicle" is any motor vehicle, other than a motortruck, truck tractor, or a bus, and used or maintained for the transportation of persons. He stated there is not a clear-cut definition from a visual perspective for an officer to look at and immediately be able to tell whether that fits the definition of a passenger vehicle in order to exclude it. He noted the same is true for having valid license, registration, or insurance which are regulated by other code sections that require those on public roadways and not private parking. He explained most other jurisdictions around Citrus Heights are consistently enforcing no camping in vehicles and if Citrus Heights moves forward with a second reading as revised from the first reading, we would be the exception to that rule.

City Council questions and comments followed.

Police Lieutenant Herman responded to questions.

Public Comment

Louise McGuire stated most of our homeless are very hard to place and there is no housing for them.

Sally Fisher stated as time has gone on there are more homeless on the streets and housing has become more diminished. She said there is nowhere to put these folks so what they have is their car. She said it is dangerous to be on the streets and unhoused people steal from one another. She said the beautification project is now allowing the police to confiscate what they have. She said the problem is going to get worse. She asked the City Council to consider allowing them to stay in their cars as an exception.

Alfred Sanchez gave his personal account of sleeping in his car. He stated if individuals are maintaining their registration, insurance, and the car, it shows him they are doing something more than wanting to be a vagrant and doing nothing for themselves. He requested to keep passenger vehicles in place as allowable. He stated if they are doing something wrong, there is discretion to say somebody is creating a nuisance.

Michael Lagomarsino stated the problem with allowing vehicle parking is that we would be the only city that allows it and he wonders if it opens up the door for people from all the other cities to move to Citrus Heights.

City Council questions and comments followed.

Police Chief Turcotte and Lieutenant Herman responded to questions.

ACTION: On a motion by Council Member Schaefer, seconded by Vice Mayor Lopez-Taff, the City Council made substantive changes to amend Section 50-501 "Definitions" of the ordinance, removing the exception for passenger vehicles and thus conducted a new first reading, read by title only and waived the full reading, of Ordinance No. 2024-___ An Ordinance of the City Council of the City of Citrus Heights Amending Chapter 50, Article III of the Citrus Heights Municipal Code Relating to Camping.

AYES: Middleton, Schaefer, Lopez-Taff, Karpinski-Costa
NOES: None
ABSENT: None

14. **SUBJECT:** Designation of Voting Delegate and Alternate(s) for the League of California Cities Annual Conference
STAFF REPORT: A. Van
RECOMMENDATION: Staff recommends the following:

a. Move to designate a voting delegate and up to two alternates to participate at the Annual Business Meeting on October 18, 2024 during the League of California Cities (Cal Cities) Annual Conference

b. Review and give direction on the proposed 2024 Cal Cities resolution to be presented during the Annual Business Meeting

City Clerk Van introduced the item. She highlighted the resolution that has been presented by the League of California Cities (Cal Cities) which calls upon the Governor and California Legislature to enact laws that ensure that what applies to one, applies to all. The resolution cites examples of rules limiting authority or regulating the conduct of local municipal officials that do not also apply to elected officials. Staff recommends the City Council designate a voting delegate and up to two alternates to participate in the Cal Cities Annual Business Meeting and determine a City position on the resolution so the voting delegate can represent the City's position.

City Council questions and comments followed.

ACTION: On a motion by Mayor Karpinski-Costa, seconded by Council Member Schaefer, the City Council designated Vice Mayor Lopez-Taff as the voting delegate and Mayor Karpinski-Costa and Council Member Schaefer as the two alternates to participate at the Annual Business Meeting on October 18, 2024 during the League of California Cities (Cal Cities) Annual Conference.

AYES: Middleton, Schaefer, Lopez-Taff, Karpinski-Costa
NOES: None
ABSENT: None

ACTION: On a motion by Council Member Schaefer, seconded by Mayor Karpinski-Costa, the City Council determined a City position of "support" of the proposed 2024 Cal Cities resolution to be presented during the Annual Business Meeting .

AYES: Middleton, Schaefer, Lopez-Taff, Karpinski-Costa
NOES: None

ABSENT: None

DEPARTMENT REPORTS

None

CITY MANAGER ITEMS

City Manager Feeney recognized the 9/11 Remembrance event at the Sylvan Cemetery and honored the first responders that serve our community. He gave a reminder of the Battle of the Bands & BBQs event hosted by American Legion Post 637 on September 14 from 11:00 a.m. – 3:00 p.m. at Rusch Park. He announced Police Chief Turcotte will be the guest speaker at the September 17 Citrus Heights Chamber Luncheon. He announced the Best of Citrus Heights event on September 19 from 5:30 p.m. – 7:30 p.m. at the Citrus Heights Community Center. He announced Sunday Funday is September 22 from 11:00 a.m. – 3:00 p.m. at Rusch Park. He announced the passing of Ruben Hernandez, Senior Animal Services Officer.

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

None

ADJOURNMENT

Mayor Karpinski-Costa adjourned the meeting at 8:14 p.m. in honor of Ruben Hernandez.

Respectfully submitted,

_____

Amy Van, City Clerk

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: September 25, 2024

TO: Mayor and City Council Members

FROM: Wesley Herman, Acting Commander
Ryan Jones, City Attorney

SUBJECT: **Second Reading - Ordinance Amending Citrus Heights Code Chapter 50 – Nuisances, Article III. – Camping, Sections 50-500 to 50-508**

Summary and Recommendation

On September 11, 2024, the City Council discussed the proposed ordinance, which included an amendment to Section 50-501 "Definitions" that would allow an exception for a person to sleep in a passenger vehicle. Staff presented research findings and noted that under the California Vehicle Code, the definition of 'passenger vehicles' includes motorhomes, RVs, and potentially buses, vans, and trucks with campers based on certain criteria. As was presented by staff during the Council presentation, this exception could create public confusion, as it differs from how neighboring jurisdictions enforce no camping in vehicles. Aligning with regional standards would help ensure consistent enforcement and clear public understanding.

During the meeting, instead of conducting the second reading of the ordinance, Council made a motion making substantive changes to amend Section 50-501 "Definitions" of the ordinance, removing the exception for passenger vehicles and thus conducted a new first reading of an Ordinance amending Chapter 50, Article III of the Citrus Heights Municipal Code relating to camping. Accordingly, this version is being brought back to Council for a second reading at the September 25th City Council meeting.

Staff recommends the City Council move to adopt Ordinance No. 2024-005 an Ordinance of the City Council of the City of Citrus Heights, California amending Citrus Heights Municipal Code Chapter 50 – Nuisances, Article III.- Camping, Sections 50-500 to 50-508.

City Council Strategic Goal/Objective

This staff report aligns with the following Citrus Heights City Council Strategic Plan Objectives:

Goal: Preserve and enhance public safety

Objective: Present ordinance options to the City Council that require property owners to provide written permission to individuals that are on private properties for non-commercial activities, individuals without written permission would be subject to a citation.

Fiscal Impact

This action has no direct fiscal impact to the General Fund. However, it is expected to have a positive fiscal impact to the General Fund by the reduction in cleanup and enforcement costs by the City's Beautification Crew and contract forces.

Background and Analysis

Over the past two years, significant progress has been made toward the Citrus Heights community's priority of improving community image, particularly through strategic goals and objectives focused on blight abatement and homelessness response and prevention. The City of Citrus Heights is dedicated to compassionately supporting unsheltered individuals and families while upholding our steadfast commitment to the health and safety of the entire community. The City's comprehensive approach combines supportive programming with law enforcement to maintain public safety. The City enforces laws related to illegal camping on public property, unlawful storage, dumping, and chronic nuisance offenses.

Unauthorized camping on private property remains a significant blight issue in the city. Over the past year, there has been a noticeable increase in the number of encampments on private land, which often lack essential services such as sanitation and waste disposal. These encampments have led to various public safety concerns, including an increase in drug use, property crimes, and other illicit activities that negatively impact the surrounding community.

Additionally, there has been a growing trend of individuals living in RVs, motorhomes, and trailers parked on private property without the owner's consent. This situation has resulted in neighborhood disturbances, safety concerns, and challenges for law enforcement in effectively protecting the rights of private property owners.

In response to these challenges, the City recognizes the need to amend its existing camping ordinance. The proposed changes aim to address these issues by implementing more stringent regulations on camping on private property, thereby protecting the community's overall quality of life and ensuring the safety and well-being of all residents.

In an effort to address unlawful camping within the City, and in light of the recent United States Supreme Court decision in *Grants Pass v. Johnson* ("*Grants Pass*") that overturned *Martin v. Boise* ("*Martin*"), a review and revision of the City's existing camping ordinance is necessary. Following the decision in *Grants Pass*, Governor Gavin Newsom issued Executive Order N-1-24 ("Order") directing agencies and departments to adopt policies "generally consistent" with California Department of Transportation's Maintenance Policy Directive 1001-R1 ("1001-R1") and to "prioritize efforts" to address encampments consistent with said policy. The Order further stated that local governments are encouraged to adopt policies consistent with the Order. The

proposed revisions are consistent with the sections of 1001-R1 pertaining to the handling and removal of personal property, while incorporating some of the health and safety considerations to the restrictions on camping on private property. The revised ordinance does not expressly adopt all of 1001-R1.

In order to expeditiously address the health and safety hazards and other issues related to unlawful camping specific to the City, the camping ordinance and the authorities therein require expansion and further clarification. The existing camping ordinance largely has not been updated since 2008, and warrants some revisions based on changed circumstances and updates in the law. Accordingly, the proposed revisions broaden the definition of "camping" to include the use of vehicles as defined by the California Vehicle Code, provide for enforcement of the camping ordinance on private property, and distinguish the handling of abandoned and unabandoned personal property for purposes of the Fourteenth Amendment – as acknowledged as an area of concern in *Grants Pass* and other California cases involving the seizure and discarding of personal property within the unhoused population.

As it pertains to camping in vehicles, the existing ordinance is silent and did not contemplate the use of vehicles used for camping purposes. This proposed ordinance would squarely address camping in vehicles. As the use of vehicles and recreational vehicles within the unhoused community has greatly increased over the years since the *Martin* case, it is imperative that the camping ordinance be revised to address this growing trend. As such, the proposed revision expands the definition of what is considered "camping facilities" to include any vehicle, motor vehicle, or recreational vehicle, along with any other temporary shelter or movable structure used for human occupancy. Vehicular camping on private property without owner permission creates unsafe conditions, leaving behind debris, drug paraphernalia, and unsanitary waste. This situation burdens residents, property owners, and city services. Extended camping also leads to issues like power mismanagement, fire hazards, and excessive trash, posing public health risks. The proposed ordinance aims to enhance public safety and improve community image, aligning with approaches taken by other jurisdictions.

As it pertains to camping on private property, the existing ordinance is not specific as to duration of time and under what circumstances camping on private property is permitted. The proposed revisions address the ambiguities while establishing a standard of proof of authorization that gives law enforcement the investigative guidelines to swiftly address potential trespassers on private property. Furthermore, by requiring proof of express written authorization by the "record owner(s)," the proposed revision makes it more efficient for law enforcement to verify the veracity of any claim that the owner gave consent or that the person(s) camping on the property is the owner by doing a simple title search.

Lastly, the existing ordinance does not distinguish between abandoned property and unabandoned property. The Courts in *Grants Pass* and other California cases related to seizure of personal property from homeless encampments recognize that unhoused persons have a Constitutionally protected right under the Fourth and Fourteenth Amendment to not have their personal property seized and summarily discarded. Review of the relevant case law and 1001-R1 provide guidance on how to distinguish between abandoned property and unabandoned property, and the factor-

based analysis required to determine when property can be summarily discarded without running afoul of an individual's Constitutional rights. The proposed revision to the unlawful storage provision was drafted to be consistent with the case law reviewed and 1001-R1.

The City Council's adoption of this ordinance is not a "project" pursuant to Public Resources Code Section 210065, the provisions of the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 et seq.) and State CEQA Guidelines (Section 1500 et seq., Title 14 of the California Code of Regulations), and is exempt from the provisions of CEQA pursuant to Guidelines Sections 1561(b)(3) (because it can be seen with certainty that the adoption of this Ordinance will not have an effect on the environment) and 15321 (enforcement actions by regulatory agencies).

Attachments

(1) Ordinance of the City Council of the City of Citrus Heights Amending Citrus Heights Code Chapter 50 – Nuisances, Article III. – Camping, Sections 50-500 to 50-508.

ORDINANCE NO. 2024-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS AMENDING CHAPTER 50, ARTICLE III OF THE CITRUS HEIGHTS MUNICIPAL CODE RELATING TO CAMPING

The City Council of the City of Citrus Heights does ordain as follows:

The provisions of Chapter 50, Article III of the City of Citrus Heights Code are amended, as follows:

SECTION 1. Amendment. Section 50-500 of the Citrus Heights Code is hereby amended to read as set forth below:

> **Sec. 50-500 Purpose.** The purpose of this article is to maintain public and private property, whether paved or unpaved, within the city in a clean, sanitary and accessible condition and to adequately protect the health, safety and public welfare of the community from the hazards associated with unpermitted or unauthorized camping, while recognizing that, subject to reasonable conditions, camping and camp facilities associated with special events can be beneficial to the cultural and educational climate in the city. The public property, including but not limited to streets, sidewalks or walkways, within the city should be readily accessible, available and free from obstruction to all residents and the public at large. The use of these areas for camping purposes or storage of personal property interferes with the rights of others to use these areas for which they were intended. Such activity can jeopardize the health, safety and welfare of others in such a way that adversely impacts neighborhoods, public and private property and general welfare of the city. Camping on private property without the express written consent of the record owner(s) and proper sanitary measures can adversely affect the rights of property owners as well as jeopardize the health, safety, and welfare of the community.

SECTION 2. Amendment. Section 50-501 of the Citrus Heights Code is hereby amended to read as set forth below:

> **Sec. 50-501 Definitions.** As used in this article, the following terms or phrases shall have the indicated meanings:
>
> *"Camp"* means to pitch or occupy camp facilities; to use camp paraphernalia.
>
> *"Camp facilities"* include, but are not limited to, tents, huts, any vehicle, motorhome, recreational vehicle, vehicle camping trailers or outfits, or any other temporary shelter or movable structure used for human occupancy.
>
> *"Camp paraphernalia"* includes, but is not limited to, bed rolls, tarpaulins, cots, beds, sleeping bags, mattresses, hammocks, cooking facilities, or any other similar equipment that can be used to facilitate camping within the meaning of this article.
>
> "*Personal property*" as used in this article refers to all non-real property, including but not limited to camp facilities, camp paraphernalia, or any temporary, unpermitted temporary shelter or movable structure.

"*Vehicle*" for purposes of this article shall be defined by Section 670 of the California Vehicle Code.

SECTION 3. Amendment. Section 50-502 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 50-502 Unlawful Camping. It shall be unlawful for any person to camp, pitch or occupy camp facilities or use camp paraphernalia in the city, whether on public or private property, whether paved or unpaved, except as expressly permitted or authorized by this article.

SECTION 4. Amendment. Section 50-503 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 50-503 Camping on public property.

(a) Except as may be permitted or authorized by the city, it is unlawful to camp, pitch or occupy camp facilities or use camp paraphernalia upon any public property, including, without limitation, streets, easements, parks, dump sites, creek beds, electric utility substations, parking lots, or corporation yards. No person shall set up any camping facility, or any other temporary shelter or movable structure for the purpose of camping, nor shall any person leave in any such place any movable structure or vehicle of any type to be used or that could be used for such a purpose.

(b) It is unlawful for any person to sleep in any camping facility, vehicle, motorhome, recreational vehicle, or vehicle camping trailers or outfits parked on the public street, alley way, or parking area, or any privately owned parking area used for the parking of customers of any business enterprise without the express written consent of the record owner of such business enterprise.

(c) Exceptions. This section shall not apply in the following situations:

1. On public property specifically designated by the city and clearly marked for public camping purposes.
2. In conjunction with events authorized and expressly provided for in a special event or temporary use permit issued by the city.

SECTION 6. Amendment. Section 50-504 of the Citrus Heights Code is hereby added to read as set forth below:

Sec. 50-504 Camping on private property.

(a) Except as otherwise provided in this section, it is unlawful to camp, pitch or occupy camping facilities upon private property within the city. No person shall set up any camping facility, or any other temporary shelter or movable structure for the purpose of camping, nor shall any person leave upon any private property any temporary structures, movable structures or vehicle, of any type, to be used or that could be used for such a purpose.

(b) Exceptions. This section shall not apply to persons camping, with sanitary conditions and proper waste disposal in compliance with applicable state and local laws, in the following situations:

1. Persons camping upon their own land or camping with the record owner(s) of the land, for not more than 72 consecutive hours in duration, and not to occur more than three times per calendar year.
2. Persons camping with the express written consent of the record owner(s) of the land, for not more than 72 consecutive hours in duration, and not to occur more than three times per calendar year, provided that such express written consent is in the persons possession at the time and is shown upon demand of any enforcement officer.
3. Persons lawfully camping within campgrounds or trailer parks approved by the city.

SECTION 7. Amendment. Section 50-505 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 50-505 Unlawful storage of personal property in public places. It shall be unlawful for any person to store or leave unattended personal property, including but not limited to camp facilities and camp paraphernalia on public property, unless such storage or unattended personal property is expressly authorized and is used in conjunction with a permitted camping activity or special event under this article. Unattended personal property with no clear owner(s), responsible person(s), or clue to ownership to said personal property can be summarily discarded if the City, having exercised reasonable diligence to determine ownership, objectively believes, based on the totality of the circumstances, the property to be abandoned or a threat to health and safety. Unabandoned property may be seized by the City and stored consistent with City's policies and procedures, if safe to do so.

SECTION 8. Amendment. Section 50-506 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 50-506 Public nuisance declared. Any campsite established in violation of this article is declared to be a public nuisance, and the city is authorized to abate the nuisance and summarily remove all camp facilities, camp paraphernalia or any other personal property that pose any health and safety risk or danger, including but not limited to risk of fire, contributes to unsanitary conditions, or may result in contamination or obstruction of public property, as authorized by law.

SECTION 9. Amendment. Section 50-507 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 50-507 City manager administrative authority. The city manager or his/her designee shall develop and adopt administrative regulations that are consistent with the terms and prohibitions of this article. This shall include all policies and procedures for the abatement of unlawful camping, including the policies and procedures

for ensuring safe and prompt removal of the nuisance while meeting procedural safeguards required by city, state or federal law.

SECTION 10. Amendment. Section 5-508 of the Citrus Heights Code is herby amended to read as set forth below:

Sec. 50-508. Penalty. Any person who violates the provisions of this section may be subject to any of the following legal enforcement remedy, including but not limited to: Criminal prosecution of a misdemeanor or infraction, civil action, including injunctive relief, administrative enforcement actions, including administrative citation, and/or revocation of a use permit, if applicable. These remedies shall be in addition to any other remedy authorized by law.

SECTION 11. **CEQA.**

The action being considered by the City Council is an administrative activity of government that will not result in a direct or indirect physical change in the environment. The City Council finds pursuant to the provisions of the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 et seq.) and State CEQA Guidelines (Section 1500 et seq., Title 14 of the California Code of Regulations) and determines that this Ordinance is not a "project" pursuant to Public Resources Code Section 210065, and that it is exempt from the provisions of CEQA pursuant to Guidelines Sections 15061(b)(3) (because it can be seen with certainty that the adoption of this Ordinance will not have an effect on the environment) and 15321 (enforcement actions by regulatory agencies);

SECTION 12. Severability. If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 13. Effective Date and Notice. This ordinance shall take effect thirty (30) days after its adoption, provided it is published in full or in summary within fifteen (15) days of its adoption, in a newspaper of general circulation published and circulated in the City of Citrus Heights.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights this 25th day of September 2024 by the following vote:

AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:
ABSTAIN: Council Members:

Dr. Jayna Karpinski-Costa, Mayor

ATTEST:

Amy Van, City Clerk

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: September 25, 2024

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Casey Kempenaar, Community Development Director
Alison Bermudez, Senior Planner
Steffane Lui, Assistant Planner

SUBJECT: **Zoning Code Updates Second Reading**

Summary and Recommendation

On September 11, 2024, the City Council introduced, read by title only and waived the first full reading of an Ordinance amending various sections of Chapter 106 of the Citrus Heights Municipal Code (Zoning Code Section). On occasion, refinements to the Zoning Code are necessary to clarify existing standards, implement new ones, reflect changes in law, and address changing business types and their activities. The updates include revisions to sections pertaining to alcoholic beverage sales, accessory dwelling units, and a variety of other amendments.

The background materials associated with this item are contained in the September 11, 2024 City Council Meeting Staff Report, available on the City's website.

Staff recommends that the Council approve Ordinance No. 2024-___ an Ordinance of the City Council of the City of Citrus Heights amending various sections of Chapter 106 of the Citrus Heights Municipal Code (Zoning Code Section).

Fiscal Impact

There is no fiscal impact.

Attachments

1. Ordinance No. 2024-_____ an Ordinance of the City Council of the City of Citrus Heights amending various sections of Chapter 106 of the Citrus Heights Municipal Code (Zoning Code Section)
    - Exhibit A: Redline Strikeout of Zoning Code

ORDINANCE NO. 2024-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS AMENDING VARIOUS SECTIONS OF CHAPTER 106 OF THE CITRUS HEIGHTS MUNICIPAL CODE (ZONING CODE SECTION)

THE CITY OF CITRUS HEIGHTS DOES ORDAIN AS FOLLOWS:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend the Citrus Heights Zoning Code as shown in Exhibit A amending various sections of the Zoning Code including parking, storage, the sale of alcoholic beverages, and other minor changes.

Section 2: Findings

- The proposed amendment to residential parking regulations and surfaces is consistent with the General Plan.
- The proposed amendment to the sale of alcoholic beverages is consistent with the General Plan.
- The proposed amendments to the storage of vehicles will provide consistency and clarity in the regulations and complies with the General Plan.
- Other revisions including updates to accessory dwellings and definitions provide clarity and are consistent with the General Plan.
- The proposed amendments will not be detrimental to the public, interest, health, safety, convenience, or welfare of the city.

Section 3: Action

The City Council hereby amends the Zoning Code of the City of Citrus Heights as described within Exhibit A herein, and as discussed within the Staff Report, which is incorporated by reference.

Section 4: Severability

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5: Effective Date and Publication

This ordinance shall take effect thirty (30) days after its adoption, provided it is published in full or in summary within fifteen (15) days of its adoption, in a newspaper of general circulation published and circulated in the City of Citrus Heights.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights this 25th day of Septemeber, 2024 by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

_____
Dr. Jayna Karpinski-Costa, Mayor

ATTEST:

_____
Amy Van, City Clerk

Exhibit
A. Redline Strikeout of Zoning Code

City of Citrus Heights

Zoning Code

Effective November 6, 2006

City of Citrus Heights
Community and Economic Development Department

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ARTICLE 2

Zoning Districts & Allowable Land Uses

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CHAPTER 106.20 - ZONING MAP

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106.20.010 - Purpose
106.20.020 - Zoning Map and Zoning Districts

106.20.010 - Purpose

This Chapter establishes the zoning districts applied to property within the City and adopts the City's Zoning Map.

106.20.020 - Zoning Map and Zoning Districts

The Council hereby adopts the City of Citrus Heights Zoning Map (hereafter referred to as the "Zoning Map"), which is on file with the Department. The Zoning Map is hereby incorporated into this Zoning Code by reference as though it were fully included here.

A. Zoning districts established. The City of Citrus Heights shall be divided into zoning districts that implement the Citrus Heights General Plan. The zoning districts shown in Table 2-1 are hereby established, and shall be shown on the Zoning Map.

B. Interpretation of zoning district boundaries. If there is uncertainty about the location of any zoning district boundary shown on the official Zoning Map, the location of the boundary shall be determined by the Director as follows.

1. Where a zoning district boundary approximately follows a lot, alley, or street line, the lot line and street and alley centerlines shall be construed as the district boundary;

2. If a zoning district boundary divides a parcel and the boundary line location is not specified by distances printed on the Zoning Map, the location of the boundary will be determined by using the scale appearing on the Zoning Map; and

3. Where a public street or alley is officially vacated or abandoned, the property that was formerly in the street or alley will be included within the zoning district of the adjoining property on either side of the vacated or abandoned street or alley.

TABLE 2-1 - ZONING DISTRICTS

Zoning District Symbol	Name of Zoning District	General Plan Land Use Designation Implemented by Zoning District
Residential Districts		
RD-1, 2, 3, 4	RD-1, 2, 3, 4	Very Low Density Residential
RD-5, 7	RD-5, 7	Low Density Residential
RD-10, 15, 20	RD-10, 15, 20	Medium Density Residential
RD-25, 30	RD-25, 30	High Density Residential
MH	Mobile Home	Medium Density Residential
Commercial and Industrial Districts		
BP	Business and Professional Office	Business Professional
LC	Limited Commercial	General Commercial
SC	Shopping Center	General Commercial
GC	General Commercial	General Commercial
AC	Auto Commercial	General Commercial
CR	Commercial Recreation	Open Space
MP	Industrial Office Park	Industrial
Special Purpose Districts		
O	Recreation	Open Space/Public
SPA	Special Planning Area	All
Overlay/Combining Districts		
COR	Corridor Overlay	Transition Overlay

CHAPTER 106.22 - DEVELOPMENT AND LAND USE APPROVAL REQUIREMENTS

Sections:

106.22.010 - Purpose
106.22.020 - General Requirements for Development and New Land Uses
106.22.030 - Allowable Land Uses and Permit Requirements
106.22.040 - Exemptions from Planning Permit Requirements
106.22.050 - Temporary Uses

106.22.010 - Purpose

This Chapter describes the City's requirements for the approval of proposed development and new land uses. The permit requirements established by this Zoning Code for specific land uses are in Chapters 106.24 through 106.30.

106.22.020 - General Requirements for Development and New Land Uses

Each land use and/or structure shall be established, constructed, reconstructed, altered, moved or replaced in compliance with the following requirements.

A. Allowable use. The land use must be allowed by this Zoning Code in the zoning district applied to the site. The basis for determining whether a use is allowable is described in Section 106.22.030 (Allowable Land Uses and Permit Requirements).

B. Permit and approval requirements. Any planning permit or other approval required by Section 106.22.030 (Allowable Land Uses and Permit Requirements) shall be obtained before the issuance of any required grading, building, or other construction permit, and before the proposed use is constructed, otherwise established or put into operation, unless the proposed use is listed in Section 106.22.040 (Exemptions from Planning Permit Requirements).

C. Development standards, conditions of approval. Each land use and structure shall comply with the development standards of this Chapter, the provisions of Article 3 (Site Planning and Project Design Standards), and any applicable conditions imposed by a previously granted planning permit.

D. Legal parcel. The site of a proposed development or new land use shall be a parcel that was legally created in compliance with the Subdivision Map Act and the City's subdivision ordinances.

106.22.030 - Allowable Land Uses and Permit Requirements

A. Allowable land uses. The uses of land allowed by this Zoning Code in each zoning district are listed in Chapters 106.24,Table 2-2, and 106.26, Table 2-5, together with the type of planning permit required for each use. Each land use listed in Tables 2-2 and 2-5 is defined in Article 8 (Glossary).

1. Establishment of an allowable use.

a. Any one or more land uses identified by Tables 2-2 and 2-5 as being allowable within a specific zoning district may be established on any parcel within that zoning district, subject to the planning permit requirements of Subsection B., and compliance with all applicable requirements of this Zoning Code.

b. Where a single parcel is proposed for development with two or more of the land uses listed in the tables, the overall project shall be subject to the highest permit level required by Subsection B. for any individual use. For example, a new building proposed in the BP zoning district with a health club

on the ground floor and professional offices on the second floor would require Use Permit (UP) approval because Table 2-5 requires Use Permit approval for "fitness/health facility," even though an "Office" is listed in the BP zone as a permitted use, requiring only a Zoning Clearance.

2. Use not listed.

a. A land use that is not listed in Tables 2-2 or 2-5, and is determined by the Director to not be included in Article 8 (Glossary) under the definition of a listed land use is not allowed within the City, except as otherwise provided by Subsection A.3, or Section 106.22.040 (Exemptions from Planning Permit Requirements).

b. A land use that is not listed in the tables within a particular zoning district is not allowed within that zoning district, except as otherwise provided in Subsection A.3, or Section 106.22.040 (Exemptions from Planning Permit Requirements).

3. Similar and compatible use may be allowed. The Director may determine that a proposed use not listed in this Article is allowable as follows:

a. Required findings. The Director may determine that a proposed use is similar to and compatible with a listed use and may be allowed only after first making all of the following findings:

(1) The characteristics of, and activities associated with, the use are similar to one or more of the listed uses and will not involve a greater intensity than the uses listed in the applicable zoning district;

(2) The use will be consistent with the purposes of the applicable zoning district;

(3) The use will be consistent with the General Plan and any applicable specific plan;

(4) The use will be compatible with the other uses allowed in the district; and

(5) The use is not listed as allowable in another zoning district.

A determination that a use qualifies as a "similar use" and the findings supporting the determination shall be in writing.

b. Applicable standards and permit requirements. When the Director determines that a proposed, but unlisted, use is similar to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this Zoning Code apply.

c. Referral for determination. The Director may refer the question of whether a proposed use qualifies as a similar and compatible use directly to the Commission for a determination at a public meeting.

d. Appeal. A determination of similar and compatible use may be appealed in compliance with Chapter 106.72 (Appeals).

B. Permit requirements. Tables 2-2 and 2-5 within Chapters 106.24 and 106.26 provide for land uses that are:

1. Permitted subject to compliance with all applicable provisions of this Zoning Code, subject to first obtaining a Zoning Clearance (Section 106.62.020). These are shown as "P" uses in the tables;

2. Allowed subject to the approval of a Minor Use Permit (Section 106.62.050), and shown as "MUP" uses in the tables;

3. Allowed subject to the approval of a Use Permit (Section 106.62.050), and shown as "UP" uses in the tables;

4. Allowed subject to the type of City approval required by a specific provision of Chapter 106.42 (Standards for Specific Land Uses), and shown as "S" uses in the tables; and

5. Not allowed in particular zoning districts.

Note: a land use authorized through the approval of a Zoning Clearance, Minor Use Permit, or Use Permit may also require Design Review approval (Section 106.62.040), a Building Permit, or other permit required by the Municipal Code.

106.22.040 - Exemptions from Planning Permit Requirements

The planning permit requirements of this Zoning Code do not apply to the land uses, structures, and activities identified by this Section. These are allowed in all zoning districts subject to compliance with this Section.

A. General requirements for exemption. The land uses, structures, and activities identified by Subsection B. below are exempt from the planning permit requirements of this Zoning Code only when:

1. The use, activity or structure is established and operated in compliance with the setback requirements, height limits, parking requirements, and all other applicable standards of this Article (Zoning Districts and Allowable Land Uses), Article 3 (Site Planning and Project Design Standards), and, where applicable, Chapter 106.70 (Nonconforming Uses, Structures, and Parcels); and

2. Any permit or approval required by regulations other than this Zoning Code is obtained (for example, a Building Permit).

B. Exempt activities and land uses. The following are exempt from the planning permit requirements of Tables 2-2 and 2-5 when in compliance with Subsection A. above.

1. Decks, paths and driveways. Decks, platforms, on-site paths, and driveways that are not required to have a Building Permit or Grading Permit.

2. Fences and walls. See Section 106.30.050 (Fences and Walls).

3. Interior remodeling. Interior alterations that do not increase the gross floor area of the structure, or change the permitted use of the structure.

4. Repairs and maintenance.

a. Single dwellings. Ordinary repairs to, and maintenance of single dwellings, provided that the work does not change the approved land use or structure.

b. Multi-unit dwellings, and non-residential structures. Ordinary repairs to, and maintenance of multi-unit residential and non-residential structures, if:

(1) The work does not change the approved land use of the site or structure, or add to, enlarge or expand the land use and/or structure; and

(2) Any exterior repairs employ the same design, materials, and color as the original construction.

5. Small, portable residential accessory structures. A single portable structure per lot or unit, including pre-manufactured storage sheds and other small structures in residential zoning districts that are exempt from

Building Permit requirements in compliance with the Municipal Code and the Uniform Building Code. Additional structures may be approved in compliance with Section 106.42.200 (Residential Accessory Uses and Structures), where allowed by the applicable zoning district. All accessory structures shall comply with the maximum lot coverage requirements of the applicable zoning district.

6. **Solar collectors.** The addition of solar collectors to the roof of a building, provided that the collectors comply with applicable height limit requirements.

7. **Spas, hot tubs, and fish ponds.** Portable spas, hot tubs, and constructed fish ponds, and similar equipment and structures that do not: exceed 120 square feet in total area including related equipment; contain more than 2,000 gallons of water; or exceed three feet in depth.

8. **Utilities.** The erection, construction, alteration, or maintenance by a public utility or public agency of utilities intended to service existing or nearby approved developments shall be permitted in any zoning district. These include: water; gas; electric; supply or disposal systems; including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, etc., but not including new transmission lines and structures. See Section 106.30.120 for utility undergrounding requirements. Satellite and wireless communications antennas are not exempt, and are instead subject to Chapter 106.44 (Telecommunications Facilities).

106.22.050 - Temporary Uses

Requirements for establishing a temporary use (for example, a construction yard, seasonal sales lot, special event, temporary office trailer, etc.) are in Section 106.62.030 (Temporary Use Permit).

CHAPTER 106.24 - RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS

Sections:

106.24.010 - Purpose
106.24.020 - Purposes of the Residential and Open Space Zoning Districts
106.24.030 - Residential and Open Space District Allowable Land Uses and Permit Requirements
106.24.040 - Residential and Open Space District Subdivision Standards
106.24.050 - Residential and Open Space District Residential Density Standards
106.24.060 - Residential and Open Space District Site Planning and Building Standards

106.24.010 - Purpose

This Chapter lists the land uses that may be allowed within the residential and open space zoning districts established by Section 106.20.020 (Zoning Map and Zoning Districts), determines the type of planning permit/approval required for each use, and provides basic standards for site layout and building size.

106.24.020 - Purposes of the Residential and Open Space Zoning Districts

The purposes of the individual residential zoning districts and the manner in which they are applied are as follows.

A. **RD-1 through RD-4 (Very Low Density Residential) zoning districts.** The RD-1 through RD-4 districts are applied to areas appropriate for large-lots and detached single dwellings, together with hobby farming and keeping of animals, public and quasi-public uses, and similar and compatible uses. The RD-1 through RD-4 zoning districts are consistent with and implement the Very Low Density Residential land use designation of the General Plan.

B. **RD-5 and RD-7 (Low Density Residential) zoning districts.** The RD-5 and RD-7 districts are applied to areas appropriate for detached single dwellings, duplexes in specified circumstances, and related, compatible uses. The RD-5 and RD-7 zoning districts are consistent with and implement the Low Density Residential land use designation of the General Plan.

C. **RD-10 through RD-20 (Medium Density Residential) zoning districts.** The RD-10 through RD-20 districts are applied to areas appropriate for a variety of housing types, including small-lot single dwellings, and various types of multi-unit housing (for example, duplexes, triplexes, and apartments). The RD-10 through RD-20 zoning districts are consistent with and implement the Medium Density Residential land use designation of the General Plan.

D. **RD-25 and RD-30 (High Density Residential) zoning district.** The RD-25 and RD-30 districts are applied to areas appropriate for various types of small lot housing products, multi-unit housing, including duplexes, group houses, and apartments. The RD-25 and RD-30 zoning districts are consistent with and implement the High Density Residential land use designation of the General Plan.

E. **MH (Mobile Home) zoning district.** The MH district is applied to areas appropriate for mobile home parks and manufactured housing. The MH zoning district is consistent with and implements the Medium Density Residential land use designation of the General Plan.

F. **O (Recreation/Open Space) zoning district.** The O zoning district is applied to open space and scenic areas, waterways, and other areas of recreational value to protect the physical, social, recreational, aesthetic, and economic resources of the City. Land uses allowed in the O zoning district will encourage and protect the City's tourist and recreation resources. The O zoning district is consistent with and implements the Open Space and Public land use designations of the General Plan.

106.24.030 - Residential and Open Space District Allowable Land Uses and Permit Requirements

A. General permit requirements. Table 2-2 identifies the uses of land allowed by this Zoning Code in each residential zoning district, and the planning permit required to establish each use, in compliance with Section 106.22.030 (Allowable Land Uses and Permit Requirements).

B. Permit requirements for certain specific land uses. Where the last column in Table 2-2 ("Specific Use Regulations") includes a section number, the referenced section determines whether the use requires a Zoning Clearance, Minor Use Permit, or Use Permit. The referenced section may also refer to other requirements and standards applicable to the use.

TABLE 2-2
Allowed Land Uses and Permit Requirements for Residential and Open Space Zones

P	Permitted use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use, Use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	RD-1 - 2	RD-3 - 4	RD-5 - 7	RD-10	RD-15 - 30	MH	O	
AGRICULTURAL & OPEN SPACE USES								
Animal keeping	S	S	S	S	S	S	S	106.42.030
Beekeeping	P	P	P	—	—	—	P	106.42.030
Community garden	P	P	P	P	P	P	P	
Crop production, horticulture, orchard, vineyard	P	P	—	—	—	—	P	
Medical marijuana cultivation	S	S	S	S	S	S	S	50-702
Non-medical marijuana cultivation	S	S	S	S	S	S	S	50-802
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES								
Equestrian facility	UP	UP	—	—	—	—	UP	106.42.030
Golf course	UP	UP	—	—	—	—	P	
Meeting facility, public or private	UP	UP	UP	UP	UP	UP	—	
Park or playground, public	P	P	P	P	P	P	P	
Private residential recreation facility	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
School, elementary through secondary	UP	UP	UP	UP	UP	—	—	
RESIDENTIAL USES								
Accessory dwelling unit	P	P	P	P	P	—	P	106.42.015
Condominium conversion	—	—	UP	UP	UP	—	—	106.42.050, 060
Condominium, townhouse, row house, or cluster development	—	—	—	P	P	—	—	106.42.050
Duplex - Corner parcel	—	—	P	P	P	—	—	
Duplex - Interior parcel	—	—	UP	P	P	—	—	106.42.150
Home occupation	P	P	P	P	P	P	P	106.42.100
Mobile home park	UP	UP	UP	UP	UP	UP	—	106.42.140
Mobile/manufactured home	P	P	P	P	P	P	P	106.42.140
Multi-unit dwelling - 3 or more units	—	—	—	P	P	—	—	106.42.150
Residential accessory uses and structures	P	P	P	P	P	P	P	106.42.200
Residential care facility, 6 or fewer clients	P	P	P	P	P	P	P	
Residential care facility, 7 to 20 clients	UP	UP	UP	UP	P	—	—	
Residential care facility, 21 or more clients	—	—	—	UP	UP	—	—	
Rooming or boarding house	—	—	—	UP	UP	—	—	
Single dwelling	P	P	P	P	P	P	MUP	106.42.220
Small Lot Housing Product	—	—	—	S	S	—	—	106.42.230
Supportive/Transitional Housing, 6 or fewer clients	P	P	P	P	P	P	P	
Supportive/Transitional Housing, 7 or more clients	UP	UP	UP	UP	UP	—	—	
RETAIL TRADE								
Accessory retail and services	—	—	—	MUP	MUP	MUP	—	

Key to Zone Symbols

RD	Residential	**O**	Recreation/Open Space

TABLE 2-2
Allowed Land Uses and Permit Requirements for Residential and Open Space Zones

P	Permitted use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use, Use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	RD-1 - 2	RD-3 - 4	RD-5 - 7	RD-10	RD-15 - 30	MH	O	
SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL								
Medical services - Extended care	UP	UP	UP	UP	UP	—	—	
SERVICES								
Adult day care - 6 or fewer clients	P	P	P	P	P	P	—	
Adult day care - 7 or more clients	UP	UP	UP	UP	UP	UP	—	
Cemetery	UP	UP	UP	UP	UP	—	UP	
Child day care - Small and large family day care homes	P	P	P	P	P	P	P	
Child day care center	UP	UP	UP	UP	UP	UP	—	
Lodging - Bed and breakfast inn (B&B)	UP	UP	UP	UP	UP	—	—	
Public safety facility	P	P	P	P	P	P	P	
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE								
Telecommunications facility	S	S	S	S	S	S	S	106.44
Transmission facility	P	P	P	P	P	P	P	106.42.180
Utility facility	P	P	P	P	P	P	P	
Utility infrastructure	P	P	P	P	P	P	P	

Key to Zone Symbols

RD	Residential	**O**	Recreation/Open Space
MH	Mobile Home		

Notes:

(1) See Article 8 for land use definitions.

106.24.040 - Residential and Open Space District Subdivision Standards

Each subdivision shall comply with the minimum parcel size requirements in Table 2-3. Minimum lot depth shall be determined by the review authority in the subdivision review process. Subdividers are advised that Chapter 106.42 (Standards for Specific Land Uses) may require a specific land use to be on a parcel larger than required by this Section.

TABLE 2-3 - MINIMUM PARCEL SIZE STANDARDS

Zone	Lot Type (2)	Minimum Parcel Size (1)	
		Net Area (3)	Width
RD-1	All	1 acre	75 ft
RD-2	All	20,000 sf	75 ft
RD-3	All	10,000 sf	65 ft
RD-4	All	8,500 sf	65 ft
RD-5	Single family – Interior lot	5,000 sf	50 ft
	Single family – Corner lot	6,000 sf	60 ft
	Duplex – Interior lot	6,000 sf	60 ft
	Duplex – Corner lot	7,000 sf	70 ft
RD-7	Single family – Interior lot	4,000 sf	40 ft
	Single family – Corner lot	5,000 sf	50 ft
	Duplex – Interior lot	6,000 sf	60 ft
	Duplex – Corner lot	7,000 sf	70 ft
RD-10, 15	Single family – Interior lot	3,000 sf	40 ft
	Single family – Corner lot	4,000 sf	50 ft
	Duplex – Interior lot	4,000 sf	60 ft
	Duplex – Corner lot	5,000 sf	70 ft
	Multi-unit – Interior lot	5,000 sf	50 ft
	Multi-unit – Corner lot	6,000 sf	60 ft
RD-20, 25, 30	Single family – Interior lot	2,500 sf	40 ft
	Single family – Corner lot	3,000 sf	40 ft
	Duplex – Interior lot	3,500 sf	40 ft
	Duplex – Corner lot	4,000 sf	40 ft
	Multi-unit – Interior lot	5,000 sf	50 ft
	Multi-unit – Corner lot	6,000 sf	60 ft
MH	See Section 106.42.140 (Mobile Homes and Mobile Home Parks)		
O	All	3 acres	200 ft

Notes:

(1) A condominium, townhouse, small lot housing product development or common interest project may be subdivided with smaller parcels for ownership purposes, with the minimum lot area determined through subdivision review, provided that the overall development site complies with the minimum parcel size, and the total number of any dwellings is in compliance with the maximum density for the applicable zone.

(2) Minimum parcel size requirements for lot types not listed shall be determined by the review authority in the subdivision process.

(3) Net area is the gross area of the parcel, subtracting any existing or proposed access easements within the parcel, but including drainage and public utility easements.

106.24.050 - Residential and Open Space District Residential Density Standards

Each residential development shall not exceed the following maximum residential density (number of dwelling units per acre) requirement for the applicable zoning district, except in compliance with Chapter 106.32 (Affordable Housing Requirements and Incentives).

A. RD districts.

1. Maximum density - All RD districts. For a subdivision of five lots or more, the maximum allowable residential density shall be as identified for the applicable residential zoning district on the Zoning Map by the numerical suffix to the "RD" zoning symbol, which expresses the maximum allowable number of dwelling units per gross acre. For example, RD-1 allows a maximum of one dwelling per acre, RD-15 allows a maximum of 15 dwellings per acre, etc. This requirement does not apply to a proposed subdivision of four or fewer lots.

2. Maximum density - RD-1 through RD-4. No more than one detached single family dwelling is allowed on a single parcel in the RD-1, 2, 3, and 4 zones, provided that an accessory dwelling unit may also be allowed in compliance with Section 106.42.015 (Accessory Dwelling Units).

3. Minimum density - RD-20 and above. Within the RD-20 and higher density zoning districts, each proposed residential development shall provide a minimum of 50 percent of the maximum density of the applicable zoning district. For example, a project in the RD-20 zone shall provide a minimum density of 10 units per acre. This standard shall not apply to parcels under 2 acres in net area prior to subdivision.

B. MH district.

1. The maximum allowable residential density within the MH zoning district is established for mobile home parks by Section 106.42.140 (Mobile Homes and Mobile Home Parks).

2. The maximum residential density for residential uses other than a mobile home park is one dwelling unit per parcel.

C. O district. The maximum allowable residential density within the O zoning district is one dwelling unit per parcel.

106.24.060 - Residential and Open Space District Site Planning and Building Standards

Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Table 2-4, in addition to the applicable standards (e.g., landscaping, parking and loading, etc.) in Article 3 (Site Planning and Project Design Standards) of this Zoning Code.

TABLE 2-4 - RESIDENTIAL AND OPEN SPACE DISTRICT DEVELOPMENT STANDARDS

Development Feature	Requirement by Zoning District					
	RD-1, 2, 3, 4	**RD-5, 7**	**RD-10, 15**	**RD-20, 25, 30**	**MH**	**O**
Setbacks	*Minimum setbacks required. See Section 106.30.100 for setback measurement instructions, and exceptions to these requirements.*					
Front	20 ft	15 ft 20 ft for garage facade		25 ft	20 ft	20 ft
Side - Interior (each)	5 ft	5 ft		1 story - 10 ft 2 story - 20 ft 3 story - 30 ft	10 ft	10 ft
Side - Corner	15 ft	12.5 ft		25 ft	20 ft	20 ft
Rear	RD-1, 2 - 25 ft RD-3, 4 - 20 ft	20 ft		20 ft	10 ft	10 ft
Garage	20 ft from a garage door to the back of the nearest sidewalk, or the front property line where there is no sidewalk.					
Fences	See Section 106.30.050 (Fences and Walls)					
Accessory structures	See 106.42.200 (Residential Accessory Uses and Structures)					
Lot coverage (1)	*Maximum percentage of t*otal net lot area o*ccupied by primary structures, all accessory structures, and accessory dwelling units, but not including swimming pools.*					
Maximum coverage	30%	50%	50%	60%	40%	5%
Floor area ratio (FAR)	*Maximum floor area ratio for non-residential structures.*					
	0.40	0.40	0.50	0.50	0.50	0.10
Height limit	*Maximum allowable height of structures. See Section 106.30.060 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions. See Section 106.42.150 for special height limits for multi-unit projects.*					
Maximum height	30 ft		40 ft	50 ft	30 ft	
Landscaping	See Chapter 106.34 (Landscaping Standards)					
Parking	See Chapter 106.36 (Parking and Loading)					
Signs	See Chapter 106.38 (Signs)					

Notes:

(1) Setbacks and Lot Coverages for Small Lot Housing Product (RD-10 through RD-30) shall be determined by the Review Authority or as specified in 106.42.230

CHAPTER 106.26 - COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

Sections:

106.26.010 - Purpose
106.26.020 - Purposes of Commercial and Industrial Zoning Districts
106.26.030 - Commercial and Industrial District Land Uses and Permit Requirements
106.26.040 - Commercial and Industrial District General Development Standards

106.26.010 - Purpose

This Chapter lists the land uses that may be allowed within the commercial and industrial zoning districts established by Section 106.20.020 (Zoning Map and Zoning Districts), determines the type of planning permit/approval required for each use, and provides basic standards for site layout and building size.

106.26.020 - Purposes of Commercial and Industrial Zoning Districts

The purposes of the individual commercial and industrial zoning districts and the manner in which they are applied are as follows.

A. **BP (Business and Professional Office) district.** The BP zoning district is applied to areas appropriate for various types of office uses, together with similar and related compatible uses. Multi-unit housing and mixed-use projects may be allowed. The BP zoning district is consistent with and implements the Business Professional land use designation of the General Plan.

B. **LC (Limited Commercial) district.** The LC zoning district is applied to areas appropriate for a mixture of land uses, with primarily small-scale retail and pedestrian-oriented office uses on the ground floors of commercial structures, and residential units allowed on upper floors. The LC zoning district is consistent with and implements the General Commercial land use designation of the General Plan.

C. **SC (Shopping Center) district.** The SC zoning district is applied to areas appropriate for a wide range of retail and service land uses, promoting the unified grouping of these uses with convenient off-street parking and loading. Residential uses may also be accommodated as part of mixed use projects. Projects within this zone are intended to be designed to be an integral part of the surrounding neighborhood, and the larger community. The SC zoning district is consistent with the General Commercial land use designation of the General Plan.

D. **GC (General Commercial) district.** The GC zoning district is applied to areas appropriate for the general commercial and heavier types of commercial uses that would not be appropriate in the more restrictive commercial zones. Multi-unit housing and mixed-use projects may be allowed. The GC zoning district is consistent with the General Commercial land use designation of the General Plan.

E. **AC (Auto Commercial) district.** The AC zoning district is applied to areas appropriate for providing automotive sales and services, and compatible related uses. The zone is intended to promote the unified grouping of auto-oriented uses in locations where they will be convenient to the community. The AC zoning district is consistent with the General Commercial land use designation of the General Plan.

F. **CR (Commercial Recreation).** The CR zoning district is applied to areas for commercial uses normally considered to be recreation oriented and for commercial uses associated with major recreation areas. The CR zoning district is consistent with and implements the open space land use designation of the General Plan.

G. MP (Industrial/Office Park) district. The MP zoning district is applied to areas appropriate for light industrial and business park land uses, including low-intensity manufacturing and assembly processes, research and development, and corporate headquarters offices. The land uses allowed and development standards required within the MP district are intended to protect adjacent areas from impacts while allowing indoor, clean, and quiet industry. Land uses in the MP zoning district are expected to be organized as a business park, with tenants that may include some commercial activities. The MP zoning district is consistent with and implements the Industrial land use designation of the General Plan.

106.26.030 - Commercial and Industrial District Land Uses and Permit Requirements

A. General permit requirements. Table 2-5 identifies the uses of land allowed by this Zoning Code in each commercial and industrial zoning district, and the planning permit required to establish each use, in compliance with Section 106.22.030 (Allowable Land Uses and Permit Requirements).

B. Permit requirements for certain specific land uses. Where the last column in Table 2-5 ("Specific Use Regulations") includes a section number, the referenced section determines whether the use requires a Zoning Clearance, Minor Use Permit, or Use Permit. The referenced section may also establish other requirements and standards applicable to the use.

C. Permit requirements based on scale of use. Where Table 2-5 identifies a use with an "S" and the last column in the table refers to this Subsection, the use is permitted with a Zoning Clearance if it is a building tenant that will occupy 15 percent or less of the total building floor area. Minor Use Permit approval is required when the use occupies more than 15 percent of the total floor area.

TABLE 2-5
Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts

P	Permitted Use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
	BP	LC	SC	GC	AC	CR	MP	
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING								
Artisan/Craft Product manufacturing	MUP	MUP	P	P	MUP	—	P	
Contract construction service - Indoor	—	—	—	P	—	—	P	
Contract construction service - Outdoor storage	—	—	—	MUP	—	—	MUP	
Contract construction service - Outdoor work area	—	—	—	UP	—	—	UP	
Manufacturing/processing - Light	—	—	—	UP	—	—	P	
Manufacturing/processing - Medium intensity	—	—	—	—	—	—	—	
Manufacturing/processing - Heavy	—	—	—	—	—	—	—	
Medical marijuana cultivation	S	S	S	S	S	S	S	50-702
Non-medical marijuana cultivation	S	S	S	S	S	S	S	50-802
Recycling - Small collection facility	—	MUP	MUP	MUP	—	—	MUP	106.42.190
Storage - Outdoor	—	—	—	UP	—	—	UP	106.42.170
Storage - Personal storage facility (mini-storage)	—	UP	—	UP	—	—	MUP	
~~Storage - RVs, boats~~	~~—~~	~~—~~	~~—~~	~~UP~~	~~—~~	~~UP~~	~~—~~	
Storage - Warehouse, indoor storage	—	—	—	P	—	—	P	
Wholesaling and distribution	—	—	—	P	—	—	P	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES								
Adult entertainment business	—	S	—	S	—	—	S	106.40
Bingo parlor	—	—	—	UP	—	—	—	10.81 - 10.100
Card room	—	—	UP	UP	—	—	—	10.26 - 10.54
Commercial recreation facility - Indoor, Minor	—	P	P	P	—	P	P	
Commercial recreation facility - Indoor, Major	—	UP	UP	UP	—	MUP	UP	
Commercial recreation facility - Outdoor	UP	—	—	UP	—	MUP	UP	
Conference/convention facility	UP	—	UP	UP	—	UP	—	
Fitness/health facility	UP	P	P	P	—	P	UP	
Golf Course	—	—	—	UP	—	MUP	UP	
Library, museum	P	P	P	P	—	—	—	
Meeting facility, public or private	UP	UP	UP	UP	—	—	UP	
Park, playground	P	P	P	P	—	P	UP	
School - College, university	UP	UP	UP	UP	—	—	—	
School - Elementary, middle, secondary	UP	UP	UP	UP	—	—	—	
School - Specialized education/training - Minor	P	P	P	P	—	—	P	
School - Specialized education/training -Major	UP	UP	UP	UP	—	—	UP	
Sports and entertainment assembly facility	—	—	UP	MUP	—	MUP	MUP	
Studio - Art, dance, martial arts, music, etc.	S	P	P	P	—	—	S	106.26.030.C
Theater	—	—	MUP	MUP	—	MUP	—	

Key to Zone Symbols

BP	Business and Professional Office	**AC**	Auto Commercial
LC	Limited Commercial	**CR**	Commercial Recreation
SC	Shopping Center	**MP**	Industrial/Office Park
GC	General Commercial	**Notes:**	(1) See Article 8 for land use definitions.

TABLE 2-5
Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts

P	Permitted Use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
	BP	LC	SC	GC	AC	CR	MP	
RESIDENTIAL USES								
Emergency shelter	—	—	—	S	—	—	—	106.42.090
Home occupation	P	P	P	P	—	—	—	106.42.100
Live/work unit	MUP	MUP	UP	UP	—	—	—	106.42.110
Mixed use project residential component	S	S	S	S	S	—	—	106.42.130
Multi-unit dwelling	P	P	P	P	—	—	—	106.42.150
Single room occupancy (SRO) facility	—	—	—	UP	—	—	—	
Small Lot Housing Product	S	S	S	S	—	—	—	106.42.230
Work/live unit	UP	—	UP	UP	—	—	UP	106.42.110
RETAIL TRADE								
Accessory retail uses	P	P	P	P	P	P	P	
Alcoholic beverage sales	—	S	S	S	—	S	—	106.42.020
Bar	—	UP	UP	UP	—	UP	—	106.42.020
Brew Pub/Tavern	—	P	P	P	—	—	—	106.42.020
Building/landscape materials sales	—	—	P	P	—	—	—	
Construction and heavy equipment sales and rental	—	—	—	UP	P	—	P	
Convenience store	S	S	S	S	S	—	S	106.42.070
Drive-through retail	—	UP	UP	UP	—	—	—	106.42.080
Fuel dealer (propane for home and farm use, etc.)	—	—	—	P	—	—	—	
General retail	—	P	P	P	P	—	—	
Groceries, specialty foods	—	P	P	P	—	—	—	
Mixed use project	—	S	S	S	S	—	—	106.42.130
Night club	—	—	UP	UP	—	—	—	
Office-supporting retail	S	P	P	P	—	—	S	106.26.030.C
Outdoor displays and sales	—	P	P	P	P	—	—	106.42.160
Public auction, flea market	—	—	—	UP	—	—	—	
Restaurant, café, coffee shop	S	P	P	P	P	MUP	S	106.26.030.C
Smoking paraphernalia establishment	S	S	S	S	S	S	S	106.42.230
Wood yard (firewood sales)	—	—	—	MUP	—	—	—	

Key to Zone Symbols

BP	Business and Professional Office	**AC**	Auto Commercial
LC	Limited Commercial	**CR**	Commercial Recreation
SC	Shopping Center	**MP**	Industrial/Office Park
GC	General Commercial		

Notes:

(1) See Article 8 for land use definitions.

TABLE 2-5
Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts

P	Permitted Use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
	BP	LC	SC	GC	AC	CR	MP	
SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL								
ATM - Outdoor	MUP	MUP	MUP	MUP	MUP	MUP	MUP	106.42.040
ATM - Within a building	P	P	P	P	P	P	P	
Bank, financial services	P	P	P	P	—	—	P	
Business support service	P	P	P	P	—	—	P	
Medical marijuana dispensary	—	—	—	—	—	—	—	106.42.120
Medical services - Doctor office, clinic, or urgent care	P	P	P	P	—	—	P	
Medical services - Extended care	UP	P	—	P	—	—	—	
Medical services - Hospital	UP	—	—	UP	—	—	—	
Medical services - Laboratory	P	P	P	P	—	—	P	
Medical services - Substance abuse treatment clinic	—	—	—	UP	—	—	—	106.42.240
Office	P	P	P	P	—	—	P	
SERVICES - GENERAL								
Adult day care	UP	P	P	P	—	—	—	
Catering service	—	P	P	P	—	—	—	
Child day care center	MUP	MUP	MUP	MUP	—	—	MUP	
Drive-through service	—	UP	UP	UP	—	—	—	
Equipment rental - Indoor	—	—	P	P	—	—	P	
Equipment rental - Outdoor	—	—	—	MUP	—	—	MUP	
Kennel, animal boarding	—	UP	UP	UP	—	—	—	
Lodging - Bed & breakfast inn (B&B)	—	UP	UP	UP	—	UP	—	
Lodging - Hotel or motel	—	—	UP	UP	—	UP	—	
Massage therapy	P	P	P	P	—	—	—	22-596
Maintenance service - Client site services	—	P	—	P	—	—	P	10.4.36
Mortuary, funeral home	UP	UP	—	P	—	—	—	
Personal services	P	P	P	P	—	—	S	106.26.030.C
Personal services - Restricted	—	MUP	MUP	MUP	—	—	—	
Public facilities	P	P	P	P	P	P	P	
Repair service - Equipment, large appliances, etc.	—	—	—	P	—	—	P	
Veterinary clinic, animal hospital	UP	UP	P	P	—	—	P	

Key to Zone Symbols

BP	Business and Professional Office	**AC**	Auto Commercial
LC	Limited Commercial	**CR**	Commercial Recreation
SC	Shopping Center	**MP**	Industrial/Office Park
GC	General Commercial		

Notes:

(1) See Article 8 for land use definitions.

Commercial Zoning Districts 106.26.030

TABLE 2-5
Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts

P	Permitted Use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
	BP	LC	SC	GC	AC	CR	MP	
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE								
Ambulance, taxi, and specialized transportation dispatch facility	—	MUP	MUP	MUP	MUP	—	MUP	
Broadcasting studio	P	P	P	P	—	—	P	
Freight terminal	—	—	—	MUP	—	—	P	
Parking facility, public or commercial, surface	MUP	—	MUP	MUP	MUP	MUP	MUP	
Parking facility, public or commercial, structured	UP	—	UP	UP	UP	UP	UP	
Pipeline, utility transmission or distribution line	UP	UP	UP	UP	UP	UP	UP	
Telecommunications facility	S	S	S	S	S	S	S	106.44
Transit station or terminal	—	UP	UP	UP	UP	—	—	
Utility facility	UP	UP	UP	UP	UP	UP	UP	
Utility infrastructure	P	P	P	P	P	P	P	
~~Vehicle storage~~	—	—	—	~~UP~~	~~UP~~	—	—	
VEHICLE SALES AND SERVICES								
Auto parts sales with no installation services	—	P	P	P	P	—	—	
Auto/vehicle sales and rental	—	—	—	MUP	P	—	—	
Auto/vehicle sales, wholesale - 2 cars or less at any time	P	P	P	P	—	—	P	
Auto/vehicle sales, wholesale - 3 or more cars, other vehicles	—	—	—	MUP	P	—	—	
Mobile home, boat, or RV sales	—	—	—	MUP	P	—	—	
Service station	—	UP	UP	UP	UP	—	UP	
Vehicle services - Major repair/body work	—	—	UP	UP	MUP	—	—	
Vehicle services - Minor maintenance/repair	—	UP	UP	P	P	—	—	
Vehicle storage	—	—	—	UP	UP	—	—	

Key to Zone Symbols

BP	Business and Professional Office	**AC**	Auto Commercial
LC	Limited Commercial	**CR**	Commercial Recreation
SC	Shopping Center	**MP**	Industrial/Office Park
GC	General Commercial		

106.26.040 - Commercial and Industrial District General Development Standards

A. General standards. Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements in Tables 2-6 and 2-7 in addition to the applicable development standards (e.g., landscaping, parking and loading, etc.) in Article 3 (Site Planning and Project Design Standards) of this Zoning Code.

TABLE 2-6 - BP, SC, LC, AND GC DISTRICT DEVELOPMENT STANDARDS

	Requirement by Zoning District			
Development Feature	**BP Business and Professional Office**	**LC Limited Commercial**	**SC Shopping Center**	**GC General Commercial**
Minimum lot size	*Minimum area and dimensions for parcels proposed in new subdivisions.*			
Area, width, depth	No minimum			
Residential density	*Maximum number of dwelling units allowed in a project. The actual number of units allowed will be determined by the City through subdivision or planning permit approval, as applicable.*			
Maximum density	20 units per net acre	20 units per net acre	40 units per net acre	40 units per net acre
Setbacks (3)	*Minimum setbacks required for primary structures. See Section 106.30.100 for setback measurement instructions, and exceptions to these requirements.*			
Front	25 ft (1)	20 ft (1)	20 ft (1)	20 ft (1)
Side - Interior (each)	20 ft (2)	25 ft (2)	25 ft (2)	25 ft (2)
Side - Corner	25 ft (1)	20 ft (1)	20 ft (1)	20 ft (1)
Rear	25 ft (2)	25 ft (2)	25 ft (2)	25 ft (2)
Garage	20 ft from a garage door to the back of the nearest sidewalk			
Floor area ratio (FAR)	*Maximum floor area ratio allowed for non-residential uses.*			
	0.50	0.60	0.60	0.60
Height limit	*Maximum allowable height of structures. See Section 106.30.060 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.*			
Maximum height	24 ft and 2 stories within 50 feet of a residential zone, 50 ft and 4 stories elsewhere.			
Landscaping	See Chapter 106.34 (Landscaping Standards).			
Parking	See Chapter 106.36 (Parking and Loading).			
Signs	See Chapter 106.38 (Signs).			

Notes:

(1) Setback area shall be used only for landscaping and pedestrian space. The front and/or side-corner setback may be reduced or eliminated by the review authority to accommodate the placement of a building at the back of the street sidewalk, and/or pedestrian space including outdoor sitting or eating areas. May not be reduced to allow parking closer to street.

(2) Setback only required when adjacent to a residential or open space zone.

(3) Setback for Small Lot Housing Product shall be determined by the Review Authority or as specified in 106.42.030

TABLE 2-7 - AC, CR, AND MP DISTRICT DEVELOPMENT STANDARDS

	Requirement by Zoning District		
Development Feature	**AC Auto Commercial**	**CR Commercial Recreation**	**MP Industrial/Office Park**
Minimum lot size	*Minimum area and dimensions for parcels proposed in new subdivisions.*		
Area, width, depth	No minimum		
Residential density	*Maximum number of dwelling units allowed in a project. The actual number of units allowed will be determined by the City through subdivision or planning permit approval, as applicable.*		
Maximum density	20 units per acre	No dwellings allowed; 1 lodging unit per 500 sf of site area	None allowed
Setbacks	*Minimum and, where noted, maximum setbacks required for primary structures. See Section 106.30.100 for setback measurement instructions, and exceptions to these requirements.*		
Front	20 ft (1)	50 ft (1)	25 ft
Side - Interior (each)	25 ft (2)	25 ft (2)	50 ft adjacent to a residential zone, 20 ft elsewhere.
Side - Corner	20 ft (1)	50 ft (1)	25 ft
Rear	25 ft (2)	25 ft (2)	50 ft adjacent to a residential zone, 20 ft elsewhere.
Floor area ratio (FAR)	*Maximum FAR for non-residential structures*		
	0.60	0.10	0.50
Height limit	*Maximum allowable height of structures. See Section 106.30.060 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.*		
Maximum height	24 ft if within 100 feet of a residential zone, 40 ft elsewhere.		50 ft
Landscaping	See Chapter 106.34 (Landscaping Standards).		
Parking	See Chapter 106.36 (Parking and Loading).		
Signs	See Chapter 106.38 (Signs).		

Notes:

(1) Setback area shall be used only for landscaping and pedestrian space. The front and/or side-corner setback may be reduced or eliminated by the review authority to accommodate the placement of a building at the back of the street sidewalk, and/or pedestrian space including outdoor sitting or eating areas. May not be reduced to allow parking closer to street.

(2) Setback only required when adjacent to a residential or open space zone.

B. Location of allowable activities. Within all commercial and industrial zones, no equipment, material, furniture, or appliances shall be stored and/or displayed outside of an enclosed building, or outside of a solid screen fenced area and be visible from a public street, unless they are normally used outdoors.

CHAPTER 106.28 - SPECIAL PURPOSE AND OVERLAY ZONING DISTRICTS

Sections:

106.28.010 - Purpose
106.28.020 - Applicability of Overlay Zoning Districts
106.28.030 - Special Planning Area (SPA) Zoning District
106.28.040 - Corridor Overlay Zoning District

106.28.010 - Purpose

The provisions of this Chapter regulate development and new land uses in the special purpose and overlay zoning districts established by Section 106.20.020 (Zoning Map and Zoning Districts), and provide guidance for development within the overlay zoning districts in the form of standards that apply to proposed development in addition to the standards and regulations of the primary zoning district, where important site, environmental, safety, compatibility, or design issues require particular attention in project planning.

106.28.020 - Applicability of Overlay Zoning Districts

The provisions of this Chapter apply to proposed land uses and development in addition to all other applicable requirements of this Zoning Code. Any perceived conflict between the provisions of this Chapter and any other provision of this Zoning Code shall be resolved in compliance with Chapter 106.12 (Interpretation of Zoning Code Provisions).

A. Mapping of overlay districts. The applicability of any overlay zoning district to a specific site is shown by the overlay Zoning Map symbol established by Section 106.20.020 (Zoning Map and Zoning Districts), being appended as a suffix to the symbol for the primary zoning district on the Zoning Map. The overlay districts are applied to property through the rezoning process (Chapter 106.74).

B. Allowed land uses, permit requirements, development standards. Except as may be otherwise provided by this Chapter for a specific overlay district:

1. Any land use normally allowed in the primary zoning district by this Article may be allowed within an overlay district, subject to any additional requirements of the overlay district;

2. Development and new land uses within an overlay district shall obtain the zoning approvals required by this Article for the primary zoning district; and

3. Development and new land uses within an overlay district shall comply with all applicable development standards of the primary zoning district, all other applicable provisions of this Zoning Code (e.g., Article 3 - Site Planning and Project Design Standards), and the City's Design Guidelines.

106.28.030 - Special Planning Area (SPA) Zoning District

A. Purpose. The SPA zoning district is intended to provide for flexibility in the application of Zoning Code standards to proposed development under limited and unique circumstances. The purpose is to allow consideration of innovation in site planning and other aspects of project design, and more effective design responses to site features, uses on adjoining properties, and environmental impacts than the Zoning Code standards would produce without adjustment. The City expects each project within a Special Planning Area to be of obvious, significantly higher quality than would be achieved through conventional design practices and standards.

B. Allowable land uses and planning permit requirements. Allowable land uses within each SPA district are specified by each SPA adopting ordinance.

C. Zoning district development standards. Development standards that apply in a particular SPA district are as specified by the applicable SPA adopting ordinance.

D. Required findings. The Commission may recommend the approval of a requested rezoning to apply the SPA zoning district, and the Council may approve rezoning to SPA only after first making all of the following findings, in addition to those required for a rezoning by Section 106.74.060 (Findings).

1. The project is consistent with the General Plan and any applicable specific plan;

2. The project complies with all applicable provisions of this Zoning Code other than those modified by the SPA ordinance;

3. The approved modifications to the development standards of this Zoning Code are necessary and appropriate to accommodate the superior design of the proposed project, its compatibility with adjacent land uses, and its successful mitigation of any identified environmental impacts;

4. The project complies with all applicable provisions of the City's Design Guidelines;

5. The project can be adequately, conveniently, and reasonably served by public facilities, services, and utilities;

6. The planning concepts and design features of the project are reasonably suited to the characteristics of the site and the surrounding neighborhood;

7. The location, size, planning concepts, design features, and operating characteristics of the project are and will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the General Plan;

8. The site is adequate for the project in terms of size, shape, topography, and circumstances; and

9. The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

106.28.040 - Corridor (COR) Overlay Zoning District

A. Purpose. Portions of some major transportation corridors, where residential development fronts directly onto the street, have been identified in the General Plan as "transitional." These are areas that present special challenges for continued single-family residential uses, and where certain "light" ("low-impact" and/or "low intensity") commercial uses and a mixture of residential and light commercial uses are appropriate.

1. The Corridor (COR) overlay zone is to be applied in conjunction with a residential zoning district to expand on the uses and standards of that zoning district. The purpose of the COR overlay is to allow existing residential uses to continue, but also to allow a mix of new residential, business service, and professional office uses that are compatible with existing single-family residential uses in identified transition areas along major transportation corridors. This overlay zone is not intended to accommodate citywide demand for office space, most of which is better met in other "traditional" office and commercial zones, nor is the purpose to allow or foster strip-commercial / retail uses.

2. The COR overlay zone is intended to accomplish the following:

   a. Allow compatible use conversions that extend the economic life of the existing residential structures;

   b. Allow owners to justify expenditures for repairs and modernization of their residential structures;

   c. Create both a buffer, and a true transition, between pure residential uses and major transportation corridors;

   d. Allow for the conversion of existing structures, creating economic advantages for new users;

   e. Allow properties to take advantage of easy access onto major streets;

   f. Allow properties to take advantage of visibility from major streets; and

   g. Develop well designed and aesthetically pleasing mixed uses.

B. Allowable land uses and permit requirements.

1. Permitted uses. The following uses are permitted within the COR overlay zone:

   a. All uses listed by Article 2 (Zoning Districts and Allowable Land Uses) as permitted in the applicable residential zone, including home occupations; and

   b. Non-residential uses legally in existence on or before November 13, 2005.

2. Conditional uses. The following uses are allowed within the COR overlay zone subject to Use Permit approval (Section 106.62.050).

   a. All conditional uses permitted in the underlying residential zone;

   b. New non-residential uses that meet the development and operating standards in Subsection C., and are consistent with the purposes in Subsection A.

      (1) Examples of the type of uses that would be consistent in this overlay zone include various business and professional offices including those for insurance, real estate, law, photography, and advertising.

(2) Uses generating a high volume of traffic, and Commercial/Industrial or other uses that create heightened levels of noise, odor, or nuisance conditions for surrounding residents, are prohibited in this zone (e.g. certain retail sales; certain medical offices);

c. Expansion or enlargement of non-residential uses legally in existence on or before November 13, 2005; and

d. Expansion of existing retail sales and medical offices, only if the review authority determines that the resulting traffic generation is minimal.

3. Accessory uses. The following accessory uses are permitted within the COR overlay zone:

a. All accessory uses permitted in the underlying residential zone;

b. Accessory uses legally in existence on or before November 13, 2005 [the effective date of the revised Corridor overlay]; and

c. Existing residential uses shall be allowed to construct a wood fence, masonry wall or other acceptable buffering feature 10 feet back from the front property line. Landscaping shall be required in the 10-foot setback area. The design of the wall and landscaping shall comply with the traffic safety visibility area requirements of Section 106.30.060.E (Height Limits and Exceptions - Height limits at street corners). The design of the wall and landscaping shall be reviewed by the Department to ensure compatibility of design, materials, and species.

4. Prohibited uses. The following uses are prohibited within the COR overlay zone.

a. Automotive uses;

b. Check cashing;

c. Eating, drinking, and lodging uses, except for bed and breakfast inns;

d. Entertainment uses;

e. Food, drug, and liquor sales;

f. Kennels;

g. Liquor sales;

h. Manufacturing and processing uses;

i. Recreation equipment sales;

j. Repair services, except for small appliance and minor household equipment repair;

k. Retail sales exceeding 1,000 square feet;

l. Tattoo parlors;

m. Transportation facilities and services, except for transit shelters or bus benches;

n. Other uses determined by the Commission to be of a similar nature, but not specifically named in this Section.

C. Development and operating standards. Each use requiring Use Permit approval within the COR overlay zone shall comply with each of the following standards.

1. Height. Height regulations, shall be the same as otherwise provided for within the underlying residential zone.

2. Area and setback requirements. The area, lot width and yard requirements shall be the same as those of the underlying residential zone. Setbacks for rear and side yards, for any new construction, or addition to the dwelling, for purposes of housing a conditional use, shall be twice those required for residential uses. Front yard setbacks shall be the same as those of the underlying residential zone.

3. Subdivision requirements. The intent of the COR overlay zone is to apply only to parcels fronting on a major corridor. If there is a request to subdivide a parcel within the COR overlay zone, there shall be a zone change hearing held simultaneously, to rezone the parcel no longer fronting on the major corridor, to remove the COR designation.

4. Other required conditions. Other required conditions shall be the same as those of the underlying residential zone.

5. Driveway consolidation. Wherever possible, new uses shall provide for consolidation of driveway access through parcel consolidation or reciprocal easements.

6. Hours of operation. Traffic generating hours shall reflect the underlying residential zoning, and shall be restricted to the hours of 8:00 am to 8:00 pm, or shorter, as deemed appropriate by the Commission, through the Use Permit process, to maintain compatibility with adjoining residential uses.

7. Signs. One freestanding monument sign is allowed per parcel. Maximum area is 24 square feet. Three feet of landscaping is required in every direction from the exterior portions of any part of the monument sign. Maximum height of the sign is six feet. Spacing of freestanding signs shall be a minimum of 50 feet from adjacent freestanding signs on adjacent parcels. Parcels that have no public street frontage shall be allowed to advertise on a freestanding sign located on a contiguous parcel which fronts on a public street. Sign area may be increased by a maximum of 12 square feet in area and shall be in addition to the sign area allowed for the parcel having public street frontage. Wall mounted tenant identification signage to guide customers to a particular office is allowed, up to a maximum of 24 inches by 36 inches. The front yard setback for signage is 10 feet.

8. Equipment. No equipment shall be used that creates electrical or electronic interference, noise, vibration, fumes, odor, glare, smoke, dust, visual blight, conditions that constitute a nuisance, or hazardous conditions not normally associated with residential uses. Each application for a conditional use shall be reviewed by the City to ensure compatibility with adjoining uses.

9. Employees, clients, patrons. The number of employees, clients, and/or patrons may be limited by the availability of on-site parking and/or by traffic considerations. New high-traffic generating uses shall not be allowed.

10. Architecture/design modification. New structures or modification of existing structures for new uses must be architecturally compatible with adjoining residential uses, and shall require the submittal of a Design Review application in conjunction with the Use Permit application, for review and approval by the Commission.

11. Parking. Parking shall be provided as required by Chapter 106.36 (Parking and Loading). The location of parking within the subject site shall be determined through Use Permit or Design Review, and shall be limited

to those areas of the site which minimize parking related impacts on adjoining residences. Under no circumstances shall parking be located closer than 10 feet from any property boundary.

12. **Exterior lighting.** Exterior lighting shall be minimal and shall not exceed typical lighting for a residence. Allowed lighting shall not spill-over onto nor cause glare for adjoining properties. Any lighting associated with a use requiring a Use Permit and Design Review, shall be reduced in output or turned off during non-business hours. Under no circumstances shall any lighting exceed a one foot-candle level in any location along the perimeter of the subject property, nor shall any luminaire be closer than 10 feet to any property line. Exterior lighting shall also comply with Chapter 106.35 (Outdoor Lighting).

13. **Walls and fencing.** Masonry walls may be required along the side and rear property lines to protect adjoining residential uses, refer to section 106.30.090 (Screening). Sound walls along the street are generally not allowed except where determined by the City to be necessary to protect sensitive uses. Landscaping shall be installed adjacent to any required masonry wall. Each wall or fence shall also comply with the requirements of Section 106.30.050 (Fences and Walls).

14. **Unique environmental features.** Unique environmental features of the site including creeks, trees, and original landscaping (where desirable) shall be protected and incorporated into the site plan.

15. **Other applicable regulations.** Each use shall comply with provisions of health code regulations, the Americans with Disabilities Act, relevant uniform building codes, applicable provisions of the Alcohol, Tobacco, and Firearms Division of the federal Department of Treasury, and all other applicable federal, state, or local regulations.

D. Approval process. Except as otherwise provided in this Section, the requirements of Section 106.62.050 (Use Permit and Minor Use Permit) shall apply.

1. Each conditional use within the COR overlay zone shall require the submittal and approval of individual Use Permit and Design Review applications. Each application shall be prepared, submitted to the Department, and scheduled for public review and hearing before the Commission in compliance with Chapters 106.60 (Permit Application Filing and Processing), and 106.62 (Permit Review and Decisions).

2. The notice of the public hearing before the Commission for the Use Permit and Design Review required by Chapter 106.76 (Public Hearings) shall be mailed to property owners within a 500 foot radius of the project site, or greater distance at the discretion of the Department.

3. Public comment shall be included as part of the record for consideration by the Commission at the public hearing.

4. Upon acceptance of a properly filed application, the Commission shall determine whether to approve, approve with conditions, or deny the application. Applicants shall receive written notice of the decision, circulate it for public review, and schedule the application for public hearing before the Commission.

5. Decisions of the Commission may be appealed to the Council in compliance with Chapter 106.72 (Appeals).

E. Required findings for approval. The approval of a conditional use allowed by Subsection B. shall require that the review authority first make all of the following findings:

1. The use is compatible with adjacent land uses;

2. The proposed site layout and building designs are compatible with adjoining residential land uses;

3. The site is of an appropriate size and configuration for the new use, and is efficiently and aesthetically designed for the proposed operations;

4. The use complies with the development standards in Subsection C., and all applicable design guidelines; and

5. The parking design emphasizes safety, minimizes traffic congestion, avoids aesthetic impacts, and does not negatively impact pedestrian circulation.

106.28.050 – Sunrise MarketPlace (SMP) Overlay Zoning District

A. Purpose. The Sunrise MarketPlace is home to the majority of the City's shopping, dining, and entertainment facilities. The Sunrise Boulevard and Greenback Lane thoroughfares bisect this important district. These roadways serve significant cut-through traffic detracting from the General Plan goals to create an inviting and distinctive identity for the Sunrise MarketPlace to promote its image as the City's premier destination to shop, work, live and play.

Certain land uses support cut-through traffic, but are contrary to broader quality of life, redevelopment, circulation, air quality, and economic development objectives.

1. The SMP Overlay zone is to be applied in conjunction with existing zoning districts to restrict certain uses within the Overlay Zone. The purpose of the overlay is to allow existing uses to continue, but also to ensure redevelopment of key locations within the district are supportive of City goals related to redevelopment of the Sunrise MarketPlace, walkability/bikeability goals, and transit use.

2. The SMP Overlay zone is intended to accomplish the following:

   a. Allow compatible use conversions that extend the economic life of the existing structures;

   b. Allow owners to pursue redevelopment opportunities that are supportive of broader City goals;

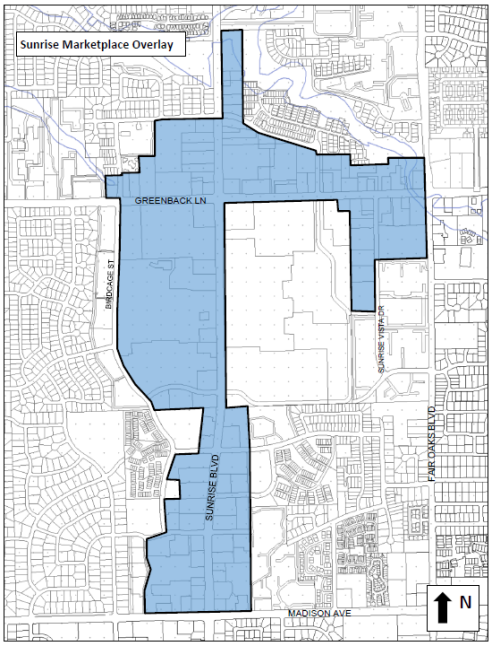
   c. Create an environment that discourages cut-through traffic and encourages walking, biking, and transit;

   d. Allow for the conversion of existing structures, creating economic advantages for new users;

   e. Control vehicular access onto major streets;

   f. Allow properties to take advantage of visibility from major streets; and

   g. Develop well designed and aesthetically pleasing mixed uses.



B. Allowable land uses and permit requirements.

1. Permitted and Conditionally Permitted uses. All uses listed by Article 2 (Zoning Districts and Allowable Land Uses) as permitted in the underlying applicable commercial zone, with the exception that the following uses are prohibited:

a. Service Stations

b. Vehicle Services- Major

c. Vehicle Service - Minor

d. Storage- Personal Storage Facility (mini-storage)

e. Ambulance, taxi, and specialized transportation and dispatch facility

2. Existing Uses. Existing uses legally in existence on or before December 1, 2022, which are prohibited by 106.28.050.B.1, may continue to operate, including transfers of ownership, provided the continuation shall comply with the requirements of Section 106.70.020 and Section 106.28.050.C.

C. Development and operating standards for prohibited use expansion. Each Prohibited Use within the SMP Overlay that seeks to expand or enlarge shall obtain a Use Permit and Design Review Permit Modification and comply with the underlying zoning requirements. Any addition, expansion or enlargement of a prohibited use shall comply with each of the following standards.

1. Driveway consolidation. Wherever possible, new uses shall provide for consolidation of driveway access through parcel consolidation or reciprocal easements. New driveways onto Greenback Lane or Sunrise Boulevard are strongly discouraged.

2. Active Transportation. Site design and layout shall prioritize circulation of active transportation modes (transit, bicycle, and pedestrian) above vehicular circulation.

3. Health Risk Assessment. Uses that result in the generation of operational air quality emissions shall complete an Air Quality Health Risk Assessment.

4. Design Standards. Any expanded use shall adhere to the applicable Design Guidelines within the Zoning Code. Any expansion shall include a comprehensive façade and site improvement for the entire impacted parcel and structure, not just the expanded area.

D. Required findings for approval. The approval of an expansion of a prohibited use allowed by Subsection B shall require that the review authority first make all of the following findings:

1. The use is consistent with the General Plan and Zoning Code;

2. The use is compatible with adjacent land uses;

3. The proposed site layout and building designs are compatible with adjacent land uses;

4. The site is of an appropriate size and configuration for the new use, and is efficiently and aesthetically designed for the proposed operations;

5. The use complies with the development standards in Subsection C., and all applicable design guidelines; and

6. The site design emphasizes safety, minimizes traffic congestion, avoids aesthetic impacts, and does not negatively impact circulation for active transportation modes.

ARTICLE 3

Site Planning and Project Design Standards

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d. The review authority may waive or approve a substitute for the requirements of this Subsection if the review authority first determines that:

(1) The relationship of the proposed uses make the required screening unnecessary;

(2) The intent of this Section can be successfully met by means of alternative screening methods;

(3) Physical constraints on the site make the required screening infeasible; or

(4) Physical features of the site or adjoining parcels (e.g. topography, vegetation, etc.) make the required screening unnecessary.

2. Mechanical equipment, loading docks, and refuse areas.

a. Roof or ground mounted mechanical equipment shall be screened from public view from adjoining public streets and rights-of-way and adjoining areas zoned for residential uses. This equipment includes air conditioning, heating, ventilation ducts, and exhaust vents, loading docks, refuse storage areas, and utility services, electrical transformers, gas meters, etc.

b. The method of screening shall be architecturally compatible with the colors, materials, and architectural style of other on-site development.

3. Outdoor storage and work areas. See Section 106.42.170 (Outdoor Storage).

4. Outdoor building materials and garden supply areas. See Section 106.42.160 (Outdoor Displays and Sales).

C. Fence and wall standards. Where screening is provided in compliance with this Section in the form of a fence or wall, the fence or wall shall comply with all applicable requirements of Section 106.30.050 (Fences and Walls).

106.30.100 - Setback Requirements and Exceptions

A. Purpose. This Section provides standards for the use and minimum size of setbacks. Setbacks provide open areas around structures for: visibility and traffic safety; access to and around structures; access to natural light, ventilation and direct sunlight; separation between incompatible activities; and space for privacy, landscaping, and recreation.

B. Setback requirements.

1. Minimum setbacks for all structures. Each structure shall comply with the setback requirements of the applicable zoning district, and with any setbacks established for specific uses by Article 4 (Standards for Specific Land Uses), except as otherwise provided by this Section. No portion of any structure, including eaves or roof overhangs, shall extend beyond a property line; or into an access easement or street right-of-way.

2. Infill development within previously approved projects. Where the City has established specific setbacks for individual parcels through the approval of a specific plan, subdivision map, or other entitlement, those setbacks shall apply to continuing development within the approved project instead of the setbacks required by this Zoning Code.

3. Exemptions from setback requirements. The minimum setback requirements of this Zoning Code apply to all development and new land uses, except the following:

a. A fence or wall to the extent allowed by Section 106.30.050 (Fences and Walls);

b. Decks, earthworks, steps, terraces, and other site design elements that are placed directly upon grade and do not exceed a height of 18 inches above the surrounding grade at any point;

c. A sign in compliance with Chapter 106.38 (Signs); and

d. A retaining wall less than three feet in height above finished grade. A higher wall may be allowed within a required setback with Design Review by the Director.

C. Measurement of setbacks. A required setback from a street shall be measured from the edge of the abutting street/public right-of-way, and its proposed widening and extensions as indicated by the City Engineer. The width of any street or highway that does not appear in the Master Streets and Highways Plan shall be determined from the standards for street widths and improvements in the Subdivision Ordinance and/or City standards (Municipal Code Title 22).

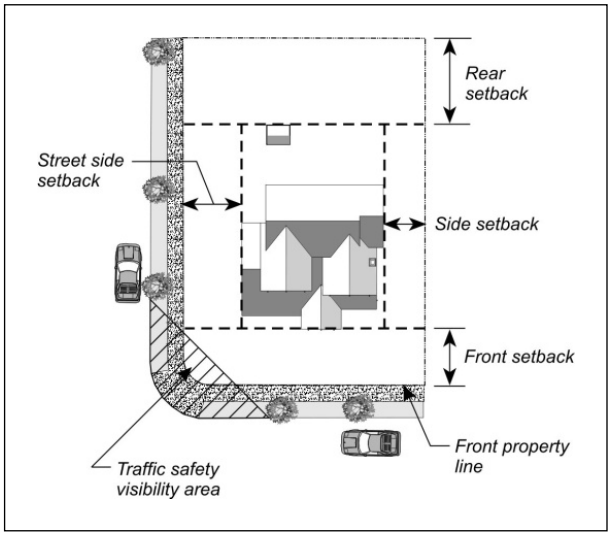


Figure 3-5 – Location of Required Setbacks

1. Front yard setbacks. The front yard setback shall be measured at right angles from the nearest point on the front property line of the parcel, to the nearest point of the wall of the structure, except as follows. The front property line is the most narrow dimension of a lot adjacent to a street.

a. Offer of dedication. The front setback shall be measured at right angles from the nearest point on the edge of an Irrevocable Offer of Dedication (IOD).

b. Private street. The front setback shall be measured at right angles from the nearest point on the edge of the recorded access easement of a private street, or the edge of the pavement, whichever is greater.

c. Flag lot. The front setback on a flag-shaped lot shall be measured from the nearest point of the wall of the structure to the property line intersected by the access strip, establishing a setback line parallel to the property line nearest to the public street or right-of-way; except that any fencing proposed along the access strip shall comply with the setback requirements applicable to the adjacent parcels. See Figure 3-6.

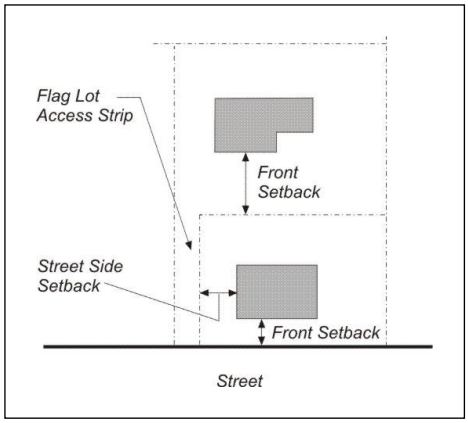


Figure 3-6 – Flag Lot Setbacks

d. Corner lot. The measurement of the front setback shall be from the nearest point of the wall of the structure to the nearest point of the most narrow street frontage property line. If the property lines on both street frontages are of the same length, or if there is a predominant development pattern in the vicinity of the property, the Director shall determine the property line to be used for front yard setback measurement.

e. Double-frontage lot. Proposed development on a double-frontage lot shall comply with the front yard setback requirements of the applicable zoning district on both street frontages.

2. Side yard setbacks. The side yard setback shall be measured at right angles from the nearest point on the side property line of the parcel to the nearest point of the wall of the structure; establishing a setback line parallel to the side property line, which extends between the front and rear yard setbacks.

3. Street side yard setbacks. The side yard on the street side of a corner parcel shall be measured from the nearest point on the side property line bounding the street, or the edge of an easement for a private road, or the inside edge of the sidewalk, whichever results in the greatest setback from the roadway.

4. Rear yard setbacks.

a. The rear yard shall be measured at right angles from the nearest point on the rear property line to the nearest line of the structure, establishing a setback line parallel to the rear property line.

b. Where a parcel has no rear property line because its side property lines converge to a point, an assumed line 10 feet long within the parcel, parallel to and at a maximum distance from the front property line, shall be deemed to be the rear property line for the purpose of determining the depth of the required rear yard. See Figure 3-7.

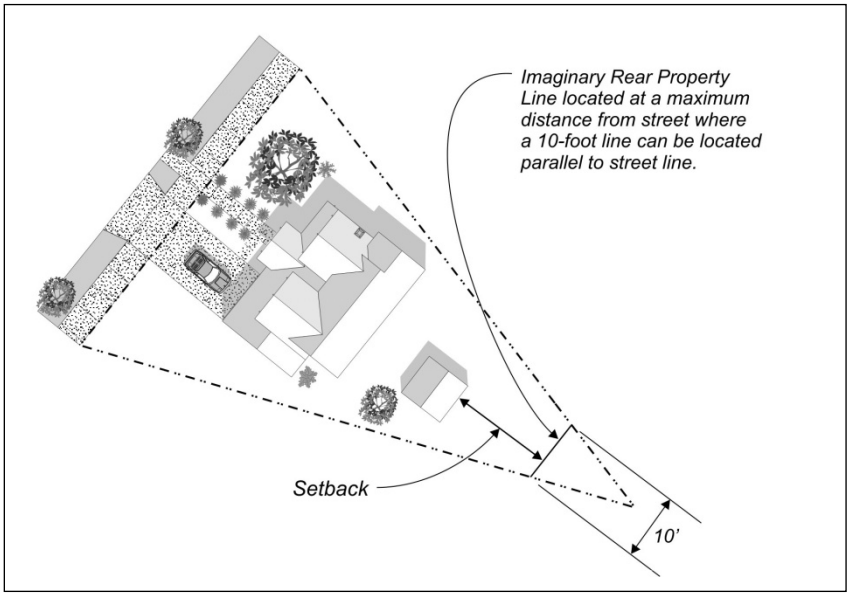


Figure 3-7 – Rear Setback on Irregular Lot

D. Limitations on uses of setbacks.

1. Structures. A required setback shall not be occupied by structures other than:

a. The fences and walls permitted by Section 106.30.050 (Fences and Walls);

b. The projections into setbacks allowed by Subsection E.; and

c. Residential accessory structures as allowed by Section 106.42.200 (Residential Accessory Uses and Structures).

2. **Storage.** No front or street side setback shall be used for the accumulation, placement or storage of automobiles, other motor vehicles, recreational vehicles, trailers, building materials, scrap, junk or machinery except for:

   a. Automobiles, other motor vehicles, recreational vehicles, and/or trailers parked within a designated off-street parking area, and which shall be operable, registered, and licensed as allowed under Section 106.36.080(B)(2).

   b. Building materials required for construction on the parcel, immediately before and during a construction project which has a valid Building Permit in force. Storm discharge Best Management Practices (BMPs) shall be used to prevent runoff from these materials into the storm drainage system.

   c. Materials stored behind a fence that is at least six feet high and in compliance with Section 106.30.050 (Fences and Walls).

3. **Parking.** See Section 106.36.080 (Parking Design and Development Standards) for all parking requirements within setbacks.

E. Allowed projections into setbacks.

1. **Primary structure into rear setback.** Within a residential zoning district, a primary structure may project into a required rear yard setback provided that an area equal to the projection is provided as a yard or court within the buildable area of the lot. In no event shall the rear yard setback be less than 10 feet for a one-story building, or 15 feet for a two-story building.

2. **Accessory structures.** See Section 106.42.200 (Residential Accessory Uses and Structures).

3. **Architectural features.** A cornice, sill, eave, canopy, chimney, window bay, media niche, or similar architectural feature may project into a required setback by a maximum of 24 inches; provided that the length of a projecting chimney, canopy or window bay along the wall from which it projects shall be limited to a maximum of 10 feet.

   a. Accessory structure. An accessory structure shall maintain a minimum three-foot setback from property lines for any portion of the structure.

   b. Front porch. A front porch may encroach five feet into the front setback.

   c. Window bay. A window bay with glass comprising at least 50 percent of the total area of its vertical surfaces, may project 24 inches into a required setback when the finished floor of the window bay is at least 15 inches above the finished floor of the room. The roof overhang above the window bay shall not project beyond 24 inches into the setback area.

4. **Existing legal non-conforming setback.** Additions to structures with existing legal non-conforming side yard setbacks in RD-1,2,3, and 4 zones may maintain the non-conforming setback distance for the expansion with the Director's approval.

F. Setback requirements for specific structures.

1. **Accessory structures.** See Section 106.42.200 (Residential Accessory Uses and Structures).

2. **Fences.** See Section 106.30.050 (Fences and Walls).

3. **Decks or other site design element.** Detached decks, freestanding solar devices, steps, terraces, and other site design elements which are placed directly upon the grade, and which exceed a height of 18 inches

above the surrounding grade at any point, shall conform to the setback requirements of this Zoning Code for detached accessory structures. (Note: a site design element less than 18 inches above grade is exempt.)

4. **Swimming pool, hot tub, etc.** A swimming pool shall be set back: 20 feet from a front property line; 12½ feet from a street side property line; and three feet from a rear or interior property line as measured to the water's edge.

5. **Air conditioning and mechanical equipment.** Ground-mounted air conditioning equipment shall comply with the front and street side setback requirements of the applicable zoning district. Air conditioning equipment requires no setback from a side or rear property line. Other types of mechanical equipment shall be set back a minimum of five feet from side and rear property lines. A mechanical unit on the ground shall be screened from public view with a solid wood or masonry fence.

106.30.110 - Solid Waste/Recyclable Materials Storage

A. **Purpose.** This Section provides standards which recognize the City's support for and compliance with the California Solid Waste Reuse and Recycling Access Act (Public Resources Code Sections 42900 through 42911).

B. **Applicability.** These requirements apply to new multi-unit residential, and nonresidential development, or changes to existing multi-unit residential or nonresidential development that increase gross floor area by 25 percent or more.

C. **Extent of storage area required.** Solid waste and recyclables storage areas shall be provided in the number, dimensions, and types required by the waste hauler. Additional storage areas may be required by the Director as deemed necessary.



Figure 3-8 – Storage Area Enclosure

D. **Enclosure requirements.** Each storage area shall be fully enclosed by a six-foot high masonry wall or other solid enclosure that is architecturally compatible with adjacent structures. See Figure 3-8.

1. **Location and access.** Adequate access for vehicle maneuvering and refuse pick-up shall be provided.

   a. **Residential zoning district.** An enclosure shall be located in compliance with the front and street side setback requirements of the applicable zone, and 25 feet from an interior side or rear property line abutting property that is also in a residential zoning district.

   b. **Non-residential zoning district.** An enclosure shall be located 15 feet from a front or street side property line in a non-residential zoning district, and as required by the interior side and rear setback requirements of the applicable zoning district.

2. **Gates and landscaping.** Gates shall be solid metal and continuously maintained in working order. Landscaping shall be provided to soften and screen the enclosure in compliance with Chapter 106.34 (Landscaping Standards).

106.30.120 - Undergrounding of Utilities

All electric and telephone facilities, fire alarm conduits, street lighting wiring, cable television and other wiring conduits, and similar facilities shall be placed underground by the developer. The Director may grant a modification, including a complete waiver of the undergrounding requirement, after considering the voltage, project size, and location of the proposed development.

CHAPTER 106.36 - PARKING AND LOADING

Sections:

106.36.010 - Purpose
106.36.020 - Applicability
106.36.030 - General Parking Regulations
106.36.040 - Number of Parking Spaces Required
106.36.050 - Disabled/Handicapped Parking Requirements
106.36.060 - Bicycle Parking
106.36.070 - Motorcycle Parking
106.36.080 - Reduction of Parking Requirements
106.36.090 - Parking Design and Development Standards
106.36.100 - Loading Space Requirements
106.36.110 - Trip Reduction

106.36.010 - Purpose

The requirements of this Chapter are intended to ensure that sufficient but not excessive off-street parking facilities are provided for all uses, and that parking facilities are properly designed, attractive, and located to be unobtrusive while meeting the needs of the specific use. The City discourages providing parking in excess of that required by this Chapter.

106.36.020 - Applicability

Each land use and structure shall provide off-street parking and loading areas in compliance with this Chapter. This Chapter shall also apply to changes to, or expansion of a land use or structure. A land use shall not be commenced and a structure shall not be occupied until the improvements required by this Chapter are completed and approved by the Director.

106.36.030 - General Parking Regulations

A. **Timing of installation.** A new or altered structure shall not be occupied, and a new land use not requiring a structure shall not be established, until all off-street parking and loading facilities required by this Chapter are in place and approved by the City.

B. **Permanent facilities required.** Each required parking and loading space shall be permanently available, marked, and maintained for parking or loading purposes for the use it is intended to serve. The approval of a Temporary Use Permit (Section 106.62.030) may allow the temporary use of a parking or loading space for other purposes.

C. **Unrestricted facilities required.** An owner, lessee, tenant, or other person who controls the operation of a site with required parking or loading spaces shall not prevent, prohibit, or restrict authorized persons from using the spaces without the prior approval of the Director.

D. **Truck or Trailer Parking.** The parking of a motor vehicle used for commercial or industrial purposes and rated more than one (1) ton capacity and trailers used for commercial or industrial purposes shall not be parked or stored in any residential zone except when loading, unloading, or rendering service.

E. **State-mandated exemptions.** Per Government Code 65863.2, parking is not required for any residential, commercial, or other development project within ½ mile of public transit (see Section 106.80.020 for definition of "public transit"). These rules do not apply to requirements for ADA parking spaces, EV charging spaces, or existing grandfathered contracts with the city to provide public parking.

F. Residential Parking and Storage. No front or street side setback shall be used for the accumulation, placement or storage of automobiles, other motor vehicles, recreational vehicles, trailers, building materials, scrap, junk or machinery except as allowed in Section 106.30.100 (D)2).

106.36.040 - Number of Parking Spaces Required

Each land use shall be provided the number of off-street parking spaces required by this Section. See Section 106.36.060 for off-street parking requirements for bicycles and motorcycles.

A. Parking requirements by land use.

1. **Minimum number required.** Each land use shall provide the number of off-street parking spaces required by Table 3-7, except where a greater number of spaces are required through Minor Use Permit or Use Permit approval. Regardless of the requirements of Table 3-7, each non-residential land use shall provide a minimum of five off-street spaces, except where the review authority determines that the number of spaces required by Table 3-7 is sufficient.

2. **Use not listed.** A land use not specifically listed by Table 3-7 shall provide parking as required by the Director. The Director shall use the requirements in Table 3-7 as a guide in determining the number of off-street parking spaces required.

3. **Measurement of floor area.** In any case where Table 3-7 establishes a parking requirement based on floor area in square feet (for example: 1 space per 1,000 sf of floor area), the floor area shall be construed to mean gross interior floor area.

4. **Use with accessory components.** The review authority may require a single use with accessory components to provide parking for each component, where the review authority determines that separate vehicle trips will likely be generated by each component. For example, a hotel with a meeting room may be required to provide the parking spaces required by Table 3-7 for a hotel (i.e., the guest rooms), and for a meeting room.

5. **Bench or bleacher seating.** Where fixed seating is provided as benches, bleachers, pews, or similar seating, a seat shall be defined as 24 inches of bench space for the purpose of calculating the number of required parking spaces as provided in Table 3-7.

B. Expansion of structure, change in use. When a structure is enlarged, or when a change in its use requires more off-street parking than the previous use, additional parking spaces shall be provided in compliance with this Chapter except where the number of additional spaces required is 10 percent or less of the number of existing spaces. See also Subsection E. (Nonconforming parking).

C. Multi-tenant sites. A site with multiple tenants shall provide the aggregate number of parking spaces required for each separate use; except where the site is developed as an integrated center with shared parking and no spaces reserved for a particular use, parking shall be provided as required by Table 3-7 for a retail complex. When a multi-tenant center includes one or more uses that will need more parking than retail uses (for example, a fitness center, restaurant, or theater) additional parking shall be required for the high parking demand use unless a parking reduction is approved in compliance with 106.36.070 (Reduction of Parking Requirements).

D. Excessive parking. The City discourages providing more off-street parking than required by this Chapter, to avoid the inefficient use of land, unnecessary pavement, and excessive storm water runoff from paved surfaces. An off-street parking lot that exceeds the amount required by Table 3-7 by 20 percent or more shall require Minor Use Permit approval, a determination by the review authority that information provided by the applicant documents a year round need for the additional parking, and the provision of additional landscaping and pedestrian amenities to the satisfaction of the review authority.

106.36.080 - Parking Design and Development Standards

Required parking areas shall be designed and constructed in compliance with this Section.

A. Location of parking. Off-street parking areas shall be located as follows:

1. ~~Residential~~ Required single-family residential parking. Residential parking shall be located on the same site as each residential unit served; except for a mixed use project developed in compliance with Section 106.42.130 (Mixed Use Projects).

a. ~~**Single-family residential.**~~ Required parking may be located within the required front and interior side setback provided the required parking occurs on an approved driveway at least 20 feet in length and is perpendicular to the street. Alternate locations may be approved by the Director provided the design of the driveway is aesthetically pleasing, compatible with the surroundings and will not create a pedestrian or vehicular hazard.

b. ~~**Multi-unit residential.** Required parking shall not occupy any required front setback, or a side or rear setback.~~

2. Multi-unit residential. Required parking shall not occupy any required front setback, or a side or rear setback.

3. **Nonresidential parking.** Nonresidential parking shall be located on the same site as the use served, or within 300 feet of the parcel when off-site parking is approved in compliance with Section 106.36.070.G (Off-site parking), with reasonable access to and from the use for which the spaces are required.

B. ~~Residential parking restrictions~~ Additional residential parking standards ~~No residential front or street side setback shall be used for the accumulation, placement or storage of automobiles or other motor vehicles, building materials, scrap, junk or machinery except for those items listed in Section 106.30.100(D)(2).~~

~~Required parking for single-family residences may be located within the required front and interior side setback in compliance with Section 106.36.080.A.1.a. Temporary (overnight) parking is allowed within required setback areas only on an approved, paved driveway, in compliance with Section 106.36.080 (Parking Design and Development Standards). The following parking restrictions apply to all residential zones:~~

1. ~~Residential parking surface~~. ~~Pavement~~ Parking within a front setback shall be limited to the required driveway plus 12 feet abutting and parallel to the driveway. The additional 12 feet of width shall be located adjacent to the interior side property line of a corner lot. Alternate locations for the additional pavement may be approved by the Director and City Engineer. The total approved parking surface width in the front of the lot shall not exceed 50 percent of the lot frontage. The Director and City Engineer may grant an exception for exceeding the allowed limits for lots located on a collector or arterial street, where the owner proposes a circular driveway. This Subsection does not apply to front setback areas that were paved to a greater extent than allowed by this Section, prior to October 5, 2006.

2. Temporary (overnight) parking is allowed within required setback areas only on an approved, paved driveway, in compliance with Section 106.36.080 (Parking Design and Development Standards). The following parking restrictions apply to all residential zones:

3. Acceptable parking surfaces include concrete~~,~~ asphalt, decomposed granite, inlaid brick or stone, or parking strips composed of the above mentioned materials. Other pervious material may be accepted per approval of director.

4. Parking may not occur within any required clear vision triangle (Section 106.30.060 Figure 3-4) area on a corner lot.

~~2.~~5. **Recreational vehicle and trailer parking.** ~~The storage (parking for any period longer than 72 hours)~~ The following standards apply to the parking and storage ~~of a recreational vehicle, trailer, boat, and/or other mobile equipment, or portions of parts of components thereof, in a residential zone shall be allowed only when all portions of the vehicle are located entirely within the property boundaries on a paved surface and do not extend into the public right of way. Storage of a recreational vehicle, trailer, boat, and/or other mobile equipment is not allowed within the front or street side yard setback unless located on required parking spaces or approved paved surfaces per Section 106.36.080(B)(2). When located within any side or rear yard, a recreational vehicle and/or boat must maintain a three-foot-wide continuous fire accessway from the front of the property. The use of any recreational vehicle for residential occupancy is prohibited except on property zoned for mobile home parks or camping.~~

a. All portions of the vehicle must be located entirely within the property boundaries, and do not extend into the public right of way.

b. Storage of a recreational vehicle, trailer, boat, and/or other mobile equipment is not allowed within the front or street side yard setback unless located on a required parking spaces or on an approved paved parking surfaces per Section 106.36.080(B)(3). When located within any side or rear yard, a recreational vehicle and/or boat must maintain a three-foot-wide continuous fire accessway from the front of the property. The use of any recreational vehicle for residential occupancy is prohibited except on property zoned for mobile home parks or camping.

C. Access to parking. Access to parking shall be provided as follows for all parking areas other than for individual single dwellings, and duplexes. Site design shall minimize the amount of paved surfaces and driveway lengths and widths while providing for safe and suitable access for vehicular circulation.

1. **Direction of travel.** Parking areas shall provide suitable maneuvering area so that vehicles exit to a street in a forward direction. Parking lots shall be designed to prevent access at any point other than at designated access drives. Single dwellings and duplexes are exempt from this requirement.

2. **Stacking area for non-residential parking.** A commercial or industrial use shall have access driveways that are not intersected by a parking aisle, parking space, or another access driveway for a minimum distance of 20 feet from the street right-of-way, to provide a stacking area for vehicles entering and exiting the parking area. The City Engineer may require a greater distance for uses with high traffic volumes or located along heavily traveled arterials. See Figure 3-43.

3. **Clear height above parking.** A minimum unobstructed clearance height of 14 feet shall be maintained above areas accessible to vehicles within nonresidential uses.

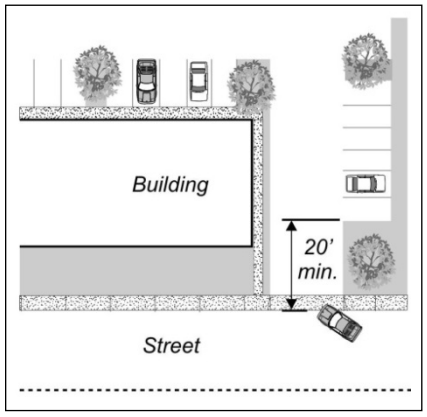


Figure 3-43 – Queuing Area

D. Access to adjacent sites. The City may require the design of a parking area to provide vehicle and pedestrian connections to parking areas on adjacent properties or to connect with adjoining public walkways, to provide for convenience, safety, and efficient circulation. A joint access agreement running with the land shall be recorded by the owners of the abutting properties, as approved by the Director, to guarantee the continued availability of the shared access between the properties.

E. Parking stall and aisle design.

1. **Minimum dimensions.**

a. Parking spaces. Each parking space shall be a minimum of nine feet wide and 19 feet long. Compact car spaces with minimum dimensions of eight feet by 16 feet may be allowed within a parking lot interior, up to a maximum of 25 percent of the total number of spaces. Compact spaces shall be dispersed throughout the parking lot. Parallel parking spaces shall have minimum dimensions of nine feet wide and 24 feet long.

b. Parking lot aisles. Each parking lot aisle shall comply with the minimum dimension requirements in Table 3-8.

TABLE 3-8 - MINIMUM PARKING LOT AISLE DIMENSIONS

Parking Angle	Aisle Width
45 degree	20 ft for a 2-way aisle 14 ft for a 1-way aisle
60 degree	20 ft for a 2-way aisle 18 ft for a 1-way aisle
90 degree	24 ft for a 2-way aisle 23 ft for a 1-way aisle
Parallel parking	24 ft for a 2-way aisle 12 ft for a 1-way aisle

2. General configuration. Tandem parking, or the parking of vehicles inline shall be prohibited in multi-unit residential and commercial zoning districts.

3. Employee parking. Where Table 3-7 requires employee parking, the spaces shall be identified by the employer as "employee parking" and shall be located as far away as possible from the main entrance.

4. 90-degree single-loaded parking aisles. A parking lot aisle that provides access to parking spaces on one side only may be reduced to a width of 22 feet provided a landscaped planter at least five feet in width, or a two-foot planter with a walkway, is installed adjacent to the aisle.

5. Dead-end aisles. Dead-end aisles are discouraged. When used, 90 degree angle stalls with adequate turning space are required, as approved by the Engineering Division.

F. Landscaping. Landscaping shall be provided in compliance with Section 106.34

G. Lighting. See Chapter 106.35 (Outdoor Lighting).

H. Striping and identification. Parking spaces shall be clearly outlined with double stripes painted on the parking surface (see Figure 3-44). Car pool spaces shall be clearly identified for car pool use only. The re-striping of a parking space or lot shall require the approval of a re-striping plan by the Director.

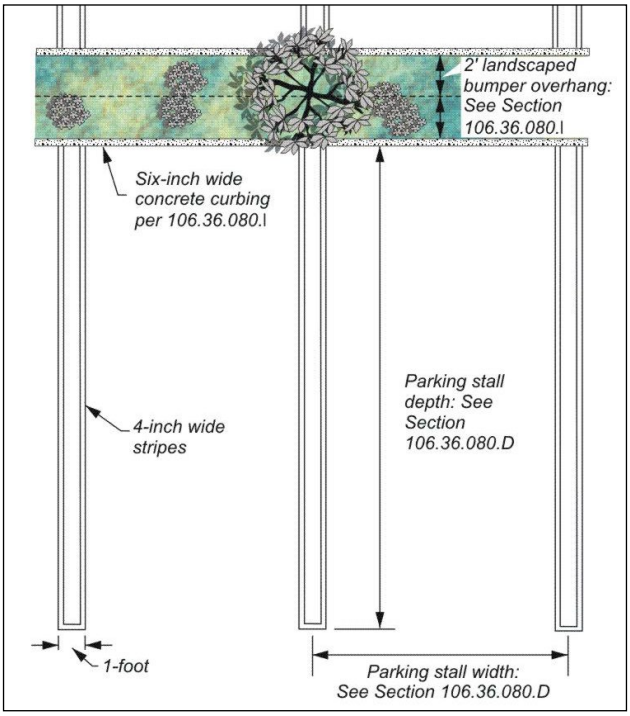


Figure 3-44 – Parking Lot Striping

I. Surfacing. Parking spaces and maneuvering areas shall be paved and permanently maintained with asphalt, concrete or other all-weather surfacing approved by the Director.

J. Wheel stops/curbing. Continuous concrete curbing at least four inches high and six inches wide shall be provided for parking spaces located adjacent to fences, walls, property lines, landscaped areas (except stormwater swales), and structures, and walkways that are less than six feet in width.

In addition to curbing, wheel stops shall be employed for any parking stall adjacent to a walkway that is less than six feet in width and has parking adjacent to it on one side. If parking adjoins both sides of the walkway, wheel stops shall be provided if the width of the walkway is less than 9 feet.

1. Individual wheel stops may be provided in lieu of continuous curbing when parking is adjacent to a landscaped area to which drainage is directed.

2. When provided, wheel stops shall be placed to allow for 30" of vehicle overhang area within the dimension of the parking space. Wheel stops shall be placed 30" from the curb.

3. Parking spaces may be designed to allow vehicle overhang of a landscape area only where the width of the landscape area is increased two additional feet over the width required by Section 106.34.040.D (Parking areas). The same overhang allowance shall apply where parking spaces directly abut a pedestrian walkway. The overhang allowance shall not be considered as part of the design width of the walkway.

In parking areas adjacent to vegetated stormwater swales or infiltration basins, curb stops alone may be used or cuts may be provided in the concrete curbing to allow water to enter the stormwater treatment planting area.

K. Drainage facilities. Drainage facilities shall be provided in all public parking areas adequate to handle the drainage requirements of the site, to alleviate the creation of flooding and drainage problems for the site or any surrounding property.

1. New parking lots and significantly redeveloped sites with existing parking shall be required to install Best Management Practices (BMPs) for their storm water discharge.

2. Post BMPs may include vegetated swales, rain gardens, storm water basins with a low flow channel to cleanse the runoff, an underground stormwater vault, or other Low-Impact Design solutions approved by the City. Low-Impact Design solutions are preferred to underground vaults.

3. Stormwater vaults and basins will require an access agreement for the City to conduct periodic inspections of the post BMP system.

106.36.090 - Loading Space Requirements

All retail and wholesale stores, warehouses, supply houses, buildings devoted to manufacturing, hotels, hospitals or other buildings where large amounts of goods are received or shipped shall provide adequate space to handle the volume and frequency of truck traffic to the building or shopping center, as required by the review authority.

A. Number of spaces required. The minimum number of spaces shall be determined in compliance with the estimated volume of truck traffic and loading requirements as approved by the Director.

B. Space design. Each required loading space shall be not less than 10 feet wide, 35 feet long and 14 feet high, exclusive of driveways. Loading docks shall not face the public right-of-way unless adequate screening is provided as required by the review authority.

J. Sign maintenance.

1. Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times.

2. Any repair to a sign shall be of materials and design of equal or better quality as the original sign.

3. A sign that is not properly maintained and is dilapidated shall be deemed a public nuisance, and may be abated in compliance with the Municipal Code.

4. When an existing sign is removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed.

K. Sign removal. When a business, activity, or entity that is the subject of an on-site sign leaves the site, the sign shall be removed within 10 days thereafter.

106.38.060 - Zoning District Sign Standards

Each sign shall comply with the sign type, area, height, and other restrictions provided by this Section, in addition to the provisions of Section 106.38.070 (Standards for Specific Sign Types).

A. Setback requirement for freestanding signs. A freestanding sign shall be set back a minimum of 5 feet from a dedicated public right-of-way, except where this Zoning Code requires a different setback for a specific sign type.

B. Residential zone sign standards. Each sign in the residential zoning districts shall comply with the requirements in Table 3-11, except for signs that are allowed by standards for a specific land use in Chapter 106.42.

TABLE 3-11 - SIGN STANDARDS FOR RESIDENTIAL ZONES

Allowed Sign Types	Maximum Sign Height	Maximum Number of Signs Allowed per Parcel	Maximum Sign Area Allowed per Parcel
Single Dwelling, Duplex, Triplex, Home Occupation			
Wall	~~6~~ Comply with Maximum Sign Area Allowed per Parcel Standard	1	1 sf
Multi-Unit Residential Project or Structure			
Wall or freestanding	Wall signs: below edge of roof; Freestanding: 4 ft	1 of either allowed sign type per entrance or street frontage	50 sf total for all signs
Non-Residential Use			
Wall	Below edge of roof	1 allowed per street frontage	Total combined sf of all wall signage shall not exceed .50 (one-half) sf for each linear ft of primary building frontage
Freestanding	6 ft; height may be increased by one additional foot up to 10 ft max with increased setback as per 106.38.080.E.5	1 allowed per entrance or street frontage	Total combined of all freestanding signs shall not exceed 100 sf

ARTICLE 4

Standards for Specific Land Uses

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106.42.010 - Purpose and Applicability

A. Purpose. This Chapter provides site planning, development, and/or operating standards for certain land uses that are allowed by Article 2 (Zoning Districts and Allowable Land Uses) within individual or multiple zoning districts, and for activities that require special standards to mitigate their potential adverse impacts.

B. Applicability. The land uses and activities covered by this Chapter shall comply with the provisions of the Sections applicable to the specific use, in addition to all other applicable provisions of this Zoning Code.

1. Where allowed. The uses that are subject to the standards in this Chapter shall be located only where allowed by Article 2 (Zoning Districts and Allowable Land Uses).

2. Planning permit requirements. The uses that are subject to the standards in this Chapter shall be authorized by the planning permit required by Article 2 (Zoning Districts and Allowable Land Uses), except where a planning permit requirement is established by this Chapter for a specific use.

3. Development standards. The standards for specific uses in this Chapter supplement and are required in addition to those in Articles 2 (Zoning Districts and Allowable Land Uses) and 3 (Site Planning and Project Design Standards).

a. The applicability of the standards in this Chapter to the specific land uses listed is determined by Article 2 (Zoning Districts and Allowable Land Uses).

b. In the event of any conflict between the requirements of this Chapter and those of Articles 2 (Zoning Districts and Allowable Land Uses) or 3 (Site Planning and Project Design Standards), the requirements of this Chapter shall control.

106.42.015 – Accessory Dwelling Units

This Section establishes standards for accessory dwelling units and junior accessory dwelling units. An accessory dwelling unit may be created by conversion of floor area in a pre-existing primary dwelling unit, by an addition thereto, or created within a new or existing residential accessory structure. Except as otherwise specified by this Chapter, all accessory dwelling units shall comply with all provisions applicable to a primary dwelling unit. Nothing in this Chapter shall provide an exception to the requirements of the Building Code.

A. Allowed Location. An accessory dwelling unit is allowed on any property developed with residential living unit(s).

B. Limitation on number of units. No more than one accessory dwelling unit shall be located on a parcel developed with a single dwelling except the parcel may also have one junior accessory dwelling unit provided the junior accessory dwelling unit complies with Section 106.42.105.D.8. Accessory dwelling units are not included when calculating the density of a parcel.

C. Relationship to primary use.

1. Design, style. An accessory dwelling unit shall be incidental to the primary single-family residential use of the site in terms of location and appearance and shall not alter the character of the primary structure. The architectural style, exterior materials, and colors of the accessory dwelling unit shall be compatible with the primary dwelling unit.

2. Timing of construction. An accessory dwelling unit may be constructed simultaneously with or after the primary dwelling. In addition, an existing dwelling that complies with the development standards for accessory

dwellings in Subsection D below, may be considered an accessory dwelling unit, and a new primary unit may be constructed which would then be considered the primary dwelling unit.

3. **Term of Rentals.** Accessory dwelling units or junior accessory dwelling units shall not be rented for periods of less than thirty one (31) days. This provision shall not apply to accessory dwelling units lawfully constructed prior to January 1, 2020.

D. Development standards. The following standards apply to all newly constructed accessory dwelling units unless an exception is provided in Section 106.42.015.D.9.

1. **Setback requirements.** An accessory dwelling unit shall comply with the setback requirements of the applicable zoning district except that the side and rear yard setbacks may be four feet.

2. **Height limit.** An attached accessory dwelling unit shall comply with the height limits of the applicable zoning district except that a detached accessory dwelling unit shall not exceed a maximum height of 18 feet, plus an additional two feet to accommodate roof pitch to align with roof pitch of the primary dwelling unit. Where the accessory dwelling unit is above a detached residential accessory structure, it shall not exceed 25 feet in height.

3. **Allowed floor area.**

   a. The floorspace of an attached accessory dwelling unit shall not exceed 60 percent of the floorspace of the primary dwelling or 1,200 square feet, whichever is less. Regardless of the size of the primary dwelling, an attached accessory dwelling unit shall be allowed the minimum size as follows:

      (1) 850 square feet for an accessory dwelling with zero to one bedrooms; or

      (2) 1,000 square feet for an accessory dwelling with two or more bedrooms.

   b. The floorspace of a detached accessory dwelling unit shall not exceed 1,200 square feet, regardless of the size of the primary dwelling.

   c. For purposes of computing the floorspace of an accessory dwelling unit, all enclosed areas accessed from within the accessory dwelling unit shall be included. For purposes of computing the floorspace of the primary dwelling, all living area shall be included when calculating the floorspace of the primary dwelling.

4. **Off-street parking requirements.** Additional off-street parking is not required for an accessory dwelling unit.

5. **Separate entrance required**. An attached accessory dwelling unit shall have an entrance separate from the entrance to the primary dwelling.

6. **Window/Balcony placement.**

   a. An accessory dwelling unit that is ~~15~~ 10 feet or less from a residential unit on an adjacent parcel shall not have second floor windows that directly face windows in the other unit.

   b. A detached accessory dwelling unit located closer than 10 feet to a side lot line or 20 feet from a rear lot line shall have no second floor windows facing the side or rear except obscured glass or clerestory windows, unless the review authority determines that other types of windows will not significantly interfere with the privacy of residents on adjacent parcels.

   c. Any Balconies above the ground floor shall not be located within 10 feet to a side or rear lot line.

7. **Junior Accessory Dwelling Unit:** As an alternative to the standard accessory dwelling units, a parcel with a single dwelling may have one junior accessory dwelling in addition to a standard accessory dwelling unit.

    a. A unit is considered a junior accessory dwelling unit provided each of the following standards are met:

        (1) The unit is created within the walls of the proposed or existing single-family residence, including attached garages.

        (2) The unit does not exceed 500 square feet in size.

        (3) The unit has at least an efficiency kitchen. The efficiency kitchen shall be removed if the junior accessory unit ceases.

        (4) The unit has bathroom facilities that are either separate from or shared with the residence in which the unit is contained.

        (5) The unit has exterior access separate from the entrance to the dwelling in which it is contained.

    b. Either the junior accessory dwelling unit or the residence in which the junior dwelling unit is contained must be occupied by the owner. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

    c. Prior to the issuance of the building permit, the owner shall show proof of a recorded deed restriction. The deed restriction, which shall run with the land including the transfer of ownership, will prohibit the following:

        (1) The junior accessory dwelling unit shall not be sold separately from the single dwelling.

        (2) The junior accessory dwelling unit shall be restricted in size and attributes as describe in Government Code 65852.22.

8. **Exceptions.** An accessory dwelling unit shall be allowed as follows, regardless of whether the development standards contained in this section can be met.

    a. For lots with single-family dwelling, one of the following:

        (1) One interior accessory dwelling unit or one junior accessory dwelling unit per lot constructed within an existing or proposed single-family or accessory structure, including the construction of up to a one hundred fifty (150) square foot expansion beyond the same physical dimensions as the existing accessory dwelling structure to accommodate ingress and egress. The accessory dwelling unit or junior accessory dwelling unit must have exterior access and side and rear setbacks sufficient for fire safety. If the unit is a junior accessory dwelling unit, it must also comply with the requirements of section 106.042.015.5.; or

        (2) One new, detached accessory dwelling unit with a minimum four-foot side and rear setbacks, up to eight hundred (800) square feet and that meets the height requirements of Section 106.42.010(D)(2) on a lot with an existing or proposed single family dwelling. A junior accessory dwelling unit may also be built within the existing or proposed dwelling of such residence in connection with the accessory dwelling unit.

        (3) Front yard setbacks shall not be applied to an attached or detached ADU if it would prohibit the construction of an ADU that is at least 800 square feet with 4-foot side and rear yard setbacks.

b. For lots with an existing multi-family dwelling:

(1) Accessory dwelling units may be constructed in areas that are not used as livable space within an existing multi-family dwelling structure (i.e., storage rooms, boiler rooms, passageways, attics, basements, or garages), provided the spaces meet state building standards for dwellings. The number of interior accessory dwelling units permitted on the lot shall not exceed twenty-five percent (25%) of the current number of units of the multi-family complex on the lot and at least one such unit shall be allowed. Units constructed pursuant to this subsection shall not exceed eight hundred (800) square feet in floor area; and

(2) Up to two (2) detached accessory dwelling units may be constructed, provided they meet the height requirements of Section 106.42.010(D)(2). Units constructed pursuant to this subsection shall not exceed eight hundred (800) square feet in floor area. For the purpose of this subsection, a structure with two or more attached dwellings on a single lot is considered a multi-family dwelling structure. Multiple detached single-unit dwelling on the same lot are not considered multi-family.

E. Zoning Clearance. The Director shall issue the Zoning Clearance in compliance with Section 106.62.020.

106.42.020 - Alcoholic Beverage Sales

A. Purpose. Establishments that sell or serve alcoholic beverages receive special attention from the City because of their potential to create problems, such as littering, loitering, public intoxication and disturbances. The City shall review all establishments selling alcoholic beverages.

~~**B. Distance requirements.** No on-sale or off-sale liquor establishment shall be maintained within 500 feet of any other on-sale or off-sale liquor establishment, or within 500 feet from the following "consideration points":~~

~~1. Schools (public or private);~~

~~2. Churches or other places of worship;~~

~~3. Hospitals, clinics, or other health care facilities; and~~

~~4. Public parks and playgrounds and other similar uses.~~

~~The distance of 500 feet shall be measured between the nearest entrances used by patrons of the establishments along the shortest route intended and available for public passage to other establishments, or to the nearest property line of any of the consideration points.~~

~~**C. Exceptions for distance requirements.** Veterans clubs, bonafide restaurants, food markets, supermarkets, drugstores, brew pubs, taverns, cardrooms, or any other retail establishment where off-sale of alcoholic beverages constitute less than 20 percent of total sales, fraternal organizations, and existing alcohol serving establishments may be closer than 500 feet from one another or any of the consideration points.~~

B~~D~~. Permit requirements. Each on-sale and off-sale liquor establishment shall require Use Permit approval, except for:

1. A bona-fide restaurant;

2. An on-sale or off-sale establishment that closes ~~Brew pubs, taverns or commercial recreation facilities indoor, that close~~ no later than 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday; and

3. Food markets, supermarkets, drugstores, or any other retail establishment in which off-sale of alcoholic beverages constitutes less than 20 percent of total sales. The owner/operator shall submit evidence of total sales to the City Finance Department, upon request by City officials to verify compliance with this requirement.

C ~~E~~. Performance and development standards.

1. Exterior lighting of the parking areas shall be sufficient to ensure a minimum intensity of at least one foot-candle of light throughout the parking surface at all times.

2. The noise levels generated by the operation of such establishment shall not exceed 60 dBA on adjoining properties zoned for residential purposes and 65 dBA for commercially zoned property.

3. All establishments shall be required to have a public telephone listing. Exterior public telephones that permit incoming calls may not be located on the premises.

4. It shall be the responsibility of the applicant licensee to provide all employees with the knowledge and skills that will enable them to comply with their responsibilities under law. The knowledge and skills deemed

necessary for responsible alcoholic beverage service shall include the following topics and skills development:

a. State laws relating to alcoholic beverages, particularly ABC and penal provisions concerning sales to minors and intoxicated persons, driving under the influence, hours of legal operation, and penalties for violations of these laws.

b. The effects of alcohol on the body, and behavior, including how the effects of alcohol affect the ability to operate a motor vehicle.

c. Methods for dealing with intoxicated customers and recognizing underage customers.

5. Off-sale liquor establishments shall provide litter and trash receptacles at convenient locations inside and outside the premises. In addition, those operators of such establishments shall remove trash and debris on a daily basis.

6. Convenience Stores (with or without associated gasoline sales) shall not sell:

a. Wine in bottles or containers less than 750 ml except for wine based coolers;

b. Wine coolers, whether made of wine or malt products, in quantities of less than a factory four-pack;

c. Beer and/or malt beverages not in original factory package;

d. Beer in single containers less than 32 ounces;

e. Distilled spirits in containers less than 375 ml; and

f. Distilled spirits at convenience stores that sell gasoline.

~~D.~~ **Security Measures.** Project shall incorporate a variety of security measures that provide safety for employees and patrons of the store.

1. Window placement and design shall allow for window surveillance by employees of all outside areas from the employees primary work positions. Windows shall be clear of any signs, merchandise, or other materials at all times, between three feet and six feet in height from ground level. No more than 25 percent of the combined total window area may be covered with signage, advertising, etc. as described in the signage regulations section of the Zoning Code.

2. Building security systems and employee training shall be used to resist crime attempts. The following minimum measures shall be implemented. Alternate security measures may be approved by the Chief of Police.

a. Employers shall provide employee training on safety and security, education on alcohol awareness, checking various forms of identification, and detecting and preventing illegal activity;

b. Store shall have an interior layout that provides visibility for the cashier e.g. low display counters, two-way mirrors, or other methods that would provide visibility including corners or hidden areas;

c. The cashier station shall be designed to be visible from the parking area. Windows or doors shall not be blocked with posters or signs. Counters shall be maintained free from excess displays to enhance the visibility of the cashier station;

d. A timed drop safe shall be provided adjacent to the cashier station. Premises shall be posted accordingly;

e. The installation of height tape next to exit;

f. A prominently displayed video camera for identifying criminals. The video camera should include a device that records 24 hours of video directly on to a DVD/DVR recorder; and

g. The owner shall maintain a library of the recorded digital video for a minimum of 7 days.

E. Required signs. Signs shall be posted prohibiting loitering and the consumption of alcoholic beverages in the business or in the parking areas, and any other signs as required by the City.

F. Optional conditions. Further conditions that may be imposed upon the issuance of a Use Permit or the issuance of a Business License for businesses selling alcoholic beverages ~~for on-sale or off-sale liquor establishments may include:~~ The additional conditions may include: ~~for on-sale or off-sale liquor establishments may include:~~

1. Special security measures including off-duty police or licensed security guards, robbery and burglar alarm systems;

2. Limitations on hours of operation; and

3. Other conditions deemed appropriate in furtherance of the purposes of this ordinance.

G. Violations. If the Director or the Chief of Police or their designees determine there has been a violation of this Section or any of the conditions set forth in a Use Permit issued in compliance with this Section, a report of those violations may be presented to the Commission for review. The Commission may require the annual review of the Use Permit or revocation of the Use Permit based on non-compliance. Violations of conditions set forth in a Business License shall follow the procedures as provided in the City's Municipal Code Chapter 22 (Businesses).

H. Non-conforming establishments/improvements. Notwithstanding Chapter 106.70 (Nonconforming Uses, Structures, and Parcels), any on-sale or off-sale liquor establishment lawfully existing prior to the effective date of the ordinance adopting this Section and licensed by ABC, shall obtain a Use Permit when a change in the mode of operation would require a Use Permit as described in Section 106.42.020.B.~~in compliance with Section 106.62.050 (Use Permit and Minor Use Permit) when:~~

~~1. The establishment changes its retail liquor license, including a change within a license classification; or~~

~~2. The establishment substantially changes its mode or character of operation.~~

I. Modification to on-sale or off-sale liquor establishments. Any on-sale or off-sale liquor establishment which becomes lawfully established on or after the effective date of this Section and is licensed by the ABC, shall obtain or modify ~~a modification to its~~ Use Permit ~~before~~ when a change in the mode of operation would require a Use Permit as described in Section 106.42.020.B.:

~~1. The establishment changes its retail liquor license, including a change within a license classification; or~~

~~2. The establishment substantially changes its mode or character of operation.~~

J. Bonafide restaurants. A bonafide restaurant that sells alcoholic beverages may only admit persons under the age of 21 during the hours when meal service is available to its patrons.

K. One-day on-sale licenses. The requirements of this Section shall not apply to applications for one-day licenses in compliance with Business & Professions Code Section 24045.1.

permit to the Review Authority for revocation or modification pursuant to Section 106.64.090 (Permit Revocation or Modification).

106.42.070 - Convenience Stores

Where allowed by Article 2 (Zoning Districts and Allowable Land Uses), convenience stores shall comply with the requirements of this Section.

A. Permit requirement. A convenience store is a permitted use in the zones where a convenience store is identified as allowable by Article 2 (Zoning Districts and Allowable Land Uses), except that a Use Permit is required if:

1. ~~The site is less than 500 feet from a residential zone; or~~ The store will be open for business between the hours of 10:00 p.m., and 7:00 a.m Sunday through Thursday and 11:00 p.m. and 7:00 a.m. Friday and Saturday.

~~2. The site is less than 1,000 feet from the property line of a K-12 public or private school; or~~

~~3. The store will be open for business between the hours of 10:00 p.m., and 7:00 a.m.~~

~~4. Any alcoholic beverages are to be sold.~~

B. Alcoholic Beverage Sales. Conveince stores in which alcoholic beverages are sold shall comply with regulations set forth in Section 106.42.020 (Alcoholic Beverage Sales).

C.~~B.~~ Outdoor lighting. Project lighting levels shall be as follows: one foot-candle of minimum maintained illumination per square foot of parking surface during business hours and 0.25 foot-candles of minimum maintained illumination per square foot of surface on any walkway, alcove, passageway, etc., from one-half hour before dusk to one-half hour after dawn. All light fixtures shall be vandal-resistant, and shall also comply with the requirements of Section 106.30.070 (Outdoor Lighting).

D.~~C.~~ Litter removal. Management shall be responsible for the removal of litter from adjacent property and streets that results from this project (with adjacent property owner consent).

E. ~~D.~~ Security Plan. Project shall incorporate a variety of security measures that provide safety for employees and patrons of the convenience store.

1. **Windows.** Window placement and design shall allow for window surveillance by employees of all outside areas from the employees primary work positions. Windows shall be clear of any signs, merchandise, or other materials at all times, between three feet and six feet in height from ground level. No more than 25 percent of the combined total window area may be covered with signage, advertising, etc. as described in the signage regulations section of the Zoning Code.

2. **Security systems.** Building security systems and employee training shall be used to resist crime attempts. The following minimum measures shall be implemented. Alternate security measures may be approved by the Chief of Police.

   a. Employers shall provide employee training on safety and security, education on alcohol awareness, checking various forms of identification, and detecting and preventing illegal activity;

   b. Store shall have an interior layout that provides visibility for the cashier e.g. low display counters, two-way mirrors, or other methods that would provide visibility including corners or hidden areas;

c. The cashier station shall be designed to be visible from the parking area. Windows or doors shall not be blocked with posters or signs. Counters shall be maintained free from excess displays to enhance the visibility of the cashier station;

d. A timed drop safe shall be provided adjacent to the cashier station. Premises shall be posted accordingly;

e. The installation of height tape next to exit;

f. A prominently displayed video camera for identifying criminals. The video camera should include a device that records 24 hours of video directly on to a DVD/DVR recorder; and

g. The owner shall maintain a library of the recorded digital video for a minimum of 7 days.

F. ~~E~~. **Required signs.** Signs shall be posted prohibiting loitering and the consumption of alcoholic beverages in the business or in the parking areas, and any other signs as required by the City.

106.42.080 - Drive-Through Facilities

Where allowed by Article 2 (Zoning Districts and Allowable Land Uses), drive-through facilities shall comply with the requirements of this Section.

A. General standards.

1. **Design objectives.** A drive-through facility shall be designed and operated to mitigate problems of congestion, excessive pavement, litter, and noise.

2. **Limitation on location.** A drive-through facility shall be planned and designed to minimize its visibility from a public right-of-way.

3. **Screening.** The drive-through aisle and stacking area shall be screened from the view of the street by a combination of decorative low walls, berming, and landscaping, as determined by the review authority.

B. On-site circulation standards. A drive-through facility shall be provided internal circulation and traffic control as follows.

1. **Drive-through aisle design.**

a. The entrance and exit of a drive aisle shall both be a minimum of 25 feet from any driveway providing access to the site from a public street.

b. Each drive aisle shall be designed with a minimum 10-foot interior radius at curves and a minimum 10-foot width.

2. **Stacking area.** A clearly identified area shall be provided for vehicles waiting for drive-through service that is separated from other on-site traffic circulation on the site.

a. Location. A stacking area shall not be located adjacent and parallel to a street or public right-of-way, unless the review authority determines that there is no feasible alternative.

b. Capacity. A drive-through aisle that provides access to a service window shall be designed to provide the following length of stacking space, measured from the service window to the entry point into the drive-through lane.

7. Parking requirements.

a. No additional parking space shall be required for customers of a small collection facility located in the established parking lot of the primary use.

b. Use of parking spaces by the patrons and the attendant shall not reduce available parking spaces below the minimum number required for the primary use unless a parking study, determined to be acceptable by the Director, shows that existing capacity is not fully utilized during the time the recycling facility would be on the site.

106.42.200 - Residential Accessory Uses and Structures

This Section provides standards for residential accessory uses and structures, where allowed by Article 2 (Zoning Districts and Allowable Land Uses). These requirements do not apply to accessory dwelling units, which are instead regulated by Section 106.42.015 (Accessory Dwelling Units).

A. Relationship to primary use. An accessory use and/or structure shall be incidental to the primary residential use of the site, and shall not alter the character of the primary use.

B. Timing of installation. An accessory structure shall only be constructed concurrent with or after the construction of the primary structure on the same site, unless construction in advance of a primary structure is authorized through Minor Use Permit approval.

C. Attached structures. An accessory structure attached to the primary structure shall comply with all zoning district requirements applicable to the primary structure, including height limits and site coverage; and shall also comply with any applicable requirements of Subsection E below, for the specific type of structure.

D. Detached structures. An accessory structure that is detached from the primary structure shall comply with the following standards, except where Subsection E below, establishes a different requirement for a specific type of accessory structure. ~~A residential accessory structure may be located between the primary dwelling and a street only with Design Review approval.~~

1. Setback requirements.

a. **Front setback.** An accessory structure shall not be located within a required front setback except as may otherwise be provided by Subsection E below.

b. **Side and rear setbacks.** An accessory structure shall maintain interior side and rear setbacks of at least five feet; except that the Director may authorize a minimum side and/or rear setback of three feet.

c. **Separation between structures.** An accessory structure shall maintain at least a five-foot separation from other accessory structures and the primary dwelling unit.

d. **Double-frontage lot.** An accessory structure shall not occupy the front half of a parcel, or either front quarter of a double-frontage lot, unless it is setback at least 75 feet from any street lot line.

e. **Reverse corner lot.** On a reverse corner lot that abuts a key lot, no accessory structure shall be located less than 12.5 feet from the street property line. See Figure 4-3.

f. **Garages accessible from an alley.** Where an accessory garage is accessible to vehicles from an alley, it shall be located not less than 25 feet from the opposite side of the alley.

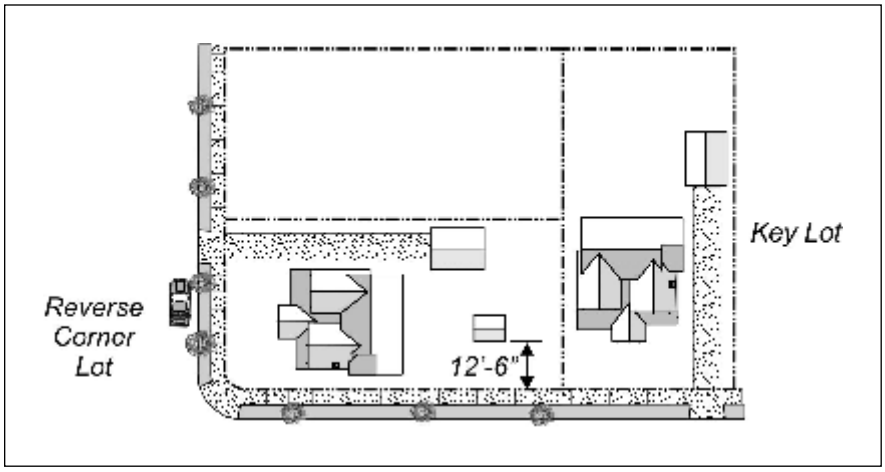


Figure 4-3 – Accessory Structure on Reverse Corner Lot

2. **Location**. A residential accessory structure may be located between the primary dwelling and a street only with Design Review approval.

~~2.~~3. **Height limit.** An accessory structure shall not exceed a maximum height of 16 feet. An accessory structure with a height greater than 16 feet shall increase the required five foot setback one foot for each foot above 16 feet (i.e., an 18-foot high structure shall be set back seven feet.) An accessory structure that is unable to meet the setback requirement previously described may have a height greater than 16 feet authorized by Minor Use Permit approval.

~~3.~~4. **Lot coverage.** Residential accessory structures shall be included when calculating lot coverage requirements of Section 106.24.060 (Residential District Site Planning and Building Standards).

a. The combined square footage of all accessory structures shall not exceed 2,400 square feet unless authorized through Minor Use Permit approval.

E. Standards for specific accessory uses and structures. The following requirements apply to the specific types of accessory structures listed, in addition to the requirements of Subsection D above, as applicable.

1. **Patio covers.** A patio cover that is attached to or detached from the primary dwelling, and open on at least three sides, may be located within the required rear setback subject to the following:

a. The five-foot separation from the primary dwelling unit required by Subparagraph D.1.c (Separation between structures), above does not apply;

b. The structure shall comply with the coverage and size limitations of Subparagraph D.3 (Coverage and size limitations), above; and

c. No part of a detached patio cover shall be closer than five feet to a rear property line, five feet to interior side, and 12.5 feet to street side property line.

2. **Carports.** The five-foot separation from the primary dwelling unit required by Subparagraph D.1.c (Separation between structures), above does not apply to a carport. Design review is required for a carport located between the front property line and the residence.

3. **Swimming pools.** A non-commercial swimming pool is an allowed accessory use in any zoning district, provided that no swimming pool shall be located within a required front or side setback, closer than three

ARTICLE 8

Glossary

Chapter 106.80 - Definitions 8-3

106.80.010 - Purpose 8-3
106.80.020 - Definitions of Specialized Terms and Phrases 8-3

Breezeway. A structure used to provide shelter between and connect two or more structures. A breezeway for the purpose of this code, shall be at least five (5) feet wide, use similar materials and be architecturally compatible with existing structures, connect two or more entrances/exits and provide cover for a paved surface. For the purpose of connecting two structures to avoid the maximum accessory structure size of Section 106.42.200(3)(a), a breezeway cannot be longer than ten (10) feet.

Brew Pub. A facility where patrons are served beer produced on the premises for on-site consumption, and which may also include food sales. Brew pubs produce less than 5,000 barrels of beverage (all beverages combined) annually. May include "Tap Room", which is defined separately.

Broadcasting Studio. Commercial and public communications use including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings. Does not include transmission and receiving apparatus, including antennas and towers or mobile units, which are instead defined under "Telecommunications Facilities".

Buildable Area. The portions of a lot other than required setback areas.

Building and Landscape Materials Sales. A retail establishment selling hardware, lumber and other large building materials, plant materials, and other landscaping materials. Includes paint, wallpaper, glass, fixtures. Includes all these stores selling to the general public, even if contractor sales account for a major proportion of total sales. Establishments primarily selling electrical, plumbing, heating, and air conditioning equipment and supplies are classified in "Wholesaling and Distribution."

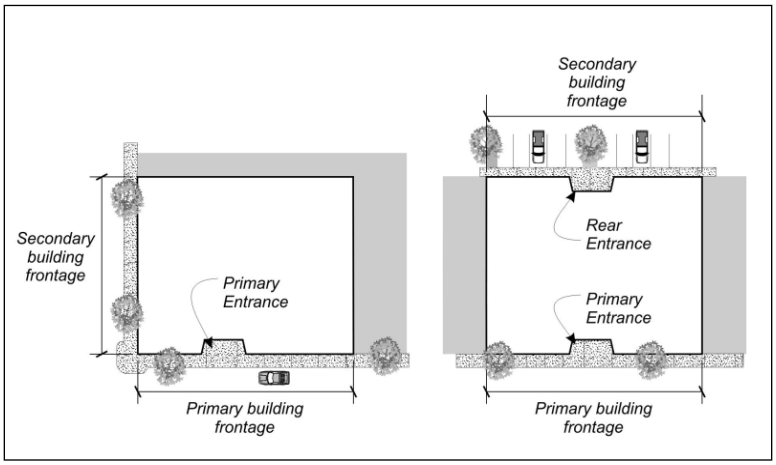


Figure 8-1 – Building Frontages

Building Frontage. A building wall adjacent to a parcel boundary that abuts a public right-of-way. A primary building frontage provides the main pedestrian entrance to the building. A secondary building frontage abuts a side street, rear entrance, or has an entrance from other than a public right-of-way. See Figure 8-1.

Building Height. See Section 106.30.060 (Height Limits and Exceptions).

Building Official. The Building Official of the City of Citrus Heights.

Business Support Service. An establishment within a building that provides services to other businesses. Examples of these services include:

- Blueprinting
- Computer-related services (rental, repair)
- Copying and quick printing services
- Courier, messenger, and delivery services, small scale, without fleet vehicle storage (see also "Freight Terminals")
- Film processing and photofinishing (retail)
- Outdoor advertising services
- Mailing and mail box services
- Protective services (other than office related)
- Security systems services

Lodging.

1. **Bed and Breakfast Inn (B&B).** A residential structure with one or more bedrooms rented for overnight lodging, where meals may be provided subject to applicable Environmental Health Department regulations.

2. **Hotel or Motel.** A facility with guest rooms or suites, with or without kitchen facilities, rented to the general public for transient lodging. Hotels typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, etc. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

Lot Area. The area included within the lot lines of a lot, expressed in square feet or acres. Gross lot area is the total area within the lot lines, exclusive of adjacent dedicated street rights of way. Net lot area is the gross area of the lot, not including the area of easements on the lot for streets or driveways that are not for the exclusive use of the lot.

Lot Coverage. The percentage of total lot area occupied by primary structures, all accessory structures, and accessory dwelling units, but not including swimming pools.

Lot, or Parcel. A recorded lot or parcel of real property under single ownership, lawfully created as required by applicable Subdivision Map Act and City ordinance requirements, including this Zoning Code. Types of lots include the following. See Figure 8-3 (Lot Types).

1. **Corner Lot.** A lot located at the intersection of two or more streets, where they intersect at an interior angle of not more than 175 degrees. If the intersection angle is more than 175 degrees, the lot is considered an interior lot.

2. **Cul-de-sac lot.** A lot located partly or entirely on the "turnaround" portion of a cul-de-sac street.

3. **Flag Lot.** A lot having access from the building site to a public street by means of private right-of-way strip that is owned in fee.

4. **Interior Lot.** A lot abutting only one street.

5. **Key Lot.** An interior lot, the front of which adjoins the side property line of a corner lot.

6. **Reverse corner Lot.** A corner lot, the rear of which abuts a key lot.

7. **Through Lot.** A lot with frontage on two generally parallel streets

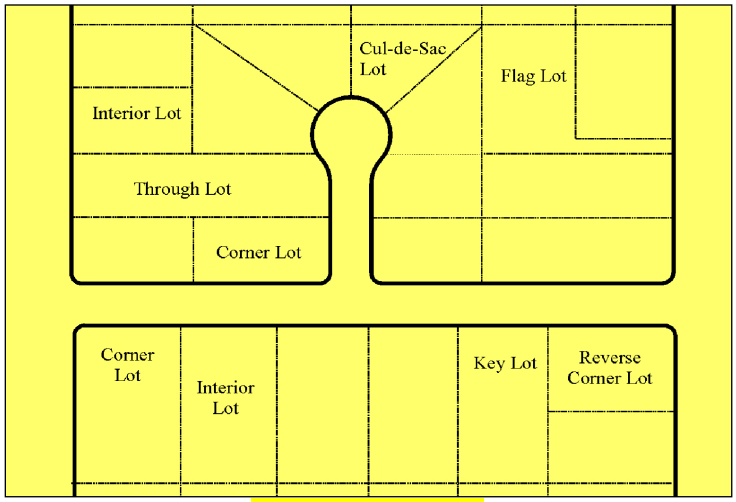


Figure 8-3 – Lot Types

Lot Coverage. See "Site Coverage."

Lot Depth. The average linear distance between the front and the rear lot lines or the intersection of the two side lot lines if there is no rear line. See Figure 8-4 (Lot Features). The Director shall determine lot depth for parcels of irregular configuration.

Lot Frontage. The boundary of a lot adjacent to a public street right-of-way.

Lot Line or Property Line. Any recorded boundary of a lot. Types of lot lines are as follows (see Figure 8-4 (Lot Features)):

1. **Front Lot Line.** On an interior lot, the property line separating the parcel from a street or public right of way. The front lot line on a corner lot is the line with the shortest frontage. (If the street-fronting lot lines of a corner lot are equal in length, the front lot line shall be determined by the Director.) On a through lot, both lot lines are front lot lines and the lot is considered to have no rear lot line.

2. **Interior Lot Line.** Any lot line not abutting a street.

3. **Rear Lot Line.** A property line that does not intersect the front lot line, which is most distant from and most closely parallel to the front lot line.

4. **Side Lot Line.** Any lot line that is not a front or rear lot line.

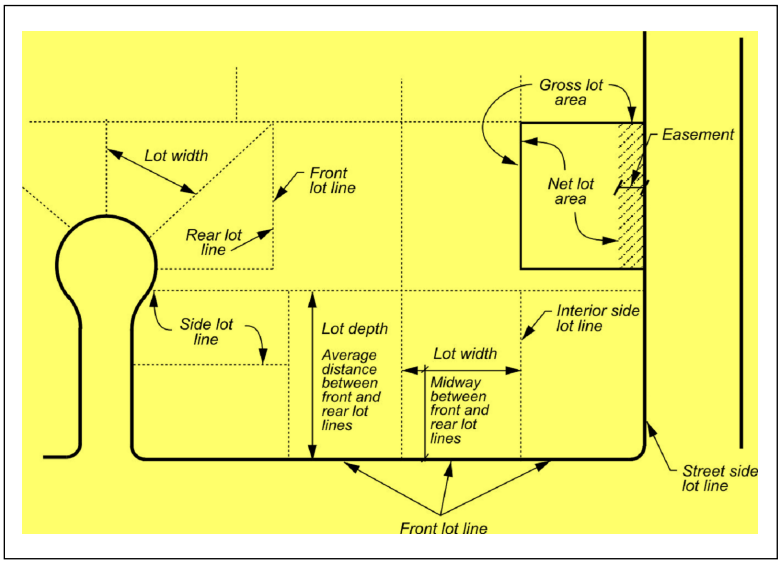


Figure 8-4 – Lot Features

Lot Width. The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. See Figure 8-4 (Lot Features). The Director shall determine lot width for parcels of irregular shape.

Restaurant, Café, Coffee Shop. A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption ("counter service"); and establishments where customers are served food at their tables for on-premise consumption ("table service"), that may also provide food for take-out. Does not include restaurants with alcohol service, which are separately defined (see "Alcoholic Beverage Sales).

Retail Complex. A primarily retail commercial site with three or more separate businesses sharing common pedestrian and parking areas.

Review Authority. The individual or official City body (the Community Development Director, Planning Commission, or City Council) identified by this Zoning Code as having the responsibility and authority to review, and approve or disapprove the permit applications described in Article 6 (Planning Permit Procedures).

Rooming or Boarding House. A dwelling or part of a dwelling where lodging is furnished for compensation to five or more persons living independently from each other. Meals may also be included. Does not include fraternities, sororities, convents, or monasteries, which are separately defined under "Organizational House."

S. Definitions, "S."

School. A public or private academic educational institution, including:

- Boarding school
- Community college, college, or university
- Elementary, middle, and junior high schools
- High school
- Military academy

School. Specialized Education/Training. Facilities, institutions and conference centers that offer specialized programs in personal growth and development, such as fitness, environmental awareness, arts, communications, and management. Does not include pre-schools and child day care facilities (see "Day Care"). See also the definition of "Studio - Art, Dance, Martial Arts, Music, etc." for smaller-scale facilities offering specialized instruction. Examples include the following:

- Art school
- Ballet and other dance school
- Business, secretarial, and vocational school
- Computers and electronics school
- Drama school
- Driver education school
- Establishments providing courses by mail
- Language school
- Martial arts
- Music school
- Professional school (law, medicine, etc.)
- Seminaries/religious ministry training facility
- Tutoring Centers

1. **Minor Specialized Education/Training.** Facility with no more than 100 students on-site at any one time and where the operational characteristics of the school are unlikely to cause significant impacts on surrounding land uses or the community.

2. **Major Specialized Education/Training.** Facility with more than 100 students on-site at any one time or the operational characteristics of the school are likely to cause significant impacts on surrounding land uses or the community.

Second Hand Store. A retail store that buys and sell used products, including clothing, furniture and household goods, jewelry, appliances, musical instruments, business machines and office equipment, tools, motors, machines, instruments, firearms, or any similar secondhand articles or objects. Does not include bookstores ("Retail Stores"); secondhand farm and construction equipment ("Construction, Farm, and Heavy Equipment Sales"); junk dealers, or scrap/dismantling yards (Recycling Facilities - Scrap and Dismantling Yards"); the sale of antiques and collectibles ("Retail Stores"); the sale of cars and other used vehicles ("Auto and Vehicle Sales, Leasing, and Rental, Used"); or pawnshops ("Personal Services - Restricted").

Warehouse Retail. A retail store that emphasizes the packaging and sale of products in large quantities or volumes, some at discounted prices, where products are typically displayed in their original shipping containers. Sites and buildings are usually large and industrial in character. Patrons may be required to pay membership fees.

Wholesaling and Distribution. An establishment engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Examples of these establishments include:

- Agents, merchandise or commodity brokers, and commission merchants
- Assemblers, buyers and associations engaged in the cooperative marketing of farm products
- Merchant wholesalers
- Stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment

Also includes storage, processing, packaging, and shipping facilities for mail order and electronic-commerce retail establishments.

Work/Live Unit. See "Live/Work Unit, Work/Live Unit."

X. Definitions, "X." No specialized terms beginning with the letter "X" are defined at this time.

Y. Definitions, "Y."

Yard. An area between a lot line and a structure, unobstructed and unoccupied from the ground upward, except for projections permitted by this Zoning Code. See also "Setback," and Section 106.30.100 (Setback Requirements and Exceptions). See Figure 8-6.

1. **Front Yard or Setback.** An area extending across the full width of the lot between the front property line and the primary structure, and includes the front setback required by the applicable zoning district.

2. **Rear Yard or Setback.** An area extending the full width of the lot between a rear property line and the primary structure, and includes the rear setback required by the applicable zoning district..

3. **Side Yard or Setback.** An area between a side property line and the primary structure extending between the front and rear yards, and includes the side and street side setbacks required by the applicable zoning district.

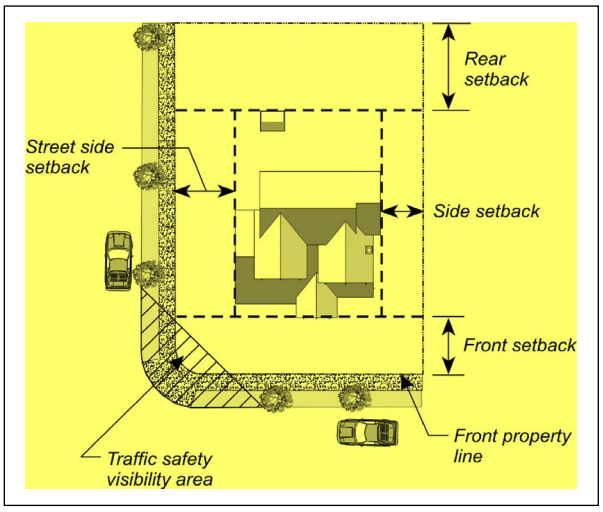


Figure 8-6 – Yards or Setbacks

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: September 25, 2024

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Amy Van, City Clerk

SUBJECT: **Conflict of Interest Code Biennial Update**

Summary and Recommendation

The Political Reform Act requires every local government agency to review its conflict of interest code biennially to determine if it is accurate or if the code must be amended. Staff has determined amendments to the City's Conflict of Interest Code are necessary to account for the addition, deletion, and modification of positions listed as "designated employees".

Staff recommends the City Council adopt Resolution No. 2024-___ a resolution of the City Council of the City of Citrus Heights, California, adopting an amended Conflict of Interest Code and a list of designated positions.

Fiscal Impact

There is no fiscal impact associated with this item.

Background and Analysis

The Political Reform Act (the "Act"), Government Code Sections 81000, et seq., requires every state and local government agency to adopt a conflict of interest code, which establishes substantive requirements for the disclosure of financial interests and disqualification of City employees and other officials from participation in decisions in which they might have a private, financial interest. The Act also requires the City Council to review the provisions of the City's code biennially to determine if revisions are required to update the code. The City Council last updated the code in September 2022, and since that time, certain positions have been removed, added or changed. Therefore, the Appendix of Designated Positions needs to be updated.

The Appendix lists those positions within the City involved in making, or participation in making, a governmental decision that may affect the financial interest of the employee. In addition, certain consultants to the City must also disclose their financial interests because they

make or participate in making governmental decisions on behalf of the local agency. The "Designated Employees" make these disclosures on a form known as "Statement of Economic Interests Form 700".

For the Council's information, the list of designated positions excludes council members, planning commissioners, the city manager, the finance director, and the city attorney. These positions are not listed in the local code because they are already required by state law (Government Code Section 87200) to disclose their financial interests.

The Act identifies four basic types of financial interests that are subject to reporting by designated employees: (1) investments, (2) business positions, (3) sources of income and (4) real property interests. Under the Act, the City's Conflict of Interest Code must require designated employees to report those financial interests that may foreseeably be affected materially by any decision made or participated in by the designated employee by virtue of his or her position. The disclosure categories accomplish this requirement by matching the employee positions with the types of reportable financial interests that may be affected by the performance of the employee's duties. The City's Conflict of Interest Code has four disclosure categories:

Disclosure Category 1. Full Disclosure. Designated employees in Category 1 are required to provide the fullest disclosure including investments, interests in real property, sources of income, and reporting of business positions.

Disclosure Category 2. Limited Disclosure – Purchasing. Designated employees in Category 2 are required to report investments, business positions and sources of income from sources that provide the type of goods and services utilized by the City. Disclosure under this category is limited in scope to cover those designated employees who make or participate in making decisions pertaining to purchase contracts.

Disclosure Category 3. Limited Disclosure – Real Property. Designated employees in Category 3 are required to report investments, business positions and sources of income, and interests in real property located in the City. Disclosure under this category is limited in scope to cover those designated employees who make or participate in making decisions pertaining to land development, construction or the acquisition or sale of real property.

Disclosure Category 4. Limited Disclosure – Regulatory. Designated employees in Category 4 are required to report investments, business positions, and sources of income which are subject to the regulatory, permit or licensing authority of the City.

With the amendments to the list of designated positions, the City's Conflict of Interest Code accurately reflects positions that may make or participate in making governmental decisions for the City.

Attachments

1. Resolution No. 2024-___ Resolution Adopting an Amended Conflict of Interest Code

RESOLUTION NO. 2024- ___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, ADOPTING AN AMENDED CONFLICT OF INTEREST CODE AND A LIST OF DESIGNATED POSITIONS

WHEREAS, the Political Reform Act, Government Code Sections 81000, et seq., requires every state or local government agency to adopt and promulgate a conflict of interest code;

WHEREAS, the Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard model conflict of interest code, which can be incorporated by reference, and which will be amended by the Fair Political Practices Commission to conform to any amendments in the Political Reform Act after public notice and hearing pursuant to the Administrative Procedures Act, Government Code Sections 11370, et seq.;

WHEREAS, incorporation by reference of the terms of the aforementioned regulation and amendments to it as the conflict of interest code of the City of Citrus Heights (the "City") will save the City time and money by minimizing the actions required of the City to keep its conflict of interest code in conformity with the Political Reform Act; and

WHEREAS, the Political Reform Act requires every local government agency to review its conflict of interest code biennially to determine if it is accurate or needs to be amended.

NOW THEREFORE BE IT RESOLVED AND ORDERED that the City Council of the City of Citrus Heights does hereby as follows:

1. The terms of 2 Cal. Code of Regulations Section 18730, and any amendments to that section which may be duly adopted by the Fair Political Practices Commission, is hereby adopted by reference as the body of the Conflict of Interest Code of the City of Citrus Heights.

2. The list of designated positions and disclosure categories attached hereto as Appendix "A" is hereby adopted as the Appendix of Designated Positions and Disclosure Categories referred to in 2 Cal. Code of Regulations Section 18730.

3. All persons holding designated positions shall file statements of economic interests with the City Clerk of the City of Citrus Heights, who shall be the filing officer with respect to these statements. The statements will be made available for public inspection and reproduction. Statements for all designated positions will be retained by the City of Citrus Heights.

4. This amended conflict of interest code is effective immediately and newly added designees are required to file within 30 days of the effective date of the Code.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights, California, this 25th day of September 2024 by the following vote, to wit:

AYES: Council Members:
NOES: Council Members:
ABSTAIN: Council Members:
ABSENT: Council Members:

Dr. Jayna Karpinski-Costa, Mayor

ATTEST:

Amy Van, City Clerk

Exhibit

A. List of Designated Positions

APPENDIX "A"

APPENDIX OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

I. Designated Positions.

Position	**Disclosure Category**
Accountant	1
~~Accounting Manager~~	~~1~~
Administrative Services Director	1
Assistant City Attorney	1
~~Assistant Chief of Police~~	~~1~~
~~Assistant City Clerk~~	~~1~~
~~Assistant City Manager~~	~~1~~
Assistant Engineer	3, 4
Associate Civil Engineer	1
Associate Engineer	1
Associate Planner	1
Building Inspector I/II	3
Chief Building Official	1
Chief of Police	1
City Clerk	1
City Engineer	1
~~City Manager's Executive Assistant~~	~~2~~
Communications Officer	1
Community Development Director	1
~~Community Services Director~~	~~1~~
Construction/Maintenance Inspector I/II	3
Construction/Maintenance Inspector Supervisor	1
Database and Applications Analyst	2
~~Development Specialist I/II~~	~~1~~
~~Economic Development & Communications Manager~~	~~1~~
Economic Development & Community Engagement Director	1
Event and Community Center Supervisor	2
~~Facility and Grounds Manager~~	~~1~~
Facilities and Fleet Supervisor	2
Finance Manager	1
General Services Director	1
~~Grants and Housing Program Technician I/II~~	~~3~~
Housing & Human Services Program Coordinator	1
~~Human Resources Analyst I/II~~	~~1~~
Human Resources Manager	1
Information Technology Analyst II	2
Information Technology Manager	1
Management Analyst I/II	1
Operations Manager	1
~~Planning Manager~~	~~1~~
Police Commander	1
Police Communications Supervisor	4
Police Lieutenant	2, 4
Police Services Manager	1
Police Services Supervisor	4
~~Principal Accountant-Auditor~~	~~1~~
Principal Civil Engineer	1

~~Principal Information Technology Analyst~~	~~2~~
Senior Accountant~~ Auditor~~	1
Senior Building Inspector	3
Senior Civil~~/Traffic~~ Engineer	3, 4
Senior Database and Applications Analyst	2
Senior Management Analyst	1
Senior Planner	1
~~Senior Traffic Technician~~	~~3~~
~~Traffic & Signal Operations Supervisor~~	~~1~~
Consultants	*

* Disclosure by Consultants shall be subject to the following limitation:

The City Manager may determine in writing that a particular Consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the Consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

	Boards and Commissions	**Disclosure Category**
	Construction Board of Appeals	1

II. Public Officials Specified in Government Code Section 87200: The following positions shall file a statement of economic interests pursuant to Government Code section 87200:

Members of the Citrus Heights City Council
City Manager
City Attorney
Finance Director
Members of the Citrus Heights Planning Commission

III. Disclosure Categories.

CATEGORY/ DESCRIPTION	DISCLOSURE	GIFTS/LOANS AND TRAVEL PAYMENTS
1 - "Full Disclosure" For officials and employees whose duties are broad and indefinable.	All investments, business positions in, and income from sources located in or doing business in the City. Interest in real property located in the City, including property located within a two-mile radius of the City or of any property owned or used by the City of Citrus Heights.	Gifts, loans and travel payments from sources that: ▪ manufacture, sell or provide goods, equipment, vehicles, machinery or services, including training or consulting services; ▪ provide leased facilities to the agency; ▪ are subject to the regulatory, permit or licensing authority of or have an application for a license or permit pending before the City; and ▪ or engage in land development, construction or the acquisition or sale of real property.
2 - "Limited Disclosure - Purchasing" For officials and employees with limited decision making authority mainly related to purchasing goods and services.	All investments, business positions in, and income sources of the type which provides services, supplies, materials, machinery or equipment of the type	Gifts, loans and travel payments from sources that: ▪ manufacture, sell or provide goods, equipment, vehicles, machinery or services, including training or consulting services; ▪ provide leased facilities to the agency;

	utilized by the City of Citrus Heights.	▪ are subject to the regulatory, permit or licensing authority of or have an application for a license or permit pending before the City; and ▪ engage in land development, construction or the acquisition or sale of real property.
3 – "Limited Disclosure – Real Property" For officials and employees with limited decision making authority mainly related to land development, construction or the acquisition or sale of real property.	All investments, business positions in, and income sources of the type which provides services, supplies, materials, machinery or equipment of the type utilized by the City of Citrus Heights. Interest in real property located in the City, including property located within a two-mile radius of the City or of any property owned or used by the City of Citrus Heights.	Gifts, loans and travel payments from sources that: ▪ manufacture, sell or provide goods, equipment, vehicles, machinery or services, including training or consulting services; ▪ provide leased facilities to the agency; ▪ are subject to the regulatory, permit or licensing authority of or have an application for a license or permit pending before the City; and ▪ engage in land development, construction or the acquisition or sale of real property.
4 - "Limited Disclosure - Regulatory" For officials and employees with limited decision making authority mainly related to regulatory permitting or licensing.	All investments, business positions in, and sources of income which are subject to the regulatory, permit or licensing authority of the City of Citrus Heights.	Gifts, loans and travel payments from sources that: ▪ manufacture, sell or provide goods, equipment, vehicles, machinery or services, including training or consulting services; ▪ provide leased facilities to the agency; ▪ are subject to the regulatory, permit or licensing authority of or have an application for a license or permit pending before the City; and ▪ engage in land development, construction or the acquisition or sale of real property.

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: September 25, 2024

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Regina Cave, General Services Director
Leslie Blomquist, City Engineer

SUBJECT: **Update to On-Call Professional Engineering Services Including Federal Aid Projects, Approval of Amendment to Professional Engineering Service Agreements**

Summary and Recommendation

Currently, the General Services Department (GSD) utilizes on-call municipal engineering contracts to provide engineering support on an as-needed basis. This includes supplemental staff services, engineering design services, inspection of encroachments and development related projects, as well as construction management and other general engineering tasks.

In order to continue to deliver on all projects as listed in the City Council adopted Capital Improvement Program (CIP), as well as with other GSD related tasks and duties including but not limited to project management, general engineering support, capital project design, construction management, and inspection services, the City Council approved contract awards in January 2024 with multiple firms that resulted from a Caltrans guided solicitation process that allows for assistance on federally-funded projects.

The number of CIP projects currently underway along with the need for staff augmentation necessitates additional funding to be allocated to the on-call contracts.

Staff recommends the City Council adopt Resolution No. 2024-___, a Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute Amendments to Agreements with Coastland Civil Engineering, Inc., Ghirardelli & Associates, Inc. and UNICO Engineering, Inc. to Provide On-Call Professional Engineering Services Including Federal Aid Projects.

City Council Strategic Goal/Objective

This staff report aligns with the Citrus Heights City Council Strategic Goal to "Maintain Public Infrastructure and Enhance Alternative Modes of Transportation."

Fiscal Impact

The recommended contract amendments will have no impact on the general fund budget. Costs related to the proposed changes are included in the Capital Improvement Program (CIP).

The total combined contracts' value per year is updated to reflect a not to exceed amount of $1,500,000. This allows the City to assign task orders to contracts based on City needs for staff augmentation support.

All time and material costs associated with each contract shall be funded with existing salary savings due to staff vacancies within the engineering division or funded from already approved budgets and funding sources.

Background and Analysis

Currently, the General Services Department utilizes on-call municipal engineering contracts to provide engineering and inspection support on an as-needed basis. This includes supplemental staff services, engineering design services, inspection of encroachments and development related projects, as well as construction management and other general engineering tasks and project management. In January 2024 the City Council authorized agreements with multiple firms, as on-call contracts, which included capacity to work on federally funded projects, as needed, and structured to be consistent with Caltrans guidance.

In order to continue to deliver on all projects as listed in the City Council adopted CIP, as well as to maintain eligibility for support on federally-funded grant projects, it is recommended that the City Council authorize the City Manager to amend agreements with the originally approved firms to increase the amount of the contracts as needed based on staffing augmentation needs.

The proposed resolution to amend the contracts will allow this flexibility to continue and ensure the City is able to deliver City priority projects.

Attachments

1. Resolution No. 2024-___, a Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute Amendments to Agreements with Coastland Civil Engineering, Inc., Ghirardelli & Associates, Inc. and UNICO Engineering, Inc. to Provide On-Call Professional Engineering Services Including Federal Aid Projects.

RESOLUTION NO. 2024-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENTS TO AGREEMENTS WITH COASTLAND CIVIL ENGINEERING, INC., GHIRARDELLI & ASSOCIATES, INC. AND UNICO ENGINEERING, INC. TO PROVIDE ON-CALL PROFESSIONAL ENGINEERING SERVICES INCLUDING FEDERAL AID PROJECTS

WHEREAS, the City has a wide range of engineering duties, needs and projects;

WHEREAS, the City desires to retain qualified on-call professional engineering consultants to provide engineering services;

WHEREAS, in October 2023, the City circulated a request for qualifications for selection of the most qualified consultants in accordance with Caltrans federally-funded project procedures;

WHEREAS, the City Council originally approved a combined contract value per year not exceed $500,000;

WHEREAS, the City recognizes that the contract values may need to exceed the original maximum to provide engineering services and support to meet the community's infrastructure priorities;

WHEREAS, the City Council desires to increase the original combined contract maximum per year to $1,500,000;

WHEREAS, the cost for these services will utilize existing approved budgets and funding sources;

WHEREAS, the cost increase is needed to ensure project delivery continues uninterrupted; and

WHEREAS, the City desires to amend professional services agreements with Coastland Civil Engineering, Inc., Ghirardelli & Associates, Inc., and UNICO Engineering, Inc in order to ensure project delivery continues without interruption.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Citrus Heights, that the City Manager is hereby authorized to execute agreements and any necessary amendments and extensions for on-call land surveying services with Coastland Civil Engineering, Inc., Ghirardelli & Associates, Inc., and UNICO Engineering, Inc.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights, California, this 25th day of September, 2024 by the following vote, to wit:

AYES: **Council Members:**
NOES: **Council Members:**
ABSTAIN: **Council Members:**
ABSENT: **Council Members:**

ATTEST:

Dr. Jayna Karpinski-Costa, Mayor

Amy Van, City Clerk

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: September 25, 2024

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Regina Cave, General Service Director
Leslie Blomquist, City Engineer
Daniel Kehrer, Senior Civil Engineer

SUBJECT: **2024 Bridge Maintenance Project**
Authorize Additional Work – City Project 21-09

Summary and Recommendation

On June 27, 2024, the City Council approved a resolution authorizing the City Manager to execute an agreement with Coastline Water Resources Inc. (Coastline) for the 2024 Bridge Maintenance Project (Project). Since the final design was completed and construction contract awarded, additional debris has accumulated under the bridges, and the City has received additional Bridge Reports from Caltrans detailing new bridges that require maintenance treatments. Therefore, additional work is recommended as part of this Project to address these two items.

Staff recommends the City Council adopt Resolution No. 2024-_____ A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to execute Change Orders up to 46% of the original contract amount with Coastline Water Resources, Inc. for the 2024 Bridge Maintenance Project and increasing the total authorized construction budget to $1,087,345.

City Council Strategic Goal/Objective

This item aligns with the Citrus Heights City Council Strategic Plan Objective to "Maintain Public Infrastructure and Enhance All Modes of Transportation."

Fiscal Impact

The Contractor's bid for the Project was $748,700.50 and was based on quantities that were measured during design in September 2022. Since that time, additional work has been identified and is estimated to cost an additional $226,339.00. In addition, there is still a need for

contingency should any additional unknown quantities or items be identified in the field during construction.

Table 1. – Estimated Project Construction Costs

Project Component	Estimated Cost ($)
Original Contract Award	748,700.50
Originally Authorized Contingency	112,305.50
Proposed Additional Work (to be approved by Contract Change Order)	
Additional 246 CY of Debris Removal at 4 Project Bridges	*195,570.00*
Deck Treatment at Bridge 24C0455 (Bridgemont Way)	*30,769.00*
Grand Total	1,087,345.00

Approving the additional work will allow the City to utilize existing design and mobilization costs from the Project to complete the required maintenance items without the need for additional design or environmental permits.

Table No 2. – Project Funding

Source Fund	Fund No.	Amount ($)
Stormwater Utility Funds	209	463,548
Measure A- Maintenance	210	350,000
Bidder's Bond		47,458
Stormwater Utility Funds (Proposed Additional Allocation)	*209*	*226,339*
Totals		1,087,345

Background and Analysis

The City of Citrus Heights owns and maintains 31 structures on the National Bridge Inventory, which are regularly inspected by Caltrans Structure Maintenance Division. The City periodically receives bridge inspection reports from Caltrans which include work recommendations and/or required improvements to ensure the structure is safe and compliant with the national standards for public structures.

A large portion of the routine maintenance items included in the Caltrans inspections are completed by City staff and/or on-call contractors, when feasible. However, some repairs identified require additional equipment, expertise and/or permitting requirements beyond the scope of routine maintenance activities. Such activities include removing and clearing debris and sediment in creeks, repair slope/footing protections, applying bridge deck treatment, railing repairs and other minor concrete repairs.

On August 1, 2024, the City received an updated Bridge Report for Bridge No. 24C0455, located on Bridgemont Way, requiring the application of a bridge deck treatment. In addition, additional material has been observed at several other prescribed bridge locations. The additional work to

treat the deck and remove the additional debris that has accumulated under the bridges will eventually exceed the current City Council allocated amount for the Project. Staff reviewed the recommendation and determined that no additional environmental permitting or design would be required to perform the work at a previously authorized work area.

Quantity changes are not unusual for a construction project, especially within a dynamic environment of creek beds and natural areas. Routine maintenance of bridges and culverts include removal of debris/silt in order to maintain the opening for water flow and to maintain the roadway elevation above the creek when the structure was originally designed. Over the course of one wet season the debris/silt within the structures is now estimated to be nearly double what was originally estimated. The increase is attributable to the presence of silt over time causing a change in creek profile, which induces additional deposits as the water ponds and flows over the top of previous sediment deposits.

Adding this additional work to the existing project would save the City costs associated with additional design, environmental clearance, permitting, scheduling, bidding efforts and construction price increases.

Attachments

1. Resolution No. 2024-_____ A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to execute Change Orders up to 46% of the original contract amount with Coastline Water Resources, Inc. for the 2024 Bridge Maintenance Project and increasing the total authorized construction budget to $1,087,345

RESOLUTION NO. 2024-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDERS UP TO 46% OF THE CONTRACT AMOUNT WITH COASTLINE WATER RESOURCES, INC. FOR THE 2024 BRIDGE MAINTENANCE PROJECT AND INCREASING THE TOTAL AUTHORIZED CONSTRUCTION BUDGET TO $1,087,345

WHEREAS, on June 27, 2024 the City Council of the City of Citrus Heights, California, authorized the City Manager to execute a construction contract with Coastland Water Recourses Inc. for the 2024 Bridge Maintenance Project (Project);

WHEREAS, the City wishes to perform additional work for the Project including additional debris removal and bridge deck treatment;

WHEREAS, the City wishes to increase the overall construction budget from $861,006 to $1,087,345 in order to fund the Contract Change Order(s);

WHEREAS, the City wishes to increase the City Manager's authority to execute Contract Change Orders in an aggregate amount up to 46% of the original contract amount; and

WHEREAS, sufficient Stormwater Utility (Fund 209) Funds are included in the Fiscal Year 24/25 budget to cover this budget adjustment for the Project.

NOW THEREFORE BE IT RESOLVED AND ORDERED that the City Council of the City of Citrus Heights does hereby authorize the City Manager to execute a Contract Change Orders up to 46% of the total contract with Coastline Water Resources Inc. for the 2024 Bridge Maintenance Project.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights, California, this 25th day of September, 2024 by the following vote, to wit:

AYES: **Council Members:**
NOES: **Council Members:**
ABSTAIN: **Council Members:**
ABSENT: **Council Members:**

_____
Dr. Jayna Karpinski-Costa, Mayor

ATTEST:

_____
Amy Van, City Clerk

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: September 25, 2024

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Casey Kempenaar, Community Development Director
Alex Turcotte, Chief of Police
Alison Bermudez, Senior Planner

SUBJECT: **Zoning Code Update - Recycling Center (Small Collection Facilities Update)**

Summary and Recommendation

Over the last several years, the City Council has spent considerable effort towards strategic goals related to public safety and enhancing community vibrancy. Numerous actions to address blight, homelessness, and community appearance have been enacted, including:

- Development and Operation of the Beautification Crew
- Development and Operation of the Chronic Nuisance Offender program
- Proactive Code Enforcement
- Citrus Heights Cares Campaign
- Adoption and Implementation of the Shopping Cart Ordinance

Despite significant improvements along these fronts, blight and similar impacts associated with the City's four existing recycling centers continues to detract from the City's broader Strategic Goals. In order to address these concerns, the City Council adopted the following Strategic Objective:

> *In response to ongoing blight and illicit behavior associated with recycling centers, assess regulatory options to address negative impacts. Present options to City Council.*

Recycling Centers (Recycling - Small Collection Facility) are regulated by the Zoning Code and allowed in most commercial zones with a Minor Use Permit. As detailed later in this report, City Staff conducted analysis and performed observations of the existing centers and found that despite operational standards regulating Recycling Centers contained in the Zoning Code intended to ensure these centers are well maintained and operated, regular complaints and concerns continue to arise from the four existing facilities. As a result of the analysis and observations described later

in this report, staff recommends restricting any further expansion of recycling centers as an allowed use in the City.

Staff presented the proposed restrictions to recycling centers in addition to several other minor amendments to the Zoning Code to the Planning Commission on August 13, 2024. While the Planning Commission supported majority of the proposed amendments (parking, alcohol, ADUs, etc.), there was not unanimous support to restrict additional recycling centers. Therefore, the proposed amendment regarding recycling was removed from the package of proposed Zoning Code changes to allow for separate discussion and action.

The proposed Zoning Code amendment as presented to the Planning Commission would remove recycling centers as an allowed use city-wide, prohibiting new centers to open in the City. The four existing centers would be permitted to remain in operation indefinitely. Although the Planning Commission acknowledged the challenges associated with recycling centers, they voiced concern with the ability for the four existing recycling centers to adapt over time as technology and legal requirements evolve.

Based upon the discussion and concerns expressed by the Planning Commission, staff has included recommended language for the City Council that would address this concern and would allow the four existing centers to modify and improve should new technologies, legal requirements or operational procedures become available.

The following motions are recommended:

Motion 1: Move to determine the proposed amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the Guidelines; and

Motion 2: Move to introduce for first reading, read by title only and waive the full reading of Ordinance 2024- _____, as shown in Attachment 1, an Ordinance of the City Council of the City of Citrus Heights amending Sections 106.26.030 and 106.42.190 of the Citrus Heights Municipal Code (Zoning Code Section) related to Recycling Centers as shown in Exhibit A.

City Council Strategic Goal/Objective

This staff report supports strategies which align with the following Citrus Heights City Council Strategic Objectives:

Goal: Enhance Community Vibrancy and Engagement

Objective: In response to ongoing blight and illicit behavior associated with recycling centers, assess regulatory options to address negative impacts. Present options to City Council.

Fiscal Impact

There is no direct fiscal impact associated with this action. As a result of proposed restrictions, the City may become ineligible for existing or future Cal-Recycle Grant funds. The City historically applies for Cal-Recycle funds for a variety of programs, typically these grants can range between $20,000 and $40,000 annually.

Background

In 1986, the State passed the California Beverage Container and Litter Reduction Act (Act). The Act established a process in which consumers paid a deposit on certain beverage containers. This deposit, known as California Redemption Value (CRV), is paid by consumers at the checkout stand and paid back to consumers when they recycle eligible aluminum, plastic, glass and bi-metal beverage containers at certified recycling centers. These certified recycling centers are referred to as small collection facilities within the City's Zoning Code.

Additionally, the Act established convenience zones for recycling beverage containers throughout the state. A convenience zone is an area within a half mile radius of a retailer with gross annual sales of at least $2 million. Under the Act, the State's goal is to provide a recycling center within every convenience zone. If this requirement is not met, then all retailers (e.g. grocers, drug stores, liquor stores, etc.) that sell CRV products within that zone must redeem the containers on their premises. Therefore, small recycling centers can play an important role in the recycling process not only for the consumer but for retailers as well.

While these centers are important, they have also created concerns within the community due to their operation and appearance.

Strategic Goal and Objective

Over the past few years, the City Council has adopted several Strategic Goals that focused on reducing blight. Significant efforts have been made through the creation of the City's Beautification Team, whose focus is to clean up sidewalks and other public spaces. Other efforts included the adoption of a Shopping Cart Ordinance, which provides a regulatory framework to address carts removed from their place of business and abandoned throughout the City.

While these efforts have been effective, concerns remain of blight associated with small recycling centers. While center operators employ efforts to maintain their spaces, observations have shown the areas surrounding the centers are littered with abandoned shopping carts, have increased calls for services in the vicinity and other blight inducing activities.

As part of the staff analysis conducted to support the City Council's strategic objective, staff felt it important to conduct observations to evaluate the challenges actually occurring at the centers and in their proximity. To this end, 24-hour video surveillance was installed at each of the four existing recycling sites for a week in July 2024. These recordings provided an understanding of operations, customer counts, modes of transportation used to arrive at the center as well as a good understanding of their overall operation and cleanliness. Some of the observations included:

- Centers were busier than expected- Centers saw an average of 10-15 customers per hour
- Although centers comply with prohibition against taking recycling from shopping carts, shopping carts are often used to transport recycling goods near the facility and often abandoned a short distance away.
- Loitering activity was often present adjacent to the centers
- Many customers were families
- Sites were kept clean but visually unattractive due to the nature of the operations
- Parking at the smaller sites was a potential traffic safety issue
- Each morning customers were waiting for the centers to open
- Certain centers had a higher percentage of non-vehicle arriving customers (shopping carts, bikes, etc.)

Although recycling centers provide a convenient option to consumers to redeem CRV, the associated blight and nuisances associated with the existing centers cause an extensive resource drain for City services. Based upon observations and in effort to continue to reduce blight and to revitalize commercial corridors, staff recommended a Zoning Code Amendment to remove recycling centers as an allowable use within City of Citrus Heights. The amendment would allow the four existing centers to remain operational and continue to serve the community.

The staff recommendation to limit recycling centers to the four existing is based on the following key themes:

1. The City has more existing recycling centers per capita than nearly every other City in the region. The City of Sacramento and County of Sacramento are the only agencies with more centers per capita (See Table 1, below). Neither Folsom nor Rocklin have any existing recycling centers.

Table 1 – Regional Per Capita Recycling Centers

Jurisdiction	Licensed Centers	Centers per Capita
County of Sacramento	8	1 per 12,566
City of Sacramento	28	1 per 18,857
Citrus Heights	4	1 per 21,608
Lincoln	2	1 per 26,267
Elk Grove	6	1 per 29,593
Roseville	5	1 per 30,963
Rancho Cordova	2	1 per 40,300
Folsom	0	0 per 83,269
Rocklin	0	0 per 73,857
TOTAL	51	

2. Although, existing operators generally adhere to the City's operating standards, the perception of blight associated with site appearance and abandoned shopping carts continues to impact perceptions of the City as a whole along key corridors.

3. Common challenges affiliated with Recycling Centers including shopping carts and loitering are unlikely to improve based on technology available at this time. Although new technologies such as bag drop and reverse vending show some promise for convenience, ancillary challenges such as loitering, abandoned shopping carts, plastic bag and other debris, and overall appearance are likely to become more acute problems because many new technologies reduce or eliminate the need for ongoing staff presence to monitor automated locations.

August 13th Planning Commission Meeting

In support of the Council's Strategic Objective, staff presented the proposed amendment to the Planning Commission on August 13, 2024. The proposed revision would allow the four existing centers to remain in operation but would not permit any additional centers.

Staff presented information on recycling centers, including observations from video surveillance at each center as well as the overall benefits and concerns with the operations. Members of the public spoke at the meeting, including one of the existing center operators. The operator presented an overview of their operation (Lichen Drive) and shared that they recently had their busiest month since opening in 2017, collecting over 1.1 million recyclable containers in July 2024.

The operator spoke about the number of state grants they have applied for and received two grants to support opening new locations as a different model than the traditional container in the parking lot. They provided photos of a soon to be open indoor location in Fair Oaks and discussed a most recent grant award which would allow for an additional location in Citrus Heights using the unmanned bag drop system (See Attachment 2).

The Commission considered staff's comments and comments received from the public. Ultimately, the removal of recycling centers as an allowed use from the Zoning Code was not supported by a split vote (4-3 vote). The Commission's main concern was that if the existing centers become non-conforming, they would not have the ability to improve or modify operations should new technologies or business models become available.

To address those concerns, staff has modified the proposal to clarify that should one of the existing centers propose improvements or operational changes, the Director would have the ability to review and approve those changes without modification to their Minor Use Permit (Attachment 1A). Any proposed modification would be reviewed by the Planning Division and Police Department to ensure any modification would improve operations and appearance of the associated center.

Existing Center Outreach

Citrus Heights has four recycling centers: Lichen Drive, Greenback Lane, Auburn Boulevard, and Sunrise Vista (See Attachment 4). As part of the work plan to evaluate options to address ongoing challenges with the four centers, staff met with each of the four operators to discuss the ongoing blight associated with the centers.

The operators were receptive to improving operations and reducing any visual impacts. One issue raised has been the number of shopping carts in the surrounding areas of the centers. While each location does not accept recycling materials from a cart, carts continue to be abandoned in the vicinity of centers contributing to feelings of blight. In addition, loitering before stores open and after recyclables are processed continue to be a challenge.

In response to ongoing concerns, the operators each agreed to extend the area beyond their lease area and capture trash and any stray carts. This requirement will be included as conditions on Business License renewals for each existing center.

Recycling Centers are currently prohibited in both the Stock Ranch Guide for Development and Sunrise Tomorrow Specific Plan. Currently Recycling Centers are permitted in the Auburn Boulevard Plan with a Use Permit. If the Council moves forward with staff's recommendation, staff will also bring forward a subsequent Boulevard Plan Amendment clarifying that Recycling Centers are not permitted along the Auburn Boulevard corridor for the City Council's consideration.

Alternatives/Options

These centers provide community benefits by allowing consumers to recoup the deposits paid on beverage containers at the point of sale, reduce items going to the landfill, and support an environmentally responsible community. However, blight continues to occur associated with existing centers. The City Council has discretion on how to address these issues. Staff's recommendation is to continue to support the elimination of recycling centers from the land use table but include a provision where the Director could approve a new location should alternative technologies be proposed that move toward solutions to ongoing blight for existing centers.

Environmental Review

This project is categorically exempt from the California Environmental Quality Act (CEQA Guidelines Section 15061(b) (3)) in that adoption of the proposed Ordinance will not result in any impacts on the physical environment; and under the general rule that the proposed amendments to the Municipal Code do not have the potential to have a significant effect on the environment.

Attachments

Attachment 1: Ordinance No. 2024-_____ an Ordinance of the City Council of the City of Citrus Heights amending Sections 106.26.030 and 106.42.190 of the Citrus Heights Municipal Code (Zoning Code Section) related to Recycling Centers.

Exhibit A: Zoning Code Amendment

Attachment 2: Presentation and Photos submitted by Jackie Leavitt

Attachment 3: Letters Received from:
Kathilynn Carpenter of Sunrise MarketPlace
Mark Murray, CA Against Waste

Attachment 4: Map of Recycling Locations

ORDINANCE NO. 2024-___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS AMENDING SECTIONS 106.26.030 AND 106.42.190 OF THE CITRUS HEIGHTS MUNICIPAL CODE RELATED TO SMALL RECYCLING CENTERS

THE CITY OF CITRUS HEIGHTS DOES ORDAIN AS FOLLOWS:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend the Citrus Heights Zoning Code as shown in Exhibit A amending sections of the Zoning Code related to small recycling centers.

Section 2: Findings

- The proposed amendment to the Land Use Table and the Small Recycling Center Section of the Zoning Code is consistent with the General Plan Goal 9 encourages and supports the revitalization and physically attractive corridors.

- The proposed amendments will not be detrimental to the public, interest, health, safety, convenience, or welfare of the city.

Section 3: Action

The City Council hereby amends the Zoning Code of the City of Citrus Heights as described within Exhibit A herein, and as discussed within the Staff Report, which is incorporated by reference.

Section 4: Severability

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5: Effective Date and Publication

This ordinance shall take effect thirty (30) days after its adoption, provided it is published in full or in summary within fifteen (15) days of its adoption, in a newspaper of general circulation published and circulated in the City of Citrus Heights.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights this ___ day of ___, 2024 by the following vote, to wit:

AYES: **Councilmembers:**
NOES: **Councilmembers:**
ABSENT: **Councilmembers:**
ABSTAIN: **Councilmembers:**

_____
Dr. Jayna Karpinski-Costa, Mayor

ATTEST:

_____
Amy Van, City Clerk

Exhibit
A. Redline Strikeout of Zoning Code

ARTICLE 2

Zoning Districts & Allowable Land Uses

Chapter 106.20 - Zoning Map 2-3

106.20.010 - Purpose 2-3
106.20.020 - Zoning Map and Zoning Districts 2-3

Chapter 106.22 - Development and Land Use Approval Requirements 2-5

106.22.010 - Purpose 2-5
106.22.020 - General Requirements for Development and New Land Uses 2-5
106.22.030 - Allowable Land Uses and Permit Requirements 2-5
106.22.040 - Exemptions from Planning Permit Requirements 2-7
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Chapter 106.24 - Residential and Open Space Zoning Districts 2-9

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Contents

CHAPTER 106.20 - ZONING MAP

Sections:

106.20.010 - Purpose
106.20.020 - Zoning Map and Zoning Districts

106.20.010 - Purpose

This Chapter establishes the zoning districts applied to property within the City and adopts the City's Zoning Map.

106.20.020 - Zoning Map and Zoning Districts

The Council hereby adopts the City of Citrus Heights Zoning Map (hereafter referred to as the "Zoning Map"), which is on file with the Department. The Zoning Map is hereby incorporated into this Zoning Code by reference as though it were fully included here.

A. Zoning districts established. The City of Citrus Heights shall be divided into zoning districts that implement the Citrus Heights General Plan. The zoning districts shown in Table 2-1 are hereby established, and shall be shown on the Zoning Map.

B. Interpretation of zoning district boundaries. If there is uncertainty about the location of any zoning district boundary shown on the official Zoning Map, the location of the boundary shall be determined by the Director as follows.

1. Where a zoning district boundary approximately follows a lot, alley, or street line, the lot line and street and alley centerlines shall be construed as the district boundary;

2. If a zoning district boundary divides a parcel and the boundary line location is not specified by distances printed on the Zoning Map, the location of the boundary will be determined by using the scale appearing on the Zoning Map; and

3. Where a public street or alley is officially vacated or abandoned, the property that was formerly in the street or alley will be included within the zoning district of the adjoining property on either side of the vacated or abandoned street or alley.

TABLE 2-1 - ZONING DISTRICTS

Zoning District Symbol	Name of Zoning District	General Plan Land Use Designation Implemented by Zoning District
Residential Districts		
RD-1, 2, 3, 4	RD-1, 2, 3, 4	Very Low Density Residential
RD-5, 7	RD-5, 7	Low Density Residential
RD-10, 15, 20	RD-10, 15, 20	Medium Density Residential
RD-25, 30	RD-25, 30	High Density Residential
MH	Mobile Home	Medium Density Residential
Commercial and Industrial Districts		
BP	Business and Professional Office	Business Professional
LC	Limited Commercial	General Commercial
SC	Shopping Center	General Commercial
GC	General Commercial	General Commercial
AC	Auto Commercial	General Commercial
CR	Commercial Recreation	Open Space
MP	Industrial Office Park	Industrial
Special Purpose Districts		
O	Recreation	Open Space/Public
SPA	Special Planning Area	All
Overlay/Combining Districts		
COR	Corridor Overlay	Transition Overlay

CHAPTER 106.22 - DEVELOPMENT AND LAND USE APPROVAL REQUIREMENTS

Sections:

106.22.010 - Purpose
106.22.020 - General Requirements for Development and New Land Uses
106.22.030 - Allowable Land Uses and Permit Requirements
106.22.040 - Exemptions from Planning Permit Requirements
106.22.050 - Temporary Uses

106.22.010 - Purpose

This Chapter describes the City's requirements for the approval of proposed development and new land uses. The permit requirements established by this Zoning Code for specific land uses are in Chapters 106.24 through 106.30.

106.22.020 - General Requirements for Development and New Land Uses

Each land use and/or structure shall be established, constructed, reconstructed, altered, moved or replaced in compliance with the following requirements.

A. **Allowable use.** The land use must be allowed by this Zoning Code in the zoning district applied to the site. The basis for determining whether a use is allowable is described in Section 106.22.030 (Allowable Land Uses and Permit Requirements).

B. **Permit and approval requirements.** Any planning permit or other approval required by Section 106.22.030 (Allowable Land Uses and Permit Requirements) shall be obtained before the issuance of any required grading, building, or other construction permit, and before the proposed use is constructed, otherwise established or put into operation, unless the proposed use is listed in Section 106.22.040 (Exemptions from Planning Permit Requirements).

C. **Development standards, conditions of approval.** Each land use and structure shall comply with the development standards of this Chapter, the provisions of Article 3 (Site Planning and Project Design Standards), and any applicable conditions imposed by a previously granted planning permit.

D. **Legal parcel.** The site of a proposed development or new land use shall be a parcel that was legally created in compliance with the Subdivision Map Act and the City's subdivision ordinances.

106.22.030 - Allowable Land Uses and Permit Requirements

A. **Allowable land uses.** The uses of land allowed by this Zoning Code in each zoning district are listed in Chapters 106.24,Table 2-2, and 106.26, Table 2-5, together with the type of planning permit required for each use. Each land use listed in Tables 2-2 and 2-5 is defined in Article 8 (Glossary).

1. **Establishment of an allowable use.**

a. Any one or more land uses identified by Tables 2-2 and 2-5 as being allowable within a specific zoning district may be established on any parcel within that zoning district, subject to the planning permit requirements of Subsection B., and compliance with all applicable requirements of this Zoning Code.

b. Where a single parcel is proposed for development with two or more of the land uses listed in the tables, the overall project shall be subject to the highest permit level required by Subsection B. for any individual use. For example, a new building proposed in the BP zoning district with a health club

on the ground floor and professional offices on the second floor would require Use Permit (UP) approval because Table 2-5 requires Use Permit approval for "fitness/health facility," even though an "Office" is listed in the BP zone as a permitted use, requiring only a Zoning Clearance.

2. Use not listed.

a. A land use that is not listed in Tables 2-2 or 2-5, and is determined by the Director to not be included in Article 8 (Glossary) under the definition of a listed land use is not allowed within the City, except as otherwise provided by Subsection A.3, or Section 106.22.040 (Exemptions from Planning Permit Requirements).

b. A land use that is not listed in the tables within a particular zoning district is not allowed within that zoning district, except as otherwise provided in Subsection A.3, or Section 106.22.040 (Exemptions from Planning Permit Requirements).

3. Similar and compatible use may be allowed. The Director may determine that a proposed use not listed in this Article is allowable as follows:

a. Required findings. The Director may determine that a proposed use is similar to and compatible with a listed use and may be allowed only after first making all of the following findings:

(1) The characteristics of, and activities associated with, the use are similar to one or more of the listed uses and will not involve a greater intensity than the uses listed in the applicable zoning district;

(2) The use will be consistent with the purposes of the applicable zoning district;

(3) The use will be consistent with the General Plan and any applicable specific plan;

(4) The use will be compatible with the other uses allowed in the district; and

(5) The use is not listed as allowable in another zoning district.

A determination that a use qualifies as a "similar use" and the findings supporting the determination shall be in writing.

b. Applicable standards and permit requirements. When the Director determines that a proposed, but unlisted, use is similar to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this Zoning Code apply.

c. Referral for determination. The Director may refer the question of whether a proposed use qualifies as a similar and compatible use directly to the Commission for a determination at a public meeting.

d. Appeal. A determination of similar and compatible use may be appealed in compliance with Chapter 106.72 (Appeals).

B. Permit requirements. Tables 2-2 and 2-5 within Chapters 106.24 and 106.26 provide for land uses that are:

1. Permitted subject to compliance with all applicable provisions of this Zoning Code, subject to first obtaining a Zoning Clearance (Section 106.62.020). These are shown as "P" uses in the tables;

2. Allowed subject to the approval of a Minor Use Permit (Section 106.62.050), and shown as "MUP" uses in the tables;

3. Allowed subject to the approval of a Use Permit (Section 106.62.050), and shown as "UP" uses in the tables;

4. Allowed subject to the type of City approval required by a specific provision of Chapter 106.42 (Standards for Specific Land Uses), and shown as "S" uses in the tables; and

5. Not allowed in particular zoning districts.

Note: a land use authorized through the approval of a Zoning Clearance, Minor Use Permit, or Use Permit may also require Design Review approval (Section 106.62.040), a Building Permit, or other permit required by the Municipal Code.

106.22.040 - Exemptions from Planning Permit Requirements

The planning permit requirements of this Zoning Code do not apply to the land uses, structures, and activities identified by this Section. These are allowed in all zoning districts subject to compliance with this Section.

A. General requirements for exemption. The land uses, structures, and activities identified by Subsection B. below are exempt from the planning permit requirements of this Zoning Code only when:

1. The use, activity or structure is established and operated in compliance with the setback requirements, height limits, parking requirements, and all other applicable standards of this Article (Zoning Districts and Allowable Land Uses), Article 3 (Site Planning and Project Design Standards), and, where applicable, Chapter 106.70 (Nonconforming Uses, Structures, and Parcels); and

2. Any permit or approval required by regulations other than this Zoning Code is obtained (for example, a Building Permit).

B. Exempt activities and land uses. The following are exempt from the planning permit requirements of Tables 2-2 and 2-5 when in compliance with Subsection A. above.

1. Decks, paths and driveways. Decks, platforms, on-site paths, and driveways that are not required to have a Building Permit or Grading Permit.

2. Fences and walls. See Section 106.30.050 (Fences and Walls).

3. Interior remodeling. Interior alterations that do not increase the gross floor area of the structure, or change the permitted use of the structure.

4. Repairs and maintenance.

a. Single dwellings. Ordinary repairs to, and maintenance of single dwellings, provided that the work does not change the approved land use or structure.

b. Multi-unit dwellings, and non-residential structures. Ordinary repairs to, and maintenance of multi-unit residential and non-residential structures, if:

(1) The work does not change the approved land use of the site or structure, or add to, enlarge or expand the land use and/or structure; and

(2) Any exterior repairs employ the same design, materials, and color as the original construction.

5. Small, portable residential accessory structures. A single portable structure per lot or unit, including pre-manufactured storage sheds and other small structures in residential zoning districts that are exempt from

Building Permit requirements in compliance with the Municipal Code and the Uniform Building Code. Additional structures may be approved in compliance with Section 106.42.200 (Residential Accessory Uses and Structures), where allowed by the applicable zoning district. All accessory structures shall comply with the maximum lot coverage requirements of the applicable zoning district.

6. **Solar collectors.** The addition of solar collectors to the roof of a building, provided that the collectors comply with applicable height limit requirements.

7. **Spas, hot tubs, and fish ponds.** Portable spas, hot tubs, and constructed fish ponds, and similar equipment and structures that do not: exceed 120 square feet in total area including related equipment; contain more than 2,000 gallons of water; or exceed three feet in depth.

8. **Utilities.** The erection, construction, alteration, or maintenance by a public utility or public agency of utilities intended to service existing or nearby approved developments shall be permitted in any zoning district. These include: water; gas; electric; supply or disposal systems; including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, etc., but not including new transmission lines and structures. See Section 106.30.120 for utility undergrounding requirements. Satellite and wireless communications antennas are not exempt, and are instead subject to Chapter 106.44 (Telecommunications Facilities).

106.22.050 - Temporary Uses

Requirements for establishing a temporary use (for example, a construction yard, seasonal sales lot, special event, temporary office trailer, etc.) are in Section 106.62.030 (Temporary Use Permit).

CHAPTER 106.24 - RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS

Sections:

106.24.010 - Purpose
106.24.020 - Purposes of the Residential and Open Space Zoning Districts
106.24.030 - Residential and Open Space District Allowable Land Uses and Permit Requirements
106.24.040 - Residential and Open Space District Subdivision Standards
106.24.050 - Residential and Open Space District Residential Density Standards
106.24.060 - Residential and Open Space District Site Planning and Building Standards

106.24.010 - Purpose

This Chapter lists the land uses that may be allowed within the residential and open space zoning districts established by Section 106.20.020 (Zoning Map and Zoning Districts), determines the type of planning permit/approval required for each use, and provides basic standards for site layout and building size.

106.24.020 - Purposes of the Residential and Open Space Zoning Districts

The purposes of the individual residential zoning districts and the manner in which they are applied are as follows.

A. **RD-1 through RD-4 (Very Low Density Residential) zoning districts.** The RD-1 through RD-4 districts are applied to areas appropriate for large-lots and detached single dwellings, together with hobby farming and keeping of animals, public and quasi-public uses, and similar and compatible uses. The RD-1 through RD-4 zoning districts are consistent with and implement the Very Low Density Residential land use designation of the General Plan.

B. **RD-5 and RD-7 (Low Density Residential) zoning districts.** The RD-5 and RD-7 districts are applied to areas appropriate for detached single dwellings, duplexes in specified circumstances, and related, compatible uses. The RD-5 and RD-7 zoning districts are consistent with and implement the Low Density Residential land use designation of the General Plan.

C. **RD-10 through RD-20 (Medium Density Residential) zoning districts.** The RD-10 through RD-20 districts are applied to areas appropriate for a variety of housing types, including small-lot single dwellings, and various types of multi-unit housing (for example, duplexes, triplexes, and apartments). The RD-10 through RD-20 zoning districts are consistent with and implement the Medium Density Residential land use designation of the General Plan.

D. **RD-25 and RD-30 (High Density Residential) zoning district.** The RD-25 and RD-30 districts are applied to areas appropriate for various types of small lot housing products, multi-unit housing, including duplexes, group houses, and apartments. The RD-25 and RD-30 zoning districts are consistent with and implement the High Density Residential land use designation of the General Plan.

E. **MH (Mobile Home) zoning district.** The MH district is applied to areas appropriate for mobile home parks and manufactured housing. The MH zoning district is consistent with and implements the Medium Density Residential land use designation of the General Plan.

F. **O (Recreation/Open Space) zoning district.** The O zoning district is applied to open space and scenic areas, waterways, and other areas of recreational value to protect the physical, social, recreational, aesthetic, and economic resources of the City. Land uses allowed in the O zoning district will encourage and protect the City's tourist and recreation resources. The O zoning district is consistent with and implements the Open Space and Public land use designations of the General Plan.

106.24.030 - Residential and Open Space District Allowable Land Uses and Permit Requirements

A. General permit requirements. Table 2-2 identifies the uses of land allowed by this Zoning Code in each residential zoning district, and the planning permit required to establish each use, in compliance with Section 106.22.030 (Allowable Land Uses and Permit Requirements).

B. Permit requirements for certain specific land uses. Where the last column in Table 2-2 ("Specific Use Regulations") includes a section number, the referenced section determines whether the use requires a Zoning Clearance, Minor Use Permit, or Use Permit. The referenced section may also refer to other requirements and standards applicable to the use.

TABLE 2-2
Allowed Land Uses and Permit Requirements for Residential and Open Space Zones

P	Permitted use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use, Use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	RD-1 - 2	RD-3 - 4	RD-5 - 7	RD-10	RD-15 - 30	MH	O	
AGRICULTURAL & OPEN SPACE USES								
Animal keeping	S	S	S	S	S	S	S	106.42.030
Beekeeping	P	P	P	—	—	—	P	106.42.030
Community garden	P	P	P	P	P	P	P	
Crop production, horticulture, orchard, vineyard	P	P	—	—	—	—	P	
Medical marijuana cultivation	S	S	S	S	S	S	S	50-702
Non-medical marijuana cultivation	S	S	S	S	S	S	S	50-802
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES								
Equestrian facility	UP	UP	—	—	—	—	UP	106.42.030
Golf course	UP	UP	—	—	—	—	P	
Meeting facility, public or private	UP	UP	UP	UP	UP	UP	—	
Park or playground, public	P	P	P	P	P	P	P	
Private residential recreation facility	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
School, elementary through secondary	UP	UP	UP	UP	UP	—	—	
RESIDENTIAL USES								
Accessory dwelling unit	P	P	P	P	P	—	P	106.42.015
Condominium conversion	—	—	UP	UP	UP	—	—	106.42.050, 060
Condominium, townhouse, row house, or cluster development	—	—	—	P	P	—	—	106.42.050
Duplex - Corner parcel	—	—	P	P	P	—	—	
Duplex - Interior parcel	—	—	UP	P	P	—	—	106.42.150
Home occupation	P	P	P	P	P	P	P	106.42.100
Mobile home park	UP	UP	UP	UP	UP	UP	—	106.42.140
Mobile/manufactured home	P	P	P	P	P	P	P	106.42.140
Multi-unit dwelling - 3 or more units	—	—	—	P	P	—	—	106.42.150
Residential accessory uses and structures	P	P	P	P	P	P	P	106.42.200
Residential care facility, 6 or fewer clients	P	P	P	P	P	P	P	
Residential care facility, 7 to 20 clients	UP	UP	UP	UP	P	—	—	
Residential care facility, 21 or more clients	—	—	—	UP	UP	—	—	
Rooming or boarding house	—	—	—	UP	UP	—	—	
Single dwelling	P	P	P	P	P	P	MUP	106.42.220
Small Lot Housing Product	—	—	—	S	S	—	—	106.42.230
Supportive/Transitional Housing, 6 or fewer clients	P	P	P	P	P	P	P	
Supportive/Transitional Housing, 7 or more clients	UP	UP	UP	UP	UP	—	—	
RETAIL TRADE								
Accessory retail and services	—	—	—	MUP	MUP	MUP	—	

Key to Zone Symbols

RD	Residential	**O**	Recreation/Open Space

TABLE 2-2
Allowed Land Uses and Permit Requirements for Residential and Open Space Zones

P	Permitted use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use, Use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	RD-1 - 2	RD-3 - 4	RD-5 - 7	RD-10	RD-15 - 30	MH	O	
SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL								
Medical services - Extended care	UP	UP	UP	UP	UP	—	—	
SERVICES								
Adult day care - 6 or fewer clients	P	P	P	P	P	P	—	
Adult day care - 7 or more clients	UP	UP	UP	UP	UP	UP	—	
Cemetery	UP	UP	UP	UP	UP	—	UP	
Child day care - Small and large family day care homes	P	P	P	P	P	P	P	
Child day care center	UP	UP	UP	UP	UP	UP	—	
Lodging - Bed and breakfast inn (B&B)	UP	UP	UP	UP	UP	—	—	
Public safety facility	P	P	P	P	P	P	P	
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE								
Telecommunications facility	S	S	S	S	S	S	S	106.44
Transmission facility	P	P	P	P	P	P	P	106.42.180
Utility facility	P	P	P	P	P	P	P	
Utility infrastructure	P	P	P	P	P	P	P	

Key to Zone Symbols

RD	Residential	**O**	Recreation/Open Space
MH	Mobile Home		

Notes:

(1) See Article 8 for land use definitions.

106.24.040 - Residential and Open Space District Subdivision Standards

Each subdivision shall comply with the minimum parcel size requirements in Table 2-3. Minimum lot depth shall be determined by the review authority in the subdivision review process. Subdividers are advised that Chapter 106.42 (Standards for Specific Land Uses) may require a specific land use to be on a parcel larger than required by this Section.

TABLE 2-3 - MINIMUM PARCEL SIZE STANDARDS

Zone	Lot Type (2)	Minimum Parcel Size (1)	
		Net Area (3)	Width
RD-1	All	1 acre	75 ft
RD-2	All	20,000 sf	75 ft
RD-3	All	10,000 sf	65 ft
RD-4	All	8,500 sf	65 ft
RD-5	Single family – Interior lot	5,000 sf	50 ft
	Single family – Corner lot	6,000 sf	60 ft
	Duplex – Interior lot	6,000 sf	60 ft
	Duplex – Corner lot	7,000 sf	70 ft
RD-7	Single family – Interior lot	4,000 sf	40 ft
	Single family – Corner lot	5,000 sf	50 ft
	Duplex – Interior lot	6,000 sf	60 ft
	Duplex – Corner lot	7,000 sf	70 ft
RD-10, 15	Single family – Interior lot	3,000 sf	40 ft
	Single family – Corner lot	4,000 sf	50 ft
	Duplex – Interior lot	4,000 sf	60 ft
	Duplex – Corner lot	5,000 sf	70 ft
	Multi-unit – Interior lot	5,000 sf	50 ft
	Multi-unit – Corner lot	6,000 sf	60 ft
RD-20, 25, 30	Single family – Interior lot	2,500 sf	40 ft
	Single family – Corner lot	3,000 sf	40 ft
	Duplex – Interior lot	3,500 sf	40 ft
	Duplex – Corner lot	4,000 sf	40 ft
	Multi-unit – Interior lot	5,000 sf	50 ft
	Multi-unit – Corner lot	6,000 sf	60 ft
MH	See Section 106.42.140 (Mobile Homes and Mobile Home Parks)		
O	All	3 acres	200 ft

Notes:

(1) A condominium, townhouse, small lot housing product development or common interest project may be subdivided with smaller parcels for ownership purposes, with the minimum lot area determined through subdivision review, provided that the overall development site complies with the minimum parcel size, and the total number of any dwellings is in compliance with the maximum density for the applicable zone.

(2) Minimum parcel size requirements for lot types not listed shall be determined by the review authority in the subdivision process.

(3) Net area is the gross area of the parcel, subtracting any existing or proposed access easements within the parcel, but including drainage and public utility easements.

106.24.050 - Residential and Open Space District Residential Density Standards

Each residential development shall not exceed the following maximum residential density (number of dwelling units per acre) requirement for the applicable zoning district, except in compliance with Chapter 106.32 (Affordable Housing Requirements and Incentives).

A. RD districts.

1. Maximum density - All RD districts. For a subdivision of five lots or more, the maximum allowable residential density shall be as identified for the applicable residential zoning district on the Zoning Map by the numerical suffix to the "RD" zoning symbol, which expresses the maximum allowable number of dwelling units per gross acre. For example, RD-1 allows a maximum of one dwelling per acre, RD-15 allows a maximum of 15 dwellings per acre, etc. This requirement does not apply to a proposed subdivision of four or fewer lots.

2. Maximum density - RD-1 through RD-4. No more than one detached single family dwelling is allowed on a single parcel in the RD-1, 2, 3, and 4 zones, provided that an accessory dwelling unit may also be allowed in compliance with Section 106.42.015 (Accessory Dwelling Units).

3. Minimum density - RD-20 and above. Within the RD-20 and higher density zoning districts, each proposed residential development shall provide a minimum of 50 percent of the maximum density of the applicable zoning district. For example, a project in the RD-20 zone shall provide a minimum density of 10 units per acre. This standard shall not apply to parcels under 2 acres in net area prior to subdivision.

B. MH district.

1. The maximum allowable residential density within the MH zoning district is established for mobile home parks by Section 106.42.140 (Mobile Homes and Mobile Home Parks).

2. The maximum residential density for residential uses other than a mobile home park is one dwelling unit per parcel.

C. O district. The maximum allowable residential density within the O zoning district is one dwelling unit per parcel.

106.24.060 - Residential and Open Space District Site Planning and Building Standards

Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Table 2-4, in addition to the applicable standards (e.g., landscaping, parking and loading, etc.) in Article 3 (Site Planning and Project Design Standards) of this Zoning Code.

TABLE 2-4 - RESIDENTIAL AND OPEN SPACE DISTRICT DEVELOPMENT STANDARDS

	Requirement by Zoning District					
Development Feature	**RD-1, 2, 3, 4**	**RD-5, 7**	**RD-10, 15**	**RD-20, 25, 30**	**MH**	**O**
Setbacks	*Minimum setbacks required. See Section 106.30.100 for setback measurement instructions, and exceptions to these requirements.*					
Front	20 ft	15 ft 20 ft for garage facade		25 ft	20 ft	20 ft
Side - Interior (each)	5 ft	5 ft		1 story - 10 ft 2 story - 20 ft 3 story - 30 ft	10 ft	10 ft
Side - Corner	15 ft	12.5 ft		25 ft	20 ft	20 ft
Rear	RD-1, 2 - 25 ft RD-3, 4 - 20 ft	20 ft		20 ft	10 ft	10 ft
Garage	20 ft from a garage door to the back of the nearest sidewalk, or the front property line where there is no sidewalk.					
Fences	See Section 106.30.050 (Fences and Walls)					
Accessory structures	See 106.42.200 (Residential Accessory Uses and Structures)					
Lot coverage (1)	*Maximum percentage of t*otal net lot area o*ccupied by primary structures, all accessory structures, and accessory dwelling units, but not including swimming pools.*					
Maximum coverage	30%	50%	50%	60%	40%	5%
Floor area ratio (FAR)	*Maximum floor area ratio for non-residential structures.*					
	0.40	0.40	0.50	0.50	0.50	0.10
Height limit	*Maximum allowable height of structures. See Section 106.30.060 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions. See Section 106.42.150 for special height limits for multi-unit projects.*					
Maximum height	30 ft		40 ft	50 ft	30 ft	
Landscaping	See Chapter 106.34 (Landscaping Standards)					
Parking	See Chapter 106.36 (Parking and Loading)					
Signs	See Chapter 106.38 (Signs)					

Notes:

(1) Setbacks and Lot Coverages for Small Lot Housing Product (RD-10 through RD-30) shall be determined by the Review Authority or as specified in 106.42.230

CHAPTER 106.26 - COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

Sections:

106.26.010 - Purpose
106.26.020 - Purposes of Commercial and Industrial Zoning Districts
106.26.030 - Commercial and Industrial District Land Uses and Permit Requirements
106.26.040 - Commercial and Industrial District General Development Standards

106.26.010 - Purpose

This Chapter lists the land uses that may be allowed within the commercial and industrial zoning districts established by Section 106.20.020 (Zoning Map and Zoning Districts), determines the type of planning permit/approval required for each use, and provides basic standards for site layout and building size.

106.26.020 - Purposes of Commercial and Industrial Zoning Districts

The purposes of the individual commercial and industrial zoning districts and the manner in which they are applied are as follows.

A. **BP (Business and Professional Office) district.** The BP zoning district is applied to areas appropriate for various types of office uses, together with similar and related compatible uses. Multi-unit housing and mixed-use projects may be allowed. The BP zoning district is consistent with and implements the Business Professional land use designation of the General Plan.

B. **LC (Limited Commercial) district.** The LC zoning district is applied to areas appropriate for a mixture of land uses, with primarily small-scale retail and pedestrian-oriented office uses on the ground floors of commercial structures, and residential units allowed on upper floors. The LC zoning district is consistent with and implements the General Commercial land use designation of the General Plan.

C. **SC (Shopping Center) district.** The SC zoning district is applied to areas appropriate for a wide range of retail and service land uses, promoting the unified grouping of these uses with convenient off-street parking and loading. Residential uses may also be accommodated as part of mixed use projects. Projects within this zone are intended to be designed to be an integral part of the surrounding neighborhood, and the larger community. The SC zoning district is consistent with the General Commercial land use designation of the General Plan.

D. **GC (General Commercial) district.** The GC zoning district is applied to areas appropriate for the general commercial and heavier types of commercial uses that would not be appropriate in the more restrictive commercial zones. Multi-unit housing and mixed-use projects may be allowed. The GC zoning district is consistent with the General Commercial land use designation of the General Plan.

E. **AC (Auto Commercial) district.** The AC zoning district is applied to areas appropriate for providing automotive sales and services, and compatible related uses. The zone is intended to promote the unified grouping of auto-oriented uses in locations where they will be convenient to the community. The AC zoning district is consistent with the General Commercial land use designation of the General Plan.

F. **CR (Commercial Recreation).** The CR zoning district is applied to areas for commercial uses normally considered to be recreation oriented and for commercial uses associated with major recreation areas. The CR zoning district is consistent with and implements the open space land use designation of the General Plan.

G. MP (Industrial/Office Park) district. The MP zoning district is applied to areas appropriate for light industrial and business park land uses, including low-intensity manufacturing and assembly processes, research and development, and corporate headquarters offices. The land uses allowed and development standards required within the MP district are intended to protect adjacent areas from impacts while allowing indoor, clean, and quiet industry. Land uses in the MP zoning district are expected to be organized as a business park, with tenants that may include some commercial activities. The MP zoning district is consistent with and implements the Industrial land use designation of the General Plan.

106.26.030 - Commercial and Industrial District Land Uses and Permit Requirements

A. General permit requirements. Table 2-5 identifies the uses of land allowed by this Zoning Code in each commercial and industrial zoning district, and the planning permit required to establish each use, in compliance with Section 106.22.030 (Allowable Land Uses and Permit Requirements).

B. Permit requirements for certain specific land uses. Where the last column in Table 2-5 ("Specific Use Regulations") includes a section number, the referenced section determines whether the use requires a Zoning Clearance, Minor Use Permit, or Use Permit. The referenced section may also establish other requirements and standards applicable to the use.

C. Permit requirements based on scale of use. Where Table 2-5 identifies a use with an "S" and the last column in the table refers to this Subsection, the use is permitted with a Zoning Clearance if it is a building tenant that will occupy 15 percent or less of the total building floor area. Minor Use Permit approval is required when the use occupies more than 15 percent of the total floor area.

TABLE 2-5
Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts

P	Permitted Use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
	BP	LC	SC	GC	AC	CR	MP	
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING								
Artisan/Craft Product manufacturing	MUP	MUP	P	P	MUP	—	P	
Contract construction service - Indoor	—	—	—	P	—	—	P	
Contract construction service - Outdoor storage	—	—	—	MUP	—	—	MUP	
Contract construction service - Outdoor work area	—	—	—	UP	—	—	UP	
Manufacturing/processing - Light	—	—	—	UP	—	—	P	
Manufacturing/processing - Medium intensity	—	—	—	—	—	—	—	
Manufacturing/processing - Heavy	—	—	—	—	—	—	—	
Medical marijuana cultivation	S	S	S	S	S	S	S	50-702
Non-medical marijuana cultivation	S	S	S	S	S	S	S	50-802
Recycling - Small collection facility	—	~~MUP-S~~	~~MUP-S~~	~~MUP-S~~	—	—	~~MUP-S~~	106.42.190
Storage - Outdoor	—	—	—	UP	—	—	UP	106.42.170
Storage - Personal storage facility (mini-storage)	—	UP	—	UP	—	—	MUP	
Storage - Warehouse, indoor storage	—	—	—	P	—	—	P	
Wholesaling and distribution	—	—	—	P	—	—	P	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES								
Adult entertainment business	—	S	—	S	—	—	S	106.40
Bingo parlor	—	—	—	UP	—	—	—	10.81 - 10.100
Card room	—	—	UP	UP	—	—	—	10.26 - 10.54
Commercial recreation facility - Indoor, Minor	—	P	P	P	—	P	P	
Commercial recreation facility - Indoor, Major	—	UP	UP	UP	—	MUP	UP	
Commercial recreation facility - Outdoor	UP	—	—	UP	—	MUP	UP	
Conference/convention facility	UP	—	UP	UP	—	UP	—	
Fitness/health facility	UP	P	P	P	—	P	UP	
Golf Course	—	—	—	UP	—	MUP	UP	
Library, museum	P	P	P	P	—	—	—	
Meeting facility, public or private	UP	UP	UP	UP	—	—	UP	
Park, playground	P	P	P	P	—	P	UP	
School - College, university	UP	UP	UP	UP	—	—	—	
School - Elementary, middle, secondary	UP	UP	UP	UP	—	—	—	
School - Specialized education/training - Minor	P	P	P	P	—	—	P	
School - Specialized education/training -Major	UP	UP	UP	UP	—	—	UP	
Sports and entertainment assembly facility	—	—	UP	MUP	—	MUP	MUP	
Studio - Art, dance, martial arts, music, etc.	S	P	P	P	—	—	S	106.26.030.C
Theater	—	—	MUP	MUP	—	MUP	—	

Key to Zone Symbols

BP	Business and Professional Office	**AC**	Auto Commercial
LC	Limited Commercial	**CR**	Commercial Recreation
SC	Shopping Center	**MP**	Industrial/Office Park
GC	General Commercial	**Notes:**	(1) See Article 8 for land use definitions.

TABLE 2-5
Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts

P	Permitted Use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
	BP	LC	SC	GC	AC	CR	MP	
RESIDENTIAL USES								
Emergency shelter	—	—	—	S	—	—	—	106.42.090
Home occupation	P	P	P	P	—	—	—	106.42.100
Live/work unit	MUP	MUP	UP	UP	—	—	—	106.42.110
Mixed use project residential component	S	S	S	S	S	—	—	106.42.130
Multi-unit dwelling	P	P	P	P	—	—	—	106.42.150
Single room occupancy (SRO) facility	—	—	—	UP	—	—	—	
Small Lot Housing Product	S	S	S	S	—	—	—	106.42.230
Work/live unit	UP	—	UP	UP	—	—	UP	106.42.110
RETAIL TRADE								
Accessory retail uses	P	P	P	P	P	P	P	
Alcoholic beverage sales	—	S	S	S	—	S	—	106.42.020
Bar	—	UP	UP	UP	—	UP	—	106.42.020
Brew Pub/Tavern	—	P	P	P	—	—	—	106.42.020
Building/landscape materials sales	—	—	P	P	—	—	—	
Construction and heavy equipment sales and rental	—	—	—	UP	P	—	P	
Convenience store	S	S	S	S	S	—	S	106.42.070
Drive-through retail	—	UP	UP	UP	—	—	—	106.42.080
Fuel dealer (propane for home and farm use, etc.)	—	—	—	P	—	—	—	
General retail	—	P	P	P	P	—	—	
Groceries, specialty foods	—	P	P	P	—	—	—	
Mixed use project	—	S	S	S	S	—	—	106.42.130
Night club	—	—	UP	UP	—	—	—	
Office-supporting retail	S	P	P	P	—	—	S	106.26.030.C
Outdoor displays and sales	—	P	P	P	P	—	—	106.42.160
Public auction, flea market	—	—	—	UP	—	—	—	
Restaurant, café, coffee shop	S	P	P	P	P	MUP	S	106.26.030.C
Smoking paraphernalia establishment	S	S	S	S	S	S	S	106.42.230
Wood yard (firewood sales)	—	—	—	MUP	—	—	—	

Key to Zone Symbols

BP	Business and Professional Office	**AC**	Auto Commercial
LC	Limited Commercial	**CR**	Commercial Recreation
SC	Shopping Center	**MP**	Industrial/Office Park
GC	General Commercial		

Notes:

(1) See Article 8 for land use definitions.

TABLE 2-5
Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts

P	Permitted Use, Zoning Clearance required
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S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
	BP	LC	SC	GC	AC	CR	MP	
SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL								
ATM - Outdoor	MUP	MUP	MUP	MUP	MUP	MUP	MUP	106.42.040
ATM - Within a building	P	P	P	P	P	P	P	
Bank, financial services	P	P	P	P	—	—	P	
Business support service	P	P	P	P	—	—	P	
Medical marijuana dispensary	—	—	—	—	—	—	—	106.42.120
Medical services - Doctor office, clinic, or urgent care	P	P	P	P	—	—	P	
Medical services - Extended care	UP	P	—	P	—	—	—	
Medical services - Hospital	UP	—	—	UP	—	—	—	
Medical services - Laboratory	P	P	P	P	—	—	P	
Medical services - Substance abuse treatment clinic	—	—	—	UP	—	—	—	106.42.240
Office	P	P	P	P	—	—	P	
SERVICES - GENERAL								
Adult day care	UP	P	P	P	—	—	—	
Catering service	—	P	P	P	—	—	—	
Child day care center	MUP	MUP	MUP	MUP	—	—	MUP	
Drive-through service	—	UP	UP	UP	—	—	—	
Equipment rental - Indoor	—	—	P	P	—	—	P	
Equipment rental - Outdoor	—	—	—	MUP	—	—	MUP	
Kennel, animal boarding	—	UP	UP	UP	—	—	—	
Lodging - Bed & breakfast inn (B&B)	—	UP	UP	UP	—	UP	—	
Lodging - Hotel or motel	—	—	UP	UP	—	UP	—	
Massage therapy	P	P	P	P	—	—	—	22-596
Maintenance service - Client site services	—	P	—	P	—	—	P	10.4.36
Mortuary, funeral home	UP	UP	—	P	—	—	—	
Personal services	P	P	P	P	—	—	S	106.26.030.C
Personal services - Restricted	—	MUP	MUP	MUP	—	—	—	
Public facilities	P	P	P	P	P	P	P	
Repair service - Equipment, large appliances, etc.	—	—	—	P	—	—	P	
Veterinary clinic, animal hospital	UP	UP	P	P	—	—	P	

Key to Zone Symbols

BP	Business and Professional Office	**AC**	Auto Commercial
LC	Limited Commercial	**CR**	Commercial Recreation
SC	Shopping Center	**MP**	Industrial/Office Park
GC	General Commercial		

Notes:

(1) See Article 8 for land use definitions.

Commercial Zoning Districts 106.26.030

TABLE 2-5
Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts

P	Permitted Use, Zoning Clearance required
MUP	Conditional use, Minor Use Permit required
UP	Conditional use Permit required
S	Permit requirement set by Specific Use Regulations
—	Use not allowed

LAND USE (1)	PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
	BP	LC	SC	GC	AC	CR	MP	
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE								
Ambulance, taxi, and specialized transportation dispatch facility	—	MUP	MUP	MUP	MUP	—	MUP	
Broadcasting studio	P	P	P	P	—	—	P	
Freight terminal	—	—	—	MUP	—	—	P	
Parking facility, public or commercial, surface	MUP	—	MUP	MUP	MUP	MUP	MUP	
Parking facility, public or commercial, structured	UP	—	UP	UP	UP	UP	UP	
Pipeline, utility transmission or distribution line	UP	UP	UP	UP	UP	UP	UP	
Telecommunications facility	S	S	S	S	S	S	S	106.44
Transit station or terminal	—	UP	UP	UP	UP	—	—	
Utility facility	UP	UP	UP	UP	UP	UP	UP	
Utility infrastructure	P	P	P	P	P	P	P	
~~Vehicle storage~~	—	—	—	~~UP~~	~~UP~~	—	—	
VEHICLE SALES AND SERVICES								
Auto parts sales with no installation services	—	P	P	P	P	—	—	
Auto/vehicle sales and rental	—	—	—	MUP	P	—	—	
Auto/vehicle sales, wholesale - 2 cars or less at any time	P	P	P	P	—	—	P	
Auto/vehicle sales, wholesale - 3 or more cars, other vehicles	—	—	—	MUP	P	—	—	
Mobile home, boat, or RV sales	—	—	—	MUP	P	—	—	
Service station	—	UP	UP	UP	UP	—	UP	
Vehicle services - Major repair/body work	—	—	UP	UP	MUP	—	—	
Vehicle services - Minor maintenance/repair	—	UP	UP	P	P	—	—	
Vehicle storage	—	—	—	UP	UP	—	—	

Key to Zone Symbols

BP	Business and Professional Office	**AC**	Auto Commercial
LC	Limited Commercial	**CR**	Commercial Recreation
SC	Shopping Center	**MP**	Industrial/Office Park
GC	General Commercial		

106.26.040 - Commercial and Industrial District General Development Standards

A. General standards. Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements in Tables 2-6 and 2-7 in addition to the applicable development standards (e.g., landscaping, parking and loading, etc.) in Article 3 (Site Planning and Project Design Standards) of this Zoning Code.

TABLE 2-6 - BP, SC, LC, AND GC DISTRICT DEVELOPMENT STANDARDS

	Requirement by Zoning District			
Development Feature	**BP Business and Professional Office**	**LC Limited Commercial**	**SC Shopping Center**	**GC General Commercial**
Minimum lot size	*Minimum area and dimensions for parcels proposed in new subdivisions.*			
Area, width, depth	No minimum			
Residential density	*Maximum number of dwelling units allowed in a project. The actual number of units allowed will be determined by the City through subdivision or planning permit approval, as applicable.*			
Maximum density	20 units per net acre	20 units per net acre	40 units per net acre	40 units per net acre
Setbacks (3)	*Minimum setbacks required for primary structures. See Section 106.30.100 for setback measurement instructions, and exceptions to these requirements.*			
Front	25 ft (1)	20 ft (1)	20 ft (1)	20 ft (1)
Side - Interior (each)	20 ft (2)	25 ft (2)	25 ft (2)	25 ft (2)
Side - Corner	25 ft (1)	20 ft (1)	20 ft (1)	20 ft (1)
Rear	25 ft (2)	25 ft (2)	25 ft (2)	25 ft (2)
Garage	20 ft from a garage door to the back of the nearest sidewalk			
Floor area ratio (FAR)	*Maximum floor area ratio allowed for non-residential uses.*			
	0.50	0.60	0.60	0.60
Height limit	*Maximum allowable height of structures. See Section 106.30.060 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.*			
Maximum height	24 ft and 2 stories within 50 feet of a residential zone, 50 ft and 4 stories elsewhere.			
Landscaping	See Chapter 106.34 (Landscaping Standards).			
Parking	See Chapter 106.36 (Parking and Loading).			
Signs	See Chapter 106.38 (Signs).			

Notes:

(1) Setback area shall be used only for landscaping and pedestrian space. The front and/or side-corner setback may be reduced or eliminated by the review authority to accommodate the placement of a building at the back of the street sidewalk, and/or pedestrian space including outdoor sitting or eating areas. May not be reduced to allow parking closer to street.

(2) Setback only required when adjacent to a residential or open space zone.

(3) Setback for Small Lot Housing Product shall be determined by the Review Authority or as specified in 106.42.030

TABLE 2-7 - AC, CR, AND MP DISTRICT DEVELOPMENT STANDARDS

	Requirement by Zoning District		
Development Feature	**AC Auto Commercial**	**CR Commercial Recreation**	**MP Industrial/Office Park**
Minimum lot size	*Minimum area and dimensions for parcels proposed in new subdivisions.*		
Area, width, depth	No minimum		
Residential density	*Maximum number of dwelling units allowed in a project. The actual number of units allowed will be determined by the City through subdivision or planning permit approval, as applicable.*		
Maximum density	20 units per acre	No dwellings allowed; 1 lodging unit per 500 sf of site area	None allowed
Setbacks	*Minimum and, where noted, maximum setbacks required for primary structures. See Section 106.30.100 for setback measurement instructions, and exceptions to these requirements.*		
Front	20 ft (1)	50 ft (1)	25 ft
Side - Interior (each)	25 ft (2)	25 ft (2)	50 ft adjacent to a residential zone, 20 ft elsewhere.
Side - Corner	20 ft (1)	50 ft (1)	25 ft
Rear	25 ft (2)	25 ft (2)	50 ft adjacent to a residential zone, 20 ft elsewhere.
Floor area ratio (FAR)	*Maximum FAR for non-residential structures*		
	0.60	0.10	0.50
Height limit	*Maximum allowable height of structures. See Section 106.30.060 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.*		
Maximum height	24 ft if within 100 feet of a residential zone, 40 ft elsewhere.		50 ft
Landscaping	See Chapter 106.34 (Landscaping Standards).		
Parking	See Chapter 106.36 (Parking and Loading).		
Signs	See Chapter 106.38 (Signs).		

Notes:

(1) Setback area shall be used only for landscaping and pedestrian space. The front and/or side-corner setback may be reduced or eliminated by the review authority to accommodate the placement of a building at the back of the street sidewalk, and/or pedestrian space including outdoor sitting or eating areas. May not be reduced to allow parking closer to street.

(2) Setback only required when adjacent to a residential or open space zone.

B. Location of allowable activities. Within all commercial and industrial zones, no equipment, material, furniture, or appliances shall be stored and/or displayed outside of an enclosed building, or outside of a solid screen fenced area and be visible from a public street, unless they are normally used outdoors.

CHAPTER 106.28 - SPECIAL PURPOSE AND OVERLAY ZONING DISTRICTS

Sections:

106.28.010 - Purpose
106.28.020 - Applicability of Overlay Zoning Districts
106.28.030 - Special Planning Area (SPA) Zoning District
106.28.040 - Corridor Overlay Zoning District

106.28.010 - Purpose

The provisions of this Chapter regulate development and new land uses in the special purpose and overlay zoning districts established by Section 106.20.020 (Zoning Map and Zoning Districts), and provide guidance for development within the overlay zoning districts in the form of standards that apply to proposed development in addition to the standards and regulations of the primary zoning district, where important site, environmental, safety, compatibility, or design issues require particular attention in project planning.

106.28.020 - Applicability of Overlay Zoning Districts

The provisions of this Chapter apply to proposed land uses and development in addition to all other applicable requirements of this Zoning Code. Any perceived conflict between the provisions of this Chapter and any other provision of this Zoning Code shall be resolved in compliance with Chapter 106.12 (Interpretation of Zoning Code Provisions).

A. Mapping of overlay districts. The applicability of any overlay zoning district to a specific site is shown by the overlay Zoning Map symbol established by Section 106.20.020 (Zoning Map and Zoning Districts), being appended as a suffix to the symbol for the primary zoning district on the Zoning Map. The overlay districts are applied to property through the rezoning process (Chapter 106.74).

B. Allowed land uses, permit requirements, development standards. Except as may be otherwise provided by this Chapter for a specific overlay district:

1. Any land use normally allowed in the primary zoning district by this Article may be allowed within an overlay district, subject to any additional requirements of the overlay district;

2. Development and new land uses within an overlay district shall obtain the zoning approvals required by this Article for the primary zoning district; and

3. Development and new land uses within an overlay district shall comply with all applicable development standards of the primary zoning district, all other applicable provisions of this Zoning Code (e.g., Article 3 - Site Planning and Project Design Standards), and the City's Design Guidelines.

106.28.030 - Special Planning Area (SPA) Zoning District

A. Purpose. The SPA zoning district is intended to provide for flexibility in the application of Zoning Code standards to proposed development under limited and unique circumstances. The purpose is to allow consideration of innovation in site planning and other aspects of project design, and more effective design responses to site features, uses on adjoining properties, and environmental impacts than the Zoning Code standards would produce without adjustment. The City expects each project within a Special Planning Area to be of obvious, significantly higher quality than would be achieved through conventional design practices and standards.

B. Allowable land uses and planning permit requirements. Allowable land uses within each SPA district are specified by each SPA adopting ordinance.

C. Zoning district development standards. Development standards that apply in a particular SPA district are as specified by the applicable SPA adopting ordinance.

D. Required findings. The Commission may recommend the approval of a requested rezoning to apply the SPA zoning district, and the Council may approve rezoning to SPA only after first making all of the following findings, in addition to those required for a rezoning by Section 106.74.060 (Findings).

1. The project is consistent with the General Plan and any applicable specific plan;

2. The project complies with all applicable provisions of this Zoning Code other than those modified by the SPA ordinance;

3. The approved modifications to the development standards of this Zoning Code are necessary and appropriate to accommodate the superior design of the proposed project, its compatibility with adjacent land uses, and its successful mitigation of any identified environmental impacts;

4. The project complies with all applicable provisions of the City's Design Guidelines;

5. The project can be adequately, conveniently, and reasonably served by public facilities, services, and utilities;

6. The planning concepts and design features of the project are reasonably suited to the characteristics of the site and the surrounding neighborhood;

7. The location, size, planning concepts, design features, and operating characteristics of the project are and will be compatible with the character of the site, and the land uses and development intended for the surrounding neighborhood by the General Plan;

8. The site is adequate for the project in terms of size, shape, topography, and circumstances; and

9. The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

106.28.040 - Corridor (COR) Overlay Zoning District

A. Purpose. Portions of some major transportation corridors, where residential development fronts directly onto the street, have been identified in the General Plan as "transitional." These are areas that present special challenges for continued single-family residential uses, and where certain "light" ("low-impact" and/or "low intensity") commercial uses and a mixture of residential and light commercial uses are appropriate.

1. The Corridor (COR) overlay zone is to be applied in conjunction with a residential zoning district to expand on the uses and standards of that zoning district. The purpose of the COR overlay is to allow existing residential uses to continue, but also to allow a mix of new residential, business service, and professional office uses that are compatible with existing single-family residential uses in identified transition areas along major transportation corridors. This overlay zone is not intended to accommodate citywide demand for office space, most of which is better met in other "traditional" office and commercial zones, nor is the purpose to allow or foster strip-commercial / retail uses.

2. The COR overlay zone is intended to accomplish the following:

    a. Allow compatible use conversions that extend the economic life of the existing residential structures;

    b. Allow owners to justify expenditures for repairs and modernization of their residential structures;

    c. Create both a buffer, and a true transition, between pure residential uses and major transportation corridors;

    d. Allow for the conversion of existing structures, creating economic advantages for new users;

    e. Allow properties to take advantage of easy access onto major streets;

    f. Allow properties to take advantage of visibility from major streets; and

    g. Develop well designed and aesthetically pleasing mixed uses.

B. Allowable land uses and permit requirements.

1. Permitted uses. The following uses are permitted within the COR overlay zone:

    a. All uses listed by Article 2 (Zoning Districts and Allowable Land Uses) as permitted in the applicable residential zone, including home occupations; and

    b. Non-residential uses legally in existence on or before November 13, 2005.

2. Conditional uses. The following uses are allowed within the COR overlay zone subject to Use Permit approval (Section 106.62.050).

    a. All conditional uses permitted in the underlying residential zone;

    b. New non-residential uses that meet the development and operating standards in Subsection C., and are consistent with the purposes in Subsection A.

        (1) Examples of the type of uses that would be consistent in this overlay zone include various business and professional offices including those for insurance, real estate, law, photography, and advertising.

(2) Uses generating a high volume of traffic, and Commercial/Industrial or other uses that create heightened levels of noise, odor, or nuisance conditions for surrounding residents, are prohibited in this zone (e.g. certain retail sales; certain medical offices);

c. Expansion or enlargement of non-residential uses legally in existence on or before November 13, 2005; and

d. Expansion of existing retail sales and medical offices, only if the review authority determines that the resulting traffic generation is minimal.

3. Accessory uses. The following accessory uses are permitted within the COR overlay zone:

a. All accessory uses permitted in the underlying residential zone;

b. Accessory uses legally in existence on or before November 13, 2005 [the effective date of the revised Corridor overlay]; and

c. Existing residential uses shall be allowed to construct a wood fence, masonry wall or other acceptable buffering feature 10 feet back from the front property line. Landscaping shall be required in the 10-foot setback area. The design of the wall and landscaping shall comply with the traffic safety visibility area requirements of Section 106.30.060.E (Height Limits and Exceptions - Height limits at street corners). The design of the wall and landscaping shall be reviewed by the Department to ensure compatibility of design, materials, and species.

4. Prohibited uses. The following uses are prohibited within the COR overlay zone.

a. Automotive uses;

b. Check cashing;

c. Eating, drinking, and lodging uses, except for bed and breakfast inns;

d. Entertainment uses;

e. Food, drug, and liquor sales;

f. Kennels;

g. Liquor sales;

h. Manufacturing and processing uses;

i. Recreation equipment sales;

j. Repair services, except for small appliance and minor household equipment repair;

k. Retail sales exceeding 1,000 square feet;

l. Tattoo parlors;

m. Transportation facilities and services, except for transit shelters or bus benches;

n. Other uses determined by the Commission to be of a similar nature, but not specifically named in this Section.

C. Development and operating standards. Each use requiring Use Permit approval within the COR overlay zone shall comply with each of the following standards.

1. Height. Height regulations, shall be the same as otherwise provided for within the underlying residential zone.

2. Area and setback requirements. The area, lot width and yard requirements shall be the same as those of the underlying residential zone. Setbacks for rear and side yards, for any new construction, or addition to the dwelling, for purposes of housing a conditional use, shall be twice those required for residential uses. Front yard setbacks shall be the same as those of the underlying residential zone.

3. Subdivision requirements. The intent of the COR overlay zone is to apply only to parcels fronting on a major corridor. If there is a request to subdivide a parcel within the COR overlay zone, there shall be a zone change hearing held simultaneously, to rezone the parcel no longer fronting on the major corridor, to remove the COR designation.

4. Other required conditions. Other required conditions shall be the same as those of the underlying residential zone.

5. Driveway consolidation. Wherever possible, new uses shall provide for consolidation of driveway access through parcel consolidation or reciprocal easements.

6. Hours of operation. Traffic generating hours shall reflect the underlying residential zoning, and shall be restricted to the hours of 8:00 am to 8:00 pm, or shorter, as deemed appropriate by the Commission, through the Use Permit process, to maintain compatibility with adjoining residential uses.

7. Signs. One freestanding monument sign is allowed per parcel. Maximum area is 24 square feet. Three feet of landscaping is required in every direction from the exterior portions of any part of the monument sign. Maximum height of the sign is six feet. Spacing of freestanding signs shall be a minimum of 50 feet from adjacent freestanding signs on adjacent parcels. Parcels that have no public street frontage shall be allowed to advertise on a freestanding sign located on a contiguous parcel which fronts on a public street. Sign area may be increased by a maximum of 12 square feet in area and shall be in addition to the sign area allowed for the parcel having public street frontage. Wall mounted tenant identification signage to guide customers to a particular office is allowed, up to a maximum of 24 inches by 36 inches. The front yard setback for signage is 10 feet.

8. Equipment. No equipment shall be used that creates electrical or electronic interference, noise, vibration, fumes, odor, glare, smoke, dust, visual blight, conditions that constitute a nuisance, or hazardous conditions not normally associated with residential uses. Each application for a conditional use shall be reviewed by the City to ensure compatibility with adjoining uses.

9. Employees, clients, patrons. The number of employees, clients, and/or patrons may be limited by the availability of on-site parking and/or by traffic considerations. New high-traffic generating uses shall not be allowed.

10. Architecture/design modification. New structures or modification of existing structures for new uses must be architecturally compatible with adjoining residential uses, and shall require the submittal of a Design Review application in conjunction with the Use Permit application, for review and approval by the Commission.

11. Parking. Parking shall be provided as required by Chapter 106.36 (Parking and Loading). The location of parking within the subject site shall be determined through Use Permit or Design Review, and shall be limited

to those areas of the site which minimize parking related impacts on adjoining residences. Under no circumstances shall parking be located closer than 10 feet from any property boundary.

12. **Exterior lighting.** Exterior lighting shall be minimal and shall not exceed typical lighting for a residence. Allowed lighting shall not spill-over onto nor cause glare for adjoining properties. Any lighting associated with a use requiring a Use Permit and Design Review, shall be reduced in output or turned off during non-business hours. Under no circumstances shall any lighting exceed a one foot-candle level in any location along the perimeter of the subject property, nor shall any luminaire be closer than 10 feet to any property line. Exterior lighting shall also comply with Chapter 106.35 (Outdoor Lighting).

13. **Walls and fencing.** Masonry walls may be required along the side and rear property lines to protect adjoining residential uses, refer to section 106.30.090 (Screening). Sound walls along the street are generally not allowed except where determined by the City to be necessary to protect sensitive uses. Landscaping shall be installed adjacent to any required masonry wall. Each wall or fence shall also comply with the requirements of Section 106.30.050 (Fences and Walls).

14. **Unique environmental features.** Unique environmental features of the site including creeks, trees, and original landscaping (where desirable) shall be protected and incorporated into the site plan.

15. **Other applicable regulations.** Each use shall comply with provisions of health code regulations, the Americans with Disabilities Act, relevant uniform building codes, applicable provisions of the Alcohol, Tobacco, and Firearms Division of the federal Department of Treasury, and all other applicable federal, state, or local regulations.

D. Approval process. Except as otherwise provided in this Section, the requirements of Section 106.62.050 (Use Permit and Minor Use Permit) shall apply.

1. Each conditional use within the COR overlay zone shall require the submittal and approval of individual Use Permit and Design Review applications. Each application shall be prepared, submitted to the Department, and scheduled for public review and hearing before the Commission in compliance with Chapters 106.60 (Permit Application Filing and Processing), and 106.62 (Permit Review and Decisions).

2. The notice of the public hearing before the Commission for the Use Permit and Design Review required by Chapter 106.76 (Public Hearings) shall be mailed to property owners within a 500 foot radius of the project site, or greater distance at the discretion of the Department.

3. Public comment shall be included as part of the record for consideration by the Commission at the public hearing.

4. Upon acceptance of a properly filed application, the Commission shall determine whether to approve, approve with conditions, or deny the application. Applicants shall receive written notice of the decision, circulate it for public review, and schedule the application for public hearing before the Commission.

5. Decisions of the Commission may be appealed to the Council in compliance with Chapter 106.72 (Appeals).

E. Required findings for approval. The approval of a conditional use allowed by Subsection B. shall require that the review authority first make all of the following findings:

1. The use is compatible with adjacent land uses;

2. The proposed site layout and building designs are compatible with adjoining residential land uses;

3. The site is of an appropriate size and configuration for the new use, and is efficiently and aesthetically designed for the proposed operations;

4. The use complies with the development standards in Subsection C., and all applicable design guidelines; and

5. The parking design emphasizes safety, minimizes traffic congestion, avoids aesthetic impacts, and does not negatively impact pedestrian circulation.

106.28.050 – Sunrise MarketPlace (SMP) Overlay Zoning District

A. Purpose. The Sunrise MarketPlace is home to the majority of the City's shopping, dining, and entertainment facilities. The Sunrise Boulevard and Greenback Lane thoroughfares bisect this important district. These roadways serve significant cut-through traffic detracting from the General Plan goals to create an inviting and distinctive identity for the Sunrise MarketPlace to promote its image as the City's premier destination to shop, work, live and play.

Certain land uses support cut-through traffic, but are contrary to broader quality of life, redevelopment, circulation, air quality, and economic development objectives.

1. The SMP Overlay zone is to be applied in conjunction with existing zoning districts to restrict certain uses within the Overlay Zone. The purpose of the overlay is to allow existing uses to continue, but also to ensure redevelopment of key locations within the district are supportive of City goals related to redevelopment of the Sunrise MarketPlace, walkability/bikeability goals, and transit use.

2. The SMP Overlay zone is intended to accomplish the following:

   a. Allow compatible use conversions that extend the economic life of the existing structures;

   b. Allow owners to pursue redevelopment opportunities that are supportive of broader City goals;

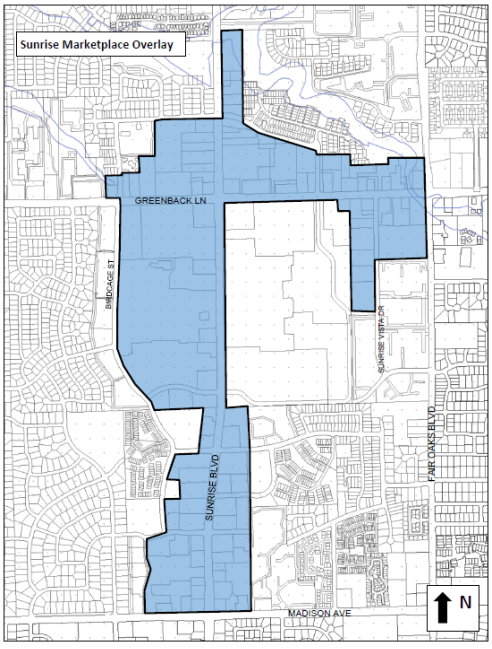
   c. Create an environment that discourages cut-through traffic and encourages walking, biking, and transit;

   d. Allow for the conversion of existing structures, creating economic advantages for new users;

   e. Control vehicular access onto major streets;

   f. Allow properties to take advantage of visibility from major streets; and

   g. Develop well designed and aesthetically pleasing mixed uses.



B. Allowable land uses and permit requirements.

1. Permitted and Conditionally Permitted uses. All uses listed by Article 2 (Zoning Districts and Allowable Land Uses) as permitted in the underlying applicable commercial zone, with the exception that the following uses are prohibited:

a. Service Stations

b. Vehicle Services- Major

c. Vehicle Service - Minor

d. Storage- Personal Storage Facility (mini-storage)

e. Ambulance, taxi, and specialized transportation and dispatch facility

2. Existing Uses. Existing uses legally in existence on or before December 1, 2022, which are prohibited by 106.28.050.B.1, may continue to operate, including transfers of ownership, provided the continuation shall comply with the requirements of Section 106.70.020 and Section 106.28.050.C.

C. Development and operating standards for prohibited use expansion. Each Prohibited Use within the SMP Overlay that seeks to expand or enlarge shall obtain a Use Permit and Design Review Permit Modification and comply with the underlying zoning requirements. Any addition, expansion or enlargement of a prohibited use shall comply with each of the following standards.

1. Driveway consolidation. Wherever possible, new uses shall provide for consolidation of driveway access through parcel consolidation or reciprocal easements. New driveways onto Greenback Lane or Sunrise Boulevard are strongly discouraged.

2. Active Transportation. Site design and layout shall prioritize circulation of active transportation modes (transit, bicycle, and pedestrian) above vehicular circulation.

3. Health Risk Assessment. Uses that result in the generation of operational air quality emissions shall complete an Air Quality Health Risk Assessment.

4. Design Standards. Any expanded use shall adhere to the applicable Design Guidelines within the Zoning Code. Any expansion shall include a comprehensive façade and site improvement for the entire impacted parcel and structure, not just the expanded area.

D. Required findings for approval. The approval of an expansion of a prohibited use allowed by Subsection B shall require that the review authority first make all of the following findings:

1. The use is consistent with the General Plan and Zoning Code;

2. The use is compatible with adjacent land uses;

3. The proposed site layout and building designs are compatible with adjacent land uses;

4. The site is of an appropriate size and configuration for the new use, and is efficiently and aesthetically designed for the proposed operations;

5. The use complies with the development standards in Subsection C., and all applicable design guidelines; and

6. The site design emphasizes safety, minimizes traffic congestion, avoids aesthetic impacts, and does not negatively impact circulation for active transportation modes.

106.42.190 - Recycling Facilities

This Section establishes standards and procedures for the operation of various types and sizes of commercial recycling facilities, where allowed by Article 2 (Zoning Districts and Allowable Land Uses).

A. Reverse vending machines. Reverse vending machines shall comply with the following standards.

1. **Accessory use only.** Each machine shall be installed only as an accessory use to an allowed primary use.

2. **Location requirements.** If located outside of a structure, a machine shall not occupy parking spaces required by the primary use.

3. **Signs.** Sign area shall not exceed four square feet for each machine, exclusive of operating instructions. The sign area shall be subject to the overall site sign area limitations in Section 106.38.060 (Zoning District Sign Standards).

4. **Lighting.** Each machine shall be illuminated to ensure comfortable and safe operation if the machine is accessible between dusk and dawn. All outdoor lighting shall comply with the requirements of Chapter 106.35 (Outdoor Lighting).

B. Small collection facilities. New small collection facilities are not allowed in the City. Existing facilities shall comply with the following standards.~~A small collection facility shall comply with the following standards.~~

1. **Location requirements.** A small collection facility shall:

   a. Not be located within 50 feet of any dwelling; and

   b. Be set back at least 10 feet from any public right-of-way, and not obstruct pedestrian or vehicular circulation.

2. **Maximum size.** A small collection facility shall not occupy more than 600 square feet, not including space that would be periodically needed for the removal of materials or exchange of containers.

3. **Appearance of facility.** Collection containers and site fencing shall be of a color and design that is compatible and harmonious with the surrounding uses and neighborhoods.

4. **Operating standards for small collection facilities.** A small collection facility shall:

   a. Not use power-driven processing equipment, except for reverse vending machines;

   b. Accept only glass, metal, or plastic containers, paper, and reusable items;

   c. Use containers that are constructed with durable waterproof and rustproof materials, secured from unauthorized removal of material, and of a capacity sufficient to accommodate materials collected and the collection schedule; and

   d. Be screened where determined by the review authority to be necessary to limit visibility.

5. **Maintenance standards.** Collection receptacles and each small collection facility site shall be maintained as follows.

   a. No receptacle shall obstruct a required parking space or disrupt either automobile or pedestrian traffic to or within the site. Each receptacle shall be located so as not to be detrimental to the appearance of the neighborhood or so as to create a public or private nuisance, as determined by the review authority.

   b. Each receptacle shall be kept clean, well maintained, neatly painted, and in good operating condition.

c. Each receptacle shall be clearly marked with the name of the nonprofit organization doing the collection, the recycling business sponsoring or collecting the materials, and the local telephone numbers of each.

d. Each receptacle shall be emptied on a regular basis, but not less than once every two weeks. Materials stored shall not be allowed to overflow the containers. The external stacking or collection of materials outside of collection receptacles is prohibited.

e. Any litter or spillage shall be immediately removed and cleaned.

f. Upon termination of the use, all receptacles shall be removed and the site restored to its original condition within 48 hours.

6. Signs. Non-illuminated signs may be provided as follows:

a. Identification signs are allowed with a maximum area of 15 percent for each side of the structure or 12 square feet, whichever is greater. In the case of a wheeled facility, the side shall be measured from the ground to the top of the container;

b. Additional directional signs, consistent with Chapter 106.38 (Signs), may be approved by the Director if found necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.

7. Parking requirements.

a. No additional parking space shall be required for customers of a small collection facility located in the established parking lot of the primary use.

b. Use of parking spaces by the patrons and the attendant shall not reduce available parking spaces below the minimum number required for the primary use unless a parking study, determined to be acceptable by the Director, shows that existing capacity is not fully utilized during the time the recycling facility would be on the site.

8. Non-conforming status. Small collection facilities legally in existence and made non-conforming through amendments to this code, may continue to operate. Should the small collection facility propose to change or modify operations, including but not limited to, adding new technologies or operational modifications, the director has the ability to approve the modifications if it is determined through consultation with the Chief of Police that the proposed modification will reduce blight and crime and/or improve aesthetics of existing facilities.

IVAN'S RECYCLING

Opposition to CRV Recycling Center Ban

Proposed Ban on Future CRV Recycling Centers

Community Impact

- Reduced access to recycling services.
- Increased inconvenience for residents.

Environmental Impact

- Higher landfill waste.
- Decreased recycling effectiveness.

Legal and Funding Implications

- Effective 2025: Stores that do not have access to certified recycling centers must offer in-store take-back. There will no longer be an opt-out fee available.
- Funding Consequences: Section 14583 states: “notwithstanding Section 14581, on or after July 1, 2012, the department shall not make any payments, grants, or loans, as provided in that section. To a city, county, or city and county, if the city, county or city and county has adopted or is enforcing a land use restriction that prevents the siting or operation of a certified recycling center at a supermarket site, as defined in section 14526.6 as may be required pursuant to Section 14571.

Importance of Alternative Redemption Methods

Current and Future Redemption Options

- **Existing methods**
  - Overview of current CRV recycling facilities in Citrus Heights

Proposed Solution

- **Unmanned Cashless Bag Drop System**
  - Grant application submitted to serve an unserved store within Citrus Heights
  - Award decision expected next week.
- **Benefits**
  - Increased accessibility.
  - Adapts to modern recycling needs.
  - Supports state recycling goals.

Call to Action & Conclusion

Why CRV Centers and Innovation Matter

- Ensures easy access to recycling services.
- Promotes effective waste reduction and resource conservation.

Action Needed

- Oppose the proposed ban to maintain recycling convenience.
- Support innovative solutions like the unmanned cashless bag drop to enhance future recycling services.
- Continue to support innovative solutions to be introduced within the city.

Proposed Bag Drop Model



TOMRA

Design proposal

Simply Recycle - Sacramento, CA

This document presents the various design elements proposed for Simply Recycle's new, modernized recycling center in Sacramento, California.

To ensure correct scaling, files will be provided in vector format. The person in charge of printing will be responsible for measuring surfaces and scaling drawings accordingly.

Overview

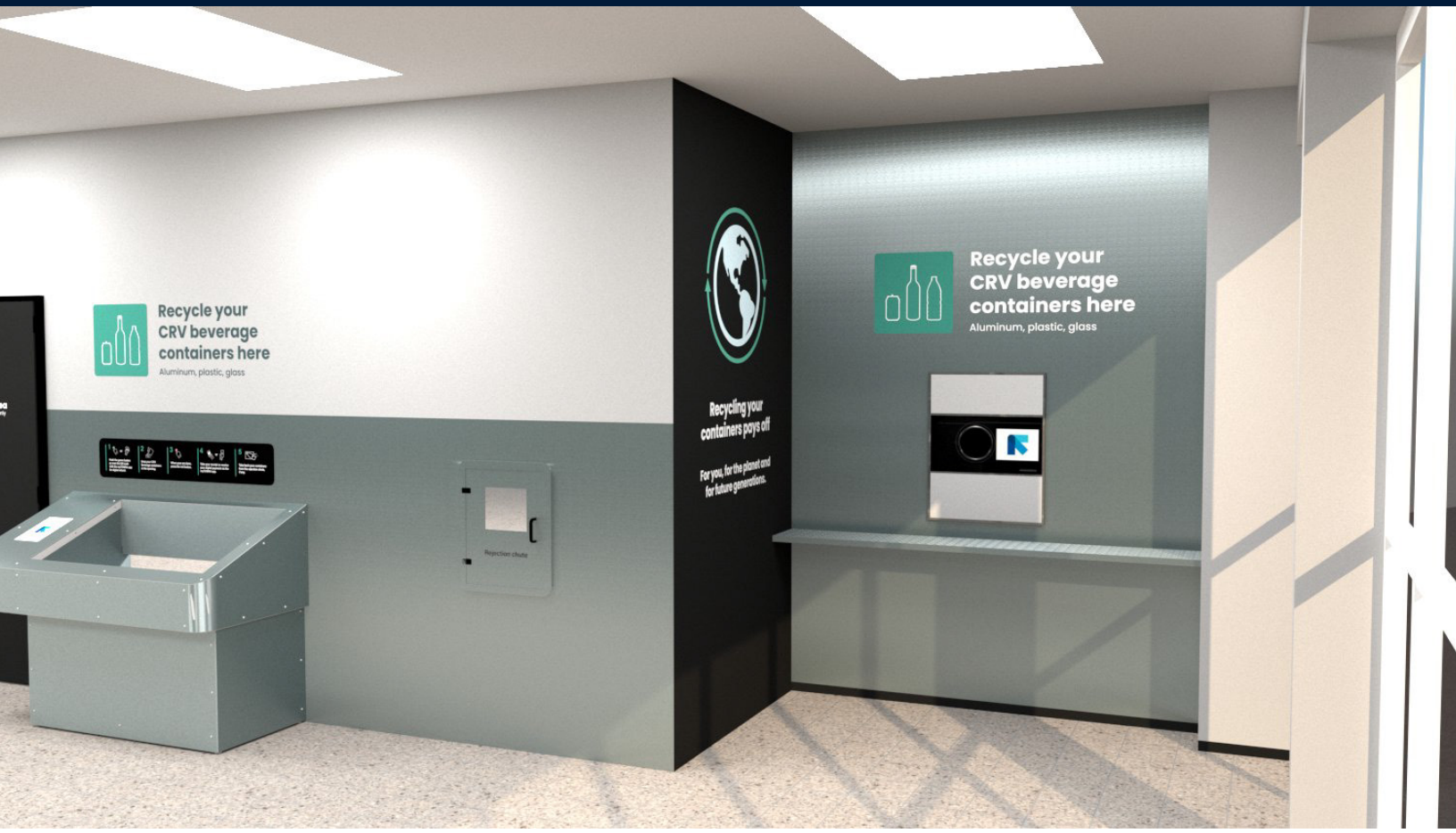


Overview


Recycle your CRV beverage containers here
Aluminum, plastic, glass
Recycle your CRV beverage containers here
Simply Recycle
Thanks to you, we are keeping precious resources in a closed loop, and out of nature!
Eligible Containers
Non-Eligible Containers


Did you know?
Simply Recycle
What happens to your CRV containers when returned?
Thanks to you, we are keeping precious resources in a closed loop, and out of nature!

Overview


Recycle your
CRV beverage
containers here
Aluminum, plastic, glass
Recycling your containers pays off
For you, for the planet and for future generations.
Recycle your
CRV beverage
containers here
Aluminum, plastic, glass


you know?
It takes 88% less energy to make plastic from recycled materials than from raw materials.
Thank you for recycling!
Simply Recycle

SUNRISE MARKETPLACE

August 12, 2024

Casey Kempenaar
Community Development Director
City of Citrus Heights
6360 Fountain Square Dr.
Citrus Heights, CA 95621

RE: August 13 Planning Commission Meeting Agenda Item 5

Dear Casey,

I am writing on behalf of the Sunrise Marketplace Property and Business Improvement District in support of staff's proposed Zoning Changes as relates to Recycling Operations and Alcohol Beverage Sales. Unfortunately, I am unable to attend the meeting to voice our support and ask that you accept this letter instead.

While the Recycling centers do provide a service for residents, they are also magnets for homeless and others to loiter around and cause disruption at adjacent businesses. These centers by their nature tend toward a blighted appearance. Currently, there are sufficient recycling centers to meet the needs of residents and the homeless. We support limiting the amount of these centers to the existing businesses and no more.

As our businesses continue to struggle to recover from the impacts of the pandemic, we applaud the streamlining of permitting and utilizing ABC standards and restrictions when approving alcohol related businesses. The entitlement process can be a long and expensive endeavor, landlords and tenants will appreciate the business-friendly action by the City. We also support InterCal's proposed use for a vacant space at Greenback Square. The Center has several vacant spaces. The Bourbons and More business will fill one of these spaces, generating footsteps and making the center more attractive for other tenants to consider. The store will be differentiated from other liquor stores by its higher end, unique product offering.

We appreciate your consideration of our input and support continued efforts to make the City of Citrus Heights business friendly.

Warmest Regards,

Kathilynn Carpenter

Kathilynn Carpenter

Executive Director, Sunrise MarketPlace PBID

August 13, 2024

Natalee Price, Chair
Citrus Heights Planning Commission
6360 Fountain Square Drive
Citrus Heights, CA 95621

RE: Proposed Restriction of New Recycling Centers – OPPOSE

Dear Chair Price,

We understand that Citrus Heights may be contemplating policies to restrict the siting of additional State Certified CRV Recycling Centers. We believe that any restriction of new CRV recycling centers ***while Citrus Heights is currently out of compliance*** with the Convenience Zone requirements of State Law would represent a disservice to consumers, a violation of Statutory intent, and jeopardize tens of thousands of dollars in current and future State Recycling Funding to Citrus Heights.

According to the California Department of Resource Recovery and Recycling (CalRecycle), there are 12 legally defined convenience zones in Citrus Heights. As a result of 'overlap,' 9 of those zones are currently 'served' by 4 certified centers. There are currently three 'unserved' zones defined by the Walmart on Auburn Boulevard, the Costco on Auburn Boulevard, and the Food Maxx on Sunrise Boulevard. Additionally, there are two 'dealers' within the unserved 'Food Maxx zone'. All five of these Citrus Heights businesses have a legal obligation to either: contract with a Recycling Service Provider, redeem containers inside the store, or pay a $100/day penalty. And while many Walmarts and Costcos across the state opt to pay the $100/day, that option goes away effective January 1. *No later than January 1, 2025, Citrus Heights will require three new certified redemption centers*.

Beyond the legal 'convenience zone' obligation, the residents of Citrus Heights deserve convenient opportunities to redeem empty beverage containers. Statewide, 70 percent of empty beverage containers are returned for recycling. Last year 265,000 tons of empty beverage containers were littered or landfilled, and $424 million in consumer refund values went 'unredeemed'. Despite near universal access to curbside recycling in California, 83% of current recycling takes place at redemption centers—and less than 14% are collected via curbside.

And in Sacramento County, CalRecycle reports just 58% of CRV containers are returned for recycling! There is currently just one certified redemption center per 21,608 population in Citrus Heights. CalRecycle data demonstrates that community recycling rates are well correlated to redemption centers per capita. For example, in Fresno County, with one center per 18,000 population, the CRV recycling rate is nearly 85%.

If nothing else, you might consider financial self-interest. Section 14501 (e) of the Public Resources Code reads:

> *"It is the intent of the Legislature to make redemption and recycling convenient for consumers, and the Legislature hereby urges cities and counties, when exercising their zoning authority, to act favorably on the siting of multimaterial recycling centers, reverse vending machines, mobile recycling units, or other types of recycling opportunities, as necessary for consumer convenience, and the overall success of litter abatement and beverage container recycling in the state."*

As an incentive, State law authorizes CalRecycle to annually expend $10.5 million to local governments and $15 million to operators of curbside recycling programs as 'supplemental payments.' CalRecycle may reduce or suspend these annual payments to jurisdictions and/or programs that are found to be out of compliance with the provisions of the Beverage Container Recycling Act.

On behalf of consumers in Citrus Heights, beverage dealers, and the objectives of the Beverage Container Recycling Act, we encourage staff, the Planning Commission and City Council to work with local recyclers, retailers and other stakeholders to support and sustain standards for redemption centers that best serve the community, rather restricting recycling locations in compliance with state law and community waste reduction and recycling objectives.

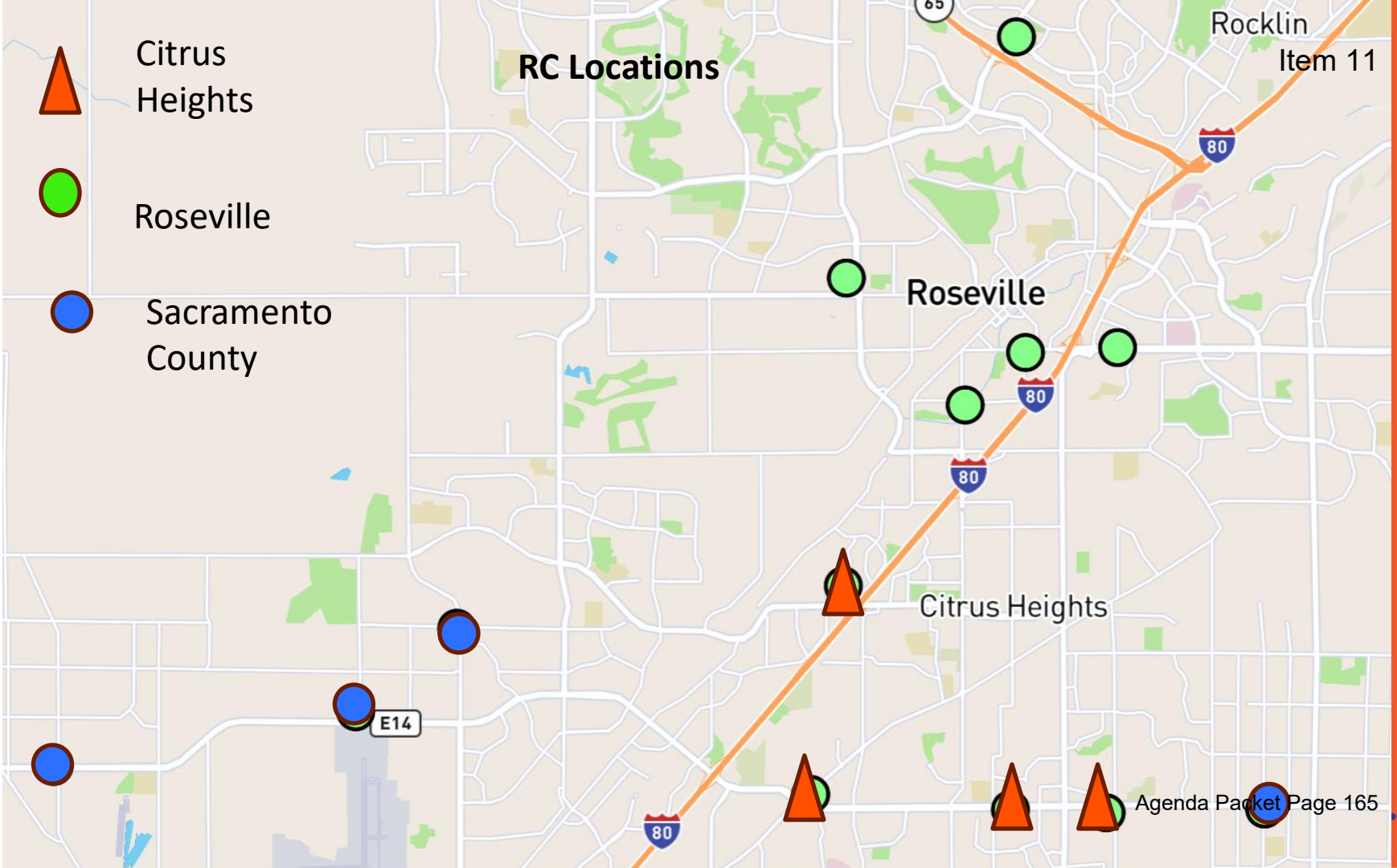
If we can be of assistance in supporting these objectives, I hope you and your staff will reach out.

Sincerely,



Mark Murray

RC Locations



Proposed Bag Drop Model



CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: September 25, 2024

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Regina Cave, General Services Director
Casey Kempenaar, Community Development Director
Leslie Blomquist, City Engineer

SUBJECT: **Gateway Activation Project – PLPB-5475(051)**
Award of Professional Engineering Services Agreement

Summary and Recommendation

On July 26, 2024, staff issued a Request for Proposals (RFP) for preliminary engineering, environmental documentation, right-of-way, final design, and construction support services for the Gateway Activation Project (Project).

In accordance with required Caltrans standard practices governing consultant selection of grant-funded projects, Dokken Engineering, Inc. (Dokken) was determined to be the most qualified consultant to provide the desired services for the Project. Staff opened the budget proposal and completed negotiations to agree upon the final scope of work and budget.

Staff recommends the City Council approve Resolution No. 2024-___, a Resolution of the City Council of the City of Citrus Heights, California, authorizing the City Manager to execute an agreement for professional services with Dokken Engineering for the Gateway Activation Project.

City Council Strategic Goal/Objective

This item aligns with the Citrus Heights City Council Strategic Plan Objective to "Maintain Public Infrastructure and Enhance All Modes of Transportation."

Fiscal Impact

In 2022 City staff was notified that Assemblymember Cooley's office had coordinated a $700,000 appropriation from the State General Fund for the Citrus Heights Gateway Activation Project. In May 2023, a fund transfer agreement was signed between the California Department of Transportation and the City, and the funds have been received and deposited.

Approval of this agreement represents no additional fiscal impact to the approved Fiscal Years (FY's) 23/24 and 24/25 budget. Only the project phases that can be funded within the existing appropriation amount will be authorized which includes preliminary engineering, public engagement, and environmental documentation. When additional funding is identified in the future, amendments to this contract may be authorized to add the right-of-way, final design and construction support phases of the Project.

The contract with Dokken Engineering is for an amount not to exceed $685,062.14 and will be paid with the already received appropriation funds.

Background and Analysis

The Project will implement multimodal and roadway improvements to increase accessibility, safety, and operations along Old Auburn Road and Wachtel Way between existing multi-modal facilities and to provide connection to future facilities proposed by adjacent municipalities (City of Roseville and Sacramento County). The Project limits are depicted in Attachment 3 and the scope of work includes all necessary preliminary studies, environmental approvals, and preliminary engineering documents for:

- Complete street roadway design for Old Auburn Road and Wachtel Way;
- Extension of multi-modal facilities on Old Auburn Road from existing termini of the Old Auburn Road Multi-Use Trail to the City's northern border with City of Roseville, providing access to the Dry Creek Greenway and broader Roseville and regional trail network;
- Extension of the multi-modal facilities on Wachtel Way from existing termini of the Arcade-Cripple Creek Trail to the intersection of Old Auburn Road;
- Intersection modifications at the intersections of Old Auburn Road/Wachtel Way and Old Auburn Road/Oakwood Hills Circle (which may include a roundabout, traffic signal improvements or other) to improve traffic operations while providing safe multi-modal facilities; and
- Intersection modifications at Old Auburn Road and Argo Drive to include a pedestrian crossing and enhanced safety countermeasures.

The City issued an RFP in July 2024 and received three proposals on August 22, 2024 from Kimley-Horn & Associates, Inc., Bennett Engineering, and Dokken. The City used a qualifications based selection process consistent with Caltrans grant funded requirements and procedures.

Interviews of the three consultant teams were conducted on September 3, 2024. Proposals and interviews were evaluated based on the criteria specified in the RFP. As a result of the process, Dokken was determined to be the most qualified consultant as they provided an in-depth and detailed proposal, introduced a highly qualified team and demonstrated a clear understanding of the work involved in the design and approval strategies of the grant funded project.

Staff and the top ranked consultant, Dokken, have fine-tuned the scope and cost for work associated with the Project to ensure that the services to be provided meet the City's needs and that the work will be done cost effectively.

Attachments

1. Resolution No. 2023-_____ a Resolution of the City of Citrus Heights, California, Authorizing the City Manager to execute an agreement for professional services with Dokken Engineering for the Gateway Activation Project
2. Dokken Scope of Work
3. GAP Project location Map

RESOLUTION NO. 2024-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES WITH DOKKEN ENGINEERING, INC. FOR THE GATEWAY ACTIVATION PROJECT

WHEREAS, in early 2023, the City was notified that the Gateway Activation Project (Project) was selected to receive a $700,000 State General Fund appropriation for preliminary engineering and environmental review;

WHEREAS, in May 2023, the City and State executed a fund transfer agreement and all funds have been received by the City;

WHEREAS, the City circulated a request for proposals in accordance with Caltrans procedures for selection of the most qualified consultant, and Dokken Engineering, Inc. was found the most qualified to provide the required services;

WHEREAS, the City now desires to enter into a Professional Services Agreement with Dokken Engineering, Inc. in an amount not to exceed $685,062.14; and

WHEREAS, the proposed professional services will be paid for with already received, Project specific State General Fund appropriation.

NOW THEREFORE BE IT RESOLVED AND ORDERED that the City Council of the City of Citrus Heights does hereby authorize the City Manager to execute a contract with Dokken Engineering, Inc. to provide professional engineering services for the Project, in a form approved by the City Attorney.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights, California, this 25th day of September, 2024 by the following vote, to wit:

AYES: **Council Members:**
NOES: **Council Members:**
ABSTAIN: **Council Members:**
ABSENT: **Council Members:**

_____
Dr. Jayna Karpinski-Costa, Mayor

ATTEST:

_____
Amy Van, City Clerk

Work Plan

PHASE 1: PRELIMINARY ENGINEERING/ENVIRONMENTAL CLEARANCE

TASK 1.0 PROJECT MANAGEMENT

Task 1.1 Meetings & Coordination

CONSULTANT will organize, attend, and facilitate meetings as necessary to provide progress updates, coordinate between technical disciplines, and facilitate overall project communication. For each meeting, CONSULTANT will provide meeting notices, prepare meeting materials and agenda, attend and facilitate the meeting and prepare meeting minutes. CONSULTANT will consult with the City's project manager prior to each meeting to get input regarding the agenda. The following meetings are anticipated for this project:

- ***Kickoff Meeting:*** At the start of Preliminary Engineering, CONSULTANT will organize a kickoff meeting with all key personnel on the project. The purpose of this meeting will be to review the goals and objectives of the project, discuss each team member's roles and responsibilities, identify critical project issues and obtain consensus on task durations, particularly reviews. The kickoff meeting will ensure that everyone on the project team is on the same page regarding project delivery and execution.
- ***PDT Meetings:*** The project development team (PDT) meetings will serve as the primary forum for reviewing the status of the project and identifying and resolving project issues. Attendees will include CONSULTANT's Project Manager, CONSULTANT task leads as needed, City staff and other stakeholders as necessary. Throughout the anticipated duration of the project design phase, CONSULTANT will attend and facilitate up to 17 PDT meetings (additional meetings will be needed if federal funding is obtained). These will be in person or virtual as appropriate.
- ***Technical Coordination Meetings:*** CONSULTANT will coordinate technical issues with the City and others through meetings and correspondence. CONSULTANT will prepare for and facilitate up to 2 technical meetings, as needed.

Deliverables: Meeting Notices, Agendas, Exhibits, and Minutes

Task 1.2 Progress Reports

CONSULTANT will prepare Progress Reports to record the progress of the project and as supporting documentation for invoices presented monthly to the City. The Progress Report will include accomplished tasks for the month, anticipated progress for the next month, pending issues/resolutions, and schedule completion target dates. CONSULTANT will include Progress Reports with the monthly invoices.

Deliverable: Monthly Progress Report

Task 1.3 Project Schedule

CONSULTANT will, within 2 weeks of Notice to Proceed, provide a detailed project baseline schedule to the City for review and comment. The schedule will be prepared using Microsoft Project and will show contracted tasks/milestones with dependencies and durations, critical path tasks and responsibility assignments. Subsequent to establishing the baseline schedule, CONSULTANT will update the schedule on a monthly basis, to coincide with the PDT meetings.

Deliverable: Project Schedule

Task 1.4 Project Administration

CONSULTANT will monitor and control the effort and progress of the proposed services as follows:

- Set up project accounting system: CONSULTANT will structure the accounting system in accordance with the City's invoicing and tracking needs.
- Prepare Subconsultant agreements: CONSULTANT will execute contracts with the proposed subconsultants for the scope of services described herein.
- Monitor Subconsultant progress and review/approve invoices: CONSULTANT will track the work progress of the proposed subconsultants and review their invoices for format and content compliance.

Task 1.5 Quality Control/QMP

CONSULTANT will have a quality control plan in effect during the entire course of the project and will develop a plan establishing a process to ensure design calculations are independently checked. Exhibits and plans will also be checked, corrected, and back-checked for accuracy and completeness. CONSULTANT will review subconsultant environmental and engineering report submittals to ensure

that appropriate background information, study methodology, interpretation of data, format and content are completed in accordance with current standards.

Deliverable: Quality Control Plan

TASK 2.0 TOPOGRAPHIC MAPPING & LAND SURVEYING

Task 2.1 Survey Request

CONSULTANT will prepare graphics/text descriptions that adequately communicate the project limits and physical features that need to be identified by the field survey crew. Further coordination will be conducted to agree on the survey strategy and the format/composition of the finished product.

Deliverable: Survey Request

Task 2.2 Topographic Design Surveys

CONSULTANT will perform design topographic surveys along an approximately 0.55-mile portion of Old Auburn Road from the Sacramento/Placer County line to a point southwesterly at the intersection of Old Auburn Road and Orelle Creek Court and along an approximately 0.60-mile portion of Wachtel Way from the intersection of Old Auburn Road to a point southerly, terminating at the future trial extension just south of Pitalo Way.

Using conventional survey methods, CONSULTANT will perform design level (non-aerial) topographic surveys and mapping along the proposed roadway improvement locations. Topographic surveys will capture roadway improvements such as sidewalks, curbs, gutters, striping, asphalt grade breaks, edges of pavement, AC slopes, conforms and driveways. CONSULTANT will also locate shoulders, tops and toes of banks, ditches, culverts, fences, walls, signs, monuments, all visible utilities such as utility poles, signals, manholes, valves, boxes, vaults, drain inlets, trees (size and drip circle), and other relevant features critical to design. Road cross-sections will be located at 50' intervals or closer, including all curve points, grade breaks and change in directions. The survey will extend 15' beyond the existing right of way where accessible and 50' beyond all curb returns on intersecting streets. Measure downs to relevant sewer/drain structures will be performed to include depth, size and flow direction. Special attention to conforms, driveways, ADA access and curb ramps will be given. CONSULTANT will locate all pre-marked USA markings (by others) and any geotech potholes.

CONSULTANT will map all design topographic features in AutoCAD format to include 1' contours and 3D surface. CONSULTANT will provide a high-resolution aerial drone image of the project roadway that will be ortho-rectified and scaled to the project control. Ortho-rectified aerial image will function as a visual and design aid. CONSULTANT will set durable project control along the corridor for future surveys and construction control. CONSULTANT will base its survey on approved City of Citrus Heights Horizontal and Vertical Datum. CONSULTANT will prepare a survey control diagram of all control, benchmarks and monuments used for the project.

Deliverable: Topographic Survey Data with DTM, Points Files

Task 2.3 Land Net Surveys/Mapping

CONSULTANT will research records of surveys, subdivision maps, parcel maps, corner record cards and deed documents for the determination of the existing right of way and parcel boundaries along the project corridor. CONSULTANT will perform field surveying of record right of way and property monuments to resolve the right of way and parcel boundaries. CONSULTANT will resolve the boundaries from record and field information and create an overall right of way base map. CONSULTANT will request design or right of way team to provide title reports for all properties impacted by the project to best determine rights of way, easements and other boundary constraints. CONSULTANT will prepare a right of way and boundary LANDNET base file showing all right of way, easements, ownership details, and Parcel Identification APN's.

Deliverable: Right of Way and Boundary Base Map (LAND NET)

Task 2.4 Tree Survey

CONSULTANT will complete a tree survey. The tree survey will be conducted by CONSULTANT's certified Arborist and will consist of tagging and measuring all oak trees and City Protected Trees per City of Citrus Heights guidelines.

Deliverable: Tree Survey Report

Task 2.5 Field Survey Verification

Upon receipt of the completed field survey, the CONSULTANT team will walk the site to verify the information collected by the survey crew. Missing information, if any, will be noted and a follow up survey request submitted.

TASK 3.0 PUBLIC OUTREACH

Task 3.1 Outreach & Engagement Plan

The CONSULTANT will develop a Public Outreach & Engagement Plan to serve as a guide for outreach activities during the Preliminary Engineering/Environmental Clearance and Final Design phases of the project. The plan will highlight the strategies and tasks to achieve the project's community engagement goals. It will include how to gather input from critical groups and populations while narrowing down alternatives to the preferred concept and will identify methods that incorporate best practices for accessibility, meeting residents where they are at, approachability of government planning processes, and transparency. For the Outreach & Engagement Plan, the CONSULTANT will develop an outline of tasks and strategies to be approved by the City before developing the draft plan. The City will review the draft plan and provide one round of comments before the team finalizes the plan and begins implementation.

Deliverable: *Outreach &Engagement Plan*

Task 3.2 Engagement Toolbox

To keep the community and interested stakeholders up to date with the progress and details of the project, CONSULTANT will develop a Project Background and Fact Sheet, FAQs, talking points, PPT and other visual aids to be posted at the elementary school, distributed during public meetings, and mailed to the community as desired. FAQs will be updated four times during the Preliminary Engineering/Environmental Clearance phase of the project. The team will provide this Fact Sheet to the City for additional distribution as needed.

Deliverables: *FAQs/Project Background and Fact Sheet*

Task 3.3 Engagement Materials

To communicate the design and intent of the project to the public, CONSULTANT will prepare advertisement flyers and mailers, social media and other electronic commerce materials. All communication materials for traveling toolbox, community workshops, pop-up workshops, etc. will be translated into Spanish, Russian and Ukrainian.

Deliverables: *Engagement Materials*

Task 3.4 Pop-Up Events

CONSULTANT will develop a calendar of existing community meetings/events of neighborhood/advocacy groups and other community-based groups for presentations and pop-up events in the neighborhoods within the "five-minute drive area". CONSULTANT will coordinate presentations and displays to introduce the project and a short questionnaire to help discuss how community members can be involved in helping the City to develop a community-sensitive design concept. Two pop-up events are recommended during preliminary engineering, and both will be attended by the CONSULTANT.

Deliverables: *Complete Questionnaires*

Task 3.5 Community Workshops

CONSULTANT will host two community workshops within the neighborhoods of the priority populations during the preliminary engineering phase. These conversations will be both an open-house format with displays in multiple languages as well as a facilitated conversations to allow the project team to understand how limited connectivity has impacted their communities, their preference on concept alternatives and any concerns or ideas about safety.

The workshops will be attended by the team's discipline experts, including traffic, design, bicycle connectivity, environmental, and landscaping, as needed. The team will prepare illustrative graphics to include overall strip plots, opportunities/constraints, environmental resources, focused improvement areas, project development process/timeline, and 3D visual simulations.

At the conclusion of community workshops, CONSULTANT will develop a comprehensive summary which will include all input obtained and photography; these summaries will be posted to the project webpage.

Deliverables: *Community Workshops (3)*

Task 3.6 Project Website

CONSULTANT will develop content for a project webpage, which will be hosted on the City's website. The team will update the webpage with accurate and timely information to notify community members of important project information and opportunities to provide input throughout the project. Community members will be able to access project information (easy to understand graphics and videos, multiple languages, and schedules) and provide their contact information to receive electronic project updates.

Deliverables: *Project Website Content*

Task 3.7 Agency Coordination

Portions of the project improvements will occur within or adjacent to the County of Sacramento and City of Roseville. CONSULTANT will coordinate with each of these agencies to ensure that the proposed improvements properly consider and are fully integrated with the standards and infrastructure of each agency. Coordination will include requesting existing and proposed facility information, facilitating up to two (2) coordination meetings, preparing exhibits, and sharing project information with technical staff.

Deliverables: Meeting Minutes/Exhibits

Task 3.8 Media Relations

CONSULTANT will prepare media relations content for promotion of engagement touchpoints. This content will be supplied to the City for use in press releases, social media posts, and/or email blasts.

Deliverables: Media Relation Content

TASK 4.0 PRELIMINARY ENGINEERING

Task 4.1 Data Collection/Field Review

CONSULTANT will meet with the City to request and obtain any new data related to the project site, including new monumentation, as-builts from recent projects, and recent studies.

CONSULTANT will conduct a site reconnaissance to identify and document any new/changed physical features, character, adjacent uses, potential design constraints, and new environmental considerations. Field information will be recorded using field notes and digital photos.

Deliverable: Field notes/photo log

Task 4.2 Drainage/Stormwater Documentation

CONSULTANT will conduct a drainage investigation to determine the existing drainage patterns and storm drain facilities in the project area, including existing channels/ditches, pipe/culvert locations, sizes, local rainfall intensities, and flows. This information will be obtained through a combination of field reconnaissance, City staff, and as-built records. After reviewing the existing drainage conditions, on- and off-site hydrologic and hydraulic analyses will be conducted for the existing and post-project condition, emphasizing the primary objective of maintaining existing flow patterns and runoff amounts.

The on-site analyses will include identifying where new facilities are needed and where existing facilities can be reused, developing drainage boundaries for the areas within the project limits, developing flows for each facility based on City hydrology standards, and identifying where new/retrofitted storm drain facilities are needed. A comparison of existing versus proposed peak flows will also be performed and will become the basis of any retention considerations. Upon review of the project site, CONSULTANT does not anticipate the need for an off-site analysis as cross drainage facilities will not be significantly impacted.

The hydraulic calculations for the facilities needed to convey on-site drainage along the project alignment could include ditches, inlets, culverts, and storm drains. The hydraulic analysis of any existing storm drain system will rely on existing characteristics being provided by the owning/maintaining agency, including physical attributes, off-site flows, and hydraulic grade lines/tail water elevations.

A Draft Drainage Report for the project will be prepared to document the hydrologic and hydraulic analysis and will provide a detailed discussion of the following: existing conditions and facilities in the project area, the on-site hydrologic analyses, existing and post-project drainage patterns, flood conditions, results of the on-site hydraulic analyses and any issues of special concern or significance. The draft report will be submitted to the City for review during the 65% submittal. Comments will be addressed, and a final report will be submitted with the 95% package.

Based on the requirements of the City's MS4 permit, CONSULTANT will identify appropriate treatment Best Management Practices (BMPs) for the project site. CONSULTANT will prepare a technical memorandum to document the results of the storm water compliance assessment. A draft storm water compliance memo will be submitted to the City for review. Comments will be addressed, and a final memo will be prepared for execution.

Deliverable: Drainage Report (Draft and Final), Storm Water Compliance Memo (Draft and Final)

Task 4.3 Hydraulic Design Report

CONSULTANT will obtain the City's HEC RAS model developed for previous projects along Cripple Creek and update it to reflect the new pedestrian bridge downstream of Old Auburn Road. This model will be used to conduct a detailed hydraulic analysis to evaluate the velocity, freeboard, overtopping, and stage increases using the 50- and 100-year frequencies as required by FHWA guidelines.

Dokken will use the preliminary results of this analysis to optimize the selected structure design such that upstream and downstream impacts are reduced and/or eliminated as needed to satisfy State, local and/or Federal requirements.

As part of this task, Dokken will also perform a scour analysis based on the methodology specified in FHWA's HEC-18 and HEC-23 Manuals and in-situ soil information provided by Geocon. The scour evaluation will consider pier (if multi-span), abutment, and contraction scour. The potential for aggradation or degradation will also be evaluated based on a review of any recent survey data together with historic data collected from USGS quadrangles. Based on the results of the analysis, Dokken will work with the geotechnical and bridge engineers to evaluate the need for countermeasures for bridge local scour and long-term stream instability.

Dokken will summarize the results of the hydraulic and scour analyses in a Draft Hydraulic Design Report. The report will be submitted to the City for review and comment. During the final design phase, comments on the draft report will be addressed and a final hydraulics run for the bridge structure will be performed, incorporating any design changes made since completion of the draft report. The Hydraulic Design Report will then be updated and finalized.

Deliverable: Hydraulic Design Report (Draft and Final)

Task 4.4 Traffic Operations Analysis

This task includes traffic specialist participation in up to 3 public meetings, 15 team meetings, and 2 public hearings.

Task 4.4.1 Existing Conditions

CONSULTANT will collect the following data for use in the analysis:

- 72-hour roadway segment vehicle classification counts on Old Auburn Road and Wachtel Way.
- Midweek AM (7:00 to 9:00 AM) and PM (3:00 to 6:00 PM) peak period traffic counts (including vehicles, bicycles, and pedestrians) at the following intersections:
    1. Old Auburn Road / Argo Drive
    2. Old Auburn Road / Oakwood Hills Circle W
    3. Old Auburn Road / Wachtel Way
    4. Old Auburn Road / Oakwood Hills Circle E / Linda Creek Ct
- Individual police collision records within the last five years on the two study segments for purposes of developing the corridors' collision histories and profiles (obtained from the City).
- Existing roadway geometrics, traffic controls, and length of queues on Old Auburn Road and Wachtel Way approaching the pair of all-way stop intersections.
- An engineering speed survey and collision data within past five years for 1,000-foot segment of Old Auburn Road from City Limits to Lund Drive (from City of Roseville). If not available, CONSULTANT will retain a count vendor to perform such survey.
- Existing bicycle, pedestrian, and transit facilities, collected through peak period field observations and available plans.
- Existing/planned traffic controls, lane configurations, posted speed limits, crosswalks, and other relevant information at study intersections, provided by the City.

CONSULTANT will analyze the study intersections during the existing AM and PM peak hours under existing conditions using a SimTraffic microsimulation model. The model will be calibrated to match the observed queue lengths in the corridor. Specific analysis methods (e.g., peak hour factor) will be based on the City's updated Traffic Impact Study (TIS) guidelines. The results will be consistent with methods described in the latest edition of the *Highway Capacity Manual*. Model outputs will include average delay by movement and overall, and maximum queue length.

CONSULTANT will prepare exhibits to document peak hour traffic volumes, existing bicycle/pedestrian facilities, and existing transit routes and facilities in the study area.

CONSULTANT will summarize the last five years of collision data in the study corridor, showing most common collision types, primary collision factors, CVC violation, involvement of bicycles/pedestrians, weather and lighting conditions, and collision severity. A heat map will also be prepared to show the collision history in a graphical manner.

Fehr & Peers will prepare Technical Memo #1: Existing Conditions (including collision data analysis). This memo will be submitted for review and comment by the project team. The final memo will incorporate comments provided on the draft memo. The memos will include figures, tables, and data in technical appendices.

Deliverable: Technical Memorandum #1 (Draft and Final)

Task 4.4.2 Intersection Control Evaluation

The RFP identifies the potential for roundabouts or traffic signals at the two all-way stop intersections and also cites the need for some type of pedestrian crossing with enhanced safety countermeasures on Old Auburn Road at Argo Drive. To this end, CONSULTANT will support the project team in developing two (2) project build alternatives.

To accomplish this, CONSULTANT will perform a focused Intersection Control Evaluation (ICE) similar to what Caltrans requires at state highway intersections. The ICE evaluation will determine whether there are fatal flaws with one particular traffic control or another at each intersection and will also inform what lane configurations should be included in the build alternative designs. The ICE evaluation will utilize a set of future year traffic forecasts and more simplistic analysis tools (compared to micro-simulation) such as Vistro and Synchro software, and peak hour signal warrant analysis.

Note that the City of Citrus Heights General Plan projected a modest 16% growth in corridor from 2010 to 2030. That forecast was based on a regional travel demand model. Since this corridor directly connects to the City of Roseville street system, Fehr & Peers will review the growth projected along it from the City of Roseville 2035 model, which was calibrated to 2019 conditions and includes street connections in Citrus Heights. The ICE Evaluation and final analysis of the project alternatives will be based on a set of design year traffic forecasts (to be reviewed and approved by City staff prior to use).

Fehr & Peers will prepare Technical Memo #2: Intersection Control Evaluation (ICE). This memo will be submitted for review and comment by the project team. The final memo will incorporate comments provided on the draft memo. The memos will include figures, tables, and data in technical appendices.

Deliverable: Technical Memorandum #2 (Draft and Final)

Task 4.4.3 Project Alternatives Analysis and Recommendations

CONSULTANT will perform a quantitative analysis of the No Build Alternative and Two Build Alternatives. Outputs will include average delay, level of service (LOS), and maximum queue length. Videos of the micro-simulation model showing traffic flow will be made for the site's website, workshops, and public hearings. This task also includes time for CONSULTANT complete street/active transportation experts, design engineers, and traffic engineers to provide inputs on various design elements related to bikeway configurations and connections, traffic signal design components, roundabout elements and dimensions, truck swept path analysis (performed in AutoTurn), and similar considerations.

For each build alternative, CONSULTANT will identify a comprehensive set of strategies to address identified collision patterns and profiles in the study area. Those elements (many of which are derived from the FHWA countermeasure toolbox) will be identified for consideration as part of the build alternative. Additionally, CONSULTANT staff will make recommendations for safety countermeasures that may be needed and easily implemented before the corridor-wide improvements are made. These could include sign additions or replacements, minor curb work, speed feedback signs, etc. CONSULTANT will also consult the City's Local Road Safety Plan (LRSP) to identify whether any collision patterns were identified in this area and recommendations made.

Several types of pedestrian crossings could be considered on Old Auburn Road at Argo Drive. CONSULTANT has recently updated its Crosswalk+ tool to reflect the most recent guidance provided by FHWA. In addition to using Crosswalk+, CONSULTANT will consult the City of Sacramento's comprehensive pedestrian crossing guidance and treatments to understand what recommendations would come from their standards. CONSULTANT will prepare Technical Memo #3: Project Alternatives Analysis and Recommendations.

The memo will be submitted for review and comment by the project team. The final memo will incorporate comments provided on the draft memo. The memo will include figures, tables, and data in technical appendices.

Deliverables: Technical Memorandum #3 (Draft and Final)

Task 4.5 Utility Identification

CONSULTANT will perform a utility search for affected utilities in the project area, including a review of the utility work compiled to date. The search will include a verification field review and review of available as-builts for the project area. CONSULTANT will prepare a database of utility records indicating the type of utility, owner, drawing number, and other vital information. The identified utility companies will be sent a letter requesting information regarding existing and proposed utilities. CONSULTANT will plot the location of all existing facilities on a utility base map and identify potential utility conflicts.

Deliverables: Utility base plan, database and letters

Task 4.6 Landscape Concepts

CONSULTANT will visit the site to review features and adjacent conditions and document existing plant material, site furnishing and landscape features through field notes and pictures. Utilizing information provided by the City and field observation, CONSULTANT

will locate and identify existing streetscape irrigation points of connection and assess whether existing connections may be utilized for landscape improvements.

Based on the data collected and the overall design concept needs, CONSULTANT will prepare draft landscape concept plans to a 30% level of completion. These plans will include:

- Irrigation: Illustrating irrigation types and proposed equipment as well as identifying irrigation points of connection and mainline routing.
- Planting: Illustrating planting areas and tree placement as well as identifying proposed planting palette.

CONSULTANT will provide support in the preparation of the landscape construction cost estimate by providing unit prices and quantities for landscape related items. Based on comments received from the City and stakeholders, CONSULTANT will prepare final landscape concept plans to a 30% level of completion for inclusion in the Complete Streets Corridor Plan.

Deliverable: Landscape Concept Plans/Estimate

Task 4.7 50% Geometric Design Drawings

Based upon the results of the traffic analysis and the identification of the preferred alternative, CONSULTANT will refine the conceptual layout for the project and prepare 50% Geometric Design Drawings (GDD) to obtain approval of the alignment geometrics. The purpose of the GDD is to demonstrate that the proposed design meets the geometric requirements and formally confirm that the design meets the operational needs of the facility. In addition, the GCD provides the foundation for the project base map. CONSULTANT will prepare the GCD submittal package, which includes plan view exhibits, profiles with superevelation diagrams (if applicable), and typical sections.

Deliverable: 50% Geometric Design Drawings

Task 4.8 Complete Streets Corridor Plan

CONSULTANT will prepare a Complete Streets Corridor Plan that summarizes the results of the preliminary engineering phase. The Corridor Plan will be consistent with those prepared for other segments of the Old Auburn corridor and will include the following:

- Project Background/Description/Objective
- Existing Conditions
- Traffic Analysis/Operations Summary
- Crash Data
- Intersection Modification Analyses
- Truck Turn Analysis
- Public Outreach/Agency Coordination
- Drainage/Right of Way/Utility Impacts
- Cost Estimates
- Maps/Exhibits/Geometric Drawings

The Complete Streets Corridor Plan will also include preliminary geometric layout of the proposed improvements. All technical studies contributing to the report will be attached as appendices. Dokken will submit the draft Corridor Plan to the City for review. Based on comments received, Dokken will update and submit the final Corridor Plan.

Deliverables: Complete Streets Corridor Plan (Draft & Final)

TASK 5.0 ENVIRONMENTAL

Task 5.1 CEQA Technical Memorandums

CONSULTANT will coordinate and prepare all required environmental studies to be incorporated into the environmental document. Dokken will prepare and distribute copies of the technical studies for each of the review cycles and will respond to comments and update the studies as needed for approval.

Task 5.1.1 Biological Resources Technical Report (Natural Environment Study Template) and Wetland Delineation

A CONSULTANT biologist will conduct fieldwork to assess the presence/absence of sensitive biological resources (e.g., species or habitats), or to determine the potential for occurrence of such resources that may not be detectable when the fieldwork is conducted. In addition, literature research will be conducted to determine the potential for sensitive plant and animal species in the project area. The location of any sensitive biological resources present on site, including plants and plant communities, will be mapped. For optimal results, CONSULTANT will conduct fieldwork appropriate to the season; doing plant surveys during the blooming season. This will maximize our ability to detect and positively identify sensitive species.

CONSULTANT will then prepare a Natural Environment Study in support of the CEQA document that is also in accordance with the Caltrans approval format, in the event that federal funding is obtained. This study will include a description of the field methods used and the results of the biological assessment of the project area. The report will list plant and animal species present, along with a general description of the plant communities occurring within the project area.

CONSULTANT will prepare and include in the study a graphic displaying the location of the sensitive plant communities on site and any sensitive biological resources observed. The report also will contain tables describing sensitive species and their habitats that are present or potentially present; it also will identify and assess project impacts on the existing biological resources, including any sensitive species. Mitigation measures will be included as necessary.

As part of the Natural Environment Study and in support of regulatory permits, CONSULTANT will also include a Wetland Delineation as an attachment. The Wetland Delineation will include field identification of wetlands or other sensitive areas that may be in proximity to the Project work areas. The Wetlands Delineation report will include a formal jurisdictional delineation of wetlands and waters of the US conducted in accordance with United States Army Corps of Engineers (USACE) manuals and procedures.

Deliverable: Draft and Final Natural Environment Study with Wetland Delineation

Task 5.1.2 Cultural Resources Inventory Report (Historic Property Survey Report/Archaeological Survey Report)

CONSULTANT will prepare cultural resources documentation in support of the CEQA document but also in accordance with the Caltrans approval format in the event that federal funding is obtained in the future. This work will include efforts to record archaeological and historical resources identified within the study area. A Historic Property Survey Report will be prepared to identify and evaluate any cultural resources and evaluate the potential for impacts on those resources. If any historic resources (structures) are identified, they will be evaluated to determine if they meet any qualified criteria for eligibility on the National Register of Historic Places.

As an attachment to the Historic Property Survey Report, an Archaeological Survey Report will be prepared to evaluate if any archaeological resources are likely to be found. CONSULTANT will perform a pedestrian survey of the Area of Potential Effects prior to preparing this report. As part of this effort, CONSULTANT will perform Native American Consultation on behalf of the City pursuant to Assembly Bill 52 (AB52). Should federal funding be obtained in the future, the report will be updated to include Caltrans Section 106 requirements.

Deliverable: Draft and Final HPSR/ASR

Task 5.1.3 Historic Resources Evaluation Report (HRER)/Finding of Effect (FOE)

Based upon preliminary research, three potentially historic, built-environment resources (Cripple Creek Bridge, Old Auburn Road, and Wachtel Way) are located within the project area that will need to be evaluated for both compliance with CEQA and NEPA, should federal funding be obtained in the future. A Historic Resources Evaluation Report (HRER) with Finding of Effect (FOE) will be prepared by CONSULTANT to determine if these resources are eligible or is assumed eligible, for the National Register of Historic places. The HRER and FOE will be prepared according to both CEQA and Caltrans standards in the event that federal funding is obtained in the future. It is assumed that the FOE report finding will be a Finding of No Adverse Effect (FNAE). Cogstone will prepare all documentation in accordance with the Programmatic Agreement Among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation (ACHP), the California State Historic Preservation Officer (SHPO), and the California Department of Transportation (Caltrans) Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of The Federal-Aid Highway Program in California (Caltrans PA).

Deliverable: Draft and Final HRER/FOE

Task 5.2 CEQA Environmental Documentation

Task 5.2.1 Draft CEQA IS/MND

CONSULTANT has determined that a draft Initial Study with Proposed Mitigated Negative Declaration (IS/MND) will be appropriate for this project. The City will be the CEQA lead agency. CONSULTANT will incorporate the purpose and need, project description, and the technical studies into the draft environmental document, and will prepare sections for Human Environment, Physical Environment, Biological Environment, and Cumulative Impacts.

Deliverable: Draft and Final Initial Study with Proposed Mitigated Negative Declaration

Task 5.2.2 Notice of Availability and Public Circulation

Once the IS/MND has been approved by the City, it will be circulated for public review for a period of 30 days. CONSULTANT will coordinate the preparation of the distribution list with the City.

Pursuant to CEQA requirements, CONSULTANT will prepare a Notice of Availability for the Draft IS/MND. This notice, along with the draft environmental document, will be made available at the City offices and the Public Library during a 30-day public circulation and review period. The document will be distributed to other reviewing government agencies through the California State Clearinghouse.

During the 30-day public review period, a public informational meeting may be necessary to solicit comments about the project. CONSULTANT will attend this meeting to answer any questions regarding the project, any potential environmental impacts, as well as the environmental schedule. All comments at this meeting will be included and addressed within the final environmental document.

Deliverable: Draft and Final Notice of Availability/Notice of Intent, Notice of Determination, Public Mailers, Public Meeting Materials and Exhibits

Task 5.2.3 Responses to Comments and Final IS/MND

At the close of the public review period for the IS/MND, CONSULTANT will meet with City staff to review any comments on the IS/MND that were received, and to discuss potential responses to these comments. CONSULTANT will then formulate responses to the comments on the IS/MND. Once draft responses to comments are completed, they will be submitted to the City's staff for review and comment. The City's revisions will be incorporated into the response to comments document.

Following public review of the draft IS/MND, CONSULTANT will incorporate public comments and final mitigation measures into the final IS/MND document. In addition, CONSULTANT will make the standard updates that convert the "proposed MND" to a final MND.

To complete the CEQA process, CONSULTANT will file a Notice of Determination (NOD) with the City Recorder's Office within 5 days of approval of the IS/MND (pursuant to CEQA guidelines). This scope and fee assumes that all filing fees will be paid by the City.

Deliverable: Draft and Final Response to Public Comments, Final IS/MND, and Notice of Determination

Task 5.3 NEPA DOCUMENTATION (OPTIONAL)

Task 5.3.1 Preliminary Environmental Study (PES)

CONSULTANT will prepare a draft PES Form and will coordinate with Caltrans to setup a field review prior to approval of the PES Forms. The PES Form will include an environmental study area map as well as an environmental constraints analysis to identify key environmental impacts that could occur during construction. Once the draft PES Form is completed, it will be reviewed by the City and Caltrans. The PES form will outline the recommended federal environmental documentation, technical studies, surveys, approvals, agency coordination, and permits required for the project.

Deliverable: Draft and Final Preliminary Environmental Study

Task 5.3.2 Noise Technical Memorandum

The project is not considered a Type I project under Caltrans Noise Analysis Protocol because the roadway improvements would not be substantially different compared to the existing. No substantial horizontal or vertical change from the existing condition is expected. A Noise Technical Memorandum will be prepared to document temporary construction impacts, local noise ordinances, and suitable measures to minimize construction noise.

Deliverable: Draft and Final Noise Technical Memorandum

Task 5.3.3 Visual Impact Assessment Moderate Level

Roadway improvements may result in temporary impacts to the visual environment. The new pedestrian bridge to the south of Old Auburn Road will also require vegetation removal adjacent to Cripple Creek, which will also affect the visual environment. To assess how these changes could impact viewer groups in the project vicinity, CONSULTANT will prepare a Visual Impact Assessment Moderate Level report. This technical study will include an inventory, including photograph documentation, of the following existing conditions: viewpoints; notable visual resources; the vividness, intactness, and unity of the project area; and the site's landscape units. Photographs will be taken to be used in the analysis and for graphics. This data will be summarized in a report with recommendations to minimize any visual impacts. This scope and fee include a direct cost for a licensed Landscape Architect to review the report, per Caltrans requirements.

Deliverable: Draft and Final Visual Impact Assessment

Task 5.3.4 Historic Resources Evaluation Report (HRER) NEPA Analysis

Should federal funding be obtained, CONSULTANT will conduct additional research to develop brief contexts for historical resources at a federal level and conduct additional built environment survey to include all historic built environment resources within the Project Area of Potential Effects (APE) including one adjacent parcel. For NEPA compliance, 40 historic built environment resources within the study area will require recording on DPR 523 forms. Additional reporting and response to comments time is included to include the additional resources and to meet NEPA compliance.

Deliverable: Draft and Final HRER

Task 5.3.5 Hazardous Waste Initial Site Assessment (ISA)

CONSULTANT will prepare a Hazardous Waste ISA to identify all documented hazardous waste sites located within the project study area. CONSULTANT will conduct an agency records search to identify all hazardous waste sites located within the project study area and classified as a hazardous waste site under state law. CONSULTANT will conduct a visual survey of the project area via available public access to identify any obvious area of hazardous waste contamination. If hazardous waste sites are identified within the project study area (via governmental records and/or the visual survey), CONSULTANT will determine the potential impact to the project and identify subsequent procedures to determine the extent of contamination and remediation requirements. Potential hazardous materials for the roadway may include aerially deposited lead within adjacent soils or lead based paint.

Deliverable: Draft and Final Initial Site Assessment

Task 5.3.6 Hazardous Waste Phase II Testing Aerially Deposited Lead

Wachtel Way and Old Auburn Road have the potential to contain Aerially Deposited Lead within the road shoulders. Should Caltrans require Phase II testing, CONSULTANT will conduct hazardous waste testing along the shoulders of Wachtel Way and 12 borings along the shoulders of Old Auburn Road using hand auger sampling equipment. Soil samples will be analyzed for total lead following the U.S. Environmental Protection Agency test methods. A report will be prepared summarizing findings with conclusions and recommendations for remediation, if necessary.

Deliverable: Draft and Final Phase II Testing Report

Task 5.3.7 Community Impact Assessment Memorandum

Due to anticipated public interest in the project, CONSULTANT will prepare a Community Impact Assessment (CIA) memorandum to document potential impacts this project could have to the local community, minority, and low-income populations as well as to evaluate the potential for public controversy. Special attention will be given to the opposition the public has for this project and this report will evaluate the land use takes, changes in the visual environment, and any impacts on cultural/biological resources that may be important to the community. Pursuant to NEPA requirements, impacts to low-income population will be evaluated consistent with federal Environmental Justice policy. The CIA will be based on current Caltrans Guidelines (Environmental Guidelines Volume 1, Chapter 24 – Community Impacts) and will discuss social impacts, businesses and residences affected by the project, and community resources such as schools, parks, and emergency services. Residential relocations are not anticipated.

Deliverable: Draft and Final Community Impact Assessment Memorandum

Task 5.3.8 Section 4(f) Evaluation (De Minimis Finding)

CONSULTANT will prepare a Section 4(f) analysis in accordance with FHWA and Caltrans guidelines to assess impacts to historic resources, such as Old Auburn Road and Wachtel Way, that would be affected by the improvements. The resources will be minimally impacted by the project and a de minimis finding is appropriate.

Deliverable: Draft and Final Section 4(f) Finding

Task 5.3.9 Air Quality Technical Memorandum

This project is exempt from regional and project level conformity since it does not propose any increases in vehicular capacity. However, construction equipment may generate additional air pollution during construction. Construction related air quality impacts will be assessed qualitatively based on the requirements included in the Sacramento Metropolitan Air Quality Management District's fugitive dust regulation. CONSULTANT will summarize this analysis in an Air Quality Technical Memorandum.

Deliverable: Draft and Final Air Quality Technical Memorandum

Task 5.3.10 Water Quality Assessment Report

CONSULTANT will prepare a Water Quality Assessment Report to address the potential for project impacts on water quality based on current Caltrans guidelines (Environmental Handbook Volume 1, Chapter 9, Water Quality). The report will discuss the water features in the project area, receiving waters conditions, objectives, and beneficial uses as well as Caltrans standard best management practices (BMPs) and project design features required in accordance with the current Caltrans Statewide Storm Water Management Plan.

Deliverable: Draft and Final Water Quality Assessment Report

Task 5.3.11 Location Hydraulic Study

Since construction of the proposed project will involve encroachment on the base floodplain of Cripple Creek, federal guidelines require that a Location Hydraulic Study and Floodplain Evaluation Report Summary be prepared as a technical study to the environmental document. The Location Hydraulic Study and Floodplain Evaluation Report Summary will include a preliminary hydraulic

analysis to evaluate the impact of the pedestrian bridge on the water surface elevation of Cripple Creek during 100-year flood conditions.

CONSULTANT will coordinate with the City to obtain the existing hydraulic model of Cripple Creek in HEC RAS format. It is assumed that the channel geometry and flows contained in the City's model are sufficiently current and that additional survey and/or hydrologic analysis is not required. The model supplied by the City will be used as the existing, or "baseline", condition. Dokken will then create a Post Project model for up to two hydraulically distinct bridge alternatives. The results of each model will be assessed to determine the impact of each alternative on the hydraulic conveyance of Cripple Creek as well as the risk to floodplain values and adjacent properties.

CONSULTANT will prepare a Draft Location Hydraulic Study and Floodplain Evaluation Report Summary to discuss the results of the analysis and compare the impacts/risks of each project being considered. This document will be submitted to the City and Caltrans for review. Comments on the draft report will be addressed and the Location Hydraulic Study will be updated and finalized.

Deliverable: Draft and Final Location Hydraulic Study

Task 5.3.12 NEPA Categorical Exclusion (CE)

CONSULTANT will work with Caltrans Local Assistance to prepare a Categorical Exclusion as the NEPA approval document for the project and will include avoidance, minimization and mitigation measures provided in the technical studies prepared.

Deliverable: NEPA Categorical Exclusion

Task 5.3.13 Biological Assessment

The Project may have direct and indirect impacts to federally listed species. Based on preliminary site visits and record searches, the proposed new pedestrian bridge to the south of Old Auburn Road within Cripple Creek would be constructed within habitat suitable for the federally threatened Valley Elderberry Longhorn Beetle (VELB). Consultation with USFWS is anticipated due to the close proximity of the shrubs from construction. No impacts to federally listed fish are anticipated; therefore, consultation with National Marine Fisheries Services (NMFS) will not be required. Consistent with Section 7 of the Endangered Species Act, a Biological Assessment will be prepared using Caltrans template to initiate consultation with USFWS; at this time formal consultation for VELB is anticipated. This scope includes attendance at meetings, coordination with the project team, responses to information requests, and research of mitigation options. CONSULTANT will provide full-service support for the City during Section 7 Consultation with USFWS. This process is a federal to federal agency interaction with Caltrans acting as the Federal Agency on the County's behalf. CONSULTANT will provide support to Caltrans if any additional information is requested to ensure the Section 7 Consultation process will not result in substantial project delays. Section 7 Consultation will be the critical path to obtaining NEPA approval from Caltrans.

Deliverables: Draft and Final Biological Assessment, USFWS Section 7 Consultation Letter of Concurrence

Task 5.4 Design Support for Environmental Clearance

CONSULTANT will support the environmental process by providing engineering data and graphics to the environmental team, reviewing submittals for consistency with the design, and reviewing avoidance and minimization measures to ensure that they are reasonable and can be implemented.

PHASE 2: FINAL DESIGN

TASK 1.0 PROJECT MANAGEMENT

Task 1.1 Meetings & Coordination

For the Final Design phase, CONSULTANT will organize, attend, and facilitate meetings as necessary to provide progress updates, coordinate between technical disciplines, and facilitate overall project communication. For each meeting, CONSULTANT will provide meeting notices, prepare meeting materials and agenda, attend and facilitate the meeting and prepare meeting minutes. CONSULTANT will consult with the City's project manager prior to each meeting to get input regarding the agenda. The following meetings are anticipated for this project:

- ***PDT Meetings:*** The project development team (PDT) meetings will serve as the primary forum for reviewing the status of the project and identifying and resolving project issues. Attendees will include CONSULTANT's Project Manager, CONSULTANT task leads as needed, City staff and other stakeholders as necessary. Throughout the anticipated duration of the project design phase, CONSULTANT will attend and facilitate up to 21 PDT meetings (additional meetings will be needed if federal funding is obtained). These will be in person or virtual as appropriate.

- ***Technical Coordination Meetings:*** CONSULTANT will coordinate technical issues with the City and others through meetings and correspondence. CONSULTANT will prepare for and facilitate up to 4 technical meetings, as needed.

Deliverables: Meeting Notices, Agendas, Exhibits, and Minutes

Task 1.2 Progress Reports

CONSULTANT will prepare Progress Reports to record the progress of the project and as supporting documentation for invoices presented monthly to the City. The Progress Report will include accomplished tasks for the month, anticipated progress for the next month, pending issues/resolutions, and schedule completion target dates. CONSULTANT will include Progress Reports with the monthly invoices.

Deliverable: Monthly Progress Report

Task 1.3 Project Schedule

CONSULTANT will update the schedule on a monthly basis, to coincide with the PDT meetings.

Deliverable: Project Schedule

Task 1.4 Project Administration

CONSULTANT will monitor and control the effort and progress of the proposed services as follows:

- Prepare Subconsultant agreements: CONSULTANT will execute contracts with the proposed subconsultants for the project.
- Monitor Subconsultant progress and review/approve invoices: CONSULTANT will track the work progress of the proposed subconsultants and review their invoices for format and content compliance.

Task 1.5 Quality Control/QMP

CONSULTANT will continue implementation of the quality control plan to ensure design calculations are independently checked. Exhibits and plans will also be checked, corrected, and back-checked for accuracy and completeness. CONSULTANT will review subconsultant environmental and engineering report submittals to ensure that appropriate background information, study methodology, interpretation of data, format and content are completed in accordance with current standards.

TASK 2.0 PUBLIC OUTREACH

Task 2.1 Engagement Toolbox

To keep the community and interested stakeholders up to date with the progress and details of the project during the Final Design phase, CONSULTANT will continue to update the Project Background and Fact Sheet, FAQs, talking points, PPT and other visual aids to be posted at the elementary school, distributed during public meetings, and mailed to the community as desired. FAQs will be updated up to two times during the Final Design phase. The team will provide this Fact Sheet to the City for additional distribution as needed.

Deliverables: FAQs/Project Background and Fact Sheet

Task 2.2 Engagement Materials

CONSULTANT will continue to update advertisement flyers and mailers, social media and other electronic commerce materials. All communication materials for traveling toolbox, community workshops, pop-up workshops, etc. will be translated into Spanish, Russian and Ukrainian.

Deliverables: Engagement Materials

Task 2.3 Community Workshops

CONSULTANT will host one community workshops within the neighborhoods of the priority populations during the Final Design phase. This workshop will be both an open-house format with displays in multiple languages as well as a facilitated conversation to provide progress updates and allow the project team to receive additional, relevant feedback.

The workshop will be attended by the team's discipline experts, including traffic, design, bicycle connectivity, environmental, and landscaping, as needed. The team will prepare illustrative graphics to include overall strip plots, focused improvement areas, and project development process/timeline.

At the conclusion of community workshops, CONSULTANT will develop a comprehensive summary which will include all input obtained and photography; these summaries will be posted to the project webpage.

Deliverables: Community Workshops (1)

Task 2.4 Project Website

CONSULTANT will continue to update the webpage with accurate and timely information to notify community members of important project information through the Final Design phase. Community members will be able to access project information (easy to understand graphics and videos, multiple languages, and schedules) and provide their contact information to receive electronic project updates.

Deliverables: Project Website Content

Task 2.5 Agency Coordination

Portions of the project improvements will occur within or adjacent to the County of Sacramento and City of Roseville. CONSULTANT will coordinate with each of these agencies to ensure that the proposed improvements properly consider and are fully integrated with the standards and infrastructure of each agency. During Final Design, coordination will include facilitating up to two (2) coordination meetings, preparing exhibits, and sharing project information with technical staff.

Deliverables: Meeting Minutes/Exhibits

Task 2.6 Media Relations

CONSULTANT will prepare media relations content for promotion of engagement touchpoints. This content will be supplied to the City for use in press releases, social media posts, and/or email blasts.

Deliverables: Media Relation Content

TASK 3.0 GEOTECHNICAL ANALYSIS

CONSULTANT will explore and evaluate the subsurface conditions along the project alignment and provide design-level geotechnical recommendations to support design of the project. This investigation will include a field exploration program, geotechnical laboratory testing, engineering analysis, and preparation of a Geotechnical Design/Materials Report (GD/MR) and Foundation Report (FR).

- Review available preliminary design plans to select exploration locations. We assume that site-specific topographic information for the project will be provided to us prior to our field investigation.
- Perform a site reconnaissance to review project limits, existing conditions, and to determine exploration equipment access.
- Submit required fees and obtain soil boring permits from the Sacramento County Environmental Management Department (SCEMD) for the bridge borings.
- Obtain an encroachment permit from the City of Citrus Heights. We anticipate that the permit will be “no-fee” and “no bond” for this City project. Any additional permitting or right-of-entry required will be obtained by others prior to the start of field work and provided for our use.
- Mark out exploration locations in the field for subsequent utility clearance with chalk-based marking paint.
- Notify subscribing utility companies via Underground Service Alert (USA) a minimum of two business days (as required by law) prior to performing exploratory excavations at the site.
- Provide temporary traffic control for explorations within the roadway (up to two borings). We assume that short-term, temporary single-lane closures will be acceptable for this work (one traffic lane will be maintained in each direction at a minimum) per Caltrans MUTCD Figure 6H-33 (TA-33). No supplemental CMS boards or advance public notification is anticipated to be required for the proposed scope of services. Traffic cones and signs will be provided for work in shoulder areas per Caltrans MUTCD Figure 6H-1 (TA-1) or Figure 6H-3 (TA-3), but no lanes will be blocked for those activities.
- Perform two (2) borings at the proposed bridge crossing location. Borings will be performed using a track- or truck-mounted drill-rig equipped with augers. Planned boring depths will be approximately 75 feet for the proposed bridge location, depending on encountered soil conditions.
- Obtain representative disturbed and undisturbed soil samples using a driven Standard Penetration Test (SPT) sampler and California Modified sampler.
- Perform up to ten (10) hand auger borings to depths of up to five feet along the proposed trail alignment to evaluate subsurface conditions.
- Log the exploratory borings in accordance with the latest Caltrans *Soil and Rock Logging, Classification, and Presentation Manual*.
- Upon completion of the borings, backfill with the excavated soil (hand augers) or neat cement grout (bridge borings). Borings in paved areas will be temporarily capped with cold-patch asphalt concrete.

- Excess soil cuttings will be disposed of in landscape areas adjacent to the exploration locations.
- For borings located within the existing pavement section (bridge boring[s]), patch in accordance with City of Citrus Heights Detail CD-18, per note 5 (using the "core-drilled potholes" option). Patching these explorations via sawcut and hot mix asphalt is not anticipated to be required. If such HMA patches are required, our project scope and fee will need to be revised.
- Perform up to six (6) hand-operated dynamic cone penetrometer (DCP) soundings to evaluate near-surface soil conditions at the proposed retaining wall locations (to effective refusal or maximum 10-foot depth).
- The geotechnical investigation may require heavy equipment to access various paved and unpaved areas within the project limits. While we will attempt to avoid ground surface disturbance, there may be ruts or other disturbances/damage in the accessed areas. We are not responsible for restoring these areas to pre-existing conditions.
- Perform laboratory tests to evaluate pertinent geotechnical parameters.
- Analyze field and laboratory data and prepare a GD/MR to include (but not be limited to) the following:
    - Scope of work summary, project description, field exploration program summary.
    - Site Plan showing locations of the exploratory borings.
    - Site geology and subsurface conditions.
    - Summary of laboratory testing program.
    - Geologic profiles and engineering parameters.
    - Seismic study (in accordance with the latest Caltrans Seismic Design Criteria).
    - Geologic hazard evaluation (faulting, liquefaction, lateral spreading, etc.).
    - Screening-level soil corrosion potential test results.
    - Design cuts and excavations and embankment stability analyses.
    - Fill material and earthwork recommendations.
    - Caltrans *Standard Plan* retaining wall foundation recommendations, including suitable foundation type(s); ultimate allowable bearing capacity; minimum embedment depth(s).
    - Lateral earth pressure recommendations for retaining wall design.
    - Pavement structural section recommendations based on Traffic Indices provided by the design engineer.
    - Construction considerations.
- Analyze field and laboratory data and prepare a FR for the proposed bridge to include (but not be limited to) the following:
    - Scope of work summary, project description, field exploration program summary.
    - Site Plan showing locations of the exploratory borings.
    - Site geology and subsurface conditions.
    - Summary of laboratory testing program.
    - Geologic profiles and engineering parameters.
    - Seismic study (in accordance with the latest Caltrans Seismic Design Criteria).
    - Geologic hazard evaluation (faulting, liquefaction, lateral spreading, etc.).
    - Soil corrosion screening.
    - Geotechnical design recommendations for structure foundations, including recommended foundation type(s) and associated design parameters.
    - Construction considerations.
    - Log of Test Boring (LOTB) sheets.

A draft report will be prepared and submitted for City review. Comments will be addressed prior to finalizing the report.

Deliverable: Geotechnical Design/Materials Report and Foundation Report (Draft and Final)

TASK 4.0 ENVIRONMENTAL PERMITTING

Task 4.1 401 Water Quality Certification

Section 401 regulates water quality from discharges of fill into waters of the U.S. CONSULTANT will submit an application and work with the Regional Water Quality Control Board (RWQCB) to obtain a Section 401 Clean Water Certification for impacts to Cripple Creek,

a Water of the U.S and State. This permit will also ensure compliance with the Porter Cologne Act and State water quality standards. This scope of work assumes the City will pay the 401 Certification application and permit fee required by RWQCB.

Deliverable: 401 Water Quality Certification

Task 4.2 1602 Streambed Alteration Agreement and Revegetation Plan

Activities that have permanent or temporary impacts to lakes, streambeds, or their associated riparian areas are regulated by the California Department of Fish and Wildlife (CDFW). CONSULTANT will coordinate with the CDFW to obtain a Section 1602 Streambed Alteration Agreement for impacts to Cripple Creek, a Water of the U.S and State, and riparian habitat. CONSULTANT will delineate boundaries of CDFW jurisdiction, assess project impacts, prepare a Notification of Streambed Alteration, and enter into a Streambed Alteration Agreement with CDFW for the road rehabilitation. This scope of work assumes the City will pay the 1602 application and permit fee required by CDFW. Further, a Revegetation Plan will need to be prepared prior to construction in support of the 1600 permit. The Revegetation Plan presents a compensatory mitigation strategy for temporary and permanent impacts to State jurisdictional resources. The Revegetation Plan will be generated as a comprehensive document with supportive maps and graphics detailing project impacts and mitigation requirements, existing conditions of areas anticipated for impacts and provide strategies for the mitigation program. The Revegetation Plan will be sent to the City for review prior to sending to CDFW.

Deliverable: 1602 Streambed Alteration Agreement and Revegetation Plan

Task 4.3 404 Nationwide Permit

The proposed new pedestrian bridge south of Auburn Boulevard at Cripple Creek Bridge would result in temporary and permanent impacts to Cripple Creek, a jurisdictional Water of the U.S.; therefore, a Section 404 Nationwide Permit 14 will need to be obtained from the U.S. Army Corps of Engineers (USACE). CONSULTANT will prepare the Pre-Construction Notification (PCN) and include all temporary and permanent impacts that would occur within jurisdictional waters. The Wetland Delineation prepared in support of the Biological Technical Report will be included as an attachment, as well as all relevant technical studies such as the Biological Resources Technical Report and Cultural Resources Inventory Report. As part of the Section 404 process, USACE will conduct Section 7 consultation with USFWS for potential impacts to VELB as well as Section 106 Native American Consultation. CONSULTANT will coordinate with USACE as necessary during the Section 7 and Section 106 process. All materials in support of the Section 404 Nationwide Permit will be sent to the City for review prior to sending to USACE.

Deliverable: Section 404 Nationwide Permit

Task 4.4 City Tree Removal Permit

CONSULTANT will work with the City to develop a tree mitigation and management plan that is consistent with the City's General Plan and CDFW's Oak Woodland Protection Act (2014). CONSULTANT will also provide support to the City to obtain a tree permit for any required tree removal.

Deliverable: Tree Removal Permit

Task 4.5 Design Support for Environmental Permitting

CONSULTANT will support the environmental permitting by providing engineering data and graphics to the environmental team and reviewing submittals for consistency with the design.

TASK 5.0 UTILITY COORDINATION

Task 5.1 Utility Verification/Potholing

CONSULTANT will review the utility base map in light of the proposed improvements, field verify the information provided by the utility companies, and evaluate the extent of any potential utility conflicts. If necessary, CONSULTANT will arrange to perform up to 6 potholes to establish the horizontal and vertical location of critical underground utility lines.

Deliverables: Pothole Report

Task 5.2 Conflict Identification

CONSULTANT will prepare conflict maps for each utility highlighting the location of identified conflicts. These maps will be sent to the utilities as part of the Utility 'B' packages, which will also include 65% design plans and a City-approved letter notifying the utility companies of conflicts between existing utility facilities and the proposed work. The letter will also ask the utility companies to verify the conflict, notify them of the need to relocate their facilities, and request verification of prior rights.

Depending on the extent and significance of the relocations, CONSULTANT will schedule a meeting with the affected utility companies to develop a coordinated relocation plan. CONSULTANT will coordinate with the utilities to facilitate development of their relocations, discuss staging and work windows, and will review/verify submitted relocation plans to ensure that the conflicts are resolved.

Deliverables: Utility B Letter/Plans

Task 5.3 Conflict Resolution

CONSULTANT will meet with the affected utility companies to develop a coordinated relocation plan, facilitate development of their relocations, discuss staging and work windows, and review/verify submitted relocation plans to ensure that the conflicts are resolved.

Task 5.4 Liability Determination

CONSULTANT will work with the utility companies and the surveyor to determine existing easements or prior rights. Based on the conclusion of this investigation, CONSULTANT will assist with the final determination of liability related to the relocation costs. This liability will be documented by each utility in a claim letter.

Deliverables: Claim letter

Task 5.5 Utility Agreements

If cost sharing/reimbursement is needed between the City and the utility companies, a utility agreement will be drafted in accordance with Chapter 13 of the Caltrans ROW Manual. The agreement will be submitted to the City/utility company for review and approval.

Deliverables: Utility Agreement

Task 5.6 Notice to Owner

CONSULTANT will send a copy of the Final Plans and the Notice to Owner letter to the utility companies at the 100% milestone. The letter will be the final notification to the utility companies that the project is going to construction and will request final verification that there are no conflicts with the project or, in the event that relocations were necessary, will request the utility owner to relocate their facilities.

Deliverables: Utility Letters and Plans ('C'), Notice to Owner

TASK 6.0 RIGHT OF WAY

Task 6.1 Right of Way Project Management and Document Support

CONSULTANT'S Right of Way Manager will do the following:

- Assist the CITY with the development of administrative policies, procedures, and forms necessary to acquire right of way.
- Provide representation for the CITY at public meetings, hearings, and litigation related matters.
- Implement solutions for items that may affect the acquisition of the right of way;
- Supply necessary documentation and monitor progress of the appraisal process to meet project deadlines.
- Supply any support information or set up meetings with the agency to review appraisal reports;
- Obtain and review City acquisition documentation for current adjustments to conform to industry standards.
- Prepare staff reports for approval of just compensation;
- Provide possession documentation in lieu of purchase contracts;
- Attend agency meetings to discuss right of way specific concerns that may arise during the project.

Task 6.2 Right of Way Acquisition Tracking Sheet

As a component of effective project management, keeping the project on schedule, and ensuring the City has all current acquisition data, a project tracking table will be created. CONSULTANT'S Right of Way Manager will maintain the project tracking table and ensure that it is sent to the City on the regularly requested schedule. This table will outline milestones, action items, supply completion dates, comments, and any additional information the City may request

Deliverables: Right of Way Acquisition Updates

Task 6.3 Title Reports/Title Research

CONSULTANT will obtain seven (7) preliminary title reports. CONSULTANT will confirm impacted parcels with the agency for the purpose of determining title report needs. The CONSULTANT right of way team will perform all necessary research for each parcel

being acquired. Agents may resolve or oversee resolution of problems relating to unusual circumstances regarding title or ownership and uncover any flaws, noting any exceptions such as mortgage liens, restrictions, easements, and rights of way.

Deliverables: Preliminary Title Reports (7)

Task 6.4 Right of Way Requirement Maps

To obtain consensus from the team on the right of way needs, CONSULTANT will prepare a map showing the right of way requirements for the project improvements. The right of way requirement map will provide enough detail to support the right of way acquisition activities and will define property acquisition/easement areas required for the project.

Deliverables: Right of Way Requirement Maps

Task 6.5 Plats/Legal Descriptions

Seven (7) legal descriptions and plats will be prepared to support the acquisition of any takes and easements. CONSULTANT will review all plat and legals and exhibits and obtain approval from the agency.

Deliverables: Plats and Legal Descriptions

Task 6.6 Property Owner Exhibits

Using the completed Right-of-Way mapping, together with the design layout, Property Owner Exhibits will be generated for each of the proposed acquisitions to be used by the Appraiser during the appraisal process and the Right of Way Team when negotiating with the landowner. The Property Owner Exhibits will provide the limits of the permanent and temporary acquisition areas, detail impacts to any improvements located within the project area and specify any construction contract work that may be necessary. Where possible, adjacent properties with common ownership will be combined when generating Property Owner Exhibits. Approximately seven (7) Property Owner Exhibits are anticipated.

Deliverables: Property Owner Exhibits (7)

Task 6.7 Appraisal Reports

CONSULTANT'S licensed General Real Estate Appraiser will complete seven (7) appraisal reports. Notice of intent to appraise letters along with acquisition policy brochures will be provided to all impacted property owners. Appraisals will be arranged so that the property owner may accompany the appraiser during the inspection of the property. This allows the property owner the opportunity to provide additional information to the appraiser.

All appraisals will be prepared by an appraiser licensed with the State of California and will comply with all laws applicable to the specific appraisal and the Uniform Standards of Professional Appraisal Practice 49 CFR 24.2(a)(3). Appraisals will include a summary and analysis for all valuation conclusions. Documentation obtained during the inspection, such as pictures, will be included in each report. Title information pertaining to ownership, drawings, and information relative to the parcel will be reviewed by the appraiser.

Deliverables: Appraisal Reports (7)

Task 6.8 Appraisal Review Reports **(OPTIONAL)**

Upon acceptance and approval of the property appraisals, a licensed General Real Estate Appraiser will complete seven (7) independent appraisal review reports. The review includes inspecting sales to determine comparability, reviewing appraisal for conformance to Uniform Standards of Professional Appraisal Practice, reviewing "highest and best use" conclusions, examining valuation methods, analyzing exhibits, checking mathematical calculations, and preparing a narrative report that describes the review process and sets forth the reasoning behind the review. A recommendation of just compensation is then made based on the reviewed, collected, assembled, correlated, and analyzed data.

Deliverables: Appraisal Review Reports (7)

Task 6.9 Negotiate Right of Way Settlement/Prepare Acquisition Documents

The acquisition of right of way will be required from seven (7) parcels. All "Good Faith Negotiations" will be completed by CONSULTANT's right of way team. After completion of the appraisal process and just compensation determination, CONSULTANT will prepare the offer package and meet with all owners in person to present and explain the offer package details. The offer package will include the offer letter, written summary of just compensation with supporting appraisal information, property owner exhibit showing property map with right of way take locations, Title VI information, "Your Property – Your Transportation Project" booklet. CONSULTANT will negotiate with the property owner to arrive at a mutually agreeable settlement and prepare necessary purchase

agreements such as Grant Deeds, Easement Deeds, and Temporary Construction Easement Deeds. CONSULTANT will obtain receipt of delivery of offer and/or present and secure tenant information statements during the initial meeting.

CONSULTANT will work closely with the City to aid in the recommendation of the appropriate course of action regarding the various acquisitions with property owners requesting additional compensation and/or services beyond the initial offer package. Recommended settlement packages with justifications and impasse letters will be provided to the City for review. Working with the property owners to agreeable terms will be CONSULTANT's focus. There may be situations where condemnation is unavoidable, such as clouds in the title. If the City will need to attain property through the condemnation process, CONSULTANT will assist in the preparation of all necessary condemnation reports, letters, and packages. Additionally, CONSULTANT will attend, at the request of the City, any Public Community Meetings regarding the project. CONSULTANT's Right of Way Agents hold California Real Estate Salesperson's Licenses and are working under the direct supervision of a California Real Estate Licensed Broker.

Deliverables: ROW Agreements, Grant & Easements Deeds, Administrative Settlements, Diaries, Written Summary of Acquisitions, Impasse Letters

Task 6.10 Permit to Enter and Construct

Seventeen (17) permit to enter and constructs will be required for driveway conformations to the new project improvements. Since this is a State-funded project, it is assumed all Permit to Enter and Construct documents to be used during construction have been pre-approval from Caltrans. In the event that these documents have not gone through the Caltrans approval process, Caltrans may advise that appraisals and temporary construction easements are required. In this case, the proposed scope and fee would be revised for these parcels.

Deliverables: Permit to Enter and Construct (17)

Task 6.11 Title/Escrow Coordination

Upon reaching an agreement on the terms and conditions of the acquisition with the property owner, CONSULTANT will be available to assist the City in opening escrow. CONSULTANT will Provide executed acquisition documentation from each affected property owner and work with the agency to obtain internal signatures and payments. CONSULTANT will supply fully executed agreements along with other supporting information to escrow in order to close each transaction. CONSULTANT will work closely with the City to assist in the timely closing of all transactions. For the convenience of the property owner, our right of way team has a California Notary who will be available to notarize any documentation that is required. Fully executed deeds and easements will be delivered to the City for acceptance prior to recording. In the event escrow services are not required, CONSULTANT is available to perform these services and record the required documentation.

Deliverables: Escrow Documents and Closing Statements

Task 6.12 Right of Way Certification **(OPTIONAL)**

CONSULTANT will coordinate with the City and supply all required documentation for the right of way certification. CONSULTANT will review all acquisition documents for proper and complete execution, including formal acceptance.

Deliverables: Right of Way Certification Documentation

Task 6.13 Acquisition File Close-Out

The original acquisition file for each affected parcel will be provided to the City upon completion of the project. Each acquisition file will contain property information, diary report, written correspondence, just compensation documentation, appraisal(s), offer package, negotiations, title documentation, copies of recorded documents, and all applicable documentation.

Deliverables: Original Acquisition Files

Task 6.14 Design Support for Right of Way

CONSULTANT will support the right of way process by providing engineering data and graphics to the right of way team, attending owner meetings, answering owner's questions, and making updates to the design based on owner requests.

Task 6.15 Show Me Stakes **(OPTIONAL)**

As necessary for negotiations, temporary wooden stakes will be set along the proposed right of way lines for review by the City, landowner, and appraiser (up to 8 properties as needed).

Deliverables: Temporary stakes along the proposed right of way

TASK 7.0 FINAL DESIGN

Development of the project documents will be in accordance with the latest edition of the Caltrans "Project Development Procedures Manual", City Standards, AASHTO's "A Policy on Geometric Design of Highways and Streets", and where appropriate the Caltrans "Highway Design Manual". The design will be prepared using English units and drafted in accordance with City standards. Approximately 80 sheets are anticipated to be prepared for each of the design milestones discussed below, including:

- Title Sheet
- Survey Control
- Typical Sections
- Layouts
- Construction Details
- Drainage Plans, Profiles, Details
- Demolition Plans
- Utility Plans
- Staging/Traffic Handling Plans
- Construction Area Sign Plans
- Signing/Striping Plans
- Erosion/Planting/Irrigation Plans
- Structure & Retaining Wall Plans
- Street Lighting Plans

Task 7.1 65% PS&E

Based on comments received on the 50% Geometric Design Drawings, CONSULTANT will prepare 65% plans showing the preliminary geometric data required to construct the project. Horizontal callouts will include a centerline station line, bearings/distances of tangents, horizontal curve data, conform stations, angle points, roadway dimensions and the identification of any physical features such as edge of pavement, AC dike, fences, barriers, etc. The plan view will include all right of way, both permanent and temporary.

CONSULTANT will prepare electrical plans to support RRFB and street light design, structures design for the prefabricated pedestrian bridge, and retaining wall design, if necessary, as a mitigation measure due to right of way impacts.

CONSULTANT will prepare an engineer's estimate of construction costs that will be based on preliminary quantity takeoffs and current unit prices. A reasonable upward adjustment will be applied to all bid quantities that may vary during construction to allow for any necessary design adjustments.

CONSULTANT will prepare draft special provisions to supplement the Standard Specifications. The specifications will be based on the current Standard Specification version. CONSULTANT will develop a Working Day schedule showing the estimated time for each element of construction to determine an appropriate number of working days to specify in the Construction Bid Documents.

Deliverables: 65% Plans (pdf), Estimate (pdf), and Special Provisions (pdf and Word), Working Day Estimate

Task 7.2 95% PS&E

CONSULTANT will prepare 95% plans and estimates based on the 65% review comments. CONSULTANT will prepare a response to comments matrix with each comment received and response regarding how the comment was addressed/incorporated. All additional design and detail sheets will be included for a full project design. CONSULTANT will update the 65% engineer's estimate of construction costs. The final estimate format shall be the standard Caltrans estimating system. Quantities for all contract items, including cost of lump sum items, shall be substantiated by calculations. Quantity calculations shall be neat and orderly and shall show all sketches, diagrams and dimensions necessary to allow them to be independently used by field engineers. All quantity calculations shall be independently checked and substantiated with independent calculations. CONSULTANT will update the 65% draft special provisions. The special provisions will include all environmental mitigation and permitting measures for the project.

Deliverable: 95% Plans (pdf), Estimate (pdf), Special Provisions (pdf and Word) & Response to Comment Matrix

Task 7.3 Constructability Review

CONSULTANT will conduct a constructability review to identify potential issues or fatal flaws associated with the proposed improvements. The reviewer, who will be an individual that is independent of the design team, will summarize their comments with plan sheet redlines and provide them to the designer. The comments will be discussed and resolved to the satisfaction of the reviewer. A comment matrix will be created, and responses will be recorded to document the conclusions of the review.

Deliverable: Response to Constructability Review Comments

Task 7.4 100% PS&E

CONSULTANT will prepare 100% plans, specifications and estimate based on the 95% submittal and review comments. CONSULTANT will prepare a response to comments matrix with each comment received and response regarding how the comment was addressed/incorporated.

Deliverable: 100% Plans (pdf), Estimate (pdf), Special Provisions (pdf and Word) & Response to Comments Matrix

Task 7.5 Construction Package

CONSULTANT will prepare Final Contract Documents ready for advertisement. The Final Contract Documents will incorporate comments received on the 100% PS&E.

Deliverable: Final Plans and Specifications

Task 7.6 Resident Engineers File

A Resident Engineers File will be prepared, complete with information necessary for the RE to administer the construction, including quantity calculations, cross sections, technical reports, and permits.

Deliverable: Resident Engineers File

TASK 8.0 BIDDING/AWARD ASSISTANCE

Task 8.1 Construction Management Coordination

It is anticipated that the City will hire a construction management team to oversee the contractor's activities during construction. Upon selection of the CM team, CONSULTANT will conduct a meeting with the City and the CM to transfer information, answer questions, and provide documents as needed.

Task 8.2 Pre-Bid Meeting

CONSULTANT will be available to attend a pre-bid meeting facilitated by the City to answer contractor questions.

Task 8.3 Requests for Information/Addenda

CONSULTANT will be available for responding to bidder inquiries during the bidding process. In the event that inquiries result in the need to modify the bid documents, CONSULTANT will be available to assist in the preparation of Addenda, as needed.

Task 8.4 Bid Evaluation

CONSULTANT will be available to assist the City with bid evaluation.

TASK 9. CONSTRUCTION SUPPORT

Task 9.1 Meetings/Site Visits

CONSULTANT will attend one pre-construction meeting and two meetings during construction as needed to coordinate construction and address questions. CONSULTANT will also conduct 2 site visits to observe construction and answer questions.

Task 9.2 Requests for Information (RFI)

CONSULTANT will provide ongoing consultation and interpretation of contract documents, as requested. Written responses will be provided to all RFI's and supplemental or revised drawings may be issued to provide clarity to the Resident Engineer and Contractor.

Task 9.3 Contract Change Order Support

In the event that inquiries result in the need to modify the bid documents, CONSULTANT will be available to assist in the preparation of Change Orders, as needed.

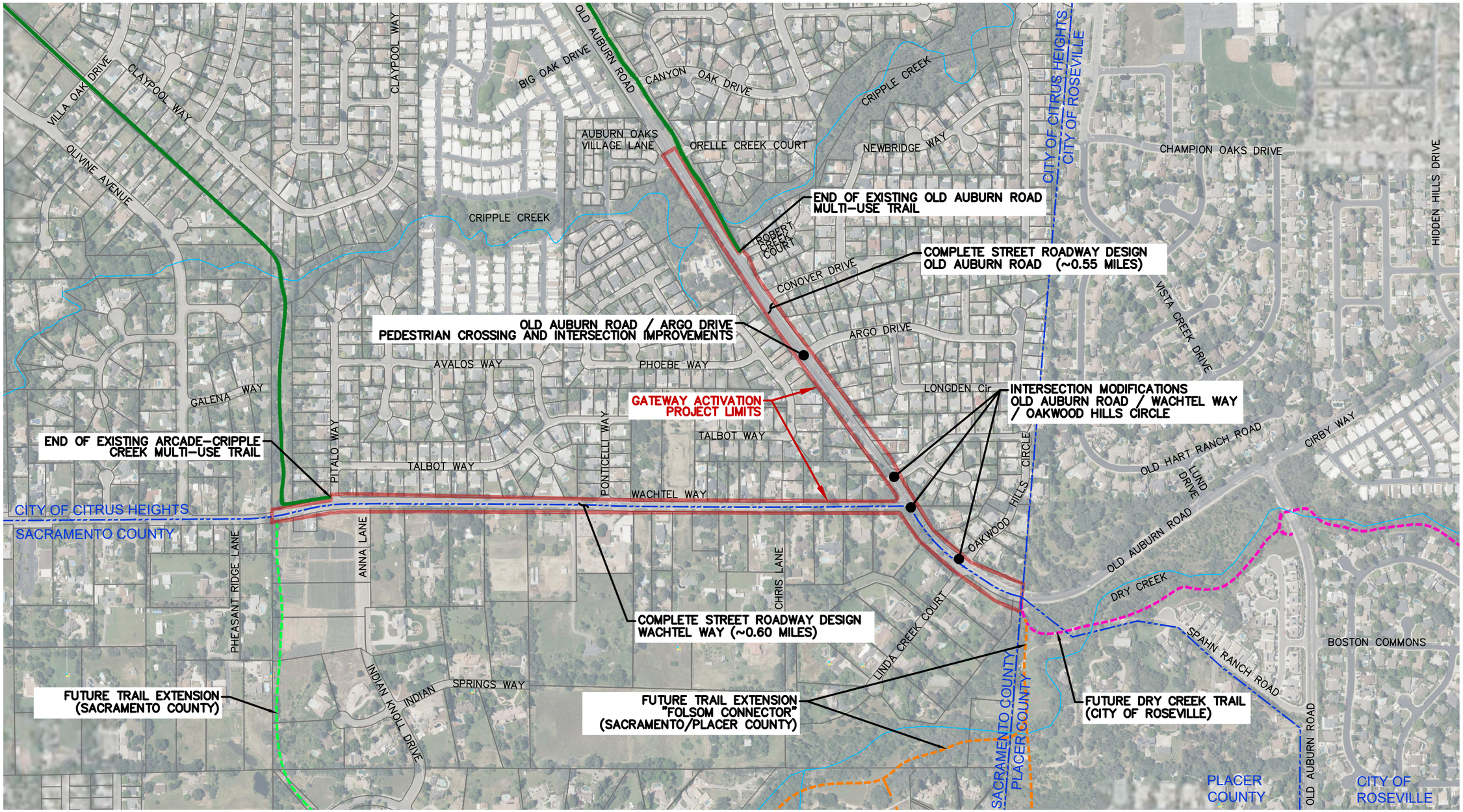
Task 9.4 Review of Shop Drawings & Plans

This task includes reviewing and stamping shop drawings as returned for corrections or approved. Shop drawings are anticipated to include those needed for the retaining walls. Any corrections will be clearly marked in red and returned to the Resident Engineer.

Task 9.5 Record Drawings

Using mark-ups received from the Resident Engineer and supplemental or revised drawings from addenda or RFI's, CONSULTANT will prepare the final record drawings. These drawings will be prepared electronically in CAD format and provided in PDF format.

Deliverable: As-Built Plans (electronic)



PROPOSED IMPROVEMENTS

SCALE: 1" = 500'

PROJECT OVERVIEW
GATEWAY ACTIVATION PROJECT

CITRUS HEIGHTS
Solid roots. New growth.

CITY OF CITRUS HEIGHTS
GENERAL SERVICES DEPARTMENT

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: September 25, 2024

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Alexander Turcotte, Police Chief
Regina Cave, General Service Director

SUBJECT: **Beautification Crew Program – Efforts and Outcomes**

Summary and Recommendation

In response to City Council and the greater community's priorities to improve the appearance and safety of our public rights of way and enhance the quality of life for our residents and businesses, the City launched the Beautification Crew to help address blight and other contributing factors. The Beautification Crew (BC) has been in place for nearly 22 months with many accomplishments to date, helping to support the City's goals and objectives. The following report provides additional background and analysis on the BC's progress and impact on the City's operations, as well as other city services and programs that support the success of the BC program.

This report is for informational purposes only with no recommended action.

City Council Strategic Goal/Objective

This item aligns with the Citrus Heights City Council Strategic Plan Objective to "Enhance Community Vibrancy and Engagement".

Fiscal Impact

There is no fiscal impact associated with this item. In June 2022, City Council authorized the implementation of the BC program, which allocated $875,000 in American Rescue Plan Act (ARPA) funds to fund the program from July 2022 through December 2026. An action item will likely come before Council in the future to recommend the program be made permanent to ensure services are maintained.

Background and Analysis

Beginning in the early years of incorporation, the General Services Department (GSD) maintained contract services to assist with general maintenance and blight within the public

rights of way along creek and drainage facilities as well as within our transportation network. These programs were funded through non-general fund sources - Stormwater Utility for drainage facilities, and Gas Tax funds for transportation facilities. In 2011, the contract to support roadway areas was eliminated due to funding constraints and other transportation-related priorities. The services that had been supported by this contract included debris and illegal dump and trash removal, weed abatement, removal of illegal signs (e.g., yard sales), assisting with minor pothole patching, and general transportation support. Over the years, and prior to the Covid-19 pandemic, the city began experiencing an uptick in undesirable blight-related activity on both public and private properties, such as an increase in graffiti, illegal dumping, stray shopping carts, and illegal camps. Through the efforts of staff's Focus Area Work Plan and Council's Strategic Goal prioritization, the BC was created. The intent of the BC was to ensure focused, efficient services that could operate independently, as well as in coordination with other city-services to ensure compliance, such as code violation and chronic nuisance offender support.

In June 2022, City Council authorized the implementation of the BC program, which consisted of hiring a team of two staff members for field response, as well as procuring equipment and tools necessary to perform the intended work. In July 2022, staff launched a recruitment, procured a stake bed truck, and began developing a campaign to help market the program and inspire the community to get engaged and be a part of the program. Utilizing and expanding upon existing resources, staff developed a system for recording and tracking all service requests (SRs) related to blight abatement that would fall under the responsibility of the BC. By December of 2022, the City's BC program was up and running with two new team members and a branded truck. That same month, staff began tracking the BC's progress through SRs by various call-type categories, as well as tracking tonnage of materials retrieved and disposed of by the BC on a weekly basis. The following tables provide data on SR intake and tonnage of debris removed by the BC:

Table 1: BC Recorded Service Requests via Cityworks

Category	**December 2022-December 2023** (13 months)	**January 2024-August 2024** (8 months)	**Total SR's**
Graffiti, Minor	6	15	21
Shopping Cart	1,295	871	2,166
Litter Removal – Sidewalks, Road, Medians	774	511	1,285
Path Maintenance - Path/Trail	17	14	31
Median Clean Up – weeds, litter, curbs, misc.	38	26	64
Sign Removal	302	150	452
Camp Abate	525	547	1,072
Road Cleanup – glass, minor hazards, limbs	109	61	170
Total:	**3,066**	**2,195**	**5,261**

Table 2: Materials Collected/Disposed of by BC - Tons

	December 2022-December 2023 (13 months)	**January 2024-August 2024** (8 months)	**Total**
Reported Tonnage Collected and Hauled Off	91.64	63.68	**155.32**

To increase reporting options for the public, staff worked with SeeClickFix (SCF) to develop a convenient means of communicating blight related SRs directly to GSD. This tool has allowed rapid reporting as well as immediate response to the reporting party acknowledging receipt of the complaint, and further allowing the community to track progress of items reported through SCF. In addition to the SCF, staff worked to deliver a real time map accessible on the City's website that reflects service requests related to the BC's operations as well as other top reported categories (i.e., streetlights out). This map allows the community to see the status of the various service requests logged, including what has been closed out and what is pending.

The following table shows the volume of SCF related service requests since inception of the BC program:

Table 3: Service Requests Generated via SeeClickFix Categorized for BC

Category	**December 2022-December 2023** (13 months)	**January 2024-August 2024** (8 months)	**Total from SCF**
Graffiti, Minor	4	15	19
Shopping Cart	200	246	446
Litter Removal – Sidewalks, Road, Medians	96	109	205
Path Maintenance - Path/Trail	11	15	26
Median Clean Up – weeds, litter, curbs, misc.	20	22	42
Sign Removal	61	108	169
Camp Abate	334	413	747
Road Cleanup – glass, minor hazards, limbs	20	33	53
Total:	**746**	**961**	**1,707**

To put into context how vital the BC program is to the operations of the General Services Department and to the community, it is important to compare activities and volume of similar service requests prior to the deployment of the BC. The table below reflects year over year activity of service request intake for categories similar to those currently assigned to the BC:

Table 4: Service Request intake 2018-2022

Category	2018	2019	2020	2021	2022 (Jan-Nov)	Total
Misc Encroachment – Blocking Street/Sidewalk	28	23	42	45	82	220
Camp Abate - abandoned materials/debris	17	38	31	37	58	181
Solid Waste – illegal dump, non-hazardous materials	198	235	264	233	257	1,187
Solid Waste – trash scattered on the street	17	7	12	24	10	70
Streets – Debris in the right of way	52	97	79	128	116	472
Totals:	**312**	**400**	**428**	**467**	**523**	**2,130**

A critical component of the BC is the collaboration with the Police Department (CHPD). While the BC is designed to operate independently and often without assistance, there are situations that require the support and partnership with CHPD to help ensure the safety of our residents as well as our staff. Beginning May 2023, the BC began working with PD's Impact Team for coordinated efforts related to illegal camps as well as enforcement of the City's shopping cart ordinance. In February 2024, this partnership increased to daily efforts with a set schedule to help ensure rapid response and maintain regular visibility around key areas of the city. With this model, the Police Department has been able to address various trespassing and illegal camping violations as well as initiate the Chronic Nuisance Offender program to hold individuals accountable for repeat offenses that put a drain on critical resources and adversely impact the community. The following table summarizes key successes of the Impact Teams accomplishments in collaboration with the BC:

Table 5: CHPD activity reported in concert with the BC program

Category	December 2022-December 2023 (13 months)	January 2024-August 2024 (8 months)	Total
Trespassing Violations	64	93	157
Shopping Carts – Ticket for unauthorized use/removal from property	3	18	21
Unlawful storage of personal belongings	7	16	23
Possession of illegal substances	209	279	488
Arrests	474	553	1,027
Total:	**757**	**959**	**1,716**

In addition to the partnership with the CHPD, the BC has expanded its collaboration with external agency partners, such as Caltrans to address blight and maintenance of the Antelope Road I-80 interchange. These efforts have drastically improved the safety and appearance of the Caltrans owned facilities, which have a direct impact on the adjacent businesses and their patrons. Through this partnership, the City has been able to address blight quickly and expedite

coordinated remediation with Caltrans for their respective areas of responsibility. The BC has and continues to work closely with our Sunrise Recreation and Park District (SRPD) and Sacramento County Library partners to combine resources for addressing blight along joint boundary properties, and ensuring coordinated messaging on key blight issues.

The progress of the BC, both as a crew and when looking at the overall Beautification program attributes much of its successful to the Cares Campaign. The purpose of the campaign is multi-pronged and intended to garner support and involvement from the public. The active participation by the community is instrumental in ensuring expedient response to requests for service to help minimize sprawl of blight and encourage property owners to also be a part of the beautification efforts by maintaining their properties as well. Through the Cares Campaign's various communications in print, marketing and via social media, the program has been able to expand its reach throughout the community to garner greater participation in reporting, maintaining and chipping in.