City of Etna

AGENDA FOR THE REGULAR MEETING OF THE ETNA CITY COUNCIL

DATE OF THE MEETING: November 3, 2025
TIME OF THE MEETING: 5:30 pm
PLACE OF THE MEETING: 442 Main Street Etna, CA, and TELECONFERENCE (Zoom)

1. **CALL TO ORDER**
   a. Pledge of Allegiance
   b. Roll Call
2. **PUBLIC COMMENT – NON-AGENDA ITEMS** - The City Council cannot take action or comment on non-agenda items.
3. **CONSENT CALENDAR**
   a. Minutes of the Regular Meeting September 22, 2025
   b. Minutes of the Special Meeting October 7, 2025
   c. Invoice Approvals
   d. Adopt Proclamation in Support of the Importance of Early Literacy and the 18th Annual Read Across Siskiyou
   e. Resolution 2025-011 – A Resolution of the City Council of the City of Etna Authorizing Investment of City of Etna Monies in Local Agency Investment Fund (LAIF)
   f. Resolution 2025-012 – A Resolution of the City Council of the City of Etna Authorizing Signatories for the Mechanics Bank General Fund Account
4. **PUBLIC HEARING:**
   a. General Plan Introduction, Land Use Element, & Safety Element Updates - Adopt Resolution 2025-010 – A Resolution the City Council of the City of Etna Amending the General Plan Introduction, Land Use Element, and Safety Element, and Adopting the Local Hazard Mitigation Plan by Reference
   b. Zoning Code Update
5. **CURRENT BUSINESS**
   a. Second Reading and Adoption of Ordinance 229 to Amend Title 14, Flood Damage Prevention of the Etna Municipal Code
   b. First Reading of Draft Ordinance 230 Amending Title 17, Zoning of the Etna Municipal Code
   c. Discuss Update on the Status of the Community Service District Proposal Process
   d. Discuss/Approve Recommendation for Etna Fire Chief Position
   e. Accept Resignation of Fire Chief Clint Whitchurch
   f. Discuss/Approve Budget Amendment Accepting COPS Growth Allocation 2025/2026
   g. Discuss/Approve Ambulance Replacement
   h. Discuss Update on Fire Strike Team Payments Received
6. **DEPARTMENT REPORTS**
   *Police*Public Works*Fire*Ambulance*City Clerk*Mayor*City Council/Committee
7. **CITY COUNCIL STATEMENTS AND REQUESTS**
8. **CLOSED SESSION:** The City Council will recess to Closed Session to discuss the below item(s). At the conclusion of the Closed Session, Open Session will be reconvened and reportable action, if any, will be announced. Announcement of any action taken by the City Council in Closed Session required by the Ralph M. Brown Act (Government Code §54950 et. Seq.)
   a. Public Employment (Pursuant to Government Code §54957)
      1. Fire Department – Volunteer Firefighter

9. ADJOURNMENT

Zoom Teleconference Information:

Phone: 1-669-444-9171 US Meeting ID: 864 8170 1112

https://us06web.zoom.us/j/86481701112

The City of Etna does not discriminate based on disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings are available. If any accommodations are needed, please contact Pamela Eastlick at 530-467-5256 p.eastlick@etnaca.com. Requests should be made as soon as possible but recommended between three days to one week prior to the scheduled meeting.

MINUTES
REGULAR MEETING OF THE ETNA CITY COUNCIL
Monday September 22, 2025

Members of the Etna City Council met on the 22nd day of September in person and TELECONFERENCE (Zoom). Mayor Cliff Munson called the meeting to order and led in the salute to the flag of the United States of America.

1. **Call to Order:**
   a. Roll Call

   Council members Jason Deppen, Mayor Cliff Munson, and John Stacher were present. Councilmember Brandon Fawaz was absent.

2. **Public Comments on Non-Agenda Items:**

   Audience member Jodi Deppen commented about dogs running loose and causing problems, junk and furniture being left outside. She has left several messages for the code enforcement officer that have been ignored.

3. **Consent Calendar:**
   a. **Minutes of the Regular Meeting August 25, 2025**
   b. **Invoice Approvals**

   Councilmember Deppen made a motion to accept the Consent Calendar, Councilmember Stacher seconded, and the motion passed.

   Ayes: Stacher, Munson, Deppen

4. **Current Business:**

   a. **Discuss/Approve Appointment of City Council Vacant Seat**

   Dennis Melum and Matt Eastlick were present and submitted letters of interest in the vacant seat. Melum shared comments. Councilmember Deppen made a motion to nominate Matt Eastlick for the vacant seat. Councilmember Stacher seconded, and the motion passed.

   Ayes: Stacher, Munson, Deppen

   Councilmember Stacher thanked the applicants. Mayor Munson swore in Matt Eastlick.

   b. **Discuss/Approve City Council Commissions**

   The Council agreed to remove CIIC and Community Meetings from the commissioner list. Councilmember Stacher will have the pool commission. Councilmember Eastlick will have the CDBG commission.

   c. **Second Reading of an Ordinance and Urgency Ordinance 228 to Designate Fire Hazard Severity Zones, and Amend Section 15.16.010 of the Etna Municipal Code Regarding Very High Fire Hazard Severity Zones**

Mayor Munson shared information that he has received regarding this item. More discussion. Fire Chief Clint Whitchurch shared comments.

d. Introduction and First Reading of Ordinance 229 – An Ordinance of the City Council of the City of Etna Amending Title 14, Flood Damage Prevention, of the Etna Municipal Code

City Planner Richard Tinsman was on Zoom and gave a background on this item. Mayor Munson made a motion to make the finding that the project does not have the potential to result in a significant adverse effect on the environment and is exempt from environmental review pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308. Councilmember Stacher seconded, and the motion passed.

Ayes: Stacher, Eastlick, Munson, Deppen

Mayor Munson made a motion to introduce Ordinance 229, An Ordinance of the City Council of the City of Etna Amending Title 14, Flood Damage Prevention, of the Etna Municipal Code by title only. Councilmember Deppen seconded, and the motion passed.

Ayes: Stacher, Eastlick, Munson, Deppen

Mayor Munson made a motion to waive further reading of Ordinance 229 and direct staff to bring the ordinance back for adoption at the next regular meeting. Councilmember Deppen seconded, and the motion passed.

Ayes: Stacher, Eastlick, Munson, Deppen

e. Discuss/Approve Sign on Bonus of $15,000 for New Hires for the Police Department

Police Chief Josh Short requested Council's approval to implement a sign on bonus to their hiring process to be more competitive and comparable to other departments. More discussion about retention bonuses. Chief Short would also like to implement a paid reserve officer program and will continue to do more research on this idea and bring it back to Council. No action taken.

f. Discuss/Approve Paid Reserve Program

No action taken.

g. Continued: Discuss/Approve Recent Strike Team Assignment Pay and Processing of Payments

Fire Department Secretary Teresa Arrwood explained that payments are currently pending, and invoices have been processed. Councilmember Deppen requested this topic to be on the agenda for future meetings until all payments have been processed.

5. Department Reports:

Police Chief Josh Short reported that the department has been busy in both towns. Chief Short provided stats in the Council's packet. Chief Short also addressed Mrs. Deppen's

public comments. Councilmember Deppen would like options presented at the next meeting for the Council to take action on properties that are causing problems.

Public Works Director Dan Burbank reported that they are moving forward with the underground power project. Burbank gave an update on other future projects.

Fire Chief Clint Whitchurch reported that they have had more than average number of calls. They are keeping a close eye on the SAFER grant that they have applied for. The Dillon Strike Team leader sent a thank you letter to the crew. Chief Whitchurch read the letter.

Ambulance Director Teresea Arrwood provided a written report in the meeting packet. Arrwood gave an update on mechanical issues on one of the ambulances.

City Clerk Pamela Eastlick reported she has been working on the 20/21 audit. She has submitted a request for final payment for the DWR grant.

6. **City Council Statements and Requests:**

   None.

7. **Adjournment:**

   There being no further business, Mayor Cliff Munson adjourned the meeting at 7:40 pm.

Respectfully submitted,

Jenny Bennett
Asst. City Clerk

MINUTES
SPECIAL MEETING OF THE ETNA CITY COUNCIL
Tuesday October 7, 2025

Members of the Etna City Council met on this 7th day of October in person and TELECONFERENCE (Zoom). Mayor Cliff Munson called the meeting to order and led in the salute to the flag of the United States of America.

1. **Call to Order:**
   - **a.** Pledge of Allegiance
   - **b.** Roll Call

   Council members Brandon Fawaz, Jason Deppen, Mayor Cliff Munson, Matt Eastlick, and John Stacher were present.

2. **Public Comment:**

   None.

3. **Current Business:**

   - **a. Discuss/Approve Water System Improvements Project Contract Award (Project #: EDWG-470004-001C) in Total of $5,675,268.00 to Shasta Services, Inc. Timberworks**

     Councilmember Deppen made a amotion to approve the contract award. Councilmember Stacher seconded, and the motion passed. City Engineer Morgan Eastlick explained that this project is for the new treatment plant.

     Ayes: Stacher, Eastlick, Munson, Deppen, Fawaz

4. **Adjournment:**

   There being no further business Mayor Munson adjourned the meeting at 6:03 pm.

Respectfully submitted,

Jenny Bennett
Asst. City Clerk

DRAFT

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

City of Etna

Vendor Name	Invoice Description1		Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2		PO No.	Pay Date	
Vendor Address	Vendor Number			Due Date	Taxes Withheld
City	Bank		Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number				Check Amount
BADGER METER	Water Meter Hosting		28284	10/01/2025	
				10/03/2025	
PO BOX 88223	BADGERM			10/01/2025	0.00
MILWAUKEE	GF		22489	10/08/2025	0.00
WI 83288-8223	80213413				1,267.20
GL Number	Description	Distribution Line Description		Invoice Amount	Amount Relieved
40-30-750.00	DUES AND SUBSCRIPTIONS			1,267.20	0.00
		Check No.	22489	Total:	1,267.20
		Total for	BADGER METER		1,267.20
BAXTER AUTO PARTS	Fire Dept. Engine Maint.		28301	09/30/2025	
				10/07/2025	
9444 N WHITAKER ROAD	BAXTER			09/30/2025	0.00
PORTLAND	GF		22490	10/08/2025	0.00
OR 97217	114058, 114055				29.96
GL Number	Description	Distribution Line Description		Invoice Amount	Amount Relieved
10-50-860.00	VEHICLE MAINTENANCE			29.96	0.00
		Check No.	22490	Total:	29.96
		Total for	BAXTER AUTO PARTS		29.96
CHARLES W. PILLON	Audit 21-22		28306	10/04/2025	
				10/07/2025	
	CHARLES PI			10/04/2025	0.00
	GF		22491	10/08/2025	0.00
96007	4765				6,829.98
GL Number	Description	Distribution Line Description		Invoice Amount	Amount Relieved
10-25-765.00	AUDIT FEES			6,829.98	0.00
		Check No.	22491	Total:	6,829.98
		Total for	CHARLES W. PILLON		6,829.98
E & S ENGINEERS	21024 Water Treatment SRL		28304	09/26/2025	
				10/07/2025	
329 WEST MINER STREET	E&S			09/26/2025	0.00
YREKA	GF		22492	10/08/2025	0.00
CA 96097	5181				2,302.30
GL Number	Description	Distribution Line Description		Invoice Amount	Amount Relieved
20-30-881.25	EDWG-47100004-001			2,302.30	0.00
E & S ENGINEERS	Monthly Retainer		28305	09/26/2025	
				10/07/2025	
329 WEST MINER STREET	E&S			09/26/2025	0.00
YREKA	GF		22492	10/08/2025	0.00
CA 96097	5176				500.00
GL Number	Description	Distribution Line Description		Invoice Amount	Amount Relieved
10-25-782.00	ENGINEER FEES			500.00	0.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
E & S ENGINEERS	22046 Etna Drought Proj.	28303	09/29/2025	
			10/07/2025	
329 WEST MINER STREET	E&S		09/29/2025	0.00
YREKA	GF	22492	10/08/2025	0.00
CA 96097	5202			344.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
20-30-881.20	DWR-DROUGHT RELIEF GRANT		344.00	0.00

Check No. 22492 Total: 3,146.30

Total for E & S ENGINEERS 3,146.30

Vendor Name	Invoice Description1	Ref No.	Discount Date	
ETNA HARDWARE, INC.	Maint. & Supplies	28285	09/30/2025	
			10/03/2025	
P O BOX 328	EHSG		09/30/2025	0.00
ETNA	GF	22493	10/08/2025	0.00
CA 96027				489.30

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-40-760.00	PROFESSIONAL & CONTRACT SERVCS	PD Veh Maint.	31.49	0.00
10-50-880.00	MAINTENANCE & SUPPLIES	Fire M&S	26.94	0.00
10-50-880.00	MAINTENANCE & SUPPLIES	Fire M&S	8.57	0.00
10-50-880.00	MAINTENANCE & SUPPLIES	Fire M&S	3.85	0.00
10-50-880.00	MAINTENANCE & SUPPLIES	Fire M&S	2.73	0.00
10-50-880.00	MAINTENANCE & SUPPLIES	Fire M&S	9.64	0.00
40-30-880.00	MAINTENANCE & SUPPLIES	Water M&S	45.01	0.00
40-30-880.00	MAINTENANCE & SUPPLIES	Water M&S	17.05	0.00
40-30-880.00	MAINTENANCE & SUPPLIES	Water M&S	2.13	0.00
40-30-880.00	MAINTENANCE & SUPPLIES	Water M&S	9.20	0.00
40-30-880.00	MAINTENANCE & SUPPLIES	Water M&S	16.14	0.00
50-45-855.00	BUILDING MAINTENANCE	Amb Building Maint.	107.40	0.00
50-45-855.00	BUILDING MAINTENANCE	Amb Building Maint.	35.38	0.00
50-45-855.00	BUILDING MAINTENANCE	Amb Building Maint.	131.36	0.00
50-45-855.00	BUILDING MAINTENANCE	Amb Building Maint.	35.01	0.00
50-45-855.00	BUILDING MAINTENANCE	Amb Building Maint.	7.40	0.00

Check No. 22493 Total: 489.30

Total for ETNA HARDWARE, INC. 489.30

Vendor Name	Invoice Description1	Ref No.	Discount Date	
HENRY SCHEIN MEDICAL	Medical Supplies	28267	09/18/2025	
			10/01/2025	
PO BOX 7156	HENRYSH		09/18/2025	0.00
PASADENA	GF	22496	10/08/2025	0.00
CA 91109-7156	47078532			217.07

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-872.00	MEDICAL SUPPLIES		217.07	0.00

Check No. 22496 Total: 217.07

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
HENRY SCHEIN MEDICAL	Medical Supplies	28313	10/02/2025	
			10/20/2025	
PO BOX 7156	HENRYSH		10/02/2025	0.00
PASADENA	GF	22518	10/24/2025	0.00
CA 91109-7156	47737976			126.56

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-872.00	MEDICAL SUPPLIES		126.56	0.00

HENRY SCHEIN MEDICAL	Medical Supplies	28323	10/03/2025	
			10/20/2025	
PO BOX 7156	HENRYSH		10/03/2025	0.00
PASADENA	GF	22518	10/24/2025	0.00
CA 91109-7156	47796523			20.51

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-872.00	MEDICAL SUPPLIES		20.51	0.00

Check No.	22518	Total:	147.07
Total for	HENRY SCHEIN MEDICAL		364.14

KELLEY CREATE	Monthly Xerox	28282	09/30/2025	
			10/01/2025	
PO BOX 660831	KELLEY		09/30/2025	0.00
DALLAS	GF	22498	10/08/2025	0.00
TX 75266-0831	40250419			505.21

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-25-750.00	DUES AND SUBSCRIPTIONS		168.41	0.00
40-30-750.00	DUES AND SUBSCRIPTIONS		168.40	0.00
45-33-750.00	DUES AND SUBSCRIPTIONS		168.40	0.00

Check No.	22498	Total:	505.21
Total for	KELLEY CREATE		505.21

KIEP-ER KLEEN	Cleaning Services	28283	10/01/2025	
			10/02/2025	
PO BOX 404	KK		10/01/2025	0.00
ETNA	GF	22499	10/08/2025	0.00
CA 96027				323.58

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-25-760.00	PROFESSIONAL & CONTRACT SERVCS		150.00	0.00
10-40-760.00	PROFESSIONAL & CONTRACT SERVCS		150.00	0.00
10-70-880.00	MAINTENANCE & SUPPLIES		23.58	0.00

Check No.	22499	Total:	323.58
Total for	KIEP-ER KLEEN		323.58

LIFE ASSIST	Medical Supplies	28281	09/23/2025	
			10/01/2025	
11277 SUNRISE PARK DRIVE	LA		09/23/2025	0.00
RANCHO CORDOVA	GF	22500	10/08/2025	0.00
CA 95742	1640540			187.86

Vendor Name | Invoice Description1 | Ref No. | Discount Date
Vendor Name Line 2 | Invoice Description2 | PO No. | Pay Date
Vendor Address | Vendor Number | Due Date | Taxes Withheld
City | Bank | Check No. | Check Date | Discount Amount
State/Province Zip/Postal | Invoice Number | Check Amount

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-872.00	MEDICAL SUPPLIES		187.86	0.00

Check No. 22500 Total: 187.86
Total for LIFE ASSIST 187.86

MEAN GENE'S GAS | Bulk Fuel September | 28340 | 10/01/2025 | 10/24/2025
P O BOX 534 | MGM | 10/01/2025 | 0.00
FT JONES | GF | 22521 | 10/24/2025 | 0.00
CA 96032 | 2,507.78

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-40-865.10	GASOLINE		280.56	0.00
10-41-865.10	GASOLINE		114.74	0.00
10-50-865.10	GASOLINE		53.55	0.00
10-50-865.20	DIESEL		327.48	0.00
10-60-865.10	GASOLINE		55.10	0.00
10-70-865.10	GASOLINE		8.14	0.00
40-30-865.10	GASOLINE		55.10	0.00
45-33-865.10	GASOLINE		55.11	0.00
50-45-865.10	GASOLINE		56.67	0.00
50-45-865.20	DIESEL		1,131.24	0.00
53-40-865.10	GASOLINE		370.09	0.00

Check No. 22521 Total: 2,507.78
Total for MEAN GENE'S GAS 2,507.78

MOORE'S GRAVEL | Base | 28300 | 09/30/2025 | 10/07/2025
8832 S HWY 3 | MG | 09/30/2025 | 0.00
CALLAHAN | GF | 22501 | 10/08/2025 | 0.00
CA 96014 | 11708 | 515.31

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-60-830.00	TELEPHONE EXPENSE		257.66	0.00
40-30-880.00	MAINTENANCE & SUPPLIES		257.65	0.00

Check No. 22501 Total: 515.31
Total for MOORE'S GRAVEL 515.31

NBS GOVERNMENT FINANCE GROUP | Qtrly Sewer Assessment | 28288 | 09/20/2025 | 10/07/2025
32605 TEMECULA PARKWAY | NBS | 09/20/2025 | 0.00
TEMECULA | GF | 22503 | 10/08/2025 | 0.00
CA 92592 | 202509-3080 | 1,489.16

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
47-33-760.00	PROFESSIONAL & CONTRACT SERVCS		1,489.16	0.00

Check No. 22503 Total: 1,489.16

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Total for NBS GOVERNMENT FINANCE GR(1,489.16

PACE ANALYTICAL	Wastewater - Quarterly	28268	09/30/2025	
			10/01/2025	
PO BOX 684056	PACE ANALY		09/30/2025	0.00
CHICAGO	GF	22504	10/08/2025	0.00
IL 60695-4056	252807164			409.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
45-33-795.00	LABORATORY TESTS		409.00	0.00

PACE ANALYTICAL	Drinking Water Monitoring	28311	10/07/2025	
			10/08/2025	
PO BOX 684056	PACE ANALY		10/07/2025	0.00
CHICAGO	GF	22504	10/08/2025	0.00
IL 60695-4056	252807435			192.20

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
40-30-795.00	LABORATORY TESTS		192.20	0.00

Check No. 22504 Total: 601.20

Total for PACE ANALYTICAL 601.20

PACIFIC POWER	452 Main St.	28272	09/23/2025	
			10/01/2025	
PO BOX 26000	PP		09/23/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				49.71

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-55-840.10	ELECTRIC		49.71	0.00

PACIFIC POWER	155 Diggles PD	28273	09/23/2025	
			10/01/2025	
PO BOX 26000	PP		09/23/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				178.43

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-40-840.10	ELECTRIC		89.21	0.00
53-40-840.10	ELECTRIC		89.22	0.00

PACIFIC POWER	Woodland Fltr Plant	28274	09/23/2025	
			10/01/2025	
PO BOX 26000	PP		09/23/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				393.72

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
40-30-840.10	ELECTRIC		393.72	0.00

PACIFIC POWER	448 Main St. RCD	28275	09/23/2025	
			10/01/2025	
PO BOX 26000	PP		09/23/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				393.99

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-55-840.10	ELECTRIC		393.99	0.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
PACIFIC POWER	625 Howell Shop & Amb	28276	09/23/2025	
			10/01/2025	
PO BOX 26000	PP		09/23/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				294.61

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-60-840.10	ELECTRIC		32.73	0.00
40-30-840.10	ELECTRIC		32.74	0.00
45-33-840.10	ELECTRIC		32.74	0.00
50-45-840.10	ELECTRIC		196.40	0.00

PACIFIC POWER	400 Main St. Fire Hall	28277	09/23/2025	
			10/01/2025	
PO BOX 26000	PP		09/23/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				171.68

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-50-840.10	ELECTRIC		171.68	0.00

PACIFIC POWER	501 Howell Park	28278	09/23/2025	
			10/01/2025	
PO BOX 26000	PP		09/23/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				56.05

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-70-840.10	ELECTRIC		56.05	0.00

PACIFIC POWER	440 Main St.	28279	09/23/2025	
			10/01/2025	
PO BOX 26000	PP		09/23/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				226.09

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-55-840.10	ELECTRIC		226.09	0.00

PACIFIC POWER	400 Howell Lights	28280	09/23/2025	
			10/01/2025	
PO BOX 26000	PP		09/23/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				88.72

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-60-867.00	TRAFFIC SAFETY		88.72	0.00

PACIFIC POWER	401 Island Rd. Sewerplant	28271	09/24/2025	
			10/01/2025	
PO BOX 26000	PP		09/24/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				587.69

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
45-33-840.10	ELECTRIC		587.69	0.00

PACIFIC POWER	Street Flashers	28289	09/29/2025	
			10/07/2025	
PO BOX 26000	PP		09/29/2025	0.00
PORTLAND	GF	22506	10/08/2025	0.00
OR 97256-0001				170.37

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved

Vendor Name	Invoice Description1		Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2		PO No.	Pay Date	
Vendor Address	Vendor Number			Due Date	Taxes Withheld
City	Bank		Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number				Check Amount
10-60-867.00	TRAFFIC SAFETY			170.37	0.00
PACIFIC POWER	Streetlights		28290	09/29/2025	
				10/07/2025	
PO BOX 26000	PP			09/29/2025	0.00
PORTLAND	GF		22506	10/08/2025	0.00
OR 97256-0001					1,479.70
GL Number	Description	Distribution Line Description		Invoice Amount	Amount Relieved
10-60-867.00	TRAFFIC SAFETY			1,479.70	0.00
PACIFIC POWER	401 Howell Pool		28291	09/30/2025	
				10/07/2025	
PO BOX 26000	PP			09/30/2025	0.00
PORTLAND	GF		22506	10/08/2025	0.00
OR 97256-0001					81.50
GL Number	Description	Distribution Line Description		Invoice Amount	Amount Relieved
23-70-840.10	ELECTRIC			81.50	0.00
		Check No.	22506	Total:	4,172.26
		Total for	PACIFIC POWER		4,172.26
S.C.O.R.E	2nd QTR Worker's Comp		28286	10/01/2025	
BLAKE MICHAELSEN				10/07/2025	
5915 DUNSMUIR AVE.	SCORE			10/01/2025	0.00
DUNSMUIR	GF		22508	10/08/2025	0.00
CA 96025	EtnaQ2FY26				17,590.39
GL Number	Description	Distribution Line Description		Invoice Amount	Amount Relieved
10-25-725.00	S.C.O.R.E WORK COMP			70.50	0.00
10-40-725.00	S.C.O.R.E WORK COMP			646.75	0.00
10-41-725.00	S.C.O.R.E WORK COMP			1,748.75	0.00
10-42-725.00	S.C.O.R.E WORK COMP			616.00	0.00
10-50-725.00	S.C.O.R.E WORK COMP			3,101.75	0.00
10-55-725.00	S.C.O.R.E WORK COMP			220.64	0.00
10-60-725.00	S.C.O.R.E WORK COMP			681.50	0.00
10-70-725.00	S.C.O.R.E WORK COMP			220.50	0.00
23-70-725.00	S.C.O.R.E WORK COMP			1,349.00	0.00
25-60-725.00	S.C.O.R.E WORK COMP			622.75	0.00
40-30-725.00	S.C.O.R.E WORK COMP			1,315.00	0.00
45-33-725.00	S.C.O.R.E WORK COMP			1,192.25	0.00
50-45-725.00	S.C.O.R.E WORK COMP			4,744.75	0.00
53-40-725.00	S.C.O.R.E WORK COMP			1,060.25	0.00
		Check No.	22508	Total:	17,590.39
		Total for	S.C.O.R.E		17,590.39
SCOTT VALLEY DISPOSAL	Monthly Trash Service		28287	09/30/2025	
				10/07/2025	
138 FOREST WALK	SVD			09/30/2025	0.00
ETNA	GF		22509	10/08/2025	0.00
CA 96027					675.00
GL Number	Description	Distribution Line Description		Invoice Amount	Amount Relieved
10-55-840.30	TRASH			168.75	0.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

10-60-840.30	TRASH	168.75	0.00
10-70-840.30	TRASH	168.75	0.00
23-70-840.30	TRASH	168.75	0.00

Check No. 22509 Total: 675.00

Total for SCOTT VALLEY DISPOSAL 675.00

SIERRA SPRINGS — Water — 28269 — 09/19/2025 — 10/01/2025

PO BOX 660579 — SISPRINGS — 09/19/2025 — 0.00
DALLAS — GF — 22510 — 10/08/2025 — 0.00
TX 75266-0579 — 24391998 091925 — 26.48

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-25-870.00	OFFICE SUPPLIES		26.48	0.00

Check No. 22510 Total: 26.48

Total for SIERRA SPRINGS 26.48

SISKIYOU COUNTY EDC — MOU October — 28322 — 10/01/2025 — 10/20/2025

1512 SOUTH OREGON ST — SCEDC — 10/01/2025 — 0.00
YREKA — GF — 22526 — 10/24/2025 — 0.00
CA 96097 — AR00000162 — 500.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-20-760.00	PROFESSIONAL & CONTRACT SERVCS		500.00	0.00

Check No. 22526 Total: 500.00

Total for SISKIYOU COUNTY EDC 500.00

SISKIYOU TELEPHONE — 5638 PD Fax — 28292 — 10/01/2025 — 10/07/2025

P O BOX 157 — ST — 10/01/2025 — 0.00
ETNA — GF — 22511 — 10/08/2025 — 0.00
CA 96027 — 53.19

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-40-830.00	TELEPHONE EXPENSE		26.59	0.00
53-40-830.00	TELEPHONE EXPENSE		26.60	0.00

SISKIYOU TELEPHONE — 5256 City Hall — 28293 — 10/01/2025 — 10/07/2025

P O BOX 157 — ST — 10/01/2025 — 0.00
ETNA — GF — 22511 — 10/08/2025 — 0.00
CA 96027 — 199.48

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-25-830.00	TELEPHONE EXPENSE		199.48	0.00

SISKIYOU TELEPHONE — 5232 Pool — 28294 — 10/01/2025 — 10/07/2025

P O BOX 157 — ST — 10/01/2025 — 0.00
ETNA — GF — 22511 — 10/08/2025 — 0.00
CA 96027 — 120.51

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
23-70-830.00	TELEPHONE EXPENSE		120.51	0.00

SISKIYOU TELEPHONE — 3673 Shop & Park Wifi — 28295 — 10/01/2025 — 10/07/2025
P O BOX 157 — ST — 10/01/2025 — 0.00
ETNA — GF — 22511 — 10/08/2025 — 0.00
CA 96027 — 167.08

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-60-830.00	TELEPHONE EXPENSE		32.39	0.00
10-70-830.00	TELEPHONE EXPENSE		69.95	0.00
40-30-830.00	TELEPHONE EXPENSE		32.37	0.00
45-33-830.00	TELEPHONE EXPENSE		32.37	0.00

SISKIYOU TELEPHONE — 3400 PD — 28296 — 10/01/2025 — 10/07/2025
P O BOX 157 — ST — 10/01/2025 — 0.00
ETNA — GF — 22511 — 10/08/2025 — 0.00
CA 96027 — 241.51

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-40-830.00	TELEPHONE EXPENSE		120.75	0.00
53-40-830.00	TELEPHONE EXPENSE		120.76	0.00

SISKIYOU TELEPHONE — 3331 Ambulance — 28297 — 10/01/2025 — 10/07/2025
P O BOX 157 — ST — 10/01/2025 — 0.00
ETNA — GF — 22511 — 10/08/2025 — 0.00
CA 96027 — 168.45

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-830.00	TELEPHONE EXPENSE		168.45	0.00

SISKIYOU TELEPHONE — 3295 Fire Hall — 28298 — 10/01/2025 — 10/07/2025
P O BOX 157 — ST — 10/01/2025 — 0.00
ETNA — GF — 22511 — 10/08/2025 — 0.00
CA 96027 — 83.24

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-50-830.00	TELEPHONE EXPENSE		83.24	0.00

SISKIYOU TELEPHONE — 3217 City Hall Fax — 28299 — 10/01/2025 — 10/07/2025
P O BOX 157 — ST — 10/01/2025 — 0.00
ETNA — GF — 22511 — 10/08/2025 — 0.00
CA 96027 — 51.57

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-25-830.00	TELEPHONE EXPENSE		51.57	0.00

Check No. 22511 — Total: 1,085.03
Total for SISKIYOU TELEPHONE — 1,085.03

TOWN OF FORT JONES — LOLA Dinner — 28307 — 10/07/2025 — 10/07/2025
PO BOX 40 — TFJ — 10/07/2025 — 0.00
FORT JONES — GF — 22512 — 10/08/2025 — 0.00
CA 96032 — 160.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-00-261.00	DEPOSITS - OTHER		40.00	0.00
10-20-735.00	TRAVEL & TRAINING		40.00	0.00
10-25-735.00	TRAVEL & TRAINING		40.00	0.00
10-40-735.00	TRAVEL & TRAINING		40.00	0.00

Check No. 22512 Total: 160.00
Total for TOWN OF FORT JONES 160.00

VERIZON WIRELESS — Monthly Cellular — 28270 — 09/21/2025 — 10/01/2025
PO BOX 9622 — VW — 09/21/2025 — 0.00
MISSION HILLS — GF — 22514 — 10/08/2025 — 0.00
TX 91346-9622 — 711.74

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-40-830.30	CELLULAR		101.60	0.00
10-41-830.30	CELLULAR		101.60	0.00
10-60-830.30	CELLULAR		25.57	0.00
10-60-880.00	MAINTENANCE & SUPPLIES		93.27	0.00
40-30-830.30	CELLULAR		25.57	0.00
40-30-875.00	SPECIAL DEPT SUPPLIES & EQUIP	New PWD Phone	93.25	0.00
45-33-830.30	CELLULAR		25.57	0.00
45-33-875.00	SPECIAL DEPT SUPPLIES & EQUIP		93.25	0.00
50-45-830.30	CELLULAR		50.46	0.00
53-40-830.30	CELLULAR		101.60	0.00

Check No. 22514 Total: 711.74
Total for VERIZON WIRELESS 711.74

WITTMAN ENTERPRISES, LLC — Ambulance Billing — 28266 — 09/24/2025 — 10/01/2025
2540 EMPIRE DRIVE, STE #300 — WE — 09/24/2025 — 0.00
WINSTON-SALEM — GF — 22515 — 10/08/2025 — 0.00
NC 27103 — 2508467 — 1,670.82

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-760.00	PROFESSIONAL & CONTRACT SERVCS	August	1,670.82	0.00

Check No. 22515 Total: 1,670.82
Total for WITTMAN ENTERPRISES, LLC 1,670.82

Total Invoices: 46

Grand Total:	44,848.70
Less Credit Memos:	0.00
Net Total:	44,848.70
Less Hand Check Total:	0.00
Outstanding Invoice Total:	44,848.70

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Recap by Department

Department #	Department Name	Amount To Pay	Amount To Relieve
00	General	40.00	0.00
20	City Council	540.00	0.00
25	City Clerk	8,036.42	0.00
30	Water	6,569.03	0.00
33	Sewer	4,085.54	0.00
40	Law Enforcement	3,255.47	0.00
41	Police - FJ Station	1,965.09	0.00
42	DOJ GRANT	616.00	0.00
45	Ambulance Services	8,887.34	0.00
50	Fire Prevention	3,819.39	0.00
55	Governmental Buildings	1,059.18	0.00
60	Highways & Streets	3,708.51	0.00
70	Parks & Recreation	2,266.73	0.00
	Grand Total:	**44,848.70**	**0.00**

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

COLANTUONO, HIGHSMITH & WHATLEY, PC	Attorney Fees	28314	10/14/2025 10/20/2025	
420 SIERRA COLLEGE DRIVE	JARED		10/14/2025	0.00
GRASS VALLEY	GF	0	00/00/0000	0.00
CA 95945-5091	67588, 67589			1,425.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-25-780.00	ATTORNEY FEES		774.50	0.00
10-40-780.00	ATTORNEY FEES		62.00	0.00
10-50-780.00	ATTORNEY FEES		433.50	0.00
10-50-780.00	ATTORNEY FEES		155.00	0.00

Check No. 0 Total: 1,425.00

Total for COLANTUONO, HIGHSMITH & 1,425.00

GREAT NORTHERN SERVICES	Grant Work	28316	10/15/2025 10/20/2025	
310 BOLES STREET	GNC		10/15/2025	0.00
WEED	GF	0	00/00/0000	0.00
CA 96094	121424-0925			511.30

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
70-35-760.00	PROFESSIONAL & CONTRACT SERVCS		511.30	0.00

Check No. 0 Total: 511.30

Total for GREAT NORTHERN SERVICES 511.30

HENRY SCHEIN MEDICAL	Medical Supplies	28313	10/02/2025 10/20/2025	
PO BOX 7156	HENRYSH		10/02/2025	0.00
PASADENA	GF	0	00/00/0000	0.00
CA 91109-7156	47737976			126.56

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-872.00	MEDICAL SUPPLIES		126.56	0.00

HENRY SCHEIN MEDICAL	Medical Supplies	28323	10/03/2025 10/20/2025	
PO BOX 7156	HENRYSH		10/03/2025	0.00
PASADENA	GF	0	00/00/0000	0.00
CA 91109-7156	47796523			20.51

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-872.00	MEDICAL SUPPLIES		20.51	0.00

HENRY SCHEIN MEDICAL	Medical Supplies	28319	10/10/2025 10/20/2025	
PO BOX 7156	HENRYSH		10/10/2025	0.00
PASADENA	GF	0	00/00/0000	0.00
CA 91109-7156	48087164			221.76

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-872.00	MEDICAL SUPPLIES		221.76	0.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
HENRY SCHEIN MEDICAL	Medical Supplies Fire Dept.	28326	10/14/2025	
			10/23/2025	
PO BOX 7156	HENRYSH		10/14/2025	0.00
PASADENA	GF	0	00/00/0000	0.00
CA 91109-7156	48205677			30.31

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-50-880.00	MAINTENANCE & SUPPLIES		30.31	0.00

HENRY SCHEIN MEDICAL	Medical Supplies	28327	10/14/2025	
			10/23/2025	
PO BOX 7156	HENRYSH		10/14/2025	0.00
PASADENA	GF	0	00/00/0000	0.00
CA 91109-7156	48220090			6.97

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-872.00	MEDICAL SUPPLIES		6.97	0.00

Check No. 0 Total: 406.11

Total for HENRY SCHEIN MEDICAL 406.11

KLAMATH RIVER FIRE COMPANY	Dillon Fire Accomodations	28315	10/10/2025	
			10/20/2025	
30330 WALKER ROAD	KLAMATH		10/10/2025	0.00
KLAMATH RIVER	GF	0	00/00/0000	0.00
CA 96050-9033				633.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-51-735.00	TRAVEL & TRAINING		633.00	0.00

Check No. 0 Total: 633.00

Total for KLAMATH RIVER FIRE COMPANY 633.00

LIFE ASSIST	Medical Supplies	28318	10/10/2025	
			10/20/2025	
11277 SUNRISE PARK DRIVE	LA		10/10/2025	0.00
RANCHO CORDOVA	GF	0	00/00/0000	0.00
CA 95742	1646079			110.13

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-872.00	MEDICAL SUPPLIES		110.13	0.00

LIFE ASSIST	Medical Supplies	28321	10/14/2025	
			10/20/2025	
11277 SUNRISE PARK DRIVE	LA		10/14/2025	0.00
RANCHO CORDOVA	GF	0	00/00/0000	0.00
CA 95742	1646997			313.45

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-872.00	MEDICAL SUPPLIES		313.45	0.00

LIFE ASSIST	Medical Supplies	28328	10/15/2025	
			10/23/2025	
11277 SUNRISE PARK DRIVE	LA		10/15/2025	0.00
RANCHO CORDOVA	GF	0	00/00/0000	0.00
CA 95742	1647266			51.10

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved

Vendor Name	Invoice Description1		Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2		PO No.	Pay Date	
Vendor Address	Vendor Number			Due Date	Taxes Withheld
City	Bank		Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number				Check Amount
50-45-872.00	MEDICAL SUPPLIES			51.10	0.00

Check No. 0 Total: 474.68

Total for LIFE ASSIST 474.68

MEAN GENE'S GAS	Bulk Fuel August		28339	09/01/2025	
				10/24/2025	
P O BOX 534	MGM			09/01/2025	0.00
FT JONES	GF		0	00/00/0000	0.00
CA 96032					3,514.81

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-41-865.10	GASOLINE		955.05	0.00
10-50-865.10	GASOLINE		184.27	0.00
10-50-865.20	DIESEL		246.05	0.00
10-60-865.10	GASOLINE		125.74	0.00
10-70-865.10	GASOLINE		17.15	0.00
40-30-865.10	GASOLINE		125.74	0.00
45-33-865.10	GASOLINE		125.74	0.00
50-45-865.10	GASOLINE		109.90	0.00
50-45-865.20	DIESEL		1,075.12	0.00
53-40-865.10	GASOLINE		550.05	0.00

MEAN GENE'S GAS	Bulk Fuel September		28340	10/01/2025	
				10/24/2025	
P O BOX 534	MGM			10/01/2025	0.00
FT JONES	GF		0	00/00/0000	0.00
CA 96032					2,507.78

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-40-865.10	GASOLINE		280.56	0.00
10-41-865.10	GASOLINE		114.74	0.00
10-50-865.10	GASOLINE		53.55	0.00
10-50-865.20	DIESEL		327.48	0.00
10-60-865.10	GASOLINE		55.10	0.00
10-70-865.10	GASOLINE		8.14	0.00
40-30-865.10	GASOLINE		55.10	0.00
45-33-865.10	GASOLINE		55.11	0.00
50-45-865.10	GASOLINE		56.67	0.00
50-45-865.20	DIESEL		1,131.24	0.00
53-40-865.10	GASOLINE		370.09	0.00

Check No. 0 Total: 6,022.59

Total for MEAN GENE'S GAS 6,022.59

MT. SHASTA AMBULANCE SERVICE	Ambulance Services		28317	10/15/2025	
				10/20/2025	
	MT. SHASTA			10/15/2025	0.00
MT. SHASTA	GF		0	00/00/0000	0.00
CA 96067					1,765.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-760.00	PROFESSIONAL & CONTRACT SERVCS		1,765.00	0.00

Check No. 0 Total: 1,765.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Total for MT. SHASTA AMBULANCE SERVIC 1,765.00

NBS GOVERNMENT FINANCE GROUP	Delinquency Management Service	28338	10/23/2025	
			10/23/2025	
32605 TEMECULA PARKWAY	NBS		10/23/2025	0.00
TEMECULA	GF	0	00/00/0000	0.00
CA 92592	202412-4224			32.07

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
47-33-760.00	PROFESSIONAL & CONTRACT SERVCS		32.07	0.00

Check No. 0 Total: 32.07

Total for NBS GOVERNMENT FINANCE GR(32.07

PRINTING SYSTEMS	Envelopes City Hall	28329	07/21/2025	
			10/23/2025	
12005 BEECH DALY	PS		07/21/2025	0.00
TAYLOR	GF	0	00/00/0000	0.00
CA 48180	238382			431.07

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-25-870.00	OFFICE SUPPLIES		143.69	0.00
40-30-870.00	OFFICE SUPPLIES		143.69	0.00
45-33-870.00	OFFICE SUPPLIES		143.69	0.00

Check No. 0 Total: 431.07

Total for PRINTING SYSTEMS 431.07

SIERRA SPRINGS	Water	28312	10/17/2025	
			10/20/2025	
PO BOX 660579	SISPRINGS		10/17/2025	0.00
DALLAS	GF	0	00/00/0000	0.00
TX 75266-0579	2431998 101725			26.48

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-25-870.00	OFFICE SUPPLIES		26.48	0.00

Check No. 0 Total: 26.48

Total for SIERRA SPRINGS 26.48

SISKIYOU COUNTY EDC	MOU October	28322	10/01/2025	
			10/20/2025	
1512 SOUTH OREGON ST	SCEDC		10/01/2025	0.00
YREKA	GF	0	00/00/0000	0.00
CA 96097	AR00000162			500.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-20-760.00	PROFESSIONAL & CONTRACT SERVCS		500.00	0.00

Check No. 0 Total: 500.00

Total for SISKIYOU COUNTY EDC 500.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

SISKIYOU COUNTY TAX COLLECTOR	Property Taxes	28330	11/01/2025	
			10/23/2025	
311 FORTH STREET ROOM 104	SC TAX		11/01/2025	0.00
YREKA	GF	0	00/00/0000	0.00
CA 96097-2944	023-471-190			107.88

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
45-33-785.00	PROPERTY TAXES	Sewer Ponds	107.88	0.00

SISKIYOU COUNTY TAX COLLECTOR	Property Taxes	28331	11/01/2025	
			10/23/2025	
311 FORTH STREET ROOM 104	SC TAX		11/01/2025	0.00
YREKA	GF	0	00/00/0000	0.00
CA 96097-2944	056-011-420			171.50

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
23-70-785.00	PROPERTY TAXES	Pool	171.50	0.00

SISKIYOU COUNTY TAX COLLECTOR	Property Taxes	28332	11/01/2025	
			10/23/2025	
311 FORTH STREET ROOM 104	SC TAX		11/01/2025	0.00
YREKA	GF	0	00/00/0000	0.00
CA 96097-2944	056-032-190			31.50

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-55-785.00	PROPERTY TAXES	Library	31.50	0.00

SISKIYOU COUNTY TAX COLLECTOR	Property Taxes	28333	11/01/2025	
			10/23/2025	
311 FORTH STREET ROOM 104	SC TAX		11/01/2025	0.00
YREKA	GF	0	00/00/0000	0.00
CA 96097-2944	056-051-010			63.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-55-785.00	PROPERTY TAXES	PD	63.00	0.00

SISKIYOU COUNTY TAX COLLECTOR	Property Taxes	28334	11/01/2025	
			10/23/2025	
311 FORTH STREET ROOM 104	SC TAX		11/01/2025	0.00
YREKA	GF	0	00/00/0000	0.00
CA 96097-2944	056-103-070			63.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-55-785.00	PROPERTY TAXES	LL Field	63.00	0.00

SISKIYOU COUNTY TAX COLLECTOR	Property Taxes	28335	11/01/2025	
			10/23/2025	
311 FORTH STREET ROOM 104	SC TAX		11/01/2025	0.00
YREKA	GF	0	00/00/0000	0.00
CA 96097-2944	056-151-020			63.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-55-785.00	PROPERTY TAXES	Museum	63.00	0.00

SISKIYOU COUNTY TAX COLLECTOR	Property Taxes	28336	11/01/2025	
			10/23/2025	
311 FORTH STREET ROOM 104	SC TAX		11/01/2025	0.00
YREKA	GF	0	00/00/0000	0.00
CA 96097-2944	056-161-150			63.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-55-785.00	PROPERTY TAXES	Fire Hall	63.00	0.00

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
SISKIYOU COUNTY TAX COLLECTOR	Property Taxes	28337	11/01/2025	
			10/23/2025	
311 FORTH STREET ROOM 104	SC TAX		11/01/2025	0.00
YREKA	GF	0	00/00/0000	0.00
CA 96097-2944	056-161-170			126.00

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-55-785.00	PROPERTY TAXES	City Hall	126.00	0.00

Check No. 0 Total: 688.88

Total for SISKIYOU COUNTY TAX COLLECT 688.88

Vendor Name	Invoice Description1	Ref No.	Discount Date	
TYLER TECHNOLOGIES INC	Fund Balance Migration	28320	10/08/2025	
			10/20/2025	
PO BOX 203556	TT		10/08/2025	0.00
DALLAS	GF	0	00/00/0000	0.00
TX 75320-3556	025-532082			171.47

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-25-735.00	TRAVEL & TRAINING		171.47	0.00

Check No. 0 Total: 171.47

Total for TYLER TECHNOLOGIES INC 171.47

Vendor Name	Invoice Description1	Ref No.	Discount Date	
WITTMAN ENTERPRISES, LLC	Ambulance Billing September	28325	10/21/2025	
			10/23/2025	
2540 EMPIRE DRIVE, STE #300	WE		10/21/2025	0.00
WINSTON-SALEM	GF	0	00/00/0000	0.00
NC 27103	2509467			2,354.86

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
50-45-760.00	PROFESSIONAL & CONTRACT SERVCS		2,354.86	0.00

Check No. 0 Total: 2,354.86

Total for WITTMAN ENTERPRISES, LLC 2,354.86

Total Invoices: 28

Grand Total:	15,442.51
Less Credit Memos:	0.00
Net Total:	15,442.51
Less Hand Check Total:	0.00
Outstanding Invoice Total:	15,442.51

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

Recap by Department

Department #	Department Name	Amount To Pay	Amount To Relieve
20	City Council	500.00	0.00
25	City Clerk	1,116.14	0.00
30	Water	324.53	0.00
33	Sewer	464.49	0.00
35	Community Development	511.30	0.00
40	Law Enforcement	1,262.70	0.00
41	Police - FJ Station	1,069.79	0.00
45	Ambulance Services	7,343.27	0.00
50	Fire Prevention	1,430.16	0.00
51	STRIKE TEAM/CONTRACTS	633.00	0.00
55	Governmental Buildings	409.50	0.00
60	Highways & Streets	180.84	0.00
70	Parks & Recreation	196.79	0.00
	Grand Total:	**15,442.51**	**0.00**

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount
US BANK CREDIT CARD	September Credit Card	28324	09/11/2025	
			09/11/2025	
	USBANK		09/11/2025	0.00
	EFT	304	09/11/2025	0.00
				4,683.64

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-40-735.00	TRAVEL & TRAINING	PD Training	212.50	0.00
10-40-760.00	PROFESSIONAL & CONTRACT SERVCS	Fullidentity	39.50	0.00
10-40-760.00	PROFESSIONAL & CONTRACT SERVCS	Fullidentity	24.00	0.00
10-40-870.00	OFFICE SUPPLIES	PD Envelopes	169.18	0.00
10-40-875.00	SPECIAL DEPT SUPPLIES & EQUIP	PD Gear	173.34	0.00
10-50-875.00	SPECIAL DEPT SUPPLIES & EQUIP	FD Special Supplies	269.99	0.00
10-50-875.00	SPECIAL DEPT SUPPLIES & EQUIP	FD Special Supplies	139.40	0.00
10-50-875.00	SPECIAL DEPT SUPPLIES & EQUIP	FD Special Supplies	143.61	0.00
10-60-880.00	MAINTENANCE & SUPPLIES	Asphalt	836.00	0.00
25-60-875.00	SPECIAL DEPT SUPPLIES & EQUIP	Asphalt	836.00	0.00
50-45-735.00	TRAVEL & TRAINING	Amb Training	99.00	0.00
50-45-860.00	VEHICLE MAINTENANCE	Amb Veh Maint.	160.28	0.00
50-45-875.00	SPECIAL DEPT SUPPLIES & EQUIP	Amb Special Supplies	1,195.00	0.00
53-40-735.00	TRAVEL & TRAINING	PD Training	212.50	0.00
53-40-875.00	SPECIAL DEPT SUPPLIES & EQUIP	PD Gear	173.34	0.00

Check No.	304	Total:	4,683.64 H
Total for	US BANK CREDIT CARD		4,683.64

Total Invoices: 1

Grand Total:	4,683.64
Less Credit Memos:	0.00
Net Total:	4,683.64
Less Hand Check Total:	4,683.64
Outstanding Invoice Total:	0.00

Recap by Department

Department #	Department Name	Amount To Pay	Amount To Relieve
40	Law Enforcement	1,004.36	0.00
45	Ambulance Services	1,454.28	0.00
50	Fire Prevention	553.00	0.00
60	Highways & Streets	1,672.00	0.00
	Grand Total:	**4,683.64**	**0.00**

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

WIRE WORKS LLC.	2024 Silverado Uplifiting	28341	06/30/2025	
			10/29/2025	
2525 COMMERCIAL ST NE	WIREWORKS		06/30/2025	0.00
SALEM	GF	0	00/00/0000	0.00
OR 97301	17183			1,503.21

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-40-860.00	VEHICLE MAINTENANCE		501.07	0.00
10-41-860.00	VEHICLE MAINTENANCE		501.07	0.00
53-40-860.00	VEHICLE MAINTENANCE		501.07	0.00

WIRE WORKS LLC.	2024 Silverado Uplifting	28342	06/30/2025	
			10/29/2025	
2525 COMMERCIAL ST NE	WIREWORKS		06/30/2025	0.00
SALEM	GF	0	00/00/0000	0.00
OR 97301	17184			3,192.18

GL Number	Description	Distribution Line Description	Invoice Amount	Amount Relieved
10-40-860.00	VEHICLE MAINTENANCE		1,064.06	0.00
10-41-860.00	VEHICLE MAINTENANCE		1,064.06	0.00
53-40-860.00	VEHICLE MAINTENANCE		1,064.06	0.00

Check No.	0	Total:	4,695.39
Total for	WIRE WORKS LLC.		4,695.39

Total Invoices: 2

Grand Total:	4,695.39
Less Credit Memos:	0.00
Net Total:	4,695.39
Less Hand Check Total:	0.00
Outstanding Invoice Total:	4,695.39

Recap by Department

Department #	Department Name	Amount To Pay	Amount To Relieve
40	Law Enforcement	3,130.26	0.00
41	Police - FJ Station	1,565.13	0.00
	Grand Total:	**4,695.39**	**0.00**

TALK, READ, SING, PLAY, EVERYDAY!
FIRST 5 Siskiyou
CHILDREN & FAMILIES COMMISSION

Siskiyou County
PROCLAMATION
18th ANNUAL "READ ACROSS SISKIYOU" 2025 EVENT

Sponsored By First 5 Siskiyou Children and Families Commission

WHEREAS, the ultimate goal of the First 5 Siskiyou Children and Families Commission is that all of Siskiyou's children from prenatal through 5 years of age will be healthy, ready to learn, and supported in safe, nurturing families and communities; and

WHEREAS, children in Siskiyou County from prenatal through 5 years of age have a successful start in life through daily reading with supportive and nurturing families, caregivers, educators and community leaders; and

WHEREAS, early literacy is the foundation for academic, social emotional, and economic success; and

WHEREAS, First 5 Siskiyou, in partnership with Siskiyou County Library, dedicates one day each year to promote early literacy by providing the same titled book to be read by guest readers to children in various preschools, kindergartens, child care settings, libraries and online events throughout Siskiyou County on the same day and provide each child with a copy of that book to take home.

THEREFORE, the City of Etna hereby proclaims November 12, 2025 as the 18th anniversary of "Read Across Siskiyou" and be it that this body enthusiastically endorses daily reading, singing and playing with children as a critical foundation for healthy development and life long success.

Signed: _____ Date:_____

Cliff Munson, Mayor, City of Etna

CAPC CHILD ABUSE PREVENTION COUNCIL OF SISKIYOU COUNTY

Siskiyou County Library

DKG International Society for Key Women Educators

City of Etna

RESOLUTION 2025-011

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ETNA AUTHORIZING INVESTMENT OF CITY OF ETNA MONIES IN LOCAL AGENCY INVESTMENT FUND (LAIF)

WHEREAS, Pursuant to Chapter 730 of the statutes of 1976, Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the City Council hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein as in the best interests of the City of Etna.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Etna does hereby authorize the deposit and withdrawal of City of Etna monies in the Local Agency Investment Fund in the State Treasury accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein.

BE IT FURTHER RESOLVED, that the following City of Etna officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

City Clerk	Pamela Eastlick
Mayor	Cliff Munson
Mayor Pro-Tem	Brandon Fawaz
Treasurer	Susan M. Marshall

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Etna at a regular meeting thereof held on November 3, 2025, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Cliff Munson, Mayor

ATTEST:

_____
Pamela Eastlick, City Clerk

City of Etna

RESOLUTION 2025-012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ETNA AUTHORIZING SIGNATORIES FOR THE MECHANICS BANK GENERAL FUND ACCOUNT

WHEREAS, the City Council hereby finds that the deposit and withdrawal of money in the Mechanics Bank General Fund Account Ending 0026 is necessary to conduct daily transactions of the City;

WHEREAS, the City Council requires two signatures on all checks and warrants coming from the Mechanics Bank General Fund Account;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Etna does hereby authorize the deposit and withdrawal of City of Etna monies in the Mechanics Bank General Fund Account;

BE IT FURTHER RESOLVED, that the following City of Etna officers or their successors in office shall be authorized signatories on the Mechanics Bank General Fund Account:

Councilmember: Jason Deppen
Councilmember: John Stacher
Councilmember: Matt Eastlick
Councilmember: Brandon Fawaz
Councilmember: Cliff Munson
Treasurer: Susan M. Marshall
City Clerk: Pamela Eastlick

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Etna at a regular meeting thereof held on November 3, 2025, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Cliff Munson, Mayor

ATTEST:

_____
Pamela Eastlick, City Clerk

CITY OF ETNA
STAFF REPORT TO CITY COUNCIL
November 3, 2025

GENERAL PLAN INTRODUCTION, LAND USE ELEMENT, SAFETY ELEMENT UPDATES

SUMMARY: The project consists of city-initiated updates to the General Plan Introduction, Land Use Element, and Safety Element. The Siskiyou County, California Local Hazard Mitigation Plan Update would be adopted into the Safety Element by reference.

REQUEST OF CITY COUNCIL: The City Council is being asked to: (1) Review draft updates to the General Plan Introduction, Land Use Element, and Safety Element; (2) Consider an exemption from the California Environmental Quality Act (CEQA); (3) Hold a public hearing to receive public comment; (4) Provide direction to staff regarding any desired changes; and (5) If no further revisions are desired, adopt the updates to the General Plan.

SUGGESTED MOTIONS: To adopt the updates, two suggested motions are provided below. Each motion should be made in sequence, with the second motion made only after the first motion has been successfully carried.

1) I move that we make the finding that the project does not have the potential to result in a significant adverse effect on the environment and is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3).

2) I move that we adopt Resolution 2025-010 to amend the General Plan Introduction, Land Use Element, and Safety Element and adopt the Local Hazard Mitigation Plan update by reference.

ENVIRONMENTAL RECOMMENDATION: Exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3).

ATTACHMENTS:

A. Draft Resolution 2025-010, A Resolution of the City Council of the City of Etna Amending the General Plan Introduction, Land Use Element, and Safety Element, and Adopting the Local Hazard Mitigation Plan by Reference.

Exhibit A - Draft Introduction to the General Plan Update, November 2025

Exhibit B - Draft Land Use Element Update, November 2025

Exhibit C - Draft Safety Element Update, November 2025

The 2025 Siskiyou County Local Hazard Mitigation Plan is available online at: https://siskiyou.maps.arcgis.com/sharing/rest/content/items/3c2dbd3ebfa74ff5bc87c95682767963/data

PROJECT OVERVIEW

In 2020, the City of Etna was awarded two planning grants (SB 2 and LEAP) from the California Department of Housing and Community Development (HCD) for the purpose of preparing and updating various planning documents to facilitate housing opportunities. Projects completed by the City with the

SB 2 and LEAP grants includes development of a water system model and assessment, an accessory dwelling unit ordinance, a fee study and planning fee update, and updates to the City of Etna General Plan Housing Element, Circulation Element, Noise Element, and Open Space and Conservation Element. In addition to the projects completed thus far, grant funding was awarded to update the remainder of the General Plan (i.e., the Introduction, Land Use Element, and Safety Element) and to update the Zoning Code consistent with the General Plan update. Grant funding was requested to update the General Plan because the General Plan was last comprehensively updated in 2005,[1] and as described in the General Plan, it "addresses planning in Etna through year 2024."

As part of the City's efforts to ensure the City's General Plan update reflects the voice of the community, the community was surveyed at the beginning of the General Plan update process and the City Council hosted series of public workshops and public hearings to discuss the various components of the General Plan update. The draft updates to the General Plan Introduction and Land Use Element were presented for discussion at a public workshop on May 27, 2025, and the draft Safety Element update was presented for discussion at a public workshop on August 25, 2025.

The sections below summarize the draft updates to the General Plan Introduction, Land Use Element, and Safety Element, and the drafts are included in their entirety as **Exhibits A, B,** and **C** to draft Resolution 2025-010 (**Attachment A**).

GENERAL PLAN INTRODUCTION

The draft Introduction to the General Plan describes the purpose of the General Plan; identifies and establishes the planning area; summarizes state mandates for the General Plan; details the scope and intended use of the General Plan; describes the relationship of the General Plan to the Zoning Code and Subdivision Ordinance; identifies the contents of General Plan elements; briefly describes the history of the General Plan; provides for future general plan amendments; and identifies the key planning strategies used in developing the General Plan. Unlike the General Plan elements, the Introduction does not include policies or programs. There have been no changes to the draft Introduction since being presented for review and discussion at a public workshop on May 27, 2025.

LAND USE ELEMENT

The draft Land Use Element incorporates the issues, opportunities, and constraints identified throughout the General Plan in an effort to balance those issues, opportunities, and constraints with the community's goals for its future development, and to ensure an adequate supply of residential, commercial, mixed use, manufacturing, public agency, and other lands to meet the foreseeable needs of the community. Included in the draft Land Use Element is an analysis of the City's historic and anticipated population growth; a description of the general distribution of land uses in the City; density and intensity standards for development; community design considerations; a discussion regarding the Sphere of Influence; an assessment of potential disadvantaged unincorporated communities (DUCs) pursuant to Senate Bill 244 (2011); and a list of potential infrastructure funding sources. Also included are new and updated maps and a refinement of goals, policies, and programs for the purpose of:

- Meeting the housing, employment, service, and social needs of the existing and future population.
- Conserving and enhancing Etna's rural small-town character.
- Establishing a strong economic base that provides more job opportunities for residents of the city.
- Providing for sustainable planned growth in the planning area balanced with preservation and protection of the viability of agricultural areas surrounding the city.

[1] The Housing Element receives periodic updates in accordance with statutory timelines.

At the public workshop on May 27, 2025, it was discussed that a Rural Residential land use classification and zoning district would be applied to a small number of large parcels used for agriculture and which are affected by 100-year floodplain and/or identified as containing potential wetlands, provided the owners of those properties supported the change. Of the six property owners and property owners' representatives that planning staff reached out to regarding the change to Rural Residential, only two requested that the change be made to their properties (see **Table 1**). As such, **Figure 2-14, Land Use Map** in the draft Land Use Element has been revised accordingly.

Table 1, Parcels with Rural Residential Land Use Designation

APN	Owner	Current Designation	Acres (approx.)
056-191-140	Williamson	Low Density Residential	17.2
		Industrial	
056-181-250		Low Density Residential	0.1
056-221-070		Low Density Residential	4.1
056-274-050	Brown	Low Density Residential	4.8
056-274-040		Low Density Residential	8.3
		High Density Residential	

SAFETY ELEMENT

The purpose of the Safety Element is to promote public safety and the protection of residents and property through identification of natural and human-derived hazards with the potential to impact the City, by incorporating identified hazard and risk considerations into the land use planning process, and through the inclusion of strategies to mitigate such hazards to the extent feasible.

Specifically, California Government Code Section 65302(g) requires that each city and county develop a Safety Element, "... for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards ... and other geologic hazards known to the legislative body; flooding; and wildland and urban fires." The Safety Element must also identify residential developments in hazard areas lacking sufficient emergency egress; include mapping of known fire, flood, and seismic and other geologic hazards; and address evacuation routes, military installations, water supply requirements, and minimum road widths and clearances around structures as they relate to fire and geologic hazards. Climate change impacts and adaptation strategies must be addressed in the Safety Element or through adoption of a Local Hazard Mitigation Plan or other document that includes this information. The draft Safety Element has been prepared in accordance with state planning law, and in coordination with the recent Siskiyou County, California Local Hazard Mitigation Plan Update (LHMP). The draft Safety Element incorporates the LHMP by reference.

The LHMP was developed through a collaborative planning process undertaken by the County of Siskiyou and several participating cities and special districts in Siskiyou County. In addition to the City of Etna, planning partners with the County included the cities of Dorris, Yreka, Weed, Mt. Shasta, Montague, Tulelake, and Dunsmuir, the Town of Fort Jones, Lake Shastina Community Services District (CSD), Happy Camp CSD, and McCloud CSD. The LHMP establishes goals, identifies potential hazards, analyzes and ranks risks, describes mitigation strategies to minimize losses, and provides general timelines for implementation of initiatives that will be undertaken by the County and its planning partners to mitigate the effects of natural hazards and improve resiliency for the future.

Disaster Mitigation Act of 2000

The LHMP was prepared pursuant to the requirements of the Disaster Mitigation Act of 2000 (DMA 2000). The DMA 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to require that local governments have hazard mitigation plans in place prior to receiving Federal Emergency Management Agency (FEMA) mitigation grants. The DMA 2000 also established criteria for LHMPs that must be complied with in order for local jurisdictions to qualify for federal disaster assistance and hazard mitigation funding under the Stafford Act. The LHMP was reviewed by FEMA earlier this year and was tentatively approved by FEMA pending adoption by the participating jurisdictions. Accordingly, once the LHMP has been adopted by Etna and the City has notified FEMA of its adoption, the City will be eligible for federal disaster assistance, including FEMA Pre-Disaster Mitigation, Hazard Mitigation Grant Programs, and Flood Mitigation Assistance Program. Access to FEMA assistance is of critical importance in preparing for and mitigating hazards, as well as during post disaster recovery.

AB 2140 (2006)

Passed in 2006, Assembly Bill No. 2140 (AB 2140) allows California counties and cities to be considered for additional state cost-share on eligible Public Assistance projects by adopting their FEMA-approved LHMP into the Safety Element. This adoption, along with other requirements, makes the county or city eligible to be considered for part or all of its local-share costs on eligible Public Assistance projects to be provided by the State through the California Disaster Assistance Act (CDAA). Among the requirements that must be met to qualify for additional funding under AB 2140, the local agency must include specific language in the Safety Element and make the LHMP easily accessible in its entirety as a weblink, appendices, or attachment. The required language is included in Section 7.4.1, Local Hazard Mitigation Plan, on page 7-3 of the draft Safety Element, and a weblink to the LHMP is provided in Section 7.8, References.

In accordance with state law, the draft Safety Element was submitted for review to the California Geological Survey (CGS) and State Board of Forestry and Fire Protection (BOF). On September 24th, the BOF indicated by way of an email and checklist that the BOF had reviewed the draft Safety Element and that it addresses all fire-related requirements of state planning law. The statutory timeline for comments from the CGS passed with no comments received. No late comments were received either.

Because the City has not yet adopted the Fire Hazard Severity Zone Map recommended by the State Fire Marsal, references to the VHFHSZ in the draft Safety Element have been revised from "designated" to "identified by the State Fire Marshal" or a similar rephrasing. No other substantive changes were made to the draft Safety Element following the August workshop.

The City's draft Safety Element update is included as **Exhibit C** to **Attachment A**, and the 2025 Siskiyou County Local Hazard Mitigation Plan is available online for download at: https://siskiyou.maps.arcgis.com/sharing/rest/content/items/3c2dbd3ebfa74ff5bc87c95682767963/data.

ENVIRONMENTAL RECOMMENDATION

Planning staff is recommending that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3). Section 15061(b)(3) is better known as the "common sense exemption" in that it states CEQA only applies to projects that have the potential for causing a significant effect on the environment. Staff recommends a Section 15061(b)(3) exemption because the issues and concerns addressed by CEQA have been integrated throughout the City's General Plan update and considerable attention has been given throughout the project to ensuring efficient use of land and resources, improving land use compatibility, and safeguarding the community and the environment. Further, the project does not provide for increased densities or intensities of development beyond what is presently provided for in the General Plan and/or Zoning Code; does not

directly or indirectly allow any activity, land use, or conversion to occur with the potential to substantially impact the public or environment; does not have the potential to cause a significant adverse effect on the environment; and does not have the potential to:

- Have significant cumulative impacts in the same place over time;
- Have a significant effect on the environment due to unusual circumstances;
- Result in damage to scenic resources within a highway officially designated as a state scenic highway;
- Occur on a hazardous waste site on any list compiled pursuant to Section 65962.5 of the Government Code; or
- Cause a substantial adverse change in the significance of a historical resource.

If the City Council concurs with the environmental recommendation made by staff, it should make the finding that the project is exempt from CEQA prior to approving the project. As such, a finding to this effect has been included in the first suggested motion on page one of this staff report, and it has been incorporated into the draft resolution prepared for the City Council's consideration.

STAFF RECOMMENDATION

Planning staff recommends that the City Council consider the totality of the record before it, including all comments presented at the public hearing, and should the City Council determine that the project as proposed would not have a significant impact on the environment, staff recommends the City Council consider the following actions:

- **Adopt** the recommended CEQA Exemption; and
- **Adopt** Draft Resolution 25-010, A Resolution of the City Council of the City of Etna Amending the General Plan Introduction, Land Use Element, and Safety Element, and Adopting the Local Hazard Mitigation Plan by Reference.

ATTACHMENT A

DRAFT RESOLUTION 2025-010

RESOLUTION 2025-010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ETNA AMENDING THE GENERAL PLAN INTRODUCTION, LAND USE ELEMENT, AND SAFETY ELEMENT, AND ADOPTING THE LOCAL HAZARD MITIGATION PLAN BY REFERENCE

WHEREAS, the City of Etna was awarded a SB 2 Planning Grant (19-PGP-13888) and a Local Action Planning Grant (20-LEAP-14926) from the California Department of Housing and Community Development to prepare and update various planning documents to facilitate housing opportunities; and

WHEREAS, included in the grant awards was funding to update the City of Etna General Plan to ensure that it meets current state requirements, continues to represent the community's vision for itself, and provides the guidance necessary to accomplish this vision; and

WHEREAS, the City of Etna utilized its SB 2 and LEAP grants to prepare and adopt updates to the General Plan Housing Element, Noise Element, Circulation Element, and Open Space & Conservation Element, in addition to other projects; and

WHEREAS, the City of Etna further utilized its SB 2 grant to prepare updates to the General Plan Introduction, Land Use Element, and Safety Element; and

WHEREAS, updates to the General Plan make inclusion of the City's Public Facilities Element (2004) no longer necessary; and

WHEREAS, draft updates to the General Plan Introduction and Land Use Element were presented for discussion at a public workshop on May 27, 2025; and

WHEREAS, the draft update to the Safety Element was presented for discussion at a public workshop on August 25, 2025; and

WHEREAS, the draft Safety Element was prepared in coordination with the Siskiyou County, California Local Hazard Mitigation Plan Update; and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities; and

WHEREAS, the City of Etna acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds; and

WHEREAS, the Siskiyou County, California Local Hazard Mitigation Plan Update was developed by the County of Siskiyou in cooperation with multiple local agencies, including the City of Etna, and the citizens of Siskiyou County; and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Siskiyou County, California Local Hazard Mitigation Plan Update; and

WHEREAS, the Siskiyou County, California Local Hazard Mitigation Plan Update recommends mitigation activities that will reduce losses to life and property affected by natural hazards; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has reviewed and determined that the Siskiyou County, California Local Hazard Mitigation Plan Update is eligible for approval pending adoption by the County of Siskiyou and participating jurisdictions; and

WHEREAS, the Siskiyou County, California Local Hazard Mitigation Plan Update is most-appropriately adopted into the Safety Element of the City of Etna General Plan consistent with AB 2140 and California Government Code Sec. 65302.6; and

WHEREAS, the draft Safety Element incorporates the Siskiyou County, California Local Hazard Mitigation Plan Update by reference; and

WHEREAS, a notice of public hearing of the City Council for the updates to the General Plan Introduction, Land Use Element, and Safety Element was provided in accordance with California Government Code Sec. 65090 et seq; and

WHEREAS, on November 3, 2025, planning staff presented oral and written staff reports on the project at a special meeting of the City Council; and

WHEREAS, on November 3, 2025, the Mayor of the City Council opened the duly noticed public hearing to receive testimony both oral and written, following which the Mayor closed the public hearing and the City Council discussed the updates prior to taking action on the project; and

WHEREAS, the City Council found that the project would not have a significant adverse effect on the environment, and that the project is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Etna adopts the amendments to the General Plan Introduction, Land Use Element, and Safety Element contained in "Exhibit A," "Exhibit B," and "Exhibit C" attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the City Council of the City of Etna repeals the previously adopted Public Facilities Element (2004).

BE IT FURTHER RESOLVED that the City Council adopts the Siskiyou County, California Local Hazard Mitigation Plan Update by reference as the official hazard mitigation plan of the City.

BE IT FURTHER RESOLVED that the respective officials and agencies identified in the implementation strategy of the Siskiyou County, California Local Hazard Mitigation Plan Update are hereby directed to implement the recommended activities assigned to them.

IT IS HEREBY CERTIFIED that the foregoing Resolution 2025-010 was duly adopted on a motion by _____ and seconded by _____ at a regular meeting of the City of Etna City Council held on the 3rd day of November 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ETNA CITY COUNCIL

_____

Cliff Munson, Mayor

WITNESS, my hand and seal this 3rd day of November 2025

_____

Pamela Eastlick, City Clerk

EXHIBIT A to RESOLUTION 2025-010

GENERAL PLAN INTRODUCTION

Exhibit A to Resolution 2025-010

CITY OF ETNA

INTRODUCTION TO THE GENERAL PLAN

NOVEMBER 3, 2025

CITY OF ETNA
442 MAIN STREET
ETNA, CA 96027

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1.2 PURPOSE OF THE GENERAL PLAN

California state law requires that each city and county adopt a general plan "for the physical development of the county or city, and any land outside its boundaries which in the planning agency's judgment bears relation to its planning" (Government Code Section 65300). General plans must also cover a wide range of topics of community importance, such as housing, safety, transportation, etc., with which to direct development of the city or county relative to those issues. In doing so, the policies in general plans serve as the foundation upon which all city and county land use decisions are based. However, general plans are more than policy documents. They also reflect the vision, values, and priorities of a community. They define what is unique and special about the community that should be preserved, and they identify strategic ways to improve the quality of life for the community's residents and businesses.

1.2 THE PLANNING AREA

The City of Etna is located in southwestern Siskiyou County along State Route 3 in northern California, approximately 27 miles south of the county seat of Yreka. The City covers an area of approximately 0.76 square miles, or 488 acres, in the Scott Valley, an approximately 64,000-acre pastoral valley known for its historic gold rush communities, agricultural heritage, and scenic vistas. The City is situated at the western edge of the Scott Valley at an elevation of 2,936 feet. Rugged, heavily forested terrain borders the planning area to the west/southwest and fertile valley floor borders it to the east. The topography of the City slopes gently to the northeast. Johnson Creek cuts through a portion of Etna in the north and Etna Creek borders the City to the south. An aerial overview of the City and its location in the State are shown in **Figure 1-1** below. According to the U.S. Census, Etna had 678 residents in the year 2020, or roughly 1.5 percent of the population of Siskiyou County at the time. Most recently, the California Department of Finance estimated the City's population to be 662 residents in 2025.[1]

A general plan must include all of the territory within the boundaries of the jurisdiction for which the plan is adopted. It should also include any area outside the jurisdiction which, in that jurisdiction's judgment, bears a relation to its planning concerns. Since many planning and development issues cross over political boundaries, California planning law provides for extraterritorial planning. This is a process by which a city can indicate to neighboring jurisdictions its concern for the future use of land and resources adjacent to the city. As it pertains to the City of Etna's planning area, the Siskiyou Local Agency Formation Commission (LAFCo) has adopted a "sphere of influence" for Etna, which represents the City's probable ultimate physical boundary and service area. The City's sphere of influence includes approximately 555 acres or 0.87 square miles and is shown on **Figure 2-15** in the Land Use Element. The planning area for Etna includes all area within the incorporated city boundaries as well as the City's sphere of influence.

TABLE 1-1
CITY OF ETNA PLANNING AREA

Area	Square Miles	Acres
City Limits	0.76	486
Sphere of Influence	0.87	555
Total Planning Area	**1.63**	**1,041**

[1] Each of the General Plan elements includes additional background information pertinent to the topic being discussed. For a detailed description of the City's demographics, please refer to the Housing Element.

1.3 STATE MANDATES FOR THE GENERAL PLAN

In addition to requiring that every city and county adopt a general plan, state law requires that each jurisdiction's general plan be long-range, comprehensive, internally consistent, and that specific topics relevant to the physical development of the community be addressed. As specified in Government Code Section 65302, the specific topics that must be addressed are: land use, housing, circulation, noise, open space, conservation, and safety.[2] Each topic has traditionally been treated to its own chapter, or element, of the general plan, however, general plans may be "adopted in any format deemed appropriate or convenient by the legislative body, including the combining of elements" (Government Code Section 65301). Some elements like the land use element encompass a number of planning issues while others, such as the noise element, address a more specific topic. Because conditions are likely to vary from community to community, the relevance and importance of each issue are likely to differ as well.

1.4 SCOPE OF THE GENERAL PLAN

Since general plans affect current and future generations, state law requires general plans to take a "long-term" perspective, typically 10 to 20 years into the future. This General Plan addresses planning for Etna through the year 2045. Some issues, however, are of such importance to the community and the State that certain elements must be reviewed and updated regularly. In particular, the Housing Element must be updated every eight years, the Safety Element is required to be updated following updates to the Local Hazard Mitigation Plan (i.e., typically every five years), and the Land Use Element is to be revisited annually and updated, as needed, in response to changes to flood hazard maps. In addition, the City may determine in the future that, due to changing circumstances and opportunities, various amendments or a comprehensive revision of the General Plan may be warranted prior to 2045.

1.5 USE OF THE GENERAL PLAN

The City of Etna General Plan is intended to serve as a tool to assist the City Council, staff, and other city commissions and committees in their decision-making and when formulating and implementing community guidelines and policies. It is further intended to:

- Provide guidance on long-range development issues;
- Provide consistent city policy and direction over the life of the General Plan;
- Allow public agencies and private parties to design their projects consistent with city objectives;
- Provide a basis for judging whether development proposals and public works projects are in harmony with the City's long-range goals; and
- Facilitate agreement among different agencies as projects are proposed in the unincorporated portions of the City's planning area.

While the State-mandated general plan requirements emphasize planning for the physical development of the City, the General Plan also endeavors to support the social and economic well-being of city residents and businesses. As such, in developing the General Plan's goals policies, and programs, attention has been given to the effect they may have on Etna's

[2] Cities and counties that have "disadvantaged communities," as defined in Government Code Section 65302(h)(4)(a), are also required to address environmental justice concerns in their general plans. There are no "disadvantaged communities" within the City of Dorris' planning area.

households, its businesses, to future employment opportunities in the community, and to the City's costs and revenues. When utilizing the General Plan, it is important that such interests continue to be evaluated and weighed as part of the City's decision-making process.

1.6 RELATION TO THE ZONING CODE

The City's General Plan is the foundation upon which all city land use decisions are based, and the Zoning Code is required by state law to be consistent with it. The General Plan's land use classifications, as outlined in the Land Use Element, are related to the City's zoning districts, but they serve separate purposes. For instance, more than one zoning district can occur within a single land use classification provided the densities and unit types allowed in each zoning district are consistent with the larger land use classification. Boundaries of land use classifications depicted on the Land Use Map may also be more generalized, while zoning boundaries are intended to be precise and parcel specific.[3]

Because general plans are long-range planning documents, they are also broader in scope than zoning regulations, which are more detailed and include development standards not included in the general plan (e.g., minimum setbacks, building height limits, off-street parking requirements, sign restrictions, etc.). Those standards, however, must still be consistent with and support implementation of the General Pan. Where there are inconsistencies between a city's general plan and its zoning ordinance, state law allows a "reasonable time" for reconciling these differences following a general plan update. The City anticipates that any inconsistencies between the General Plan and Zoning Code will be addressed within the first two years following adoption of the General Plan update.

1.7 RELATION TO THE SUBDIVISION ORDINANCE

The California Government Code specifies that cities must not approve a proposed subdivision or parcel map unless the project, including its design and proposed improvements, is consistent with the General Plan. The City is required to deny approval of any tentative or final subdivision maps not consistent with the goals, policies, and programs of the General Plan.

1.8 CONTENT OF GENERAL PLAN ELEMENTS

Each element of the General Plan contains: 1) a statement concerning the legal basis for the element; 2) a brief narrative of background issues to provide context for the topics being addressed; and 3) goals, policies, and/or programs to address the issues identified.

State planning law stipulates that specific background information be adopted for certain elements (e.g., housing elements and safety elements) as part of each general plan. Background information supporting the other elements may be adopted by reference or summarized, but it should be readily available to the decision-makers and citizens alike. Local hazard mitigation plans, for instance, are normally adopted by reference as part of a general plan's safety element and made available on a jurisdiction's website.

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[3] In developing both the City's Land Use Map and Zoning Map, the City utilized information developed by the County of Siskiyou. The County notes that its maps are "prepared for informational purposes only. Lines, roads, topography, culture, and other planimetric features shown on this mapping are compiled from many different sources and may not be, necessarily, current or reliable." Neither the County of Siskiyou nor the City of Etna assumes liability for the accuracy of the data shown.

The following terms apply within this General Plan:

Goal: A declaration of the ideal future state of the community with regard to the issue being addressed (e.g., "An economically vibrant downtown").

Policy: A specific statement that guides decision-making. It is based on and helps to achieve a goal (e.g., "The City offers a variety of incentives to retain and attract businesses to the downtown, including low interest loans and fee waivers."). For a policy to be useful, it should be clear and unambiguous.

Program: A measure or action that the City intends to take to support and/or carry out a policy of the General Plan (e.g., Apply for CDBG economic development funds to support business retention and development along Main Street"). It has been observed that a few well-conceived measures will usually accomplish more than a long list of possibilities.

1.9 ETNA GENERAL PLAN HISTORY

The earliest general plan for the City consisted of a map depicting land use designations, and a zoning ordinance specifying permitted uses in each land use designation. In 1978, a new general plan was drafted with the intent of complying with state planning law in effect at the time. Although that draft was never adopted, much of the 1978 draft served as the background for development of the City's 1987 general plan. In 2004, the City prepared a minor update to the 1987 general plan to reflect current issues, legal requirements, and community input. Regular updates to the Housing Element, as required by state law, were made along the way.

Due to the City's use of multiple planning grants with differing timelines to prepare this General Plan, the most recent update occurred in phases between 2024 and 2025. The update consisted of a comprehensive overhaul and technical update of each element of the General Plan to ensure the Plan meets current state requirements, represents the community's vision for itself, and provides the guidance necessary to accomplish this vision. Importantly, the General Plan was enhanced with additional background information, graphics, and diagrams to ensure the Plan remains useful well into the future.

1.10 FUTURE GENERAL PLAN AMENDMENTS

It should be noted that the programs in the General Plan are not intended to be exclusive. That is, the City may undertake any activities that are consistent with and further implementation of the General Plan without needing to amend the Plan. At the same time, the General Plan is a living document, and it should be updated periodically (1) as circumstances change, (2) in response to changes to state or federal law, or (3) to modify policies that may become obsolete or unrealistic over time. For example, each year the City prepares a general plan annual progress report in accordance with Government Code Section 65400 that is presented to the City Council for review and acceptance prior to submittal to the State. The general plan annual progress report serves as a useful opportunity for the City to reflect upon the goals, policies, and programs contained in the General Plan to better assess where the City has been successful in meeting its objectives, where it could possibly do better, and if applicable, where changes to the General Plan or direction of the City should occur. At times like these, the City may identify the need for new programs or changes to existing programs that were not anticipated at the time the General Plan was adopted. The fact that these measures were not identified prior to the Plan's adoption does not make them inconsistent with it. The critical test for the inclusion of new or amended goals, policies, and programs is whether the changes are consistent with the remainder of the General Plan.

While the City anticipates little need for regular amendments to the General Plan, amendments to the General Plan may be made up to four times a year, and each amendment may include more than one change to the Plan. Minor changes or updates to background information that do not affect land use classifications or adopted goals, policies, or programs are not considered General Plan amendments.

1.11 KEY PLANNING STRATEGIES

The key planning strategies used in the development of the General Plan are as follows:

Compact Growth. The General Plan seeks to achieve the City's growth needs for the current planning period entirely within the existing city limits. Thus, the Plan emphasizes infill development and mixed-use development in the historic town center.

Downtown Revitalization. The General Plan seeks to encourage a broad array of retail, professional, entertainment, residential, social, civic, and other uses that contribute to a vibrant, pedestrian-friendly environment in a centrally located area of the City through the introduction of a mixed use land use classification that provides for a compatible mixture of residential and nonresidential uses.

Accessible and Walkable City. The General Plan emphasizes a balanced, multimodal transportation system that includes expansion of the existing walking and bicycling network, and improved access to public transit and paratransit.

Diversity of Housing Choices. The General Plan provides for a wider range of housing types than previously permitted by right in the City, as well as areas of mixed-use development to facilitate production of a range of housing types to meet the needs of people of all incomes, abilities, and stages of life, with a focus on affordable housing and improved access to economic opportunities.

Preservation of Natural Resources. The General Plan introduces a Natural Resources Constraints map to help guide and assure a sensitive form of development that protects identified natural resources, preserves biodiversity and important natural habitats, and reduces hazards due to flooding.

Preparation, Adaptation, and Resiliency. The General Plan seeks to prepare for and protect the City and its residents from potential hazards, in part through the Plan's strategies to reduce greenhouse gas emissions and through programs that better prepare the community for natural hazards and the effects of climate change.

1.12 REFERENCES

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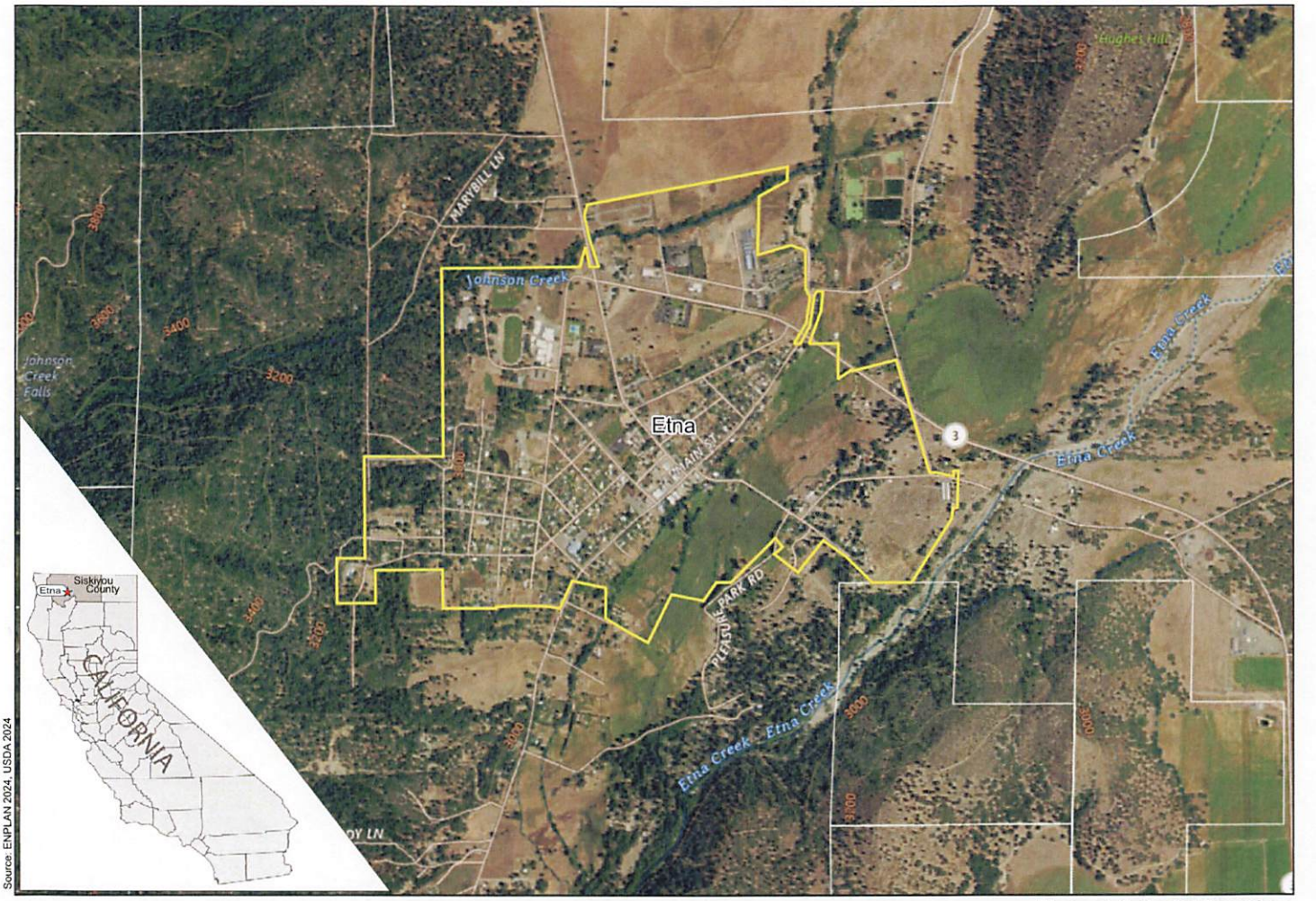


Figure 1-1, Aerial Overview

EXHIBIT B to RESOLUTION 2025-010

LAND USE ELEMENT

Exhibit B to Resolution 2025-010

CITY OF ETNA

GENERAL PLAN LAND USE ELEMENT

NOVEMBER 3, 2025

CITY OF ETNA
442 MAIN STREET
ETNA, CA 96027

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2.1 INTRODUCTION

The Land Use Element of the General Plan has the broadest scope of all seven required elements. The Land Use Element incorporates the issues, opportunities, and constraints identified throughout the General Plan in an effort to balance them with the community's goals for its future development. Together the Land Use Element and the Land Use Map designate the planned location, distribution, and extent of land uses to shape the future physical development of the community. The Land Use Element sets forth specific goals, policies, and programs to guide land use for the City of Etna through 2045.

2.2 STATUTORY REQUIREMENTS

The Land Use Element is one of seven state-mandated elements of the General Plan. Specifically, California Government Code Section 65302(a) requires that a city's general plan include:

> A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, greenways, . . . and other categories of public and private uses of land. . . The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan.[1]

Also, while certain land uses may be expressed generally, property owners must be able to identify their property's land use classification on the General Plan Land Use Map.

2.3 POPULATION TRENDS

Population projections play an important role in the formulation of land use plans. The distribution and extent of land use classifications, including the need for supporting public facilities and services, is largely based on the expected demands of the projected population. And while population projections are based on assumptions about future demographic trends, they are informed through changes in population from past to present.



Figure 2-1, Main Street (ca 1910)

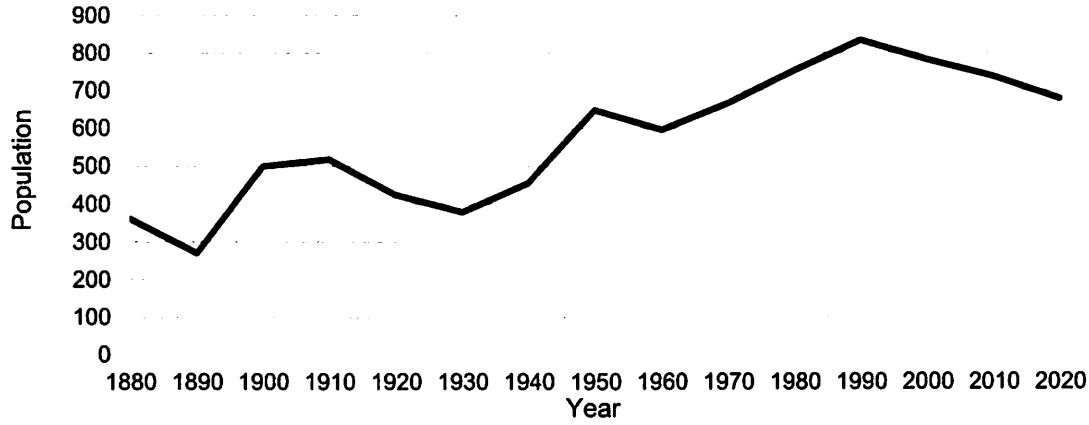
2.3.1 Population Past to Present

Following the development of a sawmill and the first housing in Etna's future townsite in 1853, a flour mill in 1855, and more housing in 1856, the settlement of Rough and Ready was born. By 1858, the community had grown to include a

[1] State law also requires that the Land Use Element consider the potential impact of new growth on military readiness. Because there are no areas adjacent to military installations, military training routes, or underlying restricted airspace within the City's planning area, the Land Use Element does not discuss these considerations.

general store, a hardware store, two flour mills, two blacksmith shops, two livery stables, two hotels, and other small businesses. When the nearby community and commercial center of Aetna Mills was badly damaged by a flood in 1861-62, its residences, businesses, and post office were relocated to Rough and Ready, fueling growth of the community. To accommodate a growing population, the area west of Main Street was drained, streets and blocks were mapped out, and new home sites were established. In 1874, the community of Rough and Ready changed its name to Etna, and not long thereafter the City of Etna incorporated (1878). By the time of the City's first census in 1880, Etna's population had grown to 361. Etna's population at the time of each decennial census since then is shown in **Figure 2-2** below.

Figure 2-2, City of Etna Historic Population: 1880-2020



Source: Department of Finance, Historical Census Populations: 1850-2020

As shown in **Figure 2-2**, the size of Etna's population has fluctuated throughout the City's history, occasionally with relatively significant swings. Due to the importance of gold mining in the Scott Valley from Etna's beginning until World War II, it is anticipated that much of the change in population in Etna's early years was tied to United States monetary policy relative to gold (e.g., adoption and abandonment of the gold standard) and the impact it and other significant global events had on gold mining in the region. Whatever the cause, following departure from the gold standard in the early 1930s, the City's population experienced a period of mostly sustained growth that lasted until the mass closure of lumber mills in the region in the 1980s and 1990s. With the resultant impacts to the economy, many younger persons and families relocated. The size of the City's population has continued to fall since then, the average age of the population is now older, and there are typically fewer persons per household as a result. Changes in population and household size since 1990 are reflected in greater detail in **Table 2-1** below.

Table 2-1
City of Etna Population: 1990 - 2020

Year	Population	Percent Change	Median Age	Persons per Household
1990	835	+ 10.7	--	2.63
2000	781	- 6.5	43.6	2.37
2010	737	- 5.6	48.5	2.26
2020	678	- 8.0	45.7	2.15

Source: U.S. Census Bureau Decennial Census of Population and Housing (1990-2020)

As shown in **Table 2-1**, the U.S. Census Bureau estimates that there were 157 fewer people living in Etna in 2020 than there were 20 years prior. This is equivalent to a population loss of 18.8 percent over the 20-year period and an annual loss of approximately 0.69 percent. Most recently, the California Department of Finance estimated the City's population to be 662 in 2025.

2.3.2 Population Projections

Making population projections over the next 20 years is difficult when dealing with a population base as small as that of Etna, and the State does not publish projections for small cities. Nevertheless, the California Department of Finance projects that the population of Siskiyou County as a whole will decrease by approximately 9.2 percent between 2020 and 2045. This is equivalent to an annual population loss of 0.384 percent. Should the projected population loss be experienced equally throughout the County, it would result in 79 fewer residents in Etna by the end of the planning period. The City's population last reached this level in the 1930s.

Making population projections over the next 20 years is difficult when dealing with a population base as small as that of Etna. The State does not publish projections for Ena, however, the California Department of Finance projects that the population of Siskiyou County as a whole will decrease by approximately 9.2 percent between 2020 and 2045. This is equivalent to an annual population loss of 0.38 percent. Should the projected population loss be experienced equally throughout the County, the City of Etna would have a population of 619 in 2044.

While the State's population projections for Siskiyou County are not favorable, and it is evident that the population growth that occurred in the past is unlikely to return without economic recovery, Etna remains an attractive place for families and retired persons seeking a rural, small-town lifestyle. Should new industries take hold and the region's economy recover, Etna would make an attractive community for new businesses and their employees. Further, the addition of a small apartment complex or new subdivision could easily attract residents, potentially adding 30 to 50 people to the community within a few years. The addition of 50 people to a population of 678 would represent a growth spike of approximately 7.4 percent. Such changes are possible given the strong demand for housing, despite the scarcity of better-paying jobs in the region.

For the reasons noted above, **Table 2-2** below projects two growth rates. The "positive" projection assumes a 0.85 percent annual growth rate over the planning period, while the "negative" projection assumes a 0.45 percent annual decrease. For perspective, between 1990 and 2020 the City's population decreased annually by approximately 0.69 percent. Based on the city's historical growth rates and recognizing the still recovering condition of the regional economy, a 0.85 percent annual growth rate may not be reflective of actual future growth potential. Nevertheless, planning for a slightly higher growth rate ensures that the City can accommodate the development when economic conditions in the region improve, and it helps to ensure the availability of land to accommodate future growth.

Table 2-2
City of Etna Population Projections: 2025-2045

Year	0.85% Annual Growth	0.45% Annual Decrease
2025	662	662
2030	691	647
2035	720	633
2040	752	619
2045	784	605

Over the planning period, the "positive" projection results in a population increase of approximately 18.4 percent, or 122 persons, and the "negative" projection results in a decrease of approximately 8.6 percent, or 57 persons. While it is reasonable to expect the population to increase or decrease within this range, for the reasons previously noted, making projections over the next 20 years is difficult at best. Nevertheless, under the "positive" growth projection above, the population of Etna would rebound to previous levels such that the City's existing infrastructure should be able to accommodate much of the community's foreseeable development needs. However, should positive population growth occur at a significantly faster rate than noted above, the City will want to review the General Plan to determine if amendments to the Plan are needed to accommodate the greater population and the effects of accelerated growth. Should the population continue its decline, additional sources of funding will eventually be required to maintain the level of service provided by the City and expected by its residents.

2.4 LAND USE CLASSIFICATIONS

The City of Etna provides a range of land use classifications to meet the needs of the community, including various types of residential, mixed-use, commercial, industrial, public, and open space. For each land use classification, this section includes representative images, typical uses, residential density ranges, and building intensities.

2.4.1 Residential Land Uses

Residential uses in the City of Etna consist predominantly of single-family dwellings. The California Department of Finance estimates that these units comprise approximately 79.7 percent of the City's total housing stock in 2025. Single family dwellings are followed by mobile homes, which comprise approximately 17.7 percent of the housing stock. Although permitted in all zoning districts that allow single-family dwellings, most of the mobile homes are located in two of the City's three approved manufactured home parks. Multifamily developments comprise the remainder of the housing stock and include one apartment complex with 13 units and nine small multifamily dwellings, such as duplexes and triplexes, scattered throughout the community. Residential uses in the City of Etna are predominantly located in the following residential land use classifications:

Rural Residential

The Rural Residential (RR) land use classification is suitable for areas of the City developed with and/or capable of supporting low density residential development and limited, compatible agricultural use on larger parcels. Compatible agricultural uses include crop and tree farming and the pasturing of livestock provided there is sufficient buffering from adjoining residential lands and no use of municipal water supplies for feed or irrigation. This land use classification was established in the City's 2005 General Plan as Residential Agriculture (RA) for the purpose of mitigating flood risks within Etna Creek's 100-year flood hazard area and preserving the open space and agricultural uses afforded by it. However, the land use classification was never applied to lands within the City, and at the time the RA designation was

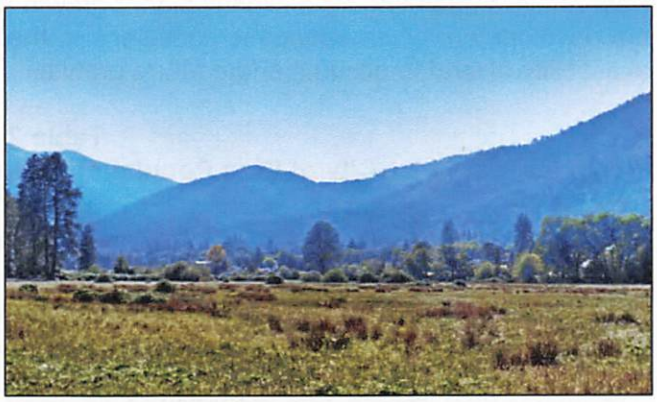


Figure 2-3, Rural Residential

introduced, the City's Flood Damage Prevention ordinance (2009) had not yet been adopted. This General Plan continues the RA land use classification as RR but expands the classification to other areas of the City used for agriculture that are outside of 100-year flood hazard areas.[2]

Low Density Residential

The Low Density Residential (LDR) land use classification is suitable for areas of Etna developed with and/or capable of supporting low density residential development and limited compatible nonresidential uses. Typical uses in the LDR land use classification include, but are not limited to, single-family dwellings, accessory dwelling units, home occupations, childcares, and places of worship and spiritual assembly.



Figure 2-4, Low Density Residential

Medium Density Residential

The Medium Density Residential (MDR) land use classification is suitable for areas of the City developed with and/or capable of supporting either low density or medium density residential development and limited, compatible nonresidential uses. Typical uses in the MDR land use classification include those uses described above in the LDR land use classification as well as small multifamily dwellings, such as duplexes and triplexes.

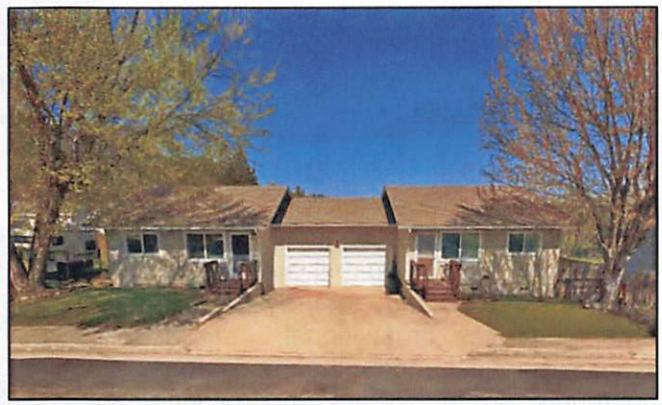


Figure 2-5, Medium Density Residential

High Density Residential

The High Density Residential (HDR) land use classification is suitable for areas of the City developed with and/or capable of supporting low, medium, and high density residential development and compatible nonresidential uses. Typical uses within the HDR land use classification include those uses described above in the LDR and MDR land use classifications, as well as apartment complexes, manufactured home parks, and community gardens.



Figure 2-6, High Density Residential

More details on the housing stock are provided in the Housing Element of this General Plan.

[2] FEMA is presently updating the flood hazard maps for Etna and the surrounding area. Should the revised maps become effective, the size and extent of 100-year floodplain in Etna would be significantly reduced.

2.4.2 Mixed-Use Land Uses

In an effort to promote economic investment, redevelopment, and revitalization; improve access to jobs, housing, services, open space, and other destinations through non-vehicular transit modes; encourage a compact urban form; and safeguard the character of existing neighborhoods, the City has designated Etna's town center for mixed-use development. The area includes a combination of mostly commercial uses at street level with residential uses on the upper stories (i.e., vertical mixed use), as well as nonresidential and residential uses occurring on the same lot or in close proximity to one another (i.e., horizontal mixed use). While the area has experienced a renewal in recent years, several properties remain vacant or underutilized and the City desires to promote infill development and redevelopment of the properties with a combination of nonresidential and residential uses, in part through the introduction of a mixed-use land use classification that has been applied to the area. Additionally, the historic character of the town center is a valuable community asset that the City desires to protect and preserve as properties are improved.

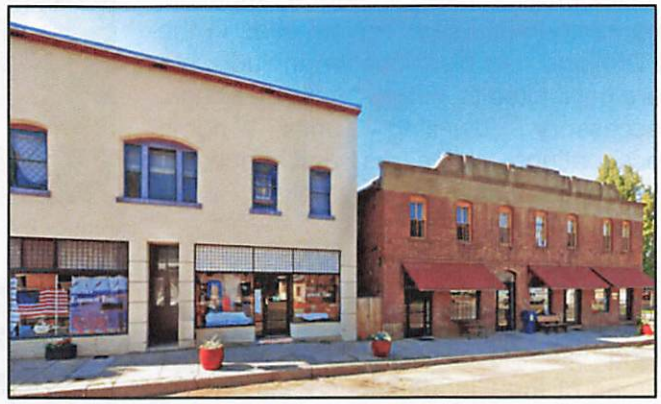


Figure 2-7, Vertical Mixed Use – Residential Above Nonresidential

Central Mixed Use

The Central Mixed Use (CMU) land use classification provides for a compatible mixture of nonresidential and residential uses in a centrally located area of the city to encourage a broad array of retail, entertainment, professional, social, civic, residential, and other uses that contribute to a vibrant, pedestrian-friendly environment. Typical land uses in the CMU land use classification include retail sales, offices, banks, personal services, grocery stores, public and quasi-public uses, parks, entertainment facilities, community gardens, and similar nonresidential uses, as well as low, medium, and high density residential uses.



Figure 2-8, Horizontal Mixed Use – Adjacent Residential and Nonresidential

2.4.3 Nonresidential and Other Land Uses

Nonresidential lands (i.e., properties designated for uses other than residential or mixed use) comprise approximately 121.4 acres, or 25 percent of the City's total land area. This includes 44 parcels designated for commercial development, roughly half of which are vacant. The parcels are generally located in the north part of the City near State Route 3. The City has three areas designated for industrial use, two small areas in the southeast corner of the City and one larger area north of State Route 3. One of the areas in the south is developed with a ministorage facility, the other includes a combination of residential and commercial uses, and the larger area north of State Route 3 is developed with Siskiyou Telephone Company, a ministorage facility, and a

contractor's storage yard. Approximately five acres north of State Route 3 are undeveloped and have city utilities available in the nearby right-of-way.

Commercial Center

The Commercial Center (CC) land use classification provides for many of the same residential and nonresidential uses provided for in the CMU classification in addition to some "heavier" commercial uses than typically considered compatible with residential use. For this reason, the corresponding zoning does permit residential uses by right. Although the heavier uses provided for in the CC land use classification are generally automobile oriented, the CC classification provides for a variety of commercial uses, including uses capable of generating and sustaining local, non-vehicular traffic. As such, development of these areas should include sidewalks, bicycle facilities, and interconnected parking lots and pedestrian walkways, as appropriate. Typical land uses in the CC land use classification include automobile service stations, banks, business and personal services, entertainment facilities, business and professional offices, restaurants, retail sales, wholesale businesses, and similar nonresidential uses.



Figure 2-9, Commercial Center

Industrial

The Industrial (I) land use classification is intended to be applied to areas developed with and/or capable of supporting heavier commercial and manufacturing uses than permitted in the commercial and mixed-use zoning districts. Due to the rural nature of the community, it is unlikely there will be significant demand for conventional industrial development. Typical uses in the Industrial (I) land use classification include ministorage facilities, business and professional offices, and equipment and material storage yards. Because some manufacturing uses require a large amount of area for outdoor operations and storage and/or generate impacts to surrounding parcels and uses in terms of noise, vibrations, glare, dust, and emissions, City Council approval of the more intensive land uses is required.



Figure 2-10, Industrial

Public Agency

The Public Agency (PA) land use classification is intended for larger properties developed with publicly owned and operated facilities, including but not limited to the schools and the water treatment plant. Smaller parcels in the downtown area developed with public facilities, such as City Hall, the police and fire departments, post office, museum, and library are provided for under the CMU land use classification and public parks are provided for under the Open Space

classification. Because of their importance to the community, **Figure 2-13** illustrates the location of all public and quasi-public facilities in Etna separate from the underlying land use classifications. Known flood and fire hazards are also shown to assist in planning for the expansion or relocation of these essential public facilities.



Figure 2-11 Public Agency

Open Space

The Open Space (OS) classification is comprised of public lands that provide active and passive recreational opportunities and/or that should be preserved in a natural state for purposes of resource or flood protection. These areas buffer land uses, provide relief from urbanization, and are an important recreational, cultural, and visual resource for the community. Typical uses in the Open Space land use classification include parks, picnic areas, playgrounds, public facilities, natural resources, and recreation-related facilities. Periodic and intermittent uses, such as farmers' markets, special events, concessions, and similar uses may also occur within the Open Space land use classification with City approval. Properties included in the Open Space land use classification include Johnson-Joss Memorial Park, the Scott Valley Community Pool, and the Ashcraft Little League Park.



Figure 2-12, Open Space

2.4.4 Density and Intensity Standards

The term density in a land use context generally refers to the residential development capacity of the land. Residential density is expressed in terms of dwelling units per acre (du/ac). A dwelling unit is a building or part of a building used for human habitation. This can vary greatly in size from a live work unit to a multifamily apartment to larger single-family dwelling. For example, the density of a residential development with 24 townhouses on three gross acres of land is 8.0 du/ac. Population densities, however, are not absolute limits.

Land use intensity is used to refer to the amount of development allowed on a given parcel of land. Land use intensity can be expressed in different metrics. For the purposes of the Land Use Element, land use intensity is defined by lot coverage, which is the percentage of a lot covered by development, excluding areas designated for parking, landscaping, etc. Lot coverage does not regulate building placement or form, only the spatial relationship between building size and lot size; it represents an expectation of the overall intensity of future development.

The maximums assigned to the land use classifications below do not constitute entitlements, nor are property owners or developers guaranteed that an individual project, when evaluated against General Plan policies, will achieve these maximums. The density and intensity metrics establish

a maximum development envelope or density range under appropriate conditions. Many factors, such as applicable zoning standards, state regulations, physical site conditions, and owner or developer choices may impact the final project design and overall density and intensity of development in addition to this Plan. In particular, it should be noted that state regulations allow specified land uses to exceed maximums established by the City or to provide for density averaging.

Table 2-3
Density and Intensity Standards

Land Use Designation	Units/Acre Persons/Acre*	Max. Lot Coverage
Rural Residential (RR)	1 unit/acre 1-3 person/acre	20%
Low Density Residential (LDR)	1-4 units/acre 3-9 persons/acre	40%
Medium Density Residential (MDR)	1-10 units/acre 3-22 persons/acre	60%
High Density Residential (HDR)	1-20 units/acre 3-43 persons/acre	75%
Central Mixed Use (CMU)	1-20 units/acre 3-43 persons/acre	100%
Commercial Center (CC)	1-20 units/acre 3-43 persons/acre	80%
Industrial (I)	N/A	75%
Open Space (OS)	N/A	50%
Public Agency (PA)	N/A	100%

* For the purpose of specifying population density in this table, an average of 2.15 people per household is assumed (U.S. Census Bureau, 2020). Calculations resulting in fractions of a person have been rounded accordingly.

2.4.5 Land Use Map

The land use classifications described above are largely consistent with the general distribution, location, and extent of the various land uses they provide for, as shown on the Land Use Map (**Figure 2-14**) below.

2.4.6 Land Use and Zoning Consistency

The land use classification described above provide a broad description of development expectations within the City of Etna. To implement these designations and provide more guidance for property owners, **Table 2-4** identifies those zoning districts that correspond with the land use classifications. These zoning districts are not exclusive and zoning districts of similar nature may also be adopted and used in conformance with the General Plan. Zoning is a legislative act and can be amended within the parameters established by the land use classification. For example, when the City Council changes the zoning of property consistent with density and intensity limits for the broader land use classification.

Table 2-4
Land Use Classification & Zone District Consistency

Land Use Designation	Possible Zone Districts
Rural Residential (RR)	Rural Residential (R-R)
Low Density Residential (LDR)	Low Density Residential 10 (R-1-10)
	Low Density Residential 12 (R-1-12)
Medium Density Residential (MDR)	Low Density Residential 10 (R-1-10)
	Low Density Residential 12 (R-1-12)
	Medium Density Residential (R-2)
High Density Residential (HDR)	Low Density Residential 10 (R-1-10)
	Low Density Residential 12 (R-1-12)
	Medium Density Residential (R-2)
	High Density Residential (R-3)
	Mobile Home Residential (M-H)
Central Mixed Use (CMU)	Town Center (T-C)
Commercial Center (CC)	General Commercial (G-C)
Industrial (I)	Manufacturing (M)
Public Agency (PA)	Public Facilities (P-F)
Open Space (OS)	Open Space (O-S)

2.5 COMMUNITY DESIGN

The general image of a community is significantly affected by the appearance of its commercial areas and street scenes. To maintain and enhance Etna's unique and attractive small-town image, attention should be given to the appearance of areas and buildings that are highly visible. If properly done, the development of commercial areas will enhance the overall community image. A commercial area with pleasing architectural lines and use of natural materials, modest signing and effectively placed parking and landscaping will have a pleasing, positive effect. Alternatively, commercial development lacking a sense of design and surrounded by asphalt has little character and may present a negative image that reflects on the whole community.

Most developers realize the benefits of providing a well-designed project and will attempt to create an attractive project. However, it may be desirable for the community to establish design guidelines and/or create a design review process, especially for those commercial areas that are highly visible. For instance, the entrances to Etna along State Route 3 at Collier Way and Main Street are the "front doors" to the City. Attractively developed properties at these locations will provide a positive first image of the City for travelers and help support community pride.

The design review process is typically applied through an overlay zoning district and amendment to the zoning ordinance to establish the design review process. As such, the City should evaluate, in consultation with affected landowners and other members of the public, whether to develop and adopt objectives design guidelines that can be considered in reviewing projects, and which will encourage and help builders develop plans with a good understanding of the City's objectives. In areas with historic structures, the City will want to consider design guidelines for new structures that will compliment, or at least not detract from, the historic character of existing structures.

2.6 SPHERE OF INFLUENCE

In accordance with state law, the Siskiyou Local Agency Formation Commission (LAFCo) has established a Sphere of Influence for the City of Etna (see **Figure 2-15**). The Sphere of Influence includes approximately 555 acres of land outside city limits and is intended to provide room for future expansion of the City when needed. Because properties must be included within a city's SOI in order to be annexed, and because lands within a city's SOI are potentially critical to a city's ability to expand, LAFCo is required to update each city's SOI update every five years and the County's Planning Department refers development requests within the SOI to the City for review and comment prior to taking action on those requests.

Should expansion of the City of Etna and/or its SOI be considered during the planning period, most of Etna's Sphere of Influence consists of land zoned by the County of Siskiyou for rural residential agricultural use, which allows for single-family dwellings, small acreage agriculture, crop and tree farming, greenhouses, and similar uses. There are no lands in the Sphere of Influence zoned for prime or non-prime agricultural use. Low density residential is the predominant land use in the Sphere of Influence with cattle ranching also occurring in the northeast, east, and south. Immediately adjacent to city limits to the north and south, but outside the City's current sphere of influence, are prime and non-prime agricultural lands. Some of the lands to the north are irrigated by pivot and are under active cultivation.

Etna is now and has always been a city that values, supports, and complements the agricultural community that surrounds it. Due to the City's location in an agricultural area, outward expansion of the City has the potential to transition the use of land from agriculture to urban development. As a result, the City wishes to pay particular attention to issues of land use compatibility and to ensure that new development minimizes the impacts of growth on the agricultural community that has long supported Etna. Through the use of land use buffers and transitions, sensible design, and a planned and methodical pattern of expansion, the impacts to surrounding agriculture can be minimized.

As noted above, the County of Siskiyou currently regulates land use in the City's Sphere of Influence. In accordance with Government Code Section 65859, the City may pre-zone the unincorporated area in the Sphere of Influence or zone the land upon annexation consistent with the General Plan. The City General Plan Land Use Map does not propose land uses within the Sphere of Influence. Rather, the City of Etna Zoning Code states that "Territory annexed to the city and not shown as part of the city by the zoning map... shall upon the effective date of such annexation be classified and zoned as Rural Residential (R-R), unless the city council has prior to such effective date zoned said territory to another classification, subject to annexation."

Annexation requests within the Sphere of Influence are initiated by the City at the request of those landowners who wish to obtain city services so that they can develop their land with urban uses and/or at urban densities. Annexation proposals must be evaluated carefully, taking care to ensure that the annexation and future service needs will not become a burden to the City. For this reason, the annexation process requires that the cost of providing services to the annexed territory be fully disclosed. The City's most recent annexation was a 0.52-acre addition annexed in 2006 for a small commercial development that ultimately did not occur. Due to the abundant supply of vacant land in Etna and limited development pressure within and adjacent to the City over the past 20-plus years, there have been no annexation proposals since then. Nevertheless, any changes proposed to the SOI or city limits during the planning period will need to be considered and the General Plan updated as appropriate.

2.7 DISADVANTAGED UNINCORPORATED COMMUNITIES

In accordance with Senate Bill 244 (2011), the Land Use Element must address any disadvantaged unincorporated communities located within the City or its sphere of influence. For the purposes of SB 244, a "community" is defined as an inhabited area within a city or county that is comprised of no less than 10 dwellings adjacent or in close proximity to one another, and a "disadvantaged unincorporated community," or DUC, is defined as a fringe, island, or legacy community in which the median household income is 80 percent or less than the statewide median household income. The three types of DUCs are further defined as follows: "fringe community" means any inhabited and unincorporated territory that is within a city's sphere of influence; "island community" means any inhabited and unincorporated territory that is surrounded or substantially surrounded by one or more cities or by one or more cities and a county boundary or the Pacific Ocean; and a "legacy community" means a geographically isolated community that is inhabited and has existed for at least 50 years. SB 244 defines "inhabited territory" as an area where 12 or more registered voters reside (Government Code Section 56046); however, LAFCOs may also redefine "inhabited area" as determined by local commission policy.

When DUCs are present, cities must address fringe communities and island communities in their land use elements, and counties must address legacy communities in theirs. In particular, the city or county's land use element must address the sewer, water, storm drain, and structural fire protection service needs or deficiencies of the DUC and provide an analysis of potential funding mechanisms that could make the extension of services to the identified communities financially feasible.

The presence of DUCs within the City's planning area would be of importance at the time LAFCo amends Etna's sphere of influence and when annexing territory into the City. SB 244 requires that any city annexation proposal greater than 10 acres, or as determined by LAFCo policy, that is contiguous to a DUC cannot be approved without a companion annexation of the DUC unless a prior application for annexation of the same DUC area was received in the prior five years or LAFCo finds, based upon written evidence, that a majority of the residents within the DUC are opposed to annexation. It also requires that, for an update of a sphere of influence for a city or special district that provides public facilities and/or services for sewers, municipal and industrial water, or structural fire on or after July 1, 2012, a written statement of the present and probable need for those services within the DUC must be reviewed and considered by LAFCo.

2.7.1 Disadvantaged Unincorporated Community Analysis

DUCs may lack basic infrastructure, such as sewer, water, or stormwater drainage, because they may have been developed prior to infrastructure being installed in proximity to them. Therefore, to promote equality and environmental justice in accordance with SB 244, the proximity of any potential "community" to the City was analyzed to determine if any such community exists and whether an analysis of the water, wastewater, stormwater drainage, and structural fire protection needs or deficiencies of the community should be prepared. The City's analysis was based on American Community Survey 2023 median household data developed by the U.S. Census Bureau, a review of Census Designated Places and Census Block Groups,[3] an understanding of the community and surrounding area, the general distribution, location, and extent of existing and proposed infrastructure, and aerial photographs.

[3] There are no Census Designated Places in the sphere of influence. The three Census Block Groups that comprise the City and its sphere of influence, while larger in area larger than the potential "communities" being assessed, provided the necessary Median Household Income data.

As shown on **Figure 2-16,** the median household income for the entire planning area was less than 80 percent of the statewide median household income in 2023.[4] Within the sphere of influence, the City identified 75 parcels and 78 residences in four clusters surrounding the City (see areas A, B, C, and D on **Figure 2-16**). Each cluster was assessed relative to the number of dwellings, registered voters, and residentially developed parcels within it. The neighborhood density of the residentially developed parcels in each cluster was then calculated using PolicyLink methodology to evaluate proximity of dwellings to one another.[5] The City's findings are summarized in **Table 2-5** below.

Table 2-5
Analysis of Potential DUCs

Area	Acres	Less Than 80 Percent State MHI	10 or More Dwellings	Dwellings in Close Proximity	12 or More Registered Voters	Disadvantaged Unincorporated Community
A	73.7	Yes	Yes	No	Yes	No
B	40.8	Yes	No	No	Yes	No
C	60.9	Yes	Yes	No	Yes	No
D	111.3	Yes	Yes	No	Yes	No

As shown on **Figure 2-16** and **Table 2-5** above, it was determined through the City's analysis that there are no inhabited, unincorporated territories surrounded by or substantially surrounded by the City (i.e., no island communities), nor are there any inhabited and unincorporated territories within Etna's sphere of influence (i.e. no fringe communities).

Because none of the residential clusters surrounding the City met all of the criteria for a DUC, the City is not required to prepare an assessment of the service needs of the residents within these areas. However, conditions may change in the future such that an update of the Land Use Element could become necessary to address and plan for the extension of services outside city limits. Furthermore, even though no assessment is required at this time, it should be noted that there are no known service deficiencies within the sphere of influence. Most developed parcels in the sphere of influence are served by individual well and septic systems (a few receive city water service), and as discussed in the Safety Element, the City of Etna Fire Department currently responds to all calls for structural fire protection services in the planning area. While the unincorporated parcels lack complete storm drainage improvements, the City similarly lacks curb and gutter throughout much of the City, and the unincorporated properties are typically larger than city lots and more capable of accommodating stormwater.

2.7.2 Potential Infrastructure Funding Sources

Although the City is not required to provide an analysis of potential funding mechanisms that could make the extension of services outside city limits financially feasible, many of the funding sources available for extending infrastructure outside the City are the same sources that are available for developing infrastructure inside the City. For that reason, **Table 2-6** summarizes the funding programs that may be available to the City for infrastructure development and is included as a resource.

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[4] In 2023, the Statewide Median Household Income was $95,521 (80% = $76,147).

[5] Consistent with the methodology used by the Siskiyou Local Agency Formation Commission (LAFCo), the City utilized the methodology in PolicyLink's 2013 "California Unincorporated: Mapping Disadvantaged Communities in the San Joaquin Valley Technical Guide" to evaluate neighborhood density.

Table 2-6
Potential Infrastructure Funding Sources

Program	Agency	Description
Community Development Block Grants (CDBG)	California Department of Housing and Community (HCD)	These grants can fund the construction of sewer and water facilities, street maintenance, and other public work projects.
Community Facilities Direct Loan and Grant Program	United States Department of Agriculture and Rural Development (USDA RD)	This program provides funding to develop essential community facilities in rural areas. An essential community facility is defined as a facility that provides an essential service to the local community for the orderly development of the community in a primarily rural area, and does not include private, commercial, or business undertakings.
Impact Fees	Local Governments	Development impact fees can be imposed at the time of building permit application to provide the funding for new capital facilities.
Taxation	Local Governments and Public Agencies	In 1982, the California State Legislature enacted the Community Facilities Act, commonly referred to as Mello-Roos. The Act authorized local jurisdictions to establish community facility districts that serve as a funding mechanism for financing public work projects and services.
Clean Water State Revolving Fund (CWSRF)	The State Water Resources Control Board	The CWSRF provides financial assistance for a wide range of water infrastructure projects. It is a partnership between the US EPA and states governments. States have the flexibility to fund a range of projects that address their highest priority water quality needs. Using a combination of federal and state funds, CWSRF provides loans to eligible recipients to construct municipal wastewater facilities and decentralized wastewater treatment systems, among other projects.
Emergency Community Water Assistance Grants	United States Department of Agriculture Rural Development	This program helps eligible communities prepare for, or recover from, an emergency that threatens the availability of safe, reliable drinking water for households and businesses.
Drinking Water State Revolving Fund (DWRSF)	California Department of Public Health	The DWRSF program assists public water systems in financing the cost of drinking water infrastructure projects needed to achieve or maintain compliance with Safe Drinking Water Act requirements.

Program	Agency	Description
Bonds	Local Governments	Bonding is a funding mechanism that can be used to fund large infrastructure projects. There are two primary bond types: revenue bonds and general obligations bonds. Revenue bonds are typically ensured by the project being constructed. Once the bond is paid, ownership is turned over to the jurisdiction. General obligation bonds are issued for the improvement and enhancement of real property. Local governments can raise property taxes to cover the costs of the bond and infrastructure project. Unlike revenue bonds, general obligation bonds require voter approval.
Household and Small Water System Drought Assistance Program	State Water Resources Control Board	The State Water Resources Control Board authorized $5 million to assist individual households and small water systems address drought-related drinking water emergencies. Funding is available as low interest loans and/or grant based on recipient's income and affordability.
Integrated Regional Water Management (IRWM)	California Department of Water Resources	The IRWM grant programs include funding for planning, community involvement, implementation, and companion grant programs that support sustainable groundwater planning and water-energy programs and projects.
Proposition 84	State Water Resources Control Board	The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act (Prop 84) provides funding for capital costs on projects addressing excessive stormwater runoff, including projects related to the collection of stormwater and treatment of water to reduce contamination.

2.8 CORRELATION WITH OTHER GENERAL PLAN ELEMENTS

The Land Use Element is often the most visible and frequently used element in the General Plan because it incorporates the issues, opportunities, and constraints identified throughout the General Plan and renders them into a comprehensive set of land use policies and a concise land use diagram. However, it is important to review all relevant goals, policies, and programs of the General Plan when evaluating discretionary projects, actions, and activities to ensure City decisions are consistent with and further the General Plan. For instance, a project proposed near the highway may be affected by transportation noise and be subject to the noise mitigation standards in the Noise Element, or if proposed adjacent to agricultural lands, the project may be subject to policies in the Open Space & Conservation Element.

The correlation between the Circulation Element and Land Use Element is especially important to the development of the City. This is because the City of Etna endeavors to maintain its small-town character through sound planning, orderly growth, and good design that recognizes the City's compact, grid-based urban form. The City's compact form enhances non-vehicular circulation opportunities and supports the circulation system. Should Etna grow from a small city of under 680 people to become a city significantly larger than its current size, the movement of people in and around the City will become increasingly important. Streets will need to be designed

to facilitate additional modes of travel, and transit options expanded to better serve the needs of the population. Land use and transportation planning will need to go hand in hand to ensure transportation decisions and infrastructure are an integral component of the City's growth.

Additionally, although the information contained in the maps and diagrams throughout the General Plan has been incorporated into the policies and land use map contained herein, the maps and diagrams in the other elements should be referenced directly, the information they contain periodically reviewed, and the maps and diagrams updated as needed. When this occurs, the Land Use Element and Land Use Map should be evaluated and updated as necessary. This is particularly the case with changes to maps in the Open Space & Conservation Element and Safety Element showing the extent of 100-year and 500-year floodplains and fire hazard severity zones within and adjacent to the City.

2.9 LAND USE ELEMENT GOALS, POLICIES & PROGRAMS

GOAL LU-1: **A sufficient variety and quantity of land uses to meet the housing, employment, service, and social needs of the existing and future population.**

GOAL LU-2: **Etna's rural small-town character conserved and enhanced.**

GOAL LU-3: **A strong economic base that provides more job opportunities for residents of the city.**

GOAL LU-4: **Sustainable planned growth in the planning area balanced with preservation and protection of the viability of agricultural areas surrounding the city.**

GOAL LU-1: A sufficient variety and quantity of land uses to meet the housing, employment, service, and social needs of the existing and future population.

Policy LU-1.1: The City strives to ensure a compatible mix and quantity of land designated and zoned to serve the needs of the community.

Policy LU-1.2: The City maintains flexibility within the Zoning Ordinance by allowing development opportunities through the use permit process as well as through approval of similar uses not otherwise listed in the Zoning Ordinance.

Policy LU-1.3: The City supports the development of residential, mixed-use, commercial, and industrial areas where suitable land exists with good access, adequate infrastructure, and where such uses will have a minimum of conflict with current and future adjacent land uses.

Policy LU-1.4: The City encourages an integrated mix of housing types and sizes within residential areas to promote housing opportunities for people of all ages and abilities.

Program LU-1A: Adopt the General Plan Land Use Map (**Figure 2-14**), as the official land use diagram for the City of Dorris.

Program LU-1B: Adopt zoning regulations that are consistent with and support implementation of the General Plan Land Use Element.

Program LU-1C: Review the General Plan's residential and commercial capacities every eight years and modify, as necessary, to reflect development that has occurred, its impacts, evolving market and economic conditions, and consistency with community values.

Program LU-1D: Implement the programs of the Housing Element related to residential development.

GOAL LU- 2: Etna's rural small-town character conserved and enhanced.

Policy LU-2.1: The City strives to maintain Etna's small town character while allowing for population and business growth, as well as increased employment, shopping, cultural, and recreational opportunities, and other tax revenue generating uses.

Policy LU-2.2: The City applies land use classifications and zoning in a manner that is consistent

with the prominent existing development, taking care not to encroach upon an established neighborhood with potentially incompatible uses.

Policy LU-2.3: The City protects existing neighborhoods from added noise, traffic, light, and other characteristics that may negatively affect them.

Policy LU-2.4: The City ensures that proposed uses will be compatible with existing land uses when approving discretionary development proposals.

Policy LU-2.5: The City avoids the overconcentration of land uses in any area of the City where the resultant increase in traffic, noise, and other impacts would adversely impact the public health, safety, peace, and general welfare of residents.

Policy LU-2.6: The City desires to keep commercial and industrial developments in scale with the small-town atmosphere, in part through controls on the size and height of structures and the scale and quantity of signs.

Program LU-2A: Include development standards in the Zoning Ordinance that provide adequate separation, buffering, landscaping, screening, and other provisions as needed to ensure compatibility between potentially incompatible land uses.

Program LU-2B: During review of discretionary proposals, require buffers when warranted between dissimilar land uses; urban uses and open space; environmentally sensitive areas and habitats; biological, historical, and cultural resources; and agricultural lands. Buffers may include additional setbacks, solid barriers, redesign, or other means to protect the resource.

Program LU-2C: Upon review of discretionary permits, add conditions to the project approval, when warranted, to support the public peace, health, safety, and general welfare.

Program LU-2D: Evaluate, in consultation with affected landowners and other members of the public, whether to develop and adopt objectives design guidelines or other development standards for the Collier Way and Main Street intersections with State Route 3 (i.e., the "gateways" to the community).

Program LU-2E: Preserve and strengthen the character of existing residential neighborhoods by developing and maintaining sidewalks and encouraging property owners to maintain their properties.

Program LU-2F: Support neighborhood watch initiatives and partner with community and neighborhood organizations to combat crime and promote public safety.

Program LU-2G: Encourage the design of projects that enhance public safety and discourage crime by orienting homes and buildings toward the street, providing adequate lighting and sight lines, and selectively installing fencing and landscaping.

Program LU-2H: Encourage high standards of property maintenance and provide for rapid abatement of conditions contributing to blight.

GOAL LU-3: A strong economic base that provides more job opportunities for residents of the city.

Policy LU-3.1: The City supports the expansion and retention of existing businesses and

facilitates business development in the City.

Policy LU-3.2: The City encourages infill development, adaptive reuse of existing buildings, and the restoration of historic structures to revitalize the downtown as a center of community activity.

Policy LU-3.3: The City promotes a mix of daytime and evening uses in the downtown, including restaurants, professional offices, entertainment, and housing to encourage activity throughout the day.

Policy LU-3.4: The City fosters redevelopment and revitalization of older and deteriorating portions of the City.

Program LU-3A: Reinforce the town center as the physical and cultural center of the City, recognizing its importance to the community's sense of place.

Program LU-3B: As resources permit, seek funding via grant and loan programs to aid business development through improvement and expansion of city services and facilities (e.g., roadway improvements, water and sewer infrastructure, streetscaping and other beautification efforts, etc.).

Program LU-3C: Develop and maintain an inventory of vacant and underdeveloped mixed-use, commercial, and industrial properties that are or can be served with city utilities to aid businesses in the site selection process.

Program LU-3D: Identify and actively promote development of key vacant or underutilized sites for commercial and mixed-use development in and adjacent to the downtown area.

Program LU-3E: Evaluate in consultation with residents, and the business community in particular, whether to develop and adopt an objective design review process for the downtown that compliments the City's history and small-town feel and which could be applied to new development and to existing development at the time of façade improvements, and as signs are proposed.

Program LU-3F: Allow home-based businesses in residential neighborhoods when there is no indication of a home-based business from outside the home, the nonresidential use is compatible with adjacent uses, and the home-based business is at a scale that is accessory to the residential use.

Program LU-3G: Provide for and encourage the development of a broad range of uses in the downtown area to reduce the need for travel to adjoining communities and to capture a greater share of local spending.

Program LU-3H: Support the formation of a merchants' association to provide a forum for promoting healthy local businesses.

GOAL LU-4: Sustainable planned growth in the City's planning area balanced with preservation and protection of the viability of agricultural areas surrounding the city.

Policy LU-4.1: The City encourages, promotes, and facilitates infill development and phased extension of city services in an effort to discourage sprawl and maintain a compact urban form.

Policy LU-4.2: The City protects agricultural land uses surrounding the City through maintenance of firm urban boundaries, incorporation of agricultural buffers, and support for the agricultural industry.

Program LU-4A: Establish, as a high priority, the conservation of existing residential and commercial structures through preservation and rehabilitation and support appropriate grant applications when they are proposed to aid this effort.

Program LU-4B: Update the General Plan Land Use Element, as needed, in response to proposed amendments and updates to the Sphere of Influence.

Program LU-4C: To minimize conflicts between urban uses within the City and agricultural uses outside of the City, require a minimum 100-foot-wide physical separation between agricultural uses (not including agricultural support industries) and new residential dwellings. The buffer may include roadways, pedestrian/bicycle routes, stormwater basins, open space, etc.

Program LU-4D: As vacant land in the city becomes limited, work with LAFCo to annex suitable land within the SOI that can be readily served with city utilities, where the relationship between existing and planned land uses moderates Vehicle Miles Traveled, and where impacts to agricultural lands would be minimized.

Program LU-4E: In response to annexation proposals, pre-zone lands within the Sphere of Influence as a means to maintain a variety of land uses that meet the needs of the community.

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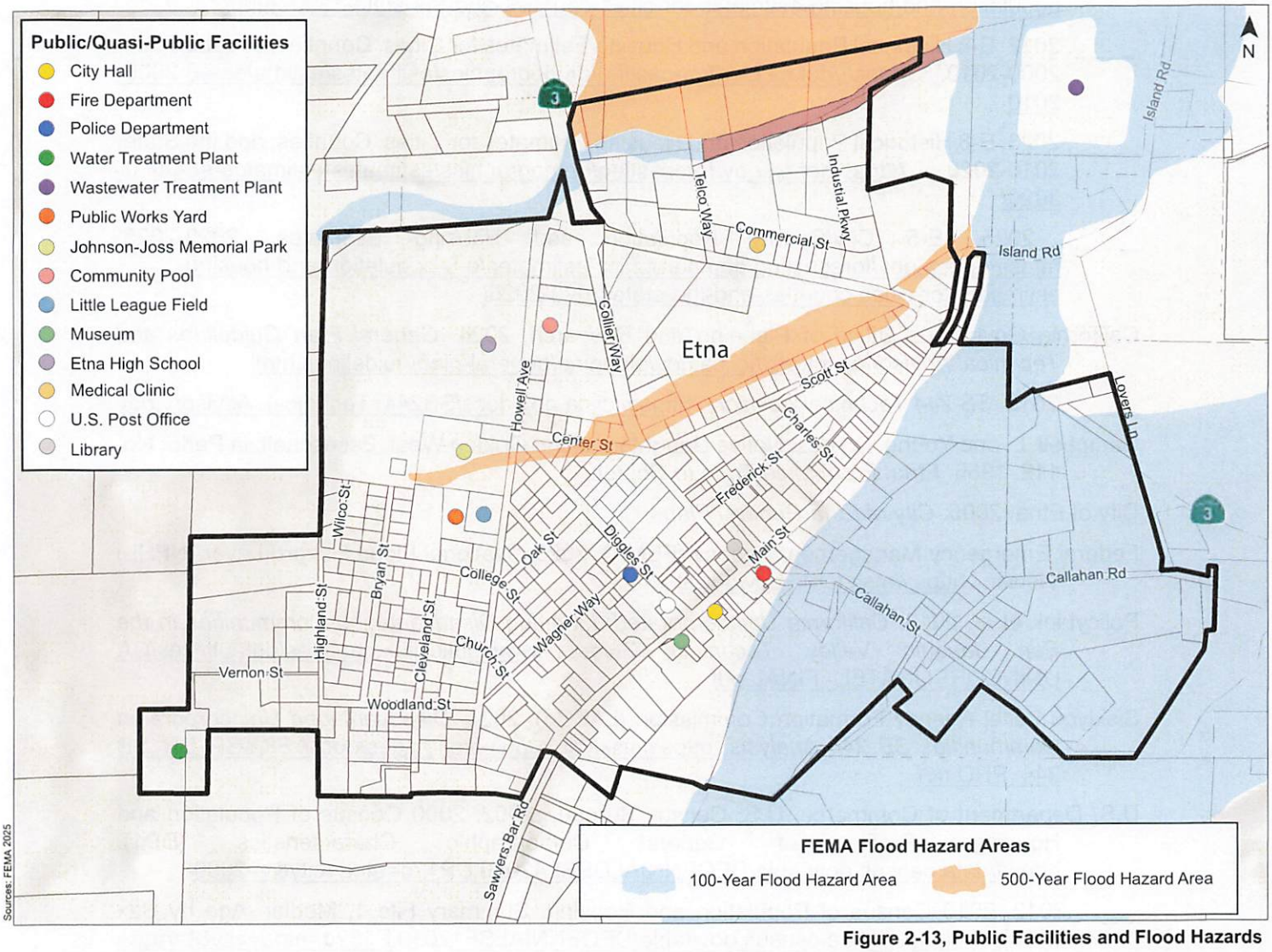


Figure 2-13, Public Facilities and Flood Hazards

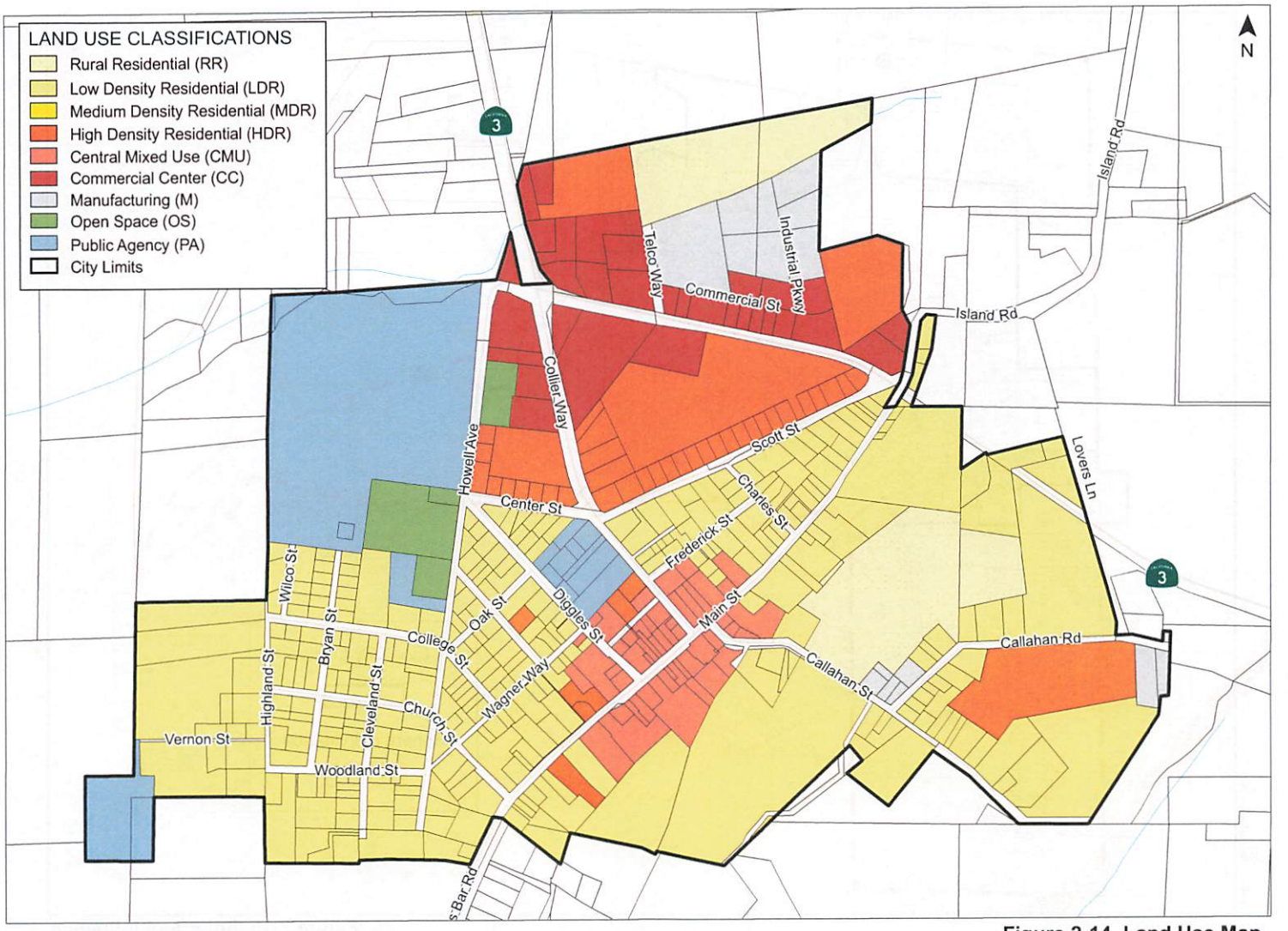
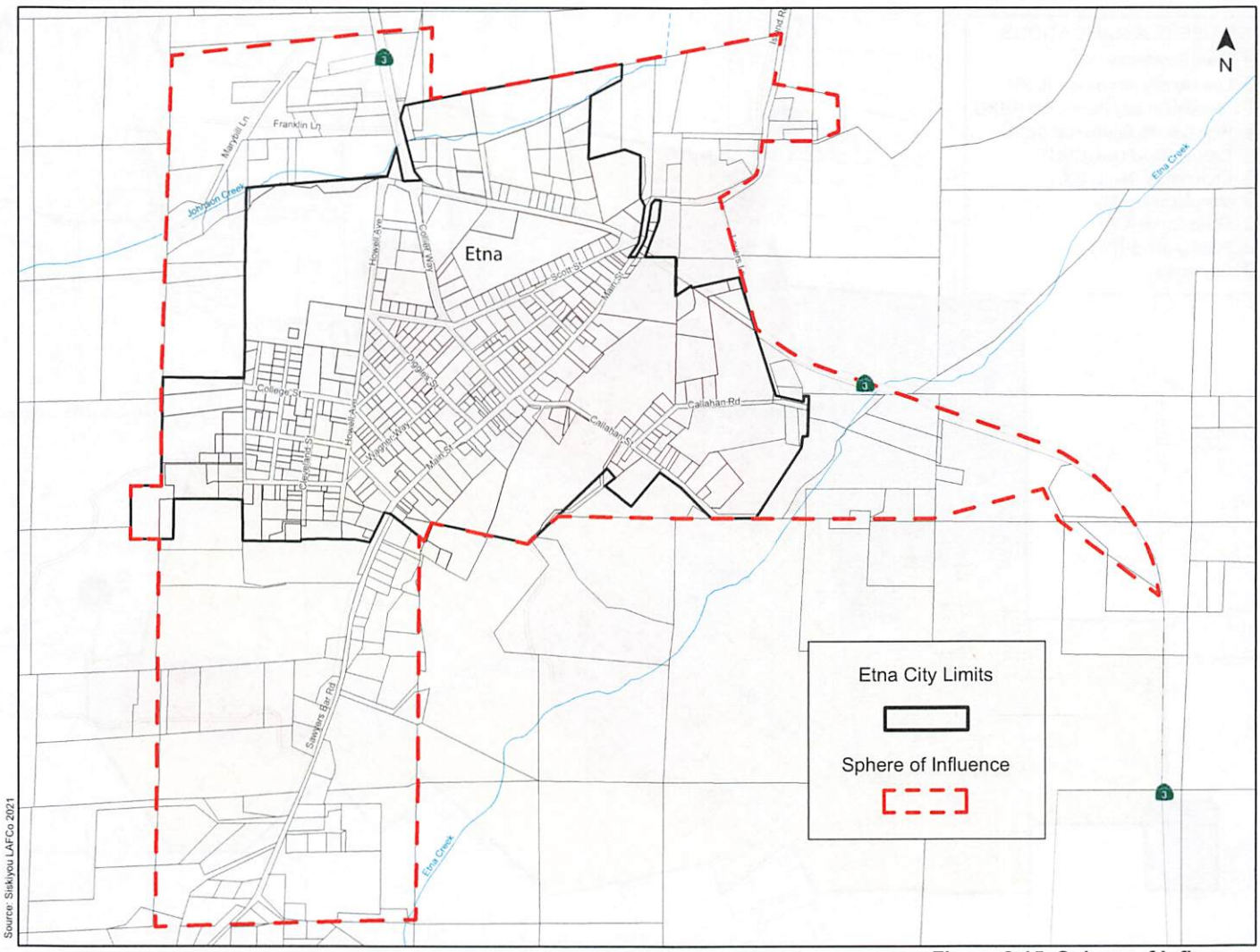


Figure 2-14, Land Use Map



Source: Siskiyou LAFCo 2021

Figure 2-15, Sphere of Influence

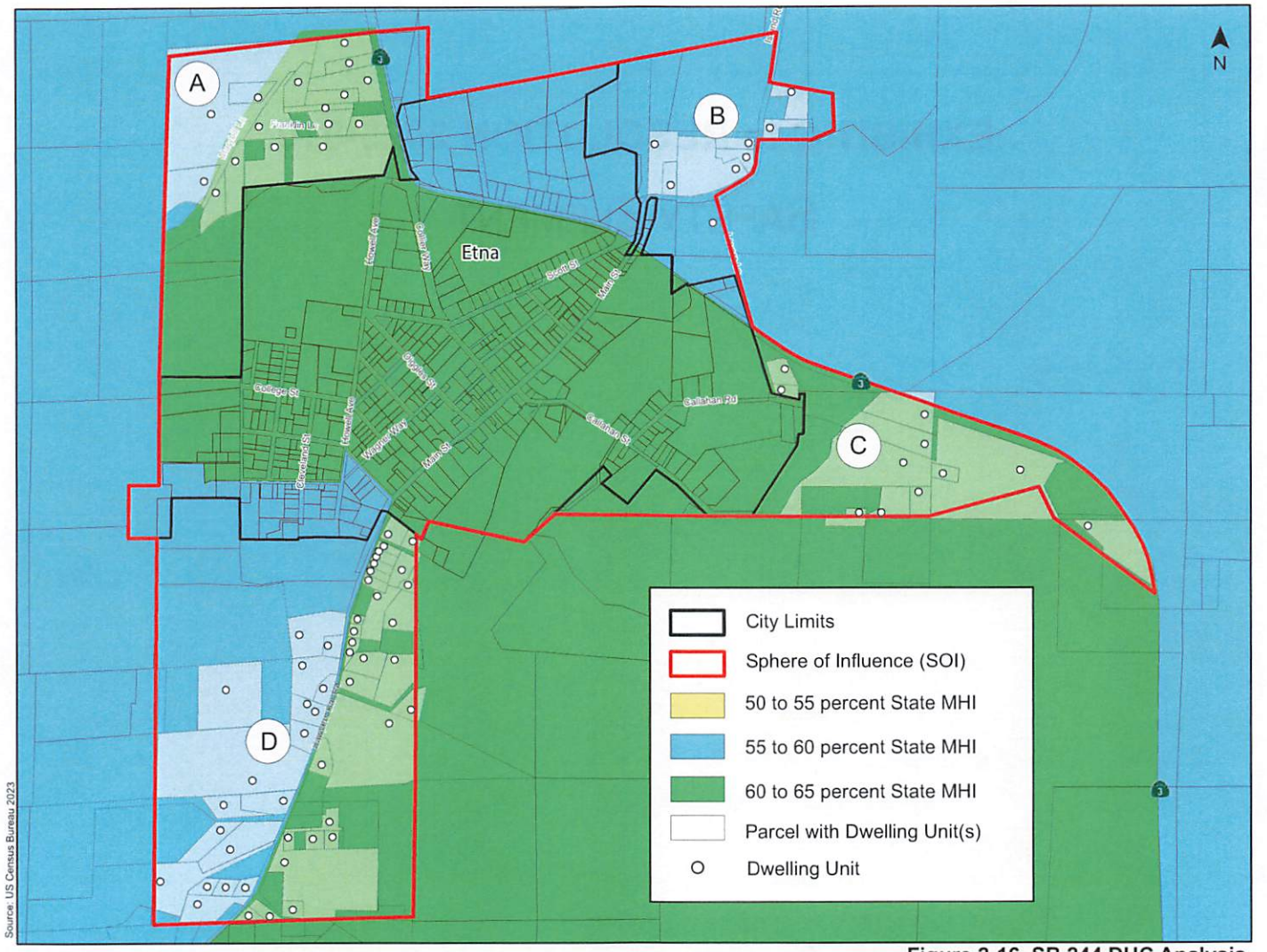


Figure 2-16, SB 244 DUC Analysis

EXHIBIT C to RESOLUTION 2025-010

SAFETY ELEMENT

Exhibit C to Resolution 2025-010

CITY OF ETNA
GENERAL PLAN SAFETY ELEMENT

NOVEMBER 3, 2025

CITY OF ETNA
442 MAIN STREET
ETNA, CA 96027

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* The maps included herein are provided for information purposes only and are subject to change. Lines, roads, topography, and other planimetric features shown on the maps are compiled from different sources and may not be current or reliable. The City of Etna assumes no liability for the accuracy of the data shown on the maps.

7.1 INTRODUCTION

The purpose of the Safety Element is to promote public safety and the protection of residents and property in the City through identification of natural and human-derived hazards with the potential to impact Etna, by incorporating identified hazard and risk considerations into the land use planning process, and through the inclusion of strategies to mitigate such hazards to the extent feasible.

7.2 STATUTORY REQUIREMENTS

California Government Code Section 65302(g) requires that each city and county develop a Safety Element, "... for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards ... and other geologic hazards known to the legislative body; flooding; and wildland and urban fires." In accordance with Government Code Section 65302(g)(3), information regarding fire protection and emergency services agencies must be included along with information on fire hazards, such as historical wildfire data, fire hazard severity zone maps, wildfire hazard areas, and the general location and distribution of existing and planned uses of land in Very High Fire Hazard Severity Zones. The Safety Element must also identify residential developments in hazard areas lacking sufficient emergency egress; include mapping of known fire, flood, and seismic and other geologic hazards; and address evacuation routes, military installations, water supply requirements, and minimum road widths and clearances around structures as they relate to fire and geologic hazards.[1] Climate change impacts and adaptation strategies must be addressed in the Safety Element or through adoption of a Local Hazard Mitigation Plan or other document that includes this information.

7.3 EMERGENCY SERVICES

7.3.1 Law Enforcement

Police protection services for the City are provided by the City of Etna Police Department. The Police Department is centrally located at 155 Diggles Street and is staffed between the hours of 8:00 a.m. and 3:00 p.m. Monday through Friday. Dispatch services are provided under contract by the Siskiyou County Sheriff's Office (SCSO). As of 2025, the Etna Police Department includes a full-time chief, three full-time officers, one part-time detective, and one part-time Community Service Officer (CSO). The Department is presently looking to hire an additional full-time officer and another part-time CSO. The Department's two volunteer reserve officer positions are currently vacant. Staffing is such that at least two officers are available to respond to calls. In addition to providing for law enforcement in the City, the Etna Police Department extends police protection services under contract to the nearby Town of Fort Jones, which allows both communities additional police coverage when needed. The Etna Police Department maintains mutual aid agreements with surrounding jurisdictions, including the SCSO, city police departments, the California Highway Patrol (CHP), and California Department of Forestry and Fire Prevention (CAL FIRE).

[1] There are no military installations within 50 miles of the City of Etna. Consequently, the Safety Element does not discuss hazards relative to facilities.

7.3.2 Fire Protection

Fire protection services for the City are provided by the City of Etna Fire Department. In 2025, the Fire Department is staffed by a chief, an assistant chief, and 10-12 volunteer firefighters. Because there are presently fewer volunteer firefighters than there have typically been in the past, the Fire Department would like to add an additional 8-10 volunteer firefighters. The Fire Station is centrally located at 400 Main Street, and response times within city limits are routinely under five minutes. Because older portions of the station are not designed to accommodate the Fire Department's modern equipment and are in poor condition, the Department is looking to construct a new facility that can fulfill the Department's operational needs.

In addition to protecting properties in the City, the Etna Fire Department maintains mutual aid agreements with nearby jurisdictions, including CAL FIRE, and automatic aid agreements with the Town of Fort Jones and the Scott Valley Fire Protection District (SVFPD). At present, the Department responds to all calls for fire and vehicle accidents in the Town of Fort Jones and SVFPD, which includes the City's sphere of influence, as well as to requests for assistance with medical calls. In recent years, the Etna Fire Department has been in discussions with the Town of Fort Jones, the SVFPD, and others to consolidate emergency response services throughout the Scott Valley, a move that is expected to increase efficiencies and improve the delivery of services for valley residents. Further beyond the Scott Valley, the Department assists the Salmon River Volunteer Fire and Rescue Company on a goodwill and as-needed basis due to the Company's limited resources.

The Fire Suppression Rating Schedule (FSRS) is a scoring system used by the Insurance Services Office (ISO) to rank a community's fire protection capabilities on a scale of 1 to 10. A high score of 1 is awarded to communities with superior fire protection capabilities and a classification of 10 is assigned to communities with fire protection capabilities that do not meet minimum criteria for ISO recognition. At the time of the most recent ISO rating in 2017, the Etna Fire Department received a Public Protection Classification (PPC) score of 5-5Y. A split rating was used to differentiate between areas that are within the City of Etna (5) and those areas that are within the Department's response area but outside city limits (5Y).

7.3.3 Medical Services

The nearest hospital to the City of Etna is Fairchild Medical Center (FMC), located approximately 28 road miles northeast in the City of Yreka. FMC and its clinics provide a variety of healthcare services, including emergent, medical, surgical, and ancillary services such as laboratory and imaging. The 25-bed hospital includes a Level IV Trauma Center and FMC in the process of constructing a new emergency department to increase capacity. FMC's Scott Valley Rural Health Clinic is located at 8 Commercial Street in Etna and is open during normal business hours Monday through Friday. According to FMC, its facilities meet the highest seismic rating and the organization maintains constant preparation and readiness for the next disaster. Located slightly further away in Mt. Shasta (62 road miles to the southeast) is Dignity Health's Mercy Medical Center (MMC), a 25-bed hospital offering similar services as FMC in addition to a Level III Trauma Center. Patients brought to MMC requiring a Level II Trauma Center are taken by air ambulance to Dignity Health's MMC in Redding. Medical air transport is provided by REACH Air Medical Services and PHI Air Medical, both of which operate air ambulances out of the Redding Municipal Airport. Depending upon the type of care needed, there are additional hospitals in Ashland, Medford, and Redding. For ground ambulatory services, the City of Etna Ambulance Service provides advanced life support and emergency medical transport services to all areas of the City and Scott Valley, as well as to the geographically isolated Salmon River area via mutual aid.

7.3.4 Disaster Management

The Siskiyou County Office of Emergency Services (OES), located in the City of Yreka, is the primary disaster management agency for Siskiyou County. Siskiyou County OES coordinates with local, state, and federal agencies to prepare for, respond to, and recover from emergencies and disasters. This includes helping communities like Etna develop the resources to mitigate risks, such as emergency preparedness plans, and supporting training for first responders.

Through the Ready Siskiyou program, Siskiyou County OES makes resources for disaster preparation and response available to the public. During large-scale events, Siskiyou County OES activates and maintains the Emergency Operations Center that is used to coordinate and support responses among the various agencies. Following major incidents, Siskiyou OES facilitates post-disaster response and recovery by providing technical advice, assisting with emergency declarations, and working with the California Governor's Office of Emergency Services to obtain Presidential proclamations.

7.4 EMERGENCY PREPAREDNESS

7.4.1 Local Hazard Mitigation Plan

In addition to the information contained herein, the City of Etna participated in the development of the Siskiyou County Local Hazard Mitigation Plan (LHMP). The LHMP was developed in accordance with the Disaster Mitigation Act of 2000 (DMA 2000) and followed FEMA's Local Hazard Mitigation Plan guidance. The LHMP incorporates a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risk. The implementation of these mitigation actions, which include both short- and long-term strategies, involve planning, policy changes, programs, projects, and other activities. The current LHMP is incorporated into the City of Etna General Plan Safety Element by reference and is available on the City's website. A link to the current LHMP is included in Section 7.8, Resources.

7.4.2 Community Wildfire Protection Plan

The primary purpose of the Community Wildfire Protection Plan for Siskiyou County (CWPP) is to provide guidance that enhances protection of human life and to help Siskiyou County communities become more adaptable to wildfire, while reducing the wildfire threat to community values such as structures, critical infrastructure, businesses, and natural and historic resources. The CWPP is designed to guide future actions by residents, property owners, business owners, homeowners associations, fire safe councils, agencies, and citizens. It provides an understanding of how to plan and implement specific actions to reduce wildfire threat, live more safely in a wildfire prone environment, and build more resilient communities.

7.4.3 Water Conservation Plan

As discussed in the Circulation Element, a diversion dam on Etna Creek is presently the sole source for the City's domestic water supply. Because California law requires the City and other diverters to leave water instream for the benefit of other diverters and for wildlife, the amount of water the City can lawfully divert from Etna Creek decreases as instream flows diminish over the dry summer months and/or in response to droughts. To address the City's limited water resources and ongoing drought-related shortages, the City Council adopted the City of Etna Water Conservation and Outreach Plan in 2021. The Plan, which was most recently updated in June 2024, promotes the wise and responsible use of water as a scarce and valuable resource by: (1)

encouraging programs to minimize waste; (2) supporting public education programs that promote water conservation and a better public understanding of water usage; and (3) working through the City Council to develop, adopt, and implement water conservation policies and ordinances that help the City meet its mandate of delivering an adequate supply of water for the needs of Etna's residences, businesses, and schools and for fire protection in a manner consistent with state law.

7.4.4 Evacuation and Preparedness Plan

The Siskiyou County Local Transportation Commission (SCLTC) is presently developing the Siskiyou County Evacuation and Preparedness Plan in coordination with the County of Siskiyou, tribal governments, and the nine cities in Siskiyou County, including Etna. The objectives of the Evacuation and Preparedness Plan are to:

- Develop an understanding of current emergency preparedness plans and how transportation organizations, assets, and services are included in them.
- Analyze infrastructure deficiencies and recommend improvements to help mitigate risks related to natural disasters.
- Create and adopt a region-wide evacuation and preparedness plan detailing standardized practices and protocols for transportation services and evacuation centers for use by Siskiyou County OES, local and regional fire departments, local law enforcement personnel, transit and other transportation providers, the County, cities, and other local jurisdictions.
- Work to ensure regional cooperation, coordination, and capacity building with respect to emergency plans.
- Educate the public, with an emphasis on vulnerable communities, on related emergency protocols developed in the plan (e.g., designated locations for transportation evacuation, emergency shelters, etc.).

7.4.5 CAL FIRE Unit Plans

CAL FIRE utilizes strategic plans to guide its operations and resource allocation in wildfire prevention and suppression, as well as natural resource management. These plans are developed collaboratively with input from various stakeholders and focus on reducing wildfire risk, protecting lives and property, and managing California's forests. CAL FIRE's unit plans are specific to each of CAL FIRE's administrative units and focus on pre-fire management, hazard reduction, and wildfire response within their respective areas. They complement other planning documents like community wildfire protection plans and general plan safety elements. Unit fire plans often address issues like ingress/egress routes, operational training, and fuels reduction. The Unit Strategic Fire Plan for CAL FIRE's Siskiyou Unit was most recently updated in May 2025 and includes the following goals:

- Identify and evaluate wildland fire hazards and recognize life, property, and natural resource assets at risk, including watershed, habitat, social, and other values of functioning ecosystems.
- Promote and support local land use planning processes as they relate to individual landowner objectives and responsibilities and the protection of life, property, and natural resources from risks associated with wildland fire.

- Facilitate the collaborative development and sharing of all analyses and data collection across all ownerships for consistency in type and kind.
- Support and participate in the collaborative development and implementation of local, county, and regional plans that address fire protection and landowner objectives.
- Increase fire prevention awareness, knowledge, and actions implemented by individuals and communities to reduce human loss, property damage, and impacts to natural resources from wildland fires.
- Integrate fire and fuels management practices with landowner/land manager priorities across jurisdictions.
- Determine the level of resources necessary to effectively identify, plan, and implement fire prevention using adaptive management strategies.
- Determine the level of fire suppression resources necessary to protect the values and assets at risk identified during planning processes.
- Implement post-fire assessments and programs for the protection of life, property, and natural resource recovery.

7.4.6 Other Disaster Preparedness Resources

7.4.6.1 Emergency Preparedness Guidebook

The Siskiyou County Department of Public Health and Siskiyou County OES collaboratively developed The Siskiyou County Emergency Preparedness Guidebook to help prepare and keep Siskiyou County residents safe in the event of an emergency. The Guidebook includes a list of resources for staying informed prior to and during an incident, it details the steps to take when planning to evacuate, it describes the evacuation process, and it includes instructions for preparing for wildfires, smoke-related hazards, contaminated water supplies, earthquakes, volcanic eruptions, flood hazards, and power outages. Opportunities and programs for public involvement to increase a community's emergency response capacity are also identified. The Siskiyou County Department of Public Health prints and makes hardcopies of the Guidebook available to the public, and it publishes a digital version to the Department's website along with other resources, such as an Access and Functional Needs registry that is used to identify individuals who require additional assistance during emergencies or disasters.

7.4.6.2 ReadySiskiyou

ReadySiskiyou is a public notification system utilized by Siskiyou County OES that allows the public to sign up for and receive time-sensitive phone, text, and email alerts about emergencies and other important community information, including severe weather, evacuations, unexpected road closures, and missing persons.

7.4.6.3 Genasys Protect

Genasys Protect (formerly Zonehaven Aware) is an evacuation management tool utilized by Siskiyou County OES that helps first responders and communities more effectively plan, communicate, and execute evacuations through evacuation zones developed and approved in close collaboration with law, fire, and emergency service agencies. Using Genasys Protect, emergency responders and the public can identify Siskiyou County addresses and evacuation zones on an online map and view current evacuation information for the area. Evacuation zones in and around the City of Etna, as identified by Genasys Protect, are shown on **Figure 7-1,**

Evacuation Zones at the end of the Safety Element. The evacuation zones shown are for informational purposes only and are subject to change.

7.4.7 Evacuation Routes

The City of Etna strives to be prepared for natural disasters or other emergency events requiring evacuation in partnership with surrounding jurisdictions and Siskiyou County OES. In accordance with California Government Code Section 65302.15(a), which requires that cities and counties identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios, the City of Etna has identified State Route 3 (SR 3) and Main Street/Sawyer's Bar Road/Island Road as the City's evacuation routes (see **Figure 7-2, Evacuation Routes**). These evacuation routes are consistent with the evacuation routes identified by the County of Siskiyou in its General Plan Safety Element. Although the City maintains control over Main Street only, with Sawyer's Bar Road and Island Road being county roads and SR 3 a state highway, these roadways were identified by the City due to their higher capacity relative to other streets in the City in accordance with the functional classifications assigned to them by the California Department of Transportation (Caltrans). As discussed in the Circulation Element, Caltrans has classified SR 3 as a minor arterial, Main Street and Sawyers Bar Road as major collectors, and Island Road as a minor collector. The areas adjacent to these roadways inside city limits are largely free of significant fuel loading and overhead vegetation, however, additional vegetation clearance and on-street parking restrictions should be implemented to improve public safety during emergency events. Ongoing coordination with the County and Caltrans will be necessary to ensure the evacuation routes under their ownership and control provide sufficient capacity, safety, and viability for evacuations under a range of emergency scenarios.

Which direction evacuations will proceed will depend upon the specific disaster, but in general evacuations are expected to move people north out of the City on SR 3. SR 3 has the highest capacity of any roadway in the Scott Valley and it leads directly out of the valley and to the City of Yreka to the north. The nearest hospital is in Yreka, and during emergencies in the past, the evacuation center has typically been established at the Siskiyou County Fairgrounds in Yreka. Though significantly less direct and with lower capacity than SR 3, Island Road leads north through irrigated farmland and reconnects with SR 3 south of the Town of Fort Jones. Travelling SR 3 southeast from Etna toward Weaverville is a winding 75-mile journey along two rivers and through heavy forest. The journey southwest along Sawyers Bar Road from Etna to Forks of Salmon is a 40-mile drive through steep forested terrain that starts with a long climb over Etna Mountain and ends with a long twisting decent along the North Fork of the Salmon River. For this reason, most evacuations are expected to move northward.

The use of evacuation routes in the City under a variety of scenarios is discussed below.

- Following a volcanic eruption, or in advance of an eruption if there is sufficient warning, residents will be directed to either evacuate of shelter in place depending upon the nature of the eruption and distance to the hazard. For ash fall, the most likely direct impact to the City from an eruption of either the Mount Shasta or Medicine Lake volcanoes, sheltering in place is likely to be sufficient. However, if there are secondary effects, such as a fast moving wildfire sparked by a lateral blast or pyroclastic flows, the Incident Commander will make an assessment of areas at risk in close coordination with other agencies, and the Etna Police Department and Siskiyou County Sheriff's Office will direct the evacuation, if needed, accordingly.
- Earthquakes occur suddenly and for the most part without warning. Evacuation may be necessary post-disaster if the ground shaking causes a secondary disaster, such as a fire,

hazardous materials spill, or landslide. The evacuation route(s) to follow would be determined by the Etna Police Department and Siskiyou County Sheriff's Office based on an assessment of which areas are at risk from secondary hazards.

- Wildfires in the area have historically occurred in the mountainous areas surrounding the Scott Valley with little fire activity on the valley floor. Nevertheless, the threat of wildfire to the City of Etna is of great concern. Should winds driven by an afternoon thunderstorm spread a wildfire into the City, evacuation of potentially affected neighborhoods is likely. The evacuation route(s) would be determined based on an assessment of areas at risk and the evacuation directed by the Etna Police Department and Siskiyou County Sheriff's Office.
- Localized flooding due to storm events can and does occur within the planning area, typically where low spots in the topography capture storm water. Less often flooding occurs within the Etna Creek and Johnson Creek floodplains. The appropriate evacuation routes to use in the event of flooding will depend on where flooding is more severe and on the evacuee's destination. Evacuation may involve merely getting out of the low spots and onto higher ground. However, if flooding is widespread in the community, the evacuation route(s) to follow would be determined by the Etna Police Department and Siskiyou County Sheriff's Office based on an assessment of affected areas.
- Releases of hazardous materials, either as a result of a leak or due to an accidental spill, generally will require the evacuation of a relatively small area, generally within a one- to two-mile radius of the release. However, due to the small size of the City, that potentially encompasses all of Etna. The evacuation route(s) to follow would be determined by the Etna Police Department based on an assessment of the leak location, prevailing wind directions, traffic flow, and location of the emergency shelter, if any, opened for the event.

7.4.7.1 Single-Access Roadways

A key element of being able to safely evacuate is having access to multiple ingress and egress routes in case one roadway becomes blocked. While multiple access points are not presently required in the City's Subdivision Ordinance, the City is located entirely within a Very High Fire Hazard Severity Zone, and as such, the City also enforces the State's Minimum Fire Safe Regulations (Title 14 of the California Code of Regulations (CCR), Division 1.5, Chapter 7. Subchapter 2, Articles 1-5). In accordance with 14 CCR Section 1273.08 (Dead End Roads), roads without more than one access point are limited to 800 feet in length when they serve parcels zoned for less than one acre, which are most lots in Etna. Accordingly, such a requirement is enforced during the City's review and approval of subdivision maps, when needed, to ensure public safety. However, because older subdivisions may have been approved without such a requirement, and in an effort to eventually improve access to all areas of the City, an assessment of the dead-end roadways in Etna was prepared. These roadways are shown on **Figure 7-3, Single-Access Roadways** at the end of the Safety Element.

As determined through the City's assessment, there are only two single access roadways in Etna that exceed 800 feet in length, Vernon Street and Callahan Street east of its intersection with Callahan Road. Vernon Street is an approximately 1,040-foot unpaved roadway that is restricted to a 15-foot right-of-way and serves the City's water treatment plant and four residential lots, three of which are developed. Callahan Street east of its intersection with Callahan Road is an approximately 1,020-foot partially paved roadway located within a 50-foot right-of-way that serves 12 residential lots inside city limits and two parcels outside the City. Residential uses have been established on ten of the city parcels and one of the county parcels. An additional single-access,

unpaved roadway, Pleasure Park Road, weaves in and out of city limits a total distance of approximately 1,500 feet and serves five parcels, two of which are developed with dwellings. Other single-access roadways or road segments in the City, all of which are less than 800 feet in length include: Cleveland Street (350 feet) and Howell Avenue (350 feet) south of Woodland Street, Callahan Road east of Lovers Lane (300 feet), Commercial Street west of Industrial Parkway (90 feet), Telco Way north of Commercial Street (400 feet), Industrial Parkway north of Commercial Street (680 feet), and two segments of Pleasure Park Road, the longest of which is approximately 570 feet. Where feasible and appropriate, access should be improved for properties along these roadways.

7.4.8 Municipal & Emergency Water Supplies

The City obtains its water from a diversion on Etna Creek. From there the water is conveyed via gravity to the City's Water Treatment Plant where it is filtered and chlorinated before entering a 155,000-gallon in-ground reservoir and two above-ground steel tanks with a combined capacity of 338,000 gallons. To ensure the City maintains adequate water supply and fire flows for existing and future development, the City has an ongoing program of upgrading its water distribution system as funding allows, and the City has been successful obtaining grants for this purpose. Most recently in 2022, the City was awarded grant funding through the State's 2021 Urban and Multibenefit Drought Relief Grant program to increase the City's water supply and storage capacity. Improvements approved for funding include replacement of water meters throughout the City with automated meter reading devices, installation of a 250,000-gallon water storage tank, and development of a secondary water supply for use during emergencies. The new water meters and storage tank have been installed and are in service, and the second phase of the project, which entails developing up to two groundwater wells at Johnson-Joss Memorial Park, is in process and scheduled for completion in 2025.

With the addition of the recently installed 250,000-gallon water storage tank, the City's storage capacity has been increased to 493,000 gallons. This allows the City's water distribution system to deliver 1,000 gallons per minute (GPM) for 48 hours, including during those times when system demand is at its highest (i.e., peak load conditions).[2] However, once the City's water storage is depleted, the supply of water available to meet the City's domestic water and firefighting needs drops to 800 GPM. This can currently be increased to 1,000 GPM and greater by means of a bypass valve at the City's Etna Creek diversion that must be opened manually. Once the new emergency water supply is developed and in service, the ability to quickly increase flows during an emergency event will be greatly improved.

7.4.9 Road Minimum Widths and Turnouts

Minimum road widths and turnouts are essential for designing a safe environment so that emergency vehicles can access all areas of the City. The City of Etna requires that all new road widths and turnouts comply with the minimum street standards of Chapter 16.24 (Street and Highway Design) of the Etna Municipal Code, as well as Article 2 (Ingress and Egress) of the State Minimum Fire Safe Regulations. Where inconsistencies exist, the more restrictive standards apply. Where existing roadways do not meet either set of standards, improvements are scheduled in the Siskiyou County Regional Transportation Plan (RTP) as funding allows. The City's Public Works, Engineering, and Fire Departments are responsible for implementing and ensuring public roads are designed to these standards.

[2] There is expected to be some variability in pressure depending upon location within the distribution system.

7.4.10 Defensible Space

Defensible space is the area around a structure where vegetation and other combustible materials are managed to slow or stop the spread of wildfire. Defensible space can protect structures from direct flame impingement and radiant heat, as well as reduce the number of burning embers. It also helps to safeguard fire fighters who may be attempting to save the structure during a fire. It is considered crucial for structure survivability during wildfires.

California Government Code Section 51182 requires that any person owning, leasing, controlling, operating, or maintaining an occupied structure in VHFHSZ maintain 100 feet of defensible space around that structure. In the immediate five feet surrounding the structure, the most intense fuel modification is required. This zone must be kept ember-resistant through use of non-combustible hardscaping, pruning overhead vegetation, removing branches within 10 feet of chimneys, regular debris removal, and relocating combustibles outside this zone. In the intermediate area surrounding the structure (5-30 feet or to the property line), grass must be kept short, trees kept trim, dead and dying plants and dry vegetation removed, and trees, shrubs, and other combustible items kept separate. In the extended zone surrounding the structure (30-100 feet or to the property line), grass must be kept short, dried vegetation removed, vertical and horizontal spacing established between lawn, shrubs, and trees, and the areas around wood piles, outbuildings, and propane tanks kept clear.

Because most of the City has only recently been designated as VHFSZ, the creation of defensible space, while advisory, has not been a citywide requirement. With recent changes to the Fire Hazard Severity Zone map for Etna, the creation and maintenance of defensible space has become mandatory throughout the City. Accordingly, the City is working to improve resident awareness of the defensible space requirements and to obtain grant funding for defensible space improvements.

7.4.11 Fuel Breaks

The Etna Shaded Fuel Break is an approximately 100 to 200-foot wide shaded fuel break that runs south and west of the City. The fuel break has been in existence since 1979 and has been maintained at various intervals over the years.[3] The fuel break begins at Sawyers Bar Road south of Etna Cemetery, proceeds west approximately one-half mile along a dirt road until it intersects with another dirt road, turns north, and proceeds along this other dirt road one and three-fourths miles to the center of Section 20 where it shifts east and terminates at SR 3. Fuel reduction treatments within the Etna Fuel Break have included prescribed burns, mastication, thinning, pruning, and burning of brush piles. The City of Etna Fire Department uses the opportunities for training.

In 2021, CAL FIRE worked throughout Siskiyou County on fuel reduction projects, including within the Scott Valley. CAL FIRE worked with landowners and others to educate and assist them with fuel reduction projects utilizing broadcast burning to enhance agriculture production and fire safe landscapes. Opening and maintaining fire access roads was a priority. Work continued through cooperation with private timber companies and landowners to open previously impassable fire access roads.

[3] Some landowners with property in the fuel break have been conducting fuel reduction treatments to enhance fire safety since the 1950s.

Private timber companies have continued the fuel reduction efforts from Patterson Creek to Crystal Creek accounting for about 11 miles of treatment varying in width from 600 feet to one-half mile. Timber companies have also thinned along Sniktaw Road above Shackleford Creek and continue to work on improving ingress and egress routes. These projects seek to bolster and extend the Etna Fuel Break to protect of stakeholders on the west side of Scott Valley from wildfires.

The Scott River Watershed Council and the Siskiyou Prescribed Burn Association have submitted grants for education and fuels reduction projects in the Scott Valley that connect previously completed fuel breaks and proposed Fire Safe Council grant fuel breaks.

7.5 HAZARDS

Emergency preparedness measures in the City of Etna and elsewhere are driven by the risks and potential hazards affecting the area. For Etna, vulnerabilities include the City's climate and setting, seismic and geologic hazards, urban and wildland fires, flood hazards, hazardous materials spills, and the effects of climate change, such as drought, wildfire, extreme weather, and flooding.

7.5.1 Climate and Setting

The City of Etna is located at an average elevation of 2,936 feet above sea level in the approximately 100-square mile Scott Valley. The long, narrow valley sits in an approximately 814-square mile watershed drained by the Scott River and its tributaries. The Scott Valley is situated within and surrounded by the rugged and heavily forested Klamath Range approximately 28 miles west of Mount Shasta in the volcanic Cascade Range. Topography within the Scott Valley is relatively flat, gaining only 355 feet of elevation between Meamber Creek in the north and Sugar Creek roughly 25 miles to the south. The elevation change outside the valley is more sudden. Because of the surrounding topography, road access in and out of the Scott Valley is limited and at times difficult.

The Scott Valley's climate is classified as Mediterranean, which is characterized by high seasonal variability, including hot, dry summers and cool, wet winters. The average high temperature in the Scott Valley in July is 91.4° F and the average low temperature in January is 23.0° F. Most precipitation in the Scott Valley falls over a roughly five-month period from late October/early November until late March/early April, with snowfall common between late November and early March. The Scott Valley receives 20.47 inches of total annual average precipitation and 19.5 inches of total average snowfall. The least amount of precipitation occurs during the summer months, with July receiving an average of 0.40 inch. When precipitation does fall during the summer, it typically arrives in a thunderstorm. Agricultural uses, particularly alfalfa production, are widespread in the Scott Valley, and much of the valley floor is irrigated between spring and early fall.

Like the topography of the Scott Valley, much of the City is relatively level, sloping gently to the northeast and the nearby Scott River. Two of the river's tributaries, Etna Creek and Johnson Creek, and their floodplains are within the City's planning area. Etna Creek borders the City to the south and Johnson Creek passes through Etna in the north. A short distance outside city limits to the west, the land ascends abruptly and the valley floor gives way to the Marble Mountains, a subrange of the Salmon Mountains, which are themselves a subrange of the Klamath Range. In addition to the forested slopes along the City's western border, vegetative cover in or near the City includes irrigated farmlands, open land, dry farmland, and some brushy areas. Cover in the

brushy areas include thorn-apple thickets, willows, wild chokecherry, and cottonwoods. The understory vegetation is annual and perennial grasses, wild rose bushes, weeds, and hemlock.

Etna's geographical setting presents several unique public safety concerns:

- The City of Etna is susceptible to impacts resulting from volcanic activity at the Mount Shasta and Medicine Lake volcanoes. The most likely impacts would be from tephra ash, which are fine fragments of volcanic rock formed in an explosive eruption.
- The Klamath Range that encompasses the City of Etna and the Scott Valley was formed through long, complex and ongoing geologic processes that continue to generate seismic activity in the region.
- Isolated areas of steeper slopes north and west of the City are potentially unstable and susceptible to deep-seated landslide activity.
- Wildfires are a regular occurrence in the mountains surrounding Etna, most of the City is considered Wildland Urban Interface, and all of Etna is designated as being in a Very High Fire Hazard Severity Zone.
- Persistent drought in the region and/or a catastrophic wildfire in the Etna Creek watershed could adversely impact the City's surface water supply.
- There are approximately 129.3 acres in the City that are within the 100-year floodplains for Etna Creek and Johnson Creek and an additional 30.6 acres in Etna within 500-year floodplains.
- The dominant soil types in Etna have moderately slow permeability, which can cause localized flooding during extreme weather events, particularly where stormwater drainage improvements are absent or otherwise inadequate.
- A toxic or hazardous chemical accident on SR 3 or elsewhere in the City could have serious and immediate implications in Etna.

7.5.2 Seismic and Geologic Hazards

The Klamath Range where Etna is located is noted for its complex geologic history, while the Cascade Range a short distance to the east is known for its large and recently active volcanos.

7.5.2.1 Volcanic Hazards

The two Cascade Range volcanoes nearest to the City of Etna are Mount Shasta and Medicine Lake. Though Mount Shasta has not been active for more than two centuries and Medicine Lake for almost a millennium, both volcanoes are only dormant and will almost certainly erupt again. Experience with Cascade Range volcanoes, including Mount St. Helens (1980 to present) and Mt. Lassen (1911-1920), demonstrates that eruptive episodes can and do occur in present time involving volcanoes that are generally considered inactive. The Mount Shasta and Medicine Lake volcanoes and the potential hazards associated with them are discussed below.

Mount Shasta

Mount Shasta is a 14,163-foot-high stratovolcano located approximately 28 miles east of Etna. The current volcano formed on the remnants of an older volcano that collapsed sometime roughly 380,000 to 330,000 years ago. The collapse created one of the largest landslides known on Earth, depositing volcanic rock and other materials across approximately 260 square miles of the Shasta

Valley to the northwest. Since then, Mount Shasta has had long lulls in eruptive activity punctuated by brief period of many eruptions. Eruptions around 11,000 years ago built nearby Black Butte and the Shastina dome on the west flank of Mount Shasta. In the last few millennia, there have been eruptions at the volcano's summit and from vents on Mount Shasta's east flank. The most recent well-documented eruption occurred around 3,000 years ago. According to the US Geological Survey (USGS), small, short-lived blasts of steam and ash may have occurred as recently as 1,800 to 200 years ago, but additional field verification is required.

Research published to date suggest that Mount Shasta may have erupted about once every 800 to 600 years over the last 10,000 years. This corresponds to a 3.5 percent chance of eruption within the next 30 years. USGS seismometers and GPS receivers operated by EarthScope Consortium, formerly UNAVCO, form the monitoring network for Mount Shasta. The volcano has been relatively quiet for at least the past 15 years, with only a handful of small-magnitude earthquakes and no demonstrable ground deformation. Although geophysically quiet, periodic geochemical surveys indicate that volcanic gas emanates from a fumarole at the summit of Mount Shasta from a deep-seated reservoir of partly molten rock. According to USGS, Mount Shasta is the most likely Cascade Range volcano to produce an explosive eruption of very large volume. Future eruptions, like those of the last 10,000 years, are likely to produce deposits of ash, lava flows, domes, and pyroclastic flows, and could endanger infrastructure and lives within several miles of the volcano. It is ranked by USGS as the fifth highest threat volcano in the United States.

Medicine Lake

Medicine Lake volcano is a large, shield volcano located roughly 63 miles to the east/northeast of Etna. Located at the volcano's summit (elevation 7,913 feet) is a water-filled caldera formed by withdrawal of magma during eruptions. The caldera is eight miles wide and 14 miles across. The intermittent, mostly nonexplosive eruptions over the last half million years produced expansive lava flows, some covering as much as 100 square miles. The volcano has erupted nine times during the past 5,200 years, and seven of those eruptions began with an explosive phase. The two youngest eruptions produced ash clouds that drifted tens of miles downwind before explosions ceased and thick, glassy lava flows began oozing from the vents forming Little Glass Mountain (1,000 years ago) and Glass Mountain (950 years ago).

Overall, the pattern of eruptions over the past 12,500 years suggests the likelihood of a future eruption from Medicine Lake volcano is one in 3,600 annually, which corresponds to about a one percent chance of eruption within the next 30 years. Seismometers and GPS receivers provide a modest volcano monitoring network at Medicine Lake volcano. Volcanic gas emissions suggest that partly molten rock lies beneath the volcano, which provides heat for a robust geothermal system underlying the caldera. Sporadic earthquake swarms are detected by the monitoring network as well as ground subsidence owing to motions on regional faults and "sagging" of rock softened by volcanic heat. The character of a future eruption is most likely to be effusive, with fountains of lava potentially rising hundreds of feet in the air. Over the course of weeks to months, a circular mound of cinder would form around the vent and slow-moving lava flows could impact areas many miles away. It is ranked by USGS as the 45th highest threat volcano in the United States.

Volcanic Activity

Several USGS reports describe the characteristics of volcanic activity likely to affect areas near each volcano, including Volcanic Hazards at Mount Shasta, California (1989), Volcano Hazards Assessment for Medicine Lake Volcano, Northern California (2007) and California's Exposure to

Volcanic Hazards (2019). These characteristics are discussed below along with their possible impact to the City of Etna. The hazard areas associated with the two volcanos are shown on USGS's "Mount Shasta, CA Simplified Hazards Map" and USGS's "Medicine Lake, CA Simplified Hazards Map," which have been incorporated into the Safety Element as **Figures 7-4, Mount Shasta Volcanic Hazards** and **7-5, Medicine Lake Volcanic Hazards.** The maps do not show areas potentially affected by volcanic ash, which is often influenced by wind direction and distance from the source.

Pyroclastic Flows: Pyroclastic flows are streams of hot ash and rock fragments, mixed with hot air and other gases, that move rapidly along the ground surface during an eruption. These flows are especially dangerous due to their high temperatures and their high speeds which may be more than 100 miles per hour. Due to the speed of pyroclastic flows, escape is nearly impossible. They are best avoided by evacuation of threatened areas before an eruption. Etna is located outside of the pyroclastic flow zones of both volcanoes.

Lateral Blasts: This type of blast is a sideways-directed volcanic explosion that carries large pieces of rock and ash at a very high speed along and above the ground surface. The rock debris carried by the lateral blast of Mount St. Helens in 1980 had an initial speed of more than 250 miles per hour, and it was still moving about 60 miles per hour near its outer limit about 15 miles from the volcano. Lateral blasts may cause fatalities as the result of impact, burial, or heat. Mount Shasta, like Mount St. Helens, is potentially subject to lateral blasts. Etna is located within an area potentially affected by lateral blasts at Mount Shasta but at the outer limits of that zone, such that the likelihood of the threat is reduced due to distance.

Lava Flows: Lava flows are rarely life-threatening because they move slowly enough for people to get out of their way and seldom occur at the outset of an eruption. Etna's distance from both volcanoes is sufficient that lava flows are not considered directly life threatening; however, lava flows can affect critical transportation corridors, such as Interstate 5 and Highway 89, and ignite wildfires in the region.

Lahars/Volcanic Mudflows: A lahar, or volcanic mudflow, is a mass of water-saturated rock debris that moves downslope generally as a fluid. Lahars can form when lava flows, pyroclastic flows, or hot lateral blasts melt snow on the side of a volcano. Mudflows tend to follow stream valleys and can travel long distances generally at a rate of 10 to 20 miles per hour, but faster on steep slopes. Due to their slower speed and distance from Etna, as well as the intervening topography between Etna, Mount Shasta, and Medicine Lake, such flows are not considered life threatening should a mudflow occur.

Landslides: A volcanic explosion, severe earthquake or heavy rains could start landslides of rock debris from the side of Mount Shasta. A landslide triggered by an earthquake at Mount St. Helens on May 18, 1980, traveled about 14 miles beyond the volcano. Mount Shasta has also been subject to mudflows that have been triggered by heavy rains on top of snow, although this type of mudflow is not considered to be a threat to Etna.

Volcanic Ash: Ash resulting from an eruption could cover a large area and could reach a depth of two inches or greater, depending on the amount of ash released into the atmosphere and the direction of wind at the time. Given that the prevailing winds generally come from the northwest and southwest, it is likely that most ash would fall east of the volcanoes and away from Etna.

7.5.2.2 Surface Rupture

As shown on **Figure 7-6, Fault Activity Map** there are several faults in the region. The closest of these are the Scott Valley Fault located approximately two miles northwest of the City near Crystal Creek, the Mallethead Fault in the hills surrounding the Scott Valley approximately 2.5 miles east of Etna, and an unnamed fault approximately 5.8 miles to the south. Though the faults that surround Etna are potentially active (i.e., they show evidence of displacement during the past 1.6 million years), the closest active fault, one which has ruptured in the last 11,000 years, is located approximately 30 miles east of Etna in the Cedar Mountain Fault System. The City is not identified by the California Geological Survey as being located in an Alquist Priolo Fault Zone.

7.5.2.3 Ground Shaking

Regions of California near major active faults experience, on average, stronger earthquake shaking more frequently. According to USGS, the nearest recorded earthquake affecting Etna in the past 125 years was a magnitude 2.6 earthquake that occurred approximately 1.9 miles east/southeast of city limits on December 4, 1997. The earthquake, although close, had little impact. The largest recorded earthquakes to affect Etna were earthquakes with magnitudes of 7.2. The first earthquake occurred on November 8, 1980, approximately 77 miles west/southwest of the City, and the second occurred on April 25, 1992, approximately 106 miles west/southwest of Etna. While both earthquakes were of the same magnitude, the latter was felt throughout much of northern California and southern Oregon and as far south as San Francisco, was followed by an earthquake with a magnitude of 6.5 a little over an hour and a half later, another quake with a magnitude of 6.7 less than four hours later, and several large aftershocks. It also resulted in significantly more injuries in the areas that were hardest hit. Due to the distance from the epicenter to Etna, the earthquake had an observed Modified Mercalli Intensity of III at the USGS monitoring station in Callahan, which is classified as weak. While all of California is earthquake-prone, according to the USGS, the City of Etna has lower potential for more frequent, stronger shakes than possible and experienced elsewhere (see **Figure 7-7, Earthquake Shaking Potential**).

7.5.2.4 Slope Instability

Slope failure is the movement of soil, rock, or other earth materials downhill in response to gravity. Slope failure includes rockfalls, debris flows, debris avalanches, earthflows, mudflows, landslides, and erosion. While slope failure can result from erosive activity, especially as climate change increases the occurrence of severe weather events, the planning area is relatively flat, such that slope instability is not a significant concern within the City. In the Marble Mountains west of the City, the potential for slope instability is much greater. Nevertheless, according to the California Department of Conservation, the nearest reported landslide to the City of Etna occurred on October 24, 2021, in the Bolam Creek drainage, which is on the north slope of Mount Shasta approximately 30 miles east of Etna. The landslide was a "shallow landslide," a type of rapid debris flow caused by a period of intense rainfall and/or rapid snowmelt where the plane failure is located 10 feet deep or less below ground. Shallow slides typically follow a long saturation period punctuated by an intense burst of precipitation over several hours or a few days. Deep-seated landslides, on the other hand, are a type of slower moving landslide where the depth of the plane failure ranges from ten feet to several hundreds of feet below the surface. These types of slides tend to result from changes in the geologic and hydrologic processes in the area of the landslide, such as earthquakes and increased groundwater levels. Once formed, deep-seated landslides can persist for a few years or even centuries. The relative likelihood of deep-seated landslides based on estimates of rock strength and steepness of slopes in and around the City is shown on **Figure 7-8, Deep Seated Landslide Susceptibility**.

7.5.2.5 Liquefaction

Liquefaction occurs when loose sand and silt that is saturated with water behaves like a liquid when shaken by an earthquake. Liquefaction can result in the following types of seismic-related ground failure:

- Loss of bearing strength – soils liquefy and lose the ability to support structures.
- Lateral spreading – soils slide down gentle slopes or toward stream banks.
- Flow failures – soils move down steep slopes with large displacement.
- Ground oscillation – surface soils, riding on a buried liquefied layer, are moved back and forth by shaking.
- Flotation – floating of light buried structures to the surface.
- Settlement – settling of ground surface as soils reconsolidate.
- Subsidence – compaction of soil and sediment.

Three factors are required for liquefaction to occur: (1) loose, granular sediment; (2) saturation of the sediment by groundwater; and (3) strong shaking. As discussed in the Open Space & Conservation Element, the soils underlying most of the City are well-drained loams. Although there are approximately 205 acres east of Howell Avenue south to Pleasure Park Road and Callahan Street where the soil types are comprised of somewhat poorly drained sand, silt, and clay, liquefaction has not been reported in the past nor has the City historically been subject to strong seismic activity.

To inform local governments about potential hazards, the California Geological Survey (CGS) designates areas of the State that are subject to potential liquefaction. The CGS does not identify Etna as being located in an area of potential liquefaction. The nearest liquefaction zones identified by CGS are located approximately 230 miles south of the City in the San Francisco Bay area.

7.5.2.6 Subsidence

Subsidence is the sinking of the ground due the underground movement of material. It is frequently caused by extracting water, oil, natural gas, and mineral resources by means of pumping, fracking, and mining activities. However, subsidence can also be caused by natural events, including earthquakes, soil compaction, glacial isostatic adjustment, erosion, sinkhole formation, and adding water to fine soils deposited by wind. It can happen over very large areas, such as a region of the State, or over very small areas, such as within a single parcel. The USGS identifies areas of recorded subsidence, both historical and current, across California. The City of Etna is not identified by USGS as being affected by current or historical subsidence. The USGS identifies an area located west of Sacramento as the nearest documented subsidence to Etna.[4]

7.5.3 Wildland and Urban Fire Hazards

Wildfires are a regular feature of the landscape throughout much of California, including in the Klamath National Forest (KNF) and rugged mountains west of the City which typically experience dozens of new fire starts each year. The fires are primarily the result of the region's hot, dry summer climate and recurrent afternoon and evening thunderstorms that form over the mountains

[4] Although not presently shown on the USGS map, subsidence has recently been observed in the Upper Klamath Basin following years of curtailed water deliveries by the Bureau of Reclamation and increased reliance on groundwater pumping.

in the unstable air during the heat of summer and early fall. According to the US Forest Service, approximately 80 percent of the wildfires that occur in the KNF each year are sparked by lightning, while the remaining 20 percent are caused by other activities, such as unattended burn piles, improperly extinguished campfires, and mowing. Other potential wildfire ignition sources include downed power lines, vehicle accidents, equipment malfunctions, and arson. According to CAL FIRE, which annually reports on large (i.e., 300 acres or more) fires in the State, approximately 84 percent of California's wildfires in 2024 were human caused, three percent had a natural source (e.g., lightning), and the source for 12 percent of the wildfires could not be determined.

Regardless of how a fire starts, once it has begun, strong winds can carry burning embers several miles from the main fire, allowing them to ignite new fires. This makes embers the primary cause of structural damage and home loss during wildfires, with some estimates suggesting they are responsible for up to 90 percent of homes destroyed. Structures within the wildland urban interface are particularly at risk.

When communities are impacted by wildfire, the destruction can be unimaginable. During the fire, residents may be given only moments to evacuate, and roadways can become blocked by flames and/or fallen debris, making it extremely difficult for residents to safely evacuate and for emergency responders to protect life and property. When residential, commercial, and industrial properties are damaged or destroyed by fire, a mess of dangerous debris and hazardous waste is left behind that must be cleaned up and removed before property owners can rebuild. Electrical transmission lines and communications equipment can be badly damaged or destroyed in a fire, leaving areas without power and/or phone service until facilities and equipment can be replaced and the power safely restored. Even when communities are spared from a fire's destruction and the wildfire is limited to wildlands, the air quality over large areas is badly impaired with the toxic particulate matter found in smoke.

The record of wildfires in the immediate vicinity of the City since 1878 is shown on **Figure 7-9, Historic Fire Perimeters**. As shown on **Figure 7-9**, large wildfires near Etna have typically burned in the mountains west of Etna, whereas there have so far been no large fires on the irrigated valley floor. While it also appears wildfire activity on the valley floor has been less frequent, CAL FIRE cautions that the dataset reflected on the map is incomplete, and that users should be cautious when drawing conclusions based on the data. Regardless of past fire activity, increasingly warmer temperatures resulting from climate change are expected to generate more frequent thunderstorms along with more fuel for fires. As fire conditions worsen, the potential for winds generated by a thunderstorm to push burning embers or a wildfire directly into city limits will increase. Wildfires will remain a significant issue for the City, and will continue to require the coordination, dedication, and support of multiple agencies and landowners to address.

Recent large fires in the vicinity of the City of Etna include the 33,794-acre Whites Fire, which burned within 6.7 miles of city limits in 2014, the 63,785-acre Wallow Fire, which burned within 2.5 miles of Etna in 2017, the 13,441-acre Mountain Fire, which burned within 8.5 miles of the City in 2022, and the 15,520-acre Shelly Fire, which burned within 2.8 miles of city limits in 2024. Several other recent wildfires in Siskiyou County (2016-2024) are identified in the Siskiyou County Local Hazard Mitigation Plan. Areas outside of the boundaries of the map, including the rest of the State, are shown on CAL FIRE's Fire and Resource Assessment Program (FRAP) website. A link to the FRAP website and the most up-to-date fire perimeters map is included in Section 7.8, Resources.

It should be noted that the Local Hazard Mitigation Plan includes additional wildfire information for Etna beyond that provided in the Safety Element, including descriptions of fire behavior by

vegetation type; the National Fire Danger Rating System; consequences of fire; collaborative efforts that are underway in Siskiyou County to mitigate future fire risk and severity; and the City of Etna's fire risk, vulnerabilities, expected losses, and risk reduction measures. Information regarding fire risks is summarized herein below.

7.5.3.1 Wildland Urban Interface

The Wildland Urban Interface (WUI) is the zone where houses and other development meet or intermingle with undeveloped wildland vegetation. The two types of WUI, interface and intermix, differ in whether there is a clear demarcation of wildland vegetation and development (interface) or whether the two are intermingled (intermix). Because of the convergence of humans and the environment in the WUI, the WUI is a zone in which fire can move readily between structures and vegetation, potentially resulting in massive fires, or conflagrations, that can lead to widespread evacuations.

In an effort to provide a framework for scientific inquiries into the effects of housing growth on the environment, as well as inform national policymakers and local land managers about the WUI and associated issues, the US Forest Service prepares detailed assessments of WUI across the United States. **Figure 7-10, Wildland Urban Interface** reflects the findings of the Forest Service's 2020 WUI assessment relative to the City of Etna. As shown on **Figure 7-10**, the Forest Service identifies almost all land within the City as Interface, the area south of Main Street principally as Intermix, and a small area north and south of Johnson Creek as non-vegetated or agricultural.

7.5.3.2 Wildfire Hazard Severity Zones

California law requires the State Fire Marshal to designate areas, or make recommendations for local agency designation of areas, that are at risk from significant fire hazards based on fuels, terrain, weather, and other relevant factors. The State Fire Marshal does so through the publication and regular update of Fire Hazard Severity Zone (FHSZ) maps, which local agencies must adopt in compliance with state law.

According to the Office of the State Fire Marshal, the FHSZ maps are developed using a science-based and field-tested model that assigns a hazard score based on the factors that influence fire likelihood and fire behavior, such as fire history, existing and potential fuel (natural vegetation), predicted flame length, blowing embers, terrain, and typical fire weather for the area. There are three levels of fire hazard assigned: moderate, high, and very high. **Figure 7-11, Fire Hazard Severity Zones** shows the designated fire hazard severity zone ratings within and surrounding the City. The Office of the State Fire Marshal makes these maps publicly available on CAL FIRE's FRAP website. A link to the FRAP website and the most up-to-date FHSZ maps is included in Section 7.8, Resources. As shown on **Figure 7-11**, the entire City of Etna is designated as being in a Very High Fire Hazard Severity Zone.

It is important to note that the FHSZ maps evaluate "hazard," not "risk". In doing so, they are like FEMA flood maps where the probability level of a particular area being inundated by floodwaters is shown, not the potential impacts of the flooding. The degree of "hazard" is based on the physical conditions that create a likelihood and expected fire behavior over a 30 to 50-year period without consideration of mitigation measures, such as home hardening, recent wildfires, or fuel reduction efforts. "Risk" is the potential damage a fire can have on an area under existing conditions, accounting for any modifications, such as fuel reduction, defensible space, and use of ignition resistant construction materials and methods.

7.5.3.3 Wildfire Risk

To help communities better understand and reduce their wildfire risk, the US Forest Service developed Wildfire Risk to Communities, a publicly accessible online source of interactive maps, charts, and other information developed using the best available science. Wildfire Risk to Communities allows users to determine how likely wildfire is in their area relative to other communities in California and the nation, areas of their community where homes are most at risk of fire, which actions are most effective to reduce wildfire risk in the community, and where vulnerable populations exist in the community and how they can be reached.

According to the Wildfire Risk to Communities website, both the risk to homes and likelihood of wildfire in Etna are higher than 92 percent of communities in California and 99 percent of communities in the United States. In general, the areas of Etna with the highest risk and likelihood of wildfire are located west of Howell Avenue and south of Main Street with several high risk/high likelihood pockets throughout the City as well, including adjacent to and north of Johnson Creek and south of SR 3. No area of the City is identified as having a concentration of vulnerable residents. Roughly half of the homes in Etna (52%) are identified as being subject to direct wildfire exposure, or potential ignition by adjacent vegetation, flying embers, and nearby structures, and the other half of homes (48%) subject to indirect exposure, or possible ignition by embers or home-to-home ignition. In both instances, the Forest Service indicates that land use planning and use of wildfire-resistant building materials/landscaping should be employed to reduce fire risk. In areas of possible direct exposure, the Forest Service identifies hazardous fuel management and the ability to respond as also being critically important.

7.5.3.4 Existing and Future Development

When evaluating wildfire hazards relative to existing and future development in Etna, it is important to recognize that the entire City is designated as VHFHSZ and nearly all of the City is identified as WUI. Consequently, both existing and future development in the City will continue to be vulnerable to wildfire hazards, as well as ongoing efforts to mitigate wildfire risk and severity. City enforcement of the State's Minimum Fire Safe Regulations in the Local Responsibility Area and County and CAL FIRE enforcement of same in State Responsibility Areas outside the City are part of that wildfire risk and severity reduction effort.

The existing and planned locations of residential, mixed-use, commercial, industrial, public agency, and open space development in the City are consistent with the land use classifications shown on the City's General Plan Land Use Map (see Land Use Element **Figure 2-14**). The distribution of existing development in the City is also shown on the County of Siskiyou's "Siskiyou County Map Viewer," an online GIS resource of parcel ownership and other geographically referenced data. A link to the Siskiyou County Map Viewer is included in Section 7.8, Resources. Residential and mixed-use lands in the City comprise roughly 75 percent of the City's total land area, while nonresidential lands, such as commercial, manufacturing, public uses, and open space, comprise approximately 25 percent. As discussed in the Land Use Element, population growth in the City is not expected to increase or decrease significantly over the next 20 years. As such, outside of the current need for additional fire fighters and a new Fire Hall and the expansion and consolidation of emergency services in the Scott Valley, as discussed herein, emergency service needs in the City are not projected to change significantly over the planning period.

Because of their importance to the resilience of the community, and to assist in planning for the expansion, hardening, and relocation of these essential public facilities, the location of public facilities relative to FEMA Flood Hazard Zones is shown on Land Use Element **Figure 2-13,**

Public Facilities and Flood Hazards. The information included on that map is reproduced herein, along with information relative to VHFHSZ and WUI in and around Etna, as **Figure 7-12, Public Facilities and Natural Hazards**.

7.5.3.5 Fire Prevention and Resident Safety

Fire prevention, fire severity reduction, and resident safety are significant concerns for the City and region. Outside city limits, the Forest Service has been actively implementing strategies in the KNF to mitigate fire risks and create more resilient landscapes, such as prescribed fire and thinning. Recently, CAL FIRE initiated the Scott Valley WUI Fuel Reduction project through the State's California Vegetation Treatment Program to create forested shaded fuel breaks within WUI adjacent to and near Etna and Fort Jones.

Presently key strategies being employed by the City to reduce fire risk and improve public safety in Etna include:

- Maintaining well-trained and staffed police and fire departments and working cooperatively with other public agencies with responsibility for public safety.
- Ensuring adequate infrastructure for new development, including safe access for emergency response vehicles, visible street signs, and water supplies for structural fire suppression.
- Locating, when feasible, new essential public facilities outside of high fire risk areas and/or identifying construction methods or other methods to minimize damage to these facilities.
- Working with the Siskiyou County Building Department and property owners to ensure building materials and landscaping reduce the potential for ignition.
- Creating and maintaining defensible space around structures to minimize fuels and fire spread.
- Identifying areas where there is significant fire risk and a history of losses.
- Avoiding or minimizing the wildfire hazards associated with new uses of land.
- Public education.

7.5.4 Flood and Dam Inundation Hazards

7.5.4.1 Flood Hazards

Flooding can cause significant harm to buildings, people, and infrastructure. Floodwaters can be deep and fast enough to prevent passage, erode roadways, and carry away people and large objects. Flooding can be caused by heavy rainfall, moderate rainfall over long periods, or even inadequate or clogged storm drains. In rarer instances, a break in a water main or breach of a dam can also cause flooding.

Flood events do occur in Etna, and people, properties, and infrastructure located within the Etna Creek and Johson Creek floodplains are particularly vulnerable to this hazard. Additionally, two other smaller drainage areas exist which could flood. These are located southerly of Woodland Street and along a drainage swale which lies mostly north of Butcher Street and crosses over Center Street. The greatest flood potential exists within the southeastern part of Etna near Etna Creek. This large area can flood to depths of 1-3 feet over much of the identified floodplain. While most of this area is pastureland, there are numerous dwellings and a few businesses in this

location. Large floods occurred along Etna Creek in 1955, 1964, and 1974. The largest occurred in December 1964, with an estimated recurrence interval of 50 years.

The principal flood problem along Etna Creek is that the main channel capacity has become blocked by natural dams, shifting most of the flow out onto the floodplain. The dams are caused by debris lodging in the channel, followed by the buildup of cobbles and gravel. Etna Creek's main channel must be cleared of debris, gravel, rocks, and vegetation after each major flood event. The overbank flow is mainly on the left-bank floodplain between the creek and the low bank where the majority of the City is located. The overflows vary due to the location of vegetation and obstructions. During past flood events, efforts have been made to divert the creek back into the main channel by building levees of river rock and gravel. These efforts have so far been unsuccessful.

Localized flooding can also occur in or around the City's limited stormwater drainage facilities or in low-lying, non-draining areas during intense rainstorms. The primary causes of localized flooding in Etna are excessive rainfall, particularly following a snow event, somewhat poorly drained soils throughout much of the City east of Howell Avenue south to Pleasure Park Road and Callahan Street, and the lack of a true storm drain network. Curb and gutter have yet to be constructed along several city streets and the storm drain system that exists consists of a discontinuous network of natural and man-made drainage features. To address the lack of storm drain improvements, City Code requires that property owners install curb and gutter at the time of construction and that post construction storm water run-off not exceed pre-construction levels. While this approach has adequately served the City in the past, increased storm intensities resulting from climate change may eventually require that the City plan for and develop a true storm drain system to accommodate increased stormwater runoff.

7.5.4.2 FEMA Flood Hazard Zones

The Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps for Etna and the surrounding area to identify flood prone areas. By showing how likely it is for an area to flood, FEMA's flood maps help mortgage lenders determine insurance requirements and help communities develop strategies for reducing their risk. Any location shown on a flood map with a one percent or higher chance of experiencing a flood each year is considered to have a high risk. Flood hazard areas affecting the planning area are shown in **Figure 7-13, FEMA Flood Hazards** at the end of the Safety Element.[5] The 100-year flood zones shown on **Figure 7-13** represent the areas with one percent chance of flooding in any given year, and the 500-year flood zone is expected to have a 0.2 percent chance of flooding in any given year. The regulatory floodway shown along Johnson Creek on **Figure 7-13** is an area within the 100-year floodplain that must remain unobstructed to to carry the base flood discharge. To protect against flooding and ensure water can flow safely during a flood event, it is a zone where construction and development are heavily restricted.

Because areas within the 100-year flood hazard area have at least a one-in-four chance of flooding during a 30-year mortgage, lenders require property owners to carry flood insurance as a condition of their loan. The rates for insurance are dependent on the floodwater depth on the affected parcel. When property owners can document that their property or structure is located

[5] FEMA conducted a detailed study of the Scott Valley which found substantial revisions are needed to the effective flood maps for Etna and the surrounding area. Once the revised maps become effective, the size and extent of Etna Creek's 100-year floodplain through Etna will be significantly reduced. When that occurs, maps in the Safety Element and Land Use Element will need to be updated accordingly.

outside of the 100-year floodplain, they can request a Letter of Map Amendment from FEMA to revise the effective flood map to remove their property or structure from a special flood hazard area.

To minimize flood damage in the City, new construction and other improvements must comply with the City's Flood Damage Prevention ordinance. The Flood Damage Prevention ordinance minimizes flood damage by:

- Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities.
- Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters.
- Controlling fill, grading, dredging, and other development which may increase flood damage.
- Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other area.

7.5.4.3 Dam Failure Inundation Hazards

Although dam failures are rare, when they do occur, they can result in significant damage and death since they may fail unexpectedly with little or no warning. To address this hazard, California Government Code Section 8589.5 mandates that owners of state-regulated dams develop and maintain Emergency Action Plans (EAPs). These plans are crucial for minimizing potential loss of life and property damage during dam failures or other emergencies. The EAPs must be based on inundation maps approved by the Department of Water Resources (DWR) and include specific details on notification procedures, response actions, and roles and responsibilities. In accordance with state law, the EAPs and inundation maps must be updated no less frequently than every 10 years, and sooner under conditions that include, but are not limited to: a significant modification to the dam or a critical appurtenant structure as determined by DWR, or a significant change to downstream development that involves people and property.

For a dam to be regulated by the State, the dam's height must be more than six feet, and it must impound 50 acre-feet or more of water, or if the dam is 25 feet or higher, it must impound more than 15 acre-feet of water. Dams meeting these criteria are considered to be low, significant, high, and extremely high hazard dams. The only dam in the vicinity of Etna is the City's diversion along Etna Creek that supplies the City with its water. The dam, however, does not meet the height or volume criteria established by the State, is not regulated by DWR, and poses little hazard to the City. The dam was last substantially rehabilitated by the City in 2008.

7.5.5 Hazardous Materials

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the California Code of Regulations (CCR), Title 22, Section 662601.10, as follows:

> A substance or combination of substances which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.

Most hazardous material regulation and enforcement in Siskiyou County is managed by the Siskiyou County Community Development Department - Environmental Health Division, which refers large cases of hazardous materials contamination or violations to the North Coast Regional Water Quality Control Board (RWQCB) and the California Department of Toxic Substances Control (DTSC). When issues of hazardous materials arise, it is not at all uncommon for other agencies to become involved, such as the Siskiyou County Air Pollution Control District and both the federal and state Occupational Safety and Health Administrations.

7.5.5.1 Hazardous Materials Sites

Under Government Code Section 65962.5, both DTSC and the State Water Resources Control Board (SWRCB) are required to maintain lists of sites known to have hazardous substances present in the environment. Both agencies maintain up-to-date lists on their websites. According to the DTSC Envirostor and SWRCB GeoTracker databases, which were reviewed in May 2025, there are five SWRCB cases in the City of Etna associated with hazardous material spill sites, and no DTSC cases. All five of the SWRCB cases involve petroleum spilled from leaking underground storage tanks. Two of the leaks were remediated and their cases closed, one leak did not require remediation and its case was closed, and two leaks are in the process of being remediated and their cases are still open. The location of each case and its status in 2025 is shown on **Figure 7-14, Hazardous Materials Cleanup Sites** at the end of the Safety Element.

7.5.5.2 Hazardous Materials Transport

Concerning the transport of materials on SR 3, the California Vehicle Code assigns the California Highway Patrol the responsibility for serving as statewide information, assistance, and notification coordinator on all hazardous material spill incidents occurring on state highways. Because the City is located off major transportation routes, heavy truck traffic through Etna on SR 3 is intermittent and the risk of a hazardous material spill is considered low. Nevertheless, to direct heavy truck traffic and possible hazardous materials transport away from residential areas and other sensitive land uses, the City has established a system of designated truck routes and penalties for noncompliance that are enforced by the Etna Police Department. There have been no reported hazardous materials in Etna spills resulting from improper transport or a vehicle accident.

7.5.6 Climate Change

Over the past two hundred years, the Earth's climate has slowly been changing in response to increasing levels of heat trapping gases in the atmosphere. This long-term shift in temperature and weather is now well documented, as is the need to prepare for and adapt to the anticipated effects of climate change. Most people experience climate change as warmer temperatures and extreme weather events. This is true for residents of Etna and elsewhere in Siskiyou County as well, however, climate change has also been intensifying the impacts of other the climate-related hazards in the region, including drought, wildfire, storm severity, and flooding. Potential impacts to water supply, water quality, public health, infrastructure, wildlife, and nearby critical habitats also exist.

Because the level of impact from climate change-related events varies and is largely beyond the control of the City of Etna, a vulnerability assessment was prepared as part of the Siskiyou County Local Hazard Mitigation Plan for each climate change-related impact. The assessment was completed using data available from California's Fourth Climate Change Assessment, FEMA's National Risk Index, and the California Energy Commission's Cal-Adapt data center. The vulnerability assessment estimates the impact of climate change and the City's capacity to adapt to and moderate the impacts climate change, known as "adaptive capacity." The impacts of climate change and adaptive capacity are combined to determine climate change vulnerability and prioritize mitigation actions consistent with the California Adaptation Planning Guide. The results of the assessment are summarized below.

7.5.6.1 Extreme Heat

Heat-related illnesses are a concern when it comes to extreme heat forecasts. That's because without the ability to stay cool and adequately hydrated during periods of prolonged heat exposure, health impacts that begin with fatigue and cramping can quickly escalate to heat stroke and death. Exposure to extreme heat can affect everyone, however, health risks are greater for vulnerable members of society, including pregnant women, persons with a pre-existing chronic disease, the elderly and very young, and persons who are economically disadvantaged. Further, because of increased exposure to the environment, persons who work outdoors are also at elevated risk.

Cities with highly modified urban landscapes may also be disproportionately affected during periods of extreme heat. That's because in addition to typically having fewer shade trees and less evapotranspiration than surrounding less developed areas, urban landscapes also tend to have higher concentrations of dark, thermally absorptive surfaces, such as roads, rooftops, parking lots, and buildings. After absorbing the sun's heat throughout the day, the asphalt and concrete used in urban areas continue to radiate heat long after sundown, such that nighttime temperatures are generally warmer in cities. This phenomenon, known as urban heat island effect, can result in temperatures in cities that are as much as 10°F warmer than in surrounding areas.

According to the vulnerability assessment prepared for the Local Hazard Mitigation Plan, the extreme heat risk index for Etna is in the 47.9 percentile relative to elsewhere in the nation, which is considered low. Nevertheless, due to current and projected summer temperatures for the City and region, which could increase by as much as 5.5°F over historic conditions by the middle of the century, both the Circulation Element and Open Space & Conservation Element recommend tree planting in the City, where appropriate, as an effective, low technology means of staying cooler during summer, reducing energy demand, and achieving other social, environmental, and economic benefits.

7.5.6.2 Drought

It is the forecast of drought that generates more concern than any other climate change impact. This is because droughts can diminish water levels in lakes, reservoirs, streams, and groundwater basins, and have the potential to rapidly spread fire, create food shortages, hurt economies, and dramatically alter the living environment and people's lives. Further, despite little variability in the frequency of droughts around the world for several decades, this century has already seen record droughts on every continent outside of Antarctica. However, not all droughts are the result of climate change. In many areas of the world, such as California, droughts are a natural part of the climate's inherent variability. In fact, climate scientists believe that the prolonged drought that

gripped California between 2011 and 2017 was not due to climate change, but a recurring natural phenomenon that entailed a high-pressure ridge parking over the Pacific similar to historic droughts, albeit for an extended period of time. A study by climate scientists with the University of California Los Angeles and the National Oceanic and Atmospheric Administration, however, found that during California's 2020-2022 drought, "the higher temperatures caused by anthropogenic climate change made an ordinary drought into an exceptional drought."

As temperatures in the region continue to rise throughout the 21st century, they are expected to influence the frequency and severity of droughts in several ways, such as extended dry seasons, decreased snowpack, earlier snowmelt, increased evapotranspiration, greater variability in runoff and recharge, and increased water demand. Although nobody knows for certain how much more often droughts will occur, drought frequency in the region could increase approximately 50 percent by the end of the century. Further, it is not the incidence of drought-like conditions alone that matters when it comes to understanding how this could affect Etna and the region. This is because some droughts aren't as severe or long lasting as others, and it is the persistent strain of a drought or sequential droughts on communities, the environment, and agriculture that is so potentially detrimental.

Due to the City's reliance on surface water from Etna Creek for its municipal water supply, the City has received curtailment orders from the State during past droughts, which have historically required volunteer rationing by city residents to comply with. To address this issue and better ensure public safety during future droughts, the City is presently developing two groundwater wells to serve as an emergency water supply. The improvements are scheduled for completion in 2025.

7.5.6.3 Wildfire

There are several factors that affect the size and frequency of wildfires. The progressively warmer temperatures and associated drought stress projected for the City and region are expected to contribute to an increase in wildfire size and frequency that climate models predict will worsen over time, with some scientists noting that the probability of fire over a 30-year period is expected to increase across the region on average by 40 percent by the end of the century. Given that 19 of California's 20 largest wildfires on record have occurred since 2000, it is not surprising that climate scientists believe that the combined effects of increased heat and drought are already contributing to larger and more frequent wildfires in California. Nevertheless, a 2012 study of the Klamath, Mendocino, Shasta-Trinity, and Six Rivers National Forests found that despite wildfire size and frequency trending upward, the severity of wildfires has not been. This led the study's authors to conclude that, under appropriate conditions, fire could be more extensively used in the region to achieve management objectives. While the use of prescribed fire may not be appropriate inside city limits due to the proximity of people and structures, it is being successfully used to reduce fuels on large, forested parcels adjacent to and west of Etna.

7.5.6.4 Extreme Weather & Flooding

Extreme weather events are often cited as a likely outcome of climate change. This is because for each 1°C (1.8°F) of warming, the atmosphere can hold approximately seven percent more water vapor, and with increased warming there is more water evaporating from the Earth's surface for the atmosphere to hold. Because this water vapor contains energy in the form of latent heat, more water in the atmosphere means there is more energy to feed the atmospheric instability that drives large storms. The effect of a warming climate on extreme weather is not consistent around the globe. This is because wetter areas of the planet have more water available to feed storms

than drier areas. For this reason, the greatest observed increases in storm severity in the United States have been in the wetter areas of the country.

Extreme winter weather encompasses multiple effects caused by winter storms and conditions, including strong winds, ice storms, heavy or prolonged snow, sleet, and extreme cold. In areas and regions that only see intermittent winter storms, such as Siskiyou County, winter storms may become increasingly hazardous. According to climate models, Etna is likely to experience normal to slightly wetter winters as a result of climate change. While that alone is not expected to result in substantial increases in extreme weather, as the climate warms, more of the precipitation that does fall is expected to fall as rain. Further, climate models project less precipitation for the region during the spring and fall, essentially condensing the period of time that the region receives its annual precipitation. When these predicted shifts in the timing of runoff are combined with atmospheric rivers that already deliver most of the state's annual precipitation during relatively few days each year, increased flooding in the City due to severe winter weather events becomes more likely. Due to shifts in precipitation from snow to rain, diminishing snowpack, and earlier snowmelt and runoff, peak natural flows have already increased on many California rivers during the past 50 years. According to the Local Hazard Mitigation Plan, the severe winter weather (e.g., snow, sleet, and freezing rain) risk index for Etna is relatively moderate (71.4 percentile nationwide), while the flood risk index for the City is in the 96.6 percentile, which is relatively high.

7.6 CORRELATION WITH OTHER PLANS AND ELEMENTS

Many Safety Element policies are interrelated with topics in the Land Use, Circulation, Housing, and Open Space & Conservation Elements. For example, the Land Use Map seeks to minimize impacts as a result of future development in hazard-prone areas and to separate sensitive land uses, such as residential neighborhoods, from incompatible uses. It is important to remember, however, that policies in the Safety Element are tailored to address health and safety-related issues. The Safety Element is also closely related to the Local Hazard Mitigation Plan, which plans for mitigation of hazards in more detail and is required for access to federal and state financial assistance programs. The LHMP and this element discuss specific hazards with a high likelihood of occurrence or high impact severity that could potentially affect the City of Etna, including geologic hazards, wildfire, flood, and climate change. For these reasons, the most recent LHMP is incorporated as part of the Safety Element by reference.

7.7 SAFETY ELEMENT GOALS, POLICIES & PROGRAMS

GOAL S-1: **A city prepared for necessary action, including evacuation if needed, due to disasters, and primed for recovery following a disaster.**

GOAL S-2: **A city that has reduced, to the extent feasible, the threat to life and property caused by fire.**

GOAL S-3: **A city that has minimized, to the extent feasible, potential impacts to people, structures, and the environment resulting from flood.**

GOAL S-4: **A city that has minimized, to the extent feasible, potential impacts to life and property caused by geologic and seismic hazards.**

GOAL S-5: **A city that has minimized, to the extent feasible, risks to life and property resulting from hazardous materials spills.**

GOAL S-6: **A city that has minimized, to the extent feasible, the risks to life and property resulting from climate change.**

GOAL S-1: A city prepared for necessary action, including evacuation if needed, due to disasters, and primed for recovery following a disaster.

Policy S-1.1: The City creates and maintains a safe environment for its residents.

Policy S-1.2: The City plans for and strives to provide adequate facilities, equipment, and personnel to respond to emergencies.

Policy S-1.3: The City takes appropriate measures to prepare for natural and human-caused disasters and to protect residents should one occur.

Policy S-1.4: The City endeavors to minimize impacts to life, structures, and the environment should a disaster strike.

Policy S-1.5: The City takes appropriate measures to ensure that critical and essential city facilities remain operational during emergencies.

Policy S-1.6: The City participates in agreements for automatic and mutual aid with other local, state, federal, and nongovernmental emergency service providers to improve protection services and emergency response throughout the county.

Policy S-1.7: The City coordinates with and encourages the use of community-based networks to aid vulnerable populations prepare for emergencies and provide assistance with evacuation and recovery.

Policy S-1.8: The City engages with the community to increase awareness of and preparedness for emergencies and natural disasters.

Policy S-1.9: The City commits to the goals, objectives, and actions in the Local Hazard Mitigation Plan and subsequent amendments thereto.

Policy S-1.10: The City continues to assess and improve evacuation capacity, safety, and viability under a range of emergency evacuation scenarios.

Policy S-1.11: The City requires new development that requires additional levels of law enforcement and fire protection services to participate in offsetting costs for the additional services.

Policy S-1.12: The City strives to maintain adequate emergency response times for all existing and planned development within city limits, and for lands proposed for annexation.

Program S-1A: Coordinate with state, county, and other local agencies to build mutual aid capacity for emergency events, especially through disaster preparedness training. Develop and maintain mutual aid agreements with appropriate agencies.

Program S-1B: Periodically review, and update as necessary, plans that advise city staff, first responders, and residents on actions that should be taken in the event of an emergency. Plans should be distributed to and made readily available to the public.

Program S-1C: Expand emergency training and local expertise for emergency event response and recovery, including through volunteer roles.

Program S-1D: Locate essential public facilities outside of natural hazard areas, such as the 100-year floodplain, Wildland Urban Interface, and Very High Fire Hazard Severity Zone, when feasible. If it is not possible to locate facilities outside of these natural hazard areas, reduce vulnerabilities to essential public facilities to the maximum extent feasible by identifying and implementing construction methods and/or other methods to protect and minimize damage to these facilities.

Program S-1E: Establish minimum levels of service thresholds for fire protection and law enforcement services and maintain services at or above those thresholds.

Program S-1F: Provide rapid and timely response to all law enforcement, fire, and other emergencies. Work to maintain minimum average response times.

Program S-1G: Work with SCLTC and other partners on the development of the countywide evacuation and preparedness plan and educate the public on related emergency protocols developed in the plan.

Program S-1H: Coordinate with SCLTC, Caltrans, the County Road Department, Siskiyou County Sheriff's Office, Siskiyou OES, CAL FIRE, and other local, state and federal agencies to identify strategies that ensure the maintenance and reliability of evacuation and supply transportation routes potentially compromised during an emergency.

Program S-1I: Provide for adequate evacuation routes in areas of high fire hazard, flooding, and other natural disasters.

Program S-1J: Identify and publicize emergency shelters and sign and control evacuation routes for use during emergencies, working with Caltrans as appropriate for signs along State Route 3 and the County for signs along evacuation routes outside the City.

Program S-1K: Continue to promote and support the use of early warning notification systems, such as text messages, telephone calls, etc., to notify residents by wireless emergency alert of the need to evacuate in the event of an emergency and the location of evacuation routes, points, and critical facilities such as schools and day care centers, particularly residents of vulnerable areas and neighborhoods with constrained emergency access.

Program S-1L: Where practical, improve emergency access to dwellings that are isolated due to narrow dead-end roads. Development on vacant lots in such areas should be limited until basic safety standards have been satisfied.

Program S-1M: Ensure that applications for projects that will house infirmed, non-ambulatory persons, seniors, and children in high hazard areas include adequate provisions to mitigate known hazards.

Program S-1N: Work with community groups, faith-based organizations, and other institutions to develop a network of conveniently located community resilience hubs (e.g., public facilities, businesses, and community-oriented facilities) that are centrally located, accessible, and equipped to provide aid to vulnerable populations during emergency events, periods of poor air quality, utility disruptions, and/or climate change-related hazards.

Program S-1O: Coordinate with the Siskiyou County Office of Emergency Services, the County of Siskiyou, and other cities in Siskiyou County to implement and regularly update the LHMP and stay in compliance with relevant FEMA and state requirements.

Program S-1P: Forward all applications for building permits, tentative parcel maps, tentative maps, and use permits for development in the VHFHSZ to the Etna Police Department, Etna Fire Department, and CAL FIRE for review.

Program S-1Q: Ensure developed properties are easily identifiable by emergency responders from the street.

Program S-1R: Work with utility companies to determine the feasibility of undergrounding utility lines during construction of new developments and in the most at-risk areas, and to identify funding mechanisms to support undergrounding activities.

Program S-1S: Prioritize the needs of at-risk, vulnerable, and disadvantaged populations during emergency response and disaster recovery efforts, including increasing awareness of defensible space requirements and promoting understanding of evacuation routes.

Program S-1T: Establish standards for the development of public and private roadways to require more than one point of ingress/egress in residential areas.

GOAL S-2: A city that has reduced, to the maximum extent feasible, the threat to life and property caused by fire.

Policy S-2.1: The City endeavors to prevent fires, reduce fire severity, and safeguard residents, in part by:

- Maintaining well-trained and staffed police and fire departments and working cooperatively with other public agencies with responsibility for public safety.
- Ensuring adequate infrastructure for new development, including safe access for emergency response vehicles, visible street signs, and water supplies for structural fire suppression.
- Locating, when feasible, new essential public facilities outside of high fire risk areas and identifying construction methods or other methods to minimize damage to these facilities.
- Working with the County Building Department and property owners to ensure building construction materials and methods and landscaping reduce the potential for ignition.
- Creating and maintaining defensible space around structures to minimize fuels and fire spread.
- Identifying areas where there is significant fire risk and a history of losses.
- Avoiding or minimizing the wildfire hazards associated with new uses of land.
- Public education.

Policy S-2.2: The City desires to sustain and grow the ability of the City of Etna Fire Department to respond to fires in and around the City.

Policy S-2.3: The City considers fire-related hazards in the review of discretionary project proposals and ensures that new development in VHFHSZ is carefully sited and configured.

Policy S-2.4: The City promotes the creation of an Etna Fire Safe Council and continues to coordinate with and support the efforts of Fire Safe Councils throughout the region.

Policy S-2.5: The City supports programs to prevent and prepare for urban fires and wildfires.

Program S-2A: Take appropriate measures to support a well-trained, equipped, and staffed volunteer fire department.

Program S-2B: In cooperation with the Siskiyou County Building Department and Cal Fire, ensure new dwellings, structures that will be occupied, and rebuilding of occupied dwellings and structures damaged by fire in VHFHSZ comply with all applicable state and local building standards, including defensible space and fire-resistant building material and design requirements.

Program S-2C: Identify existing public and private roadways in VHFHSZ and WUI that are not in compliance with current fire safety regulations, including road standards for evacuation and emergency vehicle access, vegetation clearance, and other requirements of the California Fire Safe Regulations to the extent resources are available. Work at retrofitting city-owned roadways as needed to meet current standards and require private

property owners to do the same, to the extent feasible and given the absence of other site constraints.

Program S-2D: Require proposed development and to the extent feasible, non-conforming development, to provide adequate access for fire and emergency vehicles and equipment, adequate infrastructure, proper vegetation clearance and maintenance on public and private roads that meets or exceeds the standards in the California Fire Safe Regulations.

Program S-2E: Reduce the risk of wildfires in the wildland urban interface in and around Etna through cooperative and timely implementation of the Community Wildfire Protection Plan.

Program S-2F: Require proactive vegetation management/hazard abatement to reduce fire hazards on existing public and private properties, along evacuation routes, and other land where applicable.

Program S-2G: Work with private property owners, Siskiyou County, and Caltrans to conduct roadside vegetation clearance along public and private roadways in VHFHSZ in and around the City. Ensure that fuel reductions provide an appropriate fuel buffer for evacuees should the roadways become congested during an emergency incident.

Program S-2H: Continue to monitor fire flow capabilities throughout the City and make improvements at any locations with flow considered inadequate for fire protection.

Program S-2I: Ensure adequate fire flow is maintained within city limits through ongoing maintenance, capital improvement public infrastructure upgrades, and improvements required in association with development projects and in compliance with applicable California Fire Safe Regulations.

Program S-2J: Maintain adequate fire flow during scheduled and unscheduled power outages and interruptions through incorporation of power source resiliency and redundancy within the City's water supply, treatment, and distribution infrastructure.

Program S-2K: Analyze known fire hazard information during the review of discretionary development applications and approve those applications only after ensuring there are adequate water storage capacity and fire flow for fire protection.

Program S-2L: Approve discretionary development proposals only when adequate fire suppression services and facilities are available or will be made available concurrent with development, considering the setting, type, intensity, and form of the proposed development.

Program S-2M: Identify streets and neighborhoods that are at increased risk of wildfire and restrict on-street parking, where needed, when fire risks are elevated to ensure full access for fire trucks and emergency vehicles and to increase roadway accessibility during evacuation events. Conduct community outreach to neighborhoods affected by the program and provide detailed information on how and when the parking restrictions will be implemented.

Program S-2N: Continue to inform residents about fire hazards, appropriate responses to fire, evacuation routes, plans to reach at-risk populations, and ways to prevent loss, including defensible space, home hardening, and landscaping improvements that can reduce the impact of fire.

Program S-2O: Identify residential areas that do not have at least two routes for emergency egress, lack adequate emergency water supply, or need vegetative fuel modification to reduce risk. Work with affected residents and the Etna Fire Department to identify potential area-specific solutions to ensure risk reduction.

Program S-2P: Work with the Siskiyou County Department of Public Health and Siskiyou County Air Pollution Control District to ensure residents are educated on wildfire smoke hazards and how to protect themselves and their homes from smoke impacts.

Program S-2Q: Ensure that new development projects include adequate measures to minimize fire hazards while remaining in compliance with housing laws regarding objective design standards and discretionary review.

Program S-2R: Strive to improve the City's current Insurance Service Office (ISO) rating for public safety and associated benefits.

Program S-2S: Following revisions to the fire hazard severity zones maps by the Office of the State Fire Marshal, maintain compliance with Government Code Sections 51179 and 65302(g)(3) by updating fire hazard severity zone designations and the Safety Element, as needed.

Program S-2T: Amend Title 15, Buildings and Construction, of the Etna Municipal Code to establish standards for development in the Very High Fire Hazard Severity Zone that meet or exceed Title 14, CCR, Division 1.5, Chapter 7, Subchapter 2, Articles 1-5 (commencing with Section 1270) (State Minimum Fire Safe Regulations) and Title 14, CCR, Division 1.5, Chapter 7, Subchapter 3, Article 3 (commencing with Section 1299.01) (Fire Hazard Reduction Around Buildings and Structures Regulations).

Program S-2U: Require that discretionary development projects in VHFHSZ prepare and submit a fire protection plan that includes the following, at a minimum:

- A wildfire hazard assessment that considers location, topography, aspect, climate, and fire history.
- Conformance with applicable wildfire protection regulations, statutes, and ordinances.
- Fire safety requirements, including defensible space, infrastructure, and building ignition resistance, fire department access, egress, road and address signage, and water supply.
- Mitigation and design considerations for non-conforming fuel modification.
- Wildfire education, maintenance, and limitations.
- Fire response capabilities.
- Evacuation planning.

Program S-2V: Continue to work with CAL FIRE, local Fire Safe Councils, the Scott River Watershed Council, timber companies, and other private landowners to regularly maintain and improve the Etna Shaded Fuel Break.

GOAL S-3: A city that has minimized, to the extent feasible, potential impacts to people, structures, and the environment resulting from flood.

Policy S-3.1: The City controls development within special flood hazard areas identified by FEMA to reduce potential damage from floods.

Policy S-3.2: The City supports efforts to protect public health and safety from flooding through sustainable and environmentally responsible floodplain management.

Policy S-3.3: The City strives to minimize localized flooding through ongoing improvements to the City's storm drain network.

Program S-3A: Continue to coordinate with local, regional, state, and federal agencies to maintain an adequate flood management information base, prepare risk assessments, and identify strategies to mitigate flooding impacts.

Program S-3B: Support and participate in the preparation of a countywide flood control plan to minimize impacts from existing and future flooding in the region.

Program S-3C: Work with the Siskiyou County Flood Control District, resource conservation districts, watershed councils, and landowners to design or approve flood control measures that avoid, to the extent feasible, the alteration of creeks, wetlands, and riparian buffer areas.

Program S-3D: In designing flood control facilities, ensure the protection of special-status species and downstream ecosystems.

Program S-3E: Continue to participate in the National Flood Insurance Program (NFIP).

Program S-3F: Continue to enforce the City's Flood Damage Prevention Ordinance in FEMA-identified special flood hazard areas.

Program S-3G: Require new lots or subdivisions partially in, and any new development partially or entirely in 100-year flood zones to provide detailed floodplain mapping for 100-year storm events as part of the development approval process.

Program S-3H: Continue to improve and to apply for funding to improve the City's storm drain network.

Program S-3I: Ensure proposed developments will not create or result in unacceptable exposure to flood hazards.

Program S-3J: Encourage residents within the floodplain to take all practical steps to floodproof their dwellings, including the use of low interest loans and grants when available for this purpose.

GOAL S-4: A city that has minimized, to the extent feasible, potential impacts to life and property caused by geologic and seismic hazards.

Policy S-4.1: The City strives to ensure a high level of safety and minimize the loss of life injury, and property damage from earthquake, landslide, volcanic activity, erosion, and other geologic hazards.

Policy S-4.2: The City requires that new development be designed to minimize the risk of damage from seismically induced ground shaking, ground failure, slope instability, and other seismic hazards.

Program S-4A: Identify and prioritize seismic retrofits needed on existing public buildings.

Program S-4B: Encourage upgrading of privately-owned, unreinforced masonry buildings to prevent earthquake damage.

Program S-4C: In coordination with the County Building Department continue to enforce regulations and programs to reduce geologic and seismic hazard vulnerability.

Program S-4D: Areas known to be susceptible to landslides should be evaluated, protected, and stabilized as necessary, including through cooperation with regional stakeholders to ensure evacuation routes, such as State Route 3, remain open and safe for passage.

Program S-4E: Limit development in areas subject to landslides or other geologic threat and undertake efforts to limit erosion from new development.

Program S-4F: Coordinate with county, state and federal agencies monitoring volcanic activity and hazards.

GOAL S-5: A city that has minimized, to the extent feasible, risks to life and property resulting from hazardous materials spills.

Policy S-5.1: The City takes necessary steps to prevent and prepare for hazardous materials spills, as well as protect its residents should one occur.

Policy S-5.2: To diminish the likelihood of hazardous materials spills along State Route 3, the City advocates for its concerns regarding highway safety.

Program S-5A: Maintain an open dialogue with Caltrans and the California Highway Patrol to ensure those agencies are aware of and responsive to the City's concerns about vehicle safety and hazardous materials transport along State Route 3.

Program S-5B: Continue to enforce designated truck routes for the transportation of hazardous materials through the City and prohibit routes that pass through residential neighborhoods to the maximum extent feasible.

Program S-5C: Identify necessary steps to be taken to protect residents in the case of a hazardous materials spill and be prepared to quickly implement these measures in the event of an accident.

Program S-5D: Maintain an up-to-date list of emergency contacts that are to be notified in the event of a hazardous materials spill, make the list readily available to city staff and first responders to facilitate a rapid response, and work with the California Highway Patrol to ensure rapid notification of residents in the event of a spill on State Route 3.

Program S-5E: Continue to promote the training of, and the provision of appropriate protection equipment for, local "first responders" who would respond to hazardous material spills in the Etna area.

GOAL S-6: A city that has minimized the risks to life and property resulting from climate change.

Policy S-6.1: The City integrates regional collaboration as a key component of the City's climate adaptation planning strategy, recognizing the regional nature of climate impacts and climate adaptation strategies.

Policy S-6.2: The City incorporates climate change considerations into city processes and planning efforts, utilizing best available data to understand climate predictions and the potential impacts on community resources and facilities.

Program S-6A: Actively participate in regional discussions on infrastructure improvements and adaptation strategies related to climate resiliency and addressing potential community impacts.

Program S-6B: Continue to collaborate with Siskiyou County, other local communities, and community organizations to establish and maintain shelters in the City and Scott Valley to reduce public exposure to extreme heat, cold, and smoke.

Program S-6C: Assess existing public infrastructure systems vulnerable to changes in key climate variables and incorporate upgrades to critical infrastructure in the City's Capital Improvement Program planning process.

Program S-6D: When updating the Capital Improvement Program, engineering specifications and standards, and planning documents, incorporate climate projection data, risk modeling, and adaptive management, as appropriate, to account for future changes in key climate variables (e.g., changes in precipitation and flooding behavior, fire and smoke risk, maximum daily temperatures, etc.).

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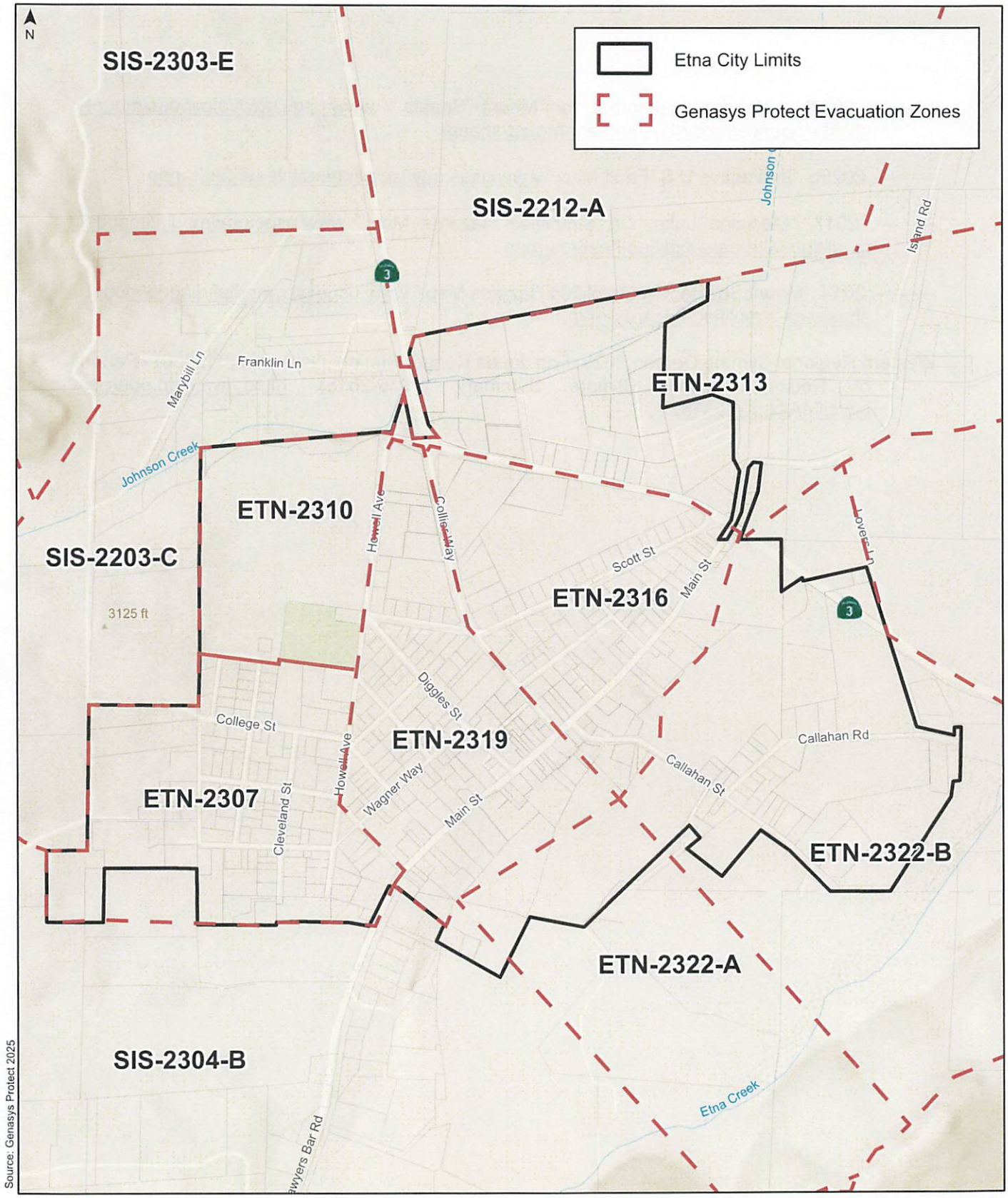


Figure 7-1, Evacuation Zones

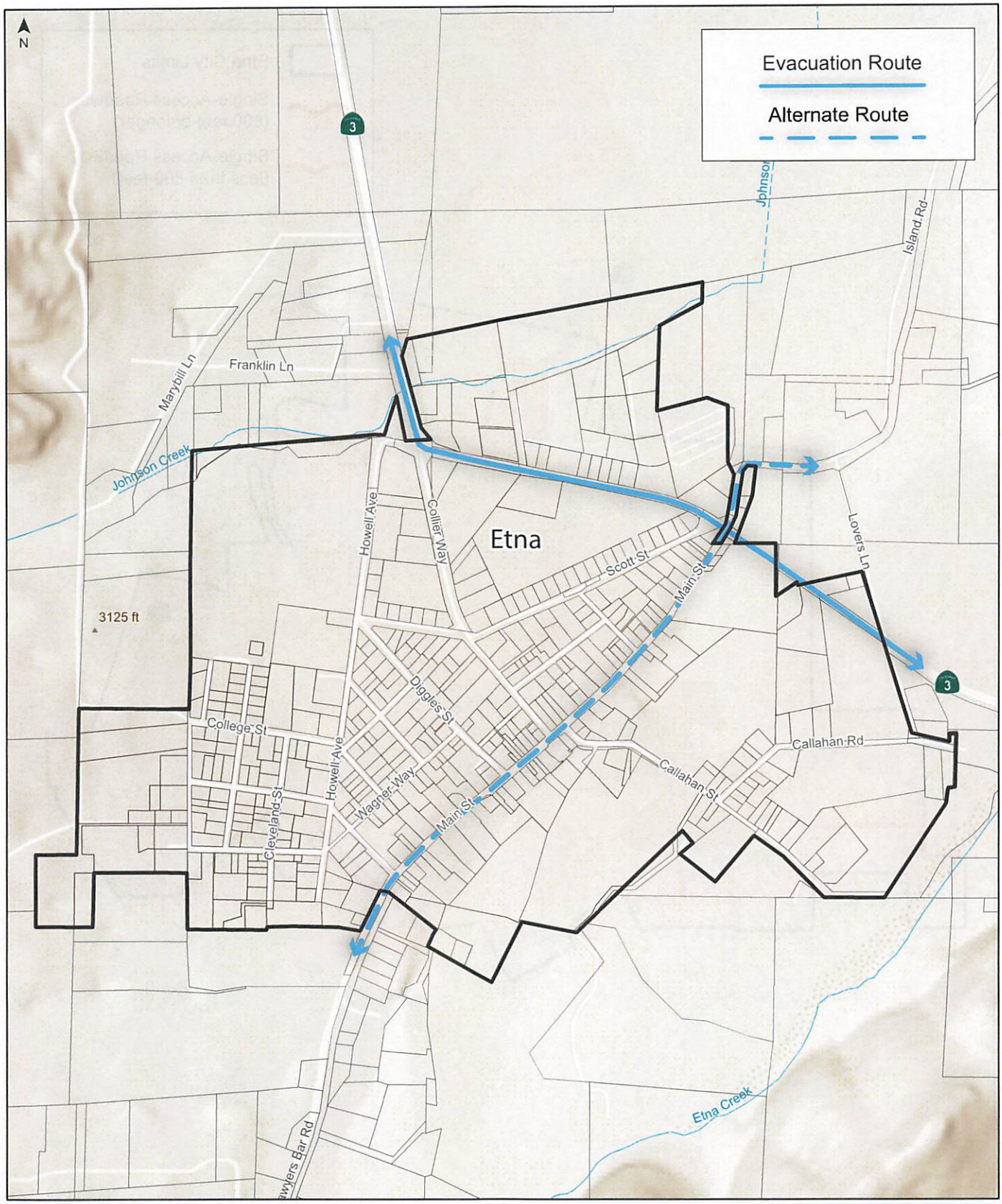


Figure 7-2, Evacuation Routes

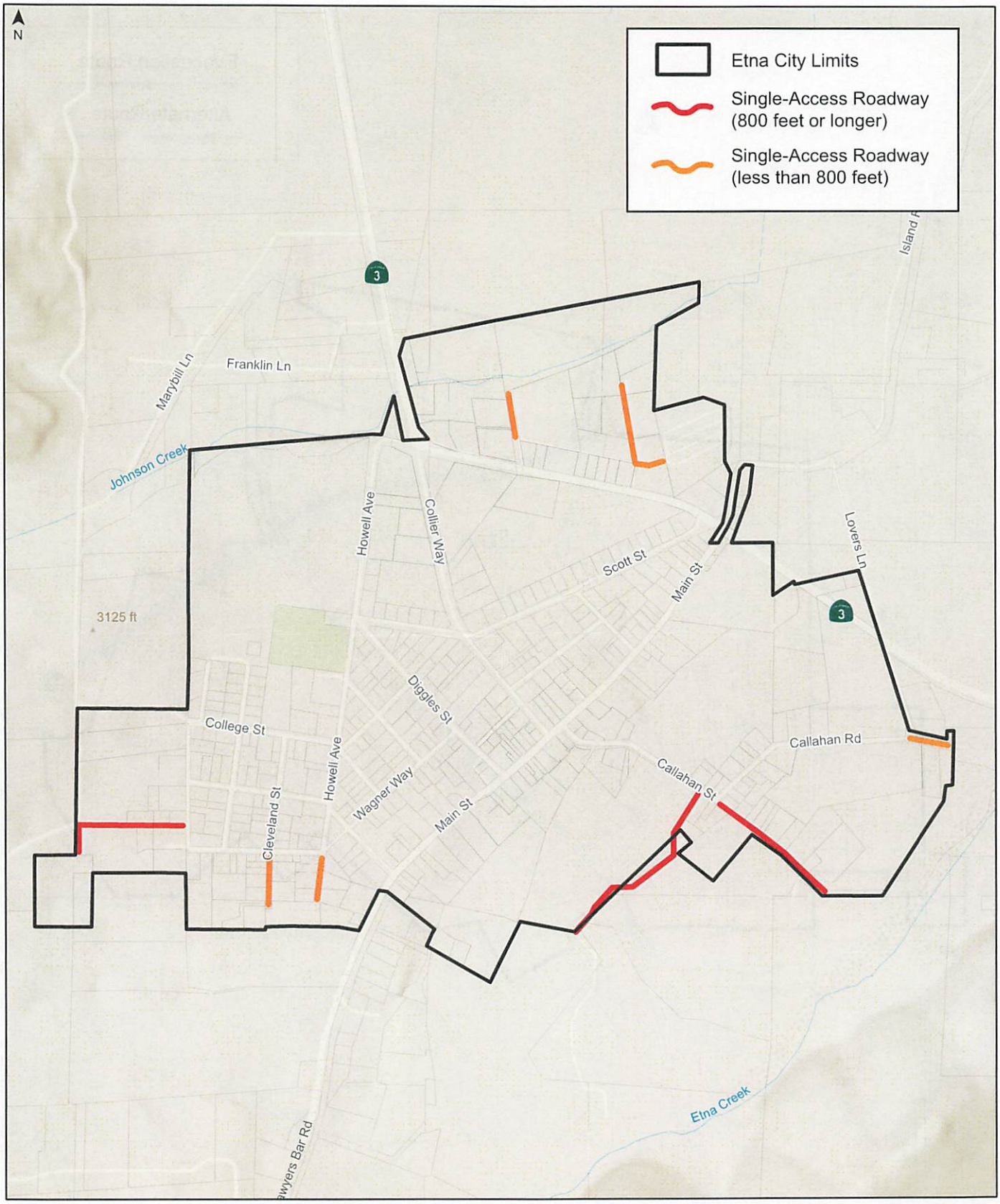


Figure 7-3, Single-Access Roadways

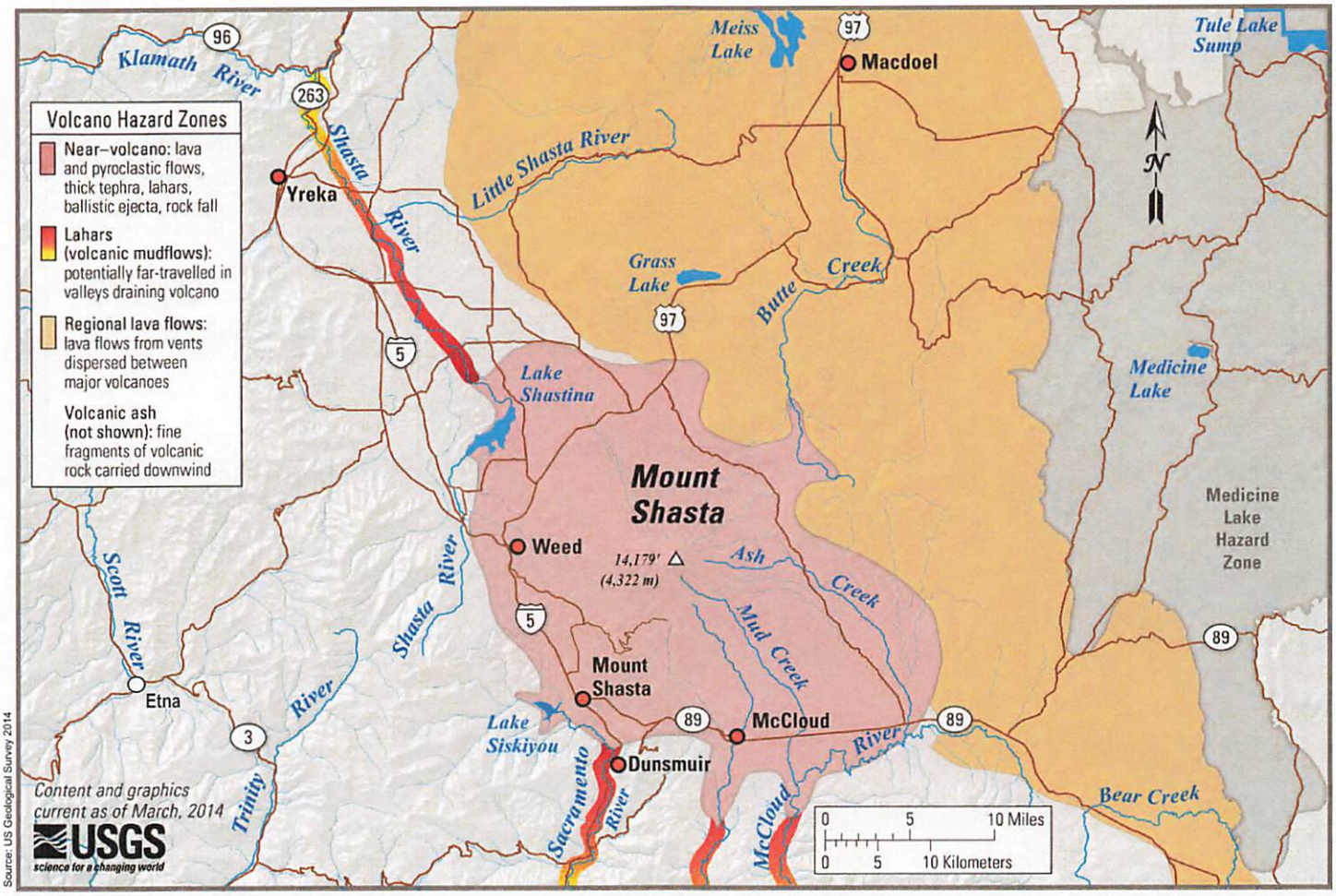


Figure 7-4, Mount Shasta Volcanic Hazards

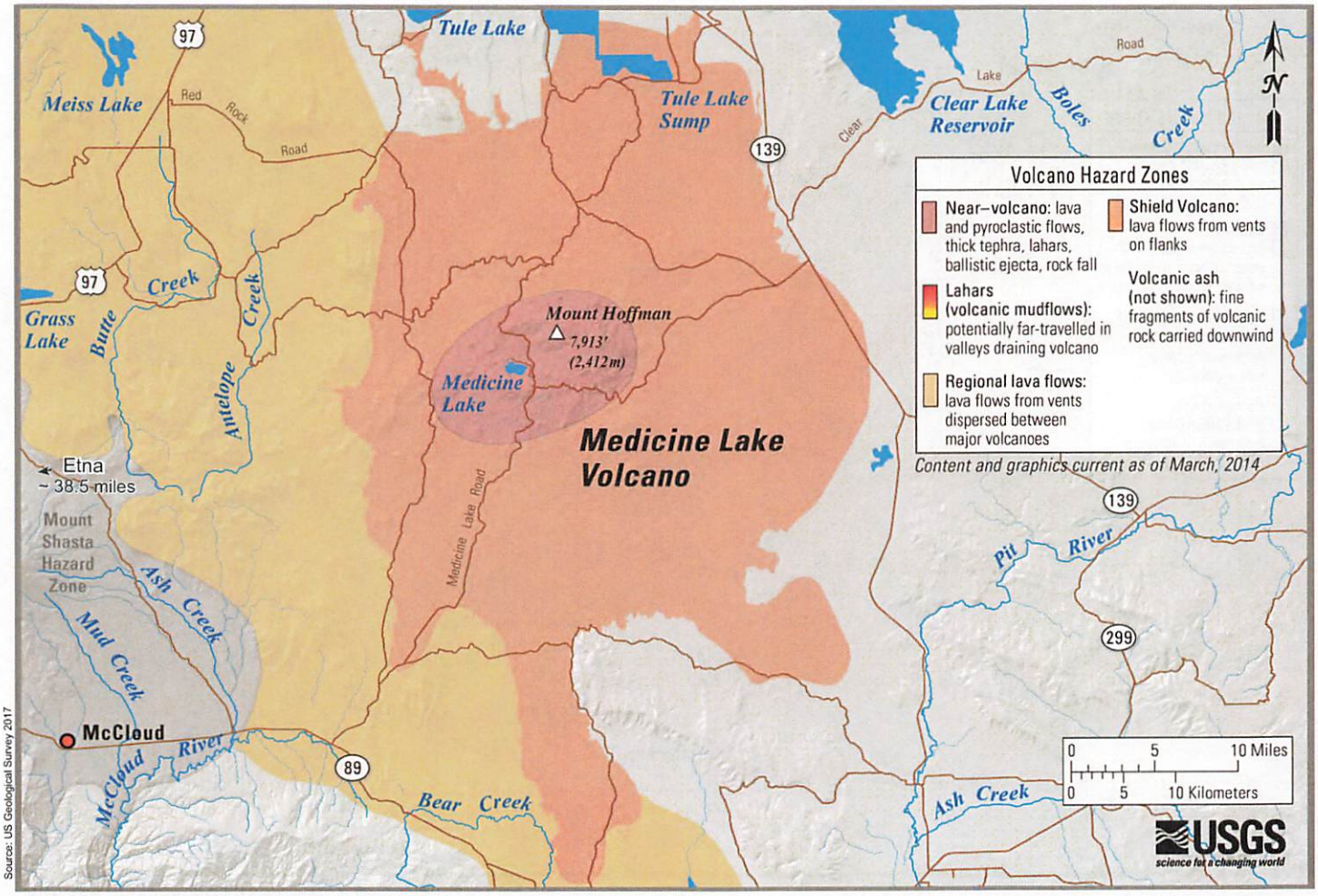


Figure 7-5, Medicine Lake Volcanic Hazards

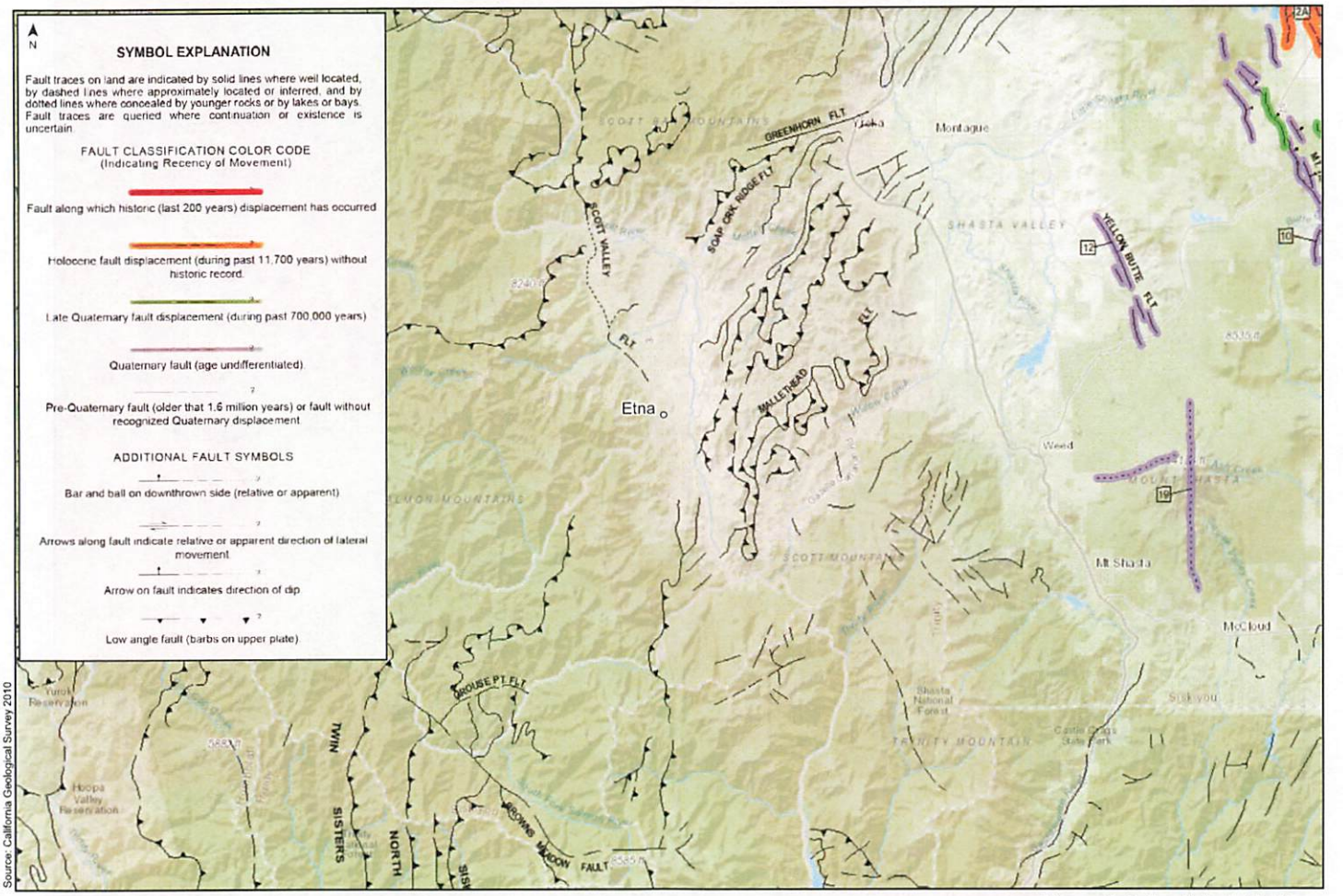
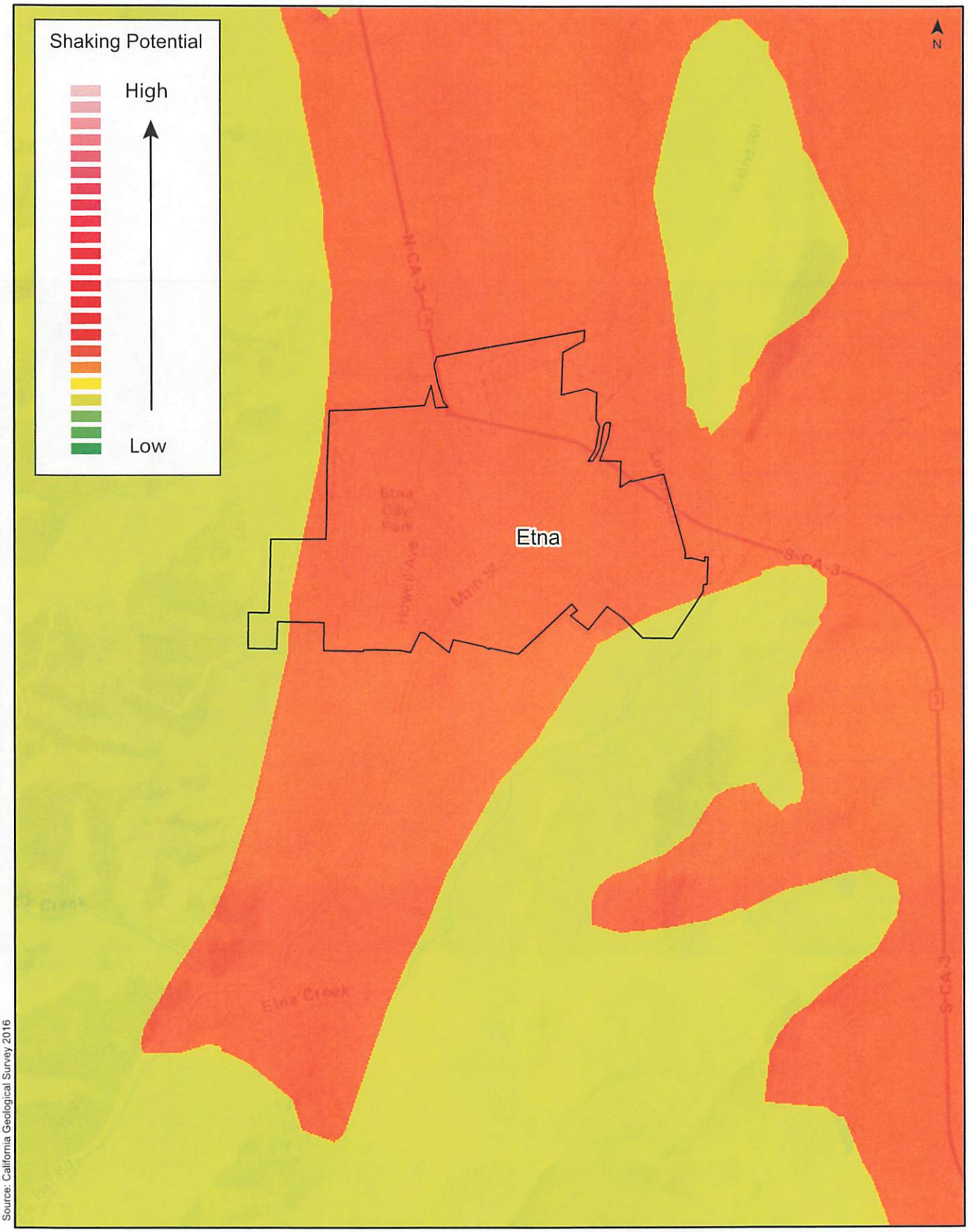


Figure 7-6, Fault Activity Map



Source: California Geological Survey 2016

Figure 7-7, Earthquake Shaking Potential

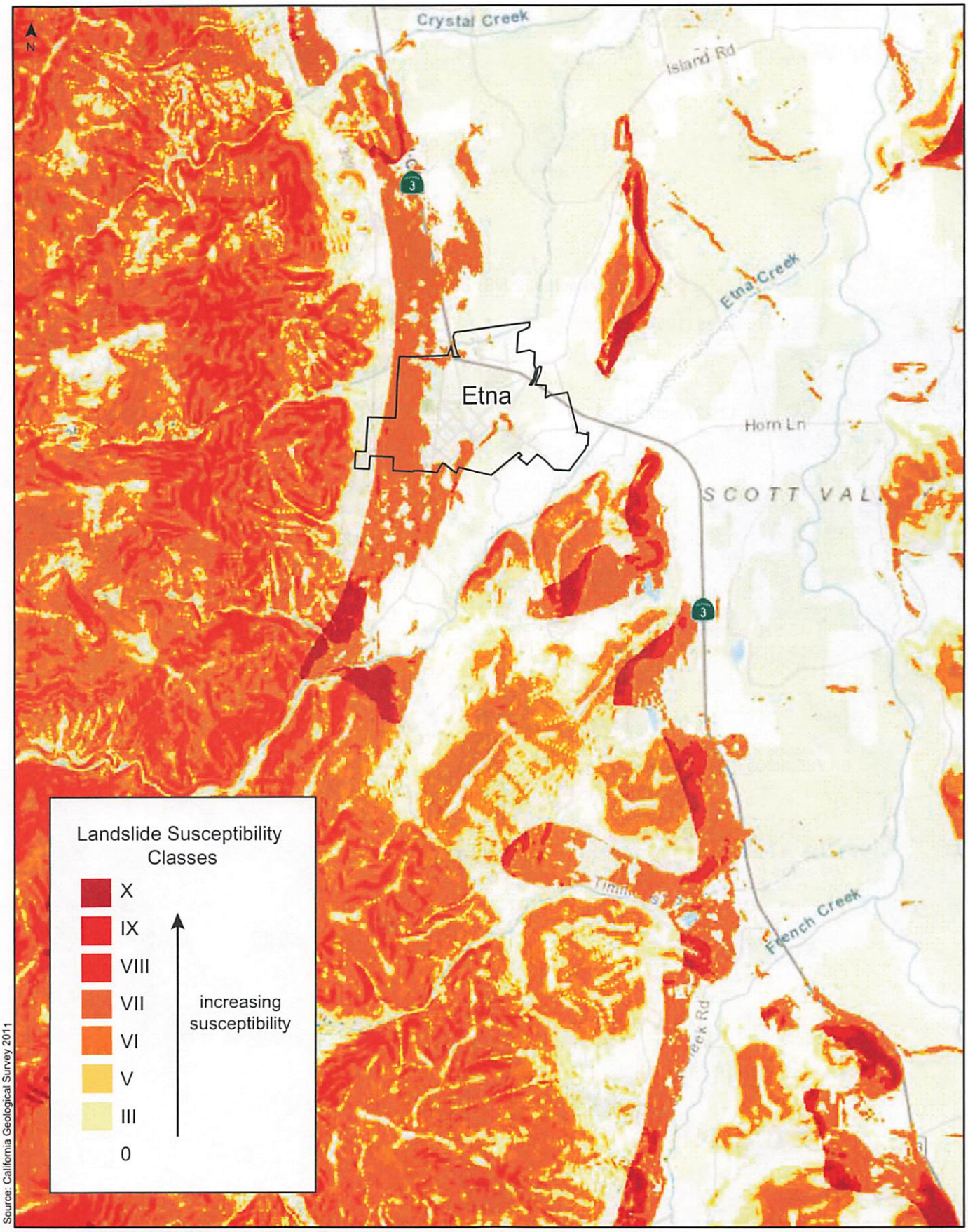


Figure 7-8, Deep-Seated Landslide Susceptibility

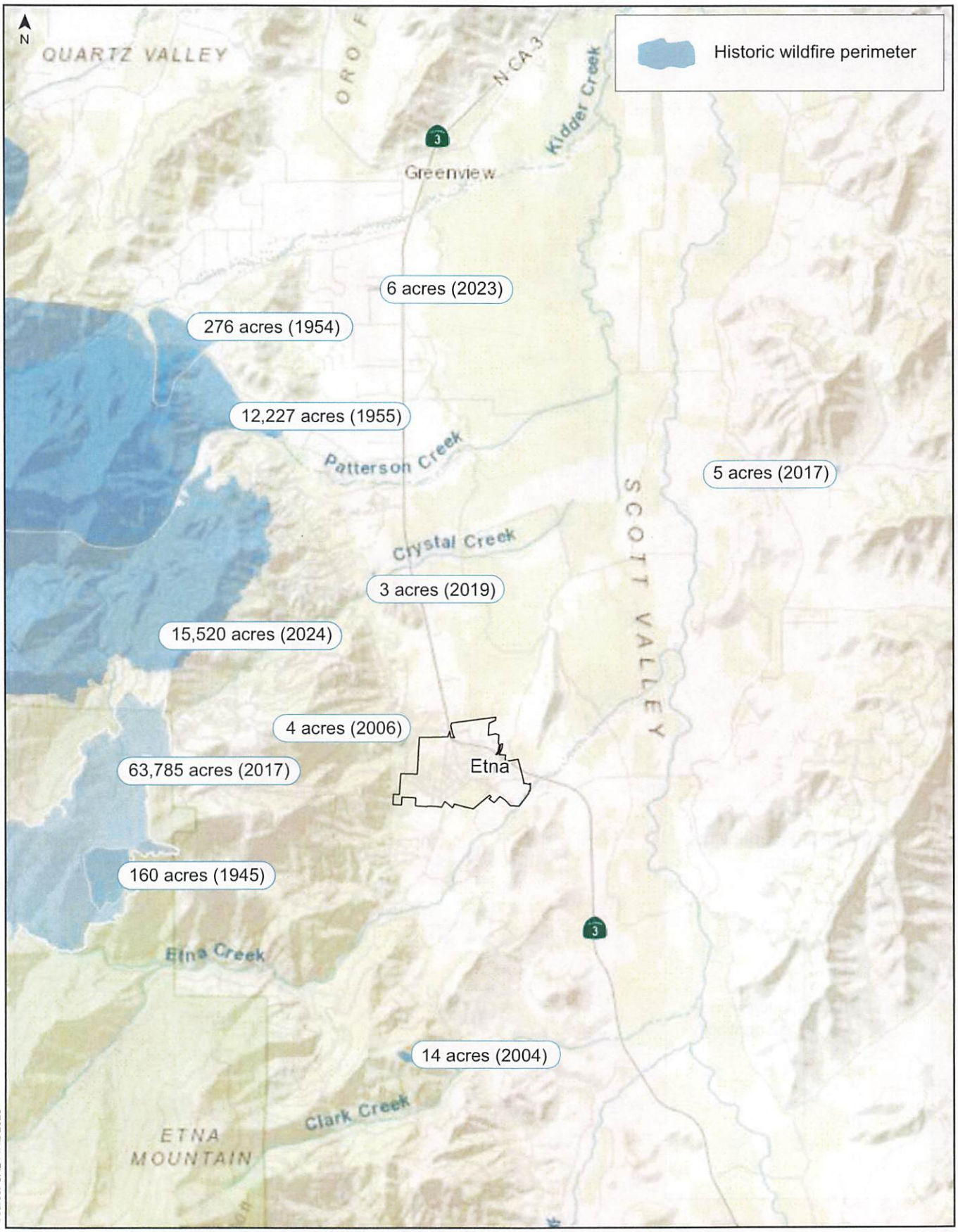


Figure 7-9, Historic Widfire Perimeters

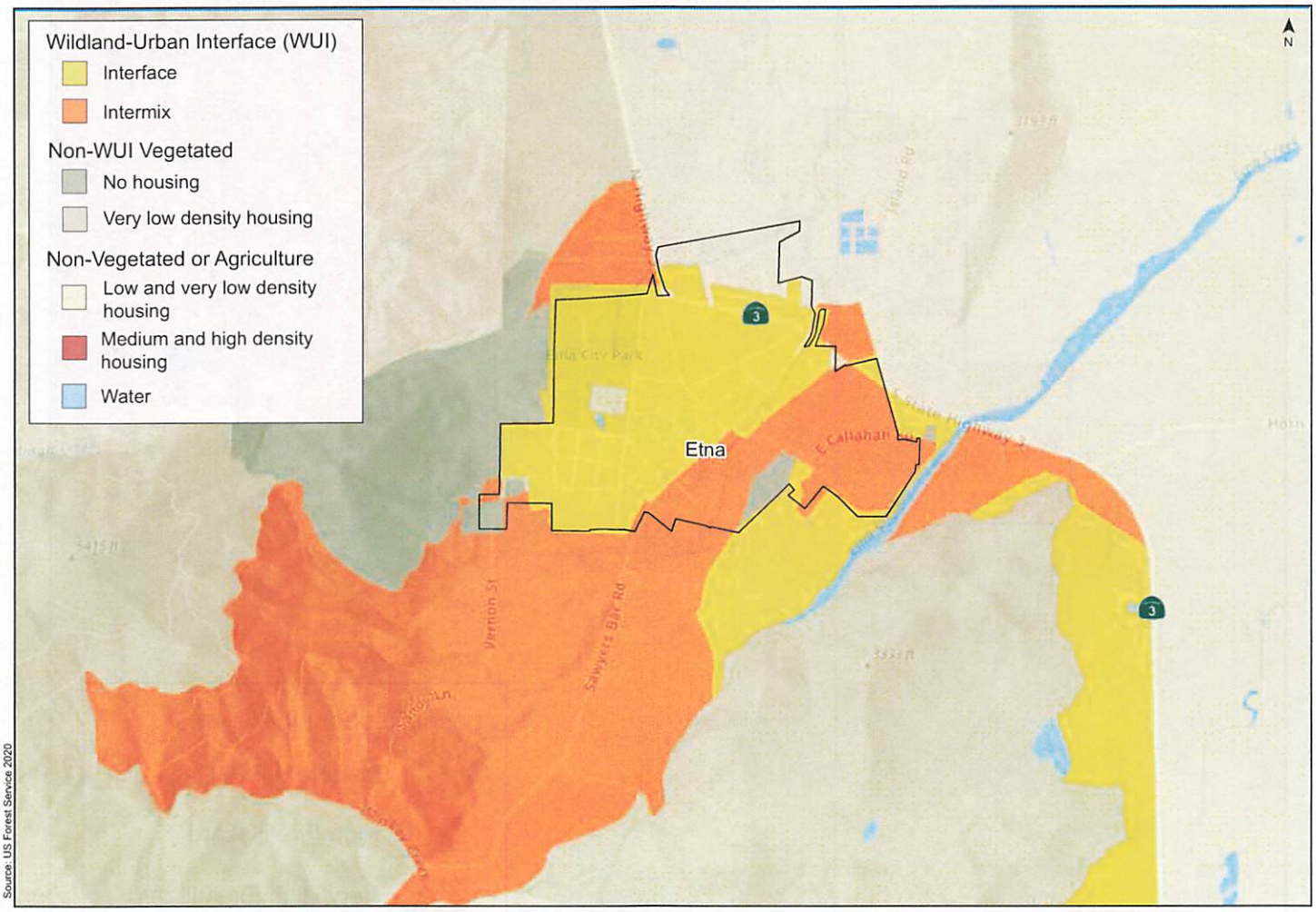


Figure 7-10, Wildland Urban Interface

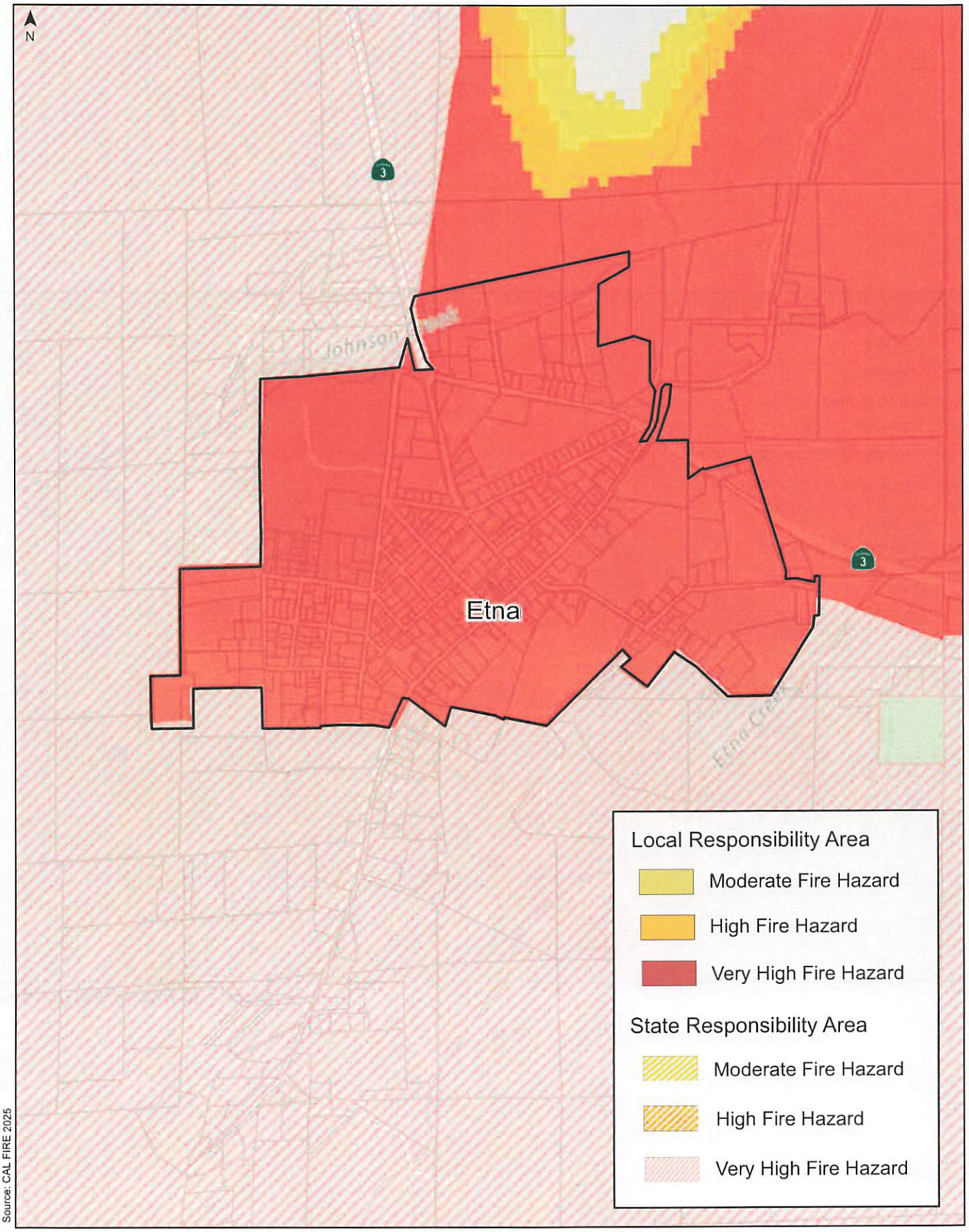


Figure 7-11, Wildfire Hazard Severity Zones

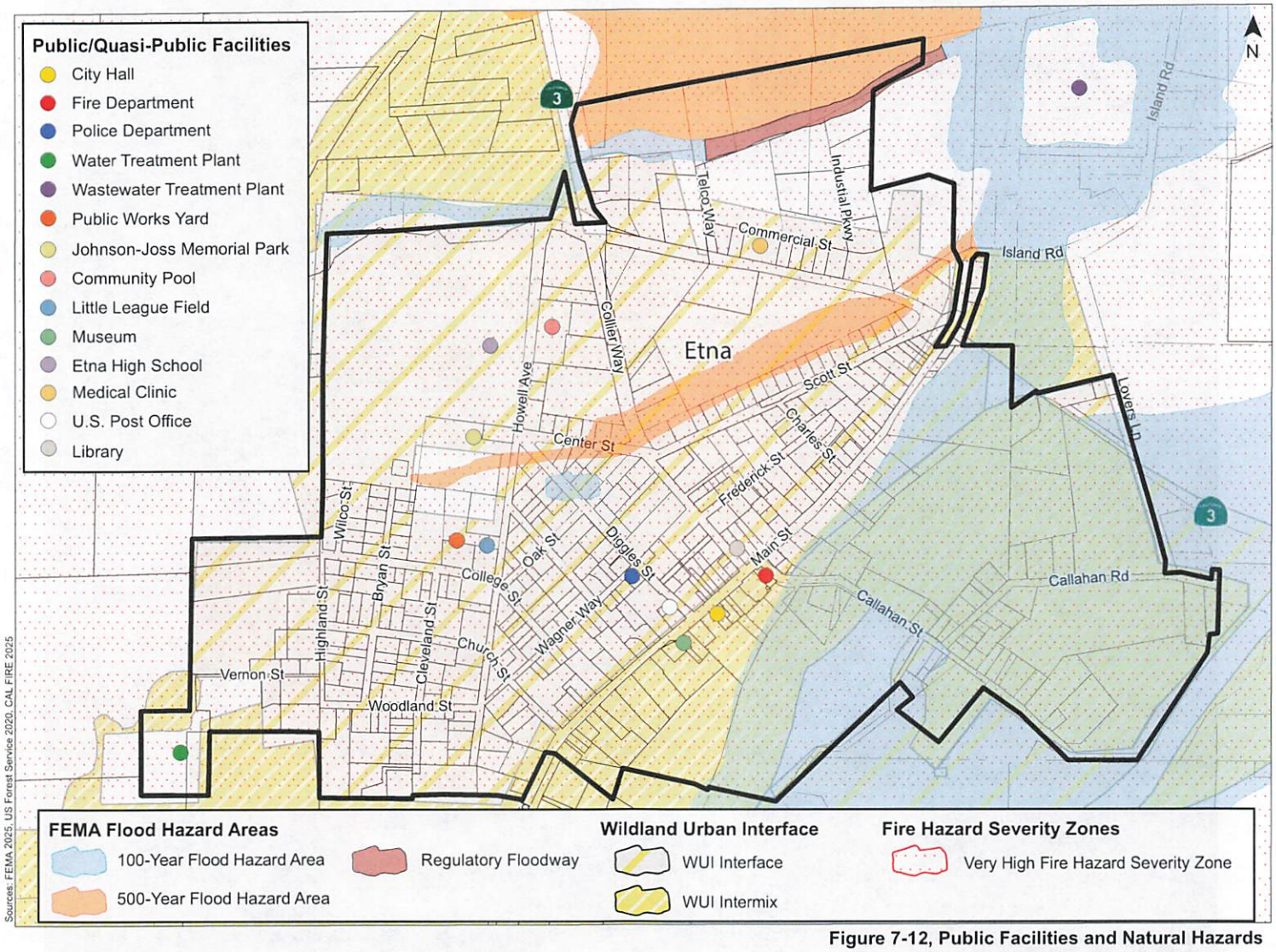
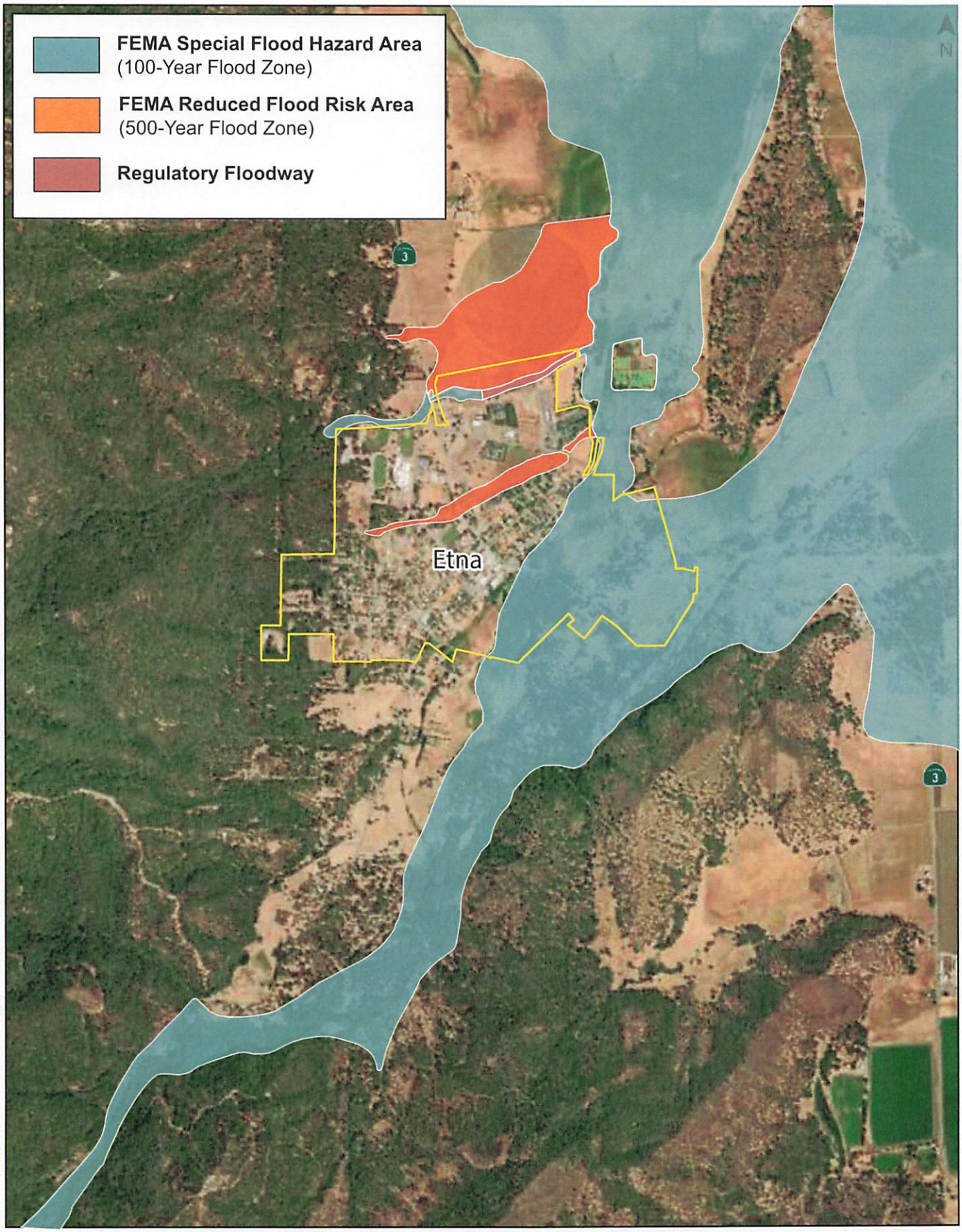


Figure 7-12, Public Facilities and Natural Hazards



Source: FEMA 2025

Figure 7-13, FEMA Flood Hazards

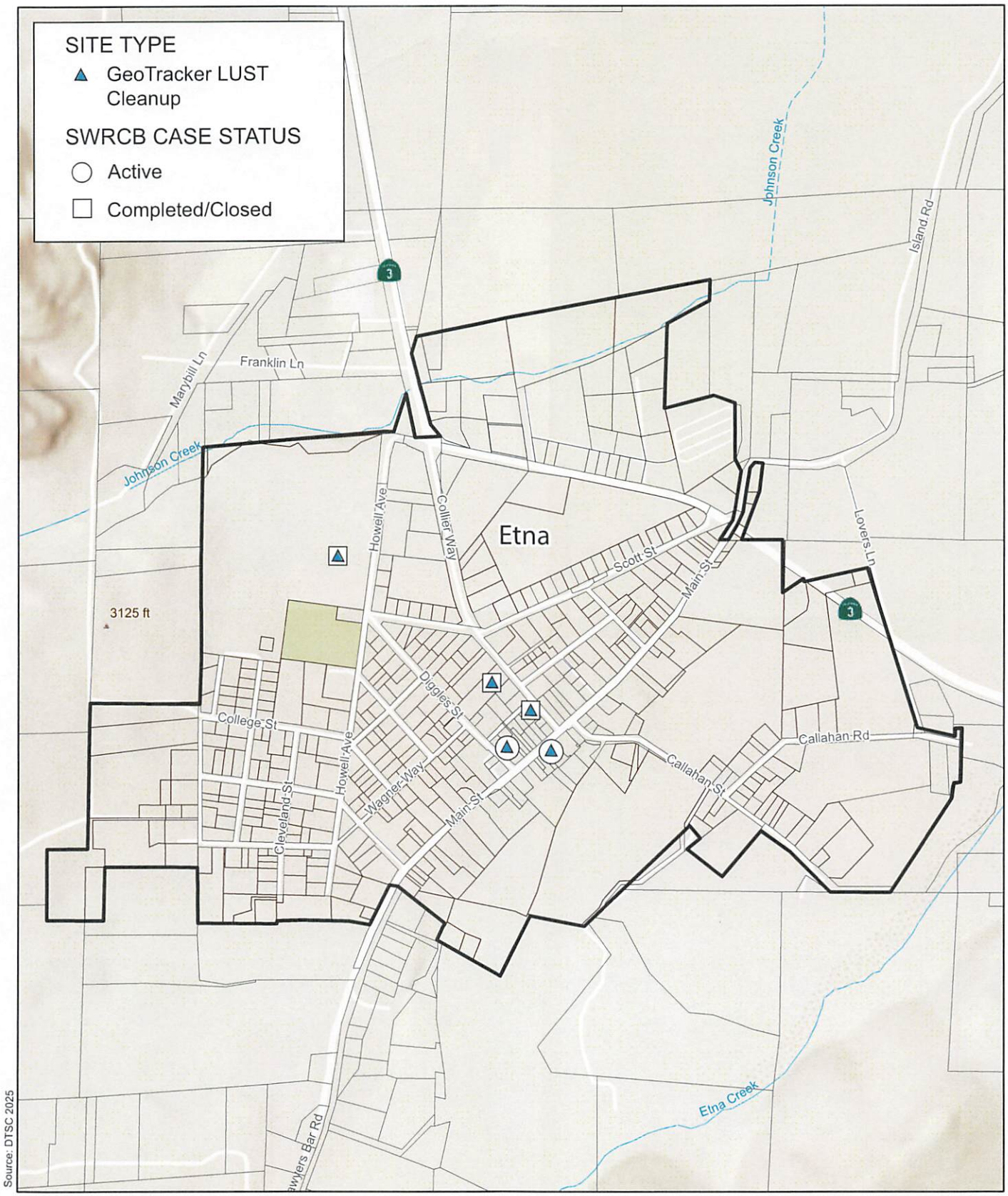


Figure 7-14, Hazardous Materials Cleanup Sites

CITY OF ETNA
STAFF REPORT TO CITY COUNCIL

November 3, 2025

ZONING CODE UPDATE

SUMMARY: The project consists of a city-initiated update to Title 17, Zoning, of the Etna Municipal Code.

REQUEST OF CITY COUNCIL: The City Council is being asked to: (1) Review the draft Zoning Code update; (2) Consider an exemption from the California Environmental Quality Act (CEQA); (3) Hold a public hearing to receive public comment; (4) Provide direction to staff regarding any desired changes; and (5) If no further revisions are desired, adopt the draft update.

SUGGESTED MOTIONS: To adopt the draft update, three suggested motions are provided below. Each motion should be made in sequence, with the second and third motions made only after the preceding motion has been successfully caried.

1) I move that we make the finding that the project does not have the potential to result in a significant adverse effect on the environment and is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3).

2) I move that we introduce Ordinance 230, An Ordinance of the City Council of the City of Etna Amending Title 17, Zoning, of the Etna Municipal Code, by title only.

3) I move that we waive further reading of Ordinance 230 and that we direct staff to bring the ordinance back for adoption at the next regular meeting.

ENVIRONMENTAL RECOMMENDATION: Exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3).

ATTACHMENTS:

A. Draft Ordinance 230, An Ordinance of the City Council of the City of Etna Amending Title 17, Zoning, of the Etna Municipal Code

Exhibit A - Zoning Code, November 2025

Exhibit B - Zoning Map, November 2025

PROJECT OVERVIEW

In 2020, the City of Etna was awarded two planning grants (SB 2 and LEAP) from the California Department of Housing and Community Development (HCD) for the purpose of preparing and updating various planning documents to facilitate housing opportunities. Projects completed with the SB 2 and LEAP grants include a water system model and assessment, an accessory dwelling unit ordinance, a fee study and planning fee update, and updates to the General Plan Housing Element, Circulation Element, Noise Element, and Open Space & Conservation Element. Draft updates to the General Plan Introduction, Land Use Element, and Safety Element have also been completed, presented for discussion at public workshops, and are scheduled for a public hearing.

In addition to the projects above, grant funding was awarded to the City to update Title 17, Zoning, of the Etna Municipal Code (i.e., the Zoning Code). Funding was requested to update the Zoning Code because the last comprehensive update occurred more than 20 years ago (2003), several amendments are needed to reflect current law, and because by law, a city's Zoning Code must be consistent with its General Plan.

The section below summarizes draft Title 17, Zoning, which is also included in its entirety as **Exhibit A** to draft Ordinance 230 (see **Attachment A**).

ZONING CODE UPDATE

As noted above, the last general update of Title 17, Zoning, of the Etna Municipal Code occurred in 2003. While there have been periodic minor revisions since then to implement housing element updates, a broader update was needed to: reflect changes to state law and case law; support implementation of the City's General Plan update; eliminate constraints to the maintenance, improvement, and development of housing pursuant to Government Code Section 65583(c)(3); better define land uses, regulations, and exceptions; facilitate development and redevelopment; improve access to housing, jobs, services, and open space; support land use compatibility; promote economic investment, redevelopment, and revitalization; encourage preservation of agricultural lands and sensitive habitats; safeguard the character of existing neighborhoods; and encourage a compact urban form.

The draft Zoning Code was presented for discussion at a public workshop on May 27, 2025. As discussed at the workshop, a Rural Residential (R-R) zoning district would be introduced consistent with the RR land use classification that would be applied to larger parcels used for agriculture, affected by 100-year floodplain, and/or that have been identified as containing potential wetlands. Additionally, the current Open Space and Public Use (O) zoning district would be split into separate Open Space (O-S) and Public Facilities (P-F) districts to better address their distinct purposes; the Central Commercial (C-1) zoning district would be retitled the Town Center (T-C) zoning district; and the two Floodplain combining districts would be eliminated.[1] In short, zoning districts would be introduced, renamed, separated, and eliminated as shown in the table below.

Table 1, Current and Proposed Zoning Districts

Current Zoning Districts	Zoning Districts in Update
--	Rural Residential, R-R
Single-Family Residential, R-1-10	Low Density Residential 10, R-1-10
Single-Family Residential, R-1-12	Low Density Residential 12, R-1-12
Medium Density Residential, R-2	Medium Density Residential, R-2
High Density Residential, R-3	High Density Residential, R-3
Mobile Home Residential, M-H	Mobile Home Residential, M-H
Central Commercial, C-1	Town Center, T-C
General Commercial, C-2	General Commercial, G-C
Manufacturing, M	Manufacturing, M
Open Space and Public Use, O	Open Space, O-S
	Public Facilities, P-F
Current Combining Districts	**Combining Districts in Update**
Floodplain, F-1	--
Floodplain, F-2	--

[1] The two Floodplain combining districts were never applied to lands in the City and their purpose was largely superseded by the subsequent adoption of the City's Flood Damage Prevention Ordinance (Title 14 of the Etna Municipal Code).

Additionally, in response to *Reed v. Town of Gilbert* (2015), in which the United States Supreme Court determined that municipal governments may not "restrict expression because of its message, its ideas, its subject matter, or its content," cities and counties throughout the United States have been updating their sign regulations to ensure they do not infringe upon constitutionally protected free speech. To comply, an update of the City's sign regulations is proposed that would also provide for enhanced public safety, controls, and sign standards.

Other changes include, but are not limited to: eliminating split zoning; establishing regulations for short-term rentals and mobile food sales; expanding provisions for compatible home-based businesses; eliminating the use permit requirement for four or more units in the High Density Residential (R-3) zoning district; updating provisions for emergency shelters consistent with AB 2339; permitting low barrier navigation centers in all mixed-use and nonresidential zoning districts that allow multifamily residential; and establishing objective design review standards for affordable multifamily residential and mixed-use developments that request streamlined processing and ministerial approval pursuant to state law (e.g., SB 167, SB 35, and SB 330).

The update to Title 17, Zoning, includes the following chapters:

17.04 General Provisions
17.08 Definitions
17.12 Districts Generally
17.16 Rural Residential, R-R
17.20 Low Density Residential 10, R-1-10
17.22 Low Density Residential 12, R-1-12
17.24 Medium Density Residential, R-2
17.28 High Density Residential, R-3
17.32 Mobile Home Residential, M-H
17.36 Town Center, T-C
17.40 General Commercial, G-C
17.44 Manufacturing, M
17.48 Open Space, O-S
17.52 Public Agency, P-A
17.56 Similar Use Determinations
17.60 Off-Street Parking
17.64 Signs
17.68 Nonconforming Structures, Uses, and Parcels
17.72 Use Permits and Variances
17.76 Special Provisions
17.80 Live/Work Units and Home-Based Businesses
17.84 Short-Term Rentals
17.88 Bed and Breakfast Inns
17.92 Mobile Food Sales
17.96 Accessory Dwelling Units
17.100 Reasonable Accommodations
17.104 Residential Density Bonuses
17.108 Objective Design Standards
17.112 Surface Mining and Reclamation
17.116 Amendments
17.120 Hearings and Appeals
17.124 Enforcement and Penalties

Each chapter is summarized below, and the draft zoning regulations are included in their entirety as **Exhibit A** to draft Ordinance 230 (**Attachment A**). Revisions made to the draft Zoning Code update after the May 27th public workshop are identified below and are shown using track changes.

17.04, General Provisions

This chapter establishes the purpose of Title 17 and its application to land within the City of Etna, and it establishes the standard for interpretation of the zoning regulations. There have been no comments on, or substantive changes to, Chapter 17.04 since it was presented for discussion in May 2025.

17.08 Definitions

This chapter identifies and defines many of the terms used in Title 17. Definitions have been added, eliminated, and amended, and land uses categories have been better defined to enhance clarity, improve usability, and reduce the need for future zoning code interpretations. Because similar uses have been categorized, some permitted and conditionally permitted uses listed in the current Zoning Code would no longer be listed; however, in nearly all instances, the uses are still provided for and have simply been categorized with similar land uses. Following the public workshop in May 2025, corrections were made to the definitions for "supportive housing" and "transitional housing" in Chapter 17.08, as follows:

> **17.08.2230 Supportive housing.**
>
> ~~Any dwelling unit or a group living accommodation~~ Housing with no limit on length of stay that is occupied by the target population, as defined in subdivision (o) Section 65582 of the California Government Code, ~~(d) of Section 53260 of the CA Health and Safety Code with no limit on length of stay,~~ that is linked to on-site or off-site services that assist the supportive housing residents in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.
>
> **17.08.2300 Transitional housing.**
>
> ~~Any dwelling unit or a group living accommodation~~ Buildings configured as ~~a~~ rental housing developments but operated under program requirements that call for the termination of assistance and recirculation of the assisted units to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months.

17.12 Districts Generally

This chapter identifies the zoning districts included in Title 17, provides a process for determining uncertain zoning district boundaries, prohibits split zoning, and establishes the proposed Rural Residential zoning district as the default zoning district for annexed lands. There have been no comments on, or substantive changes to, Chapter 17.12 since it was presented for discussion in May 2025.

17.16 Rural Residential (R-R)

This chapter identifies permitted and conditionally permitted uses and development standards within the proposed Rural Residential (R-R) district. The R-R district is intended to be applied to areas of the City developed with and/or capable of supporting low density residential development and limited, compatible agricultural use on larger parcels.[2] The purpose of the district is to reduce flood risks and impacts to potential wetlands, better ensure agricultural compatibility with surrounding uses, and preserve open space resources in the City. The district includes a one-acre minimum lot size and allows "single-family

[2] As discussed at the workshop, the R-R district would be applied to parcels where the owners of those properties supported the change. Because only two of the six property owners or property owners' representatives that staff reached out to regarding the change requested their parcels be zoned R-R, the draft Zoning Map has been revised accordingly.

residential," "small acreage agriculture," "supportive housing," and "transitional housing" by right. Permitted accessory uses include "accessory dwelling units and junior accessory dwelling units," "cottage food operations and home occupations," "family childcare homes," "roadside stands 200 square feet or less limited to agricultural products produced onsite," "second dwelling units" developed prior to 2017, "short-term rentals," "signs," and "usual and customary structures associated with a permitted use." Conditionally permitted uses include "bed and breakfast inns," "commercial stables," "parks, picnic areas, and playgrounds," "public and quasi-public facilities," "group homes that provide licensable services to more than six residents," "manufactured home parks," "roadside stands exceeding 200 square feet and/or which include sale of agricultural products produced offsite," and other similar uses. There have been no comments on, or substantive changes to, Chapter 17.16 since it was presented for discussion in May 2025.

17.20 Low Density Residential 10 (R-1-10)

This chapter identifies permitted and conditionally permitted uses and development standards within the Low Density Residential 10 (R-1-10) district (i.e. the current Single-Family Residential - 10,000 square foot minimums district). The R-1-10 district is intended to be applied to areas of the City suitable for low density residential development. Changes to the R-1-10 district include permitting "cottage food operations," large "family childcare homes," "second dwelling units" developed prior to 2017, and "short-term rentals" as accessory uses, and allowing "community gardens" and "manufactured home parks" with a conditional use permit. There have been no comments on, or substantive changes to, Chapter 17.20 since it was presented for discussion in May 2025.

17.22 Low Density Residential 12 (R-1-12)

This chapter identifies permitted and conditionally permitted uses and development standards within the Low Density Residential 12 (R-1-12) district (i.e., the current Single-Family Residential - 12,000 square foot minimums district). Like the R-1-10 district, the R-1-12 district is intended to be applied to areas suitable for low density residential development, and changes to the R-1-12 district are the same as those described for the R-1-10 district above. There have been no comments on, or substantive changes to, Chapter 17.22 since it was presented for discussion in May 2025.

17.24 Medium Density Residential, R-2

This chapter identifies permitted and conditionally permitted uses and development standards within the Medium Density Residential (R-2) district. The R-2 district is intended to be applied to areas suitable for low and medium density residential development and compatible nonresidential uses. Changes to the R-2 district include permitting "cottage food operations," "second dwelling units" developed prior to 2017, large "family childcare homes," and "short-term rentals" as accessory uses, and allowing "community gardens" and "manufactured home parks" with a conditional use permit. There have been no comments on, or substantive changes to, Chapter 17.24 since it was presented for discussion in May 2025.

17.28 High Density Residential, R-3

This chapter identifies permitted and conditionally permitted uses and development standards within the High Density Residential (R-3) district. The R-3 district is intended to be applied to areas suitable for low, medium, and high density residential development and compatible nonresidential uses. Changes to the R-3 district include allowing "community gardens," "dormitories," "dwelling groups," and "large employee housing" as principally permitted uses; permitting "cottage food operations," "second dwelling units" developed prior to 2017, large "family childcare homes," and "short-term rentals" as accessory uses; and allowing "adult day programs," "off-site parking," and "manufactured home parks" with a conditional use permit. Additionally, the use permit requirement for residential care facilities for the elderly would be eliminated in accordance with Housing Element Program 4.2.7 and the use permit requirement for four or more dwelling units would be eliminated in accordance with Housing Element Program 2.2.1. There have been no comments on, or substantive changes to, Chapter 17.28 since it was presented for discussion in May 2025.

17.32 Mobile Home Residential, M-H

This chapter identifies permitted and conditionally permitted uses and development standards within the Mobile Home Residential (M-H) district. The M-H district is intended to be applied to areas of the City developed with and/or capable of supporting low, medium, and high density residential development, manufactured home parks, and compatible nonresidential uses. Changes to the M-H district include allowing "community gardens," "dormitories," "dwelling groups," and large "employee housing" as principally permitted uses; permitting "cottage food operations," "second dwelling units" developed prior to 2017, large "family childcare homes," and "short-term rentals" as accessory uses; and allowing "adult day programs" and "off-site parking" with a conditional use permit. Additionally, the use permit requirement for residential care facilities for the elderly would be eliminated in accordance with Housing Element Program 4.2.7, and the development standards for mobile home parks with three or fewer units would be differentiated from those with more units. There have been no comments on, or substantive changes to, Chapter 17.32 since it was presented for discussion in May 2025.

17.36 Town Center, T-C

This chapter identifies permitted and conditionally permitted uses and development standards within the Town Center (T-C) district (i.e., the current Central Commercial district). The district is intended to be applied to commercial, residential, and mixed-use properties in the historic town center for the purpose of encouraging a broad array of compatible retail, professional, entertainment, civic, and other uses that contribute to a vibrant, pedestrian-friendly environment. Changes to the T-C district include allowing "artist studios and artisan crafts manufacturing," "community gardens," "craft food and beverage production," "garden centers and plant nurseries," "indoor sports and fitness facilities," "printing and publishing," "public and quasi-public facilities," "low barrier navigation centers," "small adult day programs," and "theaters and playhouses" as principally permitted uses; permitting "accessory dwelling units," "farmers' markets," "cottage food operations," "mobile food sales," and "short-term rentals" as accessory uses; and allowing "coffee roasters," "drive-in and drive-through sales and services," "indoor entertainment facilities," "large adult day programs," "mobile food commissaries," "mobile food courts," and "restricted personal services" (e.g., check cashing services, fortune tellers, tattooing, piercing, etc.) with a use permit. There have been no comments on, or substantive changes to, Chapter 17.36 since it was presented for discussion in May 2025.

17.40 General Commercial, G-C

This chapter identifies permitted and conditionally permitted uses and development standards within the General Commercial (G-C) district. The G-C district is intended to be applied to areas suitable for commercial use outside of the historic town center. Changes to the G-C district include allowing "artist studios," "community gardens," "craft food and beverage production," "indoor entertainment facilities," and "indoor sports and fitness facilities," "low barrier navigation centers," and "small adult day programs," as principally permitted uses; permitting "farmers' markets," "cottage food operations," "mobile food sales" and "short-term rentals" as accessory uses; and allowing "car washing and detailing," "clubs, lodges, and private meeting halls," "event centers," "funeral homes," "hospitals and hospice care," "large adult day programs," "mobile food commissaries," "mobile food courts," "outdoor commercial recreation facilities," "dormitories," "dwelling groups," and "restricted personal services" (e.g., check cashing services, fortune tellers, tattooing, piercing, etc.) with a use permit. There have been no comments on, or substantive changes to, Chapter 17.40 since it was presented for discussion in May 2025.

17.44 Manufacturing, M

This chapter identifies permitted and conditionally permitted uses and development standards within the Manufacturing (M) district. The M district is intended to be applied to areas suitable for heavier commercial and manufacturing uses than permitted in the commercial and mixed-use zoning districts, provided such uses are not detrimental to the public health, safety, and general welfare by reason of odor, smoke, gas, dust, vibration, or noise, or are not deemed to be exceptional fire of explosion hazards.

Changes to the M district include allowing "mobile food sales" as an accessory use, and permitting "car washing and detailing," "clothing and fabric product manufacturing," "fuel storage and distribution," "furniture and fixtures manufacturing," "glass product manufacturing," "lumber and wood product processing facilities," "metal products fabrication," "machine/welding shops," "paper product manufacturing," "recycling facilities," and "stone product manufacturing" with a conditional use permit. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.48 Open Space, O-S

This chapter "introduces" the O-S district by separating it from the current Open Space and Public Use (O) district, and it identifies the permitted and conditionally permitted uses and development standards within it. The O-S district is intended to be applied to public lands that should be preserved in a natural state and/or that provide active or passive recreational opportunities. Lands to be zoned O-S include Johnson Joss Memorial Park, the Community Pool, and the Ashcraft Little League Field. Changes include permitting "resource protection and restoration" and "resource-related recreation" as principally permitted uses, allowing "certified farmers' markets," and "mobile food sales" as accessory uses, and permitting "cemeteries" and "concessions" as conditionally permitted uses. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.52 Public Facilities, P-F

This chapter "introduces" the P-F district by separating it from the current Open Space and Public Use (O) district, and it identifies the permitted and conditionally permitted uses and development standards within it. The P-F district is intended to be applied to public lands that that house public and quasi-public facilities. Lands to be zoned P-F include the elementary and high school properties, water treatment plant, and public works yard. Changes include allowing "health clinics, medical offices, and laboratories" and "hospitals" as principally permitted uses, allowing "certified farmers' markets," and "mobile food sales" as accessory uses. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.56 Similar Use Determinations

This chapter describes the process that would be used by the City Council to determine whether a proposed use is similar to a permitted or conditionally permitted use when it is unclear whether the proposed use is allowed in a particular zoning district. It provides for a record of decisions and regular Code amendments that reflect those determinations. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.60 Off-Street Parking

This chapter consolidates the minimum off-street parking requirements for all uses provided for in Title 17 in one location rather than incorporating them into each zoning district as is currently the practice. It would provide for shared parking facilities, accommodations for compact vehicles, and reductions and exceptions to the amount of required parking. The chapter would also establish design, construction, and maintenance standards, landscaping requirements for larger parking lots, and the ability to implement in-lieu parking fees to address parking deficits. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.64 Signs

This chapter consists of a comprehensive overhaul of the City's sign regulations for enhanced public safety, controls, and sign standards. Provisions regulating sign content have been removed in accordance with *Reed v. Town of Gilbert* (2015). There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.68 Nonconforming Structures, Uses, and Parcels

This chapter establishes special regulations for nonconforming land uses, structures, and parcels that were lawful prior to the adoption of the proposed update, but which would be prohibited, regulated, or restricted differently under the current terms of the update or future amendments. It is the intent of the proposed update to allow existing nonconformities to continue and even expand under limited conditions, and to allow for reconstruction of nonconforming structures in the event of a disaster. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.72 Use Permits and Variances

This chapter describes the process for applying for, considering, and approving administrative permits, conditional use permits, and variances, as well as for modification or revocation of same. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.76 Special Provisions

This chapter describes the standards and requirements for a variety of specific issues and uses, including: site plans; official plan lines; second dwelling units; manufactured homes; manufactured home parks; recreational vehicles; recreational vehicle parks; open space requirements for multifamily developments; single-room occupancy units; emergency shelters; fences, walls, hedges, and equivalent screening; outdoor lighting; temporary structures; commercial outdoor dining and seating; community gardens; garage sales; height limits; setback exceptions; dish-type or satellite antennas; cargo containers; trash and recycling enclosures; screening; cannabis and cannabis products; low barrier navigation centers; and employee housing. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.80 Live/Work Units and Home-Based Businesses

This chapter describes the conditions under which limited nonresidential activities may be conducted when incidental to residential activities. It would provide for live-work units, home occupations, and cottage food operations. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.84 Short-Term Rentals

This chapter describes regulations for short-term rentals, including an annual registration requirement, application process, inspection requirements, operational standards, prohibitions, and penalties for noncompliance. The registration process would allow the City to better monitor the use of residential properties for short-term rentals to ensure the use does adversely affect surrounding uses and residential availability in the City.

Subsequent to the public workshop on the draft Zoning Code update in May 2025, Section 17.84.020 (Definitions) was amended to include definitions for "hosted short-term rental" and "non-hosted short-term rental," as follows:

> "Hosted short-term rental" means a short-term rental where the property owner lives on the same property as the short-term rental while the short-term rental is occupied by the guest(s).
>
> "Non-hosted short-term rental" means a short-term rental where the property owner does not live on the same property as the short-term rental while the short-term rental is occupied by the guest(s).

The change was made to establish an additional limitation on "non-hosted short-term rentals" for purposes of better supporting land use compatibility and ensuring the availability of long-term housing in the City. The additional limitation on "non-hosted short-term rentals" was incorporated into Section 17.84.040 (Registration certificate requirements), as follows:

17.84.040 Registration certificate requirements.

A. Annual registration required. Transient occupancy registration certificates shall be renewed annually, and separate certificates are required for each short-term rental. The certificate requirements for short-term rentals are set forth below. The issuance of any certificate pursuant to this article does not relieve the owner of the obligation to comply with the other provisions of this code pertaining to the use and occupancy of the short-term rental or the property in which it is located. Short-term rentals are allowed in all zone districts that allow residential use with approval of a transient occupancy registration certificate~~, however, no more than two (2) transient occupancy registration certificates shall be issued to any property owner for short-term rentals located in the R-R, R-1-10, R-1-12, R-2, R-3, and M-H districts~~.

B. Registration certificate limits. A maximum of two (2) transient occupancy registration certificates shall be issued to any property owner for short-term rentals located in the R-R, R-1-10, R-1-12, R-2, R-3, and M-H districts. Only one (1) of the two (2) registration certificates issued to any property owner shall be for a non-hosted short-term rental.

17.88 Bed and Breakfast Inns

This chapter establishes standards for bed and breakfast inns to assure compatibility with surrounding residential neighborhoods, as well as procedures for the processing of bed and breakfast inn applications. It remains substantially the same as current Chapter 17.46 (Bed and Breakfast Inns). There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.92 Mobile Food Sales

This chapter establishes standards and exceptions for mobile food vendors, whether individuals operating on public or private property or multiple vendors operating from within a mobile food court. It also establishes standards for the establishment and operation of mobile food courts when permitted elsewhere by Code. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.96 Accessory Dwelling Units

This chapter provides for accessory dwelling units and junior accessory dwelling units (J/ADUs) consistent with Government Code Sections 66310 and 66342. The current J/ADU regulations were adopted by the City Council in July 2021, however, state J/ADU law has continued to evolve since then. Accordingly, the ADU regulations have been updated in accordance with state law. Changes include:

- Updating reference to the sections of Government Code containing J/ADU law.
- Adding a definition for "livable space" to Section 17.96.020 (Definitions).
- Allowing up to eight detached ADUs on parcels developed with multifamily dwellings rather than the current limit of two, provided that the number of detached ADUs does not exceed the number of dwelling units on the lot.
- Limiting attached one-story accessory dwelling units and detached two-story accessory dwelling units to 26 feet.

- Allowing up to two additional feet of building height to accommodate a roof pitch that aligns with the primary dwelling when the lot is within one half mile of a major transit stop or high-quality transit corridor.
- Removal of subjective requirements, such being "substantially compatible with the principal dwelling and neighborhood," as well as the elimination of architectural standards when the ADU is located within the required setbacks of the principal dwelling.
- Requiring that ADUs comply with the front yard setback requirement of the zoning district, expanding the setback exemption for ADUs converted from existing space or to the same dimensions as an existing structure, and requiring building separations according to building or fire code.
- Providing an additional exception to the off-street parking requirement when the building permit application for the ADU is submitted at the same time as a building permit application for a new single-family or multifamily dwelling on the same lot, provided that the ADU or the parcel satisfies any other criteria listed in Government Code Section 66322, subdivision (a)(1)-(5).
- Removing submittal of a photograph of the principal dwelling from the list of application requirements.
- Prohibiting denial of a permit for an existing ADU constructed prior to 2018 without of a building permit unless supported by the finding that "correcting the violation is necessary to protect the health and safety of the public or occupants of the structure."
- Clarifying that the limit on the number of ADUs and JADUs per parcel applies to parcels with an existing or proposed single-family dwelling.
- Requiring an interior entry to the principal dwelling when a JADU lacks its own separate bathroom.

There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.100 Reasonable Accommodations

This chapter describes the procedure for making requests for reasonable accommodation in land use, zoning, and building regulations, policies, practices, and procedures to comply fully with the intent and purpose of fair housing laws. Specifically, this chapter describes the process for providing individuals with disabilities reasonable accommodation in rules, policies, practices, and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities in accordance with the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act. It is consistent with Etna Municipal Code Chapter 17.50 (Reasonable Accommodations) and current state law. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.104 Residential Density Bonuses

This chapter describes the incentives that are available to developers for the creation of housing for very low-, low-, and moderate-income, special needs, and senior households in accordance with Government Code Sections 65915-65918. This chapter would replace current Chapter 17.49 (Density Bonus), which is similar. However, because state law regarding density bonuses continues to evolve, Chapter 17.104 focuses on local procedures for processing density bonus applications to reduce the need for future Zoning Code amendments. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.108 Objective Design Standards

This chapter establishes objective designs standards for affordable multifamily residential and mixed-use developments that request streamlined processing and ministerial approval pursuant to state law provisions that reference objective design standards (e.g., SB 167, SB 35, and SB 330). The objective design standards supplement the development standards elsewhere in the Zoning Code. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.112 Surface Mining and Reclamation

This chapter expands upon current Section 17.34.200 (Mining and removal of minerals and earth – Permit required) by describing the requirements for the approval and modification of reclamation plans, interim management plans, and financial assurances, for making vested mining rights determinations, and for the annual inspection and reporting of surface mining operations. The chapter is consistent with the State's Surface Mining and Reclamation Act (SMARA). There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

17.116 Amendments

This chapter describes the process for amending Title 17, Zoning. Following the public workshop on the draft Zoning Code update in May 2025, Section 17.116.010 (When made) and Section 17.116.020 (Initiation) were amended as follows:

17.116.010 When made.

Subject to the approval of the city council, the regulations and districts established by this title, and ~~or~~ the boundaries thereof, may be changed, amended, or altered, or any provision thereof may be changed, altered, or amended, and any property within the city may be rezoned, reclassified, or established whenever the public convenience, necessity, or general welfare require the same by following the procedure set forth in this chapter.

17.116.020 Initiation.

Any such change, amendment, alteration, rezoning, or establishment (singly or collectively referred to herein as an "amendment") may be initiated by the city council or city clerk, or by verified petition of one (1) or more owners of the property affected by the proposed amendment, which petition shall be filed and accompanied by a fee set by the city council~~, or by action of the city council~~.

17.120 Hearings and Appeals

This chapter details the public notice requirements for projects subject to a public hearing, and it establishes a process for appeals of staff actions. Following the workshop on the draft Zoning Code update in May 2025, Section 17.120.010 (Notice required) was amended to increase the time from 10 days to 20 days for providing public notice if a proposed zoning amendment affects the permitted uses of real property, as follows:

17.120.010 Notice required.

A. Notice of any public hearing required under the terms of this title shall be given at least ten (10) days prior to the first hearing by at least one (1) publication in a newspaper of general circulation within the city, and by the U.S. Mail, postage prepaid, to all persons whose name and address appear on the latest adopted tax roll as owning property within a distance of not less than three hundred (300) feet from the exterior boundaries of the real property subject to the hearing. If there is no newspaper of general circulation, in lieu of publication, the public

hearing notice shall be posted in three (3) public places in the city in accordance with Government Code Section 65090.

B. Notwithstanding subsection (A) of this section, if a proposed amendment pursuant to Chapter 17.120 (Amendments) affects the permitted uses of real property, notice of the hearing shall be given at least twenty (20) days prior to the first hearing.

C. Any defect or error appearing in such notice shall not divest the city council of jurisdiction nor invalidate any proceedings.

17.124 Enforcement and Penalties

This chapter requires staff compliance with implementation of the Zoning Code, establishes penalties for violations of the Zoning Code, and it provides for abatement of nuisances associated with Zoning Code violations. There have been no comments on, or substantive changes to, the chapter since it was presented for discussion in May 2025.

The draft Zoning Code is included as **Exhibit A** to draft Ordinance 230 (see **Attachment A**).

ZONING MAP

The Zoning Map would be updated in accordance with the General Plan Land Use Map and Zoning Code update, as well as to eliminate split zoning, apply the RR district to a few large parcels developed with and/or capable of supporting low density residential development and limited, compatible agricultural uses. To eliminate split zoning, the smaller portion of any parcel affected by split zoning would be rezoned consistent with the predominant zone district. The parcels or portions of parcels affected by the changes are shown in the table below.

Table 2, Parcels or Portions of Parcels with a Zone Change

APN	Current Use	Current Zoning	Approx. Acres	Proposed Zoning
056-041-010	Elementary School	R-1-10	1.5	P-F
056-062-010			1.1	
056-062-020			0.2	
056-062-030			0.3	
056-061-050			0.3	
056-061-060			0.3	
056-061-070			0.2	
056-061-080			0.4	
056-061-090			0.4	
056-061-120			0.2	
056-061-170			0.4	
056-091-060	High School	R-1-12	40.1	P-F
056-091-070			0.2	
056-091-080			0.1	
056-091-090			0.6	
056-091-120			1.3	
056-261-040	Water Treatment Plant	R-1-12	4.8	P-F
056-091-030			0.6	

APN	Current Use	Current Zoning	Approx. Acres	Proposed Zoning
056-103-100	Public Works Yard	R-1-12	1.6	P-F
056-091-020	City Park	R-1-12	0.5	O-S
056-091-030			5.5	
056-011-420	Community Pool	C-2	1.8	O-S
056-103-070	Little League Field	R-1-12	1.3	O-S
056-191-140	Agriculture	R-1-12	16.2	R-R
		M	1.3	
056-181-250	Agriculture	R-1-10	0.1	R-R
056-221-070	Agriculture	R-1-12	4.1	R-R
056-221-080	Low Density Residential	R-1-10	0.3	R-1-12
		R-1-12	0.5	
		M	0.3	
056-274-050	Low Density Residential / Agriculture	R-1-12	4.8	R-R
056-274-040	Agriculture	R-1-12	4.9	R-R
		R-3	3.4	
056-274-030	Mobile Home / RV Park	M-H	5.1	M-H
		C-2	0.2	
056-274-490	Vacant Commercial	C-2	0.6	C-2
		M	0.2	
056-274-260	Vacant Industrial	M	1.2	M
		C-2	0.1	
056-274-270	Ministorage Facility	M	1.3	M
		C-2	0.4	

The draft Zoning Map is included as **Exhibit B** to draft Ordinance 230 (see **Attachment A**).

ENVIRONMENTAL RECOMMENDATION

Planning staff is recommending that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3). Section 15061(b)(3) is better known as the "common sense exemption" in that it states CEQA only applies to projects that have the potential for causing a significant effect on the environment. Staff recommends a Section 15061(b)(3) exemption for the project because considerable attention has been given throughout the project to: improving land use compatibility; ensuring efficient use of land and resources; and safeguarding the community and the environment. Further, the issues and concerns addressed by CEQA have been integrated throughout the City's General Plan update, and the draft Zoning Code is consistent with the General Plan update. Moreover, the draft Zoning Code does not provide for increased densities or intensities of development beyond what is currently provided for in the City's 2004 General Plan Land Use Element and/or required by the City's 2016 and 2024 Housing Elements, each of which was determined by the City to have no significant effect on the environment.

Accordingly, the project would not directly or indirectly allow any activity, land use, or conversion to occur with the potential to substantially impact the public or environment, nor does the project have the potential to:

- Have significant cumulative impacts in the same place over time;
- Have a significant effect on the environment due to unusual circumstances;
- Result in damage to scenic resources within a highway officially designated as a state scenic highway;
- Occur on a hazardous waste site on any list compiled pursuant to Section 65962.5 of the Government Code; or
- Cause a substantial adverse change in the significance of a historical resource.

If the City Council concurs with the environmental recommendation made by staff, it should make the finding that the project is exempt from CEQA prior to approving the project. As such, a finding to this effect has been included in the first suggested motion on page one of this staff report, and it has been incorporated into the draft ordinance prepared for the City Council's consideration.

STAFF RECOMMENDATION

Planning staff recommends that the City Council consider the totality of the record before it, including all comments presented at the public hearing, and should the City Council determine that the project as proposed would not have a significant impact on the environment, staff recommends the City Council consider the following actions:

- **Adopt** the recommended CEQA Exemption; and
- **Introduce** Draft Ordinance 230, An Ordinance of the City Council of the City of Etna Amending Title 17, Zoning, of the Etna Municipal Code by title only; and
- **Waive** further reading of Ordinance 230 and direct staff to bring the ordinance back for adoption at the next regular meeting.

ATTACHMENT A

DRAFT ORDINANCE 230

ORDINANCE 230

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ETNA AMENDING TITLE 17, ZONING, OF THE ETNA MUNICIPAL CODE

WHEREAS, the City of Etna General Plan and Zoning Ordinance are key elements in the City's suite of regulations to promote coordinated and efficient development; and

WHEREAS, pursuant to Government Code Section 65860, a city's zoning ordinance must be consistent with its general plan; and

WHEREAS, on March 25, 2024, the City Council of the City of Etna adopted Resolution 2024-002, thereby updating the General Plan Housing Element for the 6th Cycle planning period; and

WHEREAS, on December 2, 2024, the City Council adopted Resolution 2024-019, thereby updating the General Plan Noise Element, Circulation Element, and Open Space & Conservation Element; and

WHEREAS, on November 3, 2025, the City Council adopted Resolution 2025-010, thereby updating the General Plan Introduction, Land Use Element, and Safety Element; and

WHEREAS, the City Council of the City of Etna desires to update Title 17, Zoning, of the Etna Municipal Code and the Zoning Map consistent with the City's General Plan update.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Etna does ordain as follows:

SECTION I: FINDINGS. The recitals above are true and correct and incorporated herein by this reference.

SECTION II: AMENDMENT TO TITLE 17, ZONING. Chapters 17.04 through 17.52 of Title 17, Zoning, of the City of Etna Municipal Code are deleted entirely and replaced with the text provided in "Exhibit A" hereto.

SECTION III: AMENDMENT TO ZONING MAP. The "City of Etna California Zoning Map," dated November 3, 2003, is deleted and replaced with the "City of Etna Zoning Map" in "Exhibit B" hereto.

SECTION IV: CEQA. Because it could be seen with certainty that the amendments to Title 17, Zoning, as provided for in "Exhibit A," and the Zoning Map, as provided for in "Exhibit B," do not have the potential to result in a significant impact on the environment, the City Council adopted an exemption for the project pursuant to CEQA Guidelines Section 15061(b)(3) (i.e., the commonsense exemption) at a special meeting of the City Council on November 3, 2025.

SECTION V: SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase of this ordinance

irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SECTION VI: EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after its passage.

SECTION VII: IMPLEMENTATION. The City Council hereby authorizes and directs the City Clerk to take any action and sign any documents necessary to implement this ordinance.

SECTION VIII. CERTIFICATION. The City Clerk shall certify to passage and adoption of this ordinance and shall give notice of its adoption as required by law. This ordinance, or a summary thereof, shall be published and/or posted in compliance with the requirements of Government Code section 36933.

SECTION IX. INCONSISTENCIES. Any provisions of the Etna Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION X. CODIFICATION. The City Clerk is directed and authorized to instruct the publisher of the City of Etna Municipal Code that codification of this ordinance is limited to "Exhibit A."

SECTION XI. EXECUTION. The Mayor and City Clerk are authorized to subscribe this ordinance where indicated below to evidence its approval.

PASSED AND ADOPTED this ____ day of _____ 2025, at a regular meeting of the City of Etna City Council by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Cliff Munson, Mayor

ATTEST:

_____
Pamela Eastlick, City Clerk

"Exhibit A" to Ordinance 230

TITLE 17
ZONING

Chapters:

17.04 General Provisions
17.08 Definitions
17.12 Districts Generally
17.16 Rural Residential, R-R
17.20 Low Density Residential 10, R-1-10
17.22 Low Density Residential 12, R-1-12
17.24 Medium Density Residential, R-2
17.28 High Density Residential, R-3
17.32 Mobile Home Residential, M-H
17.36 Town Center, T-C
17.40 General Commercial, G-C
17.44 Manufacturing, M
17.48 Open Space, O-S
17.52 Public Facilities, P-F
17.56 Similar Use Determinations
17.60 Off-Street Parking
17.64 Signs
17.68 Nonconforming Structures, Uses, and Parcels
17.72 Use Permits and Variances
17.76 Special Provisions
17.80 Live/Work Units and Home-Based Businesses
17.84 Short-Term Rentals
17.88 Bed and Breakfast Inns
17.92 Mobile Food Sales
17.96 Accessory Dwelling Units
17.100 Reasonable Accommodations
17.104 Residential Density Bonuses
17.108 Objective Design Standards
17.112 Surface Mining and Reclamation
17.116 Amendments
17.120 Hearings and Appeals
17.124 Enforcement and Penalties

CHAPTER 17.04
GENERAL PROVISIONS

Sections:

17.04.010 Adoption.
17.04.020 Short title.
17.04.030 Purpose.
17.04.040 Establishment of districts.
17.04.050 Application.
17.04.060 Interpretation.

17.04.010 Adoption.

There is hereby adopted a precise zoning plan for the City of Etna.

17.04.020 Short title.

This title shall be known as "The City of Etna Zoning Code."

17.04.030 Purpose.

The purpose of this title is to: promote and protect the public health, safety, peace, comfort, and general welfare; promote the orderly growth of the city; protect the character and stability of residential, commercial, mixed-use, industrial, and open space areas; prevent overcrowding and undue congestion of population; provide adequate privacy and convenience of access to property; and to secure for the city and its residents safety from fire and other hazards.

17.04.040 Establishment of districts.

The zoning or districting plan effectuated by this title consists of the establishment of various districts, including all territory within which the use of land, buildings, the space for buildings, and the height and bulk of buildings are regulated.

17.04.050 Application.

A. No building or structure shall be erected, reconstructed, or structurally space altered in any manner, nor shall any building or land, the space above or beneath, be used for any purpose other than as permitted by, and in conformance with this title and all other ordinances, laws, and maps referred to in this title.

B. This title shall apply to all property whether owned by private persons, firms, corporations, or organizations, and to the extent permitted by law, property of the United States of America or any of its agencies, by the State of California or any of its agencies or political subdivisions, by any authority or district organized under the law of the State of California, all subject to the following exceptions:

   1. Public streets and alleys,
   2. Underground utility lines and facilities,
   3. Underground communication lines,
   4. Overhead communication lines,
   5. Overhead electric distribution and transmission facilities, and
   6. Railroad rights-of-way.

17.04.060 Interpretation.

When interpreting and applying the provisions of this title, they shall be held to the minimum requirements adopted for the promotion of the public health, safety, peace, comfort, convenience, and general welfare. Except as specifically herein provided, it is not intended by the adoption of the ordinance codified herein to repeal, abrogate, annul, or in any way to impair or interfere with any existing provisions of law or ordinance, or any rules, regulations, or permits previously adopted or issued, or which shall be adopted or issued pursuant to law relating to the erection, construction, maintenance, establishment, moving, alteration, or enlargement of any building or improvement. Nor is it intended by this title to interfere with or abrogate or annul any easement, covenant, or other agreement between parties, provided, however, that in cases in which this title imposes a greater restriction upon the erection, construction, maintenance, establishment, moving, alteration, or enlargement of buildings, or the use of any such buildings or premises in said several districts or any of them, than is imposed or required by such existing provisions of law or ordinance or by such rules, regulations, or permits or by such easements, covenants, or agreements then in such case the provisions of this title shall control.

CHAPTER 17.08
DEFINITIONS

Sections:

17.08.010 Generally.
17.08.020 Abut, abutting, adjoining.
17.08.030 Accessory dwelling unit.
17.08.040 Accessory structure.
17.08.050 Accessory use.
17.08.060 Acre.
17.08.070 Administrative permit.
17.08.080 Adult day programs.
17.08.090 Adult-oriented business.
17.08.100 Aggrieved applicant, person, or party.
17.08.110 Agricultural product processing plant.
17.08.120 Airport.
17.08.130 Alcoholic beverage sales.
17.08.140 Alley.
17.08.150 Ambulance service.
17.08.160 Animal boarding.
17.08.170 Animal grooming.
17.08.180 Animal hospital.
17.08.190 Applicant.
17.08.200 Area.
17.08.210 Artisan crafts manufacturing and sales.
17.08.220 Artist studio.
17.08.230 Automated teller machines (ATMs).
17.08.240 Automobile and vehicle sales and rental.
17.08.250 Automobile parts and supplies sales.
17.08.260 Automobile service stations.
17.08.270 Awning.
17.08.280 Banks and financial services.
17.08.290 Bed and breakfast inn.
17.08.300 Billiard parlor.
17.08.310 Block.
17.08.320 Brewpub.
17.08.330 Building.
17.08.340 Building footprint.
17.08.350 Building frontage.
17.08.360 Building height.
17.08.370 Building intensity.
17.08.380 Building materials stores and yards.
17.08.390 Building official, building inspector.
17.08.400 Building site.
17.08.410 Bus shelter.
17.08.420 Business.
17.08.430 Business day.
17.08.440 Business office.
17.08.450 Business support services.
17.08.460 Car washing and detailing.

17.08.470 Caretaker housing.
17.08.480 Cargo container.
17.08.490 Carport.
17.08.500 Cemetery.
17.08.510 Centerline.
17.08.520 Certified farmers' market.
17.08.530 Chemical product manufacturing.
17.08.540 City property.
17.08.550 Clear vision triangle.
17.08.560 Clothing and fabric product manufacturing.
17.08.570 Clubs, lodges, and private meeting halls.
17.08.580 Collectibles.
17.08.590 Commercial vehicle.
17.08.600 Common area.
17.08.610 Community center.
17.08.620 Community garden.
17.08.630 Community resource center.
17.08.640 Concession facilities.
17.08.650 Concrete batching or ready-mix concrete manufacturing.
17.08.660 Conditional use permit.
17.08.670 Condominium.
17.08.680 Construction.
17.08.690 Consumer electronics.
17.08.700 Convenience stores.
17.08.710 Corner lot.
17.08.720 Cottage food operation.
17.08.730 Craft food and beverage production.
17.08.740 Crop and tree farming.
17.08.750 Customer area.
17.08.760 Date of decision.
17.08.770 Density.
17.08.780 Density bonus.
17.08.790 Density transfer.
17.08.800 Development agreement.
17.08.810 Dormitory.
17.08.820 Drive-in and drive-through sales and services.
17.08.830 Duplex residential.
17.08.840 Dwelling group.
17.08.850 Dwelling unit.
17.08.860 Easement.
17.08.870 Efficiency unit.
17.08.880 Emergency shelter.
17.08.890 Employee housing.
17.08.900 Encroachment permit.
17.08.910 Equipment and material storage yards.
17.08.920 Equipment sales and rental.
17.08.930 Event center.
17.08.940 Explosives.
17.08.950 Family.
17.08.960 Family childcare home.
17.08.970 Farmworker housing.

17.08.980 Fence.
17.08.990 Firearms sales.
17.08.1000 Floor area ratio.
17.08.1010 Food and beverage manufacturing.
17.08.1020 Front yard.
17.08.1030 Fuel storage and distribution.
17.08.1040 Furniture and fixtures manufacturing.
17.08.1050 Garage.
17.08.1060 Garage sale, yard sale.
17.08.1070 Garden center, plant nursery.
17.08.1080 General Plan.
17.08.1090 General vicinity, proximity.
17.08.1100 Glass product manufacturing.
17.08.1110 Grocery store, supermarket.
17.08.1120 Gross density.
17.08.1130 Gross floor area.
17.08.1140 Group home.
17.08.1150 Handcraft industries.
17.08.1160 Health clinics, medical offices, and laboratories.
17.08.1170 Hedges and equivalent screening.
17.08.1180 Heliport.
17.08.1190 Highway.
17.08.1200 Home occupation.
17.08.1210 Hospice care.
17.08.1220 Hospitals.
17.08.1230 Hostel.
17.08.1240 Hotels and motels.
17.08.1250 Household.
17.08.1260 Indemnification.
17.08.1270 Indoor entertainment facility.
17.08.1280 Indoor sports and fitness facility.
17.08.1290 Junior accessory dwelling unit.
17.08.1300 Junk.
17.08.1310 Kitchen.
17.08.1320 Landscaping.
17.08.1330 Legal description.
17.08.1340 Library.
17.08.1350 Live-work unit.
17.08.1360 Living area.
17.08.1370 Lot, parcel
17.08.1380 Lot coverage.
17.08.1390 Lot depth.
17.08.1400 Lot frontage, street frontage.
17.08.1410 Lot line.
17.08.1420 Lot width.
17.08.1430 Low barrier navigation center.
17.08.1440 Lumber and wood product processing facility.
17.08.1450 Major transit stop.
17.08.1460 Main building.
17.08.1470 Manufactured home.
17.08.1480 Manufactured home park.

17.08.1490 Media production.
17.08.1500 Metal products fabrication, machine/welding shops.
17.08.1510 Microbrewery.
17.08.1520 Microdistillery.
17.08.1530 Mixed-use building.
17.08.1540 Mixed-use development.
17.08.1550 Mobile food commissary.
17.08.1560 Mobile food court.
17.08.1570 Mobile food vendor.
17.08.1580 Mobile home.
17.08.1590 Mortuaries and funeral homes.
17.08.1600 Multifamily residential.
17.08.1610 Nanobrewery.
17.08.1620 Net density.
17.08.1630 Net land area.
17.08.1640 Nonconforming building or use.
17.08.1650 Occupancy.
17.08.1660 Official plan line.
17.08.1670 Off-site.
17.08.1680 On-site.
17.08.1690 Open space.
17.08.1700 Outdoor commercial recreation facility.
17.08.1710 Paper product manufacturing.
17.08.1720 Park and ride facility.
17.08.1730 Parking space or facility.
17.08.1740 Parks, picnic areas, and playgrounds.
17.08.1750 Pending application.
17.08.1760 Permit.
17.08.1770 Personal services.
17.08.1780 Pharmacy.
17.08.1790 Places of worship and spiritual assembly.
17.08.1800 Principally permitted use.
17.08.1810 Printing and publishing.
17.08.1820 Private schools.
17.08.1830 Professional office.
17.08.1840 Project.
17.08.1850 Property line.
17.08.1860 Public agency.
17.08.1870 Public and quasi-public facilities.
17.08.1880 Public nuisance.
17.08.1890 Public right-of-way.
17.08.1900 Public safety facility.
17.08.1910 Public schools.
17.08.1920 Public services.
17.08.1930 Public utility.
17.08.1940 Rear yard.
17.08.1950 Recreational vehicle.
17.08.1960 Recreational vehicle park.
17.08.1970 Recycling facility.
17.08.1980 Residential care facility.
17.08.1990 Residential care home.

17.08.2000 Resource protection and restoration.
17.08.2010 Resource-related recreation.
17.08.2020 Restricted personal services.
17.08.2030 Restricted retail sales.
17.08.2040 Retail food establishment.
17.08.2050 Retail sales.
17.08.2060 Salvage yard.
17.08.2070 Second dwelling unit.
17.08.2080 Secondhand sales.
17.08.2090 Setback.
17.08.2100 Shopping center.
17.08.2110 Short-term rental.
17.08.2120 Side yard.
17.08.2130 Sign.
17.08.2140 Single-family residential.
17.08.2150 Small acreage farming and ranching.
17.08.2160 Small equipment maintenance and repair.
17.08.2170 Special event.
17.08.2180 Split zoning.
17.08.2190 Sporting goods.
17.08.2200 Stone product manufacturing.
17.08.2210 Storage facility.
17.08.2220 Structure.
17.08.2230 Supportive housing.
17.08.2240 Taproom brewery.
17.08.2250 Temporary structure.
17.08.2260 Temporary use.
17.08.2270 Theaters and playhouses.
17.08.2280 Townhouse.
17.08.2290 Transient occupancy.
17.08.2300 Transitional housing.
17.08.2310 Uplighting.
17.08.2320 Utility infrastructure.
17.08.2330 Variance.
17.08.2340 Vehicle storage.
17.08.2350 Vehicles for hire.
17.08.2360 Vehicular access.
17.08.2370 Vertical mixed-use development.
17.08.2380 Veterinary office.
17.08.2390 Wholesale business.
17.08.2400 Wireless telecommunications facility.
17.08.2410 Yard.
17.08.2420 Zero lot line.
17.08.2430 Zoning district.

17.08.010 Generally.

For the purposes of this title certain terms are defined in this chapter. If any of the definitions in this chapter conflict with definitions in other chapters of the Etna Municipal Code, these definitions shall prevail for the purposes of this title. If a word used in this title is not defined in this chapter,

or other titles of the Etna Municipal Code, the most common dictionary definition is assumed to be correct.

A. The present tense shall include the future, the singular number shall include the plural, and the plural the singular.

B. The words "shall," "will," "must," and "is" denote a mandatory action. The word "may" or "should" indicate a permissive action.

17.08.020 Abut, abutting, adjoining.

"Abut," "abutting," or "adjoining" all mean contiguous to or touching.

17.08.030 Accessory dwelling unit.

As defined in Chapter 17.96 (Accessory Dwelling Units).

17.08.040 Accessory structure.

A structure that is physically detached from, secondary, and incidental to, and commonly associated with the existing primary structure. Does not include any tent, trailer, recreational vehicle, or other vehicle, or any building designed or used for human habitation.

17.08.050 Accessory use.

A use that is conducted on the same parcel as the principal use or structure to which it is related, and which is clearly subordinate and incidental to the principal use.

17.08.060 Acre.

An area of land measuring forty-three thousand five hundred sixty (43,560) square feet.

17.08.070 Administrative permit.

Any permit issued as a ministerial act by the city.

17.08.080 Adult day programs.

Facilities licensed by the California Department of Social Services as an Adult Day Program that provide non-medical care and supervision to persons eighteen (18) years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals, in a day care setting, on less than a sixteen (16)-hour basis.

A. Small adult day programs provide supervision and non-medical care to six (6) or fewer adults.

B. Large adult day programs provide supervision and non-medical care to more than six (6) adults.

17.08.090 Adult-oriented business.

A business whose primary purpose is the sale or display of matter that, because of its sexually explicit nature, may, pursuant to state law or local regulatory authority, be offered only to persons over the age of eighteen (18) years.

17.08.100 Aggrieved applicant, person, or party.

A person, organization, corporation, concerned citizen, or any individual or group that demonstrates to the city council that they have an interest, either financial or otherwise, in property affected by the decision of the original decision maker. This definition is not intended to and does not confer standing to maintain an action in a court of law where standing would not otherwise exist.

17.08.110 Agricultural product processing plant.

A building, facility, area, or location for the refinement, treatment, or conversion of agricultural products where physical, chemical, or similar change of an agricultural product occurs. Examples of agricultural processing include, but are not limited to, fruit dehydrators, cold storage houses, hulling operations, and the sorting, cleaning, packing, and storing of agricultural products preparatory to sale and/or shipment in their natural form including all uses customarily incidental thereto.

17.08.120 Airport.

A place on land or water, where aircraft may land and take off, receive and disembark passengers or cargo, take on fuel, purchase accessories, or obtain service or repair. Includes appurtenant areas, buildings, facilities, and rights-of-way necessary to facilitate such use or intended use.

17.08.130 Alcoholic beverage sales.

A. "On-sale alcoholic beverage sales" means the retail sale of beer, wine, liquor, and/or other alcoholic beverages for on-site consumption as the principal use, typically with a Type 42 or 48 ABC license. This definition shall not include uses wherein the sale, offer, or dispensing of alcohol is incidental to the conduct of a permitted or conditionally permitted use, such as hotels, restaurants, theaters, and playhouses.

B. "Off-sale alcoholic beverage sales" means the retail sale of beer, wine, liquor, and/or other alcoholic beverages for off-site consumption as the principal use. This definition shall not include uses wherein the sale of alcohol is incidental to the conduct of a permitted or conditionally permitted use, such as grocery stores and supermarkets.

17.08.140 Alley.

A public way permanently reserved as a secondary means of access to abutting property at the rear or sides thereof.

17.08.150 Ambulance service.

Emergency medical care and transportation, including incidental storage and maintenance of vehicles.

17.08.160 Animal boarding.

A facility where more than two (2) domestic animals are housed, fed, and cared for, excluding an animal hospital or veterinary clinic, for a period greater than twenty-four (24) hours for commercial purposes.

17.08.170 Animal grooming.

A fixed or mobile facility where domestic animals are trimmed, bathed, or groomed other than by the owner on a regular basis for compensation (no boarding).

17.08.180 Animal hospital.

An enclosed building or buildings where animals are brought for medical and surgical treatment and are held during the time of such treatment, including overnight. Grooming of animals and pet food sales are permitted as accessory to the medical use.

17.08.190 Applicant.

A person who is required to file an application for a permit or license under this title.

17.08.200 Area.

A piece of land that can be definitively described and located with specific boundaries.

17.08.210 Artisan crafts manufacturing and sales.

Manufacture of crafts, art, sculpture, jewelry, apparel, candles, and similar items using hand tools and small mechanical devices (e.g., drills and saws, hammers and chisels, paint brushes and sprayers, pottery wheels and kilns, sewing machines, spinning wheels, etc.) and the incidental direct sale to consumers of only those goods produced on-site. Where there are no incidental direct sales to customers, the use may be considered an "artist studio" or "handcraft industries."

17.08.220 Artist studio.

An establishment engaged in the creation of art or crafts that requires artistic skill. Such an establishment may participate in periodic open studios (a maximum of six (6) days per year) but is otherwise subject to the applicable zoning district's limitations on retail sales. Artist studios may include rehearsal spaces not designed for public performances. Examples of persons typically engaged in this work include woodworkers, potters/ceramicists, costume makers, set designers, stained-glass makers, glassblowers, textile artists and weavers, jewelry makers, painters, fine art printmakers, photographers/filmmakers, leather workers (no tanning), metal workers, musical instrument makers, model makers, papermakers, installation artists, sculptors, video artists, and other makers of art and crafts consistent with this definition. The use of computers in an activity does not by itself prevent its classification as an artist studio. This use excludes architectural and landscape services, industrial or graphic design services, computer systems design services, and other commercial activities normally conducted in an office environment. See "artisan crafts manufacturing" for artist studios that include the incidental sale of goods made on-site.

17.08.230 Automated teller machines (ATMs).

Computerized, self-service machines used by banking customers for financial transactions, including deposits, withdrawals, and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks, or in other locations, in compliance with allowed use provisions.

17.08.240 Automobile and vehicle sales and rental.

Retail establishments selling and/or renting automobiles, trucks, vans, motorbikes, recreation vehicles, and motorized boats. May also include repair shops and the sales of parts and accessories incidental to vehicle dealerships.

17.08.250 Automobile parts and supplies sales.

Stores that sell new and reconditioned automobile parts and accessories. Does not include installation of parts or vehicle repair.

17.08.260 Automobile service stations.

A retail place of business engaged in supplying goods and services essential to the normal operation of automobiles, such as: dispensing of automotive fuel and motor oil; tire sales and service, not including recapping; battery service, charging, and replacement, not including repair and rebuilding; lubrication of motor vehicles; brake servicing; wheel balancing; and minor automotive repair. May include drive-through car washes as an accessory use to fuel sales. Does not include the storage or repair of abandoned, wrecked, or dismantled vehicles, vehicle painting, body or fender work, or the rental of vehicle storage or parking spaces.

17.08.270 Awning.

Any structure made of a flexible fabric or similar material covering a metal frame attached to a building, whether or not the same is so erected as to permit its being raised to a position flat against the building when not in use.

17.08.280 Banks and financial services.

Financial institutions including: banks and trust companies, credit agencies, holding (but not primarily operating) companies, lending and thrift institutions, other investment companies, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity), and leasing agencies.

17.08.290 Bed and breakfast inn.

A single residential property with up to five (5) bedrooms rented for overnight lodging, where at least one (1) meal is provided to overnight guests only subject to applicable Health Department regulations. A bed and breakfast inn with more than five (5) guest rooms is considered a hotel or motel.

17.08.300 Billiard parlor.

A building, structure, or portion thereof in which are located three (3) or more tables designed or used for pool, billiards, bagatelle, snooker, bumper pool, or similar games.

17.08.310 Block.

All property fronting upon one side of a street, between intersecting and intercepting street, or between a street and a railroad right-of-way, waterway, dead-end street or unsubdivided land. An intercepting street shall determine only the boundary of the block on the side of a street that it intercepts.

17.08.320 Brewpub.

A restaurant with an on-site brewery that sells a minimum of twenty-five (25) percent of the beer brewed on-site for on-premises consumption.

17.08.330 Building.

Any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, animal, or property.

17.08.340 Building footprint.

The land area covered by a building as measured at its perimeter foundation walls including any roofed area that may not have perimeter foundation walls.

17.08.350 Building frontage.

The exterior building wall of a ground floor business establishment on the side of the building that fronts or is oriented towards a public street, highway, or parkway. "Building frontage" shall be measured continuously along the building wall for the entire length of the business establishment, including any portion not parallel to the remainder of the wall.

17.08.360 Building height.

The vertical distance from the average base elevation to the highest point on the structure, excluding chimneys, antennae, and similar nonstructural elements. Average base elevation is determined by taking the elevation of the lowest point at the ground and the elevation of the highest point at the ground and finding the average. This definition is not intended to preclude applicable usage of the definition in the building code(s) adopted by the city.

17.08.370 Building intensity.

The percentage of land area covered over by the building footprint or land use.

17.08.380 Building materials stores and yards.

Retail establishments selling lumber and other large building materials, where most display and sales occur indoors but outdoor storage is typically required. Includes paint, wallpaper, glass, and fixtures. Includes stores selling to the general public, even if contractor sales account for a major proportion of total sales. Hardware stores are considered "retail sales."

17.08.390 Building official, building inspector

The individual in charge of the City of Etna Building Department or responsible for performing the city's building inspections.

17.08.400 Building site.

The portion of a parcel of land, in a single or joint ownership, occupied or to be occupied by a building, together with such setbacks as are required by the terms of this zoning ordinance and having its principal frontage on a public street, road, or highway.

17.08.410 Bus shelter.

A small structure designed for the protection and convenience of waiting transit passengers that has a roof and usually two (2) or three (3) sides.

17.08.420 Business.

A land use or activity established for the purposes of commerce and as a means of generating revenue or income.

17.08.430 Business day.

Any day the city's offices located at 442 Main Street, Etna, California, are open to the public.

17.08.440 Business office.

An office where common business services are provided to the general public, such as consumer services, insurance, real estate, tax preparation, travel, utility company offices, etc. These uses

typically have a higher rate of walk-in traffic than a professional office and visits are often made without an appointment.

17.08.450 Business support services.

Establishments primarily within buildings, providing other businesses with services including maintenance, repair and service, testing, rental, etc., also includes: blueprinting business; equipment repair services; commercial art and design (including production); computer-related services (rental, repair); copying, quick printing, and blueprinting services; equipment rental businesses located entirely within buildings; heavy equipment repair services where repair occurs on the client site; janitorial services; mail advertising services (reproduction and shipping); mail box services; notary services; advertising services; photocopying and photofinishing; soils and materials testing laboratories; and window cleaning.

17.08.460 Car washing and detailing.

Permanent, drive-through, self-service and/or attended car washing establishments, including fully mechanized facilities. May include detailing services. Does not include temporary car washes which are fundraising activities typically conducted at a service station or other automotive-related business, where volunteers wash vehicles by hand, and the duration of the event is limited to one (1) day.

17.08.470 Caretaker housing.

A residence that is accessory to a non-residential primary use of the site, where needed for security, twenty-four (24)-hour care or supervision, or monitoring of facilities, equipment, or other conditions on the site.

17.08.480 Cargo container.

A metal or similar rectangular container designed for the temporary storage and transportation of goods on rail cars, truck beds, and ships.

17.08.490 Carport.

A structure that is attached or detached from another building, and that is open on at least two (2) sides with a covering for vehicle storage.

17.08.500 Cemetery.

Land used for the storage of the deceased, and dedicated for cemetery purposes, including crematories, columbaria, and mausoleums.

17.08.510 Centerline.

The line located equidistant from the edges of an easement or right-of-way. Centerline of a road right-of-way or easement does not necessarily mean the center of the physical location of the road.

17.08.520 Certified farmers' market.

A temporary outdoor gathering of individual retailers primarily focused on the sale of fresh produce, but also including other foods, beverages, handicrafts, art objects, and similar items.

17.08.530 Chemical product manufacturing.

Manufacturing facilities that produce or use basic chemicals, and other establishments creating products predominantly by chemical processes. Facilities included in this definition manufacture three general classes of products: basic chemicals, including acids, alkalis, salts, and organic chemicals; chemical products to be used in further manufacture, including synthetic fibers, plastic materials, dry colors, and pigments; and finished chemical products to be used for ultimate consumption, including drugs, cosmetics, and soaps; or to be used as materials or supplies in other industries including paints, fertilizers, and explosives.

17.08.540 City property.

Real property over which the City of Etna: (1) has fee title, an easement (including a public right-of-way), a leasehold interest, or other legal interest; and (2) has the present right of possession and control.

17.08.550 Clear vision triangle, clear vision distance.

The clear vision area (sometimes called the "sight triangle") formed by measuring twenty (20) feet along two intersecting streets from the point of intersection, and diagonally connecting the ends of the two lines (see Figure 17.08-1). Visual obstructions within this area are strictly managed so that drivers stopped at or approaching an intersection can see pedestrians and oncoming traffic.

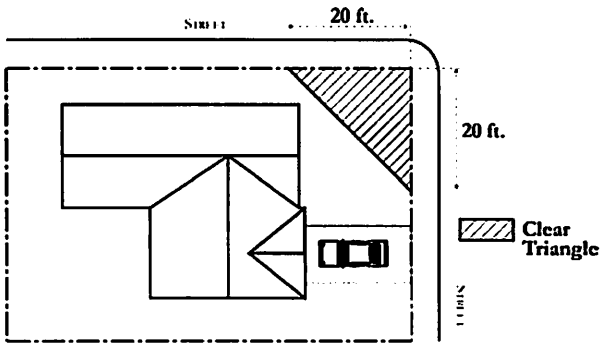


Fig. 17.08-1, Clear Vision Triangle

17.08.560 Clothing and fabric product manufacturing.

An establishment that assembles clothing, draperies, and/or other products by cutting and sewing purchased textile fabrics and related materials, including fur, leather, plastics, and rubberized fabrics, and which does not include the on-site sale of products to the end consumer. Does not include custom tailors and dressmakers not operating as a factory.

17.08.570 Clubs, lodges, and private meeting halls.

Permanent, headquarters-type and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for: business associations; civic, social and fraternal organizations; labor unions and similar organizations; political organizations; professional membership organizations; and other membership organizations.

17.08.580 Collectibles.

Any tangible personal property which has an enhanced value because of its rarity and which is commonly bought, sold, or exchanged among collectors and shall include such things as rare coins, stamps, and jewelry.

17.08.590 Commercial vehicle.

A motor vehicle used for commercial, industrial, or agricultural purposes and rated more than one (1) ton capacity. Examples of commercial use vehicles include but are not limited to; tow trucks, flat-bed trucks, mobile food preparation vehicles including large trucks converted as food vehicles, street sweepers, buses, utility trucks with hydraulic arms or lifts, and tractors and semi-trailers, etc.

17.08.600 Common area.

A parcel or parcels that are part of a subdivision, which are retained in the common ownership of the property owners of the subdivisions for common use or development.

17.08.610 Community center.

Multipurpose meeting and recreational facilities owned and maintained by a public agency and typically consisting of one (1) or more meeting or multipurpose rooms, kitchen, and/or outdoor barbecue facilities that are available for use by various groups for such activities as meetings, parties, receptions, dances, etc.

17.08.620 Community garden.

A site where flowers, fruits, herbs, nuts, seeds, and/or vegetables are cultivated by individuals of a neighborhood.

17.08.630 Community resource center.

Any building maintained by a governmental authority or not-for-profit agency used for supplementary educational services, employment assistance, food services, and/or constructive recreational activities.

17.08.640 Concession facilities.

Food service establishments operated from permanent structures, and generally associated with athletic and recreational facilities.

17.08.650 Concrete batching or ready-mix concrete manufacturing.

A facility used for the delivery of limestone aggregate, sand or screenings, cement and water into mixer trucks as part of the concrete manufacturing process. This facility may contain a system of conveyor belts, chutes, storage silos, stockpile areas, water and air systems, and weight scales and meters for the accurate dispensing of the raw materials to produce the desired strength and type of concrete. A concrete batching plant or ready-mix concrete plant facility includes queuing and parking spaces for trucks, materials handling equipment, and administrative, control and office buildings.

17.08.660 Conditional use permit.

A land use permit issued in a zone for uses that have the potential to be incompatible with neighboring land uses and zoning, and are to be permitted, but may be denied, following a public hearing in which interested parties have the opportunity to comment.

17.08.670 Condominium.

An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a building on such real property.

17.08.680 Construction.

The physical development of a parcel, including site excavation and grading, framing, and finishing, up to the point of final inspection, use, or occupancy, whichever occurs first.

17.08.690 Consumer electronics.

Analog or digital electronic equipment intended for everyday entertainment, communications, and recreation use. Consumer electronics include but are not limited to home or portable audio and video equipment, audio and video equipment for boats and automobiles, camcorders, cameras, drones, electronic musical instruments, karaoke machines, game consoles, GPS instruments and software, personal computers, mobile phones, smart appliances, smart watches, virtual reality goggles, and other wearable technology.

17.08.700 Convenience stores.

Easy access retail stores of five thousand (5,000) square feet or less in gross floor area, which carry a range of merchandise oriented to convenience and travelers' shopping needs.

17.08.710 Corner lot.

A lot that has two (2) or more parcel lines contiguous to a public street.

17.08.720 Cottage food operation.

As defined in Chapter 17.80 (Live Work Units and Home-Based Businesses).

17.08.730 Craft food and beverage production.

A business, not exceeding ten thousand (10,000) square feet in gross floor area, engaged in on-site commercial production of beverage and/or food products to a final form employing batch-processing or handcrafting using traditional methods, and that distributes to customers on-site via product tasting and direct sales and/or offsite to retailers and wholesalers. Typical uses include but are not limited to artisan cheesemakers, bakeries, chocolatiers, coffee roasters, condiment makers, confectioneries, ice cream shops, microdistilleries, nanobreweries, and any other craft beverage manufacturing. Does not include water bottling.

17.08.740 Crop and tree farming.

Raising and harvesting of plants, tree crops, row crops, or field crops on an agricultural or commercial basis. Includes horticulture establishments engaged in the cultivation of flowers, fruits, vegetables, or ornamental trees and shrubs for wholesale and incidental retail sales. This classification includes accessory agricultural buildings accessory to such uses and roadside stands for display/sale of agricultural products grown on the premises. Excludes commercial

cannabis and uses for which other garden, nursery, or landscape merchandise are stored and sold on the site.

17.08.750 Customer area.

That portion of a structure that is used for the purposes of transacting business, purchasing, or selling products or services, and does not include any portion of the structure used for warehousing or storage that is inaccessible to public use.

17.08.760 Date of decision.

Granting or denying a permit under this title means the date on which the decision is announced or a final vote is taken.

17.08.770 Density.

A. For residential use, "density" means the number of dwelling units per acre.

B. For non-residential development, "density" means the percentage of lot coverage.

17.08.780 Density bonus.

A density increase over the otherwise maximum allowable residential density under the applicable land use designation and zoning district.

17.08.790 Density transfer.

The exchange of permitted density within a proposed development so that the number of parcels or lots created are equal to the number permitted by the General Plan, but individual lots or parcels are potentially smaller than the minimum parcel size requirement.

17.08.800 Development agreement.

Refers to agreements entered between developers and the city pursuant to Government Code Section 65864 et seq. as those sections exist or are hereafter amended or renumbered.

17.08.810 Dormitory.

A building providing group living accommodations, occupied by individuals not sharing a common household, characterized by separate sleeping rooms without individual kitchen facilities and containing congregate bath and/or dining facilities or rooms. Dormitory does not include "employee housing."

17.08.820 Drive-in and drive-through sales and services.

Facilities where food, products, or services may be purchased by motorists without leaving their vehicles, including but not limited to drive-thru restaurants and coffee shops, banks, pharmacies, and other businesses with drive-up windows, and automated car washes.

17.08.830 Duplex residential.

A single building containing two (2) independent dwelling units separated from each other by a wall, floor, or ceiling; provided, however, that a building containing a single-family dwelling and a lawful accessory dwelling unit or junior accessory dwelling unit shall not be deemed a duplex.

17.08.840 Dwelling group.

Three (3) or more detached single-family dwellings occupying a parcel of land, in one (1) ownership and having a yard court in common, but not including manufactured home parks, hotels, motels, and transient occupancy uses.

17.08.850 Dwelling unit.

A building or portion of a building designed for, or occupied exclusively by, persons living as one (1) household.

17.08.860 Easement.

Any legal right defined as an easement in the California Code of Civil Procedure Section 800 et al. Generally, an easement is a right to the use of another's land.

17.08.870 Efficiency unit.

A dwelling unit which contains a minimum of one hundred and fifty (150) square feet in living space, a separate closet, kitchen sink, cooking appliance, refrigerator, and a separate bathroom containing a water closet, lavatory, bathtub, or shower.

17.08.880 Emergency shelter.

Housing with minimal supportive services for homeless persons that is limited to occupancy of six (6) months or less by a homeless person. No individual or households may be denied emergency shelter because of an inability to pay. "Emergency shelter" also includes other interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care.

17.08.890 Employee housing.

A. "Small employee housing" means housing for employees consisting of six (6) or fewer persons in a single-family dwelling.

B. "Large employee housing" means housing of permanent construction for employees consisting of no more than thirty-six (36) beds in group quarters or twelve (12) units or spaces designed for use by a single family or household.

17.08.900 Encroachment permit.

A permit issued by a government agency to allow private work within publicly owned property (e.g., to connect with a city street).

17.08.910 Equipment and material storage yards.

All uses related to outdoor storage of large construction equipment or machinery, company vehicles, or large quantities of other materials. Excludes storage associated with vehicle service and equipment.

17.08.920 Equipment sales and rental.

Service establishments with outdoor storage/rental yards, which may offer a wide variety of materials and equipment for rental, including construction equipment.

17.08.930 Event center.

Any room, place, or space that the primary business is to routinely rent or make available to members of the public for general social purposes such as weddings and wedding receptions, birthday parties, celebrations, gatherings, and similar events.

17.08.940 Explosives.

Includes any chemical compound or mechanical mixture, that is commonly used or intended for the purpose of producing an explosion, and that contains any oxidizing and combustible units, packing, that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing effects on contiguous objects or of destroying life or limb.

17.08.950 Family.

See definition of "Household."

17.08.960 Family childcare home.

A state licensed facility that provides non-medical care and supervision of minor children for periods of less than twenty-four (24) hours within a single-family residence.

A. In small family daycare homes, the occupant of the residence provides care and supervision generally to six (6) or fewer children. As described in the California Health and Safety Code, small family daycare homes may provide services for up to eight (8) children when specific conditions are met.

B. In a large family daycare home, the occupant of the residence provides care and supervision generally for seven (7) to fourteen (14) children. As described in the California Health and Safety Code, large family daycare homes may provide services for up to sixteen (16) children when specific conditions are met.

17.08.970 Farmworker housing.

A single-family dwelling occupied by six (6) or fewer persons, at least one (1) of which is an agricultural employee.

17.08.980 Fence.

A structurally sound barrier constructed of posts, supports, and cross members that serves as an obstruction to mark property lines or delineate or restrict access to a portion of property.

17.08.990 Firearms sales.

Any establishment which sells or offers for sale firearms. Does not include the sale of ammunition, firearms parts and accessories, hunting supplies, reloading equipment and supplies, targets and other shooting supplies, or FFL transfers.

17.08.1000 Floor area ratio.

The net floor area of a building or buildings on a lot divided by the lot area or site area.

17.08.1010 Food and beverage manufacturing.

Manufacturing establishments that produce or process foods and beverages for human consumption, and certain related products. Includes coffee roasters; dairy products, fats, and oil manufacturing; curing, preserving, and related processing; fruit and vegetable canning; microbreweries; juice and soft drink production; grain mill products and by-products; wholesale bakeries; water bottling plants; and miscellaneous food item preparation from raw products. Uses are predominantly wholesale although may include tasting rooms and accessory retail sales of food or beverages produced on site, such as a taproom. Does not include retail bakeries or the brewing of beer or the distilling of spirits as part of a nanobrewery, brew pub, microdistillery, or restaurant.

17.08.1020 Front yard.

A yard extending across the front of the lot between the side lot lines and measured from the front lot line to the building or structure wall.

17.08.1030 Fuel storage and distribution.

A large-scale facility where fuel, such as propane and gasoline, is stored and distributed without retail sales.

17.08.1040 Furniture and fixtures manufacturing.

Manufacturers producing cabinetry and shelving; draperies, blinds, and shades; household, office, and store furniture; mattresses and foundations; and rugs and carpets. Includes furniture reupholstering businesses, but not sawmills or planing mills.

17.08.1050 Garage.

A covered space that can be accessed from a public or private roadway for the storage of automobiles. Each parking space shall have a minimum area of ten (10) feet by twenty (20) feet. If attached to the main building, such garage shall meet the requirements of this title applicable to the main building. If detached from the main building, the garage shall meet the requirements for an accessory structure. This definition does not replace the definition of a garage in the California Building Code.

17.08.1060 Garage sale, yard sale.

A temporary garage, yard, lawn, patio, or similar-type sale held anywhere on the premises in a residential zone or when incidental to residential use in a mixed-use zone for the purpose of disposing of personal property.

17.08.1070 Garden center, plant nursery.

Establishments providing for the cultivation and sale of ornamental trees, shrubs, and plants, including the sale of garden and landscape materials (packaged and/or bulk sale of unpackaged materials), yard tools, and equipment.

17.08.1080 General Plan.

The City of Etna General Plan as currently adopted, including all amendments.

17.08.1090 General vicinity, proximity.

The parcels of land surrounding or near a subject property that have the potential to be affected by the proposed land use or land usage of the subject property. General vicinity or proximity cannot be defined by a specific distance or direction in that one type of land use may impact a greater area than another type of land use.

17.08.1100 Glass product manufacturing.

Manufacturing establishments larger than ten thousand (10,000) square feet that produce flat glass and other glass products which are pressed, blown, or shaped from glass produced in the same establishment.

17.08.1110 Grocery store, supermarket.

A retail business where a majority of the floor area open to the public is occupied by food products packaged for preparation and consumption away from the site of the store.

17.08.1120 Gross density.

The total number of dwelling units per acre, based on the minimum lot size, using the total acreage of the undeveloped site before public rights-of-way or other dedications are factored in.

17.08.1130 Gross floor area.

The total square footage of a structure as measured around the exterior perimeter including any non-walled areas under roof and any outside storage or sales areas.

17.08.1140 Group home.

Housing shared by unrelated persons with disabilities that provide peer and other support for their residents' disability related needs and in which residents share cooking, dining, and living areas, and may, in some group homes, participate in cooking, housekeeping, and other communal living activities. This classification includes residential care homes, residential care facilities, rest homes, adult residential facilities, shared living residences, licensed group homes, unlicensed group homes, recovery residences, sober living homes, alcohol or other drug facilities, and other similar facilities licensed by the State of California. Licensed group homes provide services that require licenses under state law, and unlicensed group homes may provide some supportive services for their residents but not services that require licenses under state law. Uses that otherwise meet this definition, but which do not provide licensable services, are allowed as a single-family residential use of property subject only to the generally applicable, nondiscriminatory health, safety, and zoning laws that apply to all single-family residential uses.

17.08.1150 Handcraft industries.

Small-scale manufacturing establishments that manufacture and/or assemble small products primarily by hand, including but not limited to jewelry, pottery and other ceramics, art and craft products, musical instruments, brooms and brushes, pens, pencils, and stationary, costume novelties, toys, sporting goods, and taxidermy.

17.08.1160 Health clinics, medical offices, and laboratories.

Facilities primarily engaged in furnishing outpatient medical, mental health, surgical, and other personal health services, but which are separate from hospitals, including: medical and dental laboratories, medical, dental, psychologists, and psychiatrists, out-patient care facilities, other

allied health service. Includes complementary and alternative medical services such as acupuncture, chiropractic medicine, energy therapies, herbal medicine, and ayurvedic medicine.

17.08.1170 Hedges and equivalent screening.

Vegetation other than trees that block at least fifty (50) percent of light passage, is four (4) feet or more in diameter or width within two (2) feet of ground level, and has the purpose or effect of obscuring or blocking casual viewing through it.

17.08.1180 Heliport.

A designated, marked area on the ground or the top of a structure where helicopters may land at any time.

17.08.1190 Highway

A state or federal route as defined by the State of California Department of Transportation (Caltrans) or the Federal Highway Administration.

17.08.1200 Home occupation.

As defined in Chapter 17.80 (Live Work Units and Home-Based Businesses).

17.08.1210 Hospice care.

A facility or program designed to provide a caring environment for supplying the physical and emotional needs of the terminally ill.

17.08.1220 Hospitals.

Medical centers and similar facilities engaged primarily in providing diagnostic services and extensive medical treatment, including surgical and other health services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, accessory retail uses, and emergency heliports. Does not include "ambulance service", which is defined separately.

17.08.1230 Hostel.

Any building, portion thereof, or group of buildings licensed or otherwise recognized by a national or international hostel organization that contains five (5) or more guest rooms or suites, or that provides dormitory sleeping accommodations for five (5) or more overnight guests for the purpose of providing low-cost accommodations for recreational travelers. The hostel shall contain a kitchen, communal eating facilities, and sanitary facilities for use by the guests.

17.08.1240 Hotels and motels.

Commercial facility that contains five (5) or more guest rooms, suites, cabins, and/or chalets provided with or without kitchen facilities, rented to the general public for transient lodging (less than thirty (30) days). Often includes a variety of guest services in addition to lodging (e.g., restaurant, swimming pool, meeting facilities, personal services, etc.). Hotels typically provide access to guest rooms from an interior walkway, and motels typically provide access to guest rooms from an exterior walkway.

17.08.1250 Household.

One or more persons, whether or not related by blood, marriage or adoption, sharing a dwelling unit.

17.08.1260 Indemnification.

Compliance with a request to relieve the city of liability, or to accept the costs for defending the city, from any action brought as a result of the project.

17.08.1270 Indoor entertainment facility.

Establishments providing indoor entertainment services for a fee or charge, including but not limited to billiard parlors, bingo parlors, bowling alleys, and electronic game arcades as a primary use. An establishment or premises with more than ten (10) electronic games or coin-operated amusements and/or where fifty (50) percent or more of the floor area is occupied by amusement devices is considered an electronic game arcade as described above. Ten (10) or fewer machines are not considered a land use separate from the primary use of the site.

17.08.1280 Indoor sports and fitness facility.

A center where exercises and related activities are performed entirely within an enclosed building for the purpose of physical fitness, improved circulation or flexibility, and/or weight control. Typical uses include athletic clubs, gyms, indoor ball courts, fitness centers, indoor climbing facilities, and yoga studios.

17.08.1290 Junior accessory dwelling unit.

As defined in Chapter 17.96 (Accessory Dwelling Units).

17.08.1300 Junk.

Includes but is not limited to, trash; refuse; paper; glass; cans; bottles; rags; ashes; trimming from lawns, yards, trees, and shrubbery, including plants and leaves; and other solid waste or salvageable materials other than garbage; inoperable appliances, parts, tools; inoperable and unregistered vehicles; vehicle parts; vehicle hulks; discarded furniture; dirt; rocks; and materials from the demolition, alteration or construction of buildings or structures, unless such dirt, rocks, or other materials from demolition, alteration or construction are being used for purposes of fill.

17.08.1310 Kitchen.

Any room or portion thereof containing facilities designed or used for the preparation of food, including but not limited to stoves, ranges, or hotplates.

17.08.1320 Landscaping.

The replacement of developed or excavated areas of a parcel with introduced new living vegetation, shrubbery, trees, ground cover and combinations thereof.

17.08.1330 Legal description.

The terminology, words, mapping, or language contained in a deed or other legal document describing the location of a parcel of land or location of an easement.

17.08.1340 Library.

A public, nonprofit facility, room, or building containing printed information, electronic information, and pictorial material, such as books, manuscripts, computers, recordings, or films, which are kept for use by or loaning to patrons of the facility but are not normally offered for sale.

17.08.1350 Live/work unit.

As defined in Chapter 17.80 (Live/Work Units and Home-Based Businesses).

17.08.1360 Living area.

The interior habitable area for a dwelling unit, including basements and attics.

17.08.1370 Lot, parcel.

A legally established parcel of land mapped or otherwise described. May also mean a parcel established for tax purposes, sometimes called an assessor's parcel.

17.08.1380 Lot coverage.

The percent of lot area covered by all building footprints.

17.08.1390 Lot depth.

The average distance from the property line fronting a road or road easement to the rear or opposite property line.

17.08.1400 Lot frontage, street frontage.

The length of a lot or parcel of land along or fronting on a street or other principal thoroughfare but not including such length along an alley, watercourse, railroad right-of-way or limited access roadway or interstate.

17.08.1410 Lot line.

A. Any legally described parcel line, as follows:

   1. "Front lot line" is the shortest property line along the road or road easement.
   2. "Side lot line" is the property line intersecting with the front lot line and dividing the parcel from other adjacent parcels or another public street.
   3. "Exterior lot line" is the property line intersecting with the front lot line and contiguous with a public street on a corner lot.
   4. "Interior lot line" is any property line dividing the parcel from other adjacent parcels.
   5. "Rear lot line" is the property line opposite the front lot line.

B. In the case of an irregularly shaped lot, the city planner shall determine the front and side lot lines in such a manner as to best promote the orderly development of the immediate area.

17.08.1420 Lot width.

The distance from one side property line to the other side property line measured along the building setback line.

17.08.1430 Low barrier navigation center.

As defined in Section 17.88.260 (Low barrier navigation centers).

17.08.1440 Lumber and wood product processing facility.

Manufacturing, processing, and sales involving the milling of forest products to produce rough and finished lumber and other wood materials for use in other manufacturing, craft, or construction processes.

17.08.1450 Major transit stop.

A site containing any of the following: an existing rail or bus rapid transit station; a ferry terminal served by either a bus or rail transit service; or the intersection of two (2) or more major bus routes with a frequency of service interval of twenty (20) minutes or less during the morning and afternoon peak commute periods.

17.08.1460 Main building.

A building that is designed for or in which is conducted the principal use of the lot and/or building site on which it is situated.

17.08.1470 Manufactured home.

As defined in the California Health and Safety Code Section 18007, means a structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight (8) body feet or more in width, or forty (40) body feet or more in length, in the traveling mode, or, when erected on site, is three hundred and twenty (320) or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Manufactured home includes any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974.

17.08.1480 Manufactured home park.

Any area of land or property that has at least two (2) mobile homes, manufactured homes, recreational vehicles, and/or lots that are held out for rent or lease.

17.08.1490 Media production.

Commercial arts and art-related business services including audio and film recording and editing studios and services, film and video production, photographers and photography studios, radio and television broadcast, special effects production, titling, video and film libraries, and similar uses.

17.08.1500 Metal products fabrication, machine/welding shops.

Establishments engaged primarily in the assembly of metal parts, including the following uses that produce metal duct work, tanks, towers, cabinets, and enclosures, metal doors, and gates, and similar products, blacksmith, and welding shops, sheet metal shops, machine shops, and boiler shops.

17.08.1510 Microbrewery.

A brewery that produces less than fifteen thousand (15,000) barrels of beer per year and sells seventy-five (75) percent or more of its beer off-site.

17.08.1520 Microdistillery.

A business where less than fifty thousand (50,000) proof gallons of distilled spirits are manufactured (distilled, rectified, or bottled, blended), packaged, and distributed for wholesale and/or retail distribution annually and which includes the incidental direct sale to consumers of only those goods produced on-site.

17.08.1530 Mixed-use building.

A type of mixed-use development that has at least two (2) uses, each occupying a minimum of thirty (30) percent of the gross floor area of the building.

17.08.1540 Mixed-use development.

More than one type of land use within a building, set of buildings, or area. See also "vertical mixed-use development."

17.08.1550 Mobile food commissary.

As defined in Chapter 17.92 (Mobile Food Sales).

17.08.1560 Mobile food court.

As defined in Chapter 17.92 (Mobile Food Sales).

17.08.1570 Mobile food vendor.

As defined in Chapter 17.92 (Mobile Food Sales).

17.08.1580 Mobile home.

As defined in the California Health and Safety Code Section 18008, a structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight (8) body feet or more in width, or forty (40) body feet or more in length, in the traveling mode, or, when erected on-site, is three hundred and twenty (320) or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Mobile home includes any structure that meets all the requirements of this paragraph and complies with the state standards for mobile homes in effect at the time of construction. Mobile home does not include a commercial modular, as defined in Health and Safety Code (HSC) Section 18001.8, factory-built housing, as defined in HSC Section 19971, a manufactured home, as defined in HSC Section 18007, a multifamily manufactured home, as defined in HSC Section 18008.7, or a recreational vehicle, as defined in HSC Section 18010.

17.08.1590 Mortuaries and funeral homes.

Funeral homes and parlors, where deceased are prepared for burial or cremation, and funeral services may be conducted.

17.08.1600 Multifamily residential.

A building or a portion of a building designed and intended for occupancy by two (2) or more households living independently of each other, each in a separate dwelling unit, which may be owned individually or by a single landlord (e.g., apartment, apartment house, duplex, townhouse, condominium).

17.08.1610 Nanobrewery.

A brewery that produces no more than three (3) barrels of beer in one batch and no more than two thousand (2,000) barrels annually.

17.08.1620 Net density.

The total number of dwelling units per acre, based on the minimum lot size and acreage of the site, but excluding land area devoted to public rights-of-way and other dedications.

17.08.1630 Net land area.

The area or land remaining after any required public dedication.

17.08.1640 Nonconforming building or use.

A. "Non-conforming building" means a structure that does not conform to present regulations.

B. "Nonconforming use" means a land use which does not conform to present regulations.

C. "Legally existing" means a use that predates present regulations but was legally constructed or established at the time the use or construction first commenced.

D. "Grandfathered" is a colloquial term means the same as "legally existing" non-conforming building or use as described in subsection (C) above.

17.08.1650 Occupancy.

The establishment of a use within a structure or upon a parcel of land, including and not limited to installing display fixtures in a completed structure, stocking of inventory, or commencing temporary or permanent residency, whether or not a structure has been subject to an approved final inspection or a certificate of occupancy. Each separate use of property carried on at all or a portion of a building parcel is a separate occupancy.

17.08.1660 Official plan line.

The boundaries and limits of a planned right-of-way, including the future right-of-way of an existing street as it is proposed to be widened and including all lands necessary for the building, widening or maintenance of any road, street, highway or any other type of public way which planned right-of-way is based on the general plan of the city.

17.08.1670 Off-site.

An improvement, feature, or action located or occurring on property separate from the property under discussion.

17.08.1680 On-site.

An improvement, feature, or action located or occurring on the property under discussion.

17.08.1690 Open space.

The portion of the lot or parcel from the ground upward that is unoccupied by buildings, structures, parking lots and driveways, except as otherwise permitted by city code. Clubhouses, recreation buildings, pools, saunas, interior walkways, paths, and similar amenities may be included in open space.

17.08.1700 Outdoor commercial recreation facility.

Facility for various outdoor sports and recreation activities where a fee is charged for use, including amusement and theme parks, golf driving ranges, miniature golf courses, skateboard parks, swim and tennis clubs, waterparks, and similar uses.

17.08.1710 Paper product manufacturing.

An establishment that converts pre-manufactured paper or paperboard into boxes, envelopes, paper bags, wallpaper, etc., and/or that coats or glazes pre-manufactured paper. Does not include the manufacturing of pulp, paper, or paperboard.

17.08.1720 Park and ride facility.

A designated area where a vehicle may be left in order to carpool with other commuters or to ride public transit.

17.08.1730 Parking space or facility.

An area or structure used for the temporary storage of vehicles.

A. "Parking space" means an unobstructed space or area other than a street or alley that is permanently reserved, maintained, and accessible for the parking of one (1) motor vehicle.

B. "Public parking" means a parking lot or parking space located on public or private property, which generally is advertised, designated, or otherwise available for public use.

C. "Private parking" means a parking lot or parking space located on private property, which, generally, is not available for public use, except with the specific permission of the property owner.

17.08.1740 Parks, picnic areas, and playgrounds.

Public parks, play lots, playgrounds, and athletic fields for neighborhood or community use, including swimming pools, ball fields, bocce courts, basketball, tennis, pickleball, and handball courts.

17.08.1750 Pending application.

Means any formal application submitted to the city for land use or development permit or action that has been deemed complete but has not yet been acted upon/finally decided by the designated authority, including any appeal determination.

17.08.1760 Permit.

An authorization to proceed issued by the city for a specific activity.

17.08.1770 Personal services.

Establishments providing non-medical services as a primary use, including barber shops and beauty salons, catering (excluding onsite mobile food sales and commissaries), cleaning services, costume and clothing rental, day spas, guide services, shoe and small item repair, locksmiths, licensed massage therapy, self-service laundromats, small equipment maintenance and repair, and tailors. These uses may also include limited accessory retail sales of products related to the services provided.

17.08.1780 Pharmacy.

A retail store engaged in the sale of prescription drugs and medicine, carrying related items such as vitamins, cosmetics, personal care, and toiletries and such unrelated items as tobacco, alcohol, and novelty merchandise.

17.08.1790 Places of worship and spiritual assembly.

Facility operated by religious organizations for worship, or the promotion of religious activities, including churches, mosques, synagogues, temples, etc.; and accessory uses on the same site, such as living quarters for ministers and staff, and child day care facilities where authorized by the same type of land use permit required for the religious facility itself. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other potentially related operations are classified according to their respective activities.

17.08.1800 Principally permitted use.

A use which does not require the issuance of a conditional use permit, but which may be subject to a building permit, business license, and other required permits. Where more than one use is located on the parcel, the principal use is that activity to which the greatest amount of floor and/or ground space is devoted.

17.08.1810 Printing and publishing.

Establishments engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying; and other establishments serving the printing trade including bookbinding, typesetting, engraving, photoengraving, and electrotyping. This use also includes establishments that publish newspapers, books, and periodicals, and establishments manufacturing business forms and binding devices.

17.08.1820 Private schools.

Private educational institutions, including but not limited to preschools, elementary, middle, junior high, and high schools, homeschooling cooperatives, business, secretarial, and vocational schools, folk schools, colleges and universities, establishments providing courses by mail or online, professional schools (law, medicine, etc.), and seminaries/religious ministry training facilities. Includes schools offering specialized programs in art, communication, dance, design, drama, driver education, emergency response and preparedness, environmental education, health and fitness, finances, flight training, food preparation, gardening, language, management, massage, music, self-defense, outdoor recreation, technology, and wilderness survival. Does not include boarding.

17.08.1830 Professional office.

An office-type facility occupied by a business that provides direct professional services and/or is engaged in the production of intellectual property. Examples of these uses include, but are not

limited to accounting, auditing, and bookkeeping services, advertising agencies, architects, attorneys, commercial artists and graphic designers, construction contractors (office only), consultants, counselors, designers, engineers, financial counseling, management and public relations services, private investigators, social workers, surveyors, therapists, and title and escrow companies.

17.08.1840 Project.

Proposed development or a new land use.

17.08.1850 Property line.

A legal boundary of parcel land.

17.08.1860 Public agency.

A political subdivision of the federal, state, or local government or its departments, or governmental jurisdictions or districts.

17.08.1870 Public and quasi-public facilities.

A land use maintained by a public agency or private non-profit organization that provides a service to and benefits the public, including but not limited to animal shelters, bus shelters, chamber of commerce, city hall, community center, community resource center, corporation yards, historical society, library, museums, municipal offices, park and ride facilities, public parking, public safety facilities, public restrooms, public schools, and visitor centers. Does not include wastewater treatment plants or airports.

17.08.1880 Public nuisance.

A nuisance that unreasonably interferes with a right that is common to the general public.

17.08.1890 Public right-of-way.

A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer, and/or other public uses.

17.08.1900 Public safety facility.

A facility operated by a public agency, including fire stations, other fire prevention and firefighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities. Does not include airports or firearms qualification and training facilities.

17.08.1910 Public schools.

Public educational institutions including, but not limited to elementary, middle, junior high, and high schools, community colleges, colleges and universities, and military academies.

17.08.1920 Public services.

Services needed for development of a parcel of land. This may include, but is not limited to water, wastewater, phone, electricity, gas, and internet.

17.08.1930 Public utility.

A public agency or private business that provides a general service to the public, such as telecommunications, electricity, water, or other services.

17.08.1940 Rear yard.

A yard extending across the full width of the rear portion of the lot and measured between the rear line of the lot to the building or structure wall.

17.08.1950 Recreational vehicle.

A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, originally designed for human habitation for recreational, emergency, or other occupancy, which meets all of the following criteria:

1. It contains less than three hundred and twenty (320) square feet of internal living room area, excluding built-in equipment, including wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms;
2. It contains four hundred (400) square feet or less of gross area measured at maximum horizontal projections;
3. It is built on a single chassis; and
4. It is either self-propelled, truck-mounted, or permanently towable on the highways without a towing permit.

17.08.1960 Recreational vehicle park.

A site where two (2) or more spaces are used, or are intended to be used, by campers with recreational vehicles or tents. Recreational vehicle parks may include public restrooms, water, sewer, and electric hookups to each RV space. May include accessory retail uses when such retail is clearly incidental and intended to serve recreational vehicle park patrons only.

17.08.1970 Recycling facility.

A recycling facility used for the acceptance by donation, redemption, or purchase of recyclable materials from the public that may occupy more than five hundred (500) square feet and include permanent structures. Facility does not use power-driven processing equipment except for compacting, baling, plastic shredding, and other activities necessary for efficient temporary storage and material shipment. Does not include automobile dismantling or processing of hazardous materials.

17.08.1980 Residential care facility.

A facility licensed by the State of California that provides twenty-four (24)-hour non-medical care for more than six (6) persons eighteen (18) years of age or older, or emancipated minors, with chronic, life-threatening illness in need of personal services, protection, supervision, assistance, guidance, or training essential for sustaining the activities of daily living, or for the protection of the individual.

17.08.1990 Residential care home.

A home licensed by the State of California that provides twenty-four (24)-hour non-medical care for six (6) or fewer persons eighteen (18) years of age or older, or emancipated minors, with chronic, life-threatening illness in need of personal services, protection, supervision, assistance,

guidance, or training essential for sustaining the activities of daily living, or for the protection of the individual.

17.08.2000 Resource protection and restoration.

Activities and management of an area to preserve, recreate, and enhance natural resource values such as fish and wildlife habitat, rare and endangered plants, erosion control, and floodwater conveyance.

17.08.2010 Resource-related recreation.

Facility related to active or passive recreation in open space areas including bicycle and pedestrian trails, picnic areas, parking areas, and interpretive centers.

17.08.2020 Restricted personal services.

Personal service establishments that are dispersed to minimize their potentially blighting impact on surrounding land uses, including: check cashing services; fortune tellers, palm readers, psychics, and similar services; and tattooing, piercing, and similar services. These uses may also include accessory retail sales of products related to the services provided.

17.08.2030 Restricted retail sales.

Stores and shops that are dispersed to minimize their potentially blighting impact on surrounding land uses, including firearm sales, alcoholic beverage sales, secondhand sales, thrift stores, and tobacco and vape shops.

17.08.2040 Retail food establishment.

A restaurant, brewpub, delicatessen, bakery, coffee shop, or other retail business selling food and beverages prepared and/or served on the site, for on- or off-premise consumption. Outdoor dining is permitted pursuant to Section 17.76.160 (Commercial outdoor dining and seating) as an incidental activity to a retail food establishment.

17.08.2050 Retail sales.

Stores and shops selling multiple lines of merchandise (indoor sales only, except as otherwise permitted). These stores and lines of merchandise include: apparel, art galleries, art supplies, automobile parts and supplies, bakeries (including production), bicycles, books, cameras, clothing and accessories, craft and hobby supplies, dry goods, fabrics and sewing supplies, florists and houseplant stores, furniture, home furnishings, household supplies, general stores, gift and souvenir shops, hardware stores, jewelry, leather goods, luggage, musical instruments, orthopedic supplies, personal electronics, pet food and supplies (no pets), pharmacies, small wares, specialty shops, sporting goods and equipment, stationery, toys and games, and variety stores.

17.08.2060 Salvage yard.

A place in which junk, salvaged materials, or products, scrap, or other waste materials are stored, broken up, dismantled, sorted, distributed, or sold privately or commercially.

17.08.2070 Second dwelling unit.

An attached or detached dwelling unit constructed prior to January 1, 2017, which provides complete independent living facilities for one or more persons, with permanent provisions for

living, sleeping, eating, cooking and sanitation sited on the same parcel as the primary dwelling unit. Includes granny flats.

17.08.2080 Secondhand sales.

Indoor retail establishments that require a secondhand dealer license from the state, as provided in the California Business and Professions Code Sections 21625 - 21647, or where at least ten (10) percent of the products offered for sale are used.

17.08.2090 Setback.

The distance by which a structure, parking area, or other development feature must be separated from a lot line, other structure, or development feature, or street centerline.

17.08.2100 Shopping center.

A retail commercial business consisting of three (3) or more retail tenants having shared parking facilities.

17.08.2110 Short-term rental.

As defined in Chapter 17.84 (Short-Term Rentals).

17.08.2120 Side yard.

A yard between the sideline of the lot and the building or structure wall and extending from the required front setback to the required rear setback.

A. "Exterior side yard" means the side yard that is adjacent to a public street on a corner lot.

B. "Interior side yard" means the side yard that is adjacent to another lot on an interior or corner lot.

17.08.2130 Sign.

As defined in Chapter 17.64 (Signs).

17.08.2140 Single-family residential.

A building designed exclusively for occupancy by one household on a single lot. This classification includes manufactured homes, small employee housing, farm worker housing, group homes that operate as single-family residences and do not provide licensable services, and group homes that operate as single-family residences and provide licensable services to six or fewer residents.

17.08.2150 Small acreage agriculture.

Agricultural uses, including crop and tree farming and the raising of livestock, that are not detrimental to the public health, safety, and general welfare by reason of odor, smoke, gas, dust, traffic, vibration, or noise; are not deemed to be exceptional fire or explosion hazards; and do not involve commercial cannabis, chicken, poultry, egg, hog farms, dairies, or animal processing operations (e.g., animal slaughter and/or meat cutting and packing). Also excludes rodeos, commercial stables, horse rentals, and retail plant nurseries.

17.08.2160 Small equipment maintenance and repair.

Establishments providing on-site repair and accessory sales of supplies for appliances, office machines, home electronic/mechanical equipment, bicycles, tools, or garden equipment,

conducted entirely within an enclosed building. This classification does not include maintenance and repair of vehicles.

17.08.2170 Special event.

An event, or series of related events, of cultural, civic, economic, social, recreational, or educational nature sponsored by an individual or individuals, a non-profit organization or community group, charitable organization, or for-profit organization or group, that is: (1) held wholly or partially on property owned or maintained by the city; or (2) held on any other property, and that requires for its successful execution, the partial or complete closure of streets or sidewalks or the provision and coordination of municipal services to a degree over and above the level that the city normally provides. Special event also includes any other organized activity that involves the use of, or has a direct or indirect impact on, public property or facilities or that can reasonably be foreseen to have such an impact on, or to require a higher level of, public safety services or other municipal services, including advance planning services, than that normally provided by the city.

17.08.2180 Split zoning.

A split-zoned parcel is a parcel to which two or more zoning districts apply. This does not include overlay zones.

17.08.2190 Sporting goods.

Equipment commonly used by a participant in a sporting or recreational event or activity, not including motorized vehicles or firearms.

17.08.2200 Stone product manufacturing.

An establishment that cuts, shapes, and/or finishes marble, granite, slate, and/or other stone for construction and miscellaneous uses. Does not include establishments engaged primarily in buying or selling partly finished monuments and tombstones.

17.08.2210 Storage facility.

A. Indoor storage. The storage of various materials entirely within a structure as the primary use of the structure. The storage of materials accessory and incidental to a primary use is not considered a land use separate from the primary use.

B. Outdoor storage. The storage of various equipment and materials outside of a structure as a principal use, such as vehicle storage. The storage of materials accessory and incidental to a primary use is not considered a land use separate from the primary use.

17.08.2220 Structure.

Anything constructed or erected, the use of which requires attachment to the ground or attachment to something located on the ground. For purposes of this title, the term "structure" includes "buildings".

17.08.2230 Supportive housing.

Housing with no limit on length of stay that is occupied by the target population, as defined in subdivision (o) Section 65582 of the California Government Code, that is linked to on-site or off-site services that assist the supportive housing residents in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.

17.08.2240 Taproom brewery.

A brewery that sells twenty-five (25) percent or more of its beer for on-premises consumption and does not operate full food service. The beer is brewed primarily for sale in the taproom and is often dispensed directly from the brewery's storage tanks.

17.08.2250 Temporary structure.

A building or structure to be utilized for a permitted use applicable to a parcel of land, which is crafted of impermanent materials, such as poles and awning or similar materials.

17.08.2260 Temporary Use.

A land use defined as accessory to a permitted or conditionally permitted land use that: does not permanently change the character or physical facilities of the premises or property; is in keeping with the purposes of the zoning district where it is located; and which may occur on the property for a period not to exceed twelve (12) calendar months. Some provisions of this title may provide more precise land use standards for longer or shorter temporary uses in accordance with the provisions of the applicable chapter of this code. In no case shall a temporary use be permitted for any period to exceed a total of twenty-four (24) calendar months unless overall public health and safety are clearly demonstrated to the city at the time of initial issuance.

17.08.2270 Theaters and playhouses.

Indoor facilities for public assembly and group entertainment, where seats are arranged so that spectators have an unobstructed view of performers on a stage or movie screen(s). Includes concert halls, auditoriums, movie theaters, playhouses, and similar facilities devoted to the live performances of music, dance, plays, orations, and other stage performances and/or the showing of projected motion pictures and videotapes. Does not include adult-oriented businesses.

17.08.2280 Townhouse.

A single-family dwelling of two (2) or sometimes three (3) stories that is typically connected to a similar dwelling or dwellings by a common sidewall.

17.08.2290 Transient occupancy.

A dwelling unit, room, or space occupied by paying guests for periods of less than thirty (30) days.

17.08.2300 Transitional housing.

Buildings configured as rental housing developments but operated under program requirements that call for the termination of assistance and recirculation of the assisted units to another eligible program recipient at some predetermined future point in time, which shall be no less than six (6) months.

17.08.2310 Uplighting.

The placement of individual light sources at the base of architectural details or points of interest, typically around the perimeter of a space, to draw attention to those details.

17.08.2320 Utility infrastructure.

Pipelines for water, gas, and sewage collection and disposal; and facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also includes

telephone, telegraph, cable television, and other communications transmission facilities utilizing direct physical conduits. Does not include offices, service centers, or distribution substations.

17.08.2330 Variance.

A discretionary entitlement that permits the departure from the strict application of the development standards contained in this title.

17.08.2340 Vehicle storage.

Storage of operative and inoperative vehicles for limited periods of time. Includes storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, vans, boats, and recreational vehicles. Does not include vehicle dismantling or retail sales.

17.08.2350 Vehicles for hire.

A business specializing in the provision of two (2) or more vehicles and drivers to the general public for the purpose of transportation (e.g., taxi service). May also include a business office and the maintenance, minor repair, and on-site storage of vehicles for hire. Does not include automobile rental services.

17.08.2360 Vehicular access.

The physical means by which an individual in a vehicle is able to enter upon or exit public or private property from a street. "Ingress" (to enter) and "egress" (to exit) are words describing the type of access.

17.08.2370 Vertical mixed-use development.

A multistory mixed-use building that contains one (1) or more nonresidential use at street level and residential use on the upper floor(s).

17.08.2380 Veterinary office.

An enclosed building or buildings where medical care is provided for animals. Does not include overnight accommodations or outside runs or kennels. Grooming of animals and pet food sales are permitted as accessory to the medical use.

17.08.2390 Wholesale business.

The selling of commodities in large quantities to retailers rather than directly to consumers, but not including the storing and/or sale of any material or commodity, and not including the processing or manufacture of any product or substance.

17.08.2400 Wireless telecommunications facility.

Equipment installed for the purpose of providing wireless transmission of voice, data, images, or other information including but not limited to, cellular telephone service, personal communications services, and paging services, consisting of equipment, antennas, and network components such as towers, utility poles, transmitters, base stations, conduits, pull boxes, electrical meters, and emergency power systems. "Wireless telecommunications facility" does not include radio or television broadcast facilities, nor radio communications systems for government or emergency services agencies.

17.08.2410 Yard.

The area between a property line and structures on residential lots.

17.08.2420 Zero lot line.

The location of a structure on a lot in such a manner that one or more of the structure's sides rest directly on a lot line.

17.08.2430 Zoning district.

A portion of the territory in the city within which territory certain uniform regulations and requirements, or various combinations thereof, apply pursuant to this title.

CHAPTER 17.12
DISTRICTS GENERALLY

Sections:

17.12.010 Districts designated.
17.12.020 Zoning map.
17.12.030 Determination of uncertain boundaries.
17.12.040 Prezoning.
17.12.050 Split zoning.

17.12.010 Districts designated.

A. Zoning Districts. The districts established by this title are as follows:

R-R	Rural Residential
R-1-10	Low Density Residential 10
R-1-12	Low Density Residential 12
R-2	Medium Density Residential
R-3	High Density Residential
M-H	Mobile Home Residential
T-C	Town Center
G-C	General Commercial
M	Manufacturing
O-S	Open Space
P-F	Public Facilities

B. The permitted uses and development standards for each zoning district and combining district are set forth in this title.

17.12.020 Zoning map.

The designations, locations, and boundaries of the districts established are delineated upon the map entitled "City of Etna Zoning Map", which map and all notations and information thereon are made a part of this title by reference. The zoning map is on file in the office of the city clerk. Any land within the incorporated limits of the city, now or in the future, and not designated or indicated on the zoning map shall be placed in the proper zoning district by initiation of amendment procedure as set forth in Chapter 17.116 (Amendments).

17.12.030 Determination of uncertain boundaries.

Where any uncertainty exists as to the correct location of any zoning district boundary shown on the zoning map referred to under Section 17.12.020 (Zoning map), the following rules apply:

1. Zoning district boundaries shown as approximately following the property line of a parcel shall be construed to follow the property line.
2. Zoning district boundaries shown as following roads or other rights-of-way, or natural features such as creeks shall be construed to follow the centerline of the roads, rights-of-way, or creeks.
3. When zoning district boundaries do not follow property lines, roads, rights-of-way, or natural features, the city council shall establish and clarify the correct location of uncertain zoning district boundaries according to the purpose of this title.

17.12.040 Prezoning.

Territory annexed to the city and not shown as part of the city by the zoning map herein, shall upon the effective date of such annexation be classified and zoned as Rural Residential (R-R), unless the city council has prior to such effective date zoned said territory to another classification, subject to annexation.

17.12.050 Split zoning.

No parcel shall be created, reconfigured, or zoned to have split zoning.

CHAPTER 17.16
RURAL RESIDENTIAL, R-R

Sections

17.16.010 Purpose and applicability.
17.16.020 Permitted uses.
17.16.030 Accessory uses.
17.16.040 Conditional uses.
17.16.050 Lot requirements.
17.16.060 Development standards.

17.16.010 Purpose and applicability.

The Rural Residential (R-R) zoning district is intended to be applied to areas suitable for low density residential development and limited, compatible agricultural use on larger parcels consistent with the Rural Residential land use designation.

17.16.020 Permitted uses.

Subject to issuance of a building permit, business license, and/or other required permit(s), none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as a principally permitted use in the R-R zoning district:

A. Single-family residential.

B. Small acreage agriculture.

C. Supportive housing.

D. Transitional housing.

17.16.030 Accessory uses.

When established or constructed concurrently with or subsequent to the principally permitted use, the following uses are permitted in the R-R district subject to issuance of a building permit, business license, or other required permit(s):

A. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 17.96 (Accessory Dwelling Units).

B. Cottage food operations and home occupations pursuant to Chapter 17.80 (Live/Work Units and Home-Based Businesses).

C. Family childcare homes.

D. Roadside stands two hundred (200) square feet or less limited to agricultural products produced onsite.

E. Second dwelling units pursuant to Section 17.76.040 (Second dwelling units).

F. Short-term rentals pursuant to Chapter 17.84 (Short-Term Rentals).

G. Signs pursuant to Chapter 17.64 (Signs).

H. Usual and customary structures associated with a permitted use, including fences and walls pursuant to Section 17.76.120 (Fences, walls, hedges, and equivalent screening).

17.16.040 Conditional uses.

The following uses are permitted in the R-R district upon approval and validation of a conditional use permit in addition to any other permits or licenses required for the use:

A. Bed and breakfast inns pursuant to Chapter 17.88 (Bed and breakfast inns).

B. Commercial stables.

C. Parks, picnic areas, and playgrounds (no use permit when associated with development approved by city council).

D. Public and quasi-public facilities.

E. Residential uses.

1. Group homes that provide licensable services to more than six (6) residents.

2. Manufactured home parks pursuant to Section 17.76.060 (Manufactured home parks).

F. Roadside stands exceeding two hundred (200) square feet and/or which include sale of agricultural products produced offsite.

G. Other uses similar to those listed in this section.

17.16.050 Lot requirements.

A. Minimum parcel size. One (1) acre.

B. Minimum width. One hundred (100) feet.

C. Minimum depth. Two hundred (200) feet.

17.16.060 Development standards.

A. Dwelling units per acre: One (1) unit.

B. Maximum building height.

1. All uses, except as specified herein: Thirty-five (35) feet.

2. Accessory structures: Twenty (20) feet.

3. Building and structures taller than established height limits may be permitted pursuant to Section 17.76.190 (Height limits).

C. Maximum lot coverage. Twenty (20) percent.

D. Minimum front yard setback: Twenty (20) feet.

E. Minimum rear yard setback.

1. All uses, except as specified herein: Ten (10) feet.

2. Structures that house livestock, when adjacent to district other than R-R: Fifty (50) feet.

F. Minimum side yard setback.

1. All uses, except as specified herein: Ten (10) feet.

2. Structures that house livestock, when adjacent to district other than R-R: Fifty (50) feet.

G. Minimum distance between buildings: As required by California Building Code.

H. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.16
LOW DENSITY RESIDENTIAL 10, R-1-10

Sections

17.16.010 Purpose and applicability.
17.16.020 Permitted uses.
17.16.030 Accessory uses.
17.16.040 Conditional uses.
17.16.050 Lot requirements.
17.16.060 Development standards.

17.16.010 Purpose and applicability.

The Low Density Residential 10 (R-1-10) zoning district is intended to be applied to areas suitable for low density residential development consistent with the Low Density Residential land use designation.

17.16.020 Permitted uses.

Subject to issuance of a building permit, business license, and/or other required permit(s), none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as a principally permitted use in the R-1-10 district:

A. Single-family residential.

B. Supportive housing.

C. Transitional housing.

17.16.030 Accessory uses.

When established or constructed concurrently with or subsequent to the principally permitted use, the following uses are permitted in the R-1-10 district subject to issuance of a building permit, business license, or other required permit(s):

A. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 17.96 (Accessory Dwelling Units).

B. Cottage food operations and home-based businesses pursuant to Chapter 17.80 (Live/Work Units and Home-Based Businesses).

C. Family childcare homes.

D. Second dwelling units pursuant to Section 17.76.040 (Second dwelling units).

E. Short-term rentals pursuant to Chapter 17.84 (Short-Term Rentals).

F. Signs pursuant to Chapter 17.64 (Signs).

G. Usual and customary structures associated with a permitted use, including fences and walls pursuant to Section 17.76.120 (Fences, walls, hedges, and equivalent screening).

17.16.040 Conditional uses.

The following uses are permitted in the R-1-10 district upon approval and validation of a conditional use permit in addition to any other permits or licenses required for the use:

A. Bed and breakfast inns pursuant to Chapter 17.88 (Bed and breakfast inns).

B. Community gardens pursuant to Section 17.76.170 (Community gardens).

C. Clubs, lodges, and private meeting halls.

D. Hotels and motels.

E. Parks, picnic areas, and playgrounds (no use permit when associated with development approved by city council).

F. Places of worship and spiritual assembly.

G. Public and private schools.

H. Public and quasi-public facilities.

I. Residential uses.

1. Group homes that provide licensable services to more than six (6) residents.
2. Manufactured home parks pursuant to Section 17.76.060 (Manufactured home parks).

J. Other uses similar to those listed in this section.

17.16.050 Lot requirements.

A. Minimum parcel size. Ten thousand (10,000) square feet.

B. Minimum width.

1. Interior and corner lots: Sixty (60) feet.
2. Corner lots: Seventy (70) feet.
3. Cul-de-sac lot: Sixty (60) feet at front yard setback.

C. Minimum depth.

1. Interior and corner lots: One hundred (100) feet.
2. Cul-de-sac lot: Ninety (90) feet.

17.16.060 Development standards.

A. Dwelling units per acre: One (1) to four (4) units.

B. Maximum building height.

1. All uses, except as specified herein: Thirty-five (35) feet.
2. Accessory structures: Twenty (20) feet.
3. Building and structures taller than established height limits may be permitted pursuant to Section 17.76.190 (Height limits).

C. Maximum lot coverage: Forty (40) percent.

D. Minimum front yard setback: Twenty (20) feet.

E. Minimum rear yard setback.

1. All uses, except as specified herein: Ten (10) feet.
2. Accessory structures: Five (5) feet.

F. Minimum side yard setback.

1. Interior side yard. Ten (10) feet.

2. Exterior side yard. Fifteen (15) feet.

G. Minimum distance between buildings: As required by California Building Code.

H. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.16
LOW DENSITY RESIDENTIAL 12, R-1-12

Sections

17.16.010 Purpose and applicability.
17.16.020 Permitted uses.
17.16.030 Accessory uses.
17.16.040 Conditional uses.
17.16.050 Lot requirements.
17.16.060 Development standards.

17.16.010 Purpose and applicability.

The Low Density Residential 12 (R-1-12) zoning district is intended to be applied to areas that are suitable for low density residential development consistent with the Low Density Residential land use designation.

17.16.020 Permitted uses.

Subject to issuance of a building permit, business license, and/or other required permit(s), none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as a principally permitted use in the R-1-12 district:

A. Single-family residential.

B. Supportive housing.

C. Transitional housing.

17.16.030 Accessory uses.

When established or constructed concurrently with or subsequent to the principally permitted use, the following uses are permitted in the R-1-12 district subject to issuance of a building permit, business license, or other required permit(s):

A. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 17.96 (Accessory Dwelling Units).

B. Cottage food operations and home-based businesses pursuant to Chapter 17.80 (Live/Work Units and Home-Based Businesses).

C. Family childcare homes.

D. Second dwelling units pursuant to Section 17.76.040 (Second dwelling units).

E. Short-term rentals pursuant to Chapter 17.84 (Short-Term Rentals).

F. Signs pursuant to Chapter 17.64 (Signs).

G. Usual and customary structures associated with a permitted use, including fences and walls pursuant to Section 17.76.120 (Fences, walls, hedges, and equivalent screening).

17.16.040 Conditional uses.

The following uses are permitted in the R-1-12 district upon approval and validation of a conditional use permit in addition to any other permits or licenses required for the use:

A. Bed and breakfast inns pursuant to Chapter 17.88 (Bed and breakfast inns).

B. Clubs, lodges, and private meeting halls.

C. Hotels and motels.

D. Parks, picnic areas, and playgrounds (no use permit when associated with development approved by city council).

E. Places of worship and spiritual assembly.

F. Public and private schools.

G. Public and quasi-public facilities.

H. Residential uses.

1. Group homes that provide licensable services to more than six (6) residents.

2. Manufactured home parks pursuant to Section 17.76.060 (Manufactured home parks).

I. Small acreage agriculture.

J. Other uses similar to those listed in this section.

17.16.050 Lot requirements.

A. Minimum parcel size. Twelve thousand (12,000) square feet.

B. Minimum width.

1. Interior lots: Seventy (70) feet.

2. Corner lots: Eighty (80) feet.

3. Cul-de-sac lots: Seventy (70) feet at front yard setback.

C. Minimum depth.

1. Interior and corner lots: One hundred (100) feet.

2. Cul-de-sac-lots: Ninety (90) feet.

17.16.060 Development standards.

A. Dwelling units per acre: One (1) to three (3) units.

B. Maximum building height.

1. All uses, except as specified herein: Thirty-five (35) feet.

2. Accessory structures: Twenty (20) feet.

3. Building and structures taller than established height limits may be permitted pursuant to Section 17.76.190 (Height limits).

C. Maximum lot coverage: Thirty-five (35) percent.

D. Minimum front yard setback: Twenty (20) feet.

E. Minimum rear yard setback.

1. All uses, except as specified herein: Fifteen (15) feet.

2. Accessory structures: Five (5) feet.

F. Minimum side yard setback.

1. Interior side yard. Ten (10) feet.

2. Exterior side yard. Fifteen (15) feet.

G. Minimum distance between buildings: As required by California Building Code.

H. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.24
MEDIUM DENSITY RESIDENTIAL, R-2

Sections

17.24.010 Purpose and applicability.
17.24.020 Permitted uses.
17.24.030 Accessory uses.
17.24.040 Conditional uses.
17.24.050 Lot requirements.
17.24.060 Development standards.

17.24.010 Purpose and applicability.

The Medium Density Residential (R-2) zoning district is intended to be applied to areas suitable for low and medium density residential development and compatible nonresidential uses consistent with the Medium Density Residential land use designation.

17.24.020 Permitted uses.

Subject to issuance of a building permit, business license, and other required permits, none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as a principally permitted use in the R-2 district:

A. Multifamily residential, three units or fewer.

B. Single-family residential.

C. Supportive housing.

D. Transitional housing.

17.24.030 Accessory uses.

When established or constructed concurrently with or subsequent to the principally permitted use, the following uses are permitted in the R-2 district subject to issuance of a building permit, business license, or other required permit(s):

A. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 17.96 (Accessory Dwelling Units).

B. Cottage food operations and home-based businesses pursuant to Chapter 17.80 (Live/Work Units and Home-Based Businesses).

C. Family childcare homes.

D. Second dwelling units pursuant to Section 17.76.040 (Second dwelling units).

E. Short-term rentals pursuant to Chapter 17.84 (Short-Term Rentals).

F. Signs pursuant to Chapter 17.64 (Signs).

G. Usual and customary structures associated with a permitted use, including fences and walls pursuant to Section 17.76.120 (Fences, walls, hedges, and equivalent screening).

17.24.040 Conditional uses.

The following uses are permitted in the R-2 district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use:

A. Bed and breakfast inns pursuant to Chapter 17.88 (Bed and Breakfast Inns).

B. Clubs, lodges, and private meeting halls.

C. Community gardens pursuant to Section 17.76.170 (Community gardens).

D. Hostels, hotels and motels.

E. Parks, picnic areas, and playgrounds (no use permit when associated with development approved by city council).

F. Places of worship and spiritual assembly.

G. Public and private schools.

H. Public and quasi-public facilities.

I. Residential uses:

   1. Group homes that provide licensable services to more than six (6) residents.

   2. Manufactured home parks pursuant to Section 17.76.060 (Manufactured home parks).

   3. Multifamily residential, four or more units.

   4. Single-room occupancy units pursuant to Section 17.76.100 (Single-room occupancy).

J. Other uses similar to those listed in this section.

17.24.050 Lot requirements.

A. Minimum parcel size. Seven thousand two hundred (7,200) square feet.

B. Minimum width.

   1. Interior lots: Sixty (60) feet.

   2. Corner lots: Seventy (70) feet.

   3. Cul-de-sac lots: Sixty (60) feet at front yard setback.

C. Minimum depth.

   1. Interior and corner lots: One hundred (100) feet.

   2. Cul-de-sac lot: Ninety (90) feet).

17.24.060 Development standards.

A. Dwelling units per acre: One (1) to ten (10) units.

B. Maximum building height.

   1. All uses, except as specified herein: Thirty-five (35) feet.

   2. Accessory structures: Twenty (20) feet.

   3. Building and structures taller than established height limits may be permitted pursuant to Section 17.76.190 (Height limits).

C. Maximum lot coverage: Sixty (60) percent.

D. Minimum front yard setback: Twenty (20) feet.

E. Minimum rear yard setback.

   1. All uses, except as specified herein: Ten (10) feet.

2. Accessory structures: Five (5) feet.

F. Minimum side yard setback.

1. Interior side yard: Ten (10) feet.
2. Exterior side yard: Fifteen (15) feet.

G. Minimum distance between buildings: As required by California Building Code.

H. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.28
HIGH DENSITY RESIDENTIAL, R-3

Sections

17.28.010 Purpose and applicability.
17.28.020 Permitted uses.
17.28.030 Accessory uses.
17.28.040 Conditional uses.
17.28.050 Lot requirements.
17.28.060 Development standards.

17.28.010 Purpose and applicability.

The High Density Residential (R-3) zoning district is intended to be applied to areas suitable for low, medium, and high density residential development and compatible nonresidential uses consistent with the High Density Residential land use designation.

17.28.020 Permitted uses.

Subject to issuance of a building permit, business license, and/or other required permits, none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as a principally permitted use in the R-3 district:

A. Community gardens pursuant to Section 17.76.170 (Community gardens).

B. Dormitories.

C. Dwelling groups.

D. Large employee housing.

E. Multifamily residential.

F. Single-family residential.

G. Supportive housing.

H. Transitional housing.

17.28.030 Accessory uses.

When established or constructed concurrently with or subsequent to the principally permitted use, the following uses are permitted in the R-3 district subject to issuance of a building permit, business license, or other required permit(s):

A. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 17.96 (Accessory Dwelling Units).

B. Cottage food operations and home-based businesses pursuant to Chapter 17.80 (Live/Work Units and Home-Based Businesses).

C. Family childcare homes.

D. Second dwelling units pursuant to Section 17.76.040 (Second dwelling units).

E. Short-term rentals pursuant to Chapter 17.84 (Short-Term Rentals).

F. Signs pursuant to Chapter 17.64 (Signs).

G. Usual and customary structures associated with a permitted use, including fences and walls pursuant to Section 17.76.120 (Fences, walls, hedges, and equivalent screening).

17.28.040 Conditional uses.

The following uses are permitted in the R-3 district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use:

A. Adult day programs.

B. Bed and breakfast inns pursuant to Chapter 17.88 (Bed and Breakfast Inns).

C. Business and professional offices.

D. Clubs, lodges, and private meeting halls.

E. Hostels, hotels and motels.

F. Off-site parking and shared parking facilities pursuant to Chapter 17.60 (Off-street parking).

G. Parks, picnic areas, and playgrounds (no use permit when associated with development approved by city council).

H. Places of worship and spiritual assembly.

I. Public and private schools.

J. Public and quasi-public facilities.

K. Residential uses.

1. Group homes that provide licensable services to more than six (6) residents (no use permit for residential care for the elderly).
2. Manufactured home parks pursuant to Section 17.76.060 (Manufactured home parks).
3. Single-room occupancy units pursuant to Section 17.76.100 (Single-room occupancy).

L. Other uses similar to those listed in this section.

17.28.050 Lot requirements.

A. Minimum parcel size. Seven thousand two hundred (7,200) square feet.

B. Minimum width.

1. Interior lots: Sixty (60) feet.
2. Corner lots: Seventy (70) feet.
3. Cul-de-sac lots: Sixty (60) feet at front yard setback.

C. Minimum depth.

1. Interior and corner lots: One hundred (100) feet.
2. Cul-de-sac lot: Ninety (90) feet.

17.28.060 Development standards.

A. Dwelling units per acre: One (1) to twenty (20) units.

B. Maximum lot coverage: Seventy-five (75) percent.

C. Maximum building height.

1. All uses, except as specified herein: Forty-five (45) feet.
2. Accessory structures: Twenty (20) feet.
3. Building and structures taller than established height limits may be permitted pursuant to Section 17.76.190 (Height limits).

D. Minimum front yard setback: Twenty (20) feet.

E. Minimum rear yard setback.

1. All uses, except as specified herein: Ten (10) feet.
2. Accessory structures: Five (5) feet.

F. Minimum side yard setback.

1. Interior side yard: Ten (10) feet.
2. Exterior side yard: Fifteen (15) feet.

G. Minimum distance between buildings: As required by California Building Code.

H. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.32
MOBILE HOME RESIDENTIAL, M-H

Sections

17.32.010 Purpose and applicability.
17.32.020 Permitted uses.
17.32.030 Accessory uses.
17.32.040 Conditional uses.
17.32.050 Lot requirements.
17.32.060 Development standards.

17.32.010 Purpose and applicability.

The Mobile Home Residential (M-H) zoning district is intended to be applied to areas of the City developed with and/or capable of supporting low, medium, and high density residential development, manufactured home parks, and compatible nonresidential uses consistent with the High Density Residential land use designation.

17.32.020 Permitted uses.

Subject to issuance of a building permit, business license, and/or other required permits, none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as principally permitted uses in the M-H district:

A. Community gardens pursuant to Section 17.76.170 (Community gardens).

B. Dormitories.

C. Dwelling groups.

D. Large employee housing.

E. Manufactured home parks of three or fewer mobile homes, manufactured homes, and/or recreational vehicles pursuant to subsections (C), (D), (E), (F), and (G) of Section 17.76.060 (Manufactured home parks).

F. Multifamily residential, three units or fewer.

G. Single-family residential.

H. Supportive housing.

I. Transitional housing.

17.32.030 Accessory uses.

When established or constructed concurrently with or subsequent to the principally permitted use, the following uses are permitted in the M-H district subject to issuance of a building permit, business license, or other required permit(s):

A. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 17.96 (Accessory Dwelling Units).

B. Cottage food operations and home-based businesses pursuant to Chapter 17.80 (Live/Work Units and Home-Based Businesses).

C. Family childcare homes.

D. Second dwelling units pursuant to Section 17.76.040 (Second dwelling units).

E. Short-term rentals pursuant to Chapter 17.84 (Short-Term Rentals).

F. Signs pursuant to Chapter 17.64 (Signs).

G. Usual and customary structures associated with a permitted use, including fences and walls pursuant to Section 17.76.120 (Fences, walls, hedges, and equivalent screening).

17.32.040 Conditional uses.

The following uses are permitted in the M-H district upon approval and validation of a conditional use permit in addition to any other permits or licenses required for the use.

A. Adult day programs.

B. Bed and breakfast inns pursuant to Chapter 17.88 (Bed and Breakfast Inns).

C. Business and professional offices.

D. Clubs, lodges, and private meeting halls.

E. Hostels, hotels and motels.

F. Off-site parking and shared parking facilities pursuant to Chapter 17.60 (Off-street parking).

G. Parks, picnic areas, and playgrounds (no use permit when associated with development approved by city council).

H. Places of worship and spiritual assembly.

I. Public and private schools.

J. Public and quasi-public facilities.

K. Recreational vehicle parks pursuant to Section 17.76.080 (Recreational vehicle parks).

L. Residential uses.

   1. Group homes that provide licensable services to more than six (6) residents (no use permit for residential care for the elderly).

   2. Manufactured home parks of four or more mobile homes, manufactured homes, and/or recreational vehicles pursuant to subsections (C), (D), (E), (F), and (G) of Section 17.76.060 (Manufactured home parks).

   3. Multifamily residential, four or more units.

M. Other uses similar to those listed in this section.

17.32.050 Lot requirements.

A. Minimum parcel size.

   1. All uses, except as specified herein.

      a. Interior lots: Eight thousand (8,000) square feet.

      b. Corner lots: Nine thousand (9,000) square feet.

   2. Manufactured homes parks of four or more mobile homes, manufactured homes, and/or recreational vehicles: As specified in Section 17.76.060 (Manufactured homes parks).

3. Recreational vehicle parks: As specified in Section 17.76.080 (Recreational vehicle parks).

B. Minimum width: Eighty (80) feet.

C. Minimum depth: One hundred (100) feet.

17.32.060 Development standards.

A. Dwelling units per acre: One (1) to twenty (20) units.

B. Maximum lot coverage: Sixty-five (65) percent.

C. Maximum building height.

1. All uses, except as specified herein: Forty-five (45) feet.

2. Accessory structures: Fifteen (15) feet.

3. Building and structures taller than established height limits may be permitted pursuant to Section 17.76.190 (Height limits).

D. Minimum front yard setback: Twenty (20) feet.

E. Minimum rear yard setback.

1. All uses, except as specified herein: Ten (10) feet.

2. Accessory structures: Five (5) feet.

F. Minimum side yard setback: Ten (10) feet.

G. Minimum distance between buildings.

1. All uses, except as specified herein: As required by California Building Code.

2. Manufactured homes parks of four or more mobile homes, manufactured homes, and/or recreational vehicles: Ten (10) feet.

H. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.36
TOWN CENTER, T-C

Sections

17.36.010 Purpose and applicability.
17.36.020 Permitted uses.
17.36.030 Accessory uses.
17.36.040 Conditional uses.
17.36.050 Lot requirements.
17.36.060 Development standards.

17.36.010 Purpose and applicability.

The Town Center (T-C) zoning district is intended to be applied to commercial, residential, and mixed-use properties in the historic town center. Its purpose is to encourage a broad array of compatible retail, professional, entertainment, civic, and other uses that contribute to a vibrant, pedestrian-friendly environment consistent with the Central Mixed Use land use designation.

17.36.020 Permitted uses.

Subject to issuance of a building permit, business license, and/or other required permits, none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as principally permitted uses in the T-C district:

A. Animal grooming and veterinary offices.

B. Artist studios and artisan crafts manufacturing.

C. Automobile service stations, no fuel sales.

D. Banks and financial services.

E. Business and professional offices.

F. Business support services.

G. Community gardens pursuant to Section 17.76.170 (Community gardens).

H. Convenience stores and pharmacies.

I. Craft food and beverage production, no coffee roasting.

J. Garden centers and plant nurseries.

K. Grocery stores and supermarkets.

L. Health clinics, medical offices, and laboratories.

M. Indoor sports and fitness facilities.

N. Media production.

O. Mixed-use developments of two (2) or more uses permitted pursuant to this section.

P. Personal services.

Q. Printing and publishing.

R. Public and quasi-public facilities.

S. Residential uses.

1. Low barrier navigation centers pursuant to Section 17.76.260 (Low barrier navigation centers).
2. Residential uses permitted by right pursuant to Chapter 17.28 (High Density Residential) when included in a vertical mixed-use development.

T. Retail food establishments.

U. Retail sales.

V. Small adult day programs.

W. Theaters and playhouses.

17.36.030 Accessory uses.

When established or constructed concurrently with or subsequent to the principally permitted use, the following uses are permitted in the T-C district subject to issuance of a building permit, business license, or other required permit(s):

A. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 17.96 (Accessory Dwelling Units).

B. Certified farmers' markets.

C. Cottage food operations, home-based businesses, and live-work units pursuant to Chapter 17.80 (Live/Work Units and Home-Based Businesses).

D. Mobile food sales pursuant to Chapter 17.92 (Mobile Food Sales).

E. Short-term rentals pursuant to Chapter 17.84 (Short-Term Rentals).

F. Signs pursuant to Chapter 17.64 (Signs).

G. Temporary outside sales such as sidewalk or patio sales not exceeding three (3) days in any thirty (30)-day period.

H. Usual and customary structures associated with a principally permitted use, including fences and walls pursuant to Section 17.76.120 (Fences, walls, hedges, and equivalent screening).

17.36.040 Conditional uses.

The following uses are permitted in the T-C district upon approval and validation of a conditional use permit in addition to any other permits or licenses required for the use.

A. Automobile service stations that include fuel sales.

B. Animal boarding and animal hospitals.

C. Clubs, lodges, and private meeting halls.

D. Coffee roasters.

E. Drive-in and drive-through sales and services.

F. Indoor entertainment facilities.

G. Large adult day programs.

H. Mobile food commissaries.

I. Mobile food courts pursuant to Chapter 17.92 (Mobile Food Sales).

J. Off-site parking and shared parking facilities pursuant to Chapter 17.60 (Off-Street Parking).

K. Parks, picnic areas, and playgrounds (no use permit when associated with development approved by city council).

L. Places of worship and spiritual assembly.

M. Public and private schools.

N. Residential uses pursuant to Chapter 17.28 (High Density Residential) when the residential use is located at street level.

O. Restricted personal services.

P. Restricted retail sales (alcoholic beverage sales by right).

Q. Transient occupancy uses:

1. Bed and breakfast inns pursuant to Chapter 17.88 (Bed and Breakfast Inns).
2. Hostels.
3. Hotels and motels.

R. Other uses similar to those listed in this section.

17.36.050 Lot requirements.

A. Minimum parcel size.

1. Existing parcels: Two thousand five hundred (2,500) square feet.
2. New parcels: Five thousand (5,000) square feet.

B. Minimum width.

1. Existing parcels: Twenty-five (25) feet.
2. New parcels: Fifty (50) feet.

C. Minimum depth.

1. Existing parcels: Fifty (50) feet.
2. New parcels: Ninety (90) feet

17.36.060 Development standards.

A. Dwelling units per acre: One (1) to twenty (20) units.

B. Maximum lot coverage.

1. Existing parcels: One hundred (100) percent.
2. New parcels: Seventy-five (75) percent.

C. Maximum building height.

1. All uses, except as specified herein: Forty-five (45) feet.
2. Accessory structures: Twenty (20) feet.
3. Building and structures taller than established height limits may be permitted pursuant to Section 17.76.190 (Height limits).

D. Minimum setbacks.

1. Front yard: None.
2. Rear yard.
    a. Adjacent residential district: Ten (10) feet.
    b. Adjacent mixed-use or nonresidential district: None.
3. Side yard.
    a. Adjacent residential district: Ten (10) feet.
    b. Adjacent mixed-use or nonresidential district: None.

E. Minimum distance between buildings: As required by California Building Code.

F. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.40
GENERAL COMMERCIAL, G-C

Sections

17.40.010 Purpose and applicability.
17.40.020 Permitted uses.
17.40.030 Accessory uses.
17.40.040 Conditional uses.
17.40.050 Lot requirements.
17.40.060 Development standards.

17.40.010 Purpose and applicability.

The General Commercial (G-C) zoning district is intended to be applied to areas suitable for commercial use outside of the historic town center consistent with the Commercial Center land use designation.

17.40.020 Permitted uses.

Subject to issuance of a building permit, business license, and/or other required permits, none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as principally permitted uses in the G-C district:

A. Animal grooming and veterinary offices.

B. Artist studios and artisan crafts manufacturing and sales.

C. Automobile and vehicle sales and rental.

D. Automobile service stations.

E. Banks and financial services.

F. Business and professional offices.

G. Business support services.

H. Community gardens pursuant to Section 17.76.170 (Community gardens).

I. Convenience stores and pharmacies.

J. Craft food and beverage production.

K. Grocery stores and supermarkets.

L. Health clinics, medical offices, and laboratories.

M. Indoor entertainment facilities.

N. Indoor sports and fitness facilities.

O. Media production.

P. Off-sale alcoholic beverage sales.

Q. Personal services.

R. Printing and publishing.

S. Retail food establishments.

T. Residential uses.

1. Emergency shelters pursuant to Section 17.76.110 (Emergency shelters).
2. Low barrier navigation centers pursuant to Section 17.76.260 (Low barrier navigation centers).

U. Restricted retail sales.

V. Retail sales.

W. Small adult day programs.

17.40.030 Accessory uses.

When established or constructed concurrently with or subsequent to the principally permitted use, the following uses are permitted in the G-C district subject to issuance of a building permit, business license, or other required permit(s):

A. Certified farmers' markets.

B. Cottage food operations, home-based businesses, and live-work units pursuant to Chapter 17.80 (Live/Work Units and Home-Based Businesses).

C. Mobile food sales pursuant to Chapter 17.92 (Mobile Food Sales).

D. Short-term rentals pursuant to Chapter 17.84 (Short-Term Rentals).

E. Signs pursuant to Chapter 17.64 (Signs).

F. Temporary outside sales such as sidewalk or patio sales not exceeding three (3) days in any thirty (30)-day period.

G. Usual and customary structures associated with a principally permitted use, including fences and walls pursuant to Section 17.76.120 (Fences, walls, hedges, and equivalent screening).

17.40.040 Conditional uses.

The following uses are permitted in the G-C district upon approval and validation of a conditional use permit in addition to any other permits or licenses required for the use.

A. Animal boarding and animal hospitals.

B. Building material stores and yards.

C. Car washing and detailing.

D. Clubs, lodges, and private meeting halls.

E. Drive-in and drive-through sales and services.

F. Equipment sales and rental.

G. Event centers.

H. Food and beverage manufacturing.

I. Funeral homes.

J. Garden centers and plant nurseries.

K. Hospitals and hospice care.

L. Large adult day programs.

M. Mobile food commissaries.

N. Mobile food courts pursuant to Chapter 17.92 (Mobile Food Sales).

O. Off-site parking and shared parking facilities pursuant to Chapter 17.60 (Off-street parking).

P. Outdoor commercial recreation facilities.

Q. Parks, picnic areas, and playgrounds (no use permit when associated with development approved by city council).

R. Places of worship and spiritual assembly.

S. Public and private schools.

T. Public and quasi-public facilities.

U. Residential uses:

1. Dormitories.
2. Duplex residential.
3. Dwelling groups.
4. Multifamily residential.
5. Residential care homes and residential care facilities.
6. Single-family residential.
7. Single-room occupancy pursuant to Section 17.76.100 (Single-room occupancy).
8. Small employee housing.
9. Supportive housing.
10. Transitional housing.

V. Restricted personal services.

W. Theaters and playhouses.

X. Transient occupancy uses:

1. Bed and breakfast inns pursuant to Chapter 17.88 (Bed and Breakfast Inns).
2. Hostels.
3. Hotels and motels.

Y. Other uses similar to those listed in this section.

17.40.050 Lot requirements.

A. Minimum parcel size.

1. Existing parcels: Two thousand five hundred (2,500) square feet.
2. New parcels: Ten thousand (10,000) square feet.

B. Minimum width: Eighty (80) feet.

C. Minimum depth. Ninety (90) feet

17.40.060 Development standards.

A. Dwelling units per acre: One (1) to twenty (20) units.

B. Maximum lot coverage: Eighty (80) percent.

C. Maximum building height.

1. All uses, except as specified herein: Forty-five (45) feet.
2. Accessory structures: Twenty-five (25) feet.
3. Building and structures taller than established height limits may be permitted pursuant to Section 17.76.190 (Height limits).

D. Minimum setbacks.

1. Front yard.
   a. Adjacent residential district: Twenty (20) feet.
   b. Adjacent mixed-use or nonresidential district: None.
2. Rear yard.
   a. Adjacent residential district: Ten (10) feet.
   b. Adjacent mixed-use or nonresidential district: None.
3. Side yard.
   a. Adjacent residential district.
      i. Interior side yard: Ten (10) feet.
      ii. Exterior side yard: Fifteen (15) feet.
   b. Adjacent mixed-use or nonresidential district: None.

E. Minimum distance between buildings: As required by California Building Code.

F. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.44
MANUFACTURING, M

Sections

17.44.010 Purpose and applicability.
17.44.030 Permitted uses.
17.44.040 Accessory uses.
17.44.050 Conditional uses.
17.44.060 Lot requirements.
17.44.070 Development standards.

17.44.010 Purpose and applicability.

The Manufacturing (M) zoning district is intended to be applied to areas suitable for heavier commercial and manufacturing uses than permitted in the commercial and mixed-use zoning districts, provided such uses are not detrimental to the public health, safety, and general welfare by reason of odor, smoke, gas, dust, vibration, or noise, or are not deemed to be exceptional fire of explosion hazards. The M district is consistent with the Industrial land use designation.

17.44.020 Permitted uses.

Subject to issuance of a building permit, business license, and/or other required permits, none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as principally permitted uses in the M district:

A. Animal boarding, animal grooming, animal hospitals, and veterinary offices.

B. Artisan crafts manufacturing and sales.

C. Building material stores and yards.

D. Business and professional offices.

E. Craft food and beverage production.

F. Equipment sales and rental.

G. Garden centers and plant nurseries.

H. Handcraft industries.

I. Manufactured home and prefabricated building sales and construction.

J. Mixed-use developments of two (2) or more uses permitted pursuant to this chapter.

K. Printing and publishing.

L. Public and quasi-public facilities.

M. Retail sales.

N. Small equipment maintenance and repair.

O. Storage facilities.

P. Wholesale businesses.

17.44.030 Accessory uses.

When established or constructed concurrently with or subsequent to the principally permitted use, the following uses are permitted in the M district subject to issuance of a building permit, business license, or other required permit(s):

A. Mobile food sales pursuant to Chapter 17.92 (Mobile Food Sales).

B. Signs pursuant to Chapter 17.64 (Signs).

C. Uncovered storage for allowable uses on the rear half of the lot if screened by solid fencing a minimum of six (6) feet in height.

D. Usual and customary structures associated with a principally permitted use, including fences and walls pursuant to Section 17.76.120 (Fences, walls, hedges, and equivalent screening).

17.44.040 Conditional uses.

The following uses are permitted in the M district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use.

A. Agricultural processing plants.

B. Ambulance service.

C. Automobile and vehicle sales and rental.

D. Automobile service stations.

E. Car washing and detailing.

F. Clothing and fabric product manufacturing.

G. Concrete batching or ready-mix concrete manufacturing.

H. Equipment and material storage yards.

I. Food and beverage manufacturing.

J. Fuel storage and distribution.

K. Furniture and fixtures manufacturing.

L. Glass product manufacturing.

M. Lumber and wood product processing facilities.

N. Metal products fabrication, machine/welding shops.

O. Off-site parking and shared parking facilities pursuant to Chapter 17.60 (Off-street parking).

P. Paper product manufacturing.

Q. Recycling facilities.

R. Restricted retail sales.

S. Retail food establishments.

T. Stone product manufacturing.

U. Other uses similar to those listed in this section.

17.44.050 Lot requirements.

A. Minimum parcel size: Ten thousand (10,000) square feet.

B. Minimum width: Ninety (90) feet.

C. Minimum depth: Ninety (90) feet.

17.44.060 Development standards.

A. Dwelling units per acre: None.

B. Maximum building height:

1. All uses, except as specified herein: Fifty (50) feet.
2. Building and structures taller than established height limits may be permitted pursuant to Section 17.76.190 (Height limits).

C. Maximum lot coverage: Seventy-five (75) percent.

D. Minimum front yard setback: Thirty (30) feet.

E. Minimum rear yard setback.

1. Adjacent G-C or M: None
2. Adjacent all other zoning districts: Ten (10) feet.

F. Minimum side yard setback.

1. Adjacent G-C or M: None.
2. Adjacent all other zoning districts: Ten (10) feet.

G. Minimum distance between buildings: As required by California Building Code.

H. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.48
OPEN SPACE, O-S

Sections

17.48.010 Purpose and applicability.
17.48.020 Permitted uses.
17.48.030 Accessory uses.
17.48.040 Conditional uses.
17.48.050 Lot requirements.
17.48.060 Development standards.

17.48.010 Purpose and applicability.

The Open Space (O-S) zoning district is intended to be applied to public lands such as parks and playgrounds and other lands that that should be preserved in a natural state and/or that provide active or passive recreational opportunities consistent with the Open Space land use designation.

17.48.020 Permitted uses.

Subject to issuance of a building permit, business license, and/or other required permits, none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as principally permitted uses in the O-S zoning district:

A. Parks, picnic areas, playgrounds.

B. Public and quasi-public facilities.

C. Public utilities.

D. Resource protection and restoration.

E. Resource-related recreation.

17.48.030 Accessory uses.

When established or constructed concurrently with or subsequent to the principally permitted use, the following uses are permitted in the O-S zoning district subject to issuance of a building permit, business license, or other required permit(s):

A. Certified farmers' markets.

B. Mobile food sales pursuant to Chapter 17.92 (Mobile Food Sales).

C. Signs pursuant to Chapter 17.64 (Signs).

D. Special events.

E. Usual and customary structures associated with a principally permitted use.

17.48.040 Conditional uses.

The following uses are permitted in the O-S zoning district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use.

A. Cemeteries.

B. Concession facilities.

C. Outdoor commercial recreation facilities.

D. Wastewater treatment plants.

E. Wireless telecommunication facilities located outside of public rights-of-way.

F. Other uses similar to those listed in this section.

17.48.050 Lot requirements.

A. Minimum parcel size: None.

B. Minimum lot width: None.

C. Minimum lot depth: None.

17.48.060 Development standards.

A. Dwelling units per acre: None.

B. Maximum building height: Forty-five (45) feet.

C. Maximum lot coverage: Fifty (50) percent.

D. Minimum front yard setback.

1. Adjacent residential district: Ten (10) feet.
2. Adjacent mixed-use or nonresidential district: None.

E. Minimum rear yard setback.

1. Adjacent residential district: Ten (10) feet.
2. Adjacent mixed-use or nonresidential district: None.

F. Minimum side yard setback.

1. Adjacent residential district: Fifteen (15) feet.
2. Adjacent mixed-use or nonresidential district: None.

G. Minimum distance between buildings: As required by California Building Code.

H. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.52
PUBLIC FACILITIES, P-F

Sections

17.52.010 Purpose and applicability.
17.52.020 Permitted uses.
17.52.030 Accessory uses.
17.52.040 Conditional uses.
17.52.050 Lot requirements.
17.52.060 Development standards.

17.52.010 Purpose and applicability.

The Public Facilities (P-F) zoning district is intended to be applied to larger parcels developed with and/or capable of being developed with public and quasi-public facilities, such as schools, city utilities, government offices, and other public and quasi-public uses consistent with the Public Agency land use designation.

17.52.020 Permitted uses.

Subject to issuance of a building permit, business license, and/or other required permits, none but the following uses, or uses which in the opinion of the city council are similar, will be allowed as principally permitted uses in the P-F district:

A. Health clinics, medical offices, and laboratories.

B. Hospitals.

C. Parks, picnic areas, playgrounds.

D. Places of worship and spiritual assembly.

E. Public and quasi-public facilities.

F. Public and private schools.

G. Public utilities.

17.52.030 Accessory uses.

The following uses are permitted in the P-F district as an accessory to the primary permitted or conditionally permitted use:

A. Certified farmers' markets.

B. Mobile food sales pursuant to Chapter 17.92 (Mobile Food Sales).

C. Signs pursuant to Chapter 17.64 (Signs).

D. Special events.

E. Usual and customary structures associated with a principally permitted use.

17.52.040 Conditional uses.

The following uses are permitted in the P-F district upon approval and validation of a conditional use permit, in addition to any other permits or licenses required for the use:

A. Wastewater treatment facilities.

B. Wireless telecommunication facilities located outside of public rights-of-way.

C. Other uses similar to those listed in this section.

17.52.050 Lot requirements.

A. Minimum parcel size: None.

B. Minimum lot width: Fifty (50) feet.

C. Minimum lot depth: Ninety (90) feet.

17.52.060 Development standards.

A. Dwelling units per acre: None.

B. Maximum building height: Seventy (70) feet.

C. Maximum lot coverage: One hundred (100) percent.

D. Minimum front yard setback.

   1. Adjacent residential district: Ten (10) feet.

   2. Adjacent mixed-use or nonresidential district: None.

E. Minimum rear yard setback.

   1. Adjacent residential district: Ten (10) feet.

   2. Adjacent mixed-use or nonresidential district: None.

F. Minimum side yard setback.

   1. Adjacent residential district: Fifteen (15) feet.

   2. Adjacent mixed-use or nonresidential district: None.

G. Minimum distance between buildings: As required by California Building Code.

H. Minimum parking: As specified in Chapter 17.60 (Off-Street Parking).

CHAPTER 17.56
SIMILAR USE DETERMINATIONS

Sections:

17.56.010 Purpose.
17.56.020 Applicability.
17.56.030 Application required.
17.56.040 Review procedure.
17.56.050 Findings.
17.56.060 City council modifications.
17.56.070 Amendments.
17.56.080 Record of determinations.

17.56.010 Purpose.

All possible land uses may not be listed within the provisions of this title. When a particular use is not specifically listed in this title and it is unclear whether the use is permitted, the similar use determination allows the city council to determine whether or not a proposed use is similar to a permitted or conditionally permitted use and whether it may be permitted in a particular zoning district.

17.56.020 Applicability.

A similar use determination is required when a use is not specifically listed in this zoning code but may be permitted if it is determined to be similar in nature to a permitted or conditionally permitted use.

17.56.030 Application required.

An application for a similar use determination shall be filed with the city council on a form prescribed by the city clerk, accompanied by an application fee as established by the city council.

17.56.040 Review procedure.

No public hearing is required for review and processing of a similar use determination.

17.56.050 Findings.

The city council shall approve a similar use determination only if it first makes the following findings. If the city council is unable to make any of the findings, the similar use determination shall be denied.

A. The characteristics of and activities associated with the proposed use are equivalent to one or more of the permitted uses and will not involve a higher level of activity, environmental impact, or population density than the uses provided for in the zoning district.

B. The proposed use will be consistent with the purposes of the applicable zoning district.

C. The proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity in which the proposed use will be allowed.

D. The proposed use will be consistent with the general plan and this code.

17.56.060 City council modifications.

The city council may require modifications to the proposed use, in whole or in part, to ensure consistency with the findings in Section 17.56.050 (Findings).

17.56.070 Amendments.

To amend a similar use determination following approval by the city council, a new similar use determination application shall be required.

17.56.080 Record of determinations.

The city clerk shall maintain a record of approved similar use determinations in a format convenient for public use and shall cause the approved similar use determinations to be added to the zoning ordinance at least once each year.

CHAPTER 17.60
OFF-STREET PARKING

Sections

17.60.010 Purpose.
17.60.020 General regulations.
17.60.030 Amount of off-street parking.
17.60.040 Parking for compact cars.
17.60.050 Off-site parking.
17.60.060 Shared parking facilities.
17.60.070 Accessible parking facilities.
17.60.080 Off-street loading.
17.60.090 Design, construction, and maintenance standards.
17.60.100 In-lieu parking fees.
17.60.110 Carports.
17.60.120 Conversion of residential garages.
17.60.130 Exceptions.
17.60.140 Minimum off-street parking requirements.

17.60.010 Purpose.

Off-street parking and loading facilities are necessary to ensure functional, aesthetic, and secure parking and to reduce parking congestion and hazards during snow removal. The regulations and design standards of this chapter are intended to ensure usefulness of facilities, to protect public safety, and where appropriate, to mitigate potential adverse impacts on adjacent land uses.

17.60.020 General regulations.

A. Unless stipulated by other provisions of this title, off-street parking facilities shall be provided for any new building or land use established. Off-street parking facilities shall be provided for any addition or enlargement of an existing building or use, or any change of occupancy or manner of operation that would result in additional parking spaces being required; provided, that the additional parking shall be required only for the addition, enlargement, or change and not for the entire building or use.

B. Facilities being used for off-street parking on the effective date of this ordinance codified in this title shall not be reduced in capacity to less than the number of parking spaces required or altered in design or function to less than the minimum standards prescribed by this title, except as provided by Section 17.60.130 (Exceptions) and Chapter 17.96 (Accessory Dwelling Units).

C. For sites with more than one land use, or for adjacent sites served by a common parking facility, the parking requirement shall be the total number of spaces required for each site or use, except as provided by Section 17.60.060 (Shared parking facilities).

D. Parking facilities constructed or substantially reconstructed subsequent to the effective date of the ordinance codified in this title shall conform to the design standards set forth in Sections 17.60.090 (Design, construction, and maintenance standards) and 17.60.140 (Minimum off-street parking requirements).

E. Required parking facilities shall be maintained for the duration of the land use for which it is required and shall not be used for the sale, display, or storage of merchandise.

F. Required parking facilities shall be on the same site as the land use for which required, except as authorized pursuant to Section 17.60.050 (Off-site parking).

G. A land use that is subject to approval of a use permit may be required to provide more or fewer parking spaces than prescribed by this chapter as determined by the city engineer.

17.60.030 Amount of off-street parking.

Parking facilities for each land use shall be provided according to the minimum requirements set forth in Section 17.60.140 (Minimum off-street parking requirements), applied as follows:

A. When application of Section 17.60.140 results in a fractional parking requirement, a fraction of one half (0.5) or greater shall be resolved to the higher whole number.

B. For purposes of this chapter, requirements shall be based on gross floor area, but excluding enclosed or covered areas used for off-street parking or loading.

C. When requirements are based on seats or capacity, Building Code provisions applicable at the time of determination shall be used to define capacity.

17.60.040 Parking for compact cars.

In a parking facility of ten (10) or more spaces, a maximum of twenty-five (25) percent of the spaces may be designed for compact cars. Spaces for compact vehicles shall be located in a manner affording desirability and usability equivalent to standard spaces.

17.60.050 Off-site parking.

A. Where permitted by use permit, the city council may authorize a portion or all the parking spaces required for a land use to be located on another site. An application for off-site parking shall require submission of a use permit application; payment of the applicable application fee deposit; a detailed and scaled site plan of the proposed parking facility; and a written statement addressing the relevant factors listed in subsection (B) of this section.

B. In determining whether to approve an application for a use permit for off-site parking, the city council shall consider all relevant factors, including:

   1. The locations of the land use and the proposed off-site parking facility, and the parking demand created by other land uses in the vicinity.

   2. The characteristics of the land use, including employee and customer parking demand, hours of operation, and projected convenience and frequency of use of off-site parking.

   3. Convenience and safety of pedestrian access between the land use and off-site parking facility.

   4. Difficulty or impracticality of providing all required parking on the same site as the land use the parking facility serves.

   5. The recommendations of the city engineer and city planner.

C. The city council may require such guarantees as deemed necessary to assure continued availability and usability of any off-site parking.

17.60.060 Shared parking facilities.

A. When two (2) or more uses are located on the same lot or parcel of land, the number of off-street parking spaces required shall be the sum total of the requirements of the various individual uses computed separately in accordance with this chapter.

B. Where permitted by use permit, the city council may authorize an adjustment in the total parking requirement for separate land uses located on the same site, or for separate uses located on adjacent sites and served by a common parking facility. A request for adjustment shall require submission of a use permit application; payment of the applicable application fee deposit; a detailed and scaled site plan of the proposed parking facility; and a written statement addressing the relevant factors listed in subsection (E) of this section.

C. Subject to the granting of a use permit in accordance with Chapter 17.72 (Use Permits and Variances), the total parking requirement for all land uses served by a shared parking facility may be reduced by an amount not to exceed the following:

Total Requirement for All Uses	Maximum Allowable Reduction
10 or fewer spaces	30 percent
11-30 spaces	40 percent
More than 30 spaces	50 percent

D. A parking facility subject to adjustment under this section shall be designed as a common, unified parking facility providing reasonably equivalent accessibility and convenience to all land uses which the parking facility is intended to serve.

E. In determining whether to approve an adjustment for mixed-use developments and shared parking facilities, the city council shall consider all relevant factors, including:

1. The characteristics of each land use and the differences in projected peak parking demand, including days or hours of operation.
2. Potential reduction in vehicle movements afforded by multipurpose use of the parking facility by employees, customers, or residents of the uses served.
3. Potential improvements in parking facility design, circulation, and access afforded by a joint parking facility.
4. The recommendations of the city engineer and city planner.

F. A use permit authorizing a reduction in the amount of off-street parking shall be granted only when all of the following findings can be made, based on substantial evidence:

1. The specific characteristics of the land use for which the reduction is requested do not necessitate the number of parking spaces that would otherwise be required by this chapter.
2. Information provided by the applicant for a reduction in required parking documents and supports the need for fewer parking spaces.
3. The reduced parking standards will be adequate to accommodate all parking demands generated by the proposed land use and will not be detrimental to the public health, safety, and general welfare.

G. The city council may require such guarantees as deemed necessary to assure the continued availability of parking and adequacy of maintenance and operating agreements to retain the usability of the parking facility.

17.60.070 Accessible parking facilities.

A. Accessible parking spaces for serving disabled persons shall be established in accordance with the regulations of Section 1129 B of Title 24, California Code of Regulations.

B. Accessible parking space facilities may be permitted to be established within a yard setback area pursuant to Chapter 17.100 (Reasonable Accommodations).

17.60.080 Off-street loading.

A. Each off-street loading space required by this title shall be of sufficient size to park commercial vehicles loading and unloading merchandise and materials on the property on which a space is located, together with such additional area which the city engineer determines is necessary to safely maneuver a vehicle between the loading space and any public right-of-way or any road, street, or alley adjoining the property.

B. Private off-street loading space for the handling of goods, materials, and equipment shall be provided as follows:

1. Buildings fifteen thousand (15,000) square feet or greater of gross floor area (including building conversions): one (1) off-street loading space, plus one (1) additional space for each additional thirty thousand (30,000) square feet of gross floor area.

2. Buildings less than fifteen thousand (15,000) square feet of gross floor area shall not be required to install an off-street loading space.

17.60.090 Design, construction, and maintenance standards.

A. Use of Standards. The design standards established by this section are basic guidelines for design, construction, and maintenance of parking and loading facilities. The city engineer may authorize minor variations or adjustments to the design, function, attractiveness, and protection to adjoining uses in a manner equal to or greater than the specific requirements of this section.

B. Minimum Dimensions. The following are the minimum dimensions for parking and loading spaces:

Parking Space Type	Length (feet)	Width (feet)	Vertical Clearance (feet)
Standard	19	9	7.5
Compact	16	8	
Accessible	19	12	8.5
Accessible Access Aisle	19	5	8.5
Commercial Loading	40	12	15

C. Landscaping. The following basic standards shall apply, except where conflicts may arise with any water efficient landscaping ordinance in effect in the city, in which case the water efficient landscaping ordinance shall prevail.

1. Each parking facility having twelve (12) or more spaces shall provide a perimeter landscaped strip at least five (5) feet wide where the facility adjoins a property line. Perimeter landscaping shall be continuous, except for necessary access to the site or to the parking facility.

2. Each parking facility shall provide interior landscaping, including shade trees where appropriate, in accordance with the following schedule. Where possible, existing trees

shall be incorporated into landscaped areas. Interior landscaping shall be distributed throughout the parking facility to reduce the visual impact of large paved areas.

Size of Parking Facility (square feet)	Minimum Interior Landscaping as a Percentage of Parking Facility Size
< 10,000	-
10,000 – 19,999	5.0
20,000 – 29,999	7.5
≥ 30,000	10.0

3. Landscaped areas shall be provided with irrigation facilities and shall be protected with curbs or equivalent barriers.

D. Paving and Drainage. The following standards shall apply:

1. All parking and loading facilities shall be graded and provided with permanent storm drainage facilities as deemed appropriate by the city engineer.

2. Surfacing, curbing, and drainage improvements shall be sufficient to preclude free flow of water onto adjacent properties or streets and to provide adequate drainage within the facility.

3. The surfacing of parking and loading facilities shall be asphalt, concrete, brick pavers, or an alternative all-season hardscape deemed appropriate by the city engineer.

E. Safety Features. The following standards shall apply:

1. Safety barriers, protective bumpers, or curbing, and directional markings shall be provided to assure safety, efficient utilization, protection to landscaping, and to prevent encroachment onto adjoining public or private property.

2. Visibility of and between pedestrians, bicyclists, and motorists shall be assured within the parking facility and at all access driveways.

3. Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accord with accepted principles of traffic engineering and traffic safety.

F. Lighting. Aboveground lighting fixtures shall be designed to reflect away from any residential land uses, and to minimize glare and reflection onto adjoining properties.

G. Noise. Areas used for primary circulation, frequent idling of vehicle engines, or loading activities shall be designed and located to minimize impacts on adjoining properties, including provisions for screening or sound baffling, as appropriate.

H. Maintenance. Parking and loading facilities shall be maintained to assure desirability and usefulness, free of refuse, debris, or other accumulated matter. Landscaping, screening, fencing, signing, lighting, surfacing, striping, and other features shall be maintained in a usable manner.

17.60.100 In-lieu parking fees.

A. Applicability. With the development of any new or expanded commercial, institutional, or industrial land use in the city, in lieu of providing off-street parking spaces as required by the provisions of Section 17.60.140 (Minimum off-street parking requirements), such requirements may be satisfied subject to city approval by payment to the city, prior to the issuance of a building permit, business license, or other permit which may be required, of a

sum of money for each parking space required by this chapter in an amount prescribed by the city council. The funds so deposited shall be retained by the city and shall be exclusively for the purpose of acquiring and developing public off-street parking facilities.

B. Establishment of Fee. The city council shall, by resolution and following a public hearing, establish and/or modify the amount of money that may be deposited in lieu of providing the off-street parking facilities required by this chapter.

C. Purchase of Property. When sufficient funds are available to the city to acquire or to improve municipal off-street parking, the city may proceed to implement this section by acquisition or improvement of the said parking facilities. The city council shall have the sole determination as to when and where the off-street public parking facilities contemplated to be provided pursuant to this section shall be acquired and developed.

D. Refund of Fee. An in-lieu parking payment may be refunded by the city, without interest, to the person who made such payment, or his assignee or designee, if, prior to the date said funds are spent or committed by the city to acquire or develop off-street parking facilities, additional off-street parking spaces are provided for such building other than by the city, so as to satisfy the parking requirement for which the in-lieu payment was made.

17.60.110 Carports.

Carports required herein shall be permanent structures anchored to the ground and constructed in such a manner that they comply with all structural, foundation, and snow load requirements of the Building Code, as adopted by the city.

17.60.120 Conversion of residential garages.

A. The owner of an existing single-family dwelling or duplex may apply for an administrative use permit to convert the garage or carport for each such dwelling unit into an area for other residential purposes upon applying for and obtaining from the city an administrative use permit therefore, on the following terms and conditions:

1. For each garage space or carport space converted, the owner shall provide one off-street parking space on the subject property, unless the subject property will otherwise have adequate parking pursuant to this chapter. The parking spaces shall not be located within any required building setback area.

2. Such alternate parking space shall be paved with concrete, asphalt, brick, or a similar hardscape all-weather surface.

3. The design and location of the alternate parking space, together with the access thereto, shall be administratively approved by the city.

4. Submission by the applicant of such plans for the garage conversion and construction of the parking place as may be required by the building official for the issuance of a building permit.

5. Prior to issuing the use permit, the city shall make a finding that the majority of residences on the block lack garages and the proposed conversion is consistent with other development in the neighborhood.

6. No use permit shall be required for conversion of the garage or carport into an accessory dwelling unit pursuant to Chapter 17.96 (Accessory Dwelling Units).

B. No work shall commence on any such conversion or on construction of alternate parking prior to the issuance of the administrative use permit by the city and the applicant obtaining

a building permit for such construction and conversion and paying the necessary fee therefor.

17.60.130 Exceptions.

A. The amount of off-street parking required by Section 17.60.140 (Minimum off-street parking requirements) may be reduced by up to twenty-five (25) percent subject to the granting of an administrative permit in accordance with Section 17.72.010 (Administrative permits). An administrative permit authorizing a reduction in the amount of off-street parking shall be granted only when all of the findings pursuant to subsection (F) of Section 17.60.060 (Shared parking facilities) can be made.

B. No off-street parking shall be required for units within a supportive housing development that are occupied by supportive housing residents and located within one-half (0.5) mile of a transit stop.

C. No replacement off-street parking shall be required for the conversion of a garage to an accessory dwelling unit located within one-half (0.5) mile of a transit stop.

D. No replacement off-street parking shall be required for a parking space modified to accommodate an electric vehicle charging station.

E. When a residence is being constructed or significantly rehabilitated as part of the local Community Development Block Grant program, the provision for a garage or carport, as required herein, shall not be required.

F. When a residence is limited to one (1) or fewer bedrooms, only one (1) off-street parking space shall be required for the residence.

G. All other exceptions to the amount of required off-street parking, or the required provision of structured parking, shall be subject to the granting of a use permit in accordance with Chapter 17.72 (Use Permits and Variances).

17.60.140 Minimum off-street parking requirements.

The following are the minimum off-street parking requirements for all uses in the city:

Use	Minimum Required Off-Street Parking Spaces
Residential Uses	
Duplexes and townhouses Single-family residential Supportive housing Transitional housing Small employee housing Residential care homes Family childcare homes	Two (2) spaces per dwelling unit At least one (1) space must be in a covered garage or carport outside of required setbacks.
Multifamily residential < 700 sq. ft.	One (1) space per unit, plus one (1) guest space for every three (3) units
Multifamily residential 700 - 1,200 sq. ft.	One and one half (1.5) spaces per unit, plus one (1) guest space for every three (3) units
Multifamily residential > 1,200 sq. ft.	Two (2) spaces per unit, plus one (1) guest space for every three (3) units
Senior housing	One and one quarter (1.25) spaces per unit

Use	Minimum Required Off-Street Parking Spaces
Accessory dwelling units	As required by Chapter 17.96 (Accessory Dwelling Units)
Dormitories	One (1) space per two (2) beds
Dwelling groups	Two (2) spaces per dwelling unit, at least one (1) space must be in a covered garage or carport outside of required setbacks
Live/work units	One (1) space per unit
Manufactured home parks	One and one half (1.5) spaces per unit
Residential care facilities	One half (0.5) space per non-resident employee at maximum shift, plus one half (0.5) space per resident
Second dwelling units	One (1) space per unit
Single-room occupancy units	One (1) space for every two (2) units
Emergency shelters	One (1) space per employee at maximum shift
All other residential uses	As required by the city council
Commercial Uses	
Adult day programs	One (1) space per employee at maximum shift
Alcoholic beverage sales (off-sale)	One (1) space per two hundred (200) square feet
Alcoholic beverage sales (on-sale)	One (1) space per two (2) persons seating capacity, plus one (1) space per two (2) employees at maximum shift
Animal grooming, animal hospitals, and veterinary offices	One (1) space per five hundred (500) square feet, plus one (1) space per employee
Artisan crafts manufacturing	One (1) space per two hundred (200) square feet of incidental sales area, plus one (1) space per two (2) employees at maximum shift
Artist's studios	One (1) space per one thousand (1,000) square feet
Automobile and vehicle sales and rental	One (1) space per four hundred (400) square feet of office, one (1) space per two hundred twenty-five (225) square feet of repair and service area, and one (1) space per two thousand (2,000) square feet of indoor showroom area and/or outdoor display area
Automobile service stations	One (1) space per five hundred (500) square feet, plus one (1) space per two (2) employees at maximum shift
Banks and financial services	One (1) space per two hundred (200) square feet
Bed and breakfast inns	One (1) space per guest room, plus two (2) spaces for the residential use, at least one (1) of which must be in a covered garage or carport outside of required setbacks
Building material stores and yards	One (1) space per five hundred (500) square feet indoors, plus one (1) space per seven hundred fifty (750) square feet outdoor sales or rental area
Business and professional offices	One (1) space per three hundred (300) square feet
Business support services	One (1) space per four hundred (400) square feet
Car washing and detailing	Two times (2x) the number of vehicles capable of being serviced simultaneously, plus one (1) space

Use	Minimum Required Off-Street Parking Spaces
	per employee
Convenience stores and pharmacies	One (1) space per two hundred fifty (250) square feet
Craft food and beverage production	One (1) space per two hundred (200) square feet of incidental sales area, plus one (1) space per two (2) employees at maximum shift
Crop and tree farming	None
Equipment sales and rental	One (1) space per three hundred (300) square feet of floor area, plus one (1) space per one thousand (1,000) square feet of outdoor storage and rental area
Event center	One (1) space per every three (3) fixed seats, or if no fixed seats, twenty (20) spaces per one thousand (1,000) square feet
Garden centers and plant nurseries	One (1) space per three hundred (300) square feet of floor area, plus one (1) space per one thousand (1,000) square feet of outdoor sales and/or cultivation area
Grocery stores and supermarkets	One (1) space per two hundred fifty (250) square feet
Health clinics, medical offices, and laboratories	One (1) space per two hundred (200) square feet
Hospitals and hospice care	One (1) space per two and one half (2.5) beds, plus one (1) space per employee at maximum shift
Hotels and Motels	One (1) space per guest room, plus one (1) space per two (2) employees at maximum shift.
Indoor entertainment facilities	One (1) space per four (4) persons capacity
Indoor sports and fitness facilities	One (1) space per five hundred (500) square feet
Laundromat (self service)	One (1) space per four hundred (400) square feet
Media production	One (1) space per five hundred (500) square feet
Mobile food commissaries	One (1) space per four hundred (400) square feet of floor area, plus one (1) space per mobile food vendor
Mortuaries and funeral homes	One (1) space per four (4) persons capacity, plus one (1) space per employee at maximum shift
Outdoor commercial recreation facilities	One (1) space per six (6) persons capacity, plus one (1) space per two (2) employees at maximum shift
Personal services	One (1) space per three hundred (300) square feet
Recreational vehicle parks	One (1) RV space and one (1) space for an accompanying motor vehicle per RV space, plus one (1) space per two (2) employees at maximum shift
Recycling facilities	One (1) space per three hundred (300) square feet, plus one (1) space per four thousand (4,000) square feet outdoor storage area

Use	Minimum Required Off-Street Parking Spaces
Retail food establishments	Fixed table: One (1) space per three (3) persons seating capacity, plus one (1) space per two (2) employees at maximum shift Drive-in/Fast food: One (1) space per two (2) persons capacity, plus one (1) space per two (2) employees at maximum shift
Retail sales	One (1) space per two hundred fifty (250) square feet
Short-term rentals	As required by Chapter 17.84 (Short-Term Rentals)
Small equipment maintenance and repair	One (1) space per six hundred (600) square feet
Theaters and playhouses	One (1) space per every four (4) fixed seats, or if no fixed seats, twenty (20) spaces per one thousand (1,000) square feet
Vehicle storage	One (1) space per five hundred (500) square feet
Vehicles for hire	Two (2) spaces per facility, plus one (1) space per employee at maximum shift
Wholesale businesses	One (1) space per eight hundred (800) square feet
All other commercial uses	As required by the city council
Manufacturing Uses	
Clothing and fabric product manufacturing	One (1) space per thousand (1,000) square feet, plus one (1) space per two hundred (250) square feet of office
Furniture and fixtures manufacturing	
Handcraft industries	
Indoor storage facilities	One (1) space per one thousand five hundred (1,500) square feet, plus two (2) spaces for office use
Metal products fabrication and machine/welding shops.	One (1) space for each two hundred (250) square feet of office, plus one (1) space for each one thousand (1,000) square feet of indoor or outdoor area devoted to other than office.
Paper product manufacturing	
Printing and publishing	
All others	As required by the city council
Other Uses	
Cemeteries	None
Certified farmer's markets	None
Clubs, lodges, and private meeting halls	One (1) space per four (4) persons capacity
Community gardens	None
Libraries and museums	One (1) space per (4) persons capacity
Parks, picnic areas, and playgrounds	Two (2) spaces per acre
Places of worship and spiritual assembly	One (1) space per ten (10) individual seats equivalent
Private schools	One (1) space per ten (10) seats equivalent

Use	Minimum Required Off-Street Parking Spaces
Public schools	Seven (7) spaces per facility, plus one (1) space per employee at maximum shift
Public and quasi-public facilities	One (1) space per three hundred (300) square feet
All others	As required by the city council

Chapter 17.64
SIGNS

Sections:

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17.64.010 General.

A. Purpose. The purpose of the sign regulations set forth in this chapter shall be to eliminate potential hazards to motorists and pedestrians; to encourage signs which, by their good design, are integrated with and harmonious to the buildings and sites which they occupy, and which eliminate excessive and confusing sign displays; to preserve and improve the appearance of the city as a place in which to live and to work and as an attraction to nonresidents who come to visit or trade; to safeguard and enhance property values; to protect public and private investment in buildings and open spaces; to supplement and be a part of the regulations set forth elsewhere under this title; and to promote the public health, safety, and general welfare.

B. Government Messages and Signs. Nothing in this chapter applies to or restricts the following:

1. The city's use of city property to display the city's own messages.

2. Governmental signs for regulatory purposes such as traffic control and public safety (e.g., street signs, danger signs, railroad-crossing signs, signs of public-service companies indicating danger, and aids to service or safety).

C. Sign Content.

1. Subject to the consent of the landowner and the sign owner, a constitutionally protected noncommercial message of any type may be substituted, in whole or in part, in place of any commercial message or any other noncommercial message on a sign if the sign structure or mounting device is legal without consideration of message content. Similarly, an on-site commercial message may be substituted for another commercial message on an on-site sign if the substitution does not also involve a

change of the physical structure or mounting device for the sign. Such message substitutions may be made without any additional approval or permitting.

2. The purposes of this section are to prevent any inadvertent favoring of commercial speech over noncommercial speech or of any particular noncommercial message over any other noncommercial message and to allow a change of commercial messages on an on-site sign without a new permit.

3. This section does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted. This section does not allow the substitution of an off-site commercial message in place of an on-site commercial message or the conversion of a sign to general advertising for hire.

4. In addition to message substitution, whenever a parcel has a right to display area that is unused, that area may be used for constitutionally protected non-commercial messages on temporary signs, without permits or approvals; it may also be used for display of noncommercial messages on permanent structures, if the structure is properly permitted.

5. This section prevails over any more specific provision to the contrary within this chapter.

D. Location of Noncommercial Messages. Throughout this chapter, the on-site/off-site distinction applies only to commercial messages on signs. There is no location criterion for noncommercial messages on signs.

17.64.020 Definitions.

The following words and phrases when used in this chapter shall be construed as defined in this section:

"Animated sign" means a sign that is designed and constructed (a) to display a message through a sequence of progressive changes of parts, lights, or degrees of lighting; or (b) to incorporate physical motion.

"Architectural projection" means a marquee, porch, canopy, or other similar architectural projection.

"Attached sign" means any sign which is fastened, attached, connected, or supported in whole or in part by a building or structure, other than a sign structure supported wholly by the ground.

"Billboard" means a permanent sign structure that is in a fixed location and is used, in whole or part, for general advertising for hire.

"Detached sign" means any sign not supported in whole or in part by a building or structure, other than by a sign structure which is supported wholly by the ground.

"Directly illuminated sign" means any sign designed to provide artificial light directly or through transparent or translucent material from a source of light within or on such sign, including but not limited to neon and incandescent lamp signs.

"Display area" means the entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space of a similar nature, together with any frame or other material, color, or condition that forms an integral part of the display and is used to differentiate the sign from the wall or background against which it is located, excluding the necessary sign supports or uprights on which the sign is located. Where a sign has

two (2) or more display faces, the area of all faces will be included in determining the area of the sign. Further, where a sign consists only of individual letters, numerals, symbols, or other similar components and is painted on or attached flat against the wall of a building, and where the individual components are without integrated background definition and are not within a circumscribed frame area, the total area of the sign will be the sum of the areas of the squares or rectangles surrounding each individual sign component.

"Establishment" means any legal use of land, other than long-term residential uses, that involves the use of structures subject to the adopted building code(s). Examples of an "establishment" are businesses, churches, schools, libraries, hotels, motels, offices, and hospitals, but "establishment" does not include single-family residential or duplex residential dwellings, manufactured homes, multifamily residential units, residential care facilities, or similar uses. A multifamily residential development is an "establishment" while under construction, but an individual unit within such a development is not an "establishment" after a certificate of occupancy has been issued or a full-time residency begins.

"Feather sign" means a type of wind sign consisting of a flexible or rigid pole to which one side of a flexible fabric, generally in the shape of a feather or similar shape, is attached. Such banners are also known and sold under names which include, but are not limited to, "quill sign," "banana banner," "blade banner," "flutter banner," "flutter flag," "bowflag," "teardrop banners," and others. The definition includes functionally similar display devices.

"Flashing sign" means an illuminated sign which exhibits changing light or color effect by blinking or any other such means so as to provide a nonconstant illumination.

"Front footage of building occupancy" means a single lineal dimension measured horizontally along the front of a building which defines the limits of a particular occupancy at that location.

"General advertising" and "general advertising for hire" mean the displaying of messages that advertise or promote the establishments, activities, or causes of others, typically for a fee or other consideration.

"Height of sign" means the vertical distance measured from the adjacent street grade or upper surface of the nearest curb of a street other than an elevated roadway, whichever permits the greatest height, to the highest point of such sign.

"Indirectly illuminated sign" means a sign whose illumination is derived entirely from an external artificial source which is arranged so that no direct rays of light are projected from such artificial source into residences or streets.

"Monument sign" means a sign which is erected with its base on the ground or on a support substantially equivalent in width and depth to the base of the sign; which incorporates into its design the design and building materials of the building and structures on the same premises that the sign serves.

"Moving sign" means any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement of any description, or other apparent visible movement achieved by electrical, electronic, or kinetic means, including intermittent electrical pulsations, or by actions of wind currents.

"Nonconforming sign" means an existing sign legally existing at the time of the effective date of the ordinance codified in this chapter which does not conform to the provisions of this chapter.

"Off-site sign" means any sign that: (a) is used to display messages other than general advertising for hire; and (b) is not located on the premises of the message sponsor.

"On-site sign" means a sign that: (a) directs attention to an establishment or activity conducted on, or to a product, service, or entertainment sold or offered on, the same premises as those upon which the sign is maintained; and (b) does not display general advertising for hire.

"Portable sign" means any sign not permanently affixed to the ground or a structure on the premises it is intended to occupy.

"Projecting sign" means any sign which is located, in whole or in part, in or over the right-of-way of any street, sidewalk, or alley, or other public thoroughfare. A projecting sign shall also include any sign affixed to or part of a marquee, canopy, or vestibule where such sign is located in or over the street right-of-way.

"Roof sign" means any sign or portion thereof located on or extending over the roof of a building and either supported by the roof or by an independent structural frame. A sign which is attached flat against the wall of a penthouse or other similar roof structure which is part of the enclosed floor area of the building shall not be considered a roof sign.

"Rotating sign" means any sign or portion thereof which physically revolves about an axis.

"Sandwich board sign" means any portable sign that is capable of standing without support or attachment and is hinged or designed to fold up for easy moving by hand. Such signs are generally known as A-frame signs, sandwich signs, or sandwich board signs and typically resemble the letter "A" but may also resemble the letters "T" (upright or inverted) or "U" or "H."

"Sign" means any visually communicative image located on public display and visible from the exterior of any portion of the public right-of-way or other place that is open to passage by the public. It includes every advertising message, announcement, declaration, demonstration, display, projected image, illustration, insignia, surface, statue, object, or space erected or maintained in view of the observer for identification, advertisement, or promotion of the interests of any person, entity, product, or service.

"Sign structure" means a structure of any kind or character, erected, used, or maintained for the primary purpose of supporting a sign.

"Swinging sign" means a sign that is supported by cables against movement due to wind in such a way that, in the event of an emergency such cables may be cut, and the sign swung back against the building and in such a position will continue to be supported by the building with no danger of falling.

"Unilluminated sign" means a sign not illuminated, directly or indirectly, by anything other than ambient light.

"Wind sign" means any sign or portion thereof or series of signs, banners, or other objects designed and fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

17.64.030 Exempt signs.

The signs specified in this section are exempt from the sign permit provisions of this chapter, and the display area of such signs is not to be included in the cumulative display area of signs allowed for any parcel, use, or occupancy.

A. Incidental Small Signs. Unilluminated signs that have a display area not exceeding four (4) square feet; display messages other than general advertising; and do not constitute a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. The cumulative display area of all such signs on a parcel may not exceed one (1) square foot per five (5) linear feet of street frontage.

B. Flags. Flags that display messages other than general advertising; are displayed on private property; and do not constitute a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. The cumulative display area of all flags on a parcel, calculated by measuring one (1) side of each flag, may not exceed one (1) square foot for every three (3) linear feet of street frontage.

C. Interior Signs. Signs located within the interior of any building, or within an enclosed lobby of any building, and signs for and located within the inner or outer lobby, court, or entrance of any theater; provided however, that no sign will be exempt hereunder unless it is designed, located, and intended to be viewed primarily from inside the premises and not from the public right-of-way.

D. Public Parks. Signs within public parks, provided that such signs are displayed in compliance with regulations of the public agency responsible for administration of the parks.

E. Public Schools. Signs within public school property, provided that such signs are displayed in compliance with the regulations of the applicable school district.

F. Community Gardens. Unilluminated signs within community gardens provided that such signs display messages other than general advertising; are located outside of accessible paths of travel; do not exceed six (6) feet in height; do not individually exceed twenty-four (24) square feet in sign display area; and do not constitute a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. The cumulative display area of all such signs on a parcel may not exceed two (2) square feet per five (5) linear feet of street frontage.

G. Farmers' Markets. Unilluminated signs for certified farmers' markets located on property where a certified farmers' market is permitted. Such signs shall be located outside of accessible paths of travel and displayed only on market day and up to twenty-four (24) hours prior.

H. Sandwich Board Signs. Sandwich boards subject to the following:

1. One (1) sign used to display messages other than general advertising is permitted per business.
2. Signs shall have a maximum of two (2) sign faces and a maximum of six (6) square feet per sign face.
3. No sign shall exceed three (3) feet in width or four (4) feet in height when opened for display.
4. Signs must be constructed of durable, weather-resistant materials and shall be professionally executed. Stenciled plywood is not permitted.
5. Location. Signs shall not block accessible paths of travel or inhibit sight distance for ingress and egress.
6. Stabilization. All signs shall be freestanding and be able to withstand wind gusts or must be removed during inclement weather. Signs shall not be secured to structures, landscape trees, benches, or any other features.
7. Daily Removal. The sign shall be removed at the close of business each day.
8. Liability. Each person or entity that displays a sandwich board sign on a city sidewalk is solely responsible for all injuries and damage caused by the sign and shall indemnify the city against all liabilities, claims, demands, damages, and costs arising in any way from the sign.

I. Sponsorship Signs for Electric Vehicle Charging Stations (EVCS). Signs affixed to a structure or apparatus that provides the public with access to subsidized, non-proprietary charging of electric vehicles and located on city property under an agreement between the city and the owner of the structure or apparatus.

1. Each such structure or apparatus (an "EVCS") may have up to two (2) sponsorship signs that display instructions for use of the EVCS and identify the sponsor(s).

2. Each sponsorship sign for an EVCS must comply with all of the following:

   a. The display area of each sign may not exceed eight (8) square feet;

   b. Any illumination must be from a light source within the sign;

   c. The sign may not use digital display technology;

   d. The sign must comply with subsection (F) of Section 17.64.120 (Construction standards);

   e. General advertising may not be displayed;

   f. The sign must not constitute a nuisance or hazard to vehicular traffic, pedestrians, or adjacent property; and

   g. The sign must satisfy all requirements, conditions, and restrictions in the agreement between the city and the owner of the structure or apparatus.

J. Temporary Signs. Signs that meet the following criteria are exempt temporary signs:

1. Residential Zoning Districts. In the R-R, R-1-10, R-1-12, R-2, R-3, and M-H districts, temporary signs are allowed on any developed or undeveloped parcel provided the cumulative display area of all temporary signs on the parcel does not exceed twelve (12) square feet.

2. Town Center Zoning District. In the T-C district, temporary signs are allowed on any developed or undeveloped parcel provided the cumulative display area of all temporary signs on the parcel does not exceed twenty-four (24) square feet.

3. General Commercial and Manufacturing Zoning Districts. In the G-C and M districts, temporary signs are allowed on any developed or undeveloped parcel provided the cumulative display area of all temporary signs on the parcel does not exceed forty-eight (48) square feet.

4. A temporary sign shall not be illuminated except by ambient light, exceed six (6) feet in height, or be displayed on a parcel more than a total of ninety (90) days in a calendar year.

5. A temporary sign may be staked in the ground; may be tacked, pasted, or otherwise temporarily affixed to legally existing fences, structures, and buildings; and may be taped, painted, or otherwise temporarily affixed to the interior or exterior surfaces of building windows.

6. A temporary sign may not be located within or over the public right-of-way, except as approved by the city council.

K. Underground Utilities. Signs by utility providers to mark the presence of underground facilities or utilities for public safety.

17.64.040 Prohibited signs.

No person shall erect, alter, or relocate any sign of the type specified in this section.

A. Traffic Hazards. No sign shall be permitted at the intersection of any street in such a manner as to obstruct free and clear vision of motor vehicle operators or at any location where by reason of its position, shape or color it may interfere with or be confused with any authorized traffic sign, signal, or device or which makes use of a word, symbol, phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.

B. Animated and Intensely Lighted Signs. No sign shall be permitted which is animated by means of flashing, scintillating, blinking, or traveling lights or any other means not providing constant illumination. No sign shall be permitted which because of its intensity of light constitutes a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties.

C. Moving Signs. No sign or any other portion thereof shall be allowed that moves or assumes any other motion constituting a nonstationary or fixed condition.

D. Outline Tubing. Outlining of a building or structure by means of exposed neon tubing, exposed incandescent lighting, or other artificial lighting, or an equivalent effect is prohibited.

E. Off-Site Signs and Billboards. Notwithstanding any contrary provision of this chapter, the construction, erection, installation, and use of new off-site signs and billboards is prohibited, subject to the following:

   1. This section does not prohibit the city from entering into relocation agreements regarding existing billboards, as authorized by Section 17.64.090 (Nonconforming signs and uses) and state law.

   2. This section does not affect billboards that legally existed on the effective date of the ordinance codified herein, were legal when constructed; and are in conformance with all applicable laws. This section also does not affect the city's ability to condemn any existing billboards.

   3. This section does not affect billboards constructed on or after the effective date of the ordinance codified herein, under a relocation agreement authorized by Section 17.64.100 (Relocation of off-site signs pursuant to relocation agreements) and state law.

F. Parking of Advertising Vehicles Prohibited. No person shall park any vehicle or trailer on a public right-of-way or public property or on private property so as to be visible from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property. This section is not intended to apply to standard advertising or identification practices where such signs or advertising devices are painted on or permanently attached to a business or commercial vehicle.

G. Emission of Sound, Odor, or Visible Matter. No advertising sign or device shall be permitted which emits audible sound, odor, or visible matter.

H. Fixed Balloon Signs. The use of a fixed balloon within the city as a sign is prohibited. The term "fixed balloon" shall mean any lighter-than-air or gas-filled balloon attached by means of a rope or tether to a definite or fixed location.

I. Miscellaneous Signs and Posters. The tacking, painting, pasting, or otherwise affixing of signs or posters of a miscellaneous character, visible from a public way, located on the walls of a building, barns, sheds, on trees, poles, posts, fences, or other structures is prohibited.

J. Public Areas, Removal, Liability for Costs. No sign shall be allowed that is located on any curb, sidewalk, post, pole, electrolier, hydrant, bridge, tree, or other surface located on public property or over or across any street or public thoroughfare except as may otherwise expressly be authorized by this chapter.

1. Any sign found located, posted, or otherwise affixed upon any public property contrary to the provisions of this section may be removed by any company, organization, or individual owning or responsible for maintaining that property, or by the city. Notwithstanding the provisions of Section 17.64.110 (Removal and disposition of signs by city), no advance notice or hearing shall be required. The person responsible for any such illegal placement, posting, or affixing shall be liable for the costs incurred in the removal thereof, and the city clerk is authorized to effect the collection of any removal costs incurred by the city. Any such sign may be disposed of in any manner deemed appropriate by the person who removes it.

2. Removal Costs. For purposes of this section, the following persons are responsible for placing a sign and to pay removal costs:

    a. The person whose name, address, or contact information appears as the sponsor or promoter of the activity or event referred to on the sign;

    b. The person whose name, address, or contact information appears as the person to contact on the sign;

    c. The owner, or lessee if the property is leased, of property used for a commercial activity or event advertised on the sign;

    d. The promoter or sponsor of any activity or event to which the sign refers;

    e. The candidate named on a sign which promotes a candidate for public office;

    f. The real estate broker, agent, brokerage firm, or other person whose name or telephone number appears on a sign advertising property for sale, lease, or rent;

    g. The owner, or lessee if the property is leased, of property used for a yard or garage sale advertised on the sign.

3. Any person responsible for paying removal costs may avoid such liability by demonstrating that they did not cause, authorize, permit, encourage, direct, recommend, or approve the posting of the sign on public property.

K. Other Prohibited Signs. Except as otherwise provided in this chapter, the following signs are prohibited:

1. Pennants, streamers, bunting, and wind signs other than feather signs.

2. Signs that are located on or project over the roof of a building or structure.

    a. Notwithstanding the above, a conditional use permit for a roof sign may be granted by the city council, following application and public hearing.

3. Off-site signs and signs displaying general advertising for hire.

4. Statues, real or simulated, utilized for advertising purposes.

5. Sidewalk clocks.

17.64.050 Sign permits.

A. Sign Permit Required. Except as otherwise provided in this chapter, it is unlawful for any person to erect, alter, install, or relocate, or to direct or order a person in their employ to erect, alter, install, or relocate, a sign within the city without first obtaining a sign permit or permits from the city clerk.

B. Permission of Property Owner. No person shall erect, construct, or maintain any sign upon any property or building without the consent of the owner, person entitled to possession of the property or building if any, or their authorized representatives.

C. Application for a Sign Permit. An application for a sign permit must be submitted to the city clerk upon a form provided by the city, must be accompanied by payment of all required fees, and must include the following information and documents:

1. Drawings to scale indicating the sign location, dimensions, and construction; the associated electrical wiring and components; and the method of attachment and the character of structural members to which the sign will be attached. The city clerk may also require that the applicant furnish additional information and documents, prepared by an engineer who is registered under the California Professional Engineers Act, concerning the structural design and proposed attachments.

2. Any permits or other entitlements required under this title or required by other governmental entities with jurisdiction (e.g., Caltrans).

3. Any other information and documents the city clerk may need to determine whether the proposed sign complies with all applicable laws and regulations.

D. Issuance of Sign Permits.

1. Within thirty (30) days after submission of an application for a sign permit, the city clerk shall do one of the following:

a. If the city clerk determines that the proposed sign complies with all applicable laws and regulations, then the city clerk shall issue the permit.

b. If the city clerk determines that the application is incomplete or that the proposed sign does not comply with all applicable laws and regulations, then the city clerk shall issue a notice to the applicant that identifies the deficiencies. Within thirty (30) days after receiving the notice, the applicant may correct the deficiencies and resubmit the application without paying any additional fees, and the city clerk shall process the resubmission in the same way that new applications are processed. Only one (1) resubmission is allowed. If the city clerk determines that a resubmitted application is still incomplete or that the proposed sign still does not comply with all applicable laws and regulations, then the application will be deemed denied.

2. An application will be deemed denied if the city clerk does not act on it as required by subsection (D)(1) of this section within thirty (30) days after the application is submitted or resubmitted unless the applicant has waived the thirty (30)-day requirement.

3. Every sign permit issued by the city clerk will expire if the work authorized by the permit is not commenced within sixty (60) days after the issuance date of the permit or if the work is suspended or abandoned for one hundred twenty (120) consecutive days or more after the work is commenced. Before the work may be commenced or resumed after expiration, a new permit must first be obtained, and the fee therefor will be one-half (0.5) the amount required for a new permit for the work, except as follows: if

changes have been made or will be made in the original plans and specifications for the work, or if the suspension or abandonment exceeds one (1) year, then the fee will be the same as the fee for a new permit.

4. The city clerk may, in writing, suspend, or revoke a sign permit whenever the permit is issued on the basis of a material omission or misstatement of fact or in violation of this chapter or any ordinance.

5. When deciding whether to issue, deny, suspend, or revoke a permit, the city clerk shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

E. Effect of Issuance. No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance.

F. Fees. Permits shall be subject to such fees as are specified by resolution of the city council; provided, however, that the minimum fee for a permit exclusive of any permit costs for electrical components, shall be as established by resolution of the city council. In addition, when any sign is hereafter erected, located, installed, or otherwise established on any property prior to obtaining permits as required by this chapter the fees therefor shall be doubled, but the payment of such double fee shall not relieve any person from complying with other provisions of this chapter or from penalties prescribed herein.

G. Inspection of Signs.

1. A person or entity that erects, alters, installs, or relocates a sign shall notify the city clerk within three (3) business days after completion of the work for which a sign permit or permits have been issued.

2. Upon receiving the notice, the city clerk shall inspect the sign and notify the person or entity that erected, altered, installed, or relocated the sign of any deficiencies. If all identified deficiencies are not cured to the city clerk's reasonable satisfaction within ten (10) days after the notice of deficiencies, then the city clerk may, in writing, suspend or revoke the sign permit.

17.64.060 Regulations applicable to zoning districts.

A. General. The regulations in this section are adopted governing the number, size, type, location, and other provisions relating to signs within the various zoning districts of the city as the zoning districts are established and designated by this title. No signs shall be allowed in these zoning districts unless allowed by this chapter or unless such signs comply with the regulations established in Section 17.64.090 (Nonconforming signs and uses).

B. Residential Zoning Districts. In the R-R, R-1-10, R-1-12, R-2, R-3, and M-H districts, signs are allowed as follows:

1. For each single-family residential, duplex residential, dwelling group, residential care home, small employee housing, farmworker housing, supportive housing, or transitional housing, one (1) unilluminated, attached sign not exceeding a combined display area of one (1) square foot per occupancy.

2. For dormitories, one (1) unilluminated, attached sign not exceeding eight (8) square feet of display area.

3. For multifamily residential, one (1) attached or detached sign, of not more than five (5) square feet per dwelling unit, up to a maximum of twenty-five (25) square feet of display area.

4. For residential care facilities, one (1) attached or detached sign not exceeding twenty-five (25) feet of display area.

5. For a meeting place at which the public or membership groups are assembled regularly or occasionally, such as places of worship and religious assembly, private schools, and similar uses, one (1) attached or detached sign not exceeding thirty-two (32) square feet of display area, plus one (1) additional attached sign not exceeding eight (8) square feet of display area.

6. For bed and breakfast inns, one (1) unilluminated, attached sign not to exceed six (6) square feet of display area.

7. For all other nonresidential uses in the residential districts, one (1) unilluminated, attached sign not to exceed twelve (12) square feet of display area.

8. Attached signs in the residential districts shall be located flat against a building, fence, or wall or be designed as part of an architectural feature thereof. No height limit is specified for attached signs provided the sign complies with all other provisions of this chapter.

9. Detached signs in the residential districts shall meet the following requirements:

    a. Detached signs shall be a monument type sign with a maximum height of four (4) feet or incorporated into a low-profile decorative entry wall(s). If the detached sign is located on a free-standing base, a double-faced sign is allowed. If the detached sign is affixed flat against an entry wall, one (1) single-faced sign on each side of the driveway is allowed.

    b. A detached sign may be located in a front yard or exterior side yard setback area; however, it must be located farther than five (5) feet from the public right-of-way.

C. Town Center Zoning District.

1. In the T-C district, residential uses shall be allowed signs as provided in subsection (B) of this section.

2. In the T-C district, nonresidential uses and vertical mixed-use developments shall be allowed signs as follows:

    a. Attached signs located flat against the front of the building or located on, attached to, or an integral part an architectural projection not to exceed a total aggregate display area of three (3) square feet of display area per lineal foot of building frontage, up to a maximum of one hundred fifty (150) square feet of display area.

    b. One (1) sign attached flat against the side or rear of the building or located on, attached to, or an integral part an architectural projection, not to exceed one (1) square foot of display area for every lineal foot of building frontage, up to a maximum of forty (40) square feet, when such side or rear faces a public parking lot or street.

    c. One (1) attached projecting sign located perpendicular to the front of the building per occupancy not to exceed one (1) square foot per each front foot of building occupancy.

d. One (1) detached sign not to exceed two (2) square feet of display area per lineal foot of building frontage, up to a maximum of one hundred fifty (150) square feet of display area.

e. For a permitted use that includes drive-through sales or service, two (2) additional signs, not to exceed thirty-two (32) square feet in area per sign, provided such signs are located within or adjacent to a drive-through lane and are substantially screened from view of public rights-of-way.

f. The maximum combined sign display area for all signs shall not exceed four (4) square feet per each lineal foot of building frontage.

g. Height limits.

i. Attached and detached signs: Twenty (20) feet.

ii. Notwithstanding the above, a conditional use permit for signs taller than the established height limits may be granted by the city council, following application and public hearing.

D. General Commercial and Manufacturing Zoning Districts. Within the G-C and M districts, signs are subject to the following regulations:

1. In the G-C district, residential uses shall be allowed signs as provided in subsection (B) of this section.

2. In the G-C and M districts, nonresidential uses and mixed-use developments shall be allowed signs as follows:

a. Attached signs located flat against the front of the building or located on, attached to, or an integral part an architectural projection not to exceed a total aggregate display area of three (3) square feet of display area per lineal foot of building frontage, up to a maximum of two hundred (200) square feet of display area.

b. One (1) attached sign located flat against the side or rear of the building, not to exceed (2) square feet of display area for every lineal foot of building frontage, up to a maximum of one hundred (80) square feet of display area, when such side or rear faces a public parking lot or street.

c. One (1) detached sign per building, not to exceed one (1) square foot of display area for every lineal foot of building frontage, up to a maximum of two hundred (200) square feet of display area per building. Automobile service stations are allowed additional signs on fuel pumps, provided such signs are located in compliance with state law.

d. For a permitted use that includes drive-through sales or service, two (2) additional signs, not to exceed thirty-two (32) square feet in area per sign, provided such signs are located within or adjacent to a drive-through lane and are substantially screened from view of public rights-of-way.

e. The maximum combined display area for all signs may not exceed four (4) square feet per each lineal foot of building frontage.

f. Height limits:

i. Attached signs: Twenty (20) feet.

ii. Detached signs: Thirty (30) feet.

iii. Notwithstanding the above, a conditional use permit for signs taller than the established height limits may be granted by the city council, following application and public hearing.

17.64.070 Regulations applicable to all land uses.

The signs permitted by this chapter shall be subject to the additional requirements, conditions, and exceptions specified in this section.

A. Combining Allowances. On buildings having more than one (1) street frontage or occupancy, the maximum allowable number and square footage of attached signs is not transferable either in whole or in part from one (1) street frontage to another nor from one (1) occupancy to another occupancy.

B. General Provisions Relating to Location.

1. No sign shall be located nearer than five (5) feet to an interior property line nor shall any sign be located nearer than five (5) feet to any common wall or other point common to two (2) separate occupancies on the same parcel. This regulation does not apply to signs painted on or otherwise attached flat against the wall or architectural projection of a building on the same parcel.

2. A sign may be located within or project into a required front or exterior side yard setback area. However, no sign may project into or over an abutting public right-of-way except as otherwise provided in this chapter.

C. Corner Lots.

1. When a sign is erected at the street intersection corner of the parcel, or at the intersection of a building front, and is situated at an angle so as to be visible from both streets or both frontages, such sign shall not exceed the maximum display area allowed for the longest street footage or building occupancy.

2. When a detached sign is erected within the front or exterior side yard setback area of a corner lot, placement of said sign shall maintain a clear vision triangle for the intersection. The sign shall also be located a minimum of twenty (20) feet from all other detached signs unless both signs have been incorporated into a low-profile decorative entry wall.

D. Access Regulated. No sign or its supporting members shall be erected, altered, or relocated so as to interfere with or restrict access to a window or other opening in a building in such manner as to unduly limit air circulation or obstruct or interfere with the free use of a fire escape, exit, standpipe, stairway, door, ventilator, or window or similar opening, provided, however, that the city clerk may approve a swinging sign or other form of sign or its attachment, when, in their judgment, such sign will not restrict access to such openings.

E. Sign Clearance. No permit for any sign shall be issued and no sign shall be constructed or maintained which has less horizontal or vertical clearance from communications lines and energized electrical power lines than that prescribed by the laws of the state of California or rules and regulations duly promulgated by agencies thereof.

F. Sign Illumination. The following regulations shall apply to sign clearance and sign illumination:

1. All illuminated signs in the residential zoning districts shall be indirectly illuminated. Directly illuminated signs are allowed in the residential districts subject to approval of a conditional use permit.

2. In all other zoning districts illuminated signs may be of direct or indirect illumination subject to the following:

    a. Signs directly illuminated with exposed neon tubing, exposed incandescent lighting, or other artificial lighting shall be subject to issuance of a conditional use permit.

    b. When internally illuminated, only internal illumination protected by a plastic face or other acceptable material shall be permitted.

G. Location and Depth of Flat Signs. Signs located flat against a building must be erected parallel thereto and the outside face of such sign may extend no more than eighteen (18) inches from the wall of such buildings.

H. Signs on Parapet Walls, Sloping and Shed Roofs. The following regulations shall apply to the location and height of signs on parapet walls and various roof structures.

1. Parapet Wall. A sign may be attached to the face of a parapet wall but may not be located so as to extend more than twenty-four (24) inches above the highest point of such parapet wall.

2. Sloping Roof. A sign may be attached to the fascia of or located on the sloping roof of a structure but may not be located so as to extend more than twenty-four (24) inches above the upper edge of the fascia of such sloping roof.

3. Shed Roof. A sign may be attached to the fascia of a shed roof of a structure but may not be located so as to extend more than twenty-four (24) inches above the lower edge of the fascia of such shed roof.

I. Detached Signs.

1. Monument Type Signs. The primary material of the monument base or wall shall be decorative masonry or similar material which compliments the design of the main building(s). Backlit canned plastic signs are not allowed.

2. Number of Panels. A detached sign may consist of more than one (1) sign panel provided all such sign panels are attached to one (1) common integrated sign structure. The total display area of all such panels shall not exceed the maximum allowable display area specified for a detached sign on the parcel. Where a sign message consists of separated or individual letters, modules, or symbols, each portion of such sign message shall not be considered as a one (1) sign panel. In such cases, a single continuous perimeter completely surrounding the sign message shall be utilized to determine its display area.

3. Projection Over Public Right-of-Way. No detached sign shall project over a public right-of-way except in compliance with subsections (J) and (K)(2) of this section.

4. Projection Over Canopy. A detached sign supported by a sign structure which is imbedded in the ground and independent of a canopy for structural support, may project over a canopy. This section shall not be deemed to allow a detached sign to be located over, in whole or in part, the roof of a building. A detached sign which projects over a canopy shall comply with all other applicable regulations of this chapter.

5. Minimum Clearance. Except for monument type signs, a detached sign shall have a minimum clearance of ten (10) feet between the ground surface and the bottom of the sign, provided that the minimum clearance standard shall not apply if the sign is located in an area not accessible to pedestrian or vehicular traffic, the sign is located at least ten (10) feet from any property line and ten (10) feet from the edge of any

driveway entrance, and the sign will not obstruct free and clear vision of motor vehicle operators.

6. Embellishment. On detached signs the sign structure may extend above the maximum allowable height of the sign for embellishment purposes. Under no circumstances, however, may such extension exceed twenty (20) percent of the maximum allowable height for the sign or include any commercial or non-commercial text, logos, or trademarks.

J. Signs Projecting Over Public Right-of-Way.

1. Revocable Permit.

   a. All rights and privileges acquired under the provisions of this chapter, permitting the erection or maintenance of signs over sidewalks or public rights-of-way are mere licenses, revocable at any time without compensation with or without cause, by the city council and all such permits shall contain this provision.

   b. If the city council elects to revoke any such license, it shall give notice of such revocation to the permittee or owner of the property on which the sign is situated and the address shown on the permit or, in the case of the owner, at the address shown on the last equalized assessment roll, and shall afford the owner a period of not less than fourteen (14) days within which to remove the sign or to reconstruct it in such a manner that it does not protrude over the public right-of-way.

   c. If the permittee or owner fails to remove the sign within the period prescribed by the council, it shall be removed by the code enforcement officer in the manner provided for in Section 17.64.110 (Removal and disposition of signs by city).

2. Projecting Signs Must Be Double-Faced. All projecting signs must be double-faced except signs located flat against a building or projecting V-shaped signs attached to a building at the open points of the V. Double-faced signs shall have a minimum of two (2) inches and a maximum of twenty-four (24) inches between faces. The faces of such signs shall be fastened to an incombustible metal frame of such construction as to adequately support the sign faces.

3. Maximum Distance of Projection. An attached sign placed flat against the building may project over a public right-of-way a distance not exceeding eighteen (18) inches. Signs on architectural projections extending over a public right-of-way may project a distance not exceeding six (6) feet. All other attached projecting signs may project over a public right-of-way a distance of not more than three (3) feet; provided, however, no projecting sign shall have an over-all horizontal length in excess of eight (8) feet.

4. Maximum Display Area. Except for flat wall signs, any attached sign which projects over a public right-of-way shall not exceed a total display area of one hundred fifty (150) square feet.

5. Minimum Height Above Sidewalk. Except as otherwise provided in this chapter, no projecting sign shall be erected, altered, or relocated over a public right-of-way unless the bottom of the sign is ten (10) feet or more above the sidewalk.

6. Distance From Wall. No attached projecting sign shall be erected, altered, or relocated a distance of greater than eighteen (18) inches between the face of the building or structure wall to which it is attached and the nearest point of the sign.

7. Angle of Projection. A sign which projects over a public right-of-way may have the faces of the sign set at any angle to the building face. However, the maximum allowance projection is determined by measurement at a right angle to the building face.

8. Location and Projection Above Alleys. A sign which projects into or above a public alley shall be located not less than fourteen (14) feet above the alley grade and shall not project more than twelve (12) inches from the building face.

9. Materials. All projecting signs in excess of four (4) square feet of display area shall be constructed of noncombustible material, or of fire-retardant material approved by the city clerk.

K. Signs on Architectural Projections.

1. General. Signs may be located above or below an architectural projection of a building and may be supported by said architectural projection when such projection is designed to carry the additional weight of such signs, subject to the following:

   a. Such signs, if illuminated, shall be double-faced signs, with a minimum of two (2) inches and a maximum of twenty-four (24) inches between faces. No exposed tubing or incandescent lamps are allowed. All such lighting devices shall be protected by acceptable shatterproof material.

   b. Any sign attached to or located on an architectural projection shall be located not less than eight (8) feet above a sidewalk, walkway, surfaced area, or ground level below such sign.

   c. No sign may be erected on or attached to an architectural projection in such a manner as to constitute a hazard to firefighters or other emergency responders climbing a ladder located against such architectural projection.

2. Architectural Projections Extending Over a Public Right-of-Way. In addition to the general requirements in subsection (K)(1) of this section, the following regulations shall apply to signs which are located on, attached to, or which are integral parts of, an architectural projection which extends over a public right-of-way.

   a. No sign attached to or which is an integral part of the face of an architectural projection shall extend above or below the face of such projection.

   b. A sign erected on top of an architectural projection shall not exceed a maximum height of two (2) feet above the upper edge of such projection.

   c. A sign may be located entirely below and supported by an architectural projection of a building shall not exceed six (6) feet in length or sixteen (16) inches in height. Such signs shall not project beyond the face of the architectural projection or more than eight (8) feet from the face of the building.

3. Architectural Projections not Extending Over a Public Right-of-Way. In addition to the general requirements in subsection (K)(1) of this section, the following regulations shall apply to signs which are located on, attached to, or are an integral part of an architectural projection which does not extend over a public right-of-way:

   a. A sign which is attached to or which is an integral part of the face of an architectural projection may extend a maximum of four (4) feet above or below the face of such projection.

b. A sign erected on top of an architectural projection may not exceed a height of four (4) feet above the upper edge of the fascia of such projection.

L. Signs Located on Awnings or Canopies. Signage on any awning or canopy erected and maintained in accordance with this code may be painted, located, or installed only on the hanging border of the awning or canopy; and shall comply with all other appropriate provisions of this chapter.

M. Moving, Relocating, or Altering Signs.

1. No existing sign may be moved or relocated to any other parcel, building, structure, or portion thereof, unless such sign complies in its new location with all other provisions of this chapter, or is altered so as to comply therewith. No existing sign may be moved or relocated on the same parcel, building, structure, or portion thereof, unless such sign also complies with all other provisions of this chapter, or is altered so as to comply therewith.

2. No existing sign may be altered unless such sign, after alteration thereof, complies with all other provisions of this chapter.

17.64.080 Special signs.

A. Construction-Site Signs. In any zoning district, one unlighted sign per development not to exceed thirty-two (32) square feet of display area, may be located on the lot or attached to the outside of a building during its construction period.

B. Temporary Signs on Undeveloped Land.

1. Residential and Mixed Use Zoning Districts. If a parcel in the R-R, R-1-10, R-1-12, R-2, R-3, M-H, or T-C district is undeveloped, then, in addition to the temporary signs allowed by subsection (J) of Section 17.64.030 (Exempt signs), one (1) unilluminated, temporary sign is permitted per three hundred (300) feet of lot frontage that does not exceed four (4) feet by six (6) feet in dimension and twenty-four (24) square feet of display area is allowed if it is authorized by a sign permit issued under Section 17.64.050 (Sign permits). The sign(s) may display general advertising, may be up to six (6) feet in height, and may be displayed for up to one (1) year from the issuance date of the sign permit. When the permit expires, at least ninety (90) days must pass before another permit for such a sign may be issued.

2. General Commercial and Manufacturing Districts. If a parcel in the G-C or M district is undeveloped, then, in addition to the temporary signs subsection (J) of Section 17.64.030 (Exempt signs), one (1) unilluminated, temporary sign per three hundred (300) feet of lot frontage that does not exceed eight (8) feet by eight (8) feet in dimension and sixty-four (64) square feet of display area is allowed if it is authorized by a sign permit issued under Section 17.64.050 (Sign permits). The sign may display general advertising, may be up to ten (10) feet in height, and may be displayed for up to one (1) year from the issuance date of the sign permit. When the permit expires, at least ninety (90) days must pass before another permit for such a sign may be issued.

C. Neighborhood Signs. In any zoning district, a sign, masonry wall, landscaping, and other similar materials or features may be combined to form a display for neighborhood or tract sign provided a conditional use permit has been granted by the city council in accordance with Section 17.64.150 (Use permits).

D. Cemetery Signs. In any zoning district, two (2) attached and/or detached signs, of which no display face shall exceed one hundred (100) square feet. A double-faced sign shall be

counted as two (2) signs, provided that the limitation of one hundred (100) square feet shall apply to each face separately.

E. Signs to be Designed as Integrated Architectural Features. In order to encourage and promote a harmonious relationship between buildings and signs, the city council shall have the authority to issue a conditional use permit in accordance with Section 17.64.150 (Use permits) for signs which are designed into and are a part of an integrated architectural feature of a building where the strict application of the provisions of this chapter would otherwise prohibit such signs.

F. Signs for Shopping Centers. Signage for shopping center uses shall comply with the following standards:

1. Maximum Signage. Attached signs shall have a maximum display area of one (1) square foot per front foot of first-floor building occupancy provided that in no event shall the total display area of attached signs exceed two hundred (200) square feet.

2. Number of Signs. One (1) sign per building and no more than two (2) signs per site to be located above twenty (20) feet in height.

3. Prohibited Signs. No attached sign shall in any manner identify a specific product(s) to be sold on the site. Sign may consist of a company logo and/or a company name only.

4. Materials and Design. All attached signs shall be constructed in a manner which is compatible with the design and materials of the structure on which it is to be affixed.

5. Review and Approval. Proposed signs shall require a conditional use permit pursuant to Section 17.64.150 (Use permits).

17.64.090 Nonconforming signs and uses.

A. Signs for Legal Nonconforming Uses. Subject to the provisions of this section, signs for a legal nonconforming use are allowed. Signs for a legal nonconforming use shall be deemed to comply with the provisions of this chapter if they comply with the sign regulations for the most restrictive zoning district which permits the nonconforming use as an allowed use. Such signs shall be allowed only so long as the nonconforming use is allowed. Any such sign legally existing on the effective date of the ordinance codified herein, but which does not comply with the regulations of this chapter shall be deemed to be a nonconforming sign under the provisions of this chapter and shall be subject to alteration or removal in accordance with the provisions of subsection (B) of this section. Notwithstanding any provision to the contrary herein, no new or additional detached sign after the effective date of the ordinance codified herein, for a nonconforming use shall be allowed. The owner of the property on which the sign is located shall have the primary responsibility for removing the signs required to be removed or altered under this section.

B. Alteration or Removal of Nonconforming Signs.

1. At no cost to the city, signs existing on the effective date of the ordinance codified herein and rendered nonconforming by adoption of the ordinance codified herein shall be removed, or altered so as to comply with the provisions of this chapter, within the following time limits:

a. Within one (1) year from the effective date of the adoption of the ordinance codified herein:

i. Signs that interfere with the clear vision triangle of an intersection.

ii. "A" frame signs.

iii. Portable signs on advertising vehicles.

iv. Canvas signs, banners, flags, pennants, streamers, bunting, and wind signs other than feather signs.

b. Within three (3) years after the effective date of the ordinance codified herein:

i. Animated signs.

ii. Moving signs.

iii. Signs emitting sound, odor, or visible matter.

iv. Statuary or representative figures used for advertising purposes.

v. Signs with exposed neon tubing, incandescent lighting, or other artificial lighting except as otherwise provided in subsection (F)(2)(a) of Section 17.64.070 (Regulations applicable to all land uses).

vi. Signs in excess of the number of signs specified in this chapter.

c. Within five (5) years from the effective date of the ordinance codified herein:

i. Projecting signs.

ii. Signs and sign structures exceeding the maximum permitted height.

iii. Roof signs except as otherwise provided in subsection (K)(2)(a) of Section 17.64.040 (Prohibited signs).

2. Signs in excess of the display area allowance specified in this chapter, off-site signs, and billboards existing at the time of adoption of the ordinance codified herein, and rendered nonconforming by adoption of the ordinance codified herein, may remain. However, the structure of such off-site signs and billboards may not be modified or relocated except as otherwise provided in this chapter.

C. Notice of Nonconforming Signs. Upon the effective date of the ordinance codified in this section, the code enforcement officer shall compile a list of signs in existence on the effective date of the ordinance codified in this section which are required to be removed or altered so as to comply with the provisions of subsection (B) of this section and with this chapter. Upon the completion of such list, the code enforcement officer shall notify by mail the owners of property upon which such signs are located that compliance with this section is required within the time limit specified. For the purpose of notification, the last known name and address of the owner or owners of the property involved shall be used as shown on the last equalized assessment roll. Notification of the owners of the property involved shall be deemed to be notification of the owners of the signs involved, unless the name and address of the owner of the sign appears thereon, in which event notice will be sent to such sign owner. Notwithstanding any provision to the contrary herein, failure to notify the owner of the property or sign or the failure of such owner to receive such notice shall not relieve such owner of the duty to comply with the provisions of subsection (B) of Section 17.64.090 (Nonconforming signs and uses) regarding the alteration or removal of nonconforming signs.

D. Signs Hereafter Rendered Nonconforming. Any sign which becomes nonconforming subsequent to the effective date of the ordinance codified in this chapter, either by reason of annexation to the city of the territory upon which the sign is located, or the amendment of this chapter, this title, or other provision of this code so as to render such sign nonconforming shall be subject to the provisions of this section. The period within which such sign must be

removed shall commence to run upon the effective date of the annexation, amendment, or the date upon which the sign otherwise becomes nonconforming.

17.64.100 Relocation of off-site signs pursuant to relocation agreements.

A. Purpose. The purpose of relocation agreements approved pursuant to this section is to allow for the removal and relocation of existing, nonconforming off-site signs to new and different locations, and to enable the substitute of off-site signs meeting modern standards for such existing, nonconforming, off-site signs. For purposes of this section "off-site sign" and its variants includes "billboards", and "relocation" includes the removal of existing nonconforming, off-site signage and the construction of new replacement off-site signage or alteration of existing off-site signage, subject to compliance with the requirements of this section.

B. Off-Site Signs Pursuant to Relocation Agreement. Notwithstanding provisions of this chapter to the contrary, a new or relocated off-site sign that does not comply with all of the requirements of this chapter may be allowed pursuant to a relocation agreement approved by the city council pursuant to this section, subject to the requirements and procedures set forth below.

C. Applicability. Any legal, nonconforming off-site sign may be considered as a candidate for relocation pursuant to a relocation agreement as provided in this section. Such off-site signs may be relocated to a new site or relocated on the present site only in accordance with this section.

D. Procedure. Relocation agreements may be approved by the city council upon recommendation of the city council. Applications for relocation agreements shall be publicly noticed and heard before the city council and city council in accordance with the procedures established for use permits pursuant to Section 17.64.150 (Use permits).

E. Application—Property Owner's Consent or Indemnity. To the extent the applicant is not the owner of the property on which the nonconforming, off-site sign proposed for relocation is located, or is not the owner of the property to which the nonconforming, off-site sign will be relocated, the applicant shall, either at the time of application, either provide documentation of the consent of the owner(s) to the application or, agree to indemnify the city against any and all claims from owner(s) concerning the processing and approval, should approval occur, of the relocation agreement application.

F. Requirements for Relocated Off-Site Signs. The off-site sign(s) approved for relocation pursuant to a relocation agreement under this section shall comply with the requirements of this chapter, except as specifically provided below:

1. Size. The maximum size of an individual off-site sign relocated pursuant to a relocation agreement shall not exceed seven hundred (700) square feet;

2. Distance Between Off-Site Signs. Except as prohibited by the California Outdoor Advertising Act, off-site signs may be located at or greater than two hundred fifty (250) feet from another off-site sign on the same side of the street; and to the extent an off-site sign is located on one (1) street but is oriented to be viewed from another street, no such sign shall be located nearer than two hundred fifty (250) feet to any other off-site sign on the same side of the street on which it is located or any other off-site sign located on the nearest side of the street to which said sign is oriented.

3. Zoning. Lawfully existing, nonconforming off-site signs may be altered, modified, or relocated in the same location, regardless of zoning, pursuant to a relocation agreement.

4. Reduction in Number of Signs and Square Footage. No relocation agreement shall be approved unless the relocation agreement results in a net reduction in the number of off-site signs lawfully allowed and a net reduction in the total square footage of off-site signage lawfully allowed.

5. Consistency with Outdoor Advertising Act. In addition to complying with the other requirements set forth in this section, the relocated off-site sign must also comply with the requirements of the Outdoor Advertising Act, Chapter 2 in Division 3 of the California Business and Professions Code, including, but not limited to, the restrictions on size, height, proximity to highways and interstates, and other regulations set forth in Articles 7 and 8 of the Act. To the extent any conflict arises between this section and the Outdoor Advertising Act, the Outdoor Advertising Act will prevail.

6. Findings. A relocation agreement may be approved if the council makes the following findings concerning the signage proposed for relocation pursuant to the relocation agreement;

    a. The relocated signage complies with the purpose and requirements of this section and this chapter;

    b. The relocated signage is compatible with the uses and structures on the site and in the surrounding area, including parks, trails, and other public facilities and amenities;

    c. The relocated signage will not interfere with on-site access, circulation, or visibility;

    d. The relocated signage will not create a traffic or safety hazard;

    e. The relocated signage will not result in any undue or significant increase in visual clutter in the area surrounding the site.

7. Removal of Existing Off-Site Sign. The off-site sign(s) approved for relocation must be removed from the original location prior to construction or installation of the off-site sign(s) authorized by the relocation agreement.

17.64.110 Removal and disposition of signs by city.

A. Removal of Signs by Code Enforcement Officer.

1. The code enforcement officer shall remove or cause to be removed any abandoned, dangerous, defective, illegal, prohibited, nonconforming sign subject to removal under the provisions of Section 17.64.090 (Nonconforming signs and uses) which has not been removed within the time period specified in such Section 17.64.090, or any other sign maintained in violation of the provisions of this chapter. The code enforcement officer shall prepare a notice which shall describe the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within ten (10) days the sign shall be removed in accordance with the provisions of this section.

2. For signs described under the provisions of subsection (A) of Section 17.64.090 the notice shall be mailed or given to the occupant of the property or their employee or representative upon which the sign is located.

3. For all other signs the notice shall be mailed to the owner of the property on which the sign is located as shown on the last equalized assessment roll. If known, the notice

may also be mailed or delivered to the owner of the sign and the occupant of the property.

4. Any person having an interest in the sign or the property may appeal the determination of the code enforcement officer ordering removal or compliance by filing a written notice of appeal with the city clerk within ten (10) days after the date of mailing the notice, or ten (10) days after receipt of the notice if the notice was not mailed. The appeal shall be heard by the city council or a committee of the city council which the city council is authorized to create by resolution. Such a committee, if created, shall be called the sign code board of appeals.

5. Notwithstanding the above, in cases of emergency, the code enforcement officer may cause the immediate removal of a dangerous or defective sign without notice.

B. Disposal of signs—Fees.

1. Any sign removed by the code enforcement officer pursuant to the provisions of this section shall become the property of the city and may be disposed of in any manner deemed appropriate by the city. The cost of removal of the sign by the city shall be considered a debt owed to the city by the owner of the sign and the owner of the property, and may be recovered in an appropriate court action by the city or by assessment against the property as hereinafter provided. The cost of abatement or removal shall include any and all incidental expenses incurred by the city in connection with the sign abatement or removal.

2. If the costs are to be assessed against the property, a hearing to confirm such cost shall be held before the city council. At such hearing the owner of the property or other interested person may appear and object to the proposed assessment. Notice of the hearing shall be given at least ten (10) days prior to the date of the hearing to the property owner by mailing a notice of the hearing to the address of such property owner as shown on the last equalized assessment roll. If proof is made that notice, as required to be given herein, has in fact been given, the failure of any owner or owners to receive such notice shall not invalidate any proceedings hereunder either as to removal or abatement of such sign or the cost or assessment made in connection therewith. If a cost assessment is confirmed by the city council, such assessment shall be added to and collected with the next property tax bill and shall be treated as a real property tax or assessment and have the same priority as such tax or assessment.

17.64.120 Construction standards.

A. Compliance With Building Code. All signs shall comply with the appropriate detailed provisions of the city building code relating to design, structural members, and connections. Signs shall also comply with the applicable provisions of the electrical code of the city and the additional construction standards hereinafter set forth in this section.

B. Supports and Braces. Metal supports or braces shall be designed for and have sufficient strength to support any sign which is attached thereto.

C. Sign Anchoring. No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.

D. Detached Signs. All detached sign structures or poles shall be self-supporting structures erected on and permanently attached to concrete foundations. Such structures or poles shall be fabricated only from painted steel or such other materials as may be approved by the city clerk.

E. Glass. When glass is used for sign letters or transparent panels, it shall be at least double strength thickness for display areas up to and including three hundred (300) square inches. When glass is used for sign letters or transparent panels for display areas in excess of three hundred (300) square inches at least one-quarter (0.25) inch wire glass shall be used and the maximum span between supports shall be four (4) feet.

F. Electric Signs. All electric signs shall be approved and labeled as conforming to the standards of the United States Bureau of Standards, the Underwriters' Laboratories, Inc., or other similar institution of recognized standing. The full number of illuminating elements thereof shall be kept in satisfactory working condition or immediately repaired or relocated. Signs that are only partially illuminated shall meet all electrical requirements for that portion directly illuminated. All electric signs shall have a disconnect switch located in accordance with the provisions of this title and the electrical code adopted by the city council.

G. Strength of Parapet Wall. A parapet wall must be designed for and have sufficient strength to support any sign which is attached thereto.

17.64.130 Maintenance of signs.

A. Generally. Each sign shall be maintained in a safe, presentable, and good condition, including the replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of such sign. The code enforcement officer shall require compliance or removal of any sign determined to be in violation of this section in accordance with the provisions of Section 17.64.110 (Removal and disposition of signs by city).

B. Abandoned Signs. Any sign which is located on property which becomes vacant and unoccupied for a period of three (3) months or more, or any sign which was erected for an occupant or business unrelated to the present occupant or their business, or a sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six (6) months or more. An abandoned sign is prohibited and shall be promptly removed by the owner of the sign or owner of the premises.

C. Dangerous or Defective Signs. No person shall maintain or permit to be maintained on any premises owned or controlled by them any sign which is in a dangerous or defective condition. Any such sign shall be promptly removed or repaired by the owner of the sign or the owner of the premises.

D. Illegal Signs. No person shall erect or maintain or permit to be erected or maintained on any premises owned or controlled by them any sign which does not comply with the provisions of this chapter.

17.64.140 Variances.

A. When the strict application of the provisions of this chapter would result in unnecessary hardship or a result inconsistent with the general purposes of this chapter, a variance from the provisions of this chapter may be granted in accordance with Chapter 17.72 (Use Permits and Variances).

B. No "use variance" shall be granted. A "use variance" is one which permits a particular type of sign to be located in a zoning district in which it is prohibited by this chapter.

17.64.150 Use permits.

Where a conditional use permit is authorized or required by this chapter, such permit may be granted at the discretion of the city council. The council shall consider all the factors relating to the proposed sign, whether such sign will adversely affect the public health, safety, and welfare, and whether the application complies with Section 17.64.010 (General) relating to the purpose of this chapter.

A. The decision to grant or deny a conditional use permit or to impose conditions on a conditional use permit may not be based on the content of messages except to the extent needed to determine legality under federal or state law.

B. Before granting a conditional use permit, the city council shall consider all of the factors relating to the proposed sign and, based on the evidence submitted, make the following findings, as applicable:

1. The proposed sign will not produce adverse spillover effects (glare, flashing, etc.) on other nearby land uses.
2. The sign is architecturally compatible, in terms of comparative scale and scope, with building heights in the existing neighborhood.
3. The sign does not impose a foreign or inharmonious element to the existing skyline.
4. The location and placement of the sign will not endanger motorists or pedestrians.
5. The sign will not materially obstruct any prominent view of a structure or facade of historical or architectural significance.
6. The sign will not materially obstruct any prominent view of a natural feature of regional or statewide significance.
7. The sign will not materially obstruct views of users of adjacent buildings to side yards, front yards, or open space. The sign will not adversely affect the visual quality of a public open space as a public recreation facility, square, plaza, courtyard, or other similar use.
8. The sign's lighting will not cause hazardous or unsafe driving conditions for motorists.

17.64.160 Appeals.

A. Any person aggrieved or dissatisfied with the action of staff resulting from the administration of this chapter may appeal therefrom to the city council in accordance with Section 17.120.020 (Appeals of administrative action).

B. When deciding to affirm, modify, or reverse the action or decision appealed, the city council shall not consider the content or graphic design of messages other than to determine legality under federal or state law.

17.64.170 Violations.

In the event any person should erect, alter, relocate, or maintain a sign in violation of the provisions of this chapter, the same is declared a public nuisance and the city attorney is authorized to bring and prosecute an action in court of competent jurisdiction to enjoin such person from continuing such violation. Any person violating the provisions of this chapter is guilty of an infraction.

CHAPTER 17.68
NONCONFORMING USES, STRUCTURES, AND PARCELS

Sections:

17.68.010 Purpose and applicability.
17.68.020 Continuation and maintenance.
17.68.030 Modification or expansion.
17.68.040 Destruction and replacement.
17.68.050 Abandonment of nonconforming status.
17.68.060 Nonconforming parcels.

17.68.010 Purpose and applicability.

This chapter establishes special regulations for nonconforming land uses, structures, and parcels that were lawful prior to the adoption or amendment of this title, but which would be prohibited, regulated, or restricted differently under the current terms of this title or future amendments. It is the intent of these regulations to allow the continuation of nonconformities under limited conditions outlined herein and reconstruction in the event of disaster. Generally, any expansion of nonconforming uses or structures is prohibited; however, this chapter establishes special regulations for the potential expansion of nonconformities where specific findings can be made.

17.68.020 Continuation and maintenance.

A. Nonconforming Uses. A lawfully established nonconforming use may continue to operate in perpetuity, be transferred, or be sold; provided, that the use shall not be enlarged or intensified, nor be expanded to occupy a greater area than it lawfully occupied before becoming nonconforming. Likewise, plans for any use approved as of the date the ordinance codified in this chapter becomes effective may be carried out as approved. Any extension of such approval for which the applicant was entitled to apply as of the effective date may be granted according to the regulations in effect prior to the effective date; if granted, such extension will be considered the same as an approval granted before the effective date. The person asserting the nonconforming use must present evidence that the use existed before enactment of the regulations prohibiting or discontinuing the use.

B. Nonconforming Structures. A nonconforming structure may be maintained or improved as follows:

   1. A nonconforming structure shall be maintained and repaired as necessary to keep the building or structure in sound condition. Maintenance does not include replacement of the structure.

   2. Repairs, alterations, or reconstruction to reinforce unreinforced masonry structures or to comply with building code requirements shall be allowed, provided that the work is exclusively to comply with applicable safety standards and the building code.

   3. Structural alteration of a nonconforming structure is permitted to improve safety or to reduce fire hazard.

17.68.030 Modification or expansion.

A. Nonconforming Uses. A legal nonconforming use may be modified or expanded, subject to the granting of a use permit in accordance with Chapter 17.72 (Use Permits and Variances).

B. Nonconforming Structures. An addition, enlargement, extension, or relocation of a nonconforming structure may be allowed if the changes to the structure conform to applicable provisions of this title and provided such modifications do not expand the extent of nonconformity or result in additional nonconformities.

17.68.040 Destruction and replacement.

If a nonconforming structure, or a conforming structure occupied by a nonconforming use, is involuntarily damaged or destroyed, the structure may be repaired or rebuilt and reoccupied in the same manner in which it originally existed if the restoration is started within two (2) years of the date of the damage and is diligently pursued to completion.

17.68.050 Abandonment of nonconforming status.

If a nonconforming use is discontinued for a continuous period of one (1) year or more, rights to nonconforming status shall terminate. A determination that a use has been abandoned requires both evidence of discontinuance of the use, and an act or failure to act which shows or implies that the owner does not continue to claim or retain an interest in the nonconforming use. Evidence may include, but is not limited to, removal of equipment, furniture, machinery, structures, or other components of the nonconforming use, disconnected or discontinued utilities, or no business records to document continued operation. Maintenance of a valid business license is not considered a continuation of the use. Without further action by the city, any subsequent use of the site or structure shall comply with all of the regulations of the applicable zoning district and all other applicable provisions of this title.

17.68.060 Nonconforming parcels.

Any lot or parcel of land of record on the effective date of the ordinance codified in this title may be used as a building site even when it has less area or width then required by the regulations for the district in which it is located provided there are no adjoining parcels under the same ownership. The applicant shall submit a site plan in accordance with Section 17.76.020 (Site Plan). Upon review of the site plan and the finding that the application otherwise complies with all other provisions of this title, the city clerk or their designee may approve the site plan. If the city clerk or their designee denies the application or imposes conditions unacceptable to the applicant, the applicant may file the request with the city council who may approve the use if it finds the application otherwise complies with all other provisions of this title.

CHAPTER 17.72
USE PERMITS AND VARIANCES

Sections:

17.72.010 Administrative permits.
17.72.020 Conditional use permits.
17.72.030 Variances.
17.72.040 Application.
17.72.050 Public hearing.
17.72.060 Action by the city council on a use permit.
17.72.070 Action by the city council on a variance.
17.72.090 Modification of site plan for which a use permit has been granted.
17.72.090 Revocation of use permits.
17.72.100 Revocation of variances.

17.72.010 Administrative permits.

A. Uses requiring an administrative permit. Uses shall be required to obtain an administrative permit as specified in this section.

B. Application.

1. Application for an administrative permit shall be made on a form prescribed by the city clerk and accompanied by a fee established by the city council. If the applicant does not own the property for which a permit is requested, the application shall be signed by the owner of the property.

2. No public hearing is required for the review and processing of an administrative permit.

3. The city clerk or their designee may grant or deny an application for an administrative permit under the provisions of this section.

4. Written notice of decision shall be provided within ten (10) days of the date of decision to the applicant and to all parties who submitted comments or who provided contact information to receive notice. The notice shall include:

   a. The application request as acted upon by the city clerk or their designee;

   b. The action taken by the city clerk or their designee;

   c. A brief statement explaining the criteria and standards considered relevant to the decision;

   d. A statement of the standards relied upon in rendering the decision;

   e. Findings as listed for each entitlement for the decision based on the criteria, standards, and facts set forth; and

   f. The deadlines, criteria, and fees for filing an appeal.

C. Revocation. After providing a ten (10)-day notice to the permittee and holding a hearing, the city council may revoke any administrative permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:

1. Any of the terms or conditions of the permit have been violated.

2. A law, including any requirement in this title, has been violated in connection with the permit.

3. The permit was obtained by fraud.

D. Appeals. If the applicant or any other person is dissatisfied with a city staff action regarding an administrative permit, they may appeal said action pursuant to Section 17.120.020 (Appeals of Administrative Action).

17.72.020 Conditional use permits.

A conditional use permit may be issued in the manner specified in this chapter for any of the uses or purposes for which such conditional use permits are required by the terms of this title.

17.72.030 Variances.

A. The city council may approve variances from the terms of this title only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this title deprives such property of privileges enjoyed by the other property in the vicinity and under identical zoning classification.

B. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

C. A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise authorized by the zoning district governing the parcel of property.

17.72.040 Application.

A. Application for a conditional use permit shall be made to the city council in writing on a form prescribed by the city clerk and shall be accompanied by a site plan of sufficient detail to show the detail of the proposed use of land or building. Such application shall be accompanied by a fee established by resolution of the city council.

B. Application for a variance shall be made to the city council in writing on a form prescribed by the city clerk and shall be accompanied by a detailed statement justifying a variance and plans and elevations necessary to show the detail of the proposed variance. Such application shall be accompanied by a fee established by resolution of the city council.

C. The city shall have thirty (30) days to determine if the application is complete and will give written notice of any additional information required to make the application complete.

17.72.050 Public hearing.

A public hearing by the city council shall be held within forty-five (45) days after the filing of an application for a conditional use permit or variance that has been determined complete for processing provided that compliance with the California Environmental Quality Act has been completed. Notice of the hearing shall be given in the manner set forth in Section 17.120.010 (Notice Required).

17.72.060 Action by the city council on a use permit.

A. In order to grant any conditional use permit, the findings of the city council shall be that the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be materially detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of

such proposed use, or be materially detrimental to property or improvements in the neighborhood or to the general welfare of the city.

B. The city council may designate such conditions in connection with approval of a conditional use permit as it deems necessary to secure the purposes of this title and may require that such conditions will be complied with by the permittee.

C. The city council shall render its decision on any conditional use permit within thirty-five (35) days following close of the public hearing. Failure of the city council to render its decision within the period shall be deemed to be a denial of the application. The granting of any use permit, when conforming to the provisions of this paragraph, is an administrative function, the authority and responsibility for performing which is imposed upon the city council, and the action thereon by the city council shall be final and conclusive.

17.72.070 Action by the city council on a variance.

In order to grant any variance, the findings of the city council shall be:

A. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

B. That the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

C. The variance is not for and does not authorize a use or activity which is not otherwise permitted in the relevant zoning district.

17.72.080 Modification of site plan for which a use permit has been granted.

Any use permit granted pursuant to this chapter shall be conducted only in accordance with a site plan submitted pursuant to Section 17.76.020 (Site plan) and approved at the time of issuance of the use permit. In the event the holder of a use permit desires to modify said site plan, an application shall be filed for modification of the site plan for approval or disapproval of the city council, in accordance with the same procedure for the issuance of a use permit as provided in this chapter. Notwithstanding the foregoing, minor alterations of the site plan may be granted by the city clerk or their designee, if they find that such modification does not materially change the site plan or have the potential to adversely impact adjacent property owners and is otherwise in full compliance with all other provisions of this code or any other laws, rules, or regulations relating thereto.

17.72.090 Revocation of use permits.

A. The city may move to revoke an approved use permit if: the use permit is not used within one (1) year from the date of approval, in the event the use permitted is abandoned or not utilized for a period of one (1) year, or the permittee fails to comply with the conditions of approval of the permit.

B. Any use permit granted in accordance with the terms of this title may be revoked if any of the conditions or terms of such permit are violated, or if any law or ordinance is violated in connection therewith, or if the city council finds that the continuance of the use permit will endanger the public health, safety, or welfare.

C. The city council shall hold a hearing on any proposed revocation after giving written notice to the permittee at least ten (10) days prior to the hearing.

17.72.100 Revocation of variances.

A. The city may move to revoke an approved variance if not used within one (1) year from the date of approval, or in the event the use for which the variance is approved is abandoned or not utilized for a period of one (1) year.

B. Any variance granted in accordance with the terms of this title may be revoked if any of the conditions or terms of such variance are violated or if any law or ordinance is violated in connection therewith, or if the city council finds, that the continuance of the variance will endanger the public health, safety, or welfare.

C. The city council shall hold a hearing on any proposed revocation after giving written notice to the permittee at least ten (10) days prior to the hearing.

CHAPTER 17.76
SPECIAL PROVISIONS

Sections:

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17.76.010 Application.

All regulations specified in this chapter shall be subject to the general provisions, conditions, and exceptions contained in this title.

17.76.020 Site plan.

A. When a site plan is required by this title, the applicant shall submit at least one (1) copy of the site plan to the city clerk for review. The site plan should be drawn to scale and shall indicate clearly and with full dimensions the information required.

B. Site plan requirements:

1. Exterior boundary lines, dimensions, and size of the property.
2. North arrow and scale.
3. Name of property owner, property address, and assessor parcel number(s).
4. Label all adjacent streets or rights-of-way.

5. All existing and proposed buildings and structures, including their location, size (approximate square footage), height, and proposed or existing use (e.g., home, garage, fence, etc.).
6. Location and name of adjacent and on-site streets/alleys.
7. Location and dimensions of all existing/proposed easements, points of access, driveways and parking areas, and pavement type.
8. All areas proposed for grading or landscaping.
9. Distances from all structures to property lines, easements, and other structures on the property.
10. Any nearby buildings relevant to the application and their use.
11. Any existing significant natural features, such as watercourses.

C. The city shall approve, approve with such conditions as are deemed necessary to protect the public health, safety, peace, comfort, and general welfare, or disapprove the site plan. In approving the site plan, the city or city council shall ascertain that all applicable provisions of this title are complied with.

D. Revisions by the applicant to an approved site plan shall be made pursuant to the initial application procedure set forth in this chapter.

17.76.030 Official plan lines.

Whenever an official plan line has been established for any street, required setbacks shall be measured from such line and in no case shall the provisions of this title be construed as permitting any encroachment upon any official plan line.

17.76.040 Second dwelling units.

The following development standards shall apply to second dwelling units:

A. The second dwelling unit shall have been constructed prior to January 1, 2017, and in accordance with all laws in effect at the time.

B. The maximum square footage of a second dwelling unit is one thousand two hundred (1,200) square feet.

C. A maximum building height of twenty-five (25) feet is permitted.

D. Second dwelling units shall comply with the setback requirements of the zoning district in which they are located, except that a rear yard setback of no less than five (5) feet shall be permitted.

E. Either the second dwelling unit or the primary dwelling unit must be occupied by the owner of the property.

F. The required off-street parking for the primary dwelling unit plus one (1) off-street parking space per bedroom for the second dwelling unit must be provided.

G. One (1) second dwelling unit per parcel is allowed.

H. The second dwelling unit can be attached or detached from the primary dwelling unit.

I. The second dwelling unit shall be architecturally compatible with the primary dwelling unit or the immediate neighborhood.

J. The second dwelling unit shall be compatible with the scale of the adjoining residence and blend into the existing neighborhood.

K. All HVAC or other mechanical units shall be placed not in public view or shall be screened from public view by a fence, wall, or permanent landscaping.

L. The second dwelling unit shall not exceed the allowable density for the lot upon which it is located.

17.76.050 Manufactured homes.

Pursuant to Government Code Section 65852.3(a), a manufactured home shall be permitted on any lot zoned for a conventional single-family dwelling if such manufactured home is placed on a permanent foundation in compliance with Health and Safety Code Section 18551. Said manufactured home is subject to all requirements for a single-family residence in the applicable zone district in which it is proposed to be located. Manufactured homes which are more than ten (10) years old are not permitted. Proof of the date of manufacture of the manufactured home shall be required at the time of building plan check submittal.

17.76.060 Manufactured home parks.

A. Site Area. A manufactured home park shall have a minimum site area of two (2) acres and shall have not less than three thousand (3,000) square feet of area for each manufactured home space located on the site.

B. Density of Development. The maximum number of manufactured homes permitted per acre shall be in accordance with the zoning district in which the manufactured home park is located.

C. Open Space. A minimum of one hundred (100) square feet of outdoor or indoor recreation area shall be provided for each manufactured home lot exclusive of required yards or vehicle parking areas. The minimum size for any single outdoor recreation area shall be two thousand five hundred (2,500) square feet.

D. Location Restrictions. No manufactured home space or dwelling unit shall be located in a front, side, or rear yard required of the zoning district within which it may be located.

E. Accessory Structures. No accessory structure other than a carport, garden structure, storage building, sun or wind shelter shall be erected within a manufactured home space for the use of the occupants of an individual manufactured home.

F. Separation Requirements. The minimum distance between manufactured homes shall be ten (10) feet. The minimum distance between an accessory structure on one site and a manufactured home on an adjacent site shall be ten (10) feet.

G. Landscaping and Screening. All areas not used for access, parking, circulation, recreation, or services shall be completely landscaped and permanently maintained. At a minimum, no less than five (5) feet of side and rear yard adjoining a property line of a manufactured home park shall. The city council may require additional landscaping and fences or walls where necessary to ensure privacy, protect adjoining property, insulate against wind, noise or glare, or screen unsightliness.

17.76.070 Recreational vehicles.

No motorhome, recreational vehicle, camper van, or other vehicle shall be used for human habitation or occupied for living or sleeping quarters except when installed within a licensed recreational vehicle park or mobile home park. Recreational vehicles or motor homes maintained

upon any lot, piece, or parcel of land, other than a recreational vehicle park or manufactured home park, shall comply with the following conditions:

A. Outside Maintenance. Such vehicles shall not be parked or maintained in any required setback.

B. Use as a Residence. Such vehicles shall not be used for sleeping quarters, nor shall any sanitary or cooking facilities contained therein be used.

C. Connected to Utilities. Such vehicles shall not be connected to utilities, including but not limited to water, wastewater, electricity, or gas.

D. Temporary exceptions to the above restrictions may be granted when the use of such vehicle is necessary to the construction of permanent structure(s) within the city limits. Prior to such temporary use, an administrative permit for such use shall be obtained from the city pursuant to Section 17.72.010 (Administrative permits). Said permit shall permit use for a period not to exceed one hundred twenty (120) days. Any extension or renewal of said permit shall be at the discretion of the city council. The subject permits shall state the specific location of the vehicle and shall not be transferable.

17.76.080 Recreational vehicle parks.

A. Purpose. This section establishes standards for the development and operation of recreational vehicle (RV) parks to ensure RV parks conform to applicable state laws and regulations, are compatible with surrounding land uses, and provide a suitable environment for travelers and other occupants.

B. Compliance with State Law. All RV parks shall conform to Title 25, Chapter 5 of the California Administrative Code, Division 13 of the and all other state laws and regulations that apply to RV parks. In the event of conflict between this section and any controlling state law or regulation, the state law or regulation shall apply. If the state law or regulation is not controlling, then the more restrictive provision shall apply.

C. Occupancy Requirements.

1. Maximum Length of Occupancy. No more than thirty (30) days in one (1) continuous stay, and no more than ninety (90) days in any consecutive three hundred sixty-five (365)-day period.

2. Permitted Vehicles. Occupancy of an RV space is limited to one (1) RV and one (1) additional motor vehicle. Permanent buildings are prohibited within RV spaces.

3. Tag of Certification. An RV which stays for more than thirty (30) continuous days in a RV park shall have a tag of certification documenting compliance with state and federal RV manufacturing requirements. A tag of certification may be issued by:

   a. The California Department of Housing and Community Development under Section 4032, Title 25, Division 1, Chapter 3 of the California Code of Regulations ("state insignia") or other state or Canadian province; or

   b. The Recreational Vehicle Industry Association (RVIA) or a third-party certification company recognized by the city as being substantially equivalent.

4. Registration Required.

   a. RV parks shall maintain a register listing the name, home address, vehicle identification number, and length of each of each park occupant. Erasures or alterations on the register is prohibited and unlawful.

b. Each register page shall include a statement that the register is open to city inspection at all times. Registers shall be kept in a conspicuous place and shall be made available for city inspection upon request.

5. City Verification. The city has the authority to allow a designated city staff member to visit an RV park, record vehicle identification numbers, vehicle license numbers and vehicle model types in spaces.

D. Development Standards.

1. Park Size and Dimensions.

a. Minimum RV park area: Five (5) acres total and two thousand (2,000) square feet per RV space.

b. Minimum street frontage: One hundred (100) feet.

2. RV Space Size and Dimensions.

a. Minimum RV space area: One thousand (1,000) square feet.

b. Minimum RV space depth: Forty (40) feet.

c. Minimum RV space frontage on an internal RV park road: Twenty (20) feet.

3. RV Park Roadways.

a. Minimum internal roadway width: Twenty-eight (28) feet.

b. Minimum entry roadway width: Thirty-two (32) feet or sixteen (16) feet for one-way traffic originating and terminating in a two-way roadway.

c. Roadways shall be paved to a thickness and material to meet city standards.

4. Setbacks.

a. Structures and vehicles shall be setback the minimum distance from exterior park boundaries as required by the applicable zoning district.

b. Structures and vehicles shall be setback a minimum of ten (10) feet from vehicles in separate spaces, buildings, and roadways.

c. The main entrance of a park shall have an additional ten (10) feet of landscaped setback above the minimum front setback of the applicable zoning district.

5. Permanent Buildings.

a. RV parks may contain one (1) or more permanent buildings solely to serve residents of the park.

b. Permanent buildings shall comply with the development standards of the applicable zoning district and the setback requirements in subsection (D)(4) of this section.

c. Permanent buildings may not occupy more than fifteen (15) percent of an RV park.

d. Permanent buildings may be used only for the following purposes:

i. RV park administration and office.

ii. Recreational amenities and meeting areas.

iii. Sales of packaged food, sundries and other convenience items customarily sold by convenience stores.

iv. Storage of park equipment, excluding commercial storage for nonresidents of the RV park.

v. Other subordinate uses as described in the conditional use permit for the RV park which are necessary and customary in order to operate a park.

6. Amenities. RV parks shall provide amenities in proportion to the area of each park as follows:

   a. Restrooms: One (1) restroom building for the first fifty (50) spaces, plus one (1) additional building for each additional one hundred (100) spaces. Restrooms shall include toilets and shower facilities.

   b. Solid waste stations: One (1) solid waste station per two hundred (200) spaces in addition to a sewer connection for each space.

   c. Recreation centers: One (1) recreation center per two hundred (200) spaces. Recreation centers may contain swimming pools, picnic shelters, horseshoe pits, athletic fields, volleyball courts, shuffleboard courts, tennis courts, and similar facilities.

7. Landscaping.

   a. All required front setbacks and RV park entrances shall be landscaped consistent with city standards and requirements.

   b. The minimum landscaped area for each RV space is ten (10) percent of the space area or two hundred (200) feet, whichever is greater. At least one (1) tree shall be planted, if not already present, and maintained within each RV space. No more than seventy (70) percent of a space shall be nonpermeable (paved) area.

   c. The minimum landscaped area for the RV park is twenty (20) percent of total area, including individual RV space landscaping. Required amenities listed in subsection (6)(c) of this section, including recreational buildings and pools, may be counted within the park landscaping requirement.

8. Sewer. Each RV space shall be connected to a sewer lateral meeting city standards which is connected to the RV park master sewer system. The RV park master sewer system shall be connected to the city sewer system. Septic tank connections are prohibited.

9. Water. Each vehicle space shall be connected to a water lateral meeting city standards which is connected to the RV park master water system, providing potable, safe and sanitary water. The RV park master water system shall be connected to the city water system.

10. Accessory buildings and awnings. An RV space may contain temporary accessory building as follows:

   a. Accessory Buildings. One factory-enamel-coated metal shed per RV space, not to exceed fifty (50) square feet in area, which is portable and not permanently affixed to the ground. Permitted use of such shed may include storage of the personal effects of the occupant or shelter for a pet.

b. All accessory buildings and awnings within RV spaces shall be the property of the occupants of the space and shall not remain on the space after the occupants have vacated the space; nor shall the park owner own or maintain such accessory buildings or awnings on spaces.

11. Signs. RV parks may have identification, directory, and directional signs pursuant to Chapter 17.64 (Signs).

17.76.090 Open space requirements for multifamily developments.

On each multifamily development of five (5) units or more within any zoning district, except the Town Center (T-C) district, whether such development is on a single recorded lot or on two (2) or more adjacent recorded lots, such development shall be provided with usable and accessible open space for the recreation and outdoor living enjoyment of the development's residents and their guests. Such open space shall not be less than twenty-five (25) percent of the size of residential living space and shall satisfy the following criteria:

A. Open space may be provided in more than one location.

B. To qualify as required open space, such area shall have no area less than twenty (20) square feet and at least fifty (50) percent open to the sky or trees above and free of any overhead structural or architectural projections.

C. Open space shall be landscaped and/or otherwise improved to serve the outdoor needs of occupants. Improvements may consist of plantings, gardens, walkways, patios, pools, shade elements, recreation equipment and facilities, and such other appurtenances as are appropriate to serve the outdoor living needs of the residents.

D. Garages, carports, open off-street parking areas, vehicular access driveways, trash enclosures, and non-landscaped areas shall not be included in calculating required open space.

17.76.100 Single-room occupancy.

The following development standards shall apply to single-room occupancy residential units:

A. Tenancy of single-room occupancy residential units shall not be less than thirty (30) days.

B. Each unit shall accommodate a maximum of two (2) persons.

C. No unit may exceed four hundred (400) square feet.

D. Single-room occupancy residential unit facilities shall provide individual or shared bathing facilities and may provide individual or shared kitchen facilities.

E. Common laundry facilities shall be provided at a rate of one (1) washer and dryer per ten (10) units, with a minimum of one (1) washer and dryer.

F. An on-site management office or manager's unit shall be provided.

G. Each unit shall have a separate closet.

H. On-site parking shall be provided in accordance with Chapter 17.60 (Off-Street Parking).

17.76.110 Emergency shelters.

The following development standards shall apply to emergency shelters:

A. A maximum of fifteen (15) beds is permitted.

B. Emergency shelters shall provide on-site parking pursuant to Chapter 17.60 (Off-Street Parking).

C. The maximum term of staying at an emergency shelter is six (6) months in a consecutive twelve (12)-month period.

D. Onsite management and security shall be provided during the hours the emergency shelter is in operation.

E. Outdoor lighting shall be provided in accordance with Section 17.76.130 (Outdoor lighting).

17.76.120 Fences, walls, hedges, and equivalent screening.

A. An administrative fence permit shall be obtained from the city prior to the installation of any fence or wall.

B. No fence or wall shall hereafter be constructed to exceed six (6) feet in height within the area encompassed by the rear yard setback or the side yard setback to the front yard setback line, nor shall any fence, wall, hedge, or equivalent screening exceed four (4) feet in height within the area encompassed by the front yard setback.

C. When there is no requirement for a front yard setback, the maximum height of any fence, wall, hedge, or equivalent screening within a front yard or along the front lot line shall be limited to six (6) feet.

D. No fence, wall, hedge, or equivalent screening shall be located within three (3) feet of a fire hydrant such that it hinders access to the hydrant as determined by the fire chief.

E. The applicant shall submit a site plan for any proposed fence or wall to the city for review and approval. The site plan shall include all property dimensions, outlines of existing structures, location of all driveways and streets, and any other access onto the property, and shall clearly delineate the proposed fences and/or walls. An elevation of the proposed fence or wall with height measurements shall also be included.

F. All fences and walls shall be constructed of durable and weather-resistant materials as approved by the city. The use of cardboard or other corrugated material, tarps, barbed wire, rope, electrified fence, glass, razor wire, or similar materials in conjunction with a fence or wall, or by itself within any zoning district, is prohibited.

G. Fences and walls used for noise control shall be made of materials most suited for noise reduction, and which minimize reflective sound.

H. Decorative columns, post caps, or similar features not more than one (1) foot in height may be added on top of fences or walls. Such features shall be consistent with the design and materials of the fence or wall and shall not be less than eight (8) feet apart generally.

I. A single arbor-style entry element, substantially open to the passage of light and air, may be allowed provided the entry element is located over a walkway or pathway and does not exceed eight (8) feet in height, five (5) feet in width, and three (3) feet in depth.

J. Fences, walls, hedges, equivalent screening, and combinations thereof shall be measured in height from the uphill perspective if located on a grade or slope.

K. Where the topography of sloping sites, a difference in grade between adjoining sites, purposes of animal control, or other similar consideration warrants an increase in height to maintain a level of privacy or effectiveness of screening as typically provided by such fence, wall, hedge, or equivalent screening under similar circumstances, up to two (2) feet may be

added to the height limits in subsection (A) of this section and administratively approved subject to the following:

1. No fence, wall, hedge, or equivalent screening that exceeds four (4) feet in height shall be located within five (5) feet of the front property line;
2. Lattice, decorative wrought iron, or other material that is at least fifty (50) percent open to the passage of light and air when viewed horizontally, excluding framing, may be added to the top of a fence or wall provided the lattice, decorative wrought iron, or other material is determined by the city clerk, or their designee, to be compatible with the design and materials of the fence or wall;
3. The proposed height increase shall not create a hazard to vehicular or pedestrian traffic;
4. Review of the proposed height increase shall include consultation with fire, law enforcement, and public works, and notification to all owners of property that border the proposed fence or wall; and
5. Permits for fences and walls that exceed the height limits in subsection (A) of this section shall not be issued until ten (10) days have elapsed from the approval thereof and, in the event an appeal is filed, shall not be issued until a decision has been made by the appropriate decision-making body.

L. Notwithstanding the foregoing, the street intersection of a corner lot shall have no fence, hedge, wall, or equivalent screening exceeding three (3) feet in height within a triangle of twenty-five (25) feet along the side of each street, or ten (10) feet along the side of each alley, as measured from the intersection unless the owner of such property obtains a use permit for a greater height by a showing that no hazard exists to vehicular or pedestrian traffic. Such permit may be granted by the city council provided all provisions of this code are otherwise satisfied and the city council determines no safety hazard is created by the greater height.

M. Ordinary maintenance and repairs may be made to any nonconforming fence or wall provided the fence or wall is not enlarged, expanded, or relocated and no more than fifty (50) percent of the nonconforming fence or wall is replaced within a one (1)-year period. When more than fifty (50) percent of the nonconforming fence or wall is to be replaced within a one (1)-year period, the entire fence or wall shall be brought into compliance.

N. Fences, walls, hedges, and equivalent screening that do not meet the above standards shall only be authorized upon the applicant first obtaining a conditional use permit.

O. Applicants aggrieved by a decision made under this section may appeal the decision to the city council pursuant to Section 17.120.020 (Appeals of Administrative Action).

17.76.130 Outdoor lighting.

A. Purpose. It is the purpose of this section is to accomplish the following:

1. Promote a safe, glare-free, and pleasant nighttime environment for residents and visitors;
2. Protect and improve safe travel for all modes of transportation;
3. Prevent nuisances caused by unnecessary light intensity, glare, and light trespass;
4. Protect the ability to view the night sky by restricting unnecessary upward projection of light;

5. Better ensure land use compatibility; and

6. Promote lighting practices and systems that conserve energy.

B. Applicability.

1. New Outdoor Lighting. All outdoor lighting fixtures installed after the effective date of this section, when located on a property used for a public, quasi-public, multifamily, commercial, industrial, or institutional use, shall conform to the requirements established by this section.

2. Existing Outdoor Lighting. All existing outdoor lighting fixtures installed prior to the effective date of this section, when not in conformance with this section and located on a property used for a public, quasi-public, multifamily, commercial, industrial, or institutional use, shall be brought into conformance within one (1) year of the effective date of this section.

C. Exemptions.

1. The following are exempt from the provisions of this section:

a. Seasonal displays using multiple low wattage bulbs of approximately fifteen (15) lumens or less, provided that they do not constitute a fire hazard, create a nuisance, and are maintained in a safe condition.

b. All temporary lighting used for the construction or repair of roadways, utilities, and other public infrastructure.

c. Streetlights, vehicular lights, and all temporary emergency lighting needed by law enforcement, the fire department, and other emergency services.

d. All lighting required by state or federal regulatory agencies.

2. The city clerk or their designee may authorize additional property specific exemptions when proposed outdoor lighting does not conflict with the purposes of this section. An application for such an exemption must be made in writing and include an outdoor lighting plan pursuant to subsection (E) of this section.

D. General requirements. The following general standards apply to all non-exempt outdoor lighting fixtures:

1. All outdoor lighting fixtures shall be designed, located, and installed aimed downward or toward structures located on the same premises, retrofitted if necessary, and maintained in order to prevent glare, light trespass, and light pollution.

2. Fixtures and lighting systems shall be in good working order and maintained in a manner that serves the original design intent of the system.

3. Outdoor lighting shall be designed to avoid harsh contrasts in light levels between the property on which it is located and adjacent properties.

4. Fixture Types. All new outdoor lighting shall use full cut-off luminaries with the light source downcast and fully shielded with no light emitted above the horizontal plane, with the following exceptions:

a. Fixtures that have a maximum output of four hundred (400) lumens or less, regardless of the number of bulbs, may be left unshielded provided the fixture has an opaque top to prevent the light from shining upward.

b. Motion activated flood lights that have an output of three thousand (3,000) lumens or less, provided that the lamps are not illuminated more than five (5) minutes per activation, the lamp is not visible from adjacent residences or public streets, no direct glare is produced, and the fixture is oriented downward to prevent light from shining upward.

c. Floodlights that do not meet the definition of "full cut-off" may be used if permanently directed downward, if no light is projected above the horizontal plane, and if fitted with external shielding to prevent glare and off-site light trespass. Unshielded floodlights and "barnyard"-type fixtures are prohibited.

5. Accent Lighting. Architectural features may be illuminated by uplighting, provided that the light is effectively contained by the structure, the lamps are low intensity to produce a subtle lighting effect, and no glare or light trespass is produced. For national flags, statues, public art, or other objects of interest that cannot be illuminated with down-lighting, upward lighting may only be used in the form of one narrow-cone spotlight that confines the illumination to the object of interest.

6. The provisions of this section are not intended to prevent the use of any design, material, or method of installation or operation not specifically prescribed herein, provided that the city clerk or their designee has approved any such alternative. A proposed alternative may be approved if it provides at least approximate equivalence to the applicable specific requirements of this section, or if it is otherwise satisfactory and complies with the intent of this section.

E. Outdoor lighting plans.

1. An outdoor lighting plan shall be submitted in conjunction with an application for a building permit for new multifamily, commercial, or industrial structures five thousand (5,000) square feet and larger. The building official or their designee may request outdoor lighting plans from applicants for other types of projects due to project location, size, or proposed use, as necessary. An outdoor lighting plan shall include at least the following:

a. Manufacturer specification sheets, cut-sheets, or other manufacturer provided information for all proposed outdoor lighting fixtures to show fixture diagrams and light output levels;

b. The proposed location, mounting height, and aiming point of all outdoor lighting fixtures, preferably on a site plan; and,

c. If building elevations are proposed for illumination, drawings for all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the luminance level of the elevations, and the aiming point for any remote light fixture.

2. If needed to review the proposed outdoor lighting fixture installation, the building official or their designee may require additional information following the initial outdoor lighting plan submittal, including but not limited to a written narrative to demonstrate the objectives of the lighting, photometric data, Color Rendering Index (CRI) of all lamps and other descriptive information on the fixtures, computer generated photometric grid showing foot-candle readings every ten (10) feet within the property or site and ten (10) feet beyond the property lines (an iso-foot-candle contour line style plan may be acceptable), and/or landscaping information to describe potential screening.

3. The building official, or their designee, may approve, deny, or require modifications to any outdoor lighting plan in order to meet the purpose of this section.

17.76.140 Temporary structures.

A. A conditional use permit for any such temporary structure shall be required in accordance with procedures set forth in Chapter 17.72 (Use Permits and Variances). Any non-complying aspects of the temporary structure shall only be approved by the city council if it makes the findings required by Section 17.72.060 (Action by the city council on a use permit).

B. In cases where the city council is able to make the findings required by Section 17.72.060, the city council may, but is not obliged to, issue a temporary approval for a specific time period, not to exceed twelve (12) months.

C. All temporary structures, which may not otherwise be subject to building code requirements, shall still meet all of the accessory building setback requirements of this title.

17.76.150 Temporary uses.

A. Purpose. The purpose of this section is to allow for those short-term and intermittent activities that the city council determines would be compatible with adjacent and surrounding uses.

B. Temporary Use Permit Required. Upon approval of a temporary use permit, the city council may allow a short-term and/or intermittent use in any zoning district.

C. Activities. Only those short-term and intermittent activities with no potential to significantly impact the environment or to detrimentally affect those working and living in the vicinity may be approved by the city council.

D. Applications. Applications for temporary use permits shall be made and processed in accordance with the procedures for conditional use permits set forth in Chapter 17.72 (Use Permits and Variances).

E. In cases where the city council is able to make the findings required by Section 17.72.060 (Action by the city council on a use permit), the city council may, but is not obliged to, issue a temporary approval for a specific time period, not to exceed twelve (12) months.

17.76.160 Commercial outdoor dining and seating.

A. No person or business shall place or caused to be placed any outdoor dining or seating for commercial purposes or use without first obtaining an outdoor dining and seating permit.

B. Applications for outdoor dining and seating permits shall be accompanied by an outdoor seating plan and the applicable fee established by resolution of the city council.

C. The city clerk or their designee, in acting upon any application for an annual outdoor dining and seating permit, shall either approve, approve with conditions, or deny the issuance of a permit based on the following principles and standards:

1. That the proposed outdoor dining and seating are in compliance with all applicable provisions of this section;

2. That the proposed outdoor dining and seating are so arranged as to ensure the protection of public health, safety, and general welfare, and prevent interference with users of the right-of-way and holders of other permits; and

3. That the proposed outdoor dining and seating and associated business will properly comply with the provisions and development standards prescribed in this title, or as prescribed by the city council.

D. All outdoor dining and seating shall conform to the following standards:

1. A minimum of four (4) feet of clear space on the sidewalk is required for the safe passage of pedestrians.

2. All umbrellas used in outdoor dining and seating areas shall be a minimum height of seven (7) feet.

3. The outdoor dining and seating area shall be operated and maintained in accordance with the approved outdoor seating plan.

4. When located within twenty (20) feet a fire hydrant or standpipe fixture, the placement of outdoor dining and seating furniture, apparatus, decoration, or appurtenance used in connection therewith shall be reviewed and approved by the fire chief.

5. Heating and cooling devices may be provided, such as gas heaters and misters. Descriptions of the proposed devises and their locations must be included in the outdoor dining and seating permit application.

6. Any use of portable heating devices shall require the prior written approval of the fire department.

7. There shall be no smoking by patrons or employees within the sidewalk dining area.

8. No furniture, apparatus, decoration, or appurtenance used in connection with the operation of the outdoor dining and seating shall be:

   a. Located in or project or protrude into the required pedestrian passageway;

   b. Be located in such a way as to impede the safe and speedy ingress and egress to or from any building or structure; or

   c. Be attached to the sidewalk or sidewalk surface, nor shall any of those items cause damage to the sidewalk in any manner.

9. Any table service provided shall be provided by persons engaged or employed for that purpose and shall be furnished to seated patrons only. Table service is not required, and retail food establishments that do not provide table service may provide outdoor dining and seating for their patrons.

10. As a condition of the issuance of the outdoor seating permit, the permit holder shall defend, indemnify and hold harmless the city and shall present, along with each application or renewal application for an annual permit, evidence of liability insurance in a form acceptable to the city clerk.

17.76.170 Community gardens.

A. Purpose and Applicability. This section establishes standards for community gardens to provide the following benefits:

1. Strengthen the health and social fabric of the community by encouraging and supporting community gardens.

2. Encourage sustainable food production and distribution.

3. Increase community access to fresh local produce.

B. Performance Standards.

1. The growing, production, or sale of agricultural products may not involve hazardous materials or processes or create offensive or objectionable noise, vibration, odors, heat, dust, or electrical disturbance perceptible by a person beyond the lot line of the subject lot.

2. The cultivation of cannabis is prohibited in community gardens.

C. Sales and Donations.

1. When located within a mixed-use or commercial zoning district, the sale of agricultural products grown and produced on-site is permitted.

2. The donation of agricultural products grown and produced on-site is permitted in all zoning districts where community gardens are allowed.

3. If selling or donating products to the public, the use shall comply with all applicable food safety laws, including the California Health and Safety Code.

D. Garbage and Compost.

1. Garbage and compost receptacles must be screened from the street and adjacent properties by utilizing landscaping, fencing, or storage structures and all garbage shall be removed from the site weekly.

2. Compost piles and containers must be set back at least ten (10) feet from residential buildings when a community garden abuts a residential use or mixed-use development.

E. Farm Equipment. Use of mechanized farm equipment is not permitted in the R-1-10, R-1-12, R-2, R-3, and T-C zoning districts, and when the community garden is located within one hundred (100) feet of a residential use in any zoning district, with the following exceptions:

1. Heavy equipment may be used initially to prepare the land for agricultural use.

2. Landscaping equipment designed for household use is permitted.

3. Equipment when not in use must be enclosed or otherwise screened from sight.

F. Exceptions. Exceptions to the foregoing provisions may be granted by the city council with a use permit provided the use would not increase vehicular traffic, parking congestion, noise, nuisance odors, or negatively impact the public health, safety, peace, comfort, or general welfare.

17.76.180 Garage sales.

A. Frequency and Duration of Sale. It is unlawful for any person or persons to conduct, cause or permit to be conducted, at the same address, more than one (1) garage sale within thirty (30) calendar days and more than two (2) garage sales during any calendar year. No single garage sale shall continue for more than two (2) consecutive days.

B. Property Permitted to be Sold. It is unlawful for any person or persons to sell or offer to sell at any garage sale any property other than personal property accumulated for personal use by the occupant or occupants residing at the address at which said sale is to be held; provided, however, nothing herein shall prohibit neighbors in the same residential area from conducting a combined garage sale at one specified address.

C. Advertising. It is unlawful to place a sign or other form of advertisement of a proposed garage sale upon any public property within the city. It is unlawful to exhibit a sign or other form of advertisement for more than two (2) days prior to the day said sale is to commence, or to allow such sign to remain after 6:00 p.m. on the termination date of such sale. Two signs only, not exceeding twenty (20) by thirty (30) inches in size, may be placed in the front or side yard of the premises where the sale is conducted.

D. Hours of Operation. It is unlawful to conduct a garage sale before 8:00 a.m. or after 6:00 p.m.

E. Notification Prior to Sale. Prior to conducting any garage sale, any person proposing to conduct a garage sale shall notify the city, which such notification shall include all of the following:

1. Name and address of person proposing to conduct garage sale.
2. Location of proposed sale.
3. Date(s) during which the proposed sale is to be conducted.

F. Violation – Penalty. Any person violating any of the provisions of this section is guilty of an infraction with a fine of fifty dollars ($50.00) for the first offense, one hundred fifty dollars ($100.00) for the second offense within one (1) year, and two hundred and fifty dollars ($250.00) for the third offense within one (1) year. Nothing herein shall be construed to prevent the city from seeking injunctive or other relief which may be necessary to enforce the provisions of this code.

17.76.190 Height limits.

A. Buildings and structures up to ten (10) feet taller than the established height limit may be permitted in all zoning districts, upon first securing a use permit for the increased height limit. In any zoning district where a conditional use permit is secured for an increased height limit, all setbacks shall be increased by one (1) foot for each foot or portion of a foot in excess of the established height limit.

B. The exceptions to established height limits in subsection (A) of this section shall not apply to the height limits for fences, walls, hedges, and equivalent screening pursuant to Section 17.76.120 (Fences, walls, hedges, and equivalent screening).

C. Public utility distribution and transmission lines, and towers and poles for such lines, are allowed in all districts to greater heights than established for the district in which the structures are located.

17.76.200 Setback exceptions.

A. Where four (4) or more lots in a block have been improved with buildings, the minimum required front yard for the main building shall be the average of the front yards of the improved lots if less than the front yard requirements herein.

B. Architectural features such as cornices, eaves, and canopies shall not extend more than two (2) feet into the front, side, and rear yard setbacks.

C. Open uncovered porches or landing places shall not extend more than four (4) feet into any side yard setback, and not more than six (6) feet into any front yard setback.

D. On any parcel of land existing at the time of adoption of the ordinance codified herein and having an average width of less than fifty-five (55) feet, and the owner thereof owns no

adjoining land, then the width of each side yard may be reduced to ten (10) percent of the width of such parcel, but in no case to less than three (3) feet.

E. In case an accessory building is attached to and made structurally a part of the main building, it shall comply in all respects with the requirements of this title applicable to the main building except as provided for in this title.

F. Notwithstanding subsections (G) and (H) of this section, an accessory building or structure in a residential or mixed-use zoning district shall not project into the front yard setback, and unless attached shall be located at least ten (10) feet from any residential dwellings existing or under construction on the same lot or any adjacent lot. In the case of a corner lot where there is a key lot abutting said corner lot, an accessory building shall not project beyond the front yard required on the key lot.

G. Fences, walls, hedges, and equivalent screening may occupy setbacks to the extent provided in Section 17.76.120 (Fences, walls, hedges, and equivalent screening). Vegetation, however, may be subject to the California Solar Shade Control Act.

H. Arbors may occupy setbacks subject to the extent provided in Section 17.76.120 (Fences, walls, hedges, and equivalent screening). Arbors shall not be connected to or supported by a building, nor shall they be designed to support loads other than vines or similar plantings.

I. Signs. Signs in conformance with the sign regulations codified in Chapter 17.64 (Signs) may occupy setbacks to the extent provided in that chapter.

17.76.210 Dish-type or satellite antennas.

No person shall install, either as owner or agent, or employee of the owner, or as an independent contractor for the owner, or otherwise, any dish-type or satellite antenna, any additions thereto or substitution for such antenna, when such antenna exceeds three (3) feet in diameter, unless a use permit is obtained in accordance with the provisions of this title. Any such use permit for the placement of dish-type or satellite antenna shall be conditioned upon the following:

A. In any residential or mixed-use zoning district, such antennas shall be treated as an accessory structure and shall comply with height, setback, and lot coverage requirements for the zoning district in which it is located.

B. Dish-type or satellite antenna placed within a residential or mixed-use zoning district shall be screened from view of streets and abutting properties by use of fences, hedges, or appropriate plant materials.

C. Within the G-C and M zoning districts, a site plan shall be submitted showing the location for placement of such antenna, in addition to such other information as is required for a use permit. As to each such antenna site, there shall be available nine hundred (900) square feet of property which is not otherwise required for parking or otherwise occupied by structures and improvements upon the property.

D. The restrictions as set forth in subsections (A) and (B) of this section shall not be applicable to a licensee pursuant to Government Code Section 53066 or commercial broadcast station, except to the extent that any such condition may be imposed by the city council as a condition for issuance of such use permit.

17.76.220 Cargo containers.

A. Use in Residential and Mixed-Use Districts. The permanent use of prefabricated exterior storage containers, such as cargo containers or truck trailers, is prohibited in the R-R, R-1-

10, R-1-12, R-2, R-3, M-H, and T-C zoning districts. Temporary use of storage containers in these zoning districts may be approved subject to the following:

1. A use permit is required for temporary use of storage containers pursuant to Section 17.76.140 (Temporary structures).
2. Temporary use of cargo containers may be approved for up to six (6) months. A one-time extension of up to twelve (12) months may be granted in the case of unforeseeable property damage or natural disaster.

B. Use in General Commercial District. The use of storage containers in the G-C district may be approved as an accessory use to the primary permitted use subject to obtaining a conditional use permit. The city council shall determine appropriate siting, time limits, and other conditions as may be necessary to minimize potential impacts to adjacent properties.

C. Use in Manufacturing District. The use of storage containers in the M district is permitted as an accessory use to the primary permitted use.

D. General Requirements. The use of storage containers in any zoning district within the city limits must adhere to the following conditions:

1. Storage containers may only be used for the storage of merchandise, inventory, shelving displays, or other incidental items related to the operation of the business.
2. Business or sale of merchandise shall not be conducted from the storage container, nor shall the storage container be used a habitable space, office, or meeting area, and shall be kept closed and secured at all times other than when items are being moved to or from the storage container.
3. Storage containers must be oriented to minimize the view from the public right-of-way. In no case shall storage containers be placed so as to cover, block, or otherwise impact required parking, or impact circulation and emergency access.
4. Storage containers shall be painted in a color matching or similar to the field color of the primary structure and/or properly screened with screening walls and/or landscaping. Graffiti shall be removed within twenty-four (24) hours from any storage container or screening.
5. The placement of any signs, advertising copy, banners, or similar item is prohibited on storage containers.
6. No more than two (2) storage containers with a combined floor area of six hundred and forty (640) square feet shall be allowed on parcels one (1) acre or less.
7. Storage containers shall not exceed a height of ten (10) feet.
8. Storage container location: Setbacks shall be the same as those for the underlying zone.

E. Additional permitted temporary uses of storage containers include the following:

1. Construction sites.
2. This section shall not apply to a location with a permitted business actively engaged in transporting cargo containers or truck trailers provided such container or trailer is only on the property temporarily and is not utilized for outside storage purposes.

17.76.230 Trash and recycling enclosures.

A. When Required. All new and expanded commercial and industrial development with a floor area exceeding seven hundred fifty (750) square feet, all intensifications of commercial and industrial uses that increase the square footage by thirty (30) percent or more, all new mixed-use projects, and all new multifamily residential projects with five (5) or more units, and any residential project where solid waste is collected and loaded in a location serving five (5) or more units shall provide and maintain at least one (1) trash and recycling enclosure. Trash and recycling enclosures may be located indoors or outdoors to meet the requirements of this section.

B. Location.

1. General.

   a. Outdoor trash and recycling enclosures required under this section shall not be located within any required setback.

   b. Enclosures shall be located so that no dwelling is closer than twenty (20) feet, including those on abutting properties, or more than one hundred (100) feet from a residential unit if located on property occupied by a residential use. No minimum distance from dwellings is required if dumpsters are located within a fully enclosed room.

   c. No outdoor trash and recycling enclosure shall be located within any public right-of-way, or in any location where it would obstruct pedestrian walkways, vehicular access, reduce motor vehicle sightline, or in any way create a hazard to health and safety.

2. Exception. Enclosures that have been approved in conjunction with a discretionary permit or approval may be located within a required side yard or rear yard setback, provided no part of the enclosure is less than three (3) feet from any property line.

C. Maintenance. Outdoor trash and recycling enclosures required shall be maintained in the following manner:

1. There shall be the prompt removal of visible signs of overflow of garbage, recycling, smells emanating from the enclosure, graffiti, pests, and vermin.

2. Trash enclosure covers shall be closed when not in use.

3. Trash enclosures shall be easily accessible for garbage and recyclables collection.

4. Trash enclosures shall be regularly emptied of garbage and recycling.

D. Design of Enclosure Area.

1. Each trash and recycling enclosure shall be of a material and colors that complement the architecture of the buildings they serve or shall have exterior landscape planting that screens the walls.

2. The trash and recyclables enclosure shall provide convenient and secure access to the containers to prevent access by unauthorized persons and minimize scavenging, while allowing authorized persons access for disposal and collection of materials.

3. An opening shall be provided so that pedestrians can access the enclosure without opening large gates.

4. Lighting shall be provided at enclosures for residential and mixed-use developments for nighttime security and use.

5. All outdoor trash and recycling enclosures shall be a minimum of five (5) feet tall to screen unsightly views. The design of the structure and the materials used shall be compatible with the on-site architecture.

6. Designs, materials, or methods of installation not specifically prescribed by this section may be approved by city. In approving such a request, the reviewing authority shall find that the proposed design, materials, or method provides approximate equivalence to the specific requirements of this section or is otherwise satisfactory and complies with the intent of these provisions.

17.76.240 Screening.

All exterior mechanical and electrical equipment associated with new multifamily residential, mixed-use, commercial, and industrial development shall be screened or incorporated into the design of buildings so as not to be visible from the street. Equipment to be screened includes, but is not limited to, all roof-mounted equipment, air conditioners, heaters, utility meters, cable equipment, telephone entry boxes, backflow prevention devices, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems. Screening materials shall be consistent with the exterior colors and materials of the building.

17.76.250 Cannabis and cannabis products.

Unless expressly permitted by the Etna Municipal Code, or the California Health and Safety Code Section 11362.1(a), all cultivation, manufacture, distribution, possession, storing, laboratory testing, labeling, transportation, delivery or sale of cannabis or cannabis products is prohibited within the city.

17.76.260 Low barrier navigation centers.

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

B. Applicability. The provisions of this chapter shall apply to all low barrier navigation center projects.

C. Definitions. The following words, phrases, and terms as used in this section shall have the following meanings:

1. "Low barrier navigation center" means a Housing First, low barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

2. "Low barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

   a. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.

   b. Pets.

   c. The storage of possessions.

d. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two (2) beds, or private rooms.

3. "Use by right" means that the city's review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

4. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

D. Permit Required. An administrative use permit shall be required prior to the establishment of any low barrier navigation center project. The permit shall be a ministerial action without discretionary review or a hearing. The city shall notify a developer whether the developer's application is complete within thirty (30) days, pursuant to California Government Code Section 65943. Action shall be taken within sixty (60) days of a complete application being filed.

E. Development and Operational Standards. A low barrier navigation center development is a use by-right in areas zoned for mixed-use and nonresidential zones permitting multifamily uses, provided it meets all of the following requirements:

1. Connected Services. It offers services to connect people to permanent housing through a services plan that identifies services staffing.

2. Coordinated Entry System. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing.

3. Code Compliant. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.

4. Homeless Management Information System. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

17.76.270 Employee housing.

A. Small employee housing. In accordance with Health and Safety Code Section 17021.5, small employee housing is deemed a single-family residential use and does not constitute a change of occupancy for purposes of this title. No conditional use permit, zoning variance, or other zoning clearance shall be required of small employee housing that is not required of a family dwelling of the same type in the same zone.

B. Large employee housing. In accordance with Health and Safety Code Section 17021.6, large employee housing is deemed an agricultural use. No conditional use permit, zoning variance, or other discretionary zoning clearance shall be required of large employee housing that is not required of any other agricultural activity in the same zone.

C. Streamlined ministerial approval. In accordance with subdivision (a) of Health and Safety Code Section 17021.8, a development proponent may submit an application to develop employee housing subject to a streamlined, ministerial approval process provided in

subdivision (b) when the development is located on land designated as agricultural in the general plan.

CHAPTER 17.80
LIVE/WORK UNITS AND HOME-BASED BUSINESSES

Sections

17.80.010 Purpose and applicability.
17.80.020 Definitions.
17.80.030 Live/work units.
17.80.040 Home occupations.
17.80.050 Cottage food operations.

17.80.010 Purpose and applicability.

A. The purpose of this chapter is to:

1. For home-based businesses, prescribe the conditions under which limited nonresidential activities may be conducted when incidental to residential activities.

2. For live/work units, prescribe the conditions under which limited residential activities may be conducted when incidental to nonresidential activities.

3. Promote jobs/housing balance and reduce vehicle miles traveled through allowances for live/work units and home-based businesses.

B. The regulations shall apply to all home-based businesses and live/work units operating in the city.

17.80.020 Definitions.

For this chapter, the following words are defined:

A. "Cottage food operation" means an enterprise that is operated by a cottage food operator and has not more than one (1) full-time equivalent cottage food employee, not including a family member or household member of the cottage food operator, within the registered or permitted area of a private home where the cottage food operator resides and where cottage food products are prepared or packaged for direct and/or indirect sale to consumers.

B. "Home occupation" means an accessory activity of a nonresidential nature, which is performed within a living unit, accessory structure located on the premises, or within a garage attached thereto and reserved therefor, by an occupant of the living unit, and which is customarily incidental to the residential use of the living unit. This use shall be considered residential for the purposes of determining development standards.

C. "Live/work unit" means an integrated housing unit and working space, occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes the following: complete kitchen space and sanitary facilities in compliance with the building code, and working space reserved for and regularly used by one or more occupants of the unit. This use shall be considered commercial for the purposes of determining development standards.

17.80.030 Live/work units.

A. Purpose. The purpose of this section is to:

1. Provide standards for live/work units, including the reuse of existing commercial buildings to accommodate live/work units.
2. Promote a mix of housing options by allowing business operators to live in the same building that contains the commercial activity, particularly artists, small business owners, and craftspeople.
3. Allow combined residential uses with commercial or small-scale manufacturing uses in the same building space, generally with the resident using the combined or adjacent workspace for their business. Typical uses include artist lofts, studio spaces, small offices, and similar low-intensity uses, either in new developments or as adaptive reuse of existing structures.

B. Use Limitations. The nonresidential component of a live/work unit shall be a use allowed within the applicable zoning district, subject to the following additional limitations:

1. Conditional Uses. A conditional use permit is required for live/work units with three (3) or more nonresident employees.
2. Changes in Use. After approval, a live/work unit shall not be converted to a single use without first bringing the unit up to current building code standards.
3. Prohibited Uses. Any activity or use, as determined by the review authority to be incompatible with residential activities and/or to have the possibility of adversely affecting the health or safety of live/work unit residents including dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, waste, or by-products is prohibited.

C. Development Standards.

1. Floor Area Requirement. The floor area shall be a minimum of six hundred and fifty (650) square feet and a maximum of three thousand (3,000) square feet. The nonresidential portion of the live/work unit shall be no more than fifty (50) percent of the total unit area and comply with all California Building Code, Fire Code, and Municipal Code requirements.
2. Separation and Access to Units. Each live/work unit shall be separated from other units and other uses in the same building and shall have an access separate from other live/work quarters or other uses within the structure. Access to the live/work unit shall be provided only from exterior access points, the nonresidential workspace, and from common access areas, corridors, or hallways.
3. Active Frontage. To maintain activity and commercial access along the frontage, the living space shall be located at the rear of the building or situated on the second floor and above. Exceptions may be granted subject to obtaining a conditional use permit in accordance with Chapter 17.72 (Use Permits and Variances).
4. Nonresidential Facilities. A live/work unit shall be designed to accommodate nonresidential uses, such as ventilation, interior storage, flooring, and other physical improvements commonly found in nonresidential facilities used for the same work activity.
5. Mixed-Use Buildings. If a building contains mixed uses of live/work units and other nonresidential uses, uses other than live/work shall meet all applicable requirements for those uses.
6. Parking. Each live/work unit shall be provided off-street parking in accordance with Chapter 17.60 (Off-Street Parking).

D. Operating Requirements.

1. Occupancy. A live/work unit shall be occupied and used only by the operator of the business within the unit, or a household of which at least one (1) member shall be the business operator.

2. Business License Required. All businesses operating within a live/work unit shall obtain a license to operate in compliance with city regulations.

3. Notice to Occupants. The owner or manager of any building containing live/work units shall provide written notice to all occupants that the property may be subject to higher noise levels than would be expected in a strictly residential area.

4. Nonresident Employees. Up to two (2) persons who do not reside in the live/work unit may work in the unit. The employment of three (3) or more persons who do not reside in the live/work unit may be permitted subject to obtaining a conditional use permit in accordance with Chapter 17.72 (Use Permits and Variances). The owner may be required to provide proof of tax forms verifying the number of employees as deemed necessary by the city.

5. Client and Customer Visits. Client and customer visits to live/work units are permitted.

17.80.040 Home occupations.

A. Subject to issuance of a business license and a home occupation permit, home occupations are permitted in all zoning districts that permit residential uses subject to the following standards:

1. Residential compatibility. The activity is one which is customarily incidental to and not inconsistent with the use of the premises as a dwelling.

2. Size. The activity occupies no more than twenty-five (25) percent of the floor area of the dwelling unit or four hundred (400) square feet, whichever is less.

3. On-Site Client Contact. Except for minors accompanied by a parent or guardian, no more than one (1) client/customer is permitted at the residence at the same time. Customer or client visits are limited to four (4) per day or six (6) per day for personal instruction services (e.g., musical instruction or training, art lessons, academic tutoring).

4. Sales. With the exception of direct sales for cottage food operations in accordance with Section 17.80.050 (Cottage food operations), and as allowed by state law, no product shall be displayed for sale or sold upon the premises. Products created on the premises may be sold off-site.

5. Outdoor Storage Prohibited. Goods, equipment, and materials associated with a home occupation shall be stored within a fully enclosed structure.

6. Hazardous Materials Prohibited. The storage of flammable, combustible, or explosive materials is prohibited.

7. Animals. No animal-related services, including grooming or personal care, requiring animals to be present on the residential property shall be allowed on the premises.

8. Employees. No person shall be employed by the home occupation at the premises other than the resident(s) of the dwelling.

9. Performance Standards. Home occupations shall not generate dust, odors, noise, vibration, or electrical interference or fluctuation that is perceptible beyond the property line.

10. Signs. Signs or displays used to identify the home occupation are prohibited.

11. Vehicle Traffic. Home occupations may not generate more than twenty (20) vehicle trips per day. A round trip to and from the residence is one (1) vehicle trip and multiple trips by the same vehicle shall count towards the maximum amount. Vehicle trips include trips by clients, customers, vendors, delivery services, or any other vehicle associated with the home occupation.

12. Residential Appearance. The appearance of the dwelling shall not be altered, nor shall the home occupation be conducted in such a manner that it may be reasonably recognized as serving a nonresidential use, either by color, materials, construction, lighting, signs, sounds, odors, or vibrations. Such use shall be of a nature and conducted in such a manner that there is no evidence of the use from the street or neighboring property.

B. Applications for a home occupation permit may be approved by the city clerk provided the use is in compliance with subsection (A) of this section. In the event an application is denied by the city clerk, the applicant may file the application with the city council and the application shall be heard and determined as provided in Section 17.120.020 (Appeals of administrative action).

C. Exceptions to the foregoing provisions may be granted subject to obtaining a conditional use permit in accordance with Chapter 17.72 (Use Permits and Variances).

17.80.050 Cottage food operations.

Cottage food operations are permitted in dwelling units pursuant to Health and Safety Code Section 113758 subject to the following rules and standards:

A. The applicant for the cottage food operation permit shall be the individual who conducts the cottage food operation from their dwelling unit and is the owner of the cottage food operation. The permit shall not be transferable to another operator nor transferable to another site.

B. No more than one (1) cottage food employee, as defined by Health and Safety Code Section 113758(b)(1), and not including a family member or household member of the cottage food operator, shall be permitted on the premises of the cottage food operation.

C. The cottage food operation shall be registered or permitted by the County Health Officer in accordance with Health and Safety Code Section 114365. Cottage food operations shall comply with all requirements of state law.

D. The use shall be conducted within the kitchen of the subject dwelling unit except for attached rooms within the dwelling that are used exclusively for storage or bookkeeping. No greater than twenty-five (25) percent of the dwelling, or fifty (50) percent of an accessory building, may be used for the cottage food operations.

E. There shall be no change in the outside appearance of the dwelling unit or premises, or other visible evidence of the conduct of such cottage food operation.

F. Except for home gardening use and vehicle parking, no outdoor portions of the premises shall be utilized for cottage food operation including outdoor sales and visitation.

G. No greater than one (1) visitor's vehicle and one (1) nonresident employee's vehicle shall be parked on site at any time.

H. Direct sales of products from the site of the cottage food operation shall be conducted by prior appointment only and shall not exceed more than ten (10) visitors in any single day. No customers of the cottage food operation shall be permitted to dine at the premises.

I. Direct sales and cottage food operation related deliveries shall not occur between the hours of 8:00 p.m. and 7:00 a.m.

J. Gross annual sales shall comply with Health and Safety Code Section 113758.

CHAPTER 17.84
SHORT-TERM RENTALS

Sections:

17.84.010 Purpose.
17.84.020 Definitions.
17.84.030 Prohibitions.
17.84.040 Registration certificate requirements.
17.84.050 Inspections.
17.84.060 Operational standards.
17.84.070 Penalties - Certificate denial, suspension, and revocation.
17.84.080 Changes in ownership.

17.84.010 Purpose.

Growth in the popularity of short-term rentals has generated a need to establish short-term rental regulations that protect the public health, safety, comfort, and general welfare of the city's residents and visitors. In addition to the requirements, regulations, and standards for short-term rentals imposed by this chapter, all other applicable requirements, regulations, and standards imposed elsewhere in the Etna Municipal Code and pursuant to state and federal law apply.

17.84.020 Definitions.

The following words, phrases, and terms as used in this chapter shall have the following meanings:

"Bedroom" means a room that contains a minimum of seventy (70) square feet and a closet, the construction of which was authorized by a building permit, if a building permit was required at the time of construction, and which currently meets all requirements of the California Residential Code and contains a window or opening that can be used for emergency egress.

"Guest" or "Guests" means the individual or individuals occupying the short-term rental for the purpose of staying overnight.

"Hosted short-term rental" means a short-term rental where the property owner lives on the same property as the short-term rental while the short-term rental is occupied by the guest(s).

"Local contact person" means an individual who is personally available by telephone on a twenty-four (24)-hour basis and who maintains the ability to be onsite within forty-five (45) minutes and who has access and authority to assume management of the short-term rental. An agent or professional property management company that meets the availability requirements can serve as the local contact person.

"Non-hosted short-term rental" means a short-term rental where the property owner does not live on the same property as the short-term rental while the short-term rental is occupied by the guest(s).

"Operator" means any and all of the following: the person who is a legal owner of a short-term rental; a person who has the legal right to possession of a short-term rental; a person who has a legal right to receive or collect any monies as rent for the occupancy of a short-term rental; and any manager, agent, representative or other similar person acting under the authority or at the direction of the owner or other operator of a short-term rental.

"Property owner" means the owner or owners of record of the subject real property as shown on the latest equalized assessment role of Siskiyou County or as otherwise actually known to the city clerk or the city clerk's designee, including but not limited to individuals, groups, corporations, and other legal entities with at least five (5) percent ownership in the subject real property.

"Short-term rental" means any residential place, space, or structure, or portion of any residential place, space, or structure, which is or may be occupied, or intended or designed for occupancy by transients for purposes of sleeping, lodging, or similar use in conformance with the city's zoning regulations, and shall include, but not be limited to the following: single-family dwellings, cabins, cottages, apartments, studios, condominiums, townhouses, duplexes, triplexes, fourplexes, a bedroom or bedrooms within an existing residential unit, second dwelling units and guesthouses constructed prior to January 1, 2017, and other forms of residential shelter constructed with a building permit and rented for the purpose of continuous overnight lodging for a period of not less than one (1) night and not more than thirty (30) days.

"Transient occupancy registration certificate" means a certificate of registration issued by the city that certifies the person named on the face thereof has registered with the city for the purpose of collecting from transients any required transient occupancy tax and remitting said tax to the city. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, nor to operate a short-term rental without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department, or office of this city. This certificate does not constitute a permit.

17.84.030 Prohibitions.

A. Registration certificate required. It is unlawful for any person to advertise, maintain, operate, or use a short-term rental within the city without a transient occupancy registration certificate, or in violation of the terms and conditions of the certificate or of this chapter (including without limitation the occupancy restrictions set forth in the certificate).

B. Accessory dwelling units. It is unlawful for any person to advertise, maintain, operate, or use as a short-term rental an accessory dwelling unit or junior accessory dwelling unit as those terms are used in California Government Code Sections 65852.2 and 65852.22, or as amended. No transient occupancy registration certificate shall be issued for any accessory dwelling unit or junior accessory dwelling unit. Each rental occurring without a transient occupancy registration certificate and each rental of an accessory dwelling unit or junior accessory dwelling unit shall be a separate violation.

C. Prohibited short-term rentals. A structure or property with a recorded covenant, deed restriction, or agreement restricting its use, including without limitation dwelling units with affordability restrictions, and dwelling units for which short-term rentals are prohibited, shall not be used for short-term rentals. Short-term rentals are prohibited in structures not intended for residential occupancy under the California Building Code Standards and this code.

D. Incidental camping. A transient occupancy registration certificate does not authorize incidental camping, which means any overnight camping, sleeping in tents or on decks attached to the short-term rental unit, or sleeping in travel trailers or recreational vehicles parked on the short-term rental property.

E. Outdoor fires. No outdoor fires (e.g., firepits, campfires, etc.) are permitted at short-term rentals. Propane burning fireplaces and firepits are acceptable provided the device is in the rear yard at least ten (10) feet from all structures, neighboring property, flammable material, and vegetation. Outdoor fires do not include annual yard maintenance by the property owner or operator in compliance with local and state regulations.

F. Grills and barbeques. Grills and barbeques are not permitted beneath a potentially flammable source including trees, umbrellas, decks, or other appurtenant structures. All grills and barbecues shall be no less than ten (10) feet away from a structure and any

flammable materials, such as a woodpile. Grills and barbeques other than electric powered pellet grills and propane grills are prohibited at short-term rentals.

G. Subletting. Guests are prohibited from subletting a short-term rental. Only operators with a valid transient occupancy registration certificate may advertise and rent a residential unit as a short-term rental.

H. Special events. Weddings, corporate events, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise, or other problems in the neighborhood are prohibited from occurring at a short-term rental property.

17.84.040 Registration certificate requirements.

A. Annual registration required. Transient occupancy registration certificates shall be renewed annually, and separate certificates are required for each short-term rental. The certificate requirements for short-term rentals are set forth below. The issuance of any certificate pursuant to this article does not relieve the owner of the obligation to comply with the other provisions of this code pertaining to the use and occupancy of the short-term rental or the property in which it is located. Short-term rentals are allowed in all zone districts that allow residential use with approval of a transient occupancy registration certificate.

B. Registration certificate limits. A maximum of two (2) transient occupancy registration certificates shall be issued to any property owner for short-term rentals located in the R-R, R-1-10, R-1-12, R-2, R-3, and M-H districts. Only one (1) of the two (2) registration certificates shall be issued for a non-hosted short-term rental.

C. Application process. An application for a transient occupancy registration certificate shall be submitted by the property owner to the city clerk or the clerk's designee. Each transient occupancy registration certificate application shall be accompanied by a nonrefundable transient occupancy registration certificate fee. The fee schedule shall be established by resolution of the city council following a public hearing and may be adjusted by resolution of the city council following a public hearing. Permits and fees required by this chapter are in addition to any license, permit, certificate, or fee required by any other chapter of this code. Each application shall at a minimum include the following:

1. Property owner name and contact information.
2. Operator name and contact information.
3. The name of the local contact person, if different from the operator, and a telephone number at which the local contact person may be immediately reached.
4. Address and assessor's parcel number for property at which the short-term rental is located.
5. Rental unit type (i.e., single-family dwelling, duplex, apartment, etc.). If more than one (1) residential unit is located on the property, the application must identify if the rental unit is the property's primary or secondary dwelling.
6. Maximum occupancy. The maximum occupancy of a short-term rental shall be two (2) guests per bedroom, plus two (2) additional people excluding children under five (5) years of age. Occupancy limits shall apply between the hours of 10:00 pm and 7:00 am.
7. Total number of off-street parking spaces available on-site.
8. Number of trash receptacles satisfying the requirements of subsection (D) of Section 17.84.060 (Operational standards).

9. Number and location of fire extinguishers, smoke detectors, and carbon monoxide alarms, and certification of compliance with Fire Code and fire safety requirements, including those pertaining to fire extinguishers, smoke detectors, and carbon monoxide alarms.

10. Date of the most recent inspection of the short-term rental conducted by city staff and the City of Etna Fire Department pursuant to this chapter.

11. Acknowledgment that the operator has read and understood this chapter, and the city's parking, garbage collection, guest safety, and operational standards.

12. If the information supplied by the operator on the application for a transient occupancy registration certificate is not consistent with city records, an additional inspection may be required prior to or after the issuance of the transient occupancy registration certificate. An inspection fee shall be charged for the inspection.

D. Term and scope of certificate. A transient occupancy registration certificate issued under this chapter shall expire at the end of the calendar year for which it is issued, unless revoked or suspended earlier. The certificate authorizes the operator to operate the short-term rental only in accordance with the terms and conditions of the certificate. Subject to the provisions of Section 17.84.060 (Operational standards), a certificate will be renewed if prior to expiration, the following is provided: updated application information (if changes have occurred), new certifications and acknowledgments required in subsections (B)(9) and (B)(11) of this section, and payment of the registration fee. Renewal applications may be submitted commencing on October 1st of each year. Renewals for which applications received after November 30th in a given year might not be received by applicants prior to January 1st, and the advertisement or operation of a short- term rental for which a renewed certificate has not been received shall constitute a violation of this chapter.

E. Acceptance of registration certificate. Acceptance by an operator of a transient occupancy registration certificate shall constitute acknowledgment and acceptance of, and consent to, the requirements and provisions of this chapter.

17.84.050 Inspections.

All short-term rentals and the parcels on which they are located shall be inspected by the city and the City of Etna Fire Department prior to commencement of the use. The inspection(s) shall verify compliance with all standards and conditions of operation including safety requirements. After the initial inspection(s), said rental unit and short-term rental property shall be reinspected by the City of Etna Fire Department annually and by the city not less than once every three (3) years for as long as the unit is used as a short-term rental. The operator shall submit a completed inspection form or forms to the city showing that the unit has passed inspection and is approved for short-term rental. Completion of the inspections will be verified at the time of transient occupancy registration certificate renewal. The actual cost of such inspections, plus any administrative charges, shall be paid by the operator pursuant to the city's adopted fee schedule.

17.84.060 Operational standards.

All short-term rentals shall comply with the following standards and shall not generate other potential disturbances which may disrupt the peace, safety, and general welfare of the neighborhoods in which they are located.

A. Operator responsibilities and recordkeeping. The operator shall inform guests that they must not violate the standards of this chapter. The operator shall be responsible for taking any action necessary to ensure that guests abide by the terms of this chapter and other applicable provisions of this code. The operator shall collect and maintain for each guest

registration the name and contact information of the registered guest, the number of guests, and the amount of rent paid (including all ancillary charges such as cleaning charges). All such records shall be maintained for a period of three (3) years and shall be furnished to the city within five (5) days upon request.

B. Local contact person. A local contact person shall be personally available by telephone on a twenty-four (24)-hour basis and shall be physically present at the short-term rental within forty (45) minutes of contact by city employees or agents or the guest(s). Upon receiving a call or complaint about physical conditions or circumstances that constitute an immediate threat to the public health and safety, the local contact person shall immediately contact the appropriate law enforcement, fire, or other authority.

C. Parking. When located in a zoning district where off-street parking is required, one off-street parking space shall be provided for short-term rentals with two (2) or fewer bedrooms and two (2) off-street parking spaces shall be provided for short-term rentals with three (3) or more bedrooms. When located on property with more than one (1) dwelling unit, the off-street parking requirement for the short-term rental is in addition to all other off-street parking requirements. No vehicle, including without limitation boat trailers and recreational vehicles, may be parked at a short-term rental outside of improved parking areas or in a location or manner that does not comply with city standards.

D. Trash and recycling. The accumulation of trash, debris, and recyclable materials outside of a short-term rental at any time is prohibited. A minimum of one (1) trash can and one (1) can for recycling shall be provided for each short-term rental. If one (1) trash can and one (1) can for recycling are insufficient to accommodate all trash and recycling generated by occupants of the short-term rental, the operator shall arrange for whatever increased level of service is required to accommodate all trash and recycling generated onsite. All trash and recycling generated by occupants of the short-tern rental shall be removed from the property each week. If stored outdoors, garbage and recycling shall be stored immediately adjacent to the unit and kept within a rodent-resistant container that that is large enough to accommodate all garbage and recycling generated onsite within a one (1)-week period.

E. Interior posting requirements. The following information shall be posted within the interior of the rental unit in a visible location: the name of the operator and a telephone number at which that party can be reached on a twenty-four (24)-hour basis; the maximum number of guests permitted to stay overnight in the unit; the maximum number of vehicles that are allowed to be parked on the property; notification that trash and recyclable materials must be placed into cans provided for that purpose; notification that vehicles must be parked on improved parking areas on the property; the telephone number(s) of the police and fire departments; building exits, exit routes, and fire extinguisher locations; emergency evacuation information; use of outdoor fires and barbecues, when applicable; a notice regarding potential penalties associated with violation of this chapter; and for short-term rentals with wood-burning fireplaces or woodstoves, instructions on the safe operation of such appliances and the safe disposal of ashes.

F. Smoke alarms. Smoke alarms, in good working order, shall be installed at a minimum in each bedroom, and at least one (1) alarm on every level of the short-term rental, including basements and habitable attics.

G. Carbon monoxide alarms. Carbon monoxide alarms, in good working order, shall be installed at a minimum outside each bedroom, on every level of the rental unit, including basements and habitable attics, and bedrooms or attached bathrooms with a fuel-burning appliance, and shall be installed in accordance with the manufacturer's installation instructions.

H. Fire extinguisher and ash can. Each short-term rental shall be equipped with one (1) five (5)-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short-term rental has two (2) or more than levels, an extinguisher must be mounted within each level. Fire extinguishers shall be inspected annually by a certified professional to ensure the extinguishers are in good working order. Each short-term rental with a wood-burning fireplace or woodstove shall be equipped with a metal container at least five (5) gallons in size with a tight-fitting lid, which shall be clearly labeled for ash disposal.

I. Visible address. Each short-term rental shall have an address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Whenever the address on the short-term rental unit will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible from both directions of travel on the frontage road or street. Address identification characters shall contrast with their background and conform to the minimum size requirements of the California Fire Code. A short-term rental in a condominium or apartment building that does not have an individual address may utilize the condominium or apartment building address and need not comply with these requirements.

J. Emergency communications. If located in an area with inadequate cellular service, each short-term rental unit shall contain a working landline phone or Voice Over Internet Protocol phone.

K. Advertisements. Each advertisement for a short-term rental shall list the maximum number of occupants permitted by the transient occupancy registration certificate, the maximum number of parking spaces onsite, and the number of the transient occupancy registration certificate.

17.84.070 Penalties - Certificate denial, suspension, and revocation.

It is a public nuisance to violate any of the provisions of this chapter. Violations of this chapter are subject to the general penalty provisions set forth in Chapter 1.16 (General Penalty), provided that fines for violations of this chapter shall be as set forth below. Any violation of the provisions of this chapter in an infraction and any person, including without limitation guests, operators, and local contact persons, may be subject to administrative and/or judicial remedies as set forth herein and elsewhere in this code. In addition, the city shall have the authority to suspend or revoke the transient occupancy registration certificate, or to maintain an action for injunctive relief. Unless otherwise expressly provided, the remedies, procedures, and penalties provided by this section are cumulative as to each other and to any others available under state law or this code. In the event of any conflict between the penalties set forth in this chapter and any penalties set forth in state law, the maximum penalties allowable under state law shall govern.

A. Enforcement. An administrative penalty of up to five hundred dollars ($500) per day may be imposed for each violation of this chapter contained in a first administrative citation, and up to one thousand dollars ($1,000) per day for each violation contained in a second or subsequent administrative citation. A prior citation for purposes of this chapter shall be an earlier administrative citation for violation of this chapter on the same property that occurred less than one year prior to the current citation.

B. Denial, suspension, or revocation of a transient occupancy registration certificate. The city may deny, suspend, or revoke a transient occupancy registration certificate for any of the following reasons:

1. The transient occupancy registration certificate application is incomplete;

2. The transient occupancy registration certificate contains a false or misleading statement or omission of a material fact;

3. The short-term rental, operator, or guest is currently in violation of, has been found to be in violation of, or is under investigation for violation of, any local, state or federal laws, statutes, ordinances, rules or regulations pertaining to the operation of a short-term rental;

4. The transient occupancy registration certificate of a short-term rental for which three (3) citations have been issued for violations of this chapter within a twelve (12)-month period and not overturned on appeal, including without limitation citations issued to guests and citations issued to operators, shall be revoked, and a new certificate shall not be issued for a period of twelve (12) months from the date of the certificate revocation.

5. The operator is delinquent on any payment to the city of any fees, penalties, taxes, or any other monies related to the short-term rental including, but not limited to, transient occupancy taxes;

6. A transient occupancy registration certificate application may be denied due to prior revocation or suspension of a transient occupancy registration certificate;

7. The operation of a short-term rental is a threat to the public health, safety, or welfare;

8. The lack of a fire inspection within the preceding year, a failed fire inspection unless documentation is provided that the conditions causing the failure were corrected and the short-term rental passed a subsequent fire inspection, or a refusal to allow a fire inspection or other inspection of the short-term rental;

9. Absence/expiration of a transient occupancy registration certificate; or

10. Any required application fee or renewal fee has not been paid.

C. Appeal. Any operator or guest may appeal an administrative penalty imposed pursuant to this chapter in accordance with Section 17.120.020 (Appeals of administrative action).

D. Costs of enforcement. All money and assets collected in payment of penalties for violations of this chapter and all money and assets collected for recovery of costs of enforcement of this chapter shall be used to offset the cost of enforcement of this chapter.

17.84.080 Changes in ownership.

Transient occupancy registration certificates issued for short-term vacation rentals do not provide a vested interest in or entitlement to the continued operation of a short-term rental upon a change of property ownership. The new owner of a property for which a transient occupancy registration certificate has been issued shall notify the city upon a change of ownership of the short-term rental. Transient occupancy registration certificates for short-term rentals shall not run with the land and shall expire upon any partial or complete transfer of ownership of a short-term rental, regardless of whether notice of the change in ownership has been provided to the city.

CHAPTER 17.88
BED AND BREAKFAST INNS

Sections:

17.88.010 Purpose.
17.88.020 General regulations.
17.88.030 Permit application.
17.88.040 Owner or manager residence required.
17.88.050 Off-street parking.
17.88.060 Number of units/conditions.
17.88.070 Inspection.

17.88.010 Purpose.

It is the purpose of this chapter to establish regulations for bed and breakfast inns and facilities to assure compatibility with surrounding residential neighborhoods, and to establish procedures for the processing of bed and breakfast inn applications.

17.88.020 General regulations.

A. In addition to any and all required permits and conditions pursuant thereto, and irrespective of whether a use permit is required in the particular instance, all bed and breakfast inns and facilities shall be subject to all other applicable provisions of the Etna Municipal Code.

B. The establishment of bed and breakfast inns and facilities in any particular location shall be harmonious with the character of the neighborhood and zoning district in which they are to be located.

C. No meals may be served to persons who are not also renters except for those persons who are non-paying personal guests of the occupying owner or manager of the inn.

17.88.030 Permit application.

All applications for use permits for bed and breakfast inns and facilities, when required, shall be accompanied by the following:

A. A floor layout and site plan, which accurately depict the following:

   1. All existing and proposed structures.

   2. Off-street parking and driveway access.

   3. Proximity to adjacent properties and improvements.

B. Photographs or drawings of existing elevations and drawings of any proposed changes thereto.

C. Sign details and proposed locations.

D. Any other information required by the city council during processing of the application.

17.88.040 Owner or manager residence required.

Bed and breakfast inns and facilities shall be permitted only where the occupying owner or manager maintains their primary place of residence on the site, and the bed and breakfast inn and facility shall be operated as an accessory use to the owner or manager's residence.

17.88.050 Off-street parking.

Off-street parking shall be provided in accordance with Chapter 17.60 (Off-Street Parking).

17.88.060 Number of units/conditions.

Bed and breakfast inns and facilities shall be limited to the number of rental rooms or units as follows:

A. Only bed and breakfast inns and facilities which are comprised of five (5) or fewer rental units may be allowed when the regulations set forth in this chapter are met.

B. No premises shall be utilized for a bed and breakfast inn and facility unless there are at least two (2) exits to the outdoors from such premises. Rooms utilized for sleeping shall have a minimum size of one hundred (100) square feet for two (2) occupants with an additional thirty (30) square feet for each additional occupant up to a maximum of four (4) occupants per room.

C. Each sleeping room used for the bed and breakfast operation shall have a separate smoke detector alarm, as required by the California Building Code and/or California Fire Code; in case of any differences between the requirements, the stricter shall control.

D. Lavatories and bathing facilities shall be available to all persons using any bed and breakfast operation.

17.88.070 Inspection.

Upon reasonable notice, any bed and breakfast inn may be inspected during normal business hours by the building inspector, fire chief, code enforcement officer, or health inspector to assure compliance with the provisions of this ordinance or any other applicable rules, regulations, statutes, or codes.

CHAPTER 17.92
MOBILE FOOD SALES

Sections:

17.92.010 Purpose
17.92.020 Applicability.
17.92.030 Definitions.
17.92.040 Mobile food vendor operating requirements.
17.92.050 Mobile food court requirements.
17.92.060 Exemptions

17.92.010 Purpose.

It is the purpose of this chapter to preserve the peace, safety, and welfare of the city and its residents by providing clear and concise standards for mobile food sales.

17.92.020 Applicability.

This chapter applies to mobile food sales within the city. No registration, permit, or licenses for mobile food sales shall be issued absent compliance with this chapter.

17.92.030 Definitions.

A. "Mobile food sales" means selling or offering to sell any type of food, beverage, or edible of any type, from a motorized vehicle, trailer, or pushcart.

B. "Mobile food vendor" means a retail food service in which food is served to walk-up customers from a motorized vehicle, trailer, or pushcart.

C. "Mobile food court" means a development on a privately owned parcel with two (2) or more mobile food vendors, an individual pad, service, and utility hook-ups for each mobile food vendor, and on-site amenities, such as restrooms, dining area, etc., for customers, and which are intended for regular food service from mobile food vendors. Mobile food courts may have mobile food vendors that operate on a temporary basis (up to four (4) hours per day) or a long-term basis (more than four (4) hours per day). Operations associated with a private catered event or a city-permitted special event are not considered a mobile food court.

D. "Mobile food commissary" means a development on a privately owned parcel that is utilized by one (1) or more mobile food vendors to: prepare or prepackage food for sale or service at other locations; store food, containers, or supplies; clean utensils; dispose of liquid and solid wastes; obtain potable water; and/or store motorized vehicles, trailers, pushcarts, and other equipment when not in use.

E. "Specialty food sales" means a retailer of pre-packaged or whole food products that does not involve on-site preparation. Specialty food sellers operate in a single location for no more than fifteen (15) minutes per occasion before changing locations (e.g., ice cream trucks).

17.92.040 Mobile food vendor operating requirements.

The following standards apply to mobile food vendors that operate in the city, whether located within public rights-of-way, on public property outside of rights-of-way, and on private property with the permission of the property owner:

A. Registration Required. An annual registration permit is required for mobile food vendors operating in the city. Permit applications shall be processed administratively provided that staff may, at their discretion, refer any application to the city council for consideration. As part of the annual registration process, mobile food vendors shall obtain a business license from the city and shall be responsible for obtaining all necessary licenses and permits required for the service of food and beverages, including a permit for mobile food service from the county.

B. Vehicle Compliance. Motorized vehicles and trailers used in conjunction with mobile food sales shall be in compliance with state motor vehicle laws.

C. Hours of Operation.

1. Residential zoning districts: Except as provided for herein, mobile food sales are limited to specialty food sales in the R-R, R-1-10, R-1-12, R-2, R-3, and M-H zoning districts between the hours of 8:00 a.m. and 6:00 p.m.

2. Town Center zoning district: All mobile food vendors operating in the T-C district shall cease operation between the hours of 8:00 p.m. and 7:00 a.m.

3. General Commercial and Manufacturing zoning districts: All mobile food vendors operating in the G-C and M districts shall cease operation between the hours of 9:00 p.m. and 7:00 a.m.

4. Open Space and Public Facilities zoning districts: All mobile food vendors operating in the O-S and P-F districts shall cease operation between the hours of 8:00 p.m. and 7:00 a.m.

D. Time Limits. A mobile food vendor shall not vend within the public right-of-way at any location for more than three (3) hours without moving to a new location that is at least five hundred (500) feet from the previous location.

E. Intersections. Mobile food vendors shall not stop, stand, or park in any location that obstructs visibility of an intersection or of traffic entering or exiting an intersection.

F. No Parking and Loading Zones. Mobile food vendors shall not stop, stand, or park in or adjacent to any no parking or loading zone.

G. Parking Facilities. Operations within public and private parking facilities shall not conflict with traffic circulation, shall not interfere with pedestrian paths of travel or the minimum required on-site parking spaces for the principal use(s) on the property, and shall impact no more than (2) parking spaces.

H. Proximity to Fixed Restaurants. Mobile food vendors shall not operate within two hundred fifty (250) feet from the main customer entrance of any restaurant unless said restaurant and mobile food vendor are operated by the same business.

I. Proximity to Public Schools. Mobile food vendors shall not operate within a public parking lot, city park, or public right-of-way within five hundred (500) feet of a public school within thirty (30) minutes of the beginning and end of the school day.

J. ADA Access. Mobile food vendors shall not interfere with parking spaces established pursuant to the Americans with Disabilities Act (ADA) and shall maintain a clear path of

travel on sidewalks and other pedestrian pathways that is free of customer queuing, signage, and/or all portions of the vehicle, trailer, or pushcart for the clear movement of pedestrians.

K. Trash Receptacles. Mobile food vendors shall maintain trash receptacles immediately adjacent to the vending location for use by their customers and shall pick up all trash within twenty-five (25) feet of their vending location. Trash shall not be placed in city trash receptacles.

L. Self-Contained Operations. When located on public property, outside tables, seating, and shade canopies are not permitted.

M. Music and Audio. No amplified or non-amplified music or audio is permitted.

N. Alcoholic Beverages. The sale and/or service of alcohol is not permitted.

O. Private Property. When permitted by the zoning district, mobile food vendors may operate on private property subject to the following:

1. Unless located in an approved mobile food court, only one (1) mobile food vendor is allowed per site; mobile food sales are restricted to properties that include a business that it open during the hours of mobile food sales; and outside overnight storage of furniture is prohibited.
2. Properties used for mobile food sales must have all public improvements in place, including but not limited to curb, gutter, sidewalk, and vehicular access.
3. Mobile food vendors may only operate on paved surfaces. Operating on unimproved surfaces, landscaped areas, or within required setback areas is prohibited.
4. Tables, umbrellas, and chairs are permitted on paved and/or improved surfaces outside of required setbacks provided they do not obstruct visibility of traffic entering or exiting the property or adjacent intersections.
5. Prior to operating on private property, mobile food vendors shall obtain written permission from the property owner(s), which shall be made available to city staff upon request.

P. Exceptions.

1. By conditional use permit, the city council may grant exceptions to these provisions.
2. Mobile food sales on public streets or property at city sanctioned events shall not require a conditional use permit provided such sales are conducted at locations and in a manner and time as may be directed by the city.
3. Unless so conditioned, mobile food vendors operating in an approved mobile food court are not subject to the restrictions on hours of operation or the prohibition on the sale of alcohol and outside storage of furniture pursuant to this section.

17.92.050 Mobile food court requirements.

Mobile food courts are subject to all permit requirements and site development standards established by this code. Mobile food courts shall be further subject to the following standards:

A. An individual pad and individual service and utility hook-ups shall be provided for each mobile food vendor.

B. A restroom shall be provided on site for employees and customers.

C. Pedestrian-oriented amenities, including tables, seating, shaded areas, and landscaping, shall be provided.

D. Customer walkup areas may not extend into the public right-of-way.

E. With the exception of providing food service at community events, the maximum number of mobile food vendors per lot shall be as follows:

1. Maximum of two (2) mobile food vendors on lots less than one-half (0.5) acre.

2. Maximum of four (4) mobile food vendors on lots between one-half (0.5) acre and one (1) acre.

3. Maximum of six (6) mobile food vendors on lots greater than one (1) acre.

F. Exceptions. By conditional use permit, the city council may grant exceptions to these provisions.

17.92.060 Exemptions.

The following are exempt from the requirements of this chapter as specified below, but still must satisfy all other applicable permit requirements (e.g., business license, encroachment permit, county food facility permit, etc.).

A. Mobile food sales conducted in connection with the operations of a certified farmers' market.

B. Mobile food sales conducted at a city-sponsored special event, such as a street fair.

C. Mobile food sales at an event at a school facility, assembly use facility, or recreational facility if the vendor is in partnership with the organization conducting the event and is located on the site of the event (i.e., not in the public right-of-way).

D. Mobile food sales at a public park with approval of the city clerk.

E. Mobile food sales at a private event or party in a residential zone located either on the site of the event or in the public right-of-way with no retail sales to the general public.

CHAPTER 17.96
ACCESSORY DWELLING UNITS

Sections:

17.96.010 Purpose.
17.96.020 Definitions.
17.96.030 Accessory dwelling unit criteria.
17.96.040 Junior accessory dwelling unit criteria.

17.96.010 Purpose.

This chapter provides for accessory dwelling units (ADU) and junior accessory dwelling units (JADU) consistent with Government Code Sections 66310-66342.

17.96.020 Definitions.

A. "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one (1) or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

1. An efficiency unit.
2. A manufactured home, as defined in Section 18007 of the Health and Safety Code.

B. "Junior accessory dwelling unit" means a unit that is no more than five hundred (500) square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

C. "Livable space" means space in a dwelling intended for human habitation, as the term appears in Government Code sections 66313, subdivision (e), and 66323, subdivision (a)(3)(A).

17.96.030 Accessory dwelling unit criteria.

A. Location.

1. Accessory dwelling units are permitted by right in all zoning districts that allow single-family residential and multifamily residential as a principally permitted use.
2. In addition, an existing dwelling unit that complies with the development standards for accessory dwelling units in subsection (E) of this section may be considered an accessory dwelling unit, and a new principal unit may be constructed, which would then be considered the principal dwelling unit.

B. Limitation.

1. Single-Family Residential. No more than one (1) accessory dwelling unit and one (1) junior accessory dwelling unit shall be located on the same parcel improved with a single-family dwelling.
2. Multifamily Residential.

a. Provided that the number of detached accessory dwelling units does not exceed the number of dwelling units on the lot, up to eight (8) detached accessory dwelling units shall be allowed on a parcel improved with a multifamily dwelling.

b. When the accessory dwelling unit is created within a portion of the existing multifamily dwelling structure that is not used as livable space, and if each space complies with applicable building and health and safety codes, the number of accessory dwelling units allowed on a parcel improved with a multifamily dwelling is limited to not more than twenty-five (25) percent of the number of multifamily dwelling units on the property, except that at least one (1) accessory dwelling unit shall be allowed.

C. Occupancy. Owner occupancy of a dwelling on the property is not required.

D. All requirements and regulations of the district in which the lot is situated shall apply, except as set forth in subsection (E) of this section.

E. Conditions. An accessory dwelling unit may be established by the conversion of an attic, basement, garage, or other portion of an existing residential unit or by new construction, by the conversion of an accessory structure, or by new construction provided the following criteria are met:

1. Floor Area. The floor area of the accessory dwelling unit shall not exceed:

   a. Parcels sized ten thousand (10,000) square feet or greater: One thousand two hundred (1,200) square feet.

   b. All other parcels: Eight hundred and fifty (850) square feet for a studio or one-bedroom accessory dwelling unit, or one thousand (1,000) square feet for an accessory dwelling unit that provides for more than one (1) bedroom.

2. The increased floor area of an attached accessory dwelling unit shall not exceed eight hundred (800) square feet or fifty (50) percent of the existing living area, whichever is greater.

3. Height.

   a. The height of a one-story detached accessory dwelling unit shall not exceed eighteen (18) feet.

   b. The height of an attached one-story accessory dwelling unit shall not exceed twenty-six (26) feet.

   c. The height of detached two-story accessory dwelling units shall not exceed twenty-six (26) feet.

   d. When the lot is within one half mile of a major transit stop or high-quality transit corridor, an additional two (2) feet in height may be added to a detached accessory dwelling unit to accommodate a roof pitch that aligns with the primary dwelling.

4. Lot Coverage. Accessory dwelling units shall not be considered when calculating the maximum lot coverage allowed.

5. Setbacks.

   a. Accessory dwelling units (both attached and detached) shall have side and rear setbacks of not less than four (4) feet.

   b. Accessory dwelling units (both attached and detached) shall have front setbacks consistent with the zoning districts in which they are located, provided that

compliance with the setback does not preclude development of an accessory dwelling unit at least eight hundred (800) square feet in area, even if the accessory dwelling unit would exist partially or wholly within the front setback.

c. No setback shall be required for an accessory dwelling unit created within an existing living area or accessory structure or an accessory dwelling unit created in a new structure in the same location and to the same dimensions as an existing structure.

d. The minimum distance between accessory dwelling units (both attached and detached) and other structures on the lot shall be as required by building or fire code.

6. Manufactured and Mobile Homes. Manufactured and mobile home accessory dwelling units that meet the requirements of state law shall be allowed provided they are constructed on a permanent foundation, are substantially compatible with the principal unit, and adhere to the development standards set forth in this chapter.

7. Utility Connections. At the discretion of the city engineer, utility connections (sewer, water, electricity, telephone) may or may not be connected to the principal dwelling unit. If utility connections are separate from the principal unit, power and telephone lines shall be underground from the point of source as approved by the respective utility purveyor to the accessory dwelling unit. However:

   a. For the creation of an accessory dwelling unit contained within the existing space of a single-family residence or accessory structure, the city shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.

8. Selling Accessory Dwelling Units. The accessory dwelling unit shall not be sold separately from the primary dwelling unless the existing lot is divided into two or more lots consistent with city lot dimension and lot area standards resulting the primary and accessory residential structures being on individual lots. Full separate utility connections for all habitable structures shall be a requirement of approval of the lot division.

9. Renting Accessory Dwelling Units. The rental of an accessory dwelling unit is allowed but not required. Accessory dwelling units shall not be utilized as short-term rentals (no transient occupancy) and must be rented for at least thirty (30) days.

10. Separate Entrance Required. The entry to an attached accessory dwelling unit shall be accessed separately and securely from the principal unit.

    a. No passageway shall be required in conjunction with the construction of an accessory dwelling unit. For the purpose of this chapter, a passageway is a pathway that is unobstructed clear to the sky and extends from a street to an entrance of the accessory dwelling unit.

11. Applicable Codes. Accessory dwelling units must comply with applicable building, fire and other health and safety codes.

12. Parking.

    a. Parking requirements for accessory dwelling units shall not exceed one (1) parking space per unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on an existing driveway. However, no parking

requirements shall be mandatory for those accessory dwelling units in any of the following instances:

i. The accessory dwelling unit is located within one-half (0.5) mile of public transit.

ii. The accessory dwelling unit is located within an architecturally and historically significant historic district.

iii. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.

iv. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

v. When there is a car share vehicle located within one (1) block of the accessory dwelling unit.

vi. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in Government Code section 66322, subdivision (a)(1)-(5).

b. Off-street parking shall be permitted in setback areas in locations determined by the city or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction.

c. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, no parking replacement spaces shall be required. Any other required on-site parking spaces shall be maintained for the principal unit and may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts.

F. Application Procedure. City clerk, or designee, approval shall be required for all accessory dwelling units. The property owner shall file a complete building permit application and pay all applicable fees. The completed application form shall include, but not be limited to, data on the floor space and height of the proposed unit and the existing residential unit(s) and an accurately drawn site plan showing the location and size of all existing and proposed structures, the proposed accessory dwelling unit, setbacks, utility connections, and any required vehicle parking.

G. Existing Nonpermitted Accessory Dwelling Units. Unless supported by the finding that "correcting the violation is necessary to protect the health and safety of the public or occupants of the structure," the city clerk shall not deny a permit for an accessory dwelling unit constructed without benefit of required permits prior to January 1, 2018, because the accessory dwelling unit violates building standards or because the accessory dwelling unit does not comply with state accessory dwelling unit law or this title.

H. Accessory dwelling units shall not be counted as "development units" under the General Plan density requirements.

I. Accessory dwelling units converted from existing space shall not be considered new residential uses for the purposes of calculating connection fees or capacity charges for

utilities, including sewer and water. Accessory dwelling units of seven hundred and fifty (750) square feet or less shall not be subject to impact fees. Accessory dwelling units larger than seven hundred and fifty (750) square feet may, as determined by the city council by resolution, be subject to impact fees charged proportionately in relation to the square footage of the primary dwelling unit.

J. The installation of fire sprinklers shall not be required in an accessory dwelling unit if they are not required for the primary residence (unless otherwise required by the fire chief based on state law). However, other fire protection mechanisms, as determined by the fire chief, may be required for fire and life safety in those accessory dwelling units not meeting setbacks.

K. An accessory dwelling unit created under this chapter shall be maintained with the provisions of this chapter and shall not be destroyed or otherwise converted to any other use (including reverting to a portion of the primary residence) except with approval of the city clerk. In considering such requests, the city clerk shall consider the length of time such permit has been in force, the conditions of approval, the exceptions granted for the permit, and the impact on the city's affordable housing supply. As a condition of termination, the city clerk shall require the owner to make modifications to the property to comply with current building code requirements and to comply with current development standards in effect at the time of the request to terminate the use of the accessory dwelling unit.

17.96.040 Junior accessory dwelling unit criteria.

A. Location. Junior accessory dwelling units may be allowed only on parcels zoned for single-family residential use with an existing single-family dwelling unit on the parcel, or as part of a proposed single-family residential use when it is within the proposed space of a single-family dwelling.

B. Limitation. In no case shall more than one (1) accessory dwelling unit and one (1) junior accessory dwelling unit be placed on the same lot or parcel as an existing or proposed single-family dwelling.

C. Occupancy. Owner-occupancy is required in the single-family dwelling unit in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the single-family dwelling unit or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is a governmental agency, land trust, or housing organization.

D. Existing Structure/Bedroom. A junior accessory dwelling unit shall be located within the walls of an existing or proposed single-family residence.

E. Entrance. A junior accessory dwelling unit shall include its own discrete entrance, separate from the main entrance to the structure. A permitted junior accessory dwelling unit without a separate bathroom shall include an interior entry to the main living area.

F. Kitchen. The junior accessory dwelling unit shall include an efficiency kitchen, which shall include all of the following: sink, food preparation counter, refrigerator, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

G. Parking. Junior accessory dwelling units have no parking requirement.

H. Deed Restriction. The junior accessory dwelling unit shall not be offered for sale apart from the principal unit. A deed restriction, which shall run with the land, shall be filed with the city and shall include both of the following:

1. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers; and

2. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.

I. Timing. A permit shall be issued within sixty (60) days of submission of an application for a junior accessory dwelling unit that meets the criteria in this section and is part of an existing single-family dwelling.

J. For the purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

K. For the purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

L. A junior accessory dwelling unit created under this chapter shall be maintained with the provisions of this chapter and shall not be destroyed or otherwise converted to any other use, including reverting to a portion of the primary residence, except with approval of the city clerk. In considering such requests, the city clerk shall consider the length of time such permit has been in force, the conditions of approval, the exceptions granted for the permit, and the impact on the city's affordable housing supply. As a condition of termination, the city clerk shall require the owner to make modifications to the property to comply with current building code requirements and to comply with current development standards in effect at the time of the request to terminate the use of the junior accessory dwelling unit.

CHAPTER 17.100
REASONABLE ACCOMMODATIONS

Sections

17.100.010 Purpose.
17.100.020 Findings.
17.100.030 Applicability.
17.100.040 Notice to the public of availability of accommodation process.
17.100.050 Requesting reasonable accommodation.
17.100.060 Reviewing authority.
17.100.070 Required findings.
17.100.080 Written decision on the request for reasonable accommodation.
17.100.090 Appeals.

17.100.010 Purpose.

It is the policy of the city, pursuant to the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act (hereafter "fair housing laws"), to provide individuals with disabilities reasonable accommodation in rules, policies, practices, and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. This chapter establishes a procedure for making requests for reasonable accommodation in land use, zoning, and building regulations, policies, practices, and procedures of the city to comply fully with the intent and purpose of fair housing laws.

17.100.020 Findings.

A. The city council finds that the federal Fair Housing Amendments Act of 1988 and California's Fair Employment and Housing Act impose an affirmative duty on local governments to make reasonable accommodation in their land use and zoning regulations and practices when such accommodation may be necessary to afford individuals with disabilities an equal opportunity to housing.

B. The Attorney General of the State of California has recommended that cities and counties implement fair housing reasonable accommodation procedures for making land use and zoning determinations concerning individuals with disabilities to further the development of housing for individuals with disabilities.

C. A fair housing reasonable accommodation procedure for individuals with disabilities and developers of housing for individuals with disabilities to seek relief in the application of land use, zoning, and building regulations, policies, practices, and procedures will further the city's compliance with federal and state fair housing laws and provide greater opportunities for the development of critically needed housing for individuals with disabilities.

17.100.030 Applicability.

A. Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices, and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

B. An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.

C. A request for reasonable accommodation may be made by any individual(s) with a disability, their representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning, or building regulation, policy, practice, or procedure acts as a barrier to fair housing opportunities.

17.100.040 Notice to the public of availability of accommodation process.

Notice of the availability of reasonable accommodation shall be prominently displayed at city hall, advising the public of the availability of the procedure for eligible individuals. Forms for requesting reasonable accommodation shall be available to the public at city hall.

17.100.050 Requesting reasonable accommodation.

A. In order to make housing available to an individual with a disability, any eligible person as defined in Section 17.100.030 (Applicability) may request a reasonable accommodation in land use, zoning, and building regulations, policies, practices, and procedures.

B. Requests for reasonable accommodation shall be in writing and provide the following information:

   1. Name and address of the individual(s) requesting reasonable accommodation;

   2. Name and address of the property owner(s);

   3. Address of the property for which accommodation is requested;

   4. Description of the requested accommodation and the regulation(s), policy, or procedure for which accommodation is sought; and

   5. Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.

C. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

D. A request for reasonable accommodation in regulations, policies, practices, and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.

E. If an individual needs assistance in making the request for reasonable accommodation, the city will provide assistance to ensure that the process is accessible.

17.100.060 Reviewing authority.

A. Where no approval is sought other than the request for reasonable accommodation, requests shall be reviewed by the city clerk or their designee using the criteria set forth in Section 17.100.070 (Required findings).

   1. The city clerk or their designee shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable

accommodation in accordance with the required findings set forth in Section 17.100.070.

2. If necessary to reach a determination on the request for reasonable accommodation, the city clerk or their designee may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30)-day period to issue a decision is stayed until the applicant responds to the request.

B. Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application.

17.100.070 Required findings.

The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following factors:

A. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;

B. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;

C. Whether the requested accommodation would impose an undue financial or administrative burden on the city; and

D. Whether the requested accommodation would require a fundamental alteration in the nature of the city's land use and zoning or building program.

17.100.080 Written decision on the request for reasonable accommodation.

A. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings on the criteria set forth in Section 17.100.070 (Required findings). All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The notice of decision shall be sent to the applicant by certified mail.

B. The written decision of the reviewing authority shall be final unless an applicant appeals it to the city council in compliance with Chapter 17.120 (Hearings and Appeals).

C. If the reviewing authority fails to render a written decision on the request for reasonable accommodation within the thirty (30)-day time period allotted by Section 17.100.060 (Reviewing authority), the request shall be deemed granted.

D. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

17.100.090 Appeals

A. Within thirty (30) days of the date of the reviewing authority's written decision, an applicant may appeal an adverse decision. Appeals from the adverse decision shall be made in writing.

B. If an individual needs assistance in filing an appeal on an adverse decision, the city will provide assistance to ensure that the appeals process is accessible.

C. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

D. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

CHAPTER 17.104
RESIDENTIAL DENSITY BONUSES

Sections:

17.104.010 Purpose.
17.104.020 Definitions.
17.104.030 Application requirements.
17.104.040 Application review process.
17.104.050 Density bonus agreement.
17.104.060 Density bonus calculations.
17.104.070 Development standards.
17.104.080 Density bonus for commercial development.
17.104.090 Interpretation.

17.104.010 Purpose.

In accordance with California Government Code Sections 65915, et seq., this chapter specifies how compliance with State Density Bonus Law will be implemented. Specifically, the purpose of this chapter is to provide density bonuses, incentives, concessions, and waivers of development standards for the production of housing for very low-, low-, and moderate-income households, senior households, provision of daycare facilities, student housing, and donations of land, and for other housing types as provided by state law. In enacting this chapter, it is also the intent of the city to implement the goals and policies of the housing element of the general plan.

17.104.020 Definitions.

The definitions found in State Density Bonus Law shall apply to the terms contained in this chapter. "Incentives" include "concessions" as defined in State Density Bonus Law.

17.104.030 Application requirements.

A. An applicant for a "housing development" as defined in State Density Bonus Law shall be eligible for a density bonus and other regulatory benefits that are provided by State Density Bonus Law when the applicant seeks and agrees to provide housing as specified in Government Code Section 65915(b), (c), (f), (g), (h) and (v), or in Government Code Section 65195.5, or successor provisions. The density bonus calculations shall be made in accordance with State Density Bonus Law.

B. The granting of a density bonus, incentive, or concession, pursuant to this chapter, shall not be interpreted, in and of itself, to require a general plan amendment, development code amendment, zone change, other discretionary approval, or the waiver of a city ordinance or provisions of a city ordinance unrelated to development standards.

C. All requests for density bonuses, incentives, parking reductions, and waivers for a housing development shall be filed with and on a form provided by the city clerk, or their designee, concurrently with the filing of the planning application for the first discretionary or ministerial permit required for the housing development, whichever permit is earliest. The applicant shall be informed whether the application is complete consistent with Government Code Section 65943.

D. The application shall include the required fee and the following minimum information:

   1. For a requested density bonus.

a. Summary table showing the maximum number of dwelling units permitted by the zoning and general plan excluding any density bonus units, proposed affordable units by income level, proposed bonus percentage, number of density bonus units proposed, total number of dwelling units proposed on the site, and resulting density in units per acre.

b. Subparagraph of Government Code Section 65915(b)(1) under which the housing development qualifies for a density bonus and reasonable documentation demonstrating that the housing development is eligible for a bonus under that subparagraph.

c. Where the housing development is seeking an additional bonus, the subparagraph of Government Code Section 65915(v)(1) under which the housing development qualifies for an additional density bonus and reasonable documentation demonstrating that the housing development is eligible for the additional bonus under that subparagraph.

d. A tentative map or preliminary site plan, drawn to scale, showing the number and location of all proposed units, designating the location of proposed affordable units and density bonus units.

e. The zoning and general plan designations and assessor's parcel number(s) of the housing development site.

f. A description of all dwelling units existing on the site in the five-year period preceding the date of submittal of the application and identification of any units rented in the five-year period; subject to any form of rent control through a public entity's valid exercise of its police power; or subject to a recorded covenant ordinance, or law restricting rents to levels affordable to households of lower or very low income.

g. If dwelling units on the site are currently rented, income and household size of all residents of currently occupied units, if known. If any dwelling units on the site were rented in the five-year period but are not currently rented, the income and household size of residents occupying the dwelling units when the site contained the maximum number of dwelling units, if known.

h. The phasing of the construction of the affordable housing units in relation to the nonrestricted units in the housing development.

i. A marketing plan for the affordable housing units, as well as an explanation of the methods to be used to verify tenant and/or buyer incomes and to maintain affordability of the affordable housing units.

j. If a density bonus is requested for a land donation, the location of the land to be dedicated, proof of site control, and reasonable documentation that each of the requirements included in Government Code Section 65915 (g) can be met.

2. Requested incentives. Incentives are those defined by State Density Bonus Law. The number of incentives that may be requested shall be based upon the number the applicant is entitled to pursuant to State Density Bonus Law. The application shall include the following minimum information for each incentive requested, shown on a site plan (if appropriate):

   a. The city's usual regulation and the requested regulatory incentive or concession.

b. Except where mixed-use zoning is proposed as a concession or incentive, reasonable documentation to show that any requested incentive will result in identifiable and actual cost reductions to provide for affordable housing costs or rents.

c. If approval of mixed-use zoning is proposed, reasonable documentation that nonresidential land uses will reduce the costs of the housing development, that the nonresidential land uses are compatible with the housing development and the existing or planned development in the area where the proposed housing development will be located, and that mixed-use zoning will provide for affordable housing costs and rents.

3. Requested waivers. For each waiver requested, the applicant shall include, shown on a site plan, and shown for each existing or proposed parcel (if applicable), the city's required development standard and the requested development standard.

4. Parking reductions. If a housing development is eligible for a density bonus pursuant to State Density Bonus Law, the applicant may request an on-site vehicular parking ratio specified in Government Code Section 65915(p). An applicant may request this parking reduction in addition to the incentives and waivers permitted by paragraphs (2) and (3) of this subsection. The application shall include a table showing parking required by the zoning regulations, parking proposed under State Density Bonus Law, the statute under which the project qualifies for the parking reduction, and reasonable documentation that the project is eligible for the requested parking reduction.

5. Density bonus or incentive for a childcare facility in a housing development. The application shall include reasonable documentation that all of the requirements included in Government Code Section 65915(h) can be met.

6. Density bonus or incentive for a condominium conversion. The application shall include reasonable documentation that all of the requirements included in Government Code Section 65915.5 can be met.

17.104.040 Application review process.

A. All requests under State Density Bonus Law shall be part of the planning application and shall be applied for, reviewed, and acted upon concurrently with the planning application by the city council, within the timelines prescribed by California Government Code Section 65950 et seq. or other statute.

B. To ensure that an application for a housing development conforms with the provisions of State Density Bonus Law, the staff report presented to the city council shall state whether the application conforms to the following requirements of State Density Bonus Law, as applicable:

1. The housing development provides the housing required by State Density Bonus Law to be eligible for a density bonus and any incentives, parking reduction, or waivers requested, including housing required to replace units rented or formerly rented to very low- and low-income households as required by California Government Code Section 65915(c)(3).

2. If applicable, the housing development provides the housing required by State Density Bonus law to be eligible for an additional density bonus under Government Code Section 65915(v)(1).

3. If an incentive is requested, reasonable documentation has been presented showing that any requested incentive will result in identifiable and actual cost reductions to provide for affordable housing or costs or rents; except that, if a mixed-use development is requested, the application must instead meet all of the requirements of Government Code Section 65915(k)(2).

4. If a waiver is requested, the development standards for which a waiver is requested would have the effect of physically precluding the construction of the housing development at the densities or with the incentives permitted.

5. The housing development is eligible for any requested parking reductions under Government Code Section 65915(p) or other statute.

6. If the density bonus is based all or in part on donation of land, the requirements of Government Code Section 65915(g) have been met.

7. If the density bonus or incentive is based all or in part on the inclusion of a childcare facility or condominium conversion, the requirements included in Government Code Section 65915(h) or 65915.5, as appropriate, have been met.

C. The city council shall grant an incentive requested by the applicant unless it makes a written finding, based upon substantial evidence, of any of the following:

1. The proposed incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5; or for affordable rents, as defined in Health and Safety Code Section 50053; or

2. The proposed incentive would be contrary to state or federal law; or

3. The proposed incentive would have a specific, adverse impact upon the public health or safety or on any real property that is listed in the California Register of Historic Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low- and moderate-income households. For the purpose of this subsection, "specific, adverse impact" means a significant, quantifiable, direct and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the housing development was deemed complete as defined in Government Code Section 65589.5.

D. The city council shall grant the waiver of development standards requested by the applicant unless it makes a written finding, based upon substantial evidence, of any of the following:

1. The proposed waiver would be contrary to state or federal law; or

2. The proposed waiver would have an adverse impact on any real property listed in the California Register of Historic Resources; or

3. The proposed waiver would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low- and moderate-income households. For the purpose of this subsection, "specific, adverse impact" means a significant, quantifiable, direct and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the housing development was deemed complete as defined in Government Code Section 65589.5.

E. If a childcare center complies with the requirements of Government Code Section 65915(h), the city council may deny a density bonus or incentive that is based on the provision of childcare facilities only if it makes a written finding, based on substantial evidence, that the city already has adequate childcare facilities.

F. A request for minor modification of an approved density bonus housing plan may be granted by the city clerk, or their designee, if the modification substantially complies with the original density bonus housing plan and conditions of approval. Other modifications to the density bonus housing plan shall be processed in the same manner as the original plan.

17.104.050 Density bonus agreement.

A. If a density bonus, incentive, parking reduction, or waiver is approved pursuant to this chapter, the applicant shall enter into a binding affordable housing agreement or restrictive covenant, as described below, with the city, which sets forth the conditions and guidelines to be met in the implementation of State Density Bonus Law and that ensures compliance with all of the provisions of this chapter. The agreement will also establish specific compliance standards and remedies available to the city upon failure by the applicant to comply with State Density Bonus Law, this chapter, or the affordable housing agreement.

B. For rental projects, the applicant shall enter into an affordable housing agreement with the city, running with the land, in a form approved by the city attorney, to be executed by the city clerk, or their designee. The agreement shall require the continued affordability of all rental units that qualified the applicant for the receipt of the density bonus, incentive, waiver, or parking reduction for a minimum of fifty-five (55) years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program; shall identify the type, size and location of each affordable unit; shall specify the eligible occupants; shall specify phasing of the affordable units in relation to the market-rate units; and shall contain other relevant provisions approved by the city attorney. Rents for the lower income density bonus units shall be set at an affordable rent as defined in State Density Bonus Law.

C. For for-sale projects, the applicant shall enter into an affordable housing agreement with the city, running with the land, in a form approved by the city attorney, to be executed by the city clerk, or their designee. The affordable housing agreement shall require that, the initial purchasers of those for-sale units that qualified the applicant for the receipt of the density bonus, incentive, waiver, or parking reduction are persons and families of lower or moderate income, as applicable, or if any for-sale unit is not purchased by an income-qualified household within one-hundred eighty (180) days after the issuance of the certificate of occupancy, then the unit(s) must be sold pursuant to a contract that satisfies the requirements of Revenue and Taxation Code Section 402.1(a)(10) to a qualified non-profit housing corporation as defined in State Density Bonus Law and that the units are offered at an affordable housing cost, as that cost is defined in Health and Safety Code Section 50052.5; and shall contain other relevant provisions approved by the city attorney. The city shall enforce an equity sharing agreement consistent with State Density Bonus Law unless it is in conflict with the requirements of another public funding source or law.

D. Where a density bonus, waiver or parking reduction is provided for a market-rate senior housing development, the applicant shall enter into a restrictive covenant with the city, running with the land, in a form approved by the city attorney, to be executed by the city clerk, or their designee, to require the housing development to be operated as "housing for older persons" consistent with state and federal fair housing laws.

E. The executed affordable housing agreement shall be recorded against the housing development prior to final or parcel map approval, or, where a map is not being processed, prior to issuance of building permits for the housing development, whichever is earliest. The affordable housing agreement shall be binding on all future owners and successors in interest.

17.104.060 Density bonus calculations.

A. In determining the total number of units to be granted, each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.

B. When calculating the number of affordable units needed to qualify for a given density bonus, any fractions of affordable dwelling units shall be rounded up to the next whole number.

C. Except where a housing development is eligible for an additional bonus pursuant to Government Code Section 65915(v), each housing development is entitled to only one density bonus. If a housing development qualifies for a density bonus under more than one category, the applicant shall identify the category under which the density bonus is requested to be granted.

D. In determining the number of affordable units required to qualify a housing development for a density bonus pursuant to State Density Bonus Law, units added by a density bonus are not included in the calculations. Any on-site units that satisfy inclusionary housing requirements adopted by the city and which are required to be constructed concurrently with the housing development may qualify the housing development for a density bonus if those units meet the requirements of State Density Bonus Law. Payment of fees in lieu of providing affordable units does not qualify a housing development for a density bonus.

E. The applicant may elect to accept a lesser percentage of density bonus than the housing development is entitled to, or no density bonus, but no reduction will be permitted in the percentages of affordable units required by State Density Bonus Law. Regardless of the number of affordable units, no housing development shall be entitled to a density bonus greater than what is authorized under State Density Bonus Law.

F. Nothing in this chapter requires the provision of direct financial incentives from the city for the housing development, including, but not limited to, the provision of financial subsidies, publicly owned land, fee waivers, or waiver of dedication requirements. The city, at its sole discretion, may choose to provide such direct financial incentives.

17.104.070 Development standards.

A. Building permits and final inspections or certificates of occupancy shall be issued concurrently for the market rate units and for any affordable units that qualified the project for a density bonus, incentive, waiver, or parking reduction, so that the affordable units comprise the required percentage of total units.

B. Affordable units shall be comparable in exterior appearance and overall quality of construction to market rate units in the same housing development. Interior finishes and amenities may differ from those provided in the market rate units, but neither the workmanship nor the products may be of substandard or inferior quality as determined by the city.

C. To comply with fair housing laws, the affordable units shall contain the same proportional mix of bedroom sizes as the market-rate units. In mixed-income buildings, the occupants

of the affordable units shall have the same access to the common entrances and to the common areas, parking, and amenities of the project as the occupants of the market-rate housing units, and the affordable units shall be located throughout the building and not isolated on one floor or to an area on a specific floor.

17.104.080 Density bonus for commercial development.

A. The following definitions shall apply to this section:

1. "Commercial development" means a development project for nonresidential and nonindustrial uses.

2. "Commercial development bonus" means modification of development standards mutually agreed upon by the city and a commercial developer and provided to a commercial development eligible for such a bonus under subdivision (C). Examples of a commercial development bonus include an increase in floor area ratio, increased building height, or reduced parking.

3. "Partnered housing agreement" means an agreement approved by the city between a commercial developer and a housing developer identifying how the commercial development will provide housing available at an affordable ownership cost or affordable rent consisted with subdivision (C). A partnered housing agreement may consist of the formation of a partnership, limited liability company, corporation, or other entity recognized by the state in which the commercial developer and the housing developer are each partners, members, shareholders, or other participants, or a contract between the commercial developer and the housing developer for the development of both the commercial developer and the housing development.

B. When an applicant proposes to construct a commercial development and has entered into a partnered housing agreement approved by the city, the city shall grant a commercial development bonus mutually agreed upon by the developer and the city. The commercial development bonus shall not include a reduction or waiver in fees imposed on the commercial development to provide for affordable housing.

C. The partnered housing agreement shall include all of the following provisions:

1. The housing development shall be located either: (a) on the site of the commercial development; or (b) on a site within the city that is within one-half mile of a major transit stop, as defined in Public Resources Code Section 21155, and is in close proximity to public amenities, including schools and employment centers.

2. At least thirty percent (30%) of the total units in the housing development shall be made available at an affordable ownership cost or affordable rent to low-income households, or at least fifteen percent (15%) of the total units in the housing development shall be made available at an affordable ownership cost or affordable rent to very low-income households.

3. The commercial development must agree either to directly build the affordable housing units, donate a site consistent with the requirements of Government Code Section 65915(g) for the development of the affordable housing units, or make a cash payment to the housing developer for the development of the affordable housing units.

D. An approved partnered housing agreement shall be described in the Housing Element annual report as required by Government Code Section 65915.7(k).

17.104.090 Interpretation.

If any portion of this chapter conflicts with State Density Bonus Law or other applicable state law, state law shall supersede this chapter. Any ambiguities in this chapter shall be interpreted to be consistent with State Density Bonus Law. Statutory references in this ordinance include successor provisions.

CHAPTER 17.108
OBJECTIVE DESIGN STANDARDS

Sections:

17.108.010 Purpose.
17.108.020 Applicability.
17.108.030 Approval authority.
17.108.040 Objective design standards.

17.108.010 Purpose.

The objective design standards set forth in this chapter supplement the development standards in this title and serve as minimum requirements for multifamily residential development and mixed-use development that contains residential uses.

17.108.020 Applicability.

These standards are mandatory for any qualifying residential project that requests streamlined processing and ministerial approval pursuant to state law provisions that reference objective design standards. Qualifying residential projects are those that comply with Government Code Section 65913.4(a).

Section 65913.4(a)(2)(C) provides that Section 65913.4 applies to areas within a jurisdiction that are zoned for residential use or residential mixed-use development or have a general plan designation that allows residential use or a mix of residential and nonresidential uses, and at least two-thirds of the square footage of the development is designated for residential use. As such, these objective design standards apply to developments meeting these requirements within the following zoning districts: R-R, R-1-10, R-1-12, R-2, R-3, M-H, and T-C. Section 65913.4(a)(1) defines a multifamily development as a development that contains two (2) or more residential units.

17.108.030 Approval authority.

The city clerk or designee shall use the objective design standards set forth in this chapter to approve developments that meet all of the criteria set forth in Government Code Section 65913.4.

17.108.040 Objective design standards.

A. Site Standards.

1. Street connectivity.

    a. External Connectivity. Streets within any proposed subdivision or development site shall be aligned with existing and planned streets in adjacent neighborhoods so as to create a continuous street pattern. All streets, alleys, and pedestrian pathways in any subdivision or development site shall connect to other streets and to existing and planned streets outside the proposed subdivision or development.

    b. Internal connectivity. New streets must form a continuous and linked vehicular and pedestrian network within the development.

c. Cul-de-sacs and dead-end streets. Any cul-de-sac or other dead-end street longer than three hundred (300) feet shall be connected to other streets by a pedestrian path.

d. No gates/barriers. Automobile and pedestrian access points into multifamily residential developments shall not be gated or closed off to the public.

e. Block length/mid-block pedestrian connections. Blocks shall not exceed six hundred (600) feet in length, measured from street centerline to street centerline, unless mid-block pedestrian connections are provided at intervals of no more than three hundred fifty (350) feet apart. Such pedestrian connections shall include a walkway at least ten (10) feet wide.

2. Parking required.

a. Pursuant to Government Code Section 65913.4(e), no parking shall be required for those developments located within one-half (0.5) mile of public transit or within a designated historic district.

b. Pursuant to Government Code Section 65913.4(e), the maximum required parking shall be one (1) space per dwelling unit. A carport or enclosed garage is optional.

3. Parking location, design, and access.

a. All parking areas shall have adequate ingress and egress to and from a street or alley. Sufficient room for turning and maneuvering vehicles shall be provided on the site. Barriers shall be provided where deemed necessary by the city to protect property.

b. Entrances and exits to parking lots and other parking facilities shall be provided at locations approved by the city engineer.

c. The parking area, aisles, and access drives shall be constructed with a minimum of six (6)-inch base and a double chip and seal to provide a durable, dustless surface, and shall be graded and drained to dispose of surface water, with the design and specifications for such work approved by the city engineer.

d. The use of cluster parking spaces into small parking areas, dispersed around the site, to avoid large paved expanses is required.

e. All parking lots shall include appropriately striped spaces for standard and compact cars as well as accessible spaces.

f. No parking is allowed in setback areas along project boundaries.

g. A separation of pedestrian and automobile traffic paths is required to minimize conflict areas for safety.

h. Walkways to connect parking lots to building entrances shall be provided. Landscaping, lighting, and paving shall be used to define walkways.

4. Parking lot lighting.

a. Light fixture design shall be compatible with the design and the use of the principal structure on the site. Light fixtures shall be equipped with appropriate reflectors and shielded to prevent illumination of the adjacent properties.

b. Incorporate placement of light fixtures into the landscape scheme of the project. Show location and type of all exterior lights on the landscape plans.

c. Height of any light poles shall be appropriate for the project and surrounding environment. Height of the light poles shall not exceed that of the main building.

d. Use bollard type luminaries, maximum of eight (8) feet high for pedestrian areas.

e. Shield light sources to prevent any glare or direct illumination on public streets, adjacent properties, or highways.

f. All area lights shall be energy efficient type (LED, High Pressure Sodium, or equivalent).

g. All on-site pedestrian and automobile traffic areas shall be illuminated for safety and security.

5. Onsite open space and outdoor recreation areas.

   a. On each multifamily development of five (5) units or more, the open space requirements pursuant to Section 17.76.090 (Open space requirements for multifamily developments) shall be met.

   b. In addition to those standards in Section 17.76.090, any multifamily project of fifteen (15) or more units shall provide a recreation area that complies with the following:

      i. A defined and fenced recreation area which may include fixed play equipment, pools, ball courts, and similar facilities.

      ii. The recreation area shall not be less than five hundred (500) square feet, or twenty-five (25) square feet per dwelling unit, whichever is greater.

      iii. The recreation area shall be visible from more than one (1) dwelling unit within the project.

      iv. The recreation area shall be protected from any adjacent streets or parking lots with a fence or other barrier at least four (4) feet in height.

   c. Exemptions. The recreation area requirement shall not apply to any development that is:

      i. Located within five hundred (500) feet of a public park; or

      ii. Age-restricted to senior citizens.

   d. For minimum setback requirements, refer to the zoning district.

6. Landscaping.

   a. At a minimum, the following landscaping is required:

      i. All areas not occupied by parking, driveways, pedestrian walkways, recreation areas, buildings, structures, and hardscape shall be landscaped.

      ii. The required front yard shall be landscaped and not used for parking. The only area not landscaped within the required front yard is the driveway access to the required parking area, which shall not exceed twenty-five (25) feet in width.

iii. Landscaping within the front setback area shall include one (1) fifteen (15)-gallon size tree for each fifty (50) feet of frontage, and at least one (1) one (1)-gallon sized shrub for each five (5) feet of frontage.

iv. In addition to the required trees and shrubs, the landscaped area may also be planted with lawn or ground cover plants. Other decorative, non-plant ground covers may be used as long as they do not exceed twenty-five (25) percent of the landscaped area.

v. Parking lot landscaping shall be provided to enhance sites and building parking areas in compliance with subsection (C) of Section 17.60.090 (Design, construction, and maintenance standards).

vi. Where landscaping is provided, adequate irrigation and maintenance thereof shall be provided, including replacement of dead trees, shrubs, vines, or other ground cover required pursuant to this section.

7. Fencing.

a. All fences shall comply with Section 17.76.120 (Fences, walls, hedges, and screen planting).

b. Any perimeter fencing utilized along a public street shall be constructed of decorative iron, pre-painted welded steel, vinyl, or wood picket material.

c. Fences and walls shall be compatible in style and material with the main structures on a site.

d. To avoid the monotony of long, solid walls and fences around the perimeter of projects, variation in height and depth is encouraged.

e. Barbed wire and chain link fencing is prohibited.

f. Fences and walls used for noise control shall be made of materials most suited for noise reduction and which minimize reflective sound.

g. Security fencing and gates shall be of an open type to allow for maximum visibility of the secured area. Wrought iron and cast-iron fences are recommended for security fences and gates for all uses.

8. Refuse containers. Provide dumpsters for garbage collection and containers for recycling within a screened enclosure design specifically for that use pursuant to Section 17.76.230 (Trash and recycling enclosures).

B. Building Design Standards.

1. Building mass and articulation.

a. Building length. Buildings shall not be less than twenty (20) feet or exceed two hundred (200) feet in width or length on any side.

b. Facade articulation. All building facades that face or will be visible from a public street shall include one (1) or more of the following treatments.

i. Exterior building walls shall vary in depth through a pattern of offsets, recesses, or projections.

ii. The building height shall be varied so that a portion of the building has a noticeable change in height; or roof forms are varied over different portions of the building through changes in pitch, plane, and orientation.

iii. The building facades shall incorporate details such as window trim, window recesses, cornices, belt courses, and other design elements.

c. Maximum building height. As established for the zoning district in which the development is located.

d. Vertical articulation for tall buildings. In buildings of three (3) or more stories, upper and lower stories shall be distinguished by incorporating one (1) or more of the following features. These features may be applied to the transitions between any floors, except where otherwise specified.

i. A change in facade materials, along with a change in plane at least one (1) inch in depth at the transition between the materials.

ii. A horizontal design feature such as a water table, belt course, or belly band.

iii. A base treatment at the ground floor consisting of a material such as stone, concrete masonry, or other material distinct from the remainder of the facade and projecting at least one (1) inch from the wall surface of the remainder of the building.

iv. Setting back the top floor(s) of the building at least five (5) feet from the remainder of the facade.

2. Facade transparency/limitation on blank walls.

a. At least twenty (20) percent of the area of each street-facing facade of a residential building must consist of windows, doors, or other openings. No wall that faces a sidewalk, pedestrian walkway, or publicly accessible outdoor space shall run in a continuous plane of more than thirty (30) feet without a window, door, or other opening.

3. Roofline.

a. Minimum roof slope: 3:12.

b. Minimum roof eave overhang. Twelve (12) inches.

4. Exterior theme.

a. Buildings shall carry the same theme on all elevations. For the purposes of this standard, a theme includes primary (non-accent) materials and colors.

b. Affordable units and market rate units in the same development shall be constructed of the same or similar exterior materials and details such that the units are not distinguishable.

5. Screening. All exterior mechanical and electrical equipment shall be screened or incorporated into the design of buildings in accordance with Section 17.76.240 (Screening).

CHAPTER 17.112
SURFACE MINING AND RECLAMATION

Sections:

17.112.010 Purpose and intent.
17.112.020 Definitions.
17.112.030 Incorporation by reference.
17.112.040 Applicability.
17.112.050 Vested rights.
17.112.060 Use permits.
17.112.070 Reclamation plans.
17.112.080 Modifications to reclamation plans.
17.112.090 Interim management plans.
17.112.100 Financial assurances.
17.112.110 Appeals.
17.112.120 State review.
17.112.130 Transferability.
17.112.140 Annual inspections and reports.
17.112.150 Record keeping.
17.112.160 Enforcement.
17.112.170 Fees.

17.112.010 Purpose and intent.

The city recognizes that the extraction of minerals is essential to the continued economic well-being of the city and to the needs of society and that the reclamation of mined lands is necessary to prevent or minimize adverse effects on the environment and to protect the public health and safety. The city also recognizes that surface mining takes place in diverse areas where the geologic, topographic, climatic, biological, and social conditions are significantly different and that reclamation operations and the specifications therefore may vary accordingly.

The purpose and intent of this chapter is to ensure the continued availability of important mineral resources, while regulating surface mining operations as required by California's Surface Mining and Reclamation Act of 1975 (Public Resources Code [PRC] Section 2710 et seq.), as amended, hereinafter referred to as "SMARA", PRC Section 2207 (relating to annual reporting requirements), and State Mining and Geology Board regulations (hereinafter referred to as "state regulations") for surface mining and reclamation practice (California Code of Regulations [CCR], Title 14, Division 2, Chapter 8, Subchapter 1, Section 3500 et seq.), to ensure that:

A. Adverse environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses.

B. The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.

C. Residual hazards to the public health and safety are eliminated.

17.112.020 Definitions.

The definitions set forth in this section shall govern the construction of this chapter.

"Area of regional significance" means an area designated by the State Mining and Geology Board (SMGB) which is known to contain a deposit of minerals, the extraction of which is judged to be

of prime importance in meeting future needs for minerals in a particular region of the State within which the minerals are located and which, if prematurely developed for alternate incompatible land uses, could result in the premature loss of minerals that are of more than local significance.

"Area of statewide significance" means an area designated by the SMGB which is known to contain a deposit of minerals, the extraction of which is judged to be of prime importance in meeting future needs for minerals in the state and which, if prematurely developed for alternate incompatible land uses, could result in the permanent loss of minerals that are of more than local or regional significance.

"Borrow pits" means excavations created by the surface mining of rock, unconsolidated geologic deposits or soil to provide material (borrow) for fill elsewhere.

"Compatible land uses" means land uses inherently compatible with mining and/or that require a minimum public or private investment in structures, land improvements, and which may allow mining because of the relative economic value of the land and its improvements. Examples of such uses may include, but shall not be limited to, very low density residential, geographically extensive but low impact industrial, recreational, agricultural, silvicultural, grazing, and open space.

"Haul road" means a road along which material is transported from the area of excavation to the processing plant or stockpile area of the surface mining operation.

"Idle" means an operator of a surface mining operation has curtailed production at the surface mining operation, with the intent to resume the surface mining operation at a future date, for a period of one (1) year or more by more than ninety (90) percent of its maximum annual mineral production within any of the last five (5) years during which an interim management plan has not been approved.

"Incompatible land uses" means land uses inherently incompatible with mining and/or that require public or private investment in structures, land improvements, and landscaping and that may prevent mining because of the greater economic value of the land and its improvements. Examples of such uses may include, but shall not be limited to, high density residential, low density residential with high unit value, public facilities, geographically limited but impact intensive industrial, and commercial.

"Mined lands" means the surface, subsurface, and ground water of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools, or other materials or property which result from, or are used in, surface mining operations are located.

"Minerals" means any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum.

"Mining waste" means the residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, surface mining operations.

"Operator" means any person who is engaged in surface mining operations, or who contracts with others to conduct operations on their behalf, except a person who is engaged in surface mining operations as an employee with wages as their sole compensation.

"Permit" means any authorization from, or approval by, a lead agency, the absence of which would preclude surface mining operations.

"Reclamation" means the combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

"Stream bed skimming" means excavation of sand and gravel from stream bed deposits above the mean summer water level or stream bottom, whichever is higher.

"Surface mining operations" means all, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations include, but are not limited to, inplace distillation or retorting or leaching, the production and disposal of mining waste, prospecting and exploratory activities, borrow pitting, streambed skimming, and segregation and stockpiling of mined materials (and recovery of same).

"Vested rights" means a person shall be deemed to have vested rights if, prior to January 1, 1976, the person has, in good faith and in reliance upon a permit or other authorization, if the permit or other authorization was required, diligently commenced surface mining operations and incurred substantial liabilities for work and materials necessary for the surface mining operations. Expenses incurred in obtaining the enactment of an ordinance in relation to a particular operation or the issuance of a permit shall not be deemed liabilities for work or materials.

17.112.030 Incorporation by reference.

A. The provisions of SMARA (PRC Section 2710 et seq.), PRC Section 2207, and state regulations CCR Section 3500 et seq., as those provisions and regulations may be amended from time to time, are made a part of this chapter by reference with the same force and effect as if the provisions therein were specifically and fully set out herein, excepting that when the provisions of this chapter are more restrictive than correlative state provisions, this chapter shall prevail.

B. PRC Sections 2762, 2763 and 2764 and Chapter 14 California Code of Regulations Section 3676, and subsequent amendments regarding mineral classification studies and general plan resource management policies are incorporated into this chapter.

17.112.040 Applicability.

A. Except as provided in this chapter, no person shall conduct surface mining operations unless a permit, reclamation plan, and financial assurances for reclamation have first been approved by the city. Any applicable exemption from this requirement does not automatically exempt a project or activity from the application of other regulations, ordinances, or policies of the city, including but not limited to, the application of the California Environmental Quality Act ("CEQA", PRC, Division 13, Section 21000 et seq.), the requirement of site approvals or other permits, the payment of development impact fees, or the imposition of other dedications and exactions as may be permitted under the law. The provisions of this chapter shall apply to all lands within the city, public and private.

B. This chapter does not apply to any of the following activities, subject to the above-referenced exceptions:

    1. Excavations or grading conducted for farming.

2. Onsite excavation and onsite earthmoving activities which are an integral and necessary part of a construction project that are undertaken to prepare a site for construction of structures, landscaping, or other land improvements, including the related excavation, grading, compaction, or the creation of fills, road cuts, and embankments, whether or not surplus materials are exported from the site, subject to all of the following conditions:

    a. All required permits for the construction, landscaping, or related land improvements have been approved by a public agency in accordance with applicable provisions of state law and locally adopted plans and ordinances, including, but not limited to, CEQA.

    b. The city's approval of the construction project included consideration of the onsite excavation and onsite earthmoving activities pursuant to CEQA.

    c. The approved construction project is consistent with the general plan or zoning of the site.

    d. Surplus materials shall not be exported from the site unless and until actual construction work has commenced and shall cease if it is determined that construction activities have terminated, have been indefinitely suspended, or are no longer being actively pursued.

3. Operation of a mineral processing site, including associated onsite structures, equipment, machines, tools, or other materials, including the onsite stockpiling, crushing, screening, batching, and onsite recovery of mined materials, subject to all of the following conditions:

    a. The site is located on lands designated for industrial or commercial uses in the general plan.

    b. The site is located on lands zoned industrial or commercial or on lands appropriately zoned for mineral processing.

    c. None of the minerals being processed are extracted onsite.

    d. All reclamation work has been completed pursuant to the approved reclamation plan for any mineral extraction activities that occurred onsite after January 1, 1976.

4. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than one thousand (1,000) cubic yards in any one location of one (1) acre or less.

5. Surface mining operations that are required by federal law in order to protect a mining claim, if those operations are conducted solely for that purpose.

6. Any other surface mining operations that the State Mining and Geology Board determines to be of an infrequent nature and which involve only minor surface disturbances.

7. Surface mining operations and emergency excavations or grading conducted by the Department of Water Resources or the Reclamation Board as specified in PRC Section 2714.

8. Excavations or grading for the exclusive purpose of obtaining materials for roadbed construction and maintenance conducted in connection with timber operations or forest management on land owned by the same person or entity. This exemption is

limited to excavation and grading that is conducted adjacent to timber operation or forest management roads and shall not apply to onsite excavation or grading that occurs within one hundred (100) feet of a Class One watercourse or seventy-five (75) feet of a Class Two watercourse, or to excavation for materials that are, or have been, sold for commercial purposes.

a. This exemption shall be available only if slope stability and erosion are controlled in accordance CCR Sections 3704(f) and 3706(d) and, upon closure of the site, the person closing the site implements, where necessary, revegetation measures and post-closure uses in consultation with the Department of Forestry and Fire Protection.

9. Excavations, grading, or other earthmoving activities in an oil or gas field that are integral to and necessary for ongoing operations for the extraction of oil or gas as specified in PRC Section 2714.

17.112.050 Vested rights.

A. No person who obtained a vested right to conduct surface mining operations prior to January 1, 1976, shall be required to secure a permit to mine, so long as the vested right continues and as long as no substantial changes have been made in the operation except in accordance with SMARA, state regulations, and this chapter. Where a person with vested rights has continued surface mining in the same area subsequent to January 1, 1976, they shall obtain city approval of a reclamation plan covering the mined lands disturbed by such subsequent surface mining. In those cases where an overlap exists (in the horizontal and/or vertical sense) between pre- and post-SMARA mining, the reclamation plan shall call for reclamation proportional to that disturbance caused by the mining after the effective date of SMARA (January 1, 1976).

B. All other requirements of state law and this chapter shall apply to vested mining operations.

17.112.060 Use permits.

A use permit shall be required for a surface mining operation which is not determined to be vested. A use permit shall also be required for the expansion of a surface mining operation beyond the boundaries of the vested area.

17.112.070 Reclamation plans.

A. The city's review of reclamation plans is limited to whether the plan substantially meets the applicable requirements of this chapter and PRC Sections 2772, 2773, 2773.3, and Article 1 (commencing with Section 3500), Article 9 (commencing with Section 3700) of Subchapter 1 of Chapter 8 of Division 2 of Title 14 of the CCR, as applicable. Reclamation plans determined to substantially meet these requirements shall be approved by the city for purposes of this chapter.

B. The following standards shall apply to all reclamation plans:

1. The reclamation plan shall be applicable to a specific piece of property or properties, shall be based upon the character of the surrounding area and such characteristics of the property as type of overburden, soil stability, topography, geology, climate, stream characteristics, and principal mineral commodities, and reclamation plan, including topography, revegetation, and sediment and erosion control.

2. All reclamation plans shall be subject to the reclamation performance standards in 14 CCR Sections 3700 through 3713. These standards shall apply to each mining

operation, but only to the extent that they are consistent with the planned or actual subsequent use or uses of the mining site.

3. The city shall employ standards in compliance with state policy. The city may impose additional performance standards (conditions) developed either in review of individual projects, as warranted, or through the adoption of citywide performance standards.

C. The reclamation plan shall be filed with the city on a form provided by the city clerk, by any person who owns, leases, or otherwise controls or operates on all, or any portion of any, mined lands, and who plans to conduct surface mining operations thereon. The reclamation plan shall include the information and documents required under PRC Sections 2772, 2773, 2773.3, and Article 1 (commencing with Section 3500), Article 9 (commencing with Section 3700) of Subchapter 1 of Chapter 8 of Division 2 of Title 14 of the CCR, as applicable. The application shall also include environmental review information required under CEQA as prescribed by the city clerk or their designee.

1. Professional reports, documents, calculations, plans, specifications, maps, cross sections, boring or trench logs, and diagrams (documents hereafter) which must, under applicable law, regulation, or code, be prepared by or under the supervision of licensed professionals will not be accepted or considered unless at least one copy of said document bears an original signature, stamp impression or seal, and date affixed by the author in accordance with applicable law and regulation.

2. Unless otherwise directed or agreed in advance, all professionally prepared documents included in any application package submitted for formal decision maker action are to be in final form and must be signed, stamped or sealed, and dated in accordance with applicable law and regulation.

D. Reclamation plans shall be approved, conditionally approved, or denied in accordance with this chapter, including a public hearing, except where preempted by the PRC.

1. Reclamation plans determined not to substantially meet the requirements of this chapter, PRC Sections 2772, 2773, 2773.3, and Article 1 (commencing with Section 3500), Article 9 (commencing with Section 3700) of Subchapter 1 of Chapter 8 of Division 2 of Title 14 of the CCR, as applicable, shall be returned to the operator within sixty (60) days. The operator has sixty (60) days to revise the plan to address identified deficiencies, at which time the revised plan shall be returned to the city for review and approval of completeness.

2. Prior to city approval, reclamation plans shall be forwarded to the Department of Conservation and other state agencies as required under SMARA (PRC Section 2772.1). The city shall certify to the supervisor that the reclamation plan complies with the applicable requirements of PRC Sections 2772, 2773, 2773.3, and Article 1 (commencing with Section 3500), Article 9 (commencing with Section 3700) of Subchapter 1 of Chapter 8 of Division 2 of Title 14 of the CCR, as in effect at the time the reclamation plan is submitted to the supervisor for review (PRC Section 2772.1).

E. The decision on a reclamation plan may be appealed in accordance with Section 17.112.110 (Appeals).

F. Prior to approving a reclamation plan, the approving body shall make the following findings:

1. The project has been reviewed pursuant to CEQA, all adverse impacts related to the reclamation plan have been mitigated by the plan and/ or the recommended condition of approval, and the appropriate environmental determination has been adopted.

2. The reclamation plan complies with the requirements of the SMARA, specifically PRC Sections 2772 and 2773, and the reclamation standards specified in CCR, Title 14, Division 2, Chapter 8, Subchapter 1, Article 9, Sections 3700 through 3713.

3. The reclamation plan has been forwarded to the Department of Conservation as prescribed by this chapter and in accordance with PRC Section 2772.1, including all applicable documentation required for submission as outlined in PRC Section 2772.1.

4. The reclamation plan complies with the purpose, intent, and requirements of this chapter.

5. The proposed goal of reclamation is consistent with the general plan policies and zoning for the area.

G. If the surface mining operation for which a reclamation plan has been approved is not commenced within two (2) years of the approval date of the reclamation plan, the reclamation plan shall be null and void. An extension of time for one (1) additional year may be granted by the original approving body provided the operator submits a request prior to the expiration of the reclamation plan. Extension of time shall not be granted to extend the date of completion of the reclamation plan.

17.112.080 Modifications to reclamation plans.

A. Any person having an approved reclamation plan may file for an amendment of that reclamation plan as specified herein. Amendment applications shall be in the form specified by the city clerk. An amendment to an approved reclamation plan will be considered minor or major based on whether there is a substantial deviation from the approved reclamation plan. All proposed reclamation plan amendments shall be submitted to the Department of Conservation for concurrence that an amendment is a minor, non-substantial deviation from the approved plan, or for compliance review of a major, substantial deviation plan amendment. A major amendment shall be subject to the standard reclamation plan application fee and a minor amendment shall be subject to the minor amendment application fee.

B. Minor, Non-Substantial Deviation Reclamation Plan Amendments. Minor reclamation plan amendments may include any of the following if the city clerk and the Department of Conservation determine the amendment does not constitute a substantial deviation from the approved reclamation plan:

1. Modifications that involve minor changes, such as those that improve drainage, improve slope designs within the reclamation plan boundaries or improve re-vegetation success;

2. Modifications that adjust the reclamation boundaries to incorporate areas disturbed prior to January 1, 1976, or existing components of the mining operation that were established in accordance with all other city requirements;

3. Approval of interim management plans for idle mines pursuant to this chapter; or

4. Other modifications that the city clerk determines do not constitute a substantial deviation from the approved reclamation plan upon concurrence from the Department of Conservation.

C. The city clerk is the decision-making authority for non-substantial reclamation plan amendments. The city clerk's decision may be appealed to the city council pursuant to Section 17.120.020 (Appeals of administrative action).

D. Major, Substantial Deviation Reclamation Plan Amendments. A major reclamation plan amendment is any reclamation plan amendment that constitutes a substantial deviation from

the existing, approved reclamation plan under this section and SMARA. A substantial deviation shall be defined as a change or expansion to a surface mining operation that substantially affects the completion of the previously approved reclamation plan, or that changes the end use of the approved plan to the extent that the scope of the reclamation required for the surface mining operation is substantially changed. In determining whether a change or expansion constitutes a substantial deviation, the lead agency shall take into consideration the following factors:

1. A substantial increase in the disturbance of a surface area or in the maximum depth of mining;
2. A substantial extension of the termination date of the mining operation as set out in the approved reclamation plan;
3. Changes that would substantially affect the approved end use of the site as established in the reclamation plan;
4. The consistency of any proposed change to the operation with the previously adopted environmental determinations and one that would trigger a new environmental document;
5. Whether the change would trigger a substantial amendment to any approved use permit applicable to the mining activity; and/or
6. Any other changes that the lead agency deems substantial deviations as defined in this subsection.

E. The city council is the decision-making body for substantial deviation reclamation plan amendments.

17.112.090 Interim management plans.

A. Within ninety (90) days of a surface mining operation becoming idle, the operator shall submit to the city for review and approval, an interim management plan. The review and approval of an interim management plan shall not be considered a project for purposes of CEQA. The approved interim management plan shall be considered an amendment to the surface mining operation's approved reclamation plan. The interim management plan shall provide the measures that the operator will implement to maintain the site in compliance with SMARA, including all conditions of any applicable use permit and/or reclamation plan.

B. Prior to city approval, interim management plans shall be submitted for review by the Department of Conservation pursuant to Section 17.112.120 (State review).

C. The city clerk may approve an interim management plan without public notice or a public hearing if the city clerk determines that the interim management plan does not require any changes to the reclamation plan or conditions of approval and adequately describes the measures that will be implemented to maintain the mine in idle status while complying with SMARA and any applicable permit conditions. The decision of the city clerk may be appealed to the city council pursuant to Section 17.120.020 (Appeals of administrative action).

D. The interim management plan may remain in effect for a period not to exceed five (5) years, at which time the city shall do one of the following:

1. Renew the interim management plan for another period not to exceed five (5) years, if the city finds that the surface mining operator has complied fully with the interim management plan;

2. Require the operator to commence reclamation in accordance with the approved reclamation plan.

E. The financial assurances shall remain in effect during the period that the surface mining operation is idle. If the operation remains idle after the expiration of its interim management plan, reclamation shall commence in accordance with the approved reclamation plan.

F. Within forty-five (45) days of the receipt of the interim management plan, or a longer period mutually agreed upon by the city clerk and the operator, the city clerk or their designee shall review the interim management plan in accordance with this chapter, and if the interim management plan satisfies the requirements of this section, forward the plan to the Department of Conservation for comment. Otherwise, the city clerk or their designee shall notify the operator in writing of any deficiencies in the plan. The operator shall have thirty (30) days, or a longer period mutually agreed upon by the operator and the city clerk, to submit a revised plan.

G. The city clerk or their designee shall submit the interim management plan, including a revised interim management plan, to the Department of Conservation for review, and certify to the supervisor that the interim management plan is a complete submission and complies with the applicable requirements of this chapter and PRC, Division 2, Chapter 9, Section 2710 et seq., Article 1 (commencing with Section 3500) and Article 9 (commencing with Section 3700) of Subchapter 1 of Chapter 8 of Division 2 of Title 14 of the CCR.

H. The city clerk or their designee shall review and evaluate written comments received from the Department of Conservation relating to the interim management plan within a reasonable amount of time and respond to the supervisor in accordance with PRC Section 2770, including, but not limited to, providing the supervisor notice of an intended approval of the interim management plan.

I. The city clerk shall approve or deny the revised interim management plan within sixty (60) days of receipt of the Department of Conservation's comments or within ninety (90) days of submitting the interim management plan to the supervisor if no comments are received from the supervisor. If the city clerk denies the revised interim management plan, the operator may appeal that action to the city council, which shall schedule a public hearing within forty-five (45) days of the filing of the appeal, or any longer period mutually agreed upon by the operator and the city council.

J. Unless review of an interim management plan is pending before the city, or an appeal is pending before the city council, a surface mining operation which remains idle for more than one (1) year after becoming idle as defined in Section 2727.1 without obtaining approval of an interim management plan shall be considered abandoned and the operator shall commence and complete reclamation in accordance with the approved reclamation plan.

K. Any enforcement action which may be brought against a person for operating without an approved reclamation plan, financial assurance, or interim management plan, shall be held in abeyance pending review pursuant to PRC Section 2770 subdivision (b) or (h), or the resolution of an appeal filed with the State Mining and Geology Board pursuant to subdivision (e), or with the city council pursuant to subdivision (h) (PRC Section 2770(h)(1) through (6)).

17.112.100 Financial assurances.

A. The city's review of financial assurances is limited to whether the financial assurances substantially meet the applicable requirements of PRC Section 2773.1, Article 11 (commencing with Section 3800) of Subchapter 1 of Chapter 8 of Division 2 of Title 14 of the CCR, and this chapter. Financial assurances for reclamation shall be sufficient to perform

reclamation of lands remaining disturbed. Financial assurances determined to substantially meet these requirements shall be approved by the city for purposes of this chapter. Except as specified in PRC Section 2770(e), an appeal pursuant to PRC Section 2770(e) with regard to non-approval of financial assurances, and that appeal is pending before the State Mining and Geology Board, the continuation of the surface mining operation is prohibited until financial assurances for reclamation are approved by the city.

B. The city shall require financial assurances of each surface mining operation to ensure reclamation is performed in accordance with the surface mining operation's approved reclamation plan, as follows:

1. Financial assurances may take the form of surety bonds executed by an admitted surety insurer, as defined in subdivision (a) of Section 995.120 of the Code of Civil Procedure, irrevocable letters of credit, trust funds, or other forms of financial assurances specified by the State Mining and Geology Board pursuant to PRC Section 2773.1(e), which the city reasonably determines are adequate to perform reclamation in accordance with the surface mining operation's approved reclamation plan.

2. The financial assurances shall remain in effect for the duration of the surface mining operation and any additional period until reclamation is completed.

3. The amount of financial assurances cost estimate required of a surface mining operation for any one year shall be adjusted annually to account for new lands disturbed by surface mining operations, inflation, and reclamation of lands accomplished in accordance with the approved reclamation plan. An operator shall be required to replace an approved financial assurance mechanism to bond for the reclamation of the surface mining operation only if the financial assurance cost estimate identifies a need to increase the amount of the financial assurance mechanism.

4. Financial assurance cost estimates shall be submitted to the city for review on a form developed by the Department of Conservation and approved by the State Mining and Geology Board.

5. The financial assurances shall be made payable to the city and the Department of Conservation. A financial assurance mechanism shall not be released without the consent of the city clerk and the Department of Conservation. Financial assurances that were approved by the city prior to January 1, 1993, and were made payable to the state geologist shall be considered payable to the Department of Conservation for purposes of this chapter. However, if a surface mining operation has received approval of its financial assurances from a public agency other than the city, the city shall deem those financial assurances adequate for purposes of this section, or shall credit them toward fulfillment of the financial assurances required by this section, if they are made payable to the public agency, the city, and the Department of Conservation and otherwise meet the requirements of this section. In any event, if the city and one or more public agencies exercise jurisdiction over a surface mining operation, the total amount of financial assurances required by the city and the public agencies for any one year shall not exceed that amount which is necessary to perform reclamation of lands remaining disturbed. For purposes of this paragraph, a "public agency" may include a federal agency.

6. Estimates for financial assurances shall include descriptions of the tasks to be performed, identification of equipment, labor and materials requirements, definition of unit costs, total cost per task, total direct cost of reclamation, and administrative costs including costs of supervision, profit and overhead, contingencies and mobilization.

Additional required information may include a site plan showing the present limits of the disturbed area to be reclaimed, and other information necessary to verify the estimate.

7. In projecting the costs of financial assurances, it shall be assumed without prejudice or insinuation that the surface mining operation could be abandoned by the operator and, consequently, the city or state may need to contract with a third-party for reclamation of the site.

C. Financial assurances determined not to substantially meet the requirements of PRC Section 2773.1 shall be returned to the operator within sixty (60) days. The operator has sixty (60) days to revise the financial assurances to address identified deficiencies, at which time the revised financial assurances shall be returned to the city for review and approval of completeness.

D. Prior to city approval, financial assurances shall be forwarded to the Department of Conservation pursuant to Section 17.112.120 (State review) and PRC Section 2773.4.

E. The decision to approve financial assurances, both with respect to the form and amount thereof, shall be made by the city clerk. The financial assurance estimates shall be based on an approved reclamation plan. The city clerk's decision may be appealed in accordance with Section 17.112.110 (Appeals).

F. Financial assurances are not required of a surface mining operation, and shall be released, upon written notification by the city clerk and the Department of Conservation, which shall be forwarded to the operator and the institutions providing or holding the financial assurance mechanism, when reclamation has been completed in accordance with the approved reclamation plan. If a mining operation is sold or ownership is transferred to another person, the existing financial assurances shall remain in force and shall not be released by the city clerk and the Department of Conservation until new financial assurances are secured from the new owner and have been approved by the city in accordance with Section 2770, 2773.1, and 2773.4. Within ninety (90) days of the sale or transfer of a surface mining operation, the new operator shall submit an appropriate financial assurance mechanism, which may be the existing mechanism if the existing mechanism is payable in the event of the new operator's financial incapability or abandonment of the surface mining operation, that is subject to review by the city and the Department of Conservation pursuant to subdivision (e) of Section 2773.4. Within fifteen (15) days of the sale or transfer of a surface mining operation, the new operator shall sign a new statement of reclamation responsibility in accordance with paragraph (10) of subdivision (c) of Section 2772.

G. The city shall conduct a public hearing to determine if the operator is financially incapable of performing reclamation in accordance with the approved reclamation plan, or has abandoned the surface mining operation without completing reclamation. The city shall provide notice of the public hearing to the operator and the Department of Conservation at least thirty (30) days prior to the hearing.

H. If the city, following a public hearing, determines that the operator is financially incapable of performing reclamation in accordance with the approved reclamation plan, or has abandoned the surface mining operation without completing reclamation, the city clerk or their designee shall do all of the following:

1. Notify the operator by personal service or certified mail that the city intends to take appropriate action to forfeit the financial assurances and specify the reasons for so doing;

2. Allow the operator sixty (60) days to commence or cause the commencement of reclamation in accordance with its approved reclamation plan and require that reclamation be completed within the time limits specified in the approved reclamation plan or some other time period mutually agreed upon by the city and the operator;

3. Proceed to take appropriate action to require forfeiture of the financial assurances if the operator does not substantially comply with subsection (H)(2) of this section; and

4. Use the proceeds from the forfeited financial assurances to conduct and complete reclamation in accordance with the approved reclamation plan. If the surface mining operation cannot be reclaimed in accordance with its approved reclamation plan, or the financial assurance mechanisms are inadequate to reclaim in accordance with its approved reclamation plan, the city or Department of Conservation may use forfeited financial assurance mechanisms to reclaim or remediate mining disturbances as appropriate for the site conditions as determined by both the city and the supervisor. In no event shall the financial assurances be used for any other purpose. The operator is responsible for the costs of conducting and completing reclamation in accordance with the approved reclamation plan which are in excess of the proceeds from the forfeited financial assurances.

17.112.110 Appeals.

Decisions of the city clerk or their designee may be appealed to the city council within fifteen (15) calendar days of the decision by filing an appeal pursuant to Section 17.120.020 (Appeals of administrative action).

17.112.120 State review.

A. Prior to approving a surface mining operation's reclamation plan, interim management plan, financial assurances, including existing financial assurances reviewed by the city pursuant to PRC Section 2773.4 or any amendments, the city shall submit the plan, assurances, or amendments to the Department of Conservation for review.

B. Pursuant to PRC Section 2772.1 and PRC Section 2773.4(b) the Department of Conservation shall be given thirty (30) days to review the reclamation plan and fifteen (15) days to review the financial assurance, including any amendments, for completeness. Following the receipt of a complete reclamation plan submission, including any amendments, the supervisor shall be given thirty (30) days to comment. Following the receipt of a complete financial assurance submission, including any amendments, the supervisor shall be given forty-five (45) days to comment. For an interim management plan, the supervisor shall be given thirty (30) days to comment pursuant to PRC Section 2770(h)(4)(C). The city shall prepare a written response to the supervisor's comments describing the disposition of the major issues raised by the supervisor's comments, and submit the city's proposed response to the supervisor at least thirty (30) days prior to approval of the reclamation plan, plan amendment, interim management plan, financial assurance, or financial assurance amendment. The city's response to the supervisor's comments shall describe whether the city proposes to adopt the supervisor's comments to the reclamation plan, plan amendment, interim management plan or financial assurance, or financial assurance amendment. If the city does not propose to adopt the supervisor's comments, the city shall specify, in detail, why the city proposes not to adopt the comments. Copies of any written comments received and responses prepared by the city shall be forwarded to the operator. The city shall also give the supervisor at least thirty (30) days' notice of the time, place, and date of the hearing before the city council at which time the reclamation plan, plan amendment, financial assurance, or financial assurance

amendment is scheduled to be approved. If no hearing is required by this chapter or title or state law, then the city shall provide thirty (30) days' notice to the supervisor that it intends to approve the reclamation plan, plan amendment, interim management plan financial assurance, or financial assurance amendment. Within thirty (30) days following the approval of the reclamation plan or plan amendment, the city shall provide the supervisor notice of the approval. The city shall provide, as soon as practicable but no later than sixty (60) days after approval of the reclamation plan or plan amendment, certified copies of all maps, diagrams, or calculations, signed and sealed in accordance with PRC Section 2772.1(b)(7)(A) and PRC Section 2772.1(b)(7)(B), including all required documentation as outlined in said sections. The city shall send to the supervisor its final response to the supervisor's comments within thirty (30) days following its approval of the financial assurance or amendment during which period the department retains all powers, duties, and authorities of this chapter.

C. The city shall notify the Department of Conservation of the filing of an application for a permit to conduct surface mining operations within thirty (30) days of such an application being filed (and determined complete) with the city.

D. Whenever surface mining operations are proposed in the 100-year floodplain for any stream, as shown in Zone A of Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, and within one (1) mile upstream or downstream of any state highway bridge, the city shall notify the Department of Transportation that the application has been received. The Department of Transportation shall have a period of not more that forty-five (45) days to review and comment on the proposed surface mining operations with respect to any potential damage to the state highway bridge from the proposed surface mining operations. The city shall not issue or renew the permit until the Department of Transportation has submitted its comments or until forty-five (45) days from the date the application for the permit was submitted, whichever occurs first.

E. The city shall comply with the procedures and timeframes prescribed in PRC Section 2774.2.5 when submitting to the Department of Conservation for state review. If there is any conflict between the requirements of this section and SMARA, the requirements of SMARA shall govern.

17.112.130 Transferability.

A. Whenever one operator succeeds to the interest of another in any uncompleted surface mining operation by sale, assignment, transfer, conveyance, exchange, or other means, the successor shall be bound by the provisions of the approved reclamation plan and the provisions of this chapter.

B. Financial assurances provided by the operator's successor to the city and the Department of Conservation shall have been approved, and the financial assurance mechanism shall be in place prior to the continuation of surface mining operations.

17.112.140 Annual inspections and reports.

A. Surface mining operators shall forward an annual status report to the Department of Conservation and to the city on a date established by the supervisor upon forms furnished by the State Mining and Geology Board.

B. The city shall conduct an inspection of a surface mining operation in intervals of no more than twelve (12) months, solely to determine whether the surface mining operation is in compliance with this chapter. In no event shall the city inspect a surface mining operation less than once in any calendar year. The city may cause such an inspection to be conducted by a state-registered geologist, state-registered civil engineer, state-licensed landscape architect, or

state-registered forester, or a qualified city employee experienced in land reclamation and not previously employed by the mining operation in any capacity during the previous twelve (12) months. All inspections shall be conducted using a form developed by the Division of Mine Reclamation and approved by the State Mining and Geology Board. The operator shall be solely responsible for the reasonable cost of the inspection. The city shall provide a notice of completion of inspection to the supervisor within ninety (90) days of conducting the inspection. The notice shall contain a statement regarding the surface mine's compliance with this chapter, shall include a copy of the completed inspection form, and shall specify, as applicable, all of the following:

1. Aspects of the surface mining operations, if any, are inconsistent with this chapter but were corrected before the submission of the inspection form to the supervisor;
2. Aspects of the surface mining operation, if any, that were found to be inconsistent with this chapter but were not corrected before the submission of the inspection form to the supervisor;
3. A statement describing the city's intended response to any aspects of the surface mining operation found to be inconsistent with this chapter but were not corrected before the submission of the inspection form to the supervisor; and
4. A statement as to whether the surface mining operation is out of compliance with an order to comply or stipulated order to comply issued by the city.

C. If the surface mining operation has a review of its reclamation plan, financial assurances, or an interim management plan pending under subdivision (b) or (h) of Section 2770, or an appeal pending before the State Mining and Geology Board or the city council under subdivision (b) or (h) or Section 2770, the notice shall so indicate. The city shall forward to the operator a copy of the notice, a copy of the completed inspection form, and any supporting documentation, including, without limitation, any inspection report prepared by the geologist, civil engineer, landscape architect, or forester, or qualified city employee who conducted the inspection.

17.112.150 Record keeping.

A. The city shall establish and maintain in-house measures and procedures to ensure organized record keeping and monitoring of surface mining reclamation under its jurisdiction. The city shall forward a copy of each permit and approved reclamation plan and financial assurance instrument to the Department of Conservation.

B. Reclamation plans, reports, applications, and other documents submitted pursuant to this chapter are public records, unless it can be demonstrated to the satisfaction of the city that the release of that information, or part thereof, would reveal production, reserves, or rate of depletion entitled to protection as proprietary information. The city shall identify such proprietary information as a separate part of the application. Proprietary information shall be made available only to the Department of Conservation and to persons authorized in writing by the operator and by the owner.

C. A copy of all reclamation plans, reports, applications, and other documents submitted pursuant to this chapter shall be furnished to the Department of Conservation by the city on request.

17.112.160 Enforcement.

A. If the city clerk or their designee, based upon an annual inspection or otherwise confirmed by an inspection of the mining operation, determines that a surface mining operation is not in

compliance with SMARA, the approved reclamation plan, an interim management plan or the provisions of this chapter, then the city clerk may follow the enforcement procedures and remedies provided in PRC Section 2774.1 including issuance of a notice of violation and any subsequent order to comply and administrative penalties. Such enforcement procedures and remedies are non-exclusive and are in addition to any other procedure or remedy provided under the law.

B. An appeal of an order to comply without administrative penalties must be made to the city council in accordance with Section 17.112.110 (Appeals) except that the appeal may be lodged within thirty (30) days of the order. An appeal of an order setting administrative penalties must be made directly to the city council in accordance with Section 17.112.110 except that the appeal may be lodged within thirty (30) days of the order.

17.112.170 Fees.

The city council shall establish such fees as it deems necessary to cover the reasonable costs incurred in implementing this chapter and applicable state laws, including processing of applications, appeals, annual reports, inspections, monitoring, enforcement and compliance. Such fees shall be paid by the operator of the surface mining operation as required by the city at the time of filing of the reclamation plan application, modification to reclamation plan application, appeal, or time extension request, and at such other times as are determined by the city to be appropriate in order to ensure that all reasonable costs of implementing this chapter are borne by the mine operator.

CHAPTER 17.116
AMENDMENTS

Sections:

17.116.010 When made.
17.116.020 Initiation.
17.116.030 Public hearings.
17.116.040 Action by city council.

17.116.010 When made.

Subject to the approval of the city council, the regulations and districts established by this title, and the boundaries thereof, may be changed, amended, or altered, or any provision thereof may be changed, altered, or amended, and any property within the city may be rezoned, reclassified, or established whenever the public convenience, necessity, or general welfare require the same by following the procedure set forth in this chapter.

17.116.020 Initiation.

Any such change, amendment, alteration, rezoning, or establishment (singly or collectively referred to herein as an "amendment") may be initiated by the city council or city clerk, or by verified petition of one (1) or more owners of the property affected by the proposed amendment, which petition shall be filed and accompanied by a fee set by the city council.

17.116.030 Public hearings.

The city council shall hold a public hearing on any proposed amendment and shall give notice of the time and place of the hearings, as set forth in Section 17.120.010 (Notice required). Any such hearing may be continued from time to time.

17.116.040 Action by city council.

After notice has been given as provided in Section 17.120.010 (Notice required), the city council shall at a regular or special meeting or meetings publicly hear and consider the matter. Any such hearing may be continued from time to time. Within sixty (60) days after the conclusion of the hearing, the city council may amend, alter, adopt, or reject the amendment.

CHAPTER 17.120
HEARINGS AND APPEALS

Sections:

17.120.010 Notice required.
17.120.020 Appeals of administrative action.

17.120.010 Notice required.

A. Notice of any public hearing required under the terms of this title shall be given at least ten (10) days prior to the first hearing by at least one (1) publication in a newspaper of general circulation within the city, and by the U.S. Mail, postage prepaid, to all persons whose name and address appear on the latest adopted tax roll as owning property within a distance of not less than three hundred (300) feet from the exterior boundaries of the real property subject to the hearing. If there is no newspaper of general circulation, in lieu of publication, the public hearing notice shall be posted in three (3) public places in the city in accordance with Government Code Section 65090.

B. Notwithstanding subsection (A) of this section, if a proposed amendment pursuant to Chapter 17.120 (Amendments) affects the permitted uses of real property, notice of the hearing shall be given at least twenty (20) days prior to the first hearing.

C. Any defect or error appearing in such notice shall not divest the city council of jurisdiction nor invalidate any proceedings.

17.120.020 Appeals of administrative action.

A. All interpretations and decisions of the city staff authorized by this title are subject to appeal in writing to the city council. Appeals of any administrative interpretation or decision shall be made by filing a written appeal with the city clerk within ten (10) calendar days after rendition of the city staff's decision. Such appeal shall be accompanied by the applicable fee provided in the fee schedule currently in effect in the city.

B. The city council shall hear and decide on the appeal within forty-five (45) days of filing the appeal and shall make findings supporting their decision on the matter. The city council may reverse, set aside, affirm, amend, or modify the action of staff, provided that the actions of the council are consistent with the general plan and are in compliance with city code. The council may also refer said matter back to staff for additional consideration or to obtain additional information. The decision of the city council shall be final on all matters.

C. No building permit shall be issued in any case where a conditional use permit is required by the terms of this title until after the period allowed for appeal. In the event of an appeal no such permit shall be granted until the matter has been finally approved by the city council. Building permits issued pursuant to this chapter shall conform to the terms and conditions of the conditional use permit granted.

CHAPTER 17.124
ENFORCEMENT AND PENALTIES

Sections:

17.124.010 Officials and city employees to conform – Enforcement.
17.124.020 Penalty for violation.
17.124.030 Nuisance abatement.
17.124.040 Remedies cumulative.

17.124.010 Officials and city employees to conform – Enforcement.

All departments, officials, and public employees of the city vested with the duty or authority to issue permits or licenses shall conform to the provisions of this title, and shall issue no permit or license for uses, buildings, structures, or purposes in conflict with the provisions of this title; and any such permit or license issued in conflict therewith shall be null and void. It shall be the duty of the building inspector of the city to enforce the provisions of this title pertaining to the erection, construction, reconstruction, maintenance, moving, conversion, alteration, or addition to any building or structure. Any city official may refer any request for interpretation of this title to the city council.

17.124.020 Penalty for violation.

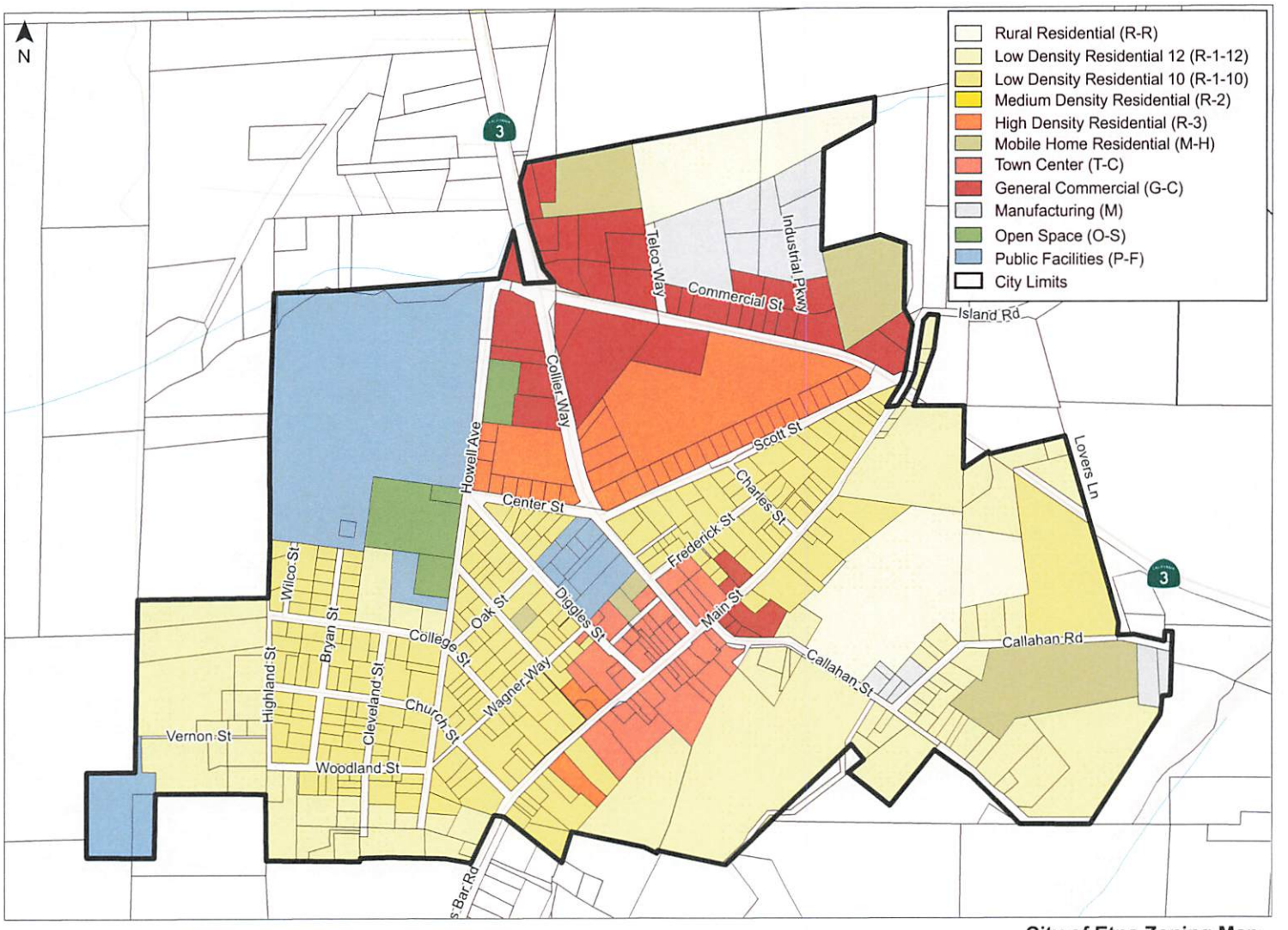
Any person, firm, or corporation, whether as principal, agent, employee, or otherwise, violating or causing the violation of any of the provisions of this title, is guilty of an infraction or misdemeanor, as determined by the code enforcement officer, and upon conviction thereof, shall be punishable by a fine of not more than five hundred dollars ($500.00) or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment. Such person, firm, or corporation shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this title is committed or continued by such person, firm, or corporation, and shall be punishable as provided in this section.

17.124.030 Nuisance abatement.

Any building or structure set up, erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this title, and any use of lands, buildings, or premises established or conducted thereon, operated or maintained contrary to the provisions of this title is unlawful and a public nuisance; and the city attorney shall, upon order of the city council, immediately commence action or proceedings for the abatement and removal and enjoinment thereof in the manner prescribed by law, and shall take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such buildings or structures, and restrain and enjoin any person, firm, or corporation from setting up, erecting, building, maintaining, or using any such building, structure, or land contrary to the provision of this title.

17.124.040 Remedies cumulative.

The remedies provided for herein shall be cumulative and not exclusive.



"Exhibit B" to Ordinance 230

City of Etna Zoning Map

CITY OF ETNA
STAFF REPORT TO CITY COUNCIL
November 3, 2025

TITLE 14, FLOOD DAMAGE PREVENTION
SECOND READING OF ORDINANCE 229

SUMMARY: The project consists of a city-initiated update to the City's Flood Damage Prevention Ordinance in advance of updates to FEMA's Preliminary Flood Insurance Study report and Flood Insurance Rate Map for the City, which will become effective at the end of this year. An update to the Flood Damage Prevention Ordinance is necessary prior to the report and map becoming effective for the City to maintain eligibility in the National Flood Insurance Program.

REQUEST OF CITY COUNCIL: The City Council is being asked to provide a second reading of Ordinance 229 to amend Title 14, Flood Damage Prevention, as recommended by FEMA.

SUGGESTED MOTION: I move that we adopt Ordinance 229, amending Title 14, Flood Damage Prevention, of the Etna Municipal Code.

ATTACHMENTS:
A. Ordinance 229, An Ordinance of the City Council of the City of Etna Amending Title 14, Flood Damage Prevention, of the Etna Municipal Code

Exhibit A - Title 14, Flood Damage Prevention

OVERVIEW

On September 22, Ordinance 229 was introduced for adoption upon a motion by Mayor Munson and a second by Council Member Stacher, with Mayor Munson providing a first reading of Ordinance 229 by title only. With the first reading of Ordinance 229 now complete, the ordinance requires a second reading for adoption (see **Attachment A**). Once passed, Ordinance 229 becomes effective 30 days later.

ENVIRONMENTAL

As discussed in the September 22nd staff report and at the September 22nd City Council meeting, the project does not have the potential to result in a significant impact on the environment and is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (i.e., the commonsense exemption) and Section 15308 (Actions by Regulatory Agencies for the Protection of the Environment). A finding to this effect was made by the City Council prior to the Council's approval of the first reading of Ordinance 229 on September 22, 2025. No further action relative to CEQA is required.

ATTACHMENT A

DRAFT ORDINANCE 229

ORDINANCE 229

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ETNA AMENDING TITLE 14, FLOOD DAMAGE PREVENTION, OF THE ETNA MUNICIPAL CODE

WHEREAS, the National Flood Insurance Program (NFIP) is a federal program managed by the Federal Emergency Management Agency (FEMA) that aims to reduce the financial impact of floods on individuals and communities in the United States; and

WHEREAS, to participate in the NFIP, communities must adopt and enforce floodplain development regulations that meet the NFIP's minimum requirements for reducing flood effects; and

WHEREAS, the City of Etna participates in the NFIP; and

WHEREAS, the City of Etna's floodplain development regulations for reducing flood effects are found in Title 14 (Flood Damage Prevention) of the Etna Municipal Code; and

WHEREAS, due to a forthcoming update to the Preliminary Flood Insurance Study report and Flood Insurance Rate Map for the City of Etna, the City must amend Title 14 as recommended by FEMA to remain in good standing with the NFIP.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Etna does ordain as follows:

SECTION I: Findings. The recitals above are true and correct and incorporated herein by this reference.

SECTION II: Amendment to Title 14, Flood Damage Prevention. Chapters 14.01 through 14.06 of the current Title 14, Flood Damage Prevention, of the City of Etna Municipal Code is deleted entirely and replaced with the text provided in "Exhibit A" hereto.

SECTION III: CEQA. Because it could be seen with certainty that the amendments to Title 14, Flood Damage Prevention, as provided for in "Exhibit A," do not have the potential to result in a significant impact on the environment, the City Council adopted exemptions for the project pursuant to CEQA Guidelines Section 15061(b)(3) (i.e., the commonsense exemption) and Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) at the Council's regularly scheduled meeting on September 22, 2025.

SECTION IV: Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase of this ordinance irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SECTION V: Effective date. This ordinance shall become effective thirty (30) days after its passage.

SECTION VI: Implementation. The City Council hereby authorizes and directs the City Clerk to take any action and sign any documents necessary to implement this ordinance.

Section VII. Certification. The City Clerk shall certify to passage and adoption of this ordinance and shall give notice of its adoption as required by law. This ordinance, or a summary thereof, shall be published and/or posted in compliance with the requirements of Government Code section 36933.

Section VIII. Inconsistencies. Any provisions of the Etna Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

Section IX. Codification. The City Clerk is directed and authorized to instruct the publisher of the City of Etna Municipal Code that codification of this ordinance is limited to "Exhibit A."

Section X. Execution. The Mayor and City Clerk are authorized to subscribe this ordinance where indicated below to evidence its approval.

PASSED AND ADOPTED this ____ day of _____ 2025, at a regular meeting of the City of Etna City Council by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Cliff Munson, Mayor

ATTEST:

_____
Pamela Eastlick, City Clerk

TITLE 14
FLOOD DAMAGE PREVENTION

Chapters:

14.02 Statutory Authority – Findings of Fact – Purpose and Methods
14.04 Definitions
14.06 General Provisions
14.08 Administration
14.10 Provisions for Flood Hazard Reduction
14.12 Flood Variance Procedure

CHAPTER 14.02
STATUTORY AUTHORITY – FINDINGS OF FACT – PURPOSE AND METHODS

Sections

14.02.010 Statutory authorization.
14.02.020 Findings of fact.
14.02.030 Statement of purpose.
14.02.040 Methods of reducing flood losses.

14.02.010 Statutory authorization.

The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the city council of City of Etna does hereby adopt the following floodplain management regulations.

14.02.020 Findings of fact.

A. The flood hazard areas of City of Etna are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which can adversely affect the public health, safety, and general welfare.

B. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities also contributes to flood losses.

14.02.030 Statement of purpose.

It is the purpose of this title to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the community to all publicly and privately owned land within flood-prone, mudslide (i.e., mudflow) or flood related erosion areas. These regulations are designed to:

A. Protect human life and health;

B. Minimize expenditure of public money for costly flood control projects;

C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

D. Minimize prolonged business interruptions;

E. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;

F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;

G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and

H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

14.02.040 Methods of reducing flood losses.

In order to accomplish its purposes, this title includes regulations to:

A. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;

B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;

C. Control filling, grading, dredging, and other development which may increase flood damage; and

D. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

CHAPTER 14.04
DEFINITIONS

Sections:

14.04.010 Generally.
14.04.020 A zone.
14.04.030 Accessory structure.
14.04.040 Accessory use.
14.04.050 Alluvial fan.
14.04.060 Apex.
14.04.070 Appeal.
14.04.080 Area of shallow flooding.
14.04.090 Area of special flood hazard.
14.04.100 Base flood.
14.04.110 Base flood elevation.
14.04.120 Basement.
14.04.130 Building.
14.04.140 Development.
14.04.150 Encroachment.
14.04.160 Existing manufactured home park or subdivision.
14.04.170 Expansion to an existing manufactured home park or subdivision.
14.04.180 Flood, flooding, or flood water.
14.04.190 Flood Boundary and Floodway Map.
14.04.200 Flood Insurance Rate Map.
14.04.210 Flood Insurance Study.
14.04.220 Floodplain or flood-prone area.
14.04.230 Floodplain administrator.
14.04.240 Floodplain management.
14.04.250 Floodplain management regulations.
14.04.260 Floodproofing.
14.04.270 Floodway.
14.04.280 Floodway fringe.
14.04.290 Fraud and victimization.
14.04.300 Functionally dependent use.
14.04.310 Governing body.
14.04.320 Hardship.
14.04.330 Highest adjacent grade.
14.04.340 Historic structure.
14.04.350 Levee.
14.04.360 Levee system.
14.04.370 Lowest floor.
14.04.380 Manufactured home.
14.04.390 Manufactured home park or subdivision.
14.04.400 Market value.
14.04.410 Mean sea level.
14.04.420 New construction.
14.04.430 New manufactured home park or subdivision.
14.04.440 Obstruction.
14.04.450 One-hundred-year flood (100-year flood).
14.04.460 Program deficiency.
14.04.470 Public safety and nuisance.
14.04.480 Recreational vehicle.
14.04.490 Regulatory floodway.

14.04.500 Remedy a violation.
14.04.510 Riverine.
14.04.520 Sheet flow area.
14.04.530 Special flood hazard area.
14.04.540 Start of construction.
14.04.550 Structure.
14.04.560 Substantial damage.
14.04.570 Substantial improvement.
14.04.580 Variance.
14.04.590 Violation.
14.04.600 Water surface elevation.
14.04.610 Watercourse

14.04.010 Generally.

Unless specifically defined below, words or phrases used in this title shall be interpreted so as to give them the meaning they have in common usage and to give this title its most reasonable application.

14.04.020 A zone.

"A zone" means "special flood hazard area" as defined in Section 14.04.520 (Special flood hazard area).

14.04.030 Accessory structure.

"Accessory structure" means a structure that is either:

A. Solely for the parking of no more than two cars; or

B. A small, low cost shed for limited storage, less than 150 square feet and $1,500 in value.

14.04.040 Accessory use.

"Accessory use" means a use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

14.04.050 Alluvial fan.

"Alluvial fan" means a geomorphologic feature characterized by a cone or fan shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported by flood flows, and then deposited on the valley floors, and which is subject to flash flooding, high velocity flows, debris flows, erosion, sediment movement and deposition, and channel migration.

14.04.060 Apex.

"Apex" means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

14.04.070 Appeal.

"Appeal" means a request for a review of the floodplain administrator's interpretation of any provision of this title.

14.04.080 Area of shallow flooding.

"Area of shallow flooding" means a designated AO or AH zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist;

the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

14.04.090 Area of special flood hazard.

"Area of special flood hazard" means "special flood hazard area" as defined in Section 14.04.520 (Special flood hazard area).

14.04.100 Base flood.

"Base flood" means a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). "Base flood" is the term used throughout this title.

14.04.110 Base flood elevation.

"Base flood elevation (BFE)" means the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30 that indicates the water surface elevation resulting from a flood that has a one percent or greater chance of being equaled or exceeded in any given year.

14.04.120 Basement.

"Basement" means any area of the building having its floor subgrade (i.e., below ground level on all sides).

14.04.130 Building.

"Building" means "structure" as defined in Section 14.04.540 (Structure).

14.04.140 Development.

"Development" means any human-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

14.04.150 Encroachment.

"Encroachment" means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which may impede or alter the flow capacity of a floodplain.

14.04.160 Existing manufactured home park or subdivision.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before August 3, 2009.

14.04.170 Expansion to an existing manufactured home park or subdivision.

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

14.04.180 Flood, flooding, or flood water.

"Flood," "flooding," or "flood water" means:

A. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and/or mudslides (i.e., mudflows); and

B. The condition resulting from flood-related erosion.

14.04.190 Flood Boundary and Floodway Map.

"Flood Boundary and Floodway Map (FBFM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazard and the floodway.

14.04.200 Flood Insurance Rate Map.

"Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

14.04.210 Flood Insurance Study.

"Flood Insurance Study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

14.04.220 Floodplain or flood-prone area.

"Floodplain" or "flood-prone area" means any land area susceptible to being inundated by water from any source. See "Flooding."

14.04.230 Floodplain administrator.

"Floodplain administrator" is the community official designated by title to administer and enforce the floodplain management regulations.

14.04.240 Floodplain management.

"Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

14.04.250 Floodplain management regulations.

"Floodplain management regulations" means this title and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

14.04.260 Floodproofing.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real

property, water and sanitary facilities, structures, and their contents. For guidelines on dry and wet floodproofing, see FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93.

14.04.270 Floodway.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "regulatory floodway."

14.04.280 Floodway fringe.

"Floodway fringe" is that area of the floodplain on either side of the regulatory floodway where encroachment may be permitted.

14.04.290 Fraud and victimization.

"Fraud and victimization," as related to Chapter 14.12 (Flood Variance Procedure), means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the city council will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for 50 to 100 years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

14.04.300 Functionally dependent use.

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

14.04.310 Governing body.

"Governing body" is the local governing unit that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

14.04.320 Hardship.

"Hardship" as related to Chapter 14.12 (Flood Variance Procedure) means the exceptional hardship that would result from a failure to grant the requested variance. The city council requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

14.04.330 Highest adjacent grade.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

14.04.340 Historic structure.

"Historic structure" means any structure that is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

14.04.350 Levee.

"Levee" means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

14.04.360 Levee system.

"Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices.

14.04.370 Lowest floor.

"Lowest floor" means the lowest floor of the lowest enclosed area, including basement (see "Basement" definition).

A. An unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided it conforms to applicable nonelevation design requirements, including, but not limited to:

   1. The flood openings standard in subsection (C)(3) of Section 14.10.010 (Standards of construction).

   2. The anchoring standards in subsection (A) of Section 14.10.010 (Standards of construction).

   3. The construction materials and methods standards in subsection (B) of Section 14.10.010 (Standards of construction); and

   4. The standards for utilities in Section 14.10.020 (Standards for utilities).

B. For residential structures, all subgrade enclosed areas are prohibited as they are considered to be basements (see "Basement" definition). This prohibition includes below-grade garages and storage areas.

14.04.380 Manufactured home.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

14.04.390 Manufactured home park or subdivision.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

14.04.400 Market value.

"Market value" is defined in the city of Etna substantial damage/improvement procedures. See subsection (B)(1) of Section 14.08.020 (Duties and responsibilities of the floodplain administrator).

14.04.410 Mean sea level.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

14.04.420 New construction.

"New construction," for floodplain management purposes, means structures for which the "start of construction" commenced on or after March 4, 1980, and includes any subsequent improvements to such structures.

14.04.430 New manufactured home park or subdivision.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after August 3, 2009.

14.04.440 Obstruction.

"Obstruction" includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

14.04.450 One-hundred-year flood (100-year flood).

One-Hundred-Year Flood or 100-Year Flood. See "Base flood."

14.04.460 Program deficiency.

"Program deficiency" means a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations.

14.04.470 Public safety and nuisance.

"Public safety and nuisance," as related to Chapter 14.12 (Flood Variance Procedure), means that the granting of a variance must not result in anything which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

14.04.480 Recreational vehicle.

"Recreational vehicle" means a vehicle which is:

A. Built on a single chassis;

B. Four hundred square feet or less when measured at the largest horizontal projection;

C. Designed to be self propelled or permanently towable by a light duty truck; and

D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

14.04.490 Regulatory floodway.

"Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

14.04.500 Remedy a violation.

"Remedy a violation" means to bring the structure or other development into compliance with state or local floodplain management regulations, or if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this title or otherwise deterring future similar violations, or reducing state or federal financial exposure with regard to the structure or other development.

14.04.510 Riverine.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

14.04.520 Sheet flow area.

"Sheet flow area" means "Area of shallow flooding" as defined in Section 14.04.080 (Area of shallow flooding).

14.04.530 Special flood hazard area.

"Special flood hazard area (SFHA)" means an area in the floodplain subject to a one percent or greater chance of flooding in any given year. It is shown on an FHBM or FIRM as Zone A, AO, A1-A30, AE, A99, or, AH.

14.04.540 Start of construction.

"Start of construction" includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction

means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

14.04.550 Structure.

"Structure" as used in this title means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.

14.04.560 Substantial damage.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

14.04.570 Substantial improvement.

"Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

A. Any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

B. Any alteration of a historic structure; provided, that the alteration will not preclude the structure's continued designation as a historic structure.

14.04.580 Variance.

"Variance" as used herein means a grant of relief by a community from the requirements of the flood ordinance which permits construction in a manner that would otherwise be prohibited by this title.

14.04.590 Violation.

"Violation" as used herein means the failure of a structure or other development to be fully compliant with this title. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this title is presumed to be in violation until such time as that documentation is provided.

14.04.600 Water surface elevation.

"Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

14.04.610 Watercourse.

"Watercourse" means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

CHAPTER 14.06
GENERAL PROVISIONS

Sections

14.06.010 Lands to which this title applies.
14.06.020 Basis for establishing the areas of special flood hazard.
14.06.030 Compliance.
14.06.040 Abrogation and greater restrictions.

14.06.010 Lands to which this title applies.

This title shall apply to all areas of special flood hazard within the jurisdiction of City of Etna.

14.06.020 Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in the "Flood Insurance Study (FIS) for Siskiyou County, California and Incorporated Areas" dated January 19, 2011, with accompanying Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), dated January 19, 2011, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this title. This FIS and attendant mapping is the minimum area of applicability of this title and may be supplemented by studies for other areas which allow implementation of this title and which are recommended to the city council by the floodplain administrator. The study, FIRMs and FBFMs are on file at Etna City Hall, 442 Main Street, Etna, CA 96027.

14.06.030 Compliance.

It is the purpose of this title to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the community to all publicly and privately owned land within flood-prone, mudslide (i.e., mudflow) or flood related erosion areas. These regulations are designed to:

A. Protect human life and health;

B. Minimize expenditure of public money for costly flood control projects;

C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

D. Minimize prolonged business interruptions;

E. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;

F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;

G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and

H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

14.06.040 Abrogation and greater restrictions.

In order to accomplish its purposes, this title includes regulations to:

A. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;

B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;

C. Control filling, grading, dredging, and other development which may increase flood damage; and

D. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

CHAPTER 14.08
ADMINSTRATION

Sections

14.08.010 Designation of the floodplain administrator.
14.08.020 Duties and responsibilities of the floodplain administrator.
14.08.030 Development permit.
14.08.040 Appeals.

14.08.010 Designation of the floodplain administrator.

The city clerk is hereby appointed to administer, implement, and enforce this title by granting or denying development permits in accord with its provisions.

14.08.020 Duties and responsibilities of the floodplain administrator.

The duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

A. Permit Review. Review all development permits to determine:

1. Permit requirements of this title have been satisfied, including determination of substantial improvement and substantial damage of existing structures;
2. All other required state and federal permits have been obtained;
3. The site is reasonably safe from flooding;
4. The proposed development does not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated. This means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the City of Etna; and
5. All Letters of Map Revision (LOMRs) for flood control projects are approved prior to the issuance of building permits. Building permits must not be issued based on conditional letters of map revision (CLOMRs). Approved CLOMRs allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.
6. Review all permit applications and plans to determine whether proposed development is located in flood hazard areas.

B. Development of Substantial Improvement and Substantial Damage Procedures.

1. Using FEMA publication FEMA 213, "Answers to Questions About Substantially Damaged Buildings," develop detailed procedures for identifying and administering requirements for substantial improvement and substantial damage, to include defining "Market Value."
2. Assure procedures are coordinated with other departments/divisions and implemented by community staff.

C. Review, Use, and Development of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 14.06.020 (Basis for establishing the

areas of special flood hazard), the floodplain administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer Chapter 14.10 (Provision for Flood Hazard Reduction).

NOTE: A base flood elevation may be obtained using one of two methods from the FEMA publication, FEMA 265, "Managing Floodplain Development in Approximate Zone A Areas – A Guide for Obtaining and Developing Base (100-year) Flood Elevations" dated July 1995.

D. Notification of Other Agencies.

1. Alteration or Relocation of a Watercourse.

   a. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;

   b. Submit evidence of such notification to the Federal Emergency Management Agency; and

   c. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.

2. Base Flood Elevation Changes Due to Physical Alterations.

   a. Within six (6) months of information becoming available or project completion, whichever comes first, the floodplain administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a letter of map revision (LOMR).

   b. All LOMRs for flood control projects are approved prior to the issuance of building permits. Building permits must not be issued based on conditional letters of map revision (CLOMRs). Approved CLOMRs allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

      Such submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.

3. Changes in Corporate Boundaries. Notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of a map of the community clearly delineating the new corporate limits.

E. Documentation of Floodplain Development. Obtain and maintain for public inspection and make available as needed the following:

1. Certification required by subsection (C)(1) of Section 14.10.010 (Standards of construction) and Section 14.10.040 (Standards for manufactured homes);

2. Certification required by subsection (C)(2) of Section 14.10.010 (Standards of construction);

3. Certification required by subsection (C)(3) of Section 14.10.010 (Standards of construction);

4. Certification of elevation required by subsection (A)(3) of Section 14.10.030 (Standards for subdivisions and other proposed development);

5. Certification required by subsection (B) of Section 14.10.060 (Floodways); and

6. Maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

F. Map Determination. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazard, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 14.08.040 (Appeals).

G. Remedial Action. Take action to remedy violations of this title as specified in Section 14.06.030 (Compliance).

H. Biennial Report. Complete and submit biennial report to FEMA.

I. Planning. Assure community's general plan is consistent with floodplain management objectives herein.

14.08.030 Development permit.

A development permit shall be obtained before any construction or other development, including manufactured homes, within any area of special flood hazard established in Section 14.06.020 (Basis for establishing the areas of special flood hazard). Application for a development permit shall be made on forms furnished by the City of Etna. The applicant shall provide the following minimum information:

A. Plans in duplicate, drawn to scale, showing:

1. Location, dimensions, and elevation of the area in question, existing or proposed structures, storage of materials and equipment and their location;

2. Proposed locations of water supply, sanitary sewer, and other utilities;

3. Grading information showing existing and proposed contours, any proposed fill, and drainage facilities;

4. Location of the regulatory floodway when applicable;

5. Base flood elevation information as specified in Section 14.06.020 (Basis for establishing the areas of special flood hazard) or subsection (C) of Section 14.08.020 (Duties and responsibilities of the floodplain administrator);

6. Proposed elevation, in relation to mean sea level, of the lowest floor (including basement) of all structures; and

7. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed, as required in (C)(2) of Section 14.10.010 (Standards of construction) and detailed in FEMA Technical Bulletin TB 3-93.

B. Certification from a registered civil engineer or architect that the nonresidential floodproofed building meets the floodproofing criteria in subsection (C)(2) of Section 14.10.010 (Standards of construction).

C. For a crawl-space foundation, location and total net area of foundation openings as required in (C)(3) of Section 14.10.010 (Standards of construction) and detailed in FEMA Technical Bulletins 1-93 and 7-93.

D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

E. All appropriate certifications listed in subsection (E) of Section 14.08.020 (Findings of fact).

14.08.040 Appeals.

The city council of city of Etna shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this title.

CHAPTER 14.10
PROVISIONS FOR FLOOD HAZARD REDUCTION

Sections

14.10.010 Standards of construction.
14.10.020 Standards for utilities.
14.10.030 Standards for subdivisions and other proposed development.
14.10.040 Methods of reducing flood losses.

14.10.010 Standards of construction.

In all areas of special flood hazard the following standards are required:

A. Anchoring. All new construction and substantial improvements of structures, including manufactured homes, shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

B. Construction Materials and Methods. All new construction and substantial improvements of structures, including manufactured homes, shall be constructed:

1. With flood resistant materials and utility equipment resistant to flood damage;

2. Using methods and practices that minimize flood damage;

3. With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and

4. Within Zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

C. Elevation and Floodproofing.

1. Residential Construction. All new construction or substantial improvements of residential structures shall have the lowest floor, including basement:

a. In AE, AH, A1-30 zones, elevated to or above the base flood elevation.

b. In an AO zone, elevated above the highest adjacent grade to a height equal to or exceeding the depth number specified in feet on the FIRM, or elevated at least two feet above the highest adjacent grade if no depth number is specified.

c. In an A zone, without BFEs specified on the FIRM (unnumbered A zone), elevated to or above the base flood elevation, as determined under subsection (C) of Section 14.08.020 (Duties and responsibilities of the floodplain administrator).

Upon the completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the floodplain administrator.

2. Nonresidential Construction. All new construction or substantial improvements of nonresidential structures shall either be elevated to conform with subsection (C)(1) of this section or:

a. Be floodproofed, together with attendant utility and sanitary facilities, below the elevation recommended under subsection (C)(1) of this section, so that the structure is watertight with walls substantially impermeable to the passage of water;

b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

c. Be certified by a registered civil engineer or architect that the standards of subsections (C)(2)(a) and (b) of this section are satisfied. Such certification shall be provided to the floodplain administrator.

3. Flood Openings. All new construction and substantial improvements of structures with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must meet the following minimum criteria:

   a. For nonengineered openings:

      i. Have a minimum of two openings on different sides having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

      ii. The bottom of all openings shall be no higher than one foot above grade;

      iii. Openings may be equipped with screens, louvers, valves or other coverings or devices; provided, that they permit the automatic entry and exit of floodwater; and

      iv. Buildings with more than one enclosed area must have openings on exterior walls for each area to allow flood water to directly enter; or

   b. Be certified by a registered civil engineer or architect.

4. Manufactured Homes. See Section 14.10.040 (Standards for manufactured homes).

5. Garages and Low Cost Accessory Structures.

   a. Attached Garages.

      i. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry of flood waters. See subsection (C)(3) of this section. Areas of the garage below the BFE must be constructed with flood resistant materials. See subsection (B) of this section.

      ii. A garage attached to a nonresidential structure must meet the above requirements or be dry floodproofed. For guidance on below grade parking areas, see FEMA Technical Bulletin TB-6.

   b. Detached Garages and Accessory Structures.

      i. Accessory structures used solely for parking (two-car detached garages or smaller) or limited storage (small, low-cost sheds), as defined in Chapter 14.04 (Definitions), may be constructed such that its floor is below the base flood elevation (BFE), provided the structure is designed and constructed in accordance with the following requirements:

(A) Use of the accessory structure must be limited to parking or limited storage;

(B) The portions of the accessory structure located below the BFE must be built using flood-resistant materials;

(C) The accessory structure must be adequately anchored to prevent flotation, collapse and lateral movement;

(D) Any mechanical and utility equipment in the accessory structure must be elevated or floodproofed to or above the BFE;

(E) The accessory structure must comply with floodplain encroachment provisions in EMC 14.05.060; and

(F) The accessory structure must be designed to allow for the automatic entry of flood waters in accordance with subsection (C)(3) of this section.

ii. Detached garages and accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in this section.

14.10.020 Standards for utilities.

A. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:

1. Infiltration of flood waters into the systems; and

2. Discharge from the systems into flood waters.

B. On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them during flooding.

14.10.030 Standards for subdivisions and other proposed development.

A. All new subdivisions proposals and other proposed development, including proposals for manufactured home parks and subdivisions, greater than fifty (50) lots or five (5) acres, whichever is the lesser, shall:

1. Identify the special flood hazard areas (SFHA) and base flood elevations (BFE).

2. Identify the elevations of lowest floors of all proposed structures and pads on the final plans.

3. If the site is filled above the base flood elevation, the following as-built information for each structure shall be certified by a registered civil engineer or licensed land surveyor and provided as part of an application for a letter of map revision based on fill (LOMR-F) to the floodplain administrator:

a. Lowest floor elevation.

b. Pad elevation.

c. Lowest adjacent grade.

B. All subdivision proposals and other proposed development shall be consistent with the need to minimize flood damage.

C. All subdivision proposals and other proposed development shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

D. All subdivisions and other proposed development shall provide adequate drainage to reduce exposure to flood hazards.

14.10.040 Standards for manufactured homes.

A. All manufactured homes that are placed or substantially improved, on sites located: (1) outside of a manufactured home park or subdivision; (2) in a new manufactured home park or subdivision; (3) in an expansion to an existing manufactured home park or subdivision; or (4) in an existing manufactured home park or subdivision upon which a manufactured home has incurred substantial damage as the result of a flood, shall:

1. Within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

B. All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map that are not subject to the provisions of subsection (A) of this section will be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement, and be elevated so that either the:

1. Lowest floor of the manufactured home is at or above the base flood elevation; or

2. Manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade.

C. Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered civil engineer or licensed land surveyor and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the floodplain administrator.

14.10.050 Standards for recreational vehicles.

All recreational vehicles placed in Zones A1-30, AH, and AE will either:

A. Be on the site for fewer than 180 consecutive days; or

B. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

C. Meet the permit requirements of Section 14.08.030 (Development permit) and the elevation and anchoring requirements for manufactured homes in subsection (A) of Section 14.10.040 (Standards for manufactured homes).

14.10.060 Floodways.

Since floodways are an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

A. Until a regulatory floodway is adopted, no new construction, substantial development, or other development (including fill) shall be permitted within Zones A1-30 and AE, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other development, will not increase the water surface elevation of the base flood more than one foot at any point within the City of Etna.

B. Within an adopted regulatory floodway, the City of Etna shall prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered civil engineer is provided demonstrating that the proposed encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

C. If subsections (A) and (B) of this section are satisfied, all new construction, substantial improvement, and other proposed new development shall comply with all other applicable flood hazard reduction provisions of this chapter.

CHAPTER 14.12
FLOOD VARIANCE PROCEDURE

Sections

14.12.010 Nature of variances.
14.12.020 Conditions for variances.
14.12.030 Appeal board.
14.12.040 Nature of variances.

14.12.010 Nature of variances.

The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance. The variance criteria set forth in this section of the title are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this title would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the city council to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this title are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

14.12.020 Conditions for variances.

A. Generally, variances may be issued for new construction, substantial improvement, and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of Chapter 14.08 (Administration) and Chapter 14.10 (Provisions for Flood Hazard Reduction) have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

B. Variances may be issued for the repair or rehabilitation of "historic structures," as defined in Chapter 14.04 (Definitions), upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

C. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.

D. Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this title. For example, in

the case of variances to an elevation requirement, this means the city council need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the city council believes will both provide relief and preserve the integrity of the local ordinance.

E. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

1. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as $25.00 for $100.00 of insurance coverage; and

2. Such construction below the base flood level increases risks to life and property. It is recommended that a copy of the notice shall be recorded by the floodplain administrator in the office of the Siskiyou County recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

F. The floodplain administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

14.12.030 Appeal board.

A. In passing upon requests for variances, the city council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this title, and the:

1. Danger that materials may be swept onto other lands to the injury of others;

2. Danger of life and property due to flooding or erosion damage;

3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;

4. Importance of the services provided by the proposed facility to the community;

5. Necessity to the facility of a waterfront location, where applicable;

6. Availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

7. Compatibility of the proposed use with existing and anticipated development;

8. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

9. Safety of access to the property in time of flood for ordinary and emergency vehicles;

10. Expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and

11. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.

B. Variances shall only be issued upon a:

1. Showing of good and sufficient cause;

2. Determination that failure to grant the variance would result in exceptional hardship to the applicant; and

3. Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance (see "Public safety and nuisance"), cause fraud and victimization of the public, or conflict with existing local laws or ordinances.

C. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use; provided, that the provisions of this section are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

D. Upon consideration of the factors of subsection (A) of Section 14.12.020 (Conditions for variances) and the purposes of this title, the city council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this title.

ORDINANCE 229

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ETNA AMENDING TITLE 14, FLOOD DAMAGE PREVENTION, OF THE ETNA MUNICIPAL CODE

WHEREAS, the National Flood Insurance Program (NFIP) is a federal program managed by the Federal Emergency Management Agency (FEMA) that aims to reduce the financial impact of floods on individuals and communities in the United States; and

WHEREAS, to participate in the NFIP, communities must adopt and enforce floodplain development regulations that meet the NFIP's minimum requirements for reducing flood effects; and

WHEREAS, the City of Etna participates in the NFIP; and

WHEREAS, the City of Etna's floodplain development regulations for reducing flood effects are found in Title 14 (Flood Damage Prevention) of the Etna Municipal Code; and

WHEREAS, due to a forthcoming update to the Preliminary Flood Insurance Study report and Flood Insurance Rate Map for the City of Etna, the City must amend Title 14 as recommended by FEMA to remain in good standing with the NFIP.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Etna does ordain as follows:

SECTION I: Findings. The recitals above are true and correct and incorporated herein by this reference.

SECTION II: Amendment to Title 14, Flood Damage Prevention. The amendments to Title 14, Flood Damage Prevention, of the City of Etna Municipal Code contained in "Exhibit A" hereto and made a part hereof are adopted.

SECTION III: CEQA. Because it could be seen with certainty that the amendments to Title 14, Flood Damage Prevention, as provided for in "Exhibit A," do not have the potential to result in a significant impact on the environment, the City Council adopted exemptions for the project pursuant to CEQA Guidelines Section 15061(b)(3) (i.e., the commonsense exemption) and Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) at the Council's regularly scheduled meeting on September 22, 2025.

SECTION IV: Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase of this ordinance irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SECTION V: Effective date. This ordinance shall become effective thirty (30) days after its passage.

SECTION VI: Implementation. The City Council hereby authorizes and directs the City Clerk to take any action and sign any documents necessary to implement this ordinance.

Section VII. Certification. The City Clerk shall certify to passage and adoption of this ordinance and shall give notice of its adoption as required by law. This ordinance, or a summary thereof, shall be published and/or posted in compliance with the requirements of Government Code section 36933.

Section VIII. Inconsistencies. Any provisions of the Etna Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

Section IX. Codification. The City Clerk is directed and authorized to instruct the publisher of the City of Etna Municipal Code that codification of this ordinance is limited to "Exhibit A."

Section X. Execution. The Mayor and City Clerk are authorized to subscribe this ordinance where indicated below to evidence its approval.

PASSED AND ADOPTED this ____ day of _____ 2025, at a regular meeting of the City of Etna City Council by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Cliff Munson, Mayor

ATTEST:

_____
Pamela Eastlick, City Clerk

City of Etna

Agenda Request

Date of Meeting: 11.3.25

Spokesperson(s): City Council & Staff

Is this for Discussion ☐ or are you requesting an Action ☐

Subject/Request: First Reading Ordinance 230

Please provide a description of the request and attach supporting documentation:

First reading of draft Ordinance 230 Amending Title 17, Zoning of the Etna Municipal Code.

Will there be a financial impact to the City? ☐ Yes ☐ No If Yes, $_____

Please describe:

NOTE: Agenda requests must be received no less than four working days before the date of meeting. Return this form and supporting documentation to address below.

442 Main Street • P.O. Box 460 • Etna, CA 96027
P: 530-467-5256 • F: 530-467-3217

ORDINANCE 230

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ETNA AMENDING TITLE 17, ZONING, OF THE ETNA MUNICIPAL CODE

WHEREAS, the City of Etna General Plan and Zoning Ordinance are key elements in the City's suite of regulations to promote coordinated and efficient development; and

WHEREAS, pursuant to Government Code Section 65860, a city's zoning ordinance must be consistent with its general plan; and

WHEREAS, on March 25, 2024, the City Council of the City of Etna adopted Resolution 2024-002, thereby updating the General Plan Housing Element for the 6th Cycle planning period; and

WHEREAS, on December 2, 2024, the City Council adopted Resolution 2024-019, thereby updating the General Plan Noise Element, Circulation Element, and Open Space & Conservation Element; and

WHEREAS, on November 3, 2025, the City Council adopted Resolution 2025-010, thereby updating the General Plan Introduction, Land Use Element, and Safety Element; and

WHEREAS, the City Council of the City of Etna desires to update Title 17, Zoning, of the Etna Municipal Code and the Zoning Map consistent with the City's General Plan update.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Etna does ordain as follows:

SECTION I: FINDINGS. The recitals above are true and correct and incorporated herein by this reference.

SECTION II: AMENDMENT TO TITLE 17, ZONING. Chapters 17.04 through 17.52 of Title 17, Zoning, of the City of Etna Municipal Code are deleted entirely and replaced with the text provided in "Exhibit A" hereto.

SECTION III: AMENDMENT TO ZONING MAP. The "City of Etna California Zoning Map," dated November 3, 2003, is deleted and replaced with the "City of Etna Zoning Map" in "Exhibit B" hereto.

SECTION IV: CEQA. Because it could be seen with certainty that the amendments to Title 17, Zoning, as provided for in "Exhibit A," and the Zoning Map, as provided for in "Exhibit B," do not have the potential to result in a significant impact on the environment, the City Council adopted an exemption for the project pursuant to CEQA Guidelines Section 15061(b)(3) (i.e., the commonsense exemption) at a special meeting of the City Council on November 3, 2025.

SECTION V: SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase of this ordinance

irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SECTION VI: EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after its passage.

SECTION VII: IMPLEMENTATION. The City Council hereby authorizes and directs the City Clerk to take any action and sign any documents necessary to implement this ordinance.

SECTION VIII. CERTIFICATION. The City Clerk shall certify to passage and adoption of this ordinance and shall give notice of its adoption as required by law. This ordinance, or a summary thereof, shall be published and/or posted in compliance with the requirements of Government Code section 36933.

SECTION IX. INCONSISTENCIES. Any provisions of the Etna Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION X. CODIFICATION. The City Clerk is directed and authorized to instruct the publisher of the City of Etna Municipal Code that codification of this ordinance is limited to "Exhibit A."

SECTION XI. EXECUTION. The Mayor and City Clerk are authorized to subscribe this ordinance where indicated below to evidence its approval.

PASSED AND ADOPTED this ____ day of _____ 2025, at a regular meeting of the City of Etna City Council by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Cliff Munson, Mayor

ATTEST:

_____
Pamela Eastlick, City Clerk

City of Etna

Agenda Request

Date of Meeting: 11/03/2025

Spokesperson(s): Clint Whitchurch

Is this for Discussion ☐ or are you requesting an Action ☒

Subject/Request: Discuss fire chief position

Please provide a description of the request and attach supporting documentation:

Discuss the recommendation that was sent to the mayor and fire commissioner for fire chief position.

Will there be a financial impact to the City? ☐ Yes ☐ No If Yes, $_____

Please describe:

NOTE: Agenda requests must be received no less than four working days before the date of meeting. Return this form and supporting documentation to address below.

442 Main Street • P.O. Box 460 • Etna, CA 96027
P: 530-467-5256 • F: 530-467-3217

City of Etna

Agenda Request

Date of Meeting: 11.3.25

Spokesperson(s): City Council & Staff

Is this for Discussion ☐ or are you requesting an Action ☐

Subject/Request: Fire Chief Resignation

Please provide a description of the request and attach supporting documentation:

Discuss/Approve Fire Chief Clint Whitchurch's resignation.

Will there be a financial impact to the City? ☐ Yes ☐ No If Yes, $_____

Please describe:

NOTE: Agenda requests must be received no less than four working days before the date of meeting. Return this form and supporting documentation to address below.

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City of Etna

Agenda Request

Date of Meeting: 11.3.25

Spokesperson(s): City Council & Staff

Is this for Discussion ☐ or are you requesting an Action ☐

Subject/Request: 2025/2026 COPS Growth Allocation Budget Amendment

Please provide a description of the request and attach supporting documentation:

Discuss/Approve budget amendment accepting 2025/2026 COPS growth allocation.

Will there be a financial impact to the City? ☐ Yes ☐ No If Yes, $_____

Please describe:

NOTE: Agenda requests must be received no less than four working days before the date of meeting. Return this form and supporting documentation to address below.

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City of Etna

Agenda Request

Date of Meeting: 11/03/2025

Spokesperson(s): Teresa Arrwood

Is this for Discussion ☐ or are you requesting an Action ■

Subject/Request: Ambulance replacement

Please provide a description of the request and attach supporting documentation:

M56, a 2006 2wd with drop chains has been placed out of service indefinitely. Yreka Motors found oil in the turbo and lines and it is leaking oil from the back head gasket which would require taking the cab off and possible engine replacement. Minimum $10,000. I instructed the mechanic to not fix anything and it is parked back at our station. Apparently, although I have not seen any record of it, the engine has already been worked on prior to my working at the city. It only has 144,000 miles on it. I recommend that it be sold or used as a trade in.

We are currently researching new, leased, used and possibly donation ambulances. While I do not feel that we must have 3 ambulances for routine operations, our in-service ambulances are a 2003 and 2011. The 2003 is 2wd and has 170,000 on it. The 2011 is 4wd and has 100,000 miles on it. If we can obtain another unit, we can place the 2003 as the spare/BLS unit and be ahead of the game while also having a 4wd available for any assignment requests.

Will there be a financial impact to the City? ■ Yes ☐ No If Yes, $_____

Please describe:

Either a monthly payment or capital outlay for an ambulance.

NOTE: Agenda requests must be received no less than four working days before the date of meeting. Return this form and supporting documentation to address below.

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City of Etna

Agenda Request

Date of Meeting: 11.3.25

Spokesperson(s): City Council & Staff

Is this for Discussion ☐ or are you requesting an Action ☐

Subject/Request: Update on Strike Team Assignments & Pay

Please provide a description of the request and attach supporting documentation:

Discuss update on strike team assignment pay received.

Will there be a financial impact to the City? ☐ Yes ☐ No If Yes, $_____

Please describe:

NOTE: Agenda requests must be received no less than four working days before the date of meeting. Return this form and supporting documentation to address below.

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CITY COUNCIL MEETING 10/27/2025
moved to 11/03/2025

AMBULANCE DIRECTORS MONTHLY UPDATE

September Numbers

Total: 48 Billable: 25	Etna 16 FJ 6 SV 24 M11 1 Days w/o calls: 5	ALS 16 BLS 7 CXL 16 AMA billable: 2 AMA non billable : 1 BLSD 0 MSAS rendezvous 2 Missed 6	1st quarter 2025-2026 Total: 128 Total Billable: 73 Missed calls: 15 Etna: 34 FJ: 20 SV: 70 M11 Rend Req: 4
September 2024	Total: 39 Billable: 20 Days without calls: 7		

Key:

ALS: Advanced Life Support (paramedic level)
BLS: Basic Life Support (EMT level)
BLSD: Deceased on scene, no transport
AMA: Against Medical Advice (No transport)
CXL: Cancelled
MSAS: Mount Shasta Ambulance Service (we req them for a paramedic if needed)
M11: Salmon River Fire/Rescue (they req us for transport)
Etna: City limits of Etna
FJ: Fort Jones Town Limits
SV: Scott Valley outside of city/town limits

Ambulances/QRV:

M54: 4x4	In Service/ALS
M55: 2x4	In Service/ALS
M56: 2x4 with drop chains	Out of service. See Agenda Request.
Expedition:	In service. AC is intermittent. Listed on the CalFire strike team agreement for hire.

MISC

*Insurance reimbursements secondary to the shutdown (see 2nd page)
*Currently researching new, leased, used and donation ambulances. *Continue assisting the fire and police departments as needed/requested.
* We provided CPR certification courses for graduating seniors at EHS. Will be working with the Health Ed teacher to partner with us for a EHS First Responder Team on campus as a senior project.
*Approved by our regional EMS authority to hold an In-House EMT program. It starts January 12, 2026. Tuition is $1000 per student.
*Approved for a $3,000 training grant to assist with the in-house EMT program.
*Working with the team from the UCLA CPC at the state level to promote accessibility and funding for underserved areas, such as our rural area. This is a proactive approach to possible more Medicare and Medi-caid reimbursement cuts to ensure we can continue to provide quality prehospital care in Scott Valley. I will have meetings with the Director of the CA EMSA in November. I am hoping to secure funds from the Rural Transformation Fund for rural EMS agencies.
****I will be on vacation in November from the 13th to the 23rd.****

10/21/2025 Email

CMS just announced that it has directed its **MACs** to lift the hold on Medicare ambulance claims. This means that claims with dates of service on or after **10/1/25** should be processed and paid (where covered) by Medicare.

However, **PWW** is receiving multiple reports of claims being paid **WITH** the temporary add-on bonuses (2% urban, 3% rural and 22.6% super rural). Because the extenders expired on September 30th, CMS has no statutory authority to pay ambulance claims with the bonus amounts.

This will not be a problem so long as Congress reinstates the bonuses within 60 days of when the claims are paid. If they do not extend the add-on payments, then claims paid with those bonus amounts technically constitute overpayments under the law (barring any future legislative change to that rule). If these payments are deemed to be overpayments, ambulance services **WOULD** have refund obligations for those bonus amounts absent a Congressional extension of the bonus payments.

Until these issues come into sharper focus, we continue to recommend that ambulance services **HOLD** their Medicare claims until Congress acts on the ambulance extenders. If your cash flow or cash reserves (or tax support or subsidy) allow your organization to weather this period without your Medicare cash flow, holding claims would avoid both potential overpayment refunds or claims reprocessing issues.

(Our billing company is holding Medicare claims in agreement with PWW's recommendations.)

September 2025 Data

total	29
Structure Fires	0
Other Fires	3
MVC	2
Medical	18
Lift Assist	14
Other AssistHazard	2
Missed-In town	0
Missed Mutual Aid	0
Etna calls	22
Out of town Calls	7

September 2024 Data

total	18
Structure Fires	0
Other Fires	2
MVC	5
Medical	7
Lift Assist	5
Other Assist	0
Missed-In town	0
Missed Mutual Aid	3
Etna calls	9
Out of town Calls	9

Key: MVC- Motor Vehicle Collision

Other Assist/Hazards: Consists of smoke detector check, smoke check, carbon monoxide detector, flooding in a residence, etc.

BUILDING

Ongoing cleaning, repairs and updates.

EQUIPMENT

1410: First out engine in town. Stocked and ready to respond
1411: CalFire crew was able to adjust the fuel pump. It will return to service
1412: Stocked and ready to respond.
1413: MVC's, wildland, medicals. Stocked and ready to respond.
1414: Stocked and ready to respond.
1430: Water tender. Available for response.

GRANTS

-AFG The grant that was submitted by Chief Hess last year, combining our FD, FJ and SV, has been approved for a total of 366k for equipment including structure hose and nozzles, thermal imaging cameras and gas monitors.
-SAFER (Staffing for Adequate Fire and Emergency Response) Website shut down due to government shut down.