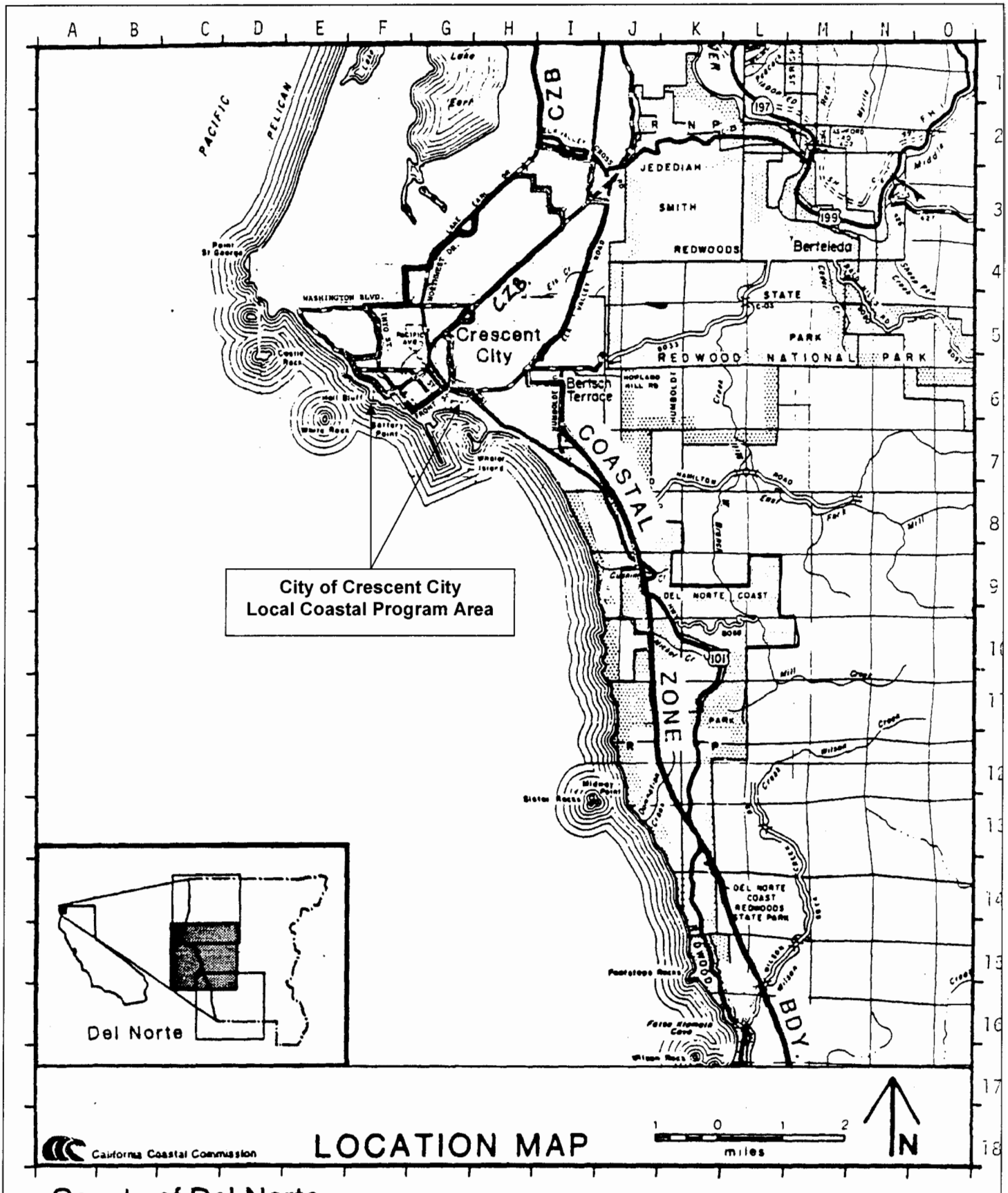


County of Del Norte

EXHIBIT NO. 8

APPLICATION NO.

CRC-MAJ-1-03

CRESCENT CITY LCP AMENDMENT

LCP REGIONAL LOCATION MAP

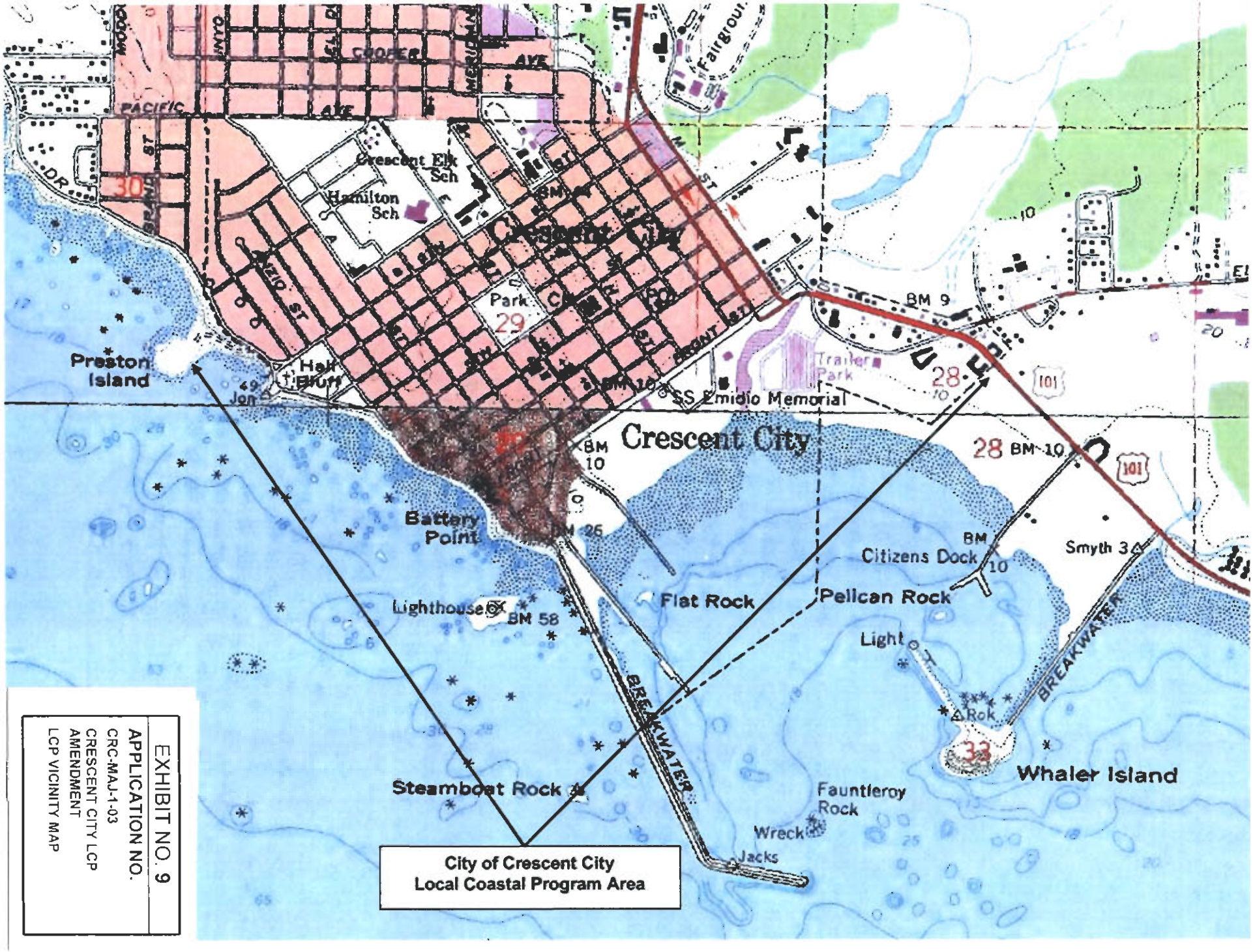


EXHIBIT NO. 9

APPLICATION NO.
CRC-MAJ-1-03
CRESCENT CITY LCP
AMENDMENT
LCP VICINITY MAP

EXHIBIT NO. 10

APPLICATION NO.

CRC-MAJ-1-03

CRESCENT CITY LCP AMENDMENT

LCP AERIAL MAP

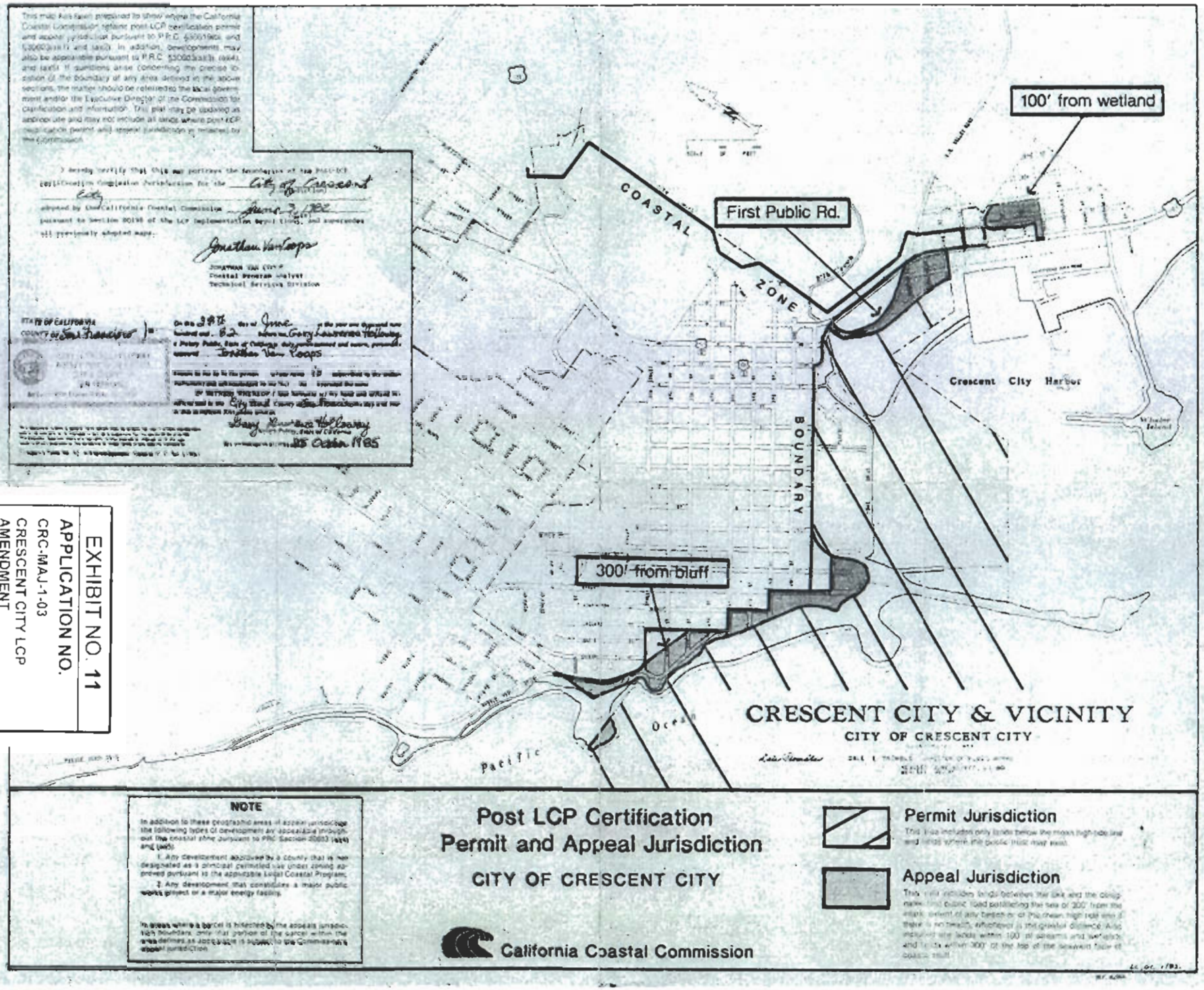


EXHIBIT NO. 11

APPLICATION NO.

CRC-MAJ-1-03

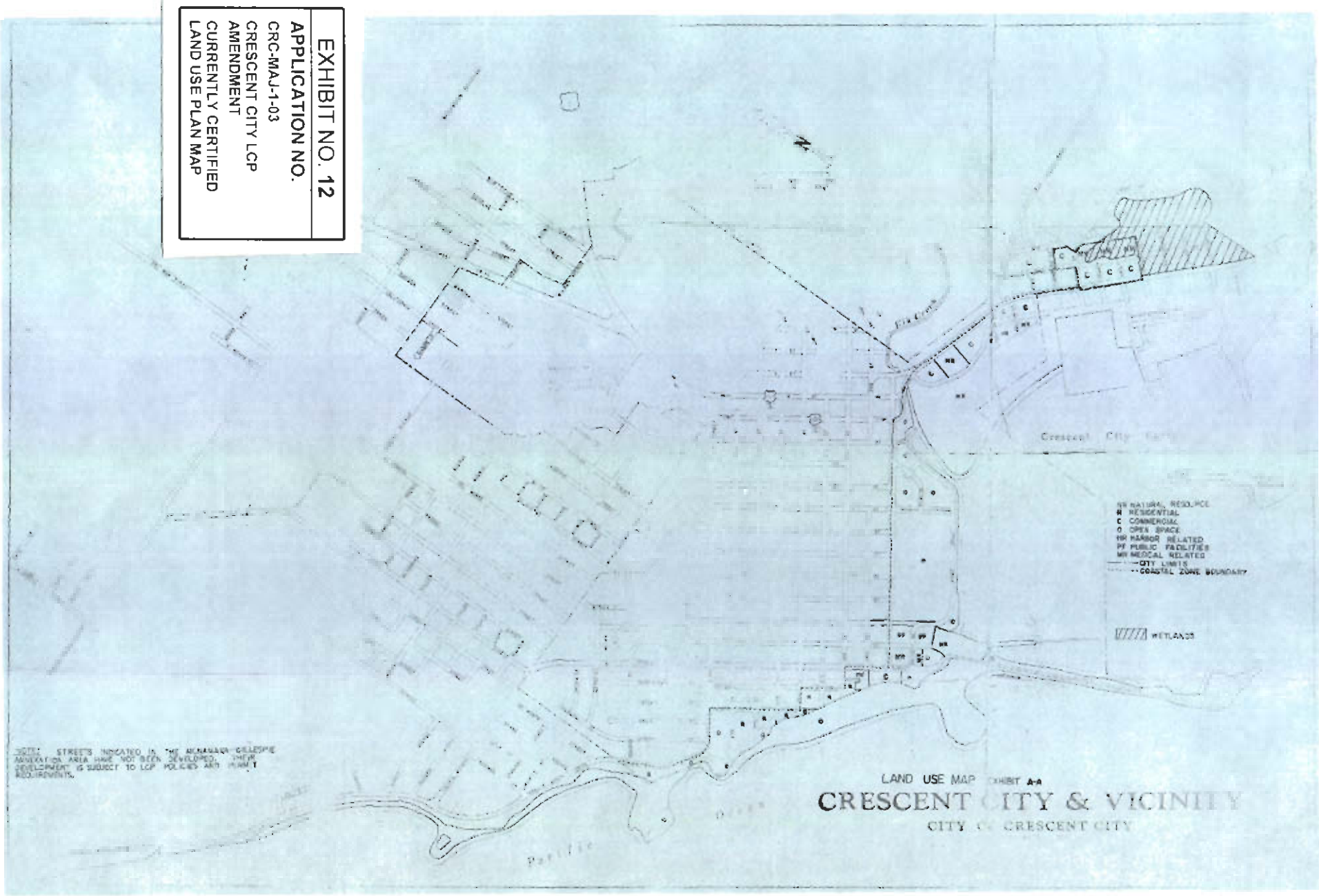
CRESCENT CITY LCP

AMENDMENT

POST-CERTIFICATION

JURISDICTIONAL MAP

EXHIBIT NO. 12
APPLICATION NO.
CRC-MAJ-1-03
CRESCENT CITY LCP AMENDMENT
CURRENTLY CERTIFIED LAND USE PLAN MAP



LAND USE MAP EXHIBIT A-A

CRESCENT CITY & VICINITY

CITY OF CRESCENT CITY

EXHIBIT NO. 13

APPLICATION NO.

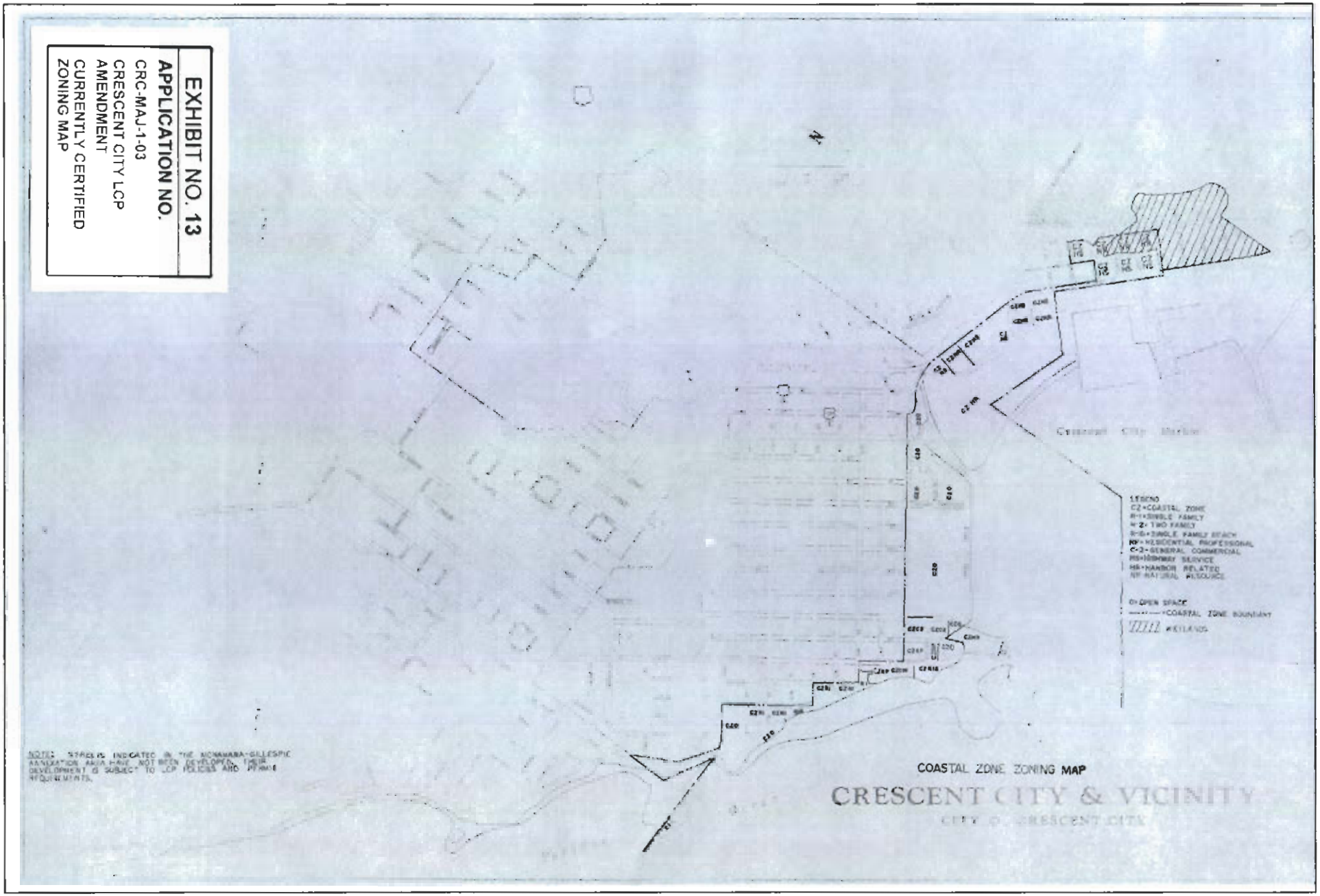
CRC-MAJ-1-03

CRESCENT CITY LCP

AMENDMENT

CURRENTLY CERTIFIED

ZONING MAP



City of Crescent City

Coastal Zone Land Use Diagram

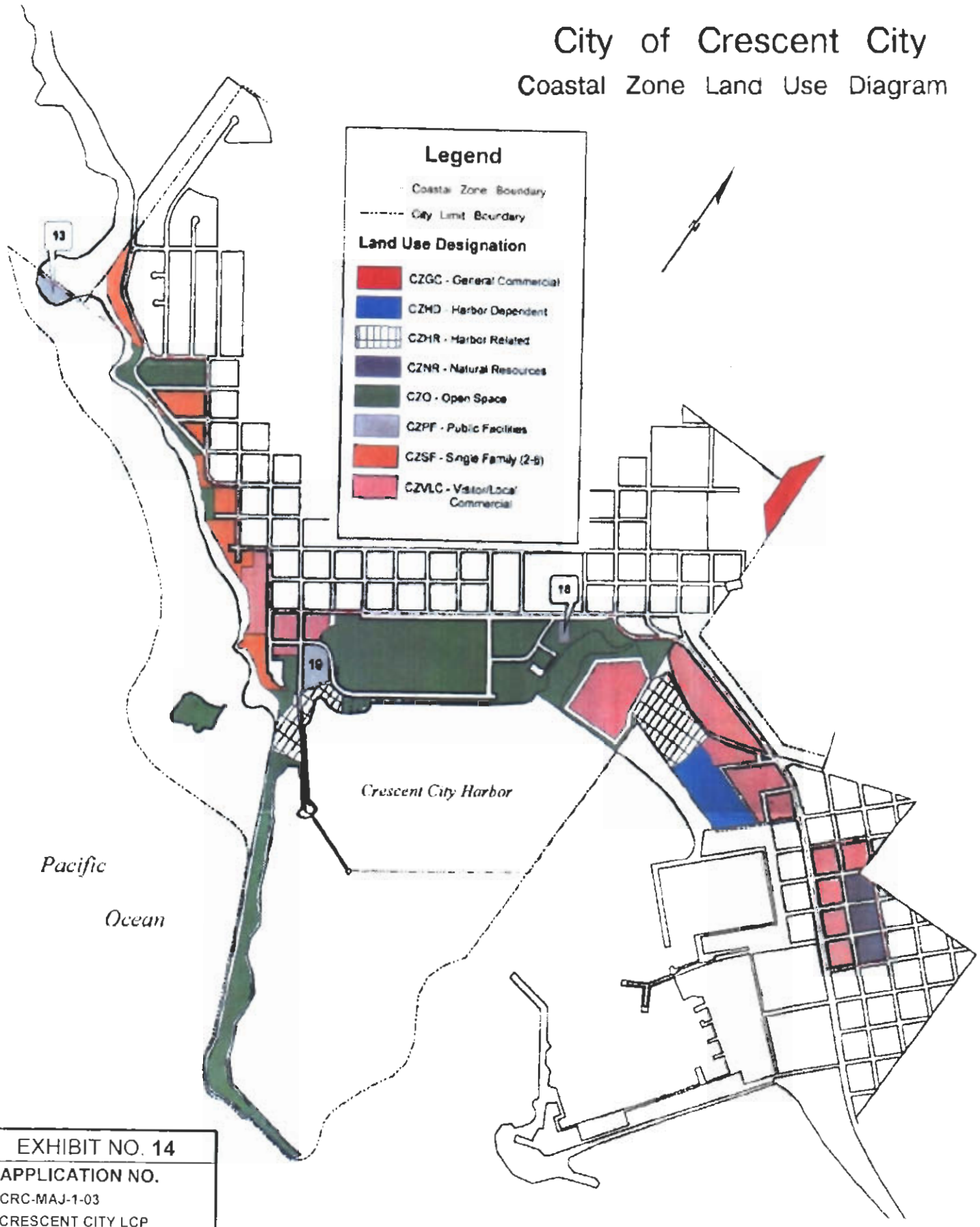


EXHIBIT NO. 14

APPLICATION NO.

CRC-MAJ-1-03

CRESCENT CITY LCP AMENDMENT

PROPOSED AMENDED LAND USE PLAN MAP

EXHIBIT NO. 15

APPLICATION NO.

CRC-MAJ-1-03

CRESCENT CITY LCP AMENDMENT

PROPOSED AMENDED ZONING MAP

RESOLUTION NO. 2003 – 10

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY, CALIFORNIA ADOPTING STORM WATER BEST MANAGEMENT PRACTICES FOR NEW DEVELOPMENT WITHIN THE CITY OF CRESCENT CITY

WHEREAS, Section 12.36.120(b) of the Crescent City Municipal Codes requires the adoption of Best Management Practices to control the volume, rate, and potential pollutant load of storm water runoff from all applicable new development, and

WHEREAS, the City Council has determined that the best management practice for new development is to provide for storm water detention for the equivalent of the 85th percentile 24-hour rainfall event, and

WHEREAS, the City Council desires to leave the specific means to accomplish the storm water detention to the individual development, subject to City Engineer's review and approval, and

WHEREAS, the City Council has determined that certain properties and projects, due to their small scale, should be exempt from certain storm water management regulations, and

WHEREAS, the City Planning Commission and City Council have considered these standards as part of the duly noticed General Plan Implementation Ordinance hearings of November 13, and December 11, 2002, and January 6, January 21, and June 2, 2003, respectively, and

WHEREAS, the City intends to carry out the Local Coastal Plan in a manner fully consistent with the California Coastal Act, and

WHEREAS, this amendment will take effect automatically upon Coastal Commission approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Crescent City hereby adopts the "Storm Water Runoff Management Policy, New Development," identified as Exhibit A, for all properties within the Coastal Zone of the City of Crescent City.

EXHIBIT NO. **16**
APPLICATION NO.
CRC-MAJ-1-03 - CRESCENT CITY LCP AMENDMENT
CITY RESOLUTION NO. 2003-10: STORM WATER BEST MANAGEMENT PRACTICES

The above and foregoing Resolution No. 2003-10 was introduced by Council Member Youngblood, was seconded by Council Member Martell and passed and adopted at a regular meeting of the City Council of the City of Crescent City held on the 2nd day of June 2003, by the following vote:

AYES:	Council Members Youngblood, Martell, Kolodner, Burns and Mayor Gary
NOES:	None
ABSENT:	None
ABSTAIN:	None

Glenn Gary, Mayor

ATTEST:

L. Dianne Nickerson, City Clerk

EXHIBIT A
STORM WATER RUNOFF MANAGEMENT POLICY
NEW DEVELOPMENT

Applicability

The following Storm Water Runoff Management policy shall apply to all development in the Coastal Zone within the City of Crescent City requiring a Building Permit, Use Permit, or other entitlement issued by the City, except as specifically excluded herein. Development includes new construction, remodel, alterations and enlargements except as excluded herein.

Exclusions

Except where a clear identifiable drainage problem exists, as determined by the Public Works Director, the following types of development projects are excluded from the storm water runoff provisions of this policy:

1. A single family home on an existing single family zoned lot,
2. Additions and alterations to existing development where the total impervious area (roofs, pavement, etc.) added does not exceed 5000 square feet,

The following types of projects are excluded from the storm water quality provisions of this policy:

1. A single family home on an existing single family zoned lot,
2. Multi-family developments, including subdivisions and apartments, of 4 units or less,
3. New commercial and industrial developments requiring less than 25 parking spaces, where the total building area is 10,000 square feet or less, and the total lot area is less than 30,000 square feet,
4. Additions and alterations to existing developments where the total value of the addition or alteration is less than 25% of the assessed value, provided the addition or alteration does not exceed the limitations above.

General Provisions

Drainage structures, including storm drains, drop inlets, detention basins, etc., shall be installed by the developer, at his expense, where necessary to comply with the provisions herein and as additionally may be determined by the City Engineer. A California registered Civil Engineer shall design any such structures. The design shall be reviewed and approved by the City Engineer.

Drainage facilities shall be designed to prevent flooding of public and private property and shall not substantially degrade water quality.

Drainage facilities and structures shall be constructed in accordance with Crescent City standard plans or as approved by the City Engineer.

Storm Water Runoff Provisions

Drainage facilities for all applicable development projects shall be designed using the methodology described in Appendix A or other methods of hydrology as approved by the City Engineer.

The runoff from all development projects shall be conveyed to the final point of disposal without flooding for the following conditions:

1. "10-year storm", as a minimum, for any and all facilities,
2. "100-year storm" for any building floor,
3. "25-year storm" for minor streets and underground storm drains therein,
4. "100-year storm" for major streets and underground storm drains therein,

Public streets may be used to convey runoff up to the "25-year storm" with the water surface below the top of curb. Any additional runoff shall be conveyed by means of an underground storm drain system.

Drop inlets (catch basins) shall be located where determined by the City Engineer. Drop inlets shall be a standard CalTrans design.

Cross gutters or "valley gutters" may only be used at intersections where the traffic is stopped and if approved by the City Engineer.

Storm drains shall be 12 inch minimum diameter and shall be of a material approved by the City Engineer. The minimum grade (slope) and maximum length of storm drains shall be as follows:

Diameter	Min. Grade	Max. Length
12 inch	0.005 ft/ft	200 feet
15 inch	0.005 ft/ft	300 feet
18 inch	0.003 ft/ft	500 feet
24 inch	0.002 ft/ft	unlimited

Storm drain pipe shall be of adequate structural strength to support fill and wheel loads. Where possible storm drains shall have a minimum of 30 inches of cover from the top of the pipe to the finished grade above.

Storm drain systems shall have access by means of drop inlets and/or manholes spaced at intervals not to exceed 500 feet.

Storm Water Quality

All applicable projects shall treat storm water runoff to reduce suspended solids. The treatment shall be equal to that obtainable by the detention of the 24-hour design storm runoff. The design storm for treatment facilities shall be the "85th percentile 24-hour storm" for volume based designs and the "85th percentile one-hour storm" for flow based designs.

APPENDIX A

Surface water runoff shall be determined using the "Rational Method" with runoff coefficients and rainfall intensities as set forth herein. The runoff formula shall be

$Q = CiA$ where Q = flow (cubic feet/second)
C = runoff coefficient (dimensionless)
I = rainfall intensity (inches/hour)

The following shall be used as the runoff coefficient (C) in the design of drainage facilities and structures:

For impervious areas (roofs, pavement, etc)	1.00
For pervious areas	0.40

The rainfall intensity for a "10-year storm" shall be determined from the following formula:

$\log I = 0.83 - 0.46(\log t)$, where t = the time of concentration

The "25-year storm" is 29 percent larger than the "10-year storm" and the "100-year storm" is 61 percent larger than the "10-year storm."

The time of concentration shall be determined by assuming that overland runoff travels at 1 foot/second on pervious surfaces and 2 feet/second on impervious surfaces. The runoff travel rate for flow in streets, storm drains, and other drainage structures shall be as determined by calculation.

For design of water quality related structures the "85^{th} percentile 24-hour storm" shall be 1.1 inches and the "85^{th} percentile one-hour storm" shall be 0.2 inches.

RESOLUTION NO. 2003 – 11

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY, CALIFORNIA SUBMITTING TO THE CALIFORNIA COASTAL COMMISSION AMENDMENTS TO ITS LOCAL COASTAL PROGRAM GENERAL PLAN/LAND USE PLAN AND IMPLEMENTATION ELEMENTS FOR THOSE COASTAL AREAS WITHIN THE CITY OF CRESCENT CITY

WHEREAS, the California Coastal Commission certified a Local Coastal Program for the City of Crescent City in March 1983, and

WHEREAS, in the Spring of 1997, the City undertook an update of its General Plan/Local Coastal Program, utilizing town hall meetings, studies and surveys to develop an updated General Plan/Coastal Plan/Pre-Annexation Plan for the greater Crescent City area, and

WHEREAS, the City prepared and reviewed a Program EIR (SCH #20032062) pursuant to the California Environmental Quality Act for said Plan, and

WHEREAS, upon conclusion of several Planning Commission and City Council hearings, the City Council took action certifying and adopting the PEIR, adopting the General Plan/Local Coastal Plan/Pre-Annexation Plan, and directing its staff and commission to prepare updated Implementation Ordinances, and

WHEREAS, the City has prepared, reviewed and taken action approving the update of its Local Coastal Program implementation ordinances and standards by amendments related to zoning, storm water drainage and public trees, including applicable zoning maps, and

WHEREAS, the City intends to carry out the Local Coastal Plan in a manner fully consistent with the California Coastal Act, and

WHEREAS, these amendments will take effect automatically upon final Coastal Commission approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Crescent City hereby submits to the California Coastal Commission Exhibits "A" Resolution 2001-11 Adopting the General Plan/Local Coastal Plan, Exhibit "B" – Ordinance 697 Revising Crescent City Municipal Code Titles 12 and 17 as Implementation of the General Plan/Local Coastal Program, Exhibit "C" – Ordinance 698 Adopting Crescent City Coastal Zone Map, and Exhibit "D" – Resolution 2003-10 Storm Water Best Management Practices, attached, for review and certification within the Coastal Zone of the City of Crescent City.

EXHIBIT NO. **17**

APPLICATION NO.

CRC-MAJ-1-03 - CRESCENT CITY LCP AMENDMENT

CITY RESOLUTION NO. 2003-11. LCP AMENDMENT TRANSMITTAL

The above and foregoing Resolution 2003-11 was introduced by Council Member Martell, was seconded by Council Member Burns and passed and adopted at a regular meeting of the City Council of the City of Crescent City held on the 2nd day of June 2003, by the following vote:

AYES:	Council Members Martell, Burns, Kolodner, Youngblood and Mayor Gary
NOES:	None
ABSENT:	None
ABSTAIN:	None

Glenn Gary, Mayor

ATTEST:

L. Dianne Nickerson, City Clerk

RECEIVED

JUL 1 8 2003

CALIFORNIA
COASTAL COMMISSION

RESOLUTION NO. 2001 – 11

A RESOLUTION OF THE CITY OF CRESCENT CITY COUNCIL CERTIFYING THE ADEQUACY OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF CRESCENT CITY GENERAL PLAN AND LOCAL COASTAL PLAN [SCH NO. 200032062] AND ADOPTION OF STATEMENT OF OVERRIDING CONSIDERATIONS AND ADOPTION OF GENERAL PLAN

WHEREAS, in the Spring of 1997, the City Council of the City of Crescent City recognized that the current City of Crescent City General Plan was outdated, increasingly less effective at guiding the City's future development, and therefore directed that the General Plan be updated; and

WHEREAS, in August 1997, the City Council of the City of Crescent City hired a consultant team to work with City of Crescent City staff to prepare a City of Crescent City General Plan Update; and

WHEREAS, the consultant team conducted extensive interviews with community leaders, including staff of the County of Del Norte, regarding updating not only the City of Crescent City General Plan but also the General Plan of the County of Del Norte as well as to identify and address areas of mutual concern to both public entities regarding the future growth and development of the greater City of Crescent metropolitan area; and

WHEREAS, on September 17,1997, the consultant team and City of Crescent City staff conducted a town hall meeting at the City of Crescent City's Cultural Center to describe the City of Crescent City's General Plan Update Program and to solicit comments from the general public concerning issues addressed in the General Plan Update; and

WHEREAS, on March 12, 1998, the City of Crescent City Planning Commission conducted a public Community Visioning meeting at a regularly scheduled meeting of the Planning Commission to identify what had already been accomplished in the prior General Plan as well as to refocus public attention to then existing surveys and plans which may implemented in the proposed General Plan Update; and

WHEREAS, in May, 1998, the consultant completed a Policy Issues Report which presented critical policy issues identified by the public, staff and the consultant to be considered in the General Plan; and

EXHIBIT NO. **18**

APPLICATION NO.

CRC-MAJ-1-03 - CRESCENT CITY LCP AMENDMENT

CITY RESOLUTION NO. 2001-11: ADOPTION OF LUP AMENDMENTS

WHEREAS, in May, 1998, the consultant team completed a Draft Background Report which presented an assessment of information on issues to be addressed and considered in the City of Crescent City General Plan Update and which was intended to be the "environmental setting" portion of the Environmental Impact Report for the General Plan Update; and

WHEREAS, on May 21,1998, the consultant team and City of Crescent City staff conducted a town hall meeting in order to describe for the general public the City of Crescent City's General Plan Update Program and to receive and consider public comments regarding the General Plan Update Issues Report and Background Report; and

WHEREAS, in the July, 1998, the City staff conducted a Community Visioning Survey which was mailed to all households within the geographic limits of the City of Crescent City which was intended to provide an opportunity for those who did not attend the town hall meetings to comment and express any concerns they may have to the proposed General Plan Update Program; and

WHEREAS, in August, 1998, the City Council of the City of Crescent City, the City of Crescent City Planning Commission and the consultant team were each provided with a summary of results from the Community Visioning Survey; and

WHEREAS, between September, 1998, and December, 1999,the consultant team completed the development of a Draft General Plan Policy Document which provided for not only an update of the City of Crescent City General Plan and Local Coastal Plan, but also proposed policies and plans for unincorporated urban areas which could be subject to annexation during the pendency of both the City of Crescent City General Plan as well as the Local Coastal Plan; and

WHEREAS, on March 13,1999 a Notice of Preparation of an Environmental Impact
Report was jointly prepared by the consultant team and City of Crescent City staff from which a
Draft Environmental Impact Report was prepared; and

WHEREAS, the Draft General Plan Policy Document and the Draft General Plan Environmental Impact Report [SCH NO. 2000 32062] were released in July 2000 for formal public inspection and review during the period from July 14 to August 29, 2000; and

WHEREAS, public comments received as a result of the public inspection and review culminated in the preparation of a Cultural Supplement to the Draft Environmental Impact Report which was released for public inspection and during the period from August 10 to September 25, 2000; and

WHEREAS, the City of Crescent City Planning Commission held public hearings on September 14, 2000, and September 21, 2000, in order to receive and consider public recommendations, written comments as well as testimony regarding both the Draft General Plan Policy Document as well as the Draft Environmental Impact Report; and

WHEREAS, on October 7, 2000,the City Council of the City of Crescent City and the City of Crescent City Planning Commission held a joint public workshop to review the Draft General Plan Policy Document as well as the Draft Environmental Impact Report and to review and consider public recommendations, written comments as well as testimony and directed City of Crescent City staff to prepare responses to the public comments; and

WHEREAS, on November 9, 2000, the City of Crescent City Planning Commission held a public hearing to consider public recommendations, written comments as well as testimony and affirmed preparation of a Scenic Resources Supplement to the Draft Environmental Impact Report; and

WHEREAS, a Cultural Supplement to the Draft Environmental Impact Report as prepared by the consulting team and City of Crescent City staff was released for public review and comments during the period from November 22, 2000 to January 4, 2001; and

WHEREAS, the consultant team and City of Crescent City staff prepared a Response to Comments General Plan Draft Environmental Impact Report and Draft Policy Document which was released for public review and comments on February 5,2001; and

WHEREAS, on February 15, 2001, the City of Crescent City Planning Commission held a public hearing to review the Response to Comments General Plan Draft Environmental Impact Report and Draft Policy Document and determined that the Environmental Impact Report documents were in fact adequate and complete; and

WHEREAS, on February 15, 2001, the Crescent City Planning Commission held a public hearing to review the Response to Comments General Plan Draft Environmental Impact Report and Draft Policy Document and to deliberate on the General Plan documents; and

WHEREAS, on February 15, 2001, the Crescent City Planning Commission considered and took action regarding certification of the Draft Environmental Impact Report, Plan amendments and recommended adoption of the amended General Plan documents; and

WHEREAS, on February 15, 2001, the City of Crescent City Planning Commission further recommended that the City Council of the City of Crescent City direct City of Crescent City staff and the City of Crescent City Planning Commission proceed with development of updated implementation amendments consistent with the updated General Plan; and

WHEREAS, on March 5,2001, the City Council of the City of Crescent City held public hearings to consider the Draft Environmental Impact Report, Draft Environmental Impact Report Comments and Response documents and to review the recommended Plan and amendments thereto, and to receive and consider public comments to those documents as well as City of Crescent City Planning Commission recommendations;

WHEREAS, on April 2, 2001, the Crescent City Council did further consider the General Plan/Local Coastal Plan Update and related Environmental Impact Report documents; and

WHEREAS, the draft Environmental Impact Report for the City of Crescent City General Plan and Local Coastal Plan has been prepared in compliance with the California Environmental Quality Act [CEQA].

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Crescent City certifies that the final Environmental Impact Report for the City of Crescent City General Plan and Local Coastal Plan has been prepared in compliance with the California Environmental Quality Act [CEQA], the State CEQA Guidelines and that the City Council of the City of Crescent City has reviewed and considered the information contained within the final Environmental Impact Report aforesaid prior to determining whether or not to approve the Amended City of Crescent City General Plan and Local Coastal Plan Update.

BE IT FURTHER RESOLVED that the City Council of the City of Crescent City finds that the impacts summarized on Exhibit "A," incorporated herein by this reference as though set forth at this point in full, to be less than significant.

BE IT FURTHER RESOLVED that certain potential significant unavoidable adverse environmental effects resulting from project implementation, together with mitigation measures to reduce these effects, have been identified by the final Environmental Impact Report for the City of Crescent City General Plan and Local Coastal Plan, but it is infeasible to avoid or substantially lessen these effects due to economic, social or other considerations. These potential environmental effects and mitigation measures are summarized in a separate statement incorporated herein by this reference as though set forth at this point in full in attached Exhibit "B," and

BE IT FURTHER RESOLVED that CEQA requires the City Council of the City of Crescent City to balance the benefits of a proposed project against its potential significant unavoidable environmental risks in determining whether to approve the project, and the City Council of the City of Crescent City has determined that the benefits of the project outweigh the potential significant unavoidable environmental effects for the reasons stated in the Statement of Overriding Considerations incorporated herein by this reference as though set forth at this point in full in attached Exhibit "C."

BE IT FURTHER RESOLVED that the City Council of the City of Crescent City finds that certain alternatives were considered and rejected as set forth in Exhibit "D," incorporated herein by this reference as though set forth at this point in full.

BE IT FURTHER RESOLVED that the City Council of the City of Crescent City finds that the Implementation Programs 1.3 and 1.4, which provide for an annual review and a five year review of the Crescent City General Plan meet the requirements of Section 21081.6 of the Public Resources Code concerning the adoption of a Mitigation Monitoring or Reporting Program. In addition, the Planning Commission finds that the policies and programs of the Crescent City General Plan will be, over time, incorporated into the City's ordinances, development standards and review processes and implemented through the application of such ordinances, development standards and review processes. See attached Exhibit "E."

BE IT FURTHER RESOLVED that the Mayor and Clerk of the City of Crescent City be, and they hereby are, authorized and directed to make the appropriate certification upon the originals of these documents and file the same as a permanent record in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council of the City of Crescent City hereby certifies and adopts the FEIR (on file at the office of the City Clerk)

i) The FEIR was completed in compliance with CEQA, and was presented to the City Council and the City Council has reviewed and considered the information contained in the FEIR and finds that it reflects the independent judgement of the City Council; and

ii) The City Council has eliminated or substantially lessened all significant effects on the environment where feasible, and all remaining significant effects on the environment are found to be unavoidable under Section 15091 (Title 14, CCR) and are acceptable due to overriding considerations.

iii) The Plan meets the requirements of. Government Code as they relate to the contents, preparation and adoption of a General Plan:

[a] The Crescent City General Plan meets the requirements of Government Code Section 65302 regarding each of the seven mandated elements, to the extent that the issues and conditions of each element are present in the planning area. The Housing Element was separately adopted in August 1992, is in compliance with housing element requirements, and although it is not included within the update of the Crescent City General Plan, remains a part of the General Plan.

[b] The Crescent City General Plan document is internally consistent and meets the requirement of Government Code Section 65300.5.

[c] The Crescent City General Plan was referred to Del Norte Unified School Districts along with the Draft EIR consistent with the requirements of Government Code Section 65352.

[d] The Crescent City General Plan meets the requirements of Government Code Section 65352.5 regarding coordination with agencies that provide water supplies in that it is the only public water supply agency within the planning area.

[e] For areas within the Coastal Zone, the City intends to implement the Crescent City General Plan in a manner consistent with the California Coastal Act, the plan being in effect upon approval by the California Coastal Commission.

BE IT FURTHER RESOLVED that the City Council of the City of Crescent City hereby adopts the Crescent City General Plan Update (a copy of which is on file in the office of the City Clerk), consisting of the Background Report and General Plan Policy Document with Diagram maps, for those incorporated Crescent City areas which are not within the California Coastal Zone, to be in effect upon the City's adoption of a General Plan Implementation Ordinance Update.

BE IT FURTHER RESOLVED that the City Council of the City of Crescent City hereby adopts the Crescent City General Plan Update as a Local Coastal Plan Update (a copy of which is on file in the office of the City Clerk), consisting of the Background Report and General Plan Policy Document with Diagram maps, for those incorporated Crescent City areas which are within the California Coastal Zone, to be in effect upon the certification of the Plan and its Implementation Ordinance Update by the California Coastal Commission.

BE IT FURTHER RESOLVED that the City Council of the City of Crescent City hereby adopts the Crescent City General Plan Update (a copy of which is on file in the office of the City Clerk), consisting of the Background Report and General Plan Policy Document with Diagram maps, as a pre-annexation plan for those unincorporated areas within the Crescent City Urban Boundary.

The above and foregoing Resolution was introduced by Councilmember Burlake, was seconded by Councilmember Gary, and passed and adopted at a meeting of the City Council of the City of Crescent City held on the 21st day of May 2001, by the following vote:

AYES:	**Councilmembers Burlake, Kolodner, Gary, and Mayor Smith**
NOES:	**None**
ABSTAIN:	**None**
ABSENT:	**Youngblood**

C. RAY SMITH, MAYOR

ATTEST:

L. Dianne Nickerson, City Clerk

Exhibit A
Crescent City General Plan Update

SUMMARY OF IMPACTS THAT ARE LESS THAN SIGNIFICANT
BECAUSE THEY WERE ADDRESSED BY GENERAL PLAN POLICIES AND PROGRAMS

IMPACT CATEGORY (DEIR Reference)	POLICIES AND PROGRAMS (Policy Document Reference)
3 - LAND USE, HOUSING AND POPULATION	1.F.1-1.F.3, 1.G.1-1.G.6, 1.H.1-1.H.6, Land Use Diagram & Standards 1992 Housing Element, 1.F.1-1.F.3, Land Use Diagram & Standards
3.1 Land Use and Land Use Plans	
3.2 Housing and Population	3.A.1, 3.A.5, 3.A.9, 3.A.11-3.A.23 (revised numbering)
4 - TRANSPORTATION AND CIRCULATION	3.A., 3.A.12, 3.A.13 3.A.21 3.A.17
4.1 Street and Highway System	
• Maintaining Acceptable Levels of Service	3.B.1-3.B.7, 3.C.1-3.C.9
• Future Improvements • Financing for Improvements	4.A.1-4.A.3(revised), 4.1
4.2 Alternative Transportation Modes	4.A.1-4.A.3(revised), 4.B.1-.B.4 (revised), 4.1
5 - PUBLIC FACILITIES AND SERVICES	4.A.1, 4.B.1 4.A.2 4.B.2
5.1 Water Supply and Distribution	
• Water Service Availability • Funding	4.A.1-4.A.3(revised), 4.C.1-4.C.3(revised), 4.2
• Water Conservation	4.A.1, 4.C.2
5.2 Wastewater Collection, Treatment, and Disposal	4.A.2, 4.C.5 4.C.1, 4.C.2 (revised)
• Wastewater Treatment Service Availability • Funding • Wastewater Reduction	
	5.3 Storm Drainage
	5.4 Solid Waste • Future Disposal Sites • Solid Waste Reduction
	5.5 Law Enforcement • Maintaining Levels of Service
1.A.1-1.A.7, 1.B.1-1.B.16, 1.1,	

• Response Times	4.4.A.1-4.A.2 (revised), 4.E.1-4.E.8
5.6 Fire Protection	
• Meeting Future Service Demand	4.D.1-4.D.10(revised), 4.3
• Funding Availability	4.D.2, 4.D.3
	4.D.4
5.7 Schools	
Future School Needs	4.A.1-4.A.2, 4.G.1-4.G.4
	4.G.1, 4.G.3
5.8 Parks	4.G.2
5.9 Public Utilities	4.A.1-4.A.2, 4.G.5-4.G.7
• Coordination with Facility Providers	4.A.1
	4.A.2
6 - NATURAL RESOURCES/ CONSERVATION	4.F.1-4.F.7
	4.F.1, 4.F.3
6.1 Water Resources	
• Surface Water and Groundwater Quality	5.A.1-5.A.16 (revised), 5.C.1-5.C.12
• Water Supply	
	4.A.1-4.A.2, 4.H.1-4.H.2
6.2 Agricultural, Forestry and extractive Resources	4.H.1-4.H.2
• Conflicts with Surrounding Land Uses	
• Risk of Timberland Conversion	
• Timber Management Practices	6A.6, 6.B1-6.B.6
	6.B.1-6.B.3, 6.B.5, 6.B.6
6.3 Biological Resources	6.B.4
• Water Quality	6.F.1-6.F.3, 6.C.1-6.C.3, 6.C.1-
• Timber Management	6.G.7 (revised)
• Cooperation w Agencies	6.F.1-6.F.3
	6.G.1-6.G.2, 6.G.5
	6.G.3-6.G.5
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	6.A.6-6.A.7, 6.D.12, 6.D.17-6.D.18(revised)
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EXHIBIT "B"

THE CITY OF CRESCENT CITY GENERAL PLAN AND LOCAL COASTAL PLAN UPDATE FINAL ENVIRONMENTAL IMPACT REPORT STATEMENT OF EFFECTS WHICH CANNOT BE ELIMINATED OR SUBSTANTIALLY LESSENED.

It is the conclusion of the Draft Environmental Impact Report for the City of Crescent City General Plan and Coastal Plan Update that mitigative changes have eliminated or substantially lessened all identified potential significant impacts to a less than significant status. However, the City Council of the City of Crescent City finds that certain potentially unavoidable significant adverse environmental effects are mitigated to the extent feasible through the measures identified below but cannot be eliminated or substantially lessened:

1. Roadway levels of service within the City limits on Highway 101 between 9th Street and Northcrest Drive may exceed LOS F capacity for the PM Peak Hour at the build out of the Plan. It is noted that Plan build out is based upon development of all lands within the greater Crescent City urban area and is projected at 25 years [based upon projected growth rates], making the occurrence of potential impacts during the stated Plan time frame uncertain. The eventual mitigation for this impact is identified as a state highway bypass around Crescent City.

2. Roadway levels of service in the greater unincorporated Crescent City area on Parkway Drive between Washington Blvd and the urban boundary may exceed LOS F capacity for the PM Peak Hour at the build out of the Plan. It is noted that the Plan build out is based upon development of all lands within the greater Crescent City urban area and is projected at 25 years based upon projected growth rates, making the occurrence of potential impacts during the state Plan timeframe uncertain. Until such time as this area is annexed to the City it would have no jurisdiction over the mitigation of such impacts as this is a county roadway.

3. Use of non-renewable natural resources (such as gravel, petroleum and fossil based products). Under any development plan, the use of non-renewable for construction and/or additional transportation and utility services will, under existing technological practices, result in consumption of the listed resources. The increased consumption of nonrenewable energy sources is an unavoidable consequence of population growth and the activities necessary to sustain healthy living conditions.

EXHIBIT "C"

STATEMENT OF OVERRIDING CONSIDERATIONS

Final Environmental Impact Report for the City of Crescent City General Plan and Local Coastal Plan Update

Pursuant to Section 15093 of the California Environmental Quality Act Guidelines, the City Council of the City of Crescent City hereby finds and determines that the benefits of the City of Crescent City General Plan and Local Coastal Plan Update outweigh the unavoidable adverse environmental effects and sets forth the following findings for such determination:

The three potentially unavoidable significant adverse environmental effects are listed below:

[1] Roadway levels of service within the City limits on Highway 101 between 9th Street and Northcrest Drive.
[2] Roadway levels of service in the greater unincorporated Crescent City area on Parkway Drive between Washington Blvd and the urban boundary.
[3] Use of non-renewable natural resources (such as gravel, petroleum and fossil based products)

The three potentially unavoidable significant adverse environmental effects listed above are overridden by the economic, legal, social, technological and other benefits of the Crescent City General Plan/Local Coastal Plan, to wit:

[1] If the General Plan and Local Coastal Plan Update is not adopted, urban development may continue without the benefit of policies and implementation procedures and measures providing for the integration of compatible land uses in a manner which will promote the community's continued well-being.

[2] Managed urban development of the geographic areas encompassed by the General Plan and Local Coastal Plan Update will fully utilize public facilities and resources and accommodate an appropriate portion of the projected population increase over the next several years. The proposed plan updates are necessary to reduce the community's ultimate population holding capacity to a level substantially less than that anticipated by the current General Plan to avoid excessive demands upon limited sewer, street, and water facilities and resources.

[3] Application of the plan updates will provide planned uses, circulation components, policies and implementation procedures and measures, together with existing development standards and urban growth management service delivery requirements. The plan updates will further provide for the managed use of public facilities to the extent economically appropriate.

EXHIBIT "D"

ALTERNATIVES CONSIDERED AND REJECTED

In order to evaluate the possible environmental impacts resulting from a range of alternatives which could reasonably attain the basic objectives of the General Plan update project, three alternatives were analyzed in the Draft Environmental Impact Report for the City of Crescent City General Plan and Local Coastal Plan Updates. These alternatives were:

1. No-Project - No Development Alternative:

This alternative was based upon the assumption that no new development would take place in the City of Crescent City beyond that which had already occurred. Implementation of this alternative would result in a *de facto* moratorium on future development and annexations within the city limits. Furthermore, this alternative would sanction no increase in population or employment growth. Finally, it would be extremely difficult for the City of Crescent City to legally prohibit all "infill" development with its territorial limits, its sphere of influence and the balance of the Planning Area. This "no development alterantive" would not substantially reduce or avoid environmental impacts as incremental urban development could continue to occur at a higher density and intensity and with less comprehensively applied mitigation measures. For the foregoing reasons, this alternative was considered and rejected.

2. No Project • Existing General Plan Alternative:

This alternative was based upon the assumption that the City would not adopt a new General Plan and would continue to rely on the existing 1976 General Plan as well as the 1983 Local Coastal Plan.

From a physical development standpoint, this alternative would result in similar amounts and patterns of development as set forth in the proposed General Plan, provided however, that future development of adequate public services is possible. It is important to note in this regard that several of fundamental presumptions that formed the foundation for the current General Plan have changed, including but not limited to, the economic basis which then existed in the community. The current General Plan sets forth lower population and employment growth potential within the existing central city area than the General Plan update which results in additional pressures upon the outlying unincorporated areas to accommodate additional growth potential. For the foregoing reasons, the alternative to maintain the existing and outdated General Plan was rejected.

3. High Density General Plan Alternative:

This alternative creates higher density residential development in the western coastal and harbor areas of the city. It would provide for approximately 50% more housing units than projected would be needed during the 20 year duration of plan activities.

Significant traffic impacts could occur on Highway 101 with the resulting potential need for reconsideration of a contemplated freeway by-pass of the City. The occurrence of increased demans upon facilities and resources and their related environmental impacts might be avoided by adopting a plan update prohibiting any further urban development. However, expanded development could occur elsewhere in the metropolitan area where the construction of public facilities has not yet been committed. Facilities within the General Plan and Local Coastal Plan geographic areas could remain incomplete or underutilized. Long terms impacts upon wastewater treatment, and solid waste caused by urban growth could still occur. Based upon the significant land use and services changes which could occur in the community, this alternative was rejected.

The above stated reasons are based upon the information presented in the Final Environmental Impact Report for the General Plan and Local Coastal Plan Update and accompanying documents presented to the City Planning Commission and the City Council of the City of Crescent City and in all written evidence and testimony presented to the City Council on this matter.

EXHIBIT "E"

MITIGATION MONITORING OR REPORTING PROGRAM

In adopting the Crescent City General Plan the City Council hereby finds that the Implementation Programs 1.3 and 1.4, which provide for an annual review and a five year review of the Crescent City General Plan meet the requirements of Section 21081.6 of the Public Resources Code concerning the adoption of a Mitigation Monitoring or Reporting Program. In addition, the Planning Commission finds that the policies and programs of the Crescent City General Plan will be, over time, incorporated into the City's ordinances, development standards and review processes and implemented through the application of such ordinances, development standards and review processes.

EXHIBIT NO. 19
APPLICATION NO.
CRC-MAJ-1-03 - CRESCENT CITY LCP AMENDMENT
CITY ORDINANCES NO. 697: ADOPTION OF IP AMENDMENTS

RECEIVED
JUL 18 2003
CALIFORNIA COASTAL COMMISSION

CITY OF CRESCENT CITY
ORDINANCE NO. 697

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY REVISING THE CRESCENT CITY MUNICIPAL CODE TITLE 12 PUBLIC STREETS, SIDEWALKS AND PUBLIC PLACES BY ADDING CHAPTERS 12.34 AND 12.36 AND REVISING TITLE 17 ZONING BY ADDING CHAPTER 17.70A, AND REVISING TITLE 17 ZONING BY DELETING CHAPTER 17.66 AND CHAPTER 17.67, AND AMENDING CHAPTERS 17.59. 17.61, 17.63, 17.64, 17.65, 17.68, 17.69, 17.70, 17.71, 17.72, 17.73, 17.74, 17.76, 17.79, 17.80, 17.83, AND 17.86 AS IMPLMENTATION OF THE GENERAL PLAN/LOCAL COASTAL PLAN 2000-2020 UPDATE FOR THOSE AREAS OF THE CITY WITHIN THE CALIFORNIA COASTAL ZONE.

SECTION ONE. Findings and Declaration of Intent

a. The City of Crescent City Council, on May 21, 2001, adopted an updated Crescent City General Plan/Local Coastal Plan and related Final Program Environmental Impact Report (SCH#2001102120) pursuant to state regulations.

b. The City of Crescent City Council called for an update of the City Ordinances for compliance with the updated General Plan/Local Coastal Plan pursuant to state regulations, General Plan Implementation Program 1.6 and as mitigation setforth by the adopted General Plan Final Program Environmental Impact Report (SCH# 2000032062).

c. Section 17.81.010 of the Crescent City Municipal Code and California Government Code §§36934 and 65850 allows for the amendment, by ordinance, of the Zoning Code.

d. The City has reviewed the current status of those City implementation ordinances which would apply pursuant to the General Plan and has prepared text and map amendments to the applicable Title 12 Streets, Sidewalks and Public Places and Title 17 Zoning code chapters which are consistent with the updated General Plan/Local Coastal Plan and its land use diagram.

e. The City Council and City Planning Commission held a duly publicized public workshop on August 26, 2002 to review draft proposals for Title 12 and Title 17 text and map amendments for the implementation ordinance update; and

f. The City, as lead agency under the California Environmental Quality Act, has undertaken preparation of an Initial Study so as to evaluate the potential for adverse environmental impact which it has published as part of a Negative Declaration based upon the previously adopted Program EIR (SCH #2000032062) and circulated for public review for public comment, duly noticed pursuant to state regulations and for which no comments were submitted or identified during the public review period.

g. The City Planning Commission has, at its meetings of November 13 and December 11, 2002, undertaken a duly noticed public hearing, review and discussion regarding the Title 12 and 17 implementation ordinance and map amendments and the environmental document, taken action upon corrections and amendments as a result of public hearing discussions, and forwarded a recommendation to the City Council.

h. The City of Crescent City Council has, at is meetings of January 6, January 21, and June 2, 2003 undertaken duly noticed public hearings, review and discussion regarding the Title 12 and 17 implementation ordinances, map amendments and environmental document, and taken action upon corrections and amendments as a result of public hearing discussions.

i. The City Council finds that effective implementation ordinances strengthens the public's planning process, allows for the planning of public improvements and services, and assures that appropriate measures to enhance and protect the environment are achieved.

j. The City Council finds that the proposed implementation ordinances provide for continued economic development of the City in a manner consistent with General Plan and Redevelopment Area provisions.

k. The City Council finds that these implementation ordinances provide for development of a variety of housing for all income levels including provisions for accommodation of senior, disabled and targeted income housing projects.

l. The City Council finds that these implementation zoning ordinances also provide for the development of second unit dwellings in residentially designated areas as a permitted use when consistent with General Plan densities, except in coastal bluff areas where, due to potential bluff stability hazard issues, conditional use permit review is required.

m. The City Council finds and determines that the public health, safety, convenience, comfort, prosperity and general welfare will be furthered by the adoption of this amendment to the City's Zoning Code in order to accomplish the foregoing purposes and aims and the realization to be derived therefrom.

n. The City Council finds that this ordinance is adopted in consideration of AB 1866.

o. The City Council finds that these amendments are consistent with the City General Plan/Local Coastal Plan adopted May 21, 2001.

p. The City Council finds that amending the City's implementation ordinances in the manner stated herein will not have a negative effect on the environment and that the Negative Declaration based upon the previously adopted Crescent City General Plan Program Environmental Impact Report (SCH# 2000032062) for this project is hereby found complete and adopted.

q. The City Council finds that, as a result of the previous Program EIR, the project initial study, and public review, there is no evidence that the proposed project will have potential for adverse effect, either individually or cumulative on wildlife resources: and

r. The City Council has considered the content of the updated General Plan/Local Coastal Plan and its Final Program Environmental Impact Report, the Implementation Ordinance proposals, Negative Declaration, and these findings in its actions.

The City Council of the City of Crescent City, California does ordain as follows:

SECTION TWO. Specified Revisions to Title 12 Streets, Sidewalks & Public Places Code and Title 17 Zoning Code.

A. Chapter 12.34 of the City of Crescent City Municipal code is added to read as follows:

Chapter 12.34
PUBLIC TREES

Sections:

12.32.010 Purpose
12.32.020 Definitions
12.32.030 Landmark Trees
12.32.040 Other City trees and landscaping

12.34.010 Purpose

The purpose of this chapter is to provide for and protect those trees within the city limits which are located on public lands and identified by the City Council as public trees. The City of Crescent City contains species of trees of great beauty and of historic or cultural significance to the community which are located on public lands. Additionally, the City has chosen to place additional trees on public lands for the benefit of all residents and visitors and promotion of the community in genera. It is in the public interest and for the public welfare that the City establishes a program which provides for the designation and preservation of public trees in order to maintain the heritage and character of the City of Crescent City as well as preserve the beauty of the community. In doing so it is also the intent of the City to provide for and protect public facilities which also serve the community which may be impacted by such trees.

12.34.020 Definitions

A. Street Tree, is a tree placed by the City in a specially constructed tree planting well within street right of way areas, typically adjacent to the public walkway and/or street curb.

B. Community memorial Tree, is a tree which is planted on public land, with the permission of the public agency which is the landowner, as a community memorial to a person, persons, and/or event and which is marked at the planting site with a plaque, sign or other identification as a memorial.

C. Public agency, is the City of Crescent City, County of Del Norte, any federal or state agency, or local district (such as the school district or harbor district) which owns property within the city limits.

12.34.030 Landmark Trees

A. Designation Criteria

A tree or group of trees shall be designated as a Landmark by action of the City Council based upon findings that the designated tree(s) meet the following criteria:

1. The tree is located upon land owned by a public agency, and
2. The tree is a species of such height, girth, form or beauty, either individually or as a group, as to be significant or unique in the community, or
3. The tree is of historic importance to the community, or
4. The tree has been placed and marked as a Community Memorial tree.

B. Designated Species

Those trees which have been designated by the City as a species of such height, girth, form and beauty as to be significant and unique in the community include:

1. Any Monterey Cypress (Cupressus Macrocarpa) tree located within the City which are owned by a public agency.

C. Placement, removal or disturbance of Landmark Trees

1. When a species of tree designated herein as a Landmark Tree is planted upon lands within the city limits owned by a public agency it shall be considered a Landmark Tree one year after its planting and be subject to the requirements of this Chapter.
2. Trees planted with the permission of the public agency landowner as a Community Memorial Tree shall be considered landmark Trees.
3. Community memorial trees shall be placed upon City property only with the approval of the City Council. Those individual trees approved by the City for placement on city lands in memory of an individual without a community memorial identification shall not be considered landmark Trees unless they are of a designated species.
4. New Landmark Trees should be planted in locations so that, at maturity, their drip line does not encroach upon existing hard surface improvements such as sidewalks or parking lots.
5. Where preexisting paving, concrete or subsurface improvements are adjacent to a Landmark Tree, repair, replacement and/or upgrade of the improvements may be undertaken, however care shall be taken to preserve the tree substructure as much as feasible.
6. Where a Landmark Tree is proposed for removal by the public agency which owns it, replacement shall be provided as follows:
    a. When removed because it is found that the Landmark Tree is a hazard or is dying, one tree of the same species shall be planted in the same vicinity as the removed tree within 30 days of the removal.
    b. When removed for the purpose of establishment, expansion or maintenance of a public facility, two trees of the same species shall be planted in the same vicinity as the removed tree within 30 days of completion of construction.
7. It shall be unlawful for any person to break, injure, deface, mutilate, kill, destroy or caused to be removed any tree designated as a Landmark Tree, except where a dually appointed representative of the public agency owning such a tree is acting to manage the tree in an acceptable horticultural manner.

12.34.040 Other City trees and landscaping.

A. It shall be unlawful for any person to break, injure, deface, mutilate kill, destroy or cause to be removed any Street Tree or other tree or vegetation placed by the City as landscaping on public lands, except where a dually appointed representative of the City is acting to manage the tree in an acceptable horticultural manner.

B. The City Public Works Department shall be responsible for placement, inspection, maintenance, removal, and replacement of Street Trees and other trees or vegetation planted on City lands or within City right-of-ways or easements as public landscaping.

C. Any persons who intends to plant a tree upon City lands or within City right-of-ways or easements shall apply to the Public Works Department for a permit to do so. The application shall explain what is to be done, the number, kind and location of the trees, and how the tree will be cared for, including any improvements proposed such as irrigation. The Public Works Department may approve or deny any such permit.

B. Chapter 12.36 of the City of Crescent City Municipal Code is added to read:

CHAPTER 12.36
STORM WATER QUALITY MANAGEMENT

Sections:

12.36.010 Title
12.36.020 Purpose and Intent
12.36.030 Definitions

12.36.050 Responsibility for Administration
12.36.060 Regulatory Consistency
12.36.070 Ultimate Responsibility of Discharger
12.36.080 Prohibition of Illegal Discharges
12.36.090 Prohibition of Illicit Connections
12.36.100 Waste Disposal Prohibitions
12.36.110 Discharges in Violation of Industrial or Construction Activity NPDES Storm Water Discharge Permit
12.36.120 Requirement to Prevent Control and Reduce Storm Water Pollutants.
12.36.130 Requirement to Eliminate Illegal Discharges,
12.36.140 Requirement to Eliminate or Secure Approval for Illicit Connections.
12.36.150 Watercourse Protection
12.36.160 Requirement to Remediate.
12.36.170 Requirement to Monitor and Analyze
12.36.180 Notification of Spills.
12.36.190 Authority to Inspect
12.36.200 Authority to Sample, Establish Sampling Devices, and Test
12.36.210 Notice of Violation
12.36.220 Appeal
12.36.230 Abatement by City.
12.36.240 Charging Cost of Abatement/Liens.
12.36.250 Urgency Abatement
12.36.260 Violations.
12.36.270 Compensatory Action.
12.36.280 Violations Deemed a Public Nuisance
12.36.290 Acts Potentially Resulting in a Violation of the Federal Clean Water Act and/or California Porter~Cologne Act.

12.36.010 Title

This Chapter shall be known as the "Storm Water Quality Management Ordinance" of the City of Crescent City and may be so cited.

12.36.020 Purpose and Intent.

The purpose and intent of this Chapter is to ensure the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. §1251 et seq.) by reducing pollutants in storm water discharges to the maximum extent practicable and by prohibiting non-storm water discharges to the storm drain system.

12.36.030 Definitions.

The terms used in this Chapter shall have the following meanings:
A. Best Management practices: Activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the United States. Best Management Practices include but are not limited to:

1. Treatment facilities to remove pollutants from storm water
2. Operating and maintenance procedures;
3. Facility management practices to control runoff, spillage or leaks of non-storm water, waste disposal, and drainage from materials storage;
4. Erosion and sediment control practices;
5. The prohibition of specific activities and practices; and
6. Such procedures, facilities, design standards and such other provisions as the City Council determines by Resolution as appropriate for the control of pollutants.

B. City: The City of Crescent City.

C. Clean Water Act: The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq,), and any subsequent amendments thereto.

D. Construction Activity: Activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of 1 acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

E. Hazardous Materials: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

F. Illegal Discharge: Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section 12.36.080 of this chapter.

G. Illicit Connections: An illicit connection is defined as either of the following:

1. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited, to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency; or
2. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the City.

H. Industrial Activity: Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14)

I. National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permits: General, group, and individual storm water discharge permits which regulate facilities defined in federal NPDES regulations pursuant to the Clean Water Act The California Regional Water Quality Control Board, North Coast Region (hereinafter, Regional Board) and the State Water Resources Control Board have adopted general storm water discharge permits, including but not limited to the General Construction Activity and General Industrial Activity permits.

J. Non-Storm Water Discharge: Any discharge to the storm drain system that is not composed entirely of storm water.

K. Pollutant: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to:

1. Paints, varnishes, and solvents;
2. Oil and other automotive fluids;
3. Non-hazardous liquid and solid wastes and yard wastes;
4. Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations;
5. Floatables;
6. Pesticides, herbicides, and fertilizers;
7. Hazardous substances and wastes;
8. Sewage, fecal coliform and pathogens;
9. Dissolved and particulate metals;
10. Animal wastes;
11. Wastes and residues that result from constructing a building or structure (including but not limited to sediments, slurries, and concrete rinsates); and
12. Noxious or offensive matter of any kind.

L. Pollution: The human-made or human-induced alteration of the quality of waters by waste to a degree which unreasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses (California Water Code §13050).

M. Porter-Cologne Act: The Porter-Cologne Water Quality Control Act and as amended (California Water Code §13000 et seq.).

N. Premises: Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

O. Storm Drain System: Publicly-owned facilities operated by the City by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the City.

P. Storm Water: Any surface flow, runoff, and drainage consisting entirely of water from rain storm events.

Q. Waters of the United States: Surface watercourses and water bodies as defined at 40 CFR § 122.2. including all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry storm water at and during all times and seasons.

12.36.040 Applicability.
This Chapter shall apply to all water entering the storm drain system generated on any developed and undeveloped lands lying within the City of Crescent City.

12.36.050 Responsibility for Administration.
The Public Works Director of the City shall administer, implement, and enforce the provisions of this Chapter. Any powers granted or duties imposed upon the Public Works Director may be delegated in writing by the Public Works Director to persons or entities acting in the beneficial interest of or in the employ of the City.

12.36.060 Regulatory Consistency.
This Chapter shall be construed to assure consistency with the requirements of the Clean Water Act and Porter-Cologne Act and acts amendatory thereof or supplementary thereto, or any applicable implementing regulations,

12.36.070 Ultimate Responsibility of Discharger.
The standards set forth herein and promulgated pursuant to this Chapter are minimum standards. Therefore this Chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into waters of the U.S. caused by said person. This Chapter shall not create liability on the part of the City of Crescent City, or any agent or employee thereof for any damages that result from any discharger's reliance on this Chapter or any administrative decision lawfully made thereunder.

12.36.080 Prohibition of Illegal Discharges.
No person shall discharge or cause to be discharged into the City storm drain system or into any watercourse any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.

The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

A. Discharges from the following activities will not be considered a source of pollutants to the storm drain system and to waters of the US. when properly managed to ensure that no potential pollutants are present, and therefore they shall not be considered illegal discharges unless determined to cause a violation of the provisions of the Porter-Cologne Act, Clean Water Act, or this ordinance:
   1. Potable water line flushing;
   2. Uncontaminated pumped groundwater and other discharges from potable water sources;
   3. Landscape irrigation and lawn watering;
   4. Diverted stream flows;
   5. Rising groundwater;
   6. Groundwater infiltration to the storm drain system;
   7. Uncontaminated foundation and footing drains;
   8. Uncontaminated water from crawl space pumps;
   9. Air conditioning condensation;
   10. Uncontaminated non-industrial roof drains;
   11. Springs;
   12. Individual residential and occasional non-commercial car washing;
   13. Flows from riparian habitats and wetlands;
   14. Dechlorinated swimming pool discharges;
   15. Street wash waters; and
   16. Flows from fire fighting.

B. The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered by the State of California under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted by the City for any discharge to the storm drain system.

C. With written concurrence of the Regional Board, the City may exempt in writing other non-storm water discharges which are not a source of pollutants to the storm drain system nor waters of the U.S.

12.36.090 Prohibition of Illicit Connections.

A. The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

B. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

12.36.100 Waste Disposal Prohibitions.

No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the storm drain system, or water of the U.S., any refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, and accumulations, so that the same may cause or contribute to pollution. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempted from this prohibition.

12.36.110 Discharges in Violation of Industrial or Construction Activity NPDES Storm Water Discharge Permit.

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Public Works Director prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.

12.36.120 Requirement to Prevent Control and Reduce Storm Water Pollutants.

A. Authorization to Adopt and Impose Best Management Practices. The City Council may adopt, by Resolution, requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the U.S. Where Best Management Practices requirements are promulgated by the City or any federal, State of California, or regional agency for any activity, operation, or facility which would otherwise cause the discharge of pollutants to the storm drain system or water of the U.S., every person undertaking such activity or operation, or owning or operating such facility shall comply with such requirements.

The Public Works Director shall maintain a record for public use of all Best Management Practices adopted by Resolution of the City Council.

B. New Development. The City Council shall adopt by Resolution, requirements identifying appropriate Best Management Practices to control the volume, rate, and potential pollutant load of storm water runoff from all applicable new development projects, as determined by Resolution, as may be appropriate to minimize the generation, transport and discharge of pollutants. The City shall incorporate such requirements in any land use entitlement and construction or building related permit to be issued relative to such development. The owner and developer shall comply with the terms, provisions, and conditions of such land use entitlements and building permits.

C. Responsibility to Implement Best Management Practices. Notwithstanding the presence or absence of requirements promulgated pursuant to subsections (a) and (b), any person engaged in activities or operations, or owning facilities or property which will or may result in pollutants entering storm water, the storm drain system, or waters of the U.S. shall implement Best Management Practices to the extent they are technologically achievable to prevent and reduce such pollutants. The owner or operator of a commercial or industrial establishment shall provide reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses. Facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner or operator's expense.

12.36.130 Requirement to Eliminate Illegal Discharges,

The Public Works Director may require by written notice that a person responsible for an illegal discharge immediately, or by a specified date, discontinue the discharge and, if necessary, take measures to eliminate the source of the discharge to prevent the occurrence of future illegal discharges.

Section 12.36.140 Requirement to Eliminate or Secure Approval for Illicit Connections.

A. The Public Works Director may require by written notice that a person responsible for an illicit connection to the storm drain system comply with the requirements of this Chapter to eliminate or secure approval for the connection by a specified date, regardless of whether or not the connection or discharges to it had been established or approved prior to the effective date of this Chapter.

B. If, subsequent to eliminating a connection found to be in violation of this Chapter, the responsible person can demonstrate that an illegal discharge will no longer occur, said person may request City approval to reconnect. The reconnection or reinstallation of the connection shall be at the responsible person's expense.

12.36.150 Watercourse Protection

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property reasonably free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the

use, function, or physical integrity of the watercourse. The owner or lessee shall not remove healthy bank vegetation beyond that actually necessary for maintenance, nor remove said vegetation in such a manner as to increase the vulnerability of the watercourse to erosion. The property owner shall be responsible for maintaining and stabilizing that portion of the watercourse that is within their property lines in order to protect against erosion and degradation of the watercourse originating or contributed from their property.

12.36.160 Requirement to Remediate.
Whenever the Public Works Director finds that a discharge of pollutants is taking place or has occurred which will result in or has resulted in pollution of storm water, the storm drain system, or water of the U.S., the Public Works Director may require by written notice to the owner of the property and/or the responsible person that the pollution be remediated and the affected property restored within a specified time pursuant to the provisions of sections 12.36.210 through 12.36.240 herein.

12.36.170 Requirement to Monitor and Analyze.
The Public Works Director may require by written notice that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to storm water pollution, illegal discharges, and/or non-storm water discharges to the storm drain system or waters of the U.S., to undertake at said person's expense such monitoring and analyses and furnish such reports to the City as deemed necessary to determine compliance with this Chapter.

12.36.180 Notification of Spills.
Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. from said facility, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of a hazardous material said person shall immediately notify emergency response officials of the occurrence via emergency dispatch services (911) and the City Department of Public Works. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City's Public Works Department within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

12.36.190 Authority to Inspect
Whenever necessary to make an inspection to enforce any provision of this Chapter, or whenever the Public Works Director has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this Chapter, the Director may enter such premises at all reasonable times to inspect the same and to inspect and copy records related to storm water compliance. In the event the owner or occupant refuses entry after a request to enter and inspect has been make, the City is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

12.36.200 Authority to Sample, Establish Sampling Devices, and Test
During any inspection as provided herein, the Public Works Director may take any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to record site activities.

12.36.210 Notice of Violation
Whenever the Public Works Director finds that a person has violated a prohibition or failed to meet a requirement of this Chapter, the Director may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:
A. The performance of monitoring, analyses, and reporting;
B. The elimination of illicit connections or discharges;

C. That violating discharges, practices, or operations shall cease and desist;
D. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and
E. The implementation or maintenance of source control or treatment practices.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by the City or a contractor designated by the Public Works Director and the expense thereof shall be charged to the violator pursuant to Section 12.36.230 below.

12.36.220 Appeal

Notwithstanding the provisions of Section 12.36.250, any person receiving a Notice of Violation under Section 12.36.210 may appeal the determination of the Public Works Director to the City Council. The notice of appeal must be received by the City Clerk within 7 calendar days from the date of the Notice of Violation. Hearing on the appeal before the City Council shall take place within 15 calendar days from the date of City's receipt of the notice of appeal. The decision of the City Council shall be final.

12.36.230 Abatement by City.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal under section 12.36.220 within 10 days of the decision of the City Council upholding the decision of the Public Works Director, then the City or a contractor designated by the Public Works Director shall enter upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the City or designated contractor to enter upon the premises for the purposes set forth above.

12.36.240 Charging Cost of Abatement/Liens.

Within 30 days after abatement of the nuisance by the City, the Public Works Director shall notify the property owner of the property of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment with the City Clerk within 15 days. The City Clerk shall set the matter for public hearing by the City Council. The decision of the City Council shall be set forth by resolution and shall be final.

If the amount due is not paid within 10 days of the decision of the City Council or the expiration of the time in which to file an appeal under this Chapter, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. A copy of the resolution shall be turned over to the County Auditor so that the auditor may enter the amounts of the assessment against the parcel as it appears on the current assessment roll, and the tax collector shall include the amount of the assessment on the bill for taxes levied against the parcel of land.

12.36.250 Urgency Abatement

The Public Works Director is authorized to require immediate abatement of any violation of this Chapter that constitutes an immediate threat to the health, safety or well-being of the public. If any such violation is not abated immediately as directed by the Public Works Director, the City is authorized to enter onto private property and to take any and all measures required to remediate the violation. Any expense related to such remediation undertaken by the City shall be fully reimbursed by the property owner and/or responsible party. Any relief obtained under this section shall not prevent City from seeking other and further relief authorized under this Chapter.

12.36.260 Violations.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Chapter. A violation of or failure to comply with any of the requirements of this Chapter shall constitute a misdemeanor.

12.36.270 Compensatory Action.

In lieu of enforcement proceedings, penalties, and remedies authorized by this Chapter, the Public Works Director may impose upon a violator alternative compensatory action, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

12.36.280 Violations Deemed a Public Nuisance

In addition to the enforcement processes and penalties hereinbefore provided, any condition caused or permitted to exist in violation of any of the provisions of this Chapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored by the City at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken by the City. Acts Potentially Resulting in a Violation of the Federal Clean Water Act and/or California Porter~Cologne Act. Any person who violates any provision of this Chapter or any provision of any requirement issued pursuant to this chapter may also be in violation of the Clean Water Act and/or the Porter-Cologne Act and may be subject to the sanctions of those acts including civil and criminal penalties. Any enforcement action authorized under this Chapter shall also include written notice to the violator of such potential liability.

C. Chapter 17.59 of the City of Crescent City Municipal Code is deleted and the following Chapter is substituted in its place to read as follows:

Chapter 17.59
BED AND BREAKFAST ESTABLISHMENTS

Sections:

17.59.010 Purpose.
17.59.020 Definitions.
17.59.030 Allowable locations.
17.59.040 Use permit.
17.59.050 Architectural review.
17.59.060 Business license.
17.59.070 Size of establishment
17.59.080 Parking.
17.59.090 Signs.
17.59.100 Historic structures.
17.59.110 Safety requirements.
17.59.120 Meals.
17.59.130 Owner or innkeeper on premises.
17.59.140 Noise.

17.59.010 Purpose.

The purpose of this chapter is to provide for the control and regulation of bed and breakfast establishments in keeping with the safety, convenience and welfare of the general public, and for the following more specific reasons:

A. To assist in allowing these sorts of visitor-serving uses, which benefit the local economy by encouraging destination tourism;
B. To protect the residential character of the various zoning districts where bed and breakfast establishments are allowed;
C. To ensure a fair process by which the location and operation of such establishments may be in the best interest of the entire community.

17.59.020 Definitions.

For the purpose of this chapter certain abbreviations, terms, phrases, words and their derivatives shall be construed as specified in this section.

A. "Bed and breakfast" means a residential dwelling occupied by a resident person or family, containing individual living quarters occupied on a transient basis for compensation, and in which a breakfast may be provided to guests.
B. "Guest home or rest home" means a building or any portion thereof used for the housing of ambulatory well and able persons where lodging is provided for compensation.

C. "Guest room" means a room which is designed and/or used by one or more guests for sleeping purposes, but hi which no provision is made for cooking.
D. "Home occupations" means a use customarily carried on in a dwelling by a resident thereof, which use is merely incidental to the residential use of the dwelling, and is carried on with the normal equipment customarily found in a dwelling; provided, that no assistants are employed and provided the use is conducted in the main dwelling and not in an accessory building.
E. "Lodginghouse or roominghouse" means a building having no more than five guest rooms with a maximum occupancy of two persons per room, and where such lodging is provided for compensation.

17.59.030 Allowable locations.
Bed and breakfast establishments shall be allowed in all zones except O and CZ-O.

17.59.040 Use permit.
Guest homes and bed and breakfast establishments must obtain a conditional use permit from the planning commission for their operation. The conditional use permit process requires a public hearing, allowing neighbors and/or other concerned citizens to voice their concerns about the proposed operations. In residential zones, the focus of the use permit process is on the commercial operation occurring in a residential zone. In commercial zones, the focus is on the required residential use by the on-site owner or manager in a commercial zone.

17.59.050 Architectural review.
Bed and breakfast establishments in the R3, RP, CZ-RP and all commercial zones are required to go through an architectural review.

17.59.060 Business license.
A. A business license must be obtained by the proprietor through the city finance department before guests may be accommodated.
B. Bed and breakfast establishments shall be subject to the transient occupancy tax as required under Title 3 of this code.

17.59.070 Size of establishment
A. A maximum of three guest rooms shall be permitted in the RI, CZ-R1 and CZ-R1B zones.
B. A maximum of five guest rooms shall be permitted in the R2 and CZ-R2 zones.
C. The maximum number of guest rooms for bed and breakfast establishments shall be determined on a case-by-case basis during the use permit process for the R-3, RP and CZ-RP zones.
D. Bed and breakfast establishments in the commercial zones shall be treated the same as hotels, motels and inns.

17.59.080 Parking.
A. One off-street parking space per guest room shall be required in addition to the two covered off-street spaces required for the residential use.
B. The owner or manager's required residential use of a bed and breakfast establishment in a multi-family zone shall be treated as a single-family residence, and two covered off-street parking spaces shall be required for the on-site residence in addition to the one off-street parking space for each guest room.
C. Parking requirements shall be the same as for hotels and motels in commercial zones.

17.59.090 Signs.
A. In residential zones signs shall be no larger than the two-square-foot nameplates allowed for single-family residences, and shall be made of nonplastic material.
B. Bed and breakfast signs in residential zones shall not be lighted at night.
C. In commercial zones, signs for bed and breakfast establishments shall conform to the sign requirements for that zone.
D. A sign permit shall be required for bed and breakfast signs in commercial zones. Nameplate signs of two square feet or less in residential zones shall conform to the requirements for such signs, and shall not require a permit.

17.59.100 Historic structures.
Any modifications, additions or remodels made to duly recognized historic structures being used or intended to be used as a bed and breakfast establishment shall go through the architectural review process. The purpose of the review shall be to ensure that all work done on the structure of the grounds be in keeping with the historic significance of the building, and shall reasonably conform to the original plan and appearance of the site.

17.59.110 Safety requirements.
A. Smoke detectors and fire exit maps shall be required in all guest rooms.
B. Fire extinguishers shall be required to be kept on the premises at all times. The extinguishers must be kept in good working order.

C. The buildings and guest rooms must pass a fire inspection before the issuance of a business license, and once a year thereafter.
D. The kitchen shall conform to the requirements for bed and breakfast operations set forth by the county health department.
E. Kitchens, kitchenettes or other provision for the preparation of meals shall not be permitted in any guest room.

17.59.120 Meals.
A. Breakfast shall be the only meal served, and may only be provided to registered guests.
B. A food service permit must be obtained from the county health department before any meals are served.

17.59.130 Owner or innkeeper on premises.
A. The owner or manager of the bed and breakfast establishment must reside on the premises as their primary place of residence.
B. The on-site owner or manager shall be responsible for ensuring that all the requirements of these regulations are met, and that the operation is conducted without unduly interfering with a surrounding residential neighborhood.

17.59.140 Noise.
A. In order to protect the residential character of a neighborhood, and to ensure the enjoyment of the other guests, no loud noises or loud parties shall be permitted after ten p.m. or before eight a.m. in residential zones. For the purpose of this regulation, loud noises shall mean noise above sixty decibels discernible at nearby residences after the specified hours. The on-site owner or manager shall be responsible for enforcing this regulation.
B. In commercial zones with no nearby residential uses, the issue of maintaining quiet during the evening hours shall be at the discretion of the on-site owner or manager.

D. Chapter 17.61 of the City of Crescent City Municipal Code is amended to delete the each of the following sections:

17.61.045 Apartment.
17.61.080 Boarding house.
17.61.145 Dormitory.
17.61.155 Dwelling, multiple.
17.61.160 Dwelling, one-family.
17.61.165 Dwelling, two-family.
17.61.185 Family.
17.61.225 Guest home or rest home.
17.61.235 Home Occupation
17.61.240 Hospital, sanitarium, nursing or convalescent homes.
17.61.245 Hotel.
17.61.265 Kitchen.
17.61.285 Lodging or roominghouse.
17.61.355 Mobile home.
17.61.365 Motel.
17.61.395 Nursery, day.
17.61.420 Planned unit development.

E. Chapter 17.61 of the City of Crescent City Municipal code is amended to add sections 17.61.045, 17.61.103, 17.61.145, 17.61.155, 17.61.160, 17.61.165, 17.61.185, 17.61.235, 17.61.240, 17.61.245, 17.61.247, 17.61.265, 17.61.285, 17.61.353 and 17.61.365 to read as follows:

17.61.045 Apartment.
"Apartment" means a room, or suite of rooms, which is intended or designed to be occupied by one family for living, kitchen cooking, and sleeping purposes as a dwelling unit.

17.61.103 Care Facility, Residential
"Residential Care Facility" means a facility for habilitative, congregate, foster, group home or daycare uses as a health care, community care or recovery care use.

17.61.145 Dormitory.

"Dormitory" means a place where one or more rooms are provided in a non-profit institutional setting, to be occupied for sleeping purposes by more than two persons not members of the same family and where independent cooking facilities are not provided.

17.61.155 Dwelling, multiple.

"Multiple dwelling" means a building with three or more dwelling units designed to be occupied by three or more families, each living independently as a separate housekeeping unit, including apartment houses, or courts, apartment hotels and flats, but not including motels.

17.61.160 Dwelling, one-family.

"One-family dwelling" means a detached building which is a dwelling unit designed to be occupied by one family exclusively.

17.61.165 Dwelling, two-family.

"Two-family dwelling" means a building with two dwelling units designed to be occupied by two families exclusively, living independently of each other.

17.61.185 Family.

"Family" means a household of one or more persons occupying a premises and living together as a single nonprofit housekeeping unit, as distinguished from a goup occupying a hotel, club, fraternity or sorority house.

17.61.235 Home occupation.

The purpose of Home Occupation is to provide Crescent City residents with the opportunity to have a combined living and working environment, thereby providing an affordable lifestyle and an incentive to remain in Crescent City. It is intended to implement the applicable provisions of the general plan and to promote compatible living and working conditions within a safe and health environment on property zoned residential. It is also the intent of a Home Occupation use to ensure that resident's live/work projects are compatible with surrounding land uses, are designed to avoid potential land use conflicts and negative impacts to both live/work occupants and occupants of neighboring properties, and to ensure that the project density will be no greater than the density otherwise allowed in the underlying zone.

"Home occupation" shall mean an activity customarily conducted entirely within in a residential dwelling by a person residing in the dwelling unit, which use is clearly a secondary and incidental use of such dwelling as a residence. The use must not change the residential character of the dwelling or area and shall meet the following conditions:

a. The use shall not generate vehicular traffic in excess of that normally associated with the residential use.
b. There shall be no exterior indication of the home occupation except an unlighted sign that conforms to sign restrictions applicable to the zone in which the Home Occupation is located. Any outside storage of materials, products, equipment or vehicles other than the personal transport vehicle(s) of the resident business owner(s) is prohibited.
c. No noise, odor, dust fumes, vibration, smoke, electrical interference or other interference with the residential use of adjacent properties shall be created.
d. No persons other than residents in the home shall be employed in the conduct of the home occupation.
e. Living and working spaces shall not be rented or sold separately.
f. In addition, the home Occupation use at the location shall not significantly:
    1. Cause an adverse affect to the health, safety or welfare of persons residing or working in the surrounding area;

Impair the use and enjoyment of surrounding property in the vicinity of the site.

17.61.240 Hospital, sanitarium, nursing or convalescent homes.

"Hospital, sanitarium, nursing or convalescent homes" mean a building or any portion thereof used or designed for the housing of sick, mentally ill, injured, convalescent or infirm persons for the purpose of medical treatment; provided,

that this definition shall not include rooms in any one-, two-, or three-family dwelling, hotel, apartment hotel not ordinarily intended to be occupied by said persons.

17.61.245 Hotel.

"Hotel" means a building containing six or more guestrooms used by six or more guests, with or without meals, where such lodging is provided for compensation for thirty days or less, and no provision is made for ~~cooking~~ kitchen facilities in any individual room or suite, but excluding hospitals and buildings where human beings are housed and detained under legal restraint.

17.61.247 Hotel, residential

"Residential hotel" means a building containing six or more guestrooms used by six or more guests, with or without meals, where such lodging is provided for compensation for the purpose of occupancy longer than thirty days. and no provision is made for kitchen facilities in any individual room or suite

17.61.265 Kitchen.

"Kitchen" means any room, all or any part of which is designed or used for cooking and preparation of food..The use of a portable microwave oven or mini-refrigerator appliance utilizing 110 volt plugs for the purpose of incidental wet-bar or snack bar purpose without a food storage, cook stove or preparation/clean-up area shall not constitute a kitchen.

17.61.285 Lodging or roominghouse.

"Lodging or roominghouse" means a building having no more than five guest rooms with a maximum of two persons per room, where lodging is provided for compensation. For time periods of one month or longer. Communal meals may or may not be provided in a single dining facility however no guestroom shall have separate kitchen facilities.

17.61.353 Mixed use development

"Mixed use" development means development upon one property which consists of both residential and non-residential commercial business, retail, office, or service uses.

17.61.365 Motel.

"Motel" means a building or group of two or more detached, semi-detached or attached buildings containing guest rooms or apartments with automobile storage space provided in connection therewith, which building or group is designed, intended, or used primarily for the accommodation of automobile travelers visiting 30 days or less; including groups designated as auto cabins, motor courts, motels and similar designation. Where apartments are provided they shall constitute less than 50% of the total number of rooms and apartments in the facility.

F. Section 17.63.030 of Chapter 17.63 of the City of Crescent City Municipal Code is deleted and the following is substituted in its place to read as follows:

17.63.030 Districts.

The districts established by the title are designated as follows:

CZ- RI Coastal Zone Low Density Residential district;
CZ-R1B Coastal Zone Low Density Residential Beach district;
CZ-C2 Coastal Zone General Business district;
CZ-HS Coastal Zone Highway Service district;
CZ-O Coastal Zone Open space district;
CZ-HR Coastal Zone Harbor-Related district;
CZ-HD Coastal Zone Harbor dependent district;
CZ-CW Coastal Zone Commercial Waterfront district;
CZ-NR Coastal Zone Natural Resources district.

G. Chapter 17.64 of the City of Crescent City Municipal Code are deleted and the following Chapter is substituted in its place to read as follows:

Chapter 17.64
CZ- R-I COASTAL ZONE
LOW DENSITY RESIDENTIAL DISTRICT

Sections:

17.64.010 Purpose.
17.64.020 Principal Permitted Use.
17.64.030 Uses permitted subject to a use permit.
17.64.040 Property development standards.
17.64.050 Building placement.
17.64.060 General provisions.

17.64.010 Purpose.

A. The purpose of the CZ-R1 district is to provide living areas within the coastal zone where development is limited to low-density concentrations of single-family dwellings and where regulations are designed to: promote and encourage a suitable environment for family life; provide space for community facilities needed to compliment urban residential areas; provide for the safety, health and general welfare of its inhabitants; and implement the local coastal plan of the city.
B. No land, building or structure shall be used, nor shall any building or structure be constructed, erected, altered, added to, enlarged or moved for any purpose or in any manner except in compliance with these regulations.

17.64.020 Principal Permitted Use.

The principal permitted use in the CZ-R-1 district is a single family residential use which includes:
A One-family dwelling;
B. Accessory buildings;
C. Home Occupations; and
D. Residential Care Facilities serving six or fewer clients.
E. Where a one-family dwelling exists, a second one-family dwelling may be established where all of the following criteria are met:

a. The lot size provides for second unit density under the General Plan in that it is twice that of the minimum lot area per dwelling unit set forth in Section 17.64.040; and
b. Separate water and sewer connections are available and provided to the units; and
c. The Property Development Standards of Section 17.640.040 are met and
d. One off-street parking space is provided for each bedroom of the second unit in addition to the minimum two spaces required for the first dwelling by Chapter 17.76.

17.64.030 Uses permitted subject to a use permit.

The following uses may be permitted subject to the granting of a conditional use permit:
A. Churches and religious institutions and parochial and private schools;
B. Bed and Breakfast Establishments subject to the provisions of Chapter 17.59;
C. Parking lots;
D. Publicly owned buildings and structures (such as schools and public utility substations) except as noted in section 17.02.050.

17.64.040 Property development standards.

The following property development standards shall apply to all land and structures in the CZ-R-1 zone:
A. Building Height. No new building, additions to existing buildings or structures in this zone shall have a height greater than thirty-five (35) feet when measured from the finished or natural grade, whichever is more restrictive.
B. Area and Yards.

1. Front yard: Each lot shall maintain a front yard or front yards of not less than twenty (20) feet.
2. Side yard: The side yard width shall be a not less than five (5) feet for interior and corner lots. Reverse corner lots on the street side shall have a side yard equal to one-half the required front yard of the lots abutting the rear of such reversed corner lots.

3. Rear yards: Each lot shall maintain a rear yard of not less than twenty (20) feet
4. Lot area: Each lot shall have a minimum area of six thousand (6000) square feet unless previously legally subdivided or a planning commission approved lot split or parcel map;
5. Lot area per dwelling unit: Each lot shall have a minimum area of six thousand (6000) square feet for each dwelling unit unless previously legally subdivided or a planning commission approved lot split or parcel map; provided however, that subject to the conditional use permit provisions of 17.64.030(F), there shall be no more than one dwelling on any one lot.
6. Lot coverage: Site coverage for all habitable enclosed building space, accessory buildings, structures, covered off-street parking and covered patios shall not exceed fifty percent.

17.64.050 Building placement.

A. No building, accessory building, structure or covered patio shall occupy any portion of a required front, side or rear yard except as herein provided.
B. Coverage of the rear yard by accessory buildings or covered patios shall be limited to fifty percent of the required rear yard area. In addition, no portion of the main building shall extend into the rear yard twenty-foot setback.
C. Accessory buildings, structures for covered patios, may be located anywhere within the required rear yard provided all building and fire prevention code requirements are met and a five foot passage from one side yard, to the area to the rear of the main building, to the other side yard shall be maintained. This passage shall provide ready access around the main building. Further, that construction on accessory buildings may only be started after the main building on the lot has been roofed and has had the siding constructed.
D. Accessory buildings, structures, covered patios and garages shall not exceed thirteen feet in height at their highest point.
E. On corner lots or reverse corner lots no accessory building, structure or covered patio shall be located closer to the street side property line than a distance equal to the required side yard on the street side.
F. On reverse corner lots accessory buildings, structures or covered patios located in the required rear yard within twenty-five feet of the street side property line shall be set back five feet from the rear property line.
G. Garages on interior lots may occupy side yards to a point not to exceed twenty-five feet from rear property lines. Garages on corner or reverse corner lots shall not be built closer than twenty feet to any street side property line.
H. Where a lot size is twice the minimum lot area the location of all new structures upon the lot shall be such to facilitate future subdivision of the lot to provide for the maximum dwelling unit potential.

17.64.060 General provisions.

General provisions for the R-I district shall be as follows:
A. Parking. Such off-street parking as may required under the provisions of Chapter 17.76 of the Crescent City Municipal Code, from time to time amended or supplanted.
B. Fencing. Such fencing as may be permitted under the provisions of Chapter 17.75 of the Crescent City Municipal Code, from time to time amended or supplanted.
C. Signs. Such signs as may be permitted under the provisions of Chapter 17.74 of the Crescent City Municipal Code, from time to time amended or supplanted.

H. Chapter 17.65 of the City of Crescent City Municipal code is deleted and the following Chapter is substituted in its place:

Chapter 17.65
CZ- R-IB COASTAL ZONE
LOW DENSITY RESIDENTIAL –BEACH DISTRICT

Sections:

17.65.010 Purpose.
17.65.020 Principal Permitted Use.
17.65.030 Uses permitted subject to a use permit.
17.65.040 Property development standards.
17.65.050 Building placement.
17.65.060 General provisions.

17.65.010 Purpose.

A. The purpose of the CZ-R1B district is to supplement the low density residential district for those areas which lie along a shoreline within the coastal zone where regulations are designed to provide greater open space and visibility, while still permitting equal opportunities for developers of residential property similar to others within the community.

B. No land, building or structure shall be used, nor shall any building or structure be constructed, erected, altered, added to, enlarged or moved for any purpose or in any manner except in compliance with these regulations.

17.65.020 Principal Permitted Use.

The principal permitted use in the CZ-R-1B district is a single family residential use which includes:

A. One-family dwelling;
B. Accessory buildings;
C. Home Occupations; and
D. Residential Care Facilities serving up to six clients.

17.65.030 Uses permitted subject to a use permit.

The following uses may be permitted subject to the granting of a conditional use permit:

A. Bed and Breakfast Establishments subject to the provisions of Chapter 17.59;
B. A second one-family dwelling where the lot size is twice that of the minimum lot area per dwelling unit and lot coverage limitations are not exceeded.

17.65.040 Property development standards.

The following property development standards shall apply to all land and structures in the CZ-R-1B zone:

A. Building Height. No new building, additions to existing buildings or structures in this zone shall have a height greater than twenty-five (25) feet when measured from the finished or natural grade, whichever is more restrictive.
B. Area and Yards.

1. Front yard: Each lot shall maintain a front yard or front yards of not less than twenty (20) feet.
2. Side yard: The side yard width shall be a not less than ten (10) feet for interior and corner lots. Reverse corner lots on the street side shall have a side yard equal to one-half the required front yard of the lots abutting the rear of such reversed corner lots.
3. Rear yards Minimum twenty feet. Where back yards face upon the ocean side of the property no rear yard will be required;
4. Lot area: A minimum of seventy-five feet of lot frontage is required and a minimum of six thousand (6000) square feet, unless the lot was previously legally subdivided;
5. Lot area per dwelling unit: Each lot shall have a minimum area of six thousand (6000) square feet for each dwelling unit unless previously legally subdivided or a planning commission approved lot split or parcel map; provided however, that subject to the conditional use permit provisions of 17.64.030(F), there shall be no more than one dwelling on any one lot.
6. Lot coverage: Site coverage for all habitable enclosed building space, accessory buildings, structures, covered off-street parking and covered patios shall not exceed fifty percent.

17.65.050 Building placement.

All requirements of the CZ-R1 single-family district shall be required in the CZ-R1B district as it relates to building placement

17.65.060 General provisions.

General provisions for the R-I district shall be as follows:

A. Parking. A minimum of two covered off-street parking spaces for single-family residences.

1. Bed-and-breakfast establishments shall provide one off-street parking space per guest room in addition to the two covered off-street parking spaces required for the single-family residence. See Chapter 17.76 for complete regulations and standards for required off-street parking.

B. Fencing. No hedges, shrubs or fences between houses may exceed four feet in height in the side yard setback. Front yard fences may not exceed two and one-half feet in height.

C. Signs.

1. Maximum nameplate sign of two square feet bearing only the name of the occupant.

2. Signs for bed-and-breakfast establishments shall be limited to wall signs, hanging signs or ground signs, shall be no more than two square feet in size, made of a nonplastic material and must have the approval of the planning department. In residential zones, bed and breakfast establishment signs shall not be lighted at night.

3. Signs for the sale or lease of the property shall conform to the regulations set forth in the Crescent City sign ordinance, Chapter 17.38 of this code.

See Chapter 17.74 for signs permitted other than provided for in this chapter.

D. Bed and Breakfast Establishments.

See Chapter 17.59 for further regulations governing bed and breakfast establishments.

I. Chapter 17.66 of the City of Crescent City Municipal Code is hereby deleted.

J. Chapter 17.67 of the City of Crescent City Municipal Code is hereby deleted.

K. Chapter 17.68 of the City of Crescent City Municipal Code is deleted and the following is substituted in its place to read as follows:

Chapter 17.68
CZ-C2 COASTAL ZONE GENERAL COMMERCIAL DISTRICT

Sections:

17.68.010 Purpose
17.68.020 Principal permitted use.
17.68.030 Property development standards.
17.68.040 Building placement
17.68.050 General requirements
17.68.060 Site plan and architectural review
17.68.070 General regulations

17.68.010 Purpose.

The coastal zone general commercial district is intended to serve as the public utilities area of the city within the coastal zone. The only permitted uses for any building, or land, or any building to be erected or structurally altered in this district are described in Section 17.68.020, unless otherwise provided in these regulations.

17.68.020 Principal permitted use.

The principal permitted use in the CZ-C2 district coastal zone general commercial district is public utilities use which includes:

A. Wastewater treatment facilities.

B. Congeneration energy facilities

17.68.030 Property development standards

A. Height. The maximum building height shall be forty-five feet.

B. Yards and areas.

1. Front Yard. None required except where adjacent properties abutting upon the CZ-C2 use are in a zone of greater requirements, then the front yard shall conform to the more restrictive zone:
2. Side Yard. None required, except where the side yard of the CZ-C2 use abuts upon the side yard of a residential or a CZ-RP use, and the side yard shall be five feet;
3. Rear Yards. Maximum ten feet
4. Lot Area. No minimum
5. Lot Coverage. No maximum.

17368.040 Building placement.

Whenever property classified for a CZ-C2 use is sparated from adjacent residential property by a permanent open space or parking area of no less than twenty-five feet in width, the required front yard or side yard setback shall not be required.

17.68.050 General requirements

General requirements for the CZ-C2 district shall be a follows:
A. Parking. See Chapter 17.76 for parking requirements.
B. Fencing. See Chapter 17.75 for fencing requirements.
C. Signs. See Chapter 17.74 for sign requirements.

17.68.060 Site plan and architectural review
All uses permitted in the CZ-C2 district shall be subject to, and approval of, a site plan and architectural review. Procedures for such submittal and approval are in Chapter 17.79.

17.68.070 General regulations
General regulations for the CZ-C2 district shall be as follows:
A. All uses permitted in this district shall be conducted wholly within enclosed facilities except parking lots. Material storage shall be confined behind a six-foot solid wall or fence.
B. Accessory uses shall be permitted only to the extent necessary to the limited uses permitted under this chapter.
C. The uses and operational products in this section shall not be objectionable due to odor, dust, smoke, noise, vibration or other similar causes.

L. Chapter 17.69 of the City of Crescent City Municipal code is deleted and the following is substituted in its place to read as follows:

Chapter 17.69
CZ-HS COASTAL ZONE HIGHWAY SERVICE DISTRICT

Sections:

17.69.010 Purpose
17.69.020 Principal Permitted Use
17.69.025 Uses permitted subject to a Use Permit
17.69.027 Uses prohibited
17.69.030 Property development standards
17.69.050 General requirements
17.69.060 General regulations
17.69.070 Site Plan and Architectural review

17.69.010 Purpose.
A. The coastal zone highway service district is intended for application to areas along the major highway entrance to the City adjacent to the harbor to provide a transition between harbor services and conveniences to visitors traveling the highway. It is intended that this area be developed to the highest quality to make a positive impression upon those visiting the community, while providing for transitional businesses and convenient services to the traveler.
B. No land, building or structure shall be used, nor shall any building or structure be constructed, erected, altered, added to, enlarged or moved for any purpose or in any manner except in compliance with these regulations.

17.69.020 Principal Permitted Use.
The principal permitted use in the CZ-HS coastal zone highway service district is a highway services use which includes:
A. Visitor-serving facilities such as: hotels and motels, indoor and outdoor eating and drinking places (including drive-thru services), grocery shops, liquor stores, or indoor specialty shops such as gifts, art, antiques, pawn or collectibles;
B. Transportation services such as gas stations, auto repair or public transportation stops;
C. Indoor recreation and entertainment facilities such as specialty attractions, theatres, and sports activities including equipment rentals and sales;
D. One residential unit for the owner or manager of an existing on-site permitted use; and
E. Visitor oriented public recreation facilities such as public parks, trails, rest areas and parking lots.

17.69.025 Uses permitted subject to a Use Permit

The following uses may be permitted subject to the granting of a conditional use permit:

A. New timeshare resort hotels which provide at least one recreational facility (pool, court, playground, picnic area, trail, etc) to which the general public has access.

B. Recreational Vehicle Parks, not including mobilehome or manufactured home spaces, excepting one unit for a manager.

C. Fishing and visitor service support activities which are indoors such as ice manufacturing, fish processing, equipment and boat services, or interior storage facilities.

D. Car, boat or other vehicle washing facilities.

E. Public utility pumping stations, power stations, equipment buildings and installations, drainage ways, storage tanks and transmission lines found by the planning commission to be necessary for the public health, safety or welfare and designed to minimize any visual, hearing and/or air quality impacts.

17.69.027 Uses prohibited.

The following uses are prohibited in the CZ-HS district:

A. Truck and heavy equipment repair shops;

B. Any manufacturing use not specifically defined herein.

C. Outdoor recreation or entertainment facilities which generate excessive noise, dust or glare.

D. Communication and television towers.

17.69.030 Property development standards.

In the HS district the height of buildings and the maximum dimensions of yards and lots shall be as follows:

A. Height. Maximum building height shall be thirty-five feet.

B. Yards and Areas.

1. Front Yard. A minimum of thirty-five foot setback for all structures; front yards may be used for off-street parking complying with the parking section of this title;

2. Side Yards. None required for interior lot lines. The street side of corner and reverse corner lots shall have a side yard equal to one-half the required front yard.

3. Rear Yards. Minimum five feet.

4. Lot Area. No minimum;

5. Lot Coverage. Site coverage for the total building square footage shall not exceed fifty percent (50%) of the size of the lot. Parking areas shall not be counted as building square footage. Residential units which are on the ground floor (existing or new) shall be counted, however residential units above the ground floor shall not be counted in the square footage.

17.69.050 General requirements.

A. Parking. See Chapter 17.76 for parking requirements.

B. Fencing. See Chapter 17.75 for fencing requirements.

C. Signs. See Chapter 17.74 for sign requirements.

17.69.060 General regulations.

A. All uses shall be conducted wholly within a building except for such uses as gasoline service stations and other enterprises customarily conducted in the open. Outdoor uses shall be subject to the provision of landscaping and/or solid screen fencing relative to the type of use. Material and equipment storage and automobiles awaiting service overnight or longer shall be confined behind a siz-foot solid wall or fence.

B. There shall be no display of goods outside of the structure except for those uses customarily conducted in the open.

C. Accessory uses shall be permitted only to the extent necessary to the limited uses permitted under this part.

D. For new development, where required the front yard setback and the side yards and rear yards shall be landscaped by an area of no less than five feet in width along property lines and along street frontages, except for entrances and exit driveways. Said landscaped areas shall be planted and well maintained in good condition.

E. All exterior lighting shall be shielded and directed downward on the property to prevent upward glare and glare at adjacent properties.

F. The above highway service uses shall not be objectionable due to odor, dust, smoke, noise vibration, or other similar causes beyond the level of the ordinary neighborhood retail establishment.

17.69.070 Site plan and architectural review.

All uses permitted in the HS district shall be subject to approval of a site plan and architectural review. Procedures for such submittal and approval will be found under Chapter 17.46.

M. Chapter 17.70 of the City of Crescent City Municipal Code is deleted and the following is substituted in its place to read as follows:

Chapter 17.70
HARBOR-RELATED DISTRICT
CZ-HR COASTAL ZONE

Sections:

17.70.010 Purpose
17.70.020 Principal permitted use
17.70.030 Uses permitted subject to a Use Permit
17.70.040 Property development standards
17.70.050 General Requirements
17.70.060 Site Plan and Architectural Review

17.70.010 Purpose.

A. The CZ-HR coastal zone harbor related district is intended to provide for public and private areas for commercial and light industrial uses which are not dependent upon immediate access to the harbor but benefit from a harbor location.

B. No land, building or structure shall be used, nor shall any building or structure be constructed erected, altered, added to, enlarged or moved for any purpose or in any manner except in compliance with these regulations.

17.70.020 Principal permitted use.

The principal permitted use in the CZ-HR coastal zone harbor related district is the harbor related use which includes:

A. Visitor serving facilities such as: hotels and motels, indoor and outdoor eating and drinking places with a harbor theme (but not including drive-thru services), specialty retail shops including marine curio manufacture and sales, recreational facilities such as trails, beach access and picnic areas

B. Fishing support services such as boat brokerage offices, net manufacturing, repair and sales, welding and machine repair shops for marine products, boat or vehicle washing facilities, and marine equipment storage.

17.70.050 Uses permitted subject to a Use Permit

The following uses may be permitted subject to the granting of a conditional use permit:

A. Museums.
B. Indoor or outdoor recreational facilities such as arcades, theatres or ball courts.
C. Recreational Vehicle Parks including one residential unit for a resident manager
D. Residential uses, up to 15 units per acre density, when located above the ground floor as a secondary use.
E. Small public facilities such as public utility substations.
F. Fuel sales and bulk fuel storage.
G. Maintenance dredging and dredge spoils placement at approved sites.

17.70.040 Property development standards.

The following property development standards shall apply to all land and structures in the CZ-HR coastal zone harbor dependent district.

A. Height. The Maximum building height shall be thirty-five (35) feet except that hotels and mixed-use residential/commercial structures may be permitted a higher height not to exceed fifty (50) feet.

B. Yard and Areas

1. Front Yard. None required except that:

A. Where a portion of the street frontage of the block in which the site is located is in a zone of greater requirements, the front yard of the CZ-HR zone shall conform to the minimum requirements of the more restrictive zone.

B Where the site is located at a street corner sight distance clearance requirements shall be met.

2. Side Yard. None required.

3. Rear Yard. None required.

4. Lot Area. No minimum except that adequate provision shall be made for the permitted use and on-site parking.

5. Lot Coverage. Site coverage for the total building square footage shall not exceed fifty- five percent (55%) of the size of the lot. Parking areas shall not be counted as building square footage. Residential units which are above the ground floor shall not be counted in the square footage.

17.70.50 General Requirements.

A. Parking. Parking shall be required as established by the parking regulations in Chapter 17.76.

B. Fencing. See Chapter 17.75 for fencing requirements.

C. Signs. See Chapter 17.74 for sign requirements.

N. Chapter 17.70A of the City of Crescent City Municipal code is added to read as follows:

Chapter 17.70A
CZ-HD COASTAL ZONE HARBOR DEPENDENT DISTRICT

Sections:

17.70A.100	**Purpose**
17.70A.020	**Principal permitted use.**
17.70A.030	**Uses permitted subject to a Use Permit**
17.70A.035	**Uses prohibited**
17.70A.040	**Property development standards**
17.70A.050	**General Requirements**
17.70A.060	**Site Plan and Architectural Review**

17.70A.010 Purpose

A. The CZ-HD coastal zone harbor dependent district is intended to provide areas for harbor dependent uses, which include harbor dependent commercial and harbor dependent recreational activities that must be dependent upon the activities at or products generated by the Crescent City harbor.

B. No land, building or structure shall be used, nor shall any building or structure be constructed erected, altered, added to, enlarged or moved for any purpose or in any manner except in compliance with these regulations.

17.70A.020 Principal permitted use.

The principal permitted use in the CZ-CW coastal zone harbor dependent district is harbor dependent use which includes:

A. Publicly owned support facilities such as: boat basins, docking and launching facilities, marine terminals, dredge spoils storage areas, net drying facilities, harbor district offices, Coast Guard stations and quarters, and public parking lots;

B. Commercial and recreational Fisheries activities and support activities including: fishing and fish farming, storage, supplies including retail fuel sales, seafood processing, ice facilities, buyers facilities and fisherman's organization facilities;

C. Public viewing and recreation areas including: beach access, parking, walkways and boardwalks, plazas and related recreation equipment rental.

17.70A.030 Uses permitted subject to a Use Permit.

The following uses may be permitted subject to the granting of a conditional use permit.

A. Dredging and/or filling for new development.
B. Bulk oil and fuel storage.
C. Marine electronic repair shops.
D. Restaurants and cafes oriented towards harbor products and activities.

17.70A.035 Uses prohibited

The following uses are prohibited in the CZ-HD district.

A. Commercial activities not dependent upon the fishing process other than as identified above.
B. Truck and heavy equipment repair shops.
C. Communication and television towers other than that secondary to a permitted use.

17.70A.040 Property development standards

The following property development standards shall apply to all land and structures in the CZ-HD coastal zone harbor dependent district.

A. Height. The Maximum building height shall be 50 feet.
B. Yard and Areas
   1. Front Yard. None required except that:
      a. Where a portion of the street frontage of the block in which the site is located is in a zone of greater requirements, the front yard of the CZ-HD zone shall conform to the minimum requirements of the more restrictive zone.
      b. Where the site is located at a street corner sight distance clearance requirements shall be met.
   2. Side Yard. None required.
   3. Rear Yard. None required.
   4. Lot Area. No minimum except that adequate provision shall be made for the permitted use and on-site parking for any non-public (eg commercial) uses.
   5. Lot Coverage. Site coverage for the total building square footage shall not exceed fifty percent (50%) of the size of the lot or leaseholding.

17.70A.050 General Requirements.

A. Parking. See Chapter 17.76 for parking requirements.
B. Fencing. See Chapter 17.75 for fencing requirements.
C. Signs. See Chapter 17.74 for sign requirements.

17.70A.060. Site plan and architectural review.

All uses permitted in the CZ-HD district, except those requiring a use permit, shall be subject to the approval of a site plan and architectural review. Procedure for such submittal and approval will be found under Chapter 17.79.

O. Chapter 17.71 of the City of Crescent City Municipal Code is deleted and the following is substituted in its place to read as follows:

Chapter 17.71
CZ-O COASTAL ZONE OPEN SPACE DISTRICT

Sections:

17.71.010 Purpose.
17.71.020 Principal permitted use—Public property
17.71.025 Uses subject to use permit – Public property
17.71.030 Principal permitted use—Private property
17.71.035 Uses subject to use permit- Private property
17.71.040 Building placement
17.71.050 General provisions

17.71.010 Purpose and application.

A. The CZ-O coastal zone open space district is intended to provide permanent open spaces which are necessary

to safeguard the health, safety and welfare of the people, and to provide spaces for the location and preservation of unusual land masses, historical sites and areas which provide energy, water and recreational activities. The district is also intended to set aside areas to be used for wind or weather screens and for visual effect.

B. No land, building or structure shall be used, nor shall any building or structure be constructed, erected, altered, added to, enlarged or moved for any purpose or in any manner except in compliance with these regulations.

17.71.020 Principal permitted use—Public property.

The principal permitted use on public property in the Coastal Zone Open Space district is general open space use which includes:

A. Continued use, maintenance and upgrade of existing public parks and playgrounds, trails and related facilities such as parking lots, picnic areas and restrooms;

C. Harbor activities such as fishing, passive recreation and related facilities such as piers and parking;

D. Beaches, beach accessways and vista areas;

E. Preservation of geological features and historic and cultural sites;

F. Wildlife preserves.

17.71.025 Uses permitted subject to a use permit – public property.

The following uses may be permitted subject to the granting of a conditional use permit:

A. Development of new parks, playgrounds, or public recreation facilities;

B. Water reservoirs, watersheds and recharging basins;

C. Public buildings and facilities; and

D. Nonprofit marine mammal rehabilitation centers.

E. Subject to the provisions of the land use plan, and more specifically, to the policies regarding diking, dredging and filling of shoreline structures the following may also be considered:

1. Drainage canals and channels;
2. Flood control devices; and
3. Public marinas.

17.71.030 Principal Permitted use—Private property.

The principal permitted use on private property in the Coastal Zone Open Space district is general open space which includes:

A. Farming;

17.71.035 Uses permitted subject to a use permit – private property.

The following uses may be permitted subject to the granting of a conditional use permit:

A. Commercial recreation facilities;

B. Energy production;

G. Transmission corridors;

H. Mineral production;

I. Cemeteries;

J. Water production;

K. Marinas.

17.71.040 Height and area regulations

In the CZ-O district, on public property, no minimum or maximum dimensions of yards, lots or heights are established, except as follows. No more than ten percent of the property may be covered with buildings, accessory buildings or structures, and no more than ten percent of the property may be placed in pavement, exclusive of required access roads. On private property the regulations of the CZ-HS zoning district shall apply.

17.71.050 General provisions.

General provisions for the CZ-O district shall be as follows:

A. Parking. Parking shall be required as established by the parking regulations under Chapter 17.76.

B. Signs. Signs required for the direction of traffic and for the identification of the site in question shall be considered as part of the use permit procedures in the issuing of such use permits. No off-site signs or advertising structures other than identification and information for the public in general shall be permitted.

P. Chapter 17.72 of the City of Crescent City Municipal Code is deleted and the following Chapter is substituted in its place to read as follows:

Chapter 17.72
CZ-NR COASTAL ZONE NATURAL RESOURCES DISTRICT

Sections:

17.72.010	**Purpose and application.**
17.72.020	**Principal Permitted Use.**
17.72.030	**Uses permitted subject to a use permit.**
17.72.040	**General provisions.**
17.72.050	**Conservation incentive density bonus.**

17.72.010 Purpose and application.

A. The purpose of the coastal zone natural resources district is to protect those coastal areas in the city that have been identified as sensitive riparian or wetland habitat which could easily be degraded by human activities and developments and to provide for a buffer zone to protect the wetlands. The uses of natural resource areas are limited to those in accordance with the designated coastal zone natural resource policies of the general plan. Further, the procedures in order to specify the boundaries of any riparian or wetland habitat and incentives to direct development away from such areas are provided by this district.

B. No land, building or structure shall be used, nor shall any building or structure be constructed, erected, altered, added to, enlarged or moved for any purpose or in any manner except in compliance with these regulations.

17.72.020 Principal Permitted Use.

The principal permitted use in the Coastal Zone Natural Resource district is resource dependent use which includes:

A. Fish and wildlife management such as nature study and fishing or aquaculture, which may include the development of minor facilities constructed or placed by hand such as blinds, lookouts, interpretive panels, fences and trails.

B. Maintenance and repair of existing public facilities such as: flood-control and drainage channels, roads or road crossings, and utilities.

C. Removal of windblown trees which threaten existing structures.

17.72.030 Uses permitted subject to a use permit.

The following uses may be permitted subject to the granting of a conditional use permit:

A. In all habitat areas, those recreational facilities included in a publicly adopted State Park and Recreation or Department of Fish and Game Master Plan.

B. In all habitat areas, wetland or stream restoration programs.

C. In riparian habitat areas and wetland buffer areas, recreational trails.

D. In riparian habitat areas, new roads where crossings shall be limited, when feasible, to right angle crossing of streams and stream corridors.

E. In all habitat areas, fences and access trails necessary to protect the area map be placed.

F. In all habitat areas, one single-family residence and appurtenant structure when denial of such would otherwise substantially deny all reasonable use of the parcel , including use of incentive density, and where such development will be sited and designed to prevent impacts which would significantly degrade the environmentally sensitive habitat area. Height limits shall be as in the R-1 district.

17.72.040 General provisions.

A. The General Plan land use map identifies the locations of environmentally sensitive natural resource areas (wetlands and riparian habitat areas). Where question or dispute arise over the location of a habitat boundary the applicant shall provide the following information:

1. A base map delineating topographic lines, adjacent roads, and the location of all dikes, levees, flood control channels, tide gates, streams, rivers water bodies and wetlands located on the site;
2. A map of soils classifications on the site ;
3. A vegetation habitat map of the site; and
4. A professional biologists report which shall include an adequate description of the flora, fauna, fish, birds, mammals, or other wildlife which occupy the site or are habitually found thereon, setting forth with detail those areas where federal or state listed plant and animal species or their habitats may be found on the site. The report shall include the findings of a site visit, discussion of soils and habitat classifications at the site, and any conclusions, recommendations and/or mitigating circumstances which address the boundary issue.
5. Any other information pertinent to the particular project which might be necessary for the review of the project requested by the City Planning department.

The definitions of wetlands and riparian vegetation within the General Plan and consultation with the California Department of Fish and Game and the U.S. Army Corps of Engineers, shall be utilized for determinations.

B. Wetland Buffer. Where a wetland habitat is not within a designated riparian vegetation corridor, a buffer area of 100 feet shall be maintained in a natural condition along the upland limits of all identified wetlands, to be measured landward of the wetland edge. A buffer of less than 100 feet may be utilized where it can be determined by the City that there is no adverse impact on the wetland. A determination to utilize a buffer area of less than 100 feet shall be made in cooperation with the California Department of Fish and Game. The City's determination shall be based upon specific findings as to the adequacy of the proposed buffer to protect the identified resource. The required rear, front and side yard setbacks of a parcel may be located within the buffer area; however, no development other than that specified by this chapter may take place within that portion of the yard setbacks located within the buffer area.

C. Riparian Vegetation Corridor. Native vegetation along any river, stream or creek shall be maintained from the top of highest bank to the top of highest bank to provide bank stabilization, water quality and wildlife habitat. Additional setback from top of highest bank may be required for geologic or flooding safety. Within this top of bank/safety area 80% of the native vegetation canopy shall be retained. Native trees which canopy the watercourse shall be retained unless an existing structure is immediately threatened or a permitted use activity is approved. Where such a new permitted activity occurs native riparian vegetation shall be replaced and maintained on-site, in kind with native species. Where non-native vegetation is removed it shall be replaced and maintained on-site, in-kind with native species.

D. Any dredging and/or spoils disposal undertaken as part of the maintenance and repair of existing public facilities (such as flood-control and drainage channels, roads or road crossings or utilities) shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation.

17.72.040 Conservation incentive density bonus.

Where the property owner chooses, they may offer to the City or another public agency an easement, the ownership or another acceptable method of open space dedication for that portion of their property designated as NR Natural Resources. In such cases the City shall provide the property owner with a development agreement, in such form and content as may be acceptable to the City, which provides for residential development density credit, above that permitted by the General Plan, on the immediately adjacent non-NR area of the subject parcel. This provision shall be subject to meeting all of the following criteria:

1) The offered lands within the Natural Resources zone district shall be substantially in a natural undisturbed state; and
2) The offer for dedication and development agreement shall be negotiated with the City and approved by the City Council prior to recordation of the dedication. The development agreement shall be recorded at the same time as the dedication: and,
3) The residential density bonus shall be calculated based only on the geometric area zoned NR which is to be dedicated; and
4) The density bonus granted shall not exceed one-third of the density which would be permitted if the Natural Resources zone were designated the same land use as the adjacent area. Where the adjacent area is designated for residential use its density shall be used. If the adjacent area is designated for commercial use, up to twelve or fifteen units per acre shall be used, as specified for the commercial area density by the General Plan. Where two designations are adjacent the lower density shall be used as typical; however the additional units may be located in either area; and

5) The development agreement bonus units shall be located only on immediately adjacent lands owned by the same property owner which are not in the resource conservation area. The units may not be applied to lands not adjacent nor to lands owned by another party. However, provision may be made in the development agreement permitting the right to the additional units to transfer with property title if the owner wished to sell at a later date.

Q. Chapter 17.73 of the City of Crescent City Municipal code is deleted and the following is substituted in its place to read as follows:

Chapter 17.73
CZ- CW COASTAL ZONE WATERFRONT COMMERCIAL DISTRICT

Sections:

17.73.010 Purpose.
17.73.020 Principal permitted use.
17.73.030 Uses permitted subject to a Use Permit.
17.73.035 Uses prohibited.
17.23.040 Property development standards.
17.23.050 Building placement.
17.23.060 General requirements.
17.23.070 Site plan and Architectural Review.
17.23.080 General regulations.

17.73.010 Purpose.

A. The CZ- CW coastal zone waterfront commercial district is intended to provide for a mixture of shop, service, r recreation and accommodation uses for visitors uses in the Battery Point area adjacent to Beachfront Park and Crescent City's harbor.

B. No land, building or structure shall be used, nor shall any building or structure be constructed, erected, altered, added to, enlarged or moved for any purpose or in any manner except in compliance with these regulations.

17.73.020 Principal permitted use.

The principal permitted use in the CZ-CW coastal zone waterfront commercial district is visitor serving commercial use, which includes:

A. Visitor facilities such as: hotels and motels, indoor and outdoor eating and drinking places (but not including drive- thru services);

B. Specialty shops such as books, gifts, jewelry, collectibles, clothing, antiques or art galleries;

C. Visitor services located inside a building such as: Automatic Teller Machines, laundries, beauty services and spas, and photo processing,.

D. Entertainment and recreational facilities such as: theatres, sports activities including equipment rentals and sales or public access.

17.73.030 Uses permitted subject to a Use Permit.

The following uses may be permitted subject to the granting of a conditional use permit.

A. Outdoor accessory uses and structures located on the same site as a permitted use such as storage, but not including recreation facilities included as part of a hotel/motel such as swimming pools.

B. New timeshare resort hotels, which provide at least one recreational facility.

C. Conference centers or meeting halls when separate from a hotel or restaurant facility.

D. Private parking facilities, including fee parking facilities, not required by code for another use.

E. Bed and Breakfast

F. Residential uses, up to 15 units per acre density when located above the ground floor as a secondary use.

G. Public utility service pumping stations, power stations, equipment buildings and installations, drainage ways, storage tanks and transmission lines found by the planning commission to be necessary for the public health, safety or welfare and designed to minimize any visual, hearing and/or air quality impacts ;

17.73.035 Uses prohibited.

The following uses are prohibited in the CZ-CW district:

A. Truck and heavy equipment repair shops:

B. Any manufacturing use not specifically defined herein.

C. Communication and television towers.

17.73.040 Property development standards.

The following property development standards shall apply to all land and structure in the CZ-CW waterfront commercial district:

A. Height. The maximum building height shall be thirty-five feet.

B. Yard and Areas.

1. Front Yard. None required except that where a portion of the street frontage of the block in which the site is located is in a zone of greater requirements, the front yard of the CW zone shall conform to the minimum requirements of the more restrictive zone;
2. Side Yard. None required except that where the side yard of the CW use abuts upon the side or rear yard of a residential zone the side yard shall be five feet;
3. Rear Yard. Minimum of ten feet;
4. Lot Area. No minimum;
5. Lot Coverage. Site coverage for the total building square footage shall not exceed fifty percent (50%) of the size of the lot. Parking areas shall not be counted as building square footage. Residential units, which are above the ground floor, shall not be counted in the square footage.

17.73.050 Building placement.

Whenever property classified for a CZ-CW use is separated from adjacent residentially zoned property by a permanent open space or parking area of no less than twenty-five feet in width, the required front yard or side yard setback shall not be required. .

17.73.060 General requirements.

A. Parking. See Chapter 17.76 for parking requirements.

B. Fencing. See Chapter 17.75 for fencing requirements.

C. Signs. See Chapter 17.74 for sign requirements.

17.73.070 Site plan and architectural review.

All uses permitted in the CZ-CW district except those requiring a use permit shall be subject to the approval of a site plan and architectural review. Procedure for such submittal and approval will be found under Chapter 17.79.

17.73.080 General regulations.

A. Those outdoor uses, which are permitted, shall be subject to the provision of landscaping and/or solid screen fencing relative to the type of use. Outside storage and refuse containers shall be confined behind a six-foot solid wall or fence.

B. There shall be no manufacture compounding, processing, or treatment of products other than that which is clearly incidental and essential to a retail store or business and where such completed products are sold at retail on the premises.

C. Accessory uses shall be permitted only to the extent necessary to the uses permitted under this part.

D. The display of goods outside of the structure may be placed in the covered area of a porch or on a public sidewalk only when placed in a manner as to retain a minimum six- (6) foot passable walkway.

E. The above waterfront commercial uses shall not be objectionable due to odor, dust, smoke, noise vibration, or other similar causes beyond the level of the ordinary neighborhood retail establishment.

R. Chapter 17.74 of the Crescent City Municipal Code is deleted and the following Chapter is substituted in its place to read as follows:

17.74

COASTAL ZONE SIGNS

Sections:

17.74.010 Purpose.

17.74.020 Applicability.

17.74.030 Definitions.

17.74.040 Types—Generally.

17.74.050 Special provisions.

17.74.060 Sign permits.
17.74.070 Temporary permit required when.
17.74.080 Prohibited signs.
17.74.090 Variances.
17.74.100 Appeals.
17.74.110 Residential zones.
17.74.130 Coastal Zone Commercial-waterfront (CZ-CW) zones.
17.74.140 Coastal zone general commercial (CZ-C2), coastal zone highway services (CZ-HS), coastal zone harbor-related (CZ-HR) and coastal zone harbor-dependent (CZ-HD).
17.74.150 Illumination.
17.74.160 Community promotion signs.
17.74.170 Exempt signs.
17.74.180 Historical signs.
17.74.190 Enforcement
17.74.200 Matrix of regulations.

17.74.010 Purpose.

A. The surroundings of the city are possessed of natural beauty having both giant redwoods and the Pacific Ocean at the disposal of its citizens. The city's economy is dependent on a vigorous local business economy, spawned in part by tourism and its residential environment. The purpose of this chapter is to regulate signs in the city. Signs have an obvious impact on the character, quality and economic health of the city. As a prominent part of the scenery, signs may attract the viewing public, affect the safety of vehicular and pedestrian traffic, and help set the tone of the community.

B. It is the intent of the city that this chapter emphasize the importance of business activity to the economic vitality of the city, help improve the ability of business owners and operators to identify their businesses to the community to enhance the furtherance of commerce, foster varied and interesting places of trade and promote public safety by making business signing visible to the passing public. This chapter is further intended to encourage the use of signs that:

1. Protect and enhance the architectural character, harmony and natural beauty of the community, its buildings and its various neighborhoods and districts;
2. Protect commercial districts from sign clutter;
3. Protect the public's ability to identify users and premises without confusion;
4. Eliminate unnecessary distractions which may jeopardize pedestrian or vehicular traffic safety;
5. Are as small in size and few in number as is consistent with their purpose of communicating identification and essential information;
6. Protect the right of the public to be directed, warned, advised and informed;
7. Possess a satisfactory aesthetic effect and pleasing elements of design that relates to the form, proportion, material, surface treatment and position;
8. Assure the maintenance of signs;
9. Implement the community design objectives expressed in the general plan;
10. Prohibit political signs on public utility or street sign poles because it is necessary to prevent visual distractions to motorists that create traffic hazards, prevent the obstruction of road hazards and road signs, and to prevent eyesores from proliferating along public streets;
11. Regulate the size of political signs because it is necessary for safety and aesthetic reasons, specifically that the strong winds common in the city would remove the signs, creating hazards and accumulation of debris, and extremely large or illuminated signs would create a distraction to motorists.

C. The general sign usage provisions and regulations of this chapter shall apply. The additional sign usage authorized hereunder shall be strictly construed in its application.

17.74.020 Applicability.

A. This chapter shall apply to on-premises advertising displays which meet any of the following criteria:

1. On-premises advertising displays placed or constructed on or after January 1, 2003;
2. Any on-premises advertising display placed or constructed on or before January 1, 2003 that was not in compliance with all ordinances and regulations in effect at the time of its construction and erection or use;
3. Any on-premises advertising display which was lawfully erected, but whose use has ceased, or the structure upon which the display has been abandoned by its owner, for a period of not less than ninety days;
4. Any on-premises advertising display which has been more than fifty percent destroyed, and the destruction is other than facial copy replacement, and the display cannot be repaired within thirty days of the date of its destruction;

5. Any on-premises advertising display whose owner, outside of a change of copy, requests permission to remodel and remodels that advertising display, or expand or enlarge the building or land use upon which the advertising display is located, and the display is affected by the construction, enlargement or remodeling, or the cost of construction, enlargement or remodeling of the advertising display exceeds fifty percent of the cost of reconstruction of the building;

6. Any on-premises advertising display for which there has been an agreement between the sign permit holder and the city for its removal as of any given date;

7. Any on-premises advertising display which is a temporary sign;

8. Any on-premises advertising display which is or may become a danger to the public or is unsafe;

9. Any on-premises advertising display which constitutes a traffic hazard not created by relocation of streets or highways or by acts of any city or county;

10. Except where the provisions of this chapter provide for earlier sign removal, on-premises advertising displays located in redevelopment project areas created pursuant to Community Redevelopment Law of Division 24 of the California Health and Safety Code, shall be removed or made to conform within sixty days after written notice by the community development department, in accordance with the following schedule:

Amortization Period	Original Value of Sign
One Year	Less than $500.00
Two years	$500.00 to 999.00
Four years	$1,000.00 to $2,999.00
Eight years	More than $6,000.000

The permit holder of a redevelopment area sign shall, upon written request of the community development department, furnish acceptable proof of the initial cost in the form of: (a) an original bill of sale, or (b) a depreciation schedule from state or federal income tax returns, or (c) a written appraisal by a sign manufacturer;

11. Advertising displays located in areas listed or eligible for li sting on the National Register of Historic Places;

12. Advertising displays located in areas registered by the California Department of Parks and Recreations as a state landmark of historical interest pursuant to Section 5021 of the California Public Resources Code;

13. Advertising displays located in areas created as historic zones or individually registered properties by the city pursuant to Article 12 of Chapter 1 of Division 1 of Title 5 of the California Government Code.

B. Legal Nonconforming Signs.

1. Legal nonconforming signs shall be removed or made to conform with the provisions of this chapter within sixty days after written notice by the community development department, when:

a. The use of the premises changes and the exterior of the building or other site conditions are to be altered; or

b. A sign is damaged or destroyed by any cause, to the extent that the cost of repairing or replacing it would be more than fifty percent of its value immediately prior to the damage; or

c. In accordance with the provisions for abatement outlined in Section 17.74.190.

2. Except as otherwise provided in this chapter, nonconforming on-premises signs shall be made to conform to the provisions of this chapter upon the change of a name of any business, the relocation of any business, or an application for a sign for any business.

3. General Provisions. A legal nonconforming sign may not be:

a. Changed to another nonconforming sign; or

b. Structurally altered to extend its useful life; or

c. Expanded, moved or relocated; or

d. Re-established after damage or destruction of more than fifty percent of the dollar value of the sign as determined by the community development director.

4. Ordinary repair and maintenance may be made to a legal nonconforming sign provided that such maintenance and repair does not exceed twenty-five percent of the actual dollar value of the sign in any one year.

5. Exceptions to the provisions of this section may be granted, in the form of a variance, by the planning commission upon the application of any owner of a sign who presents substantial evidence showing the following:

a. There are exceptional circumstances applicable to the property on which the nonconforming sign is located, including size, shape, topography, location or surroundings which make it practically impossible to identify effectively the property to the public if strict application of all the provisions of these regulations are required; or

b. The sign possesses unique features which make it a significant part of the community character of the area in which it is located.

17.74.030 Definitions.

As used in this chapter:

"Abandoned sign" means any sign or advertising display remaining in place or not maintained for a period of ninety days which no longer advertises or identifies an ongoing business, product or service available on the business premises where the sign or display is located.

"Advertising display" means the same as "sign."

"A-frame" means a sandwich board sign.

"Architecturally controlled sign" means any sign that is submitted as part of, or related to, the design of a building, or group of buildings, constructed for commercial purposes, and that has gone through an approved process of design review.

"Awning/canopy sign" means any sign that is a part of or attached to an awning, canopy or other fabric, plastic, or nonpermanent structural protective cover over the doorway, window, patio or other part of the exterior of a building. A marquee is not an awning or a canopy.

"Balloon" means a nonporous bag containing a gas lighter than air causing it to rise and float above the ground.

"Banner" means a sign made of flexible materials such as cloth, canvas, plastic or cardboard.

"Beacon" means a rapidly rotating fixed light giving the appearance of a flashing light.

"Bed and breakfast establishment" means a residential dwelling occupied by a resident person or family, containing individual living quarters occupied on a transient basis for compensation, and in which a breakfast may be provided to the guests.

"Billboard" means a sign structure which is made available for lease or rent for the purpose of off-site advertising.

"Changeable copy sign" means a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face of the sign.

"Community event" means an occasion or activity sponsored by either a governmental or quasi-governmental agency (such as the harbor district, city of Crescent City, Del Norte County, the Crescent City business and parking improvement district, or chamber of commerce) or by a not-for-profit organization (such as a church or a civic organization), the purpose of which is to benefit the community as a whole, either by raising funds through a specific event to address a specific issue (such as the United Way Ball), by publicizing the area to visitors (such as street fairs) or for the purpose of a community-wide celebration (such as the fourth of July).

"Construction signs" means a temporary sign erected on the premises on which construction is taking place identifying the names of the persons or companies involved in the project.

"Curbline" means the line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curbline shall be established by the public works director.

"Directional sign" means an accessory sign designed to guide or direct pedestrian or vehicular traffic.

"Display surface" means the area made available by the sign structure, including the background area, for the purpose of displaying an advertising message.

"Double-faced sign" means a sign with two faces only, with each face oriented one hundred eighty degrees from the other. Such sign may be a pole, projecting, hanging or roof sign.

"Enforcement officer" means the public employee or officer designated by the legislative body of the city to perform the duties imposed by these regulations.

"Flag" means a usually rectangular piece of fabric of distinctive design that is used as a symbol or as an attracting or signaling device. Corporate flags contain the name or logo of an incorporated business or organization. Governmental flags are duly recognized symbols of a city, state or nation.

"Flashing" means sudden bursts of light. In certain uses it appears to simulate movement.

"Freestanding sign" means a sign not attached to any building and having its own support structure, such as a pole or a monument-style base.

"Frontage" means the distance in feet of a lot measured along a street right-of-way.

"General advertising sign" is a sign which directs attention to a business, commodity, industry or other activity which is sold, offered or conducted elsewhere than on the premises upon which such sign is located, or to which it is affixed, and which is sold, offered or conducted on such premises only incidentally if at all.

"Grand opening" means the first thirty business days of a new business.

"Ground sign" means the same as "monument sign."

"Hanging sign" means a sign that is suspended from the underside of a horizontal plane surface, such as a marquee, awning or canopy, or from a bracket, and which is supported by that surface or bracket. "Holiday decorations" means wording, symbols or pictures of a noncommercial nature which may be
erected or displayed in reference to a specific seasonal, political or religious holiday. Sale announcements are not holiday decorations.

"Horizontal sign" means a projecting sign having its greatest dimension in a horizontal direction.

"Identification" means a sign giving the name, nature, logo, trademark or other identifying symbol of an establishment.

"Institutional use" means a nonprofit, public or quasi-public use or institution such as a church, library, public or private school, hospital, or municipally owned or operated building, structure or land used for a public purpose.

"Legal nonconforming signs" means on-premises advertising displays which do not conform to the provisions of this chapter but which lawfully existed and were maintained prior to January 17, 1996.

"Luminescence" means an emission of light produced by electrical action.

"Mansard roof means a roof having two slopes on each side, with the lower slope steeper than the upper one.

"Marquee" means any permanent-roofed structure made of a nonflexible material, which is attached to and supported by a building, and which projects over public property.

"Monument/ground sign" means any sign other than a pole sign, placed upon or supported by the ground independent of any other structure.

"Mural" means a decorative scene or graphic design painted on and made an integral part of a wall surface, and making no reference to a specific business or brand of product offered for sale on the premises.

"Nameplate" means a small sign stating only the name and/or address of the occupant(s), and his or her profession or specialty. However, in the case of bed and breakfast establishments, only, nameplate additionally means a sign displaying the name of the establishment.

"On-premises advertising display" has the same definition as California Business and Professions Code Section 5490(b) as amended or supplanted.

Paper Signs. Paper signs tacked or otherwise fastened to a side of a building or bulletin board, or outside of a window are temporary signs unless enclosed in a frame with a glass, Plexiglas or equivalent cover.

"Parapet" means the extension of the main walls of a building above the roof level, such as a false front. Parapet walls are often used to shield mechanical equipment or vents from view.

"Pennant" means a flag which tapers to one or two points. "Pennants" also refers to strings of small flags or strips which can be hung either attached to a building or across an open parking area.

"Placard" means a nonpermanent announcement or sign in the form of a small card, such as a poster or plaque.

"Pole sign" means a freestanding sign that is wholly supported by one or more posts or poles, free of braces or cables, either in the ground or in a concrete base.

"Portable sign" means a sign that is not permanently attached to the ground or to a structure.

"Projecting sign" means a sign other than a wall sign or awning sign which projects out from and is supported by a wall of a building or structure.

"Projection" means the distance by which a sign extends over or beyond the edge of a building.

"Public right-of-way (RoW)" means a public street, sidewalk or accessway.

"Real estate sign" means a sign of any size advertising real property for sale or lease, including "open house" signs.

"Revolving sign" means a sign whose face(s) turn round on an axis, usually a pole of any height.

"Right-of-way (RoW)" means the same as "public right-of-way."

"Roof height" means the vertical distance measured from the average grade level of the building (the ground) to the highest point of the roof, ridge or parapet wall.

"Roof sign" means a sign erected upon or above a roof or parapet of a building or structure.

"Sandwich board sign" means a portable sign consisting of two hinged boards designed to stand alone for display, and which may be folded and moved from place to place. Also known as an "A-frame. "Setback" means the minimum horizontal distance from the building to the property line as prescribed by this title.

"Sign" means any writing, pictorial representation, symbol, banner, or other figure of similar character of any material that is used to identify, announce, direct attention to, communicate, inform or advertise.

"Sign area" means the area in square feet of the smallest rectangle enclosing the total exterior surface of a sign, or of one face of a double-faced sign.

"Sign height" means the vertical distance from the average grade at the base of the sign structure to the uppermost point of the sign.

"Sign structure" means any structure that supports, or is capable of supporting any sign as defined in this chapter. A sign structure may be a single pole, several poles, frame structure, or solid base, or may be an integral part of a building.

"Spinner" means any advertising or attention-getting device which includes a part or parts which turn, gyrate or revolve rapidly.

"Streamer" means any long wavy strip, either free-floating or attached at both ends, as alongside a building or over a parking lot or other open area.

"Structure" means that which is built or constructed; an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined in some definite manner; but not including fences, or walls used as fences that are three feet in height or less.

"Suspended sign" means the same as "hanging sign."

"Temporary sign" means any sign or advertising display constructed of fabric, canvas, paper, plywood or other such light material, not permanently erected, and constructed, created, intended or engineered to have a useful life of less than fifteen years. Temporary signs may include, but are not limited to vehicle and trailer signs, banners, balloons, sandwich boards and paper signs.

"Time and temperature device" means any device which displays the current time and temperature, usually in the form of a clock and thermometer or an electronic digital display unit. Often such devices include the name or logo of the business upon whose premises the device is located.

"Trailer sign" means any sign mounted on a trailer or cart so as to be movable by being pulled about.

"Twirler" means the same as "spinner."

"Vehicle sign" means any sign which is painted or mounted on an operating or nonoperating vehicle, which is parked on or adjacent to any property, the principal purpose of which is to attract attention to any business, service, product or an activity, or to convey a message for which other avenues of expression are readily available. For the purpose of this chapter, vehicle sign regulations shall not apply to business vehicles on which the business name or logo is painted or attached, and which are driven in the normal course of business activity.

"Vertical sign" means a projecting sign having its greatest dimension in a vertical direction.
"Wall sign" means a single-faced sign painted on or attached parallel to a building or wall.
"Window sign" means a sign maintained in or painted upon a window so that its message can be seen from the exterior of the structure. Window signs do not include holiday decorations.

17.74.040 Types— Generally.

The types of signs set forth in this section will be permitted for the various uses allowed in Sections 17.74.110 through 17.74.140 and must be limited to the restrictions set forth in Section 17.74.020, in addition to those required in Sections 17.74.050 through 17.74.080. Additional special use signs are also listed in this section.

A. Signs having Double Faces. Pole signs, revolving signs and projecting signs may have double faces. Where such signs and marquees have double faces, and are included in the total sign area, the area of only one face need be included in the total area allowed. Where the two faces are of different areas, the larger of the two must be counted as part of the total sign area.

B. Projecting Signs. Projecting signs identifying a business located on the premises shall be located no less than nine feet above the sidewalk, may not project above the roofline of a wall or building, and shall project into public property no more than thirty-six inches from the side of the building. The area of such sign shall be included in the total allowable aggregate sign area as provided in this chapter.

C. Wall Signs.

1. Flat wall sign(s) identifying each business conducted on the premises may be painted on the surface of the building or attached to the face of the building, no point of which shall project over eighteen inches from the face of the building. Wall signs shall not occupy more than fifty percent of the building surface envelope excluding window areas, and shall not project above the top of the wall or above the roofline of the building to which they are attached. Hie area of such sign shall be included in the total allowable aggregate sign area as provided in this chapter.

2. On buildings which are two or more stories in height, but which are occupied above the first floor by other than the ground floor business, the first floor envelope shall extend to the bottom of the second floor window line. The second floor envelope shall extend from the bottom of the second floor window line to the bottom of the above floor window line, or to a line one and one-half feet below the roofline or top of the wall.

D. Marquee Signs.

1. For purposes of computing sign area, signs on the face of a marquee which is parallel to the front wall of a building shall be considered as part of the flat wall sign envelope, and signs on other faces of the marquee shall be considered as a double-faced projecting sign.

2. Single-faced or double-faced signs placed under marquees or canopies shall be limited to a maximum size of eighteen inches high and sixty inches long, and shall be not less than nine feet from the sidewalk to the bottom of the sign. Only one side of these signs shall be used in computing total aggregate sign area.

E. Pole or Freestanding Signs. Provisions for pole or freestanding signs shall be as follows:

1. Minimum height in a vehicular area: fourteen feet to the bottom of the sign;
2. Minimum height over a public pedestrian area: ten feet to the bottom of the sign;
3. Maximum height: thirty feet to the top of the sign absent a variance;
4. Minimum setback from the right-of-way line: one-half the distance from the road right-of-way line to the legal setback line;
5. Only one pole sign shall be permitted per parcel where allowed;
6. The minimum ground area of two feet around the perimeter of the base of all freestanding signs shall be landscaped. The community development director may exempt certain freestanding signs from this requirement where it is demonstrated by the applicant that the landscaping would unduly interfere with pedestrian or vehicular traffic, or where this requirement would be impossible to meet without compromising the stability of the sign structure.

F. Monument or Ground Signs. Monument or ground signs shall not exceed five or ten feet in height, depending upon the regulations for the zone in which the sign is being placed, unless a variance for a higher sign has first been approved by the planning commission. Such signs shall not impede vehicle sight distance.

G. Canopy or Awning Signs. Signage shall only be permitted on the valance of the canopy or awning, or as hanging signs suspended below the canopy. Hanging signs suspended below canopies shall not exceed eighteen inches in height or sixty inches in length, and shall be hung at a height not less than nine feet measured from the sidewalk to the bottom of the sign. Sign area shall be computed using only one face of the hanging sign.

H. Architecturally Controlled Signs. Architecturally controlled signs for a special development of an unusual nature or size may be reviewed and approved if acceptable by the planning commission for their conformance with the intent of this chapter, with the goals of the general plan, and for their appropriateness to the type of development to which they are related. The determination that such a review is desired may be made by the community development director.

17.74.050 Special provisions.

The following provisions shall apply to all signs generally permitted by this title:

A. A sign permit must be issued before the display of any signs other than exempt signs.

B. The use of any sign that is obnoxious in character or location or which is architecturally undesirable in the judgment of the community development director can be denied even though such sign complies with all other provisions of this title. The decision of the community development director is appealable to the planning commission. A fee may be charged to cover the cost of bringing the appeal before the planning commission. .

C. Materials used in the construction of signs and sign structures and the construction thereof shall comply with the Underwriters Laboratory and the latest adopted edition of the Uniform Sign Code, Uniform Building Code, National Electric Code, and other applicable laws and ordinances.

D. Once constructed, the front and back of all signs and sign structures shall be fully painted and shall be maintained in a safe condition and neat appearance.

E. Signs that tend to attract motorists to a roadway-oriented business shall not be lighted except during hours that the merchandise or services are available.

F. Sign structures not used for signage purposes for more than twelve months shall be considered a nuisance and shall be removed.

17.74.060 Sign permits.

A. Terms. Sign permits may be revocable, conditional or valid for a term period, and may be issued only for the construction and display of signs as outlined in these provisions.

B. Permits Required. A sign shall not hereafter be erected, re-erected, constructed, altered or maintained, except as provided by this code and only then after a permit for the same has been issued by the community development department. A separate permit shall be required for a sign or signs for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electrical signs. Each application for a sign permit shall be reviewed by the city building inspector who is authorized to determine if a building permit shall additionally be required as a condition to the issuance of a sign permit. A building permit shall be required when the proposed sign's erection, re-erection, construction, alteration or maintenance may potentially adversely affect the public's health, safety or welfare. Sign permits may be issued to any person with a possessory or estatehold interest in the real property where the sign is sought to be placed or to a contractor licensed by the Department of Consumer Affairs and employed by such person to perform the sign's erection, re-erection, construction, alteration or maintenance.

C. Application for Permit.

1. Application for a sign permit shall be made in writing upon forms furnished by the community development department. Such application shall contain the location by street and number of the proposed sign structure, as well as the name and address of the applicant and properly identify the applicant's interest in the real property where the sign is sought to be placed or as a contractor licensed by the Department of Consumer Affairs employed to perform the sign's erection, re-erection, construction, alteration or maintenance. The application must be accompanied by plans and specifications for all signs to be constructed. Such plans and specifications shall specify:

a. The materials of which the sign and its structure shall be constructed; and

b. The sign's location on the property; and

c. The type of construction to be used in the sign; and

d. The message and pictorial representations which will appear on the sign(s); and

e. The dimensions of its size; and

f. Any other existing signage or display already on the property.

2. Standard plans may be filed with the community development department.

3 . The application will be reviewed by the city ' s building and community development departments, and must be approved by each prior to the issuance of any sign permit. The applicant shall submit any additional information required by the city's building and community development departments.

D. Fees. The sign permit application shall be accompanied by fees as established by resolution of the city council. In addition, signs subject to building and electrical permits shall be subject to the fees required for the issuance of those permits.

E. Public Hearing. The planning commission may hold public hearings to discuss sign permit applications whenever it determines that such a hearing is in the public interest. The planning commission may, through the public hearing process, designate such conditions as it deems necessary to ensure compliance with the purposes of this chapter, and may require a guarantee or bond to be posted to that effect.

F. Issuance. Within thirty days of receiving a complete application for a permit which is not contingent upon any action by the planning commission or on the issuance of any other permits, the application shall, in writing, be approved, conditionally approved or denied. Conditions imposed may only be such as will assure compliance with the provisions of these regulations.

G. Inspections. All signs for which a building permit is required shall be subject to inspection as required by the building official. All signs may be reinspected at the discretion of the building official.

H. Revocation.

1. In any case where the conditions set forth in the approval of a sign permit have not been met, the permittee shall be noticed by certified mail, sent to the address shown on the sign permit application at least ten days prior to a hearing at which the status of the conditions are to be discussed. At the conclusion of the hearing, the planning commission may revoke the permit.

2. In any case where an approved sign permit has not been used within six months after the date of approval, then, without further action by the city council or planning commission, the sign permit granted shall become null and void.

17.74.070 Temporary permit required when.

The following types of signs and advertising devices are permitted with the issuance of a temporary permit from the community development department. The permit may impose conditions on the size, placement, structure, color, copy, conditions of removal or any other aspect of the display at the discretion of the community development director. Balloons may also be subject to approval by the building inspector, at his or her recommendation. A fee may be charged by the building department if an inspection of the balloon attachment is required. Any one commercial establishment may obtain a temporary sign permit under these regulations no more than three times in one calendar year.

A. Grand Opening Signs, Banners or Balloons. Pennants, signs, banners and/or balloons for the promotion of the grand opening of a new business for a period of not more than the first thirty business days of a new business. A use permit must be granted by the planning commission in order to display such devices for any longer than thirty days;

B. Promotional Signs, Banners or Balloons. Signs, banners, balloons, pennants or other advertising devices for the promotion of special sales or other business events lasting for a period of up to five days not more than three times in one calendar year.

17.74.080 Prohibited signs.

In addition to any sign or advertising display device not specifically allowed by these provisions, the following signs are prohibited.

A. Signs having one or a combination of the following characteristics:

1. Obscene or Offensive to Morals. Containing statements, words or pictures of an obscene, indecent or immoral character which, taken as a whole, appeal to the prurient interest in sex, and which signs are patently offensive and, when taken as a whole, do not have serious literary, artistic, political or scientific value,

2. Imitative of Official Signs. Signs (other than when used for traffic direction) which contain the words stop, go, slow, caution, danger, warning or similar words, or signs which imitate or may be construed as other public notices, such as zoning violations, building permits, business licenses and the like;

B. Moving signs having one or a combination of the following characteristics:

1. Flashing lights or changing of color intensity,

2. Wind-blown devices such as streamers, balloons, flares, pennants, propellers and similar attention-getting displays or devices with the exception of the following:

a. National, state and/or local government flags properly displayed and maintained upon a permanently mounted flagpole or bracket,

b. One corporate or logo flag of a size not to exceed any governmental flag displayed upon the same premises,

c. Twirlers or spinners, provided a use permit has first been obtained from the planning commission,

d. Holiday decorations, in season, displayed for an aggregate period not exceeding sixty days in any one calendar year, except no advertising of the business or products shall be permitted,

3. Where there is any production of smoke, sound or other substances;

C. Portable or temporary signs, including sandwich boards, except as permitted only for grand openings or special promotions;

D. Obstructive to Use or Visibility—Hazardous Locations. No sign shall be erected in any manner which, in whole or in part, would create a hazardous condition to pedestrians or traffic alike, either by creating visual distraction, being color, sounds or glare, or by representing a traffic-control device; and

E. Signs in one or more of the following locations:

1. Within Public Places.

a. Within any public street, sidewalk, public parking lot, or right-of-way, unless they shall maintain a minimum clearance of fourteen feet above the adjoining grade level and after acquiring an encroachment permit from the Department of Public Works, except marquee signs as defined by this chapter, unless specifically provided for in this chapter,

b. Furthermore, no person except a duly authorized public officer or employee shall erect, construct, maintain, paste, print, nail, tack or otherwise fasten or affix any card, banner, flag, pennant, handbill, campaign sign, poster, sign, advertisement, or notice of any kind, or cause or suffer the same to be done, on any curbstone, lamppost, driveway, roadway, parkway, sidewalk, street, light standard, fire hydrant, bench, electrical light pole, power pole, telephone pole, traffic signal, bridge, wall, tree, parking meter, or on any other public property, except as may be required or permitted by ordinance or law; provided, that this provision shall not prohibit the placement, use and maintenance of warning signs designating street construction or repair and/or the location of underground utility lines,

c. Any flags, pennants, sign, handbill, campaign sign, poster or notice of any kind that is placed upon a public street or public property in violation of this subsection is declared to be a public nuisance and may be summarily abated in addition to other remedies provided by this code,

2. Roof signs, except mansard roof signs,

3. Projecting. Signs projecting more than thirty-six inches from the face of a building shall not be allowed except for awning or canopy signs,

4. Signs on Vehicles. No vehicle may be used as a platform or substitute for a billboard, freestanding sign or movable sign, whether parked on private property or the public right-of-way. The parking of any such vehicle on any street or on public or private property, or the movement of any such vehicle in and/or along any street for the sole or primary purpose of displaying advertising matter is declared to be a nuisance and a violation of this Section. The following exceptions are permissible under these regulations:

a. The driving, operation and movement of vehicles displaying political campaign advertisements for candidates for public office or for ballot measures, provided the same is not otherwise prohibited by this section,

b. The identification of a business enterprise upon a vehicle used primarily for the purpose of and in the usual business of the owner for transporting or servicing goods or persons for commercial or other business purposes, provided that the identification is painted on or otherwise affixed so as not to project from the usual profile of the vehicle,

c. The incidental display of noncommercial stickers, plates, license plate brackets and the like; or of customary small identifications on license plate brackets or elsewhere, of vehicle manufacturers, models or types of vehicles, or dealers or entities from whom vehicles bearing the same were purchased or otherwise obtained,

d. A single isolated movement of a sign or sign equipment or materials from one place to another within the city,

e. Vehicles located on construction sites that are directly involved with ongoing construction,

5. Miscellaneous Temporary Signs and Posters. The tacking, posting or otherwise affixing of signs of a miscellaneous character, visible from a public way, located on the walls of buildings, barns or sheds, on trees, poles, posts, fences, or other structures shall be prohibited, unless specifically permitted by this chapter;

F. Abandoned Signs.

1. In addition to the other requirements imposed by this chapter, signs advertising an activity, business, product or service no longer conducted on the premises on which the sign is located, or sign frames, structural members or supporting poles remaining unused for twelve months or longer, shall be removed from the site. Signs will be considered abandoned or dilapidated where the sign or any element of it is excessively weathered or structurally unsound or where the copy can no longer be seen or understood by a person with normal eyesight under normal viewing conditions,

2. This provision may be waived for set periods of time at the discretion of the community development director;

G. General advertising signs.

17.74.090 Variances.

A. Generally. When practical difficulties, unnecessary hardships or results inconsistent with the general intent and stated purpose of this chapter occur by reason of the strict application of the standards set forth in these regulations, a sign variance may be requested.

B. Application.

1. A request for a sign variance shall be made by submitting a completed permit application form and appropriate filing fee to the community development department, along with all supporting documentation pertinent to the situation, such as maps, photographs or sketches.

2. The request for variance shall be set for public hearing on the earliest available meeting date of the planning commission. The appellant shall be notified in writing of the meeting date. Notice of the hearing shall be published in a newspaper of general local circulation at least ten days prior to the hearing. The hearing may be continued from time to time.

C. Required Findings. The planning commission must make the following findings in order to approve a sign variance:

1. The strict application of the standards contained in this chapter deprives the appellant's property of privileges enjoyed by other property owners in the same vicinity and under identical use classification due to special circumstances applicable to the property including size, shape, topography, location or surroundings; and

2. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity with the same use classifications as the subject property.

D. Variance Allowed.

1. The planning commission may, upon approval of a variance sign permit, allow:

a. An increase in allowed height; and/or

b. An increase in size of not more than fifty percent; and/or

c. A reduction in the required setbacks.

2. Variances may not be granted to allow signs to meet the same standards as legal nonconforming signs in the same vicinity or use classification, and/or which may be competing for the same business patrons.

17.74.100 Appeals.

A. Appeals. Any person aggrieved by an action of the planning commission, or by city staff, may make an appeal of that decision. Appeals of decisions made by the planning department staff shall be submitted to the planning commission. Appeals of decisions made by the planning commission shall be submitted to the city clerk for review by the city council. Decisions of the city council are final, with the exception of coastal zone appealable areas. Decisions of approval for sign development(s) within the coastal zone appealable area may be appealed to the California Coastal Commission. Decisions of denial for development within such zones are final.

B. Application for Appeal. Application for appeal is made by filing a written request for appeal, along with any required appeal filing fee, within ten days of the action. The request must specify:

1. The person making the appeal, and their place of residence; and
2. The location of the proposed sign(s); and
3. The specific items of appeal and all supporting documentation; and
4. The basis for the appeal, and any information substantiating that basis (for example, failure to comply with the city's general plan or with state or local laws, or reasons why the action would adversely affect surrounding property, the neighborhood or the city); and
5. The relief of action sought.

C. Appeal Process.

1. Who May Appeal. In case the applicant or any other person is not satisfied with any decision to approve or deny a sign permit, they may appeal such decision as provided in this subsection.
2. Appeal Letter Requirements. The appeal letter shall specify:
    a. The person making the appeal;
    b. The specific items of appeal and all supporting documentation;
    c. The basis for such appeal and information substantiating the basis for appeal (e.g., failure to comply with the city's general plan, state or local laws or stating reasons why the action of the planning director or the planning commission would adversely affect surrounding property, the neighborhood, and/or the city);
    d. The relief of action sought.
3. Where and How to Appeal.
    a. Decisions of the planning director may be appealed to the planning commission, and decisions of the planning commission may be appealed to the city council. Any appeal must be submitted in writing within ten calendar days of the decision and shall be accompanied by an appeal filing fee. Appeals of decisions of the planning director shall be submitted to the planning commission. Appeals of decisions of the planning commission shall be submitted to the city clerk. The appeal shall be agendized for consideration on the earliest available meeting date as determined by the city, but no later than thirty days from receipt of the appeal and filing fee. The appellant shall be notified in writing of the meeting date. In an appeal, the burden of proof is upon the appellant.
    b. The appropriate reviewing authority shall consider the appeal and the record upon which the action appealed from was taken, and may, at its own discretion, cause the matter to be set for a public hearing.
    c. If the appropriate reviewing authority causes the matter to be set for a public hearing, notice of the hearing shall be given by publication in a newspaper of general circulation, printed and published in the city, at least ten days before the hearing. The hearing may be continued from time to time.
    d. Within thirty days of the filing of the notice of appeal, the appropriate reviewing authority shall render its decision on the matter. Failure of the appropriate reviewing authority to render its decision on the matter within thirty days of the filing of the notice of appeal shall be deemed to be denial of the appeal and an affirmation of the action of the planning commission. The decision of the city council upon appeal is final and conclusive as to all things involved in the matter.

17.74.110 Residential zones.

The following signs are permitted in the city's residentially zoned districts (CZ-R1, CZ-R1B):

A. 1. Institutional uses such as churches, schools, libraries, hospitals, community centers and/or public agency buildings such as f ire or police stations may have wall, ground or monument signs with an area not to exceed one-half square foot of sign area for each linear foot of street frontage.
2. For parcels with multiple street frontages the allowable sign area shall be one-half square foot for each linear foot of the longest street frontage plus one-quarter square foot for each additional linear foot of frontage.
3. A sign permit shall be required for these uses, unless the entity or agency is categorically exempt.

B. Apartment complexes with four or more units may have one monument sign per street frontage not to exceed twenty-four square feet of area and five feet in height. A sign permit shall be required.

C. Approved and licensed home occupations, including day care homes, shall be allowed one name-plate not to exceed two square feet in size, stating the occupant's name, address and/or profession. A sign permit shall not be required for the nameplate.

D. Bed and Breakfast Establishments. Bed and breakfast establishments within residential zones may be permitted one sign per establishment. The sign may be one of the following:

1. One sign not to exceed twenty square feet in size. The sign may be a wall sign, hanging sign, or ground or monument sign not to exceed five feet in height. The sign shall be constructed of nonplastic materials, and only low-level lighting exterior illumination to light the sign shall be permitted. The sign must have approval of the community development department, and a sign permit shall be required.
2. One nameplate sign, made of nonplastic materials, not to exceed two square feet in size. The name-plate may bear the proprietor's name, address, and/or the name of the establishment. A sign permit shall not be required for the nameplate.

E. Exempt signs (no permit required).

17.74.130 Coastal zone- commercial-waterfront (CZ- CW) zone.

A. Sign Types Permitted. The following signs are permitted for licensed businesses in the city's coastal zone commercial-waterfront zoning districts (CZ-CW):

1. Wall signs;
2. Canopy signs;
3. Marquee signs;
4. Monument or ground signs not to exceed five feet in height;
5. Institutional uses such as churches, schools, libraries, hospitals, community centers and/or public agency buildings such as fire or police stations may have a ground or monument sign. A sign permit is required for these uses;
6. Hanging signs;
7. Projecting signs;
8. Window signs;
9. Exempt signs. No permit required.

B. Sign Types Prohibited. The following types of signs are prohibited in the CI and CW zoning districts:

1. Pole signs, unless 'no other option is available to meet state requirements, such as for gasoline price signs;
2. Roof signs.

C. Allowable Sign Area.

1. The allowable sign area for nonresidential uses is not to exceed one square foot of sign area for each linear foot of street frontage.
2. For parcels with multiple street frontages the allowable sign area shall be one square foot for each linear foot of the longest street frontage plus one-half square foot for each additional linear foot of frontage.
3. No sign for any business shall exceed one hundred square feet, nor shall any business be restricted to less than twenty square feet of total sign area.
4. Buildings with over thirty thousand square feet of floor area shall be allowed to have one one-hundred-fifty-square-foot wall sign. Such sign shall be included in the total sign area for the parcel.

17.74.140 Coastal Zone General Commercial (CZ-C2), Coastal Zone Highway Services (CZ-HS), Coastal Zone Harbor–Related (CZ-HR) and Coastal Zone Harbor – Dependent (CZ-HD).

A .Sign Types Permitted. The following signs are permitted for licensed businesses in the city's coastal zone general commercial (CZ- C2), coastal zone highway services (CZ-HS), coastal zone harbor-related (CZ-HR) and coastal zone harbor dependent (CZ-HD) zoning districts:

1. **Wall signs;**
2. **Awning or canopy signs;**
3. **Marquee signs;**
4. **Monument or ground signs not to exceed ten feet in height;**
5. **Institutional uses such as churches, schools, libraries, hospitals, community centers and/or public agency buildings such as fire or police stations may have a ground or monument sign. A sign permit is required for these uses;**
6. **Hanging signs;**
7. **Projecting signs;**
8. **Window signs;**
9. **Changeable copy signs;**
10. **Pole signs;**
11. **Banners. One promotional banner per street frontage. The banner must be mounted flat against the building, and must be maintained in a good condition. Tattered or torn banners must be removed;**
12. **Exempt signs. No permit required.**

B. Use Permit Required. Twirlers or spinners are prohibited in these zones unless a use permit has first been approved by the planning commission.

C. Allowable Sign Area.

1. The allowable sign area for businesses in the coastal zone general commercial (CZ-C2), coastal zone highway services (CZrHS), coastal zone harbor-related (CZ-HR) and coastal zone harbor dependent (CZ-HD) districts is not to exceed one and one-half square feet of sign area for each linear foot of street frontage.

2. Every business shall be permitted at least twenty square feet of sign area. No sign may exceed one hundred fifty square feet of sign area, with the exception of buildings of greater than thirty thousand square feet in size, which are permitted to have one wall sign of two hundred square feet.

17.74.150 Illumination.

All signs shall be subject to the following restrictions upon illumination:

A. Light from any illuminated sign shall be shaded, shielded or directed so that its intensity or brightness shall not be objectionable to surrounding areas and uses.

B. Except for public service signs such as time and temperature units and official traffic signs, no flashing lights, beacons or other interrupted illuminating devices shall be permitted.

C. Illuminated signs are prohibited except in commercial districts.

D. Illuminated signs shall not be lighted at night unless the service or product is available at that time.

17.74.160 Community promotion signs.

A. Murals. Murals with no commercial message shall be allowed in all nonresidential zones, and on commercial use buildings in the residential-professional zones. The design must have the approval of the architectural review committee. All murals shall be maintained in a clean and tidy condition.

B. Vertical Banners. Decorative banners with no commercial message, designed to enhance the community's appearance, may be erected by not-for-profit agencies on the city's street light poles. Such banners may also be displayed by private businesses on poles located on private property. Approval must first be granted by the city council who may ask to see a sample banner before making their decision. The banners must be maintained in a good condition, with any torn or tattered banners being removed or repaired promptly. The city reserves the right to have any such banner(s) removed if it is felt that it no longer contributes to the aesthetic enhancement of the community.

C. Horizontal Banners. Street banners advertising public entertainment, community events or celebrations, or fund-raising events by community-oriented not-for-profit organizations may be installed if approved by the public works department at locations designated by the public works director. The banners may be installed fourteen days before the event begins, and must be removed no later than seven days after the end of the event. A Cal-Trans encroachment permit must be obtained if the banner will encroach upon a state highway.

17.74.170 Exempt signs.

Except for the regulation relating to construction, maintenance, public nuisance and safety the following types of nonilluminated signs shall be allowed without a sign permit and shall not be included in the determination of the type, number or area of signs allowed per business or parcel, or by zoning district:

A. Nameplates. Nameplate signs not exceeding two square feet in display surface, and which are attached flat against the building. One per residential dwelling unit, office or business;

B. Public Signs. Signs of a public, noncommercial nature which are placed by a duly recognized governmental agency, including, but not limited to directional signs, safety signs, handicapped parking signs and signs identifying places of scenic or historical interest;

C. Rental, or Room and Board Signs. One sign per frontage, not exceeding four square feet in area, announcing room and board, room, apartment or other dwelling unit for rent;

D. Directional Signs. One sign not to exceed three square feet per entrance or exit, indicating traffic movement onto, from or within a premises;

E. Construction Signs. Signs identifying the names of the architects, engineers, contractors or other involved professionals of a building, development or subdivision under construction, alteration, repair or formation. The signs may also identify the character of the enterprise or the purpose for which the building or development is intended. Such signs may be placed on the property or attached to the outside of the building or on-site construction office only during the period of time when the project is actively under construction. Such signs may not exceed thirty-two square feet in any commercial zone, or nine square feet in any residential zone, except as required by any governmental entity. The sign(s) must be removed before a certificate of occupancy will be issued;

F. Real Estate and Subdivision Signs. One unlight-ed sign per frontage stating that the site is for rent or sale by the owner or named agent and giving information regarding size, price and terms. Such signs may be placed in the yard or attached to the outside of the building. Freestanding real estate signs may not exceed three and one-half feet in height from the ground level to the top of the sign. Real estate signs may not exceed nine square feet in area. Real estate signs larger than nine square feet will require a building permit;

G. Political Campaign Signs.

1. It is the intent of this code to exempt campaign signs from the regulations of this chapter relative to the placement of general advertising signs in all zones of the city, and to thereby encourage participation by the electorate in political

activity during the period of political campaigns, but to permit such uses subject to regulations that will assure that political signs will be located, constructed and removed in a manner so as to assure the public safety and general welfare and to avoid the creation of a public nuisance caused by the proliferation of political advertising which would be offensive to the senses and would interfere with the comfort and enjoyment of life or property. It is the purpose of the council, in adopting this chapter to provide such regulations as will contribute to the public safety and general welfare and insure the right of political expression to all members of the community,

2. Signs or posters announcing candidates seeking elective office, or encouraging a particular stance on a measure before the popular vote. Each sign located on private property, shall be placed only with the permission of the property owner or tenant, and posted in such a way as to not constitute a public nuisance or safety hazard, and may not block the views of vehicular traffic or obstruct the public right-of-way,

3. Campaign Signs in a Public Right-of-Way. Notwithstanding any other provision of this code, a campaign sign may be placed in the public right-of-way adjacent to a public street in commercially or industrially zoned areas or along prime or major arterials in residentially zoned areas subject to the following restrictions:

a. No sign shall be attached to any utility pole, public structure, pole or structure supporting a traffic-control sign or device, or hydrant,

b. No sign shall be placed on any tree or shrub by any nail, tack, spike or other method that will cause physical harm to the tree or shrub,

c. No sign shall be placed in such a manner as to obstruct the public use of the sidewalk or interfere with the visibility of persons operating motor vehicles or constitute a hazard to persons using the public road or right-of-way,

d. No sign shall be placed in the roadway or on the sidewalk,

e. No sign shall be placed in that portion of the public right-of-way or easement past the sidewalk without the consent of the adjoining property owner or person in possession if different from the owner,

4. No political sign shall be posted more than forty-five days prior to, or ten days following an election;

H. No Trespassing Signs. One sign per street frontage, not to exceed four square feet in area indicating limitation on the use of private property by other than the owners. If more than one sign per frontage is needed the property owner or business person may apply to the planning commission for a use permit;

I. Customer or Tenant Parking Only Signs. One sign per street frontage, not to exceed four square feet in area. The sign shall contain any of the following appropriate restrictions:

1. Customer parking only,
2. Tenant parking only, or
3. Private property, no parking, The sign shall also contain the telephone number of the city police department. The lettering on the sign must contrast with the background of the sign and be at least two inches high, and made with a one-half inch stroke. The sign shall also contain the words "Violators May Be Towed." If more than one sign per frontage is needed the property owners or business person may apply for a use permit;

J. Window signs;

K. Awning or canopy signs;

L. Corporate flags and governmental flags;

M. Garage Sale, Moving Sale, or Yard Sale Signs. Signs announcing the date(s) and location of a garage sale, moving sale or yard sale. Such signs shall not be posted in a manner which will block a public right-of-way, or which will block the vision of vehicular traffic. The signs must be removed once the date of the sale is passed;

N. Banners. One banner advertising products or services for sale on the premises per street frontage per business;

O. Barbershop Poles.. Barber poles projecting not over eighteen inches from the face of the building where the barbershop is located or not projecting into the public right-of-way;

P. Holiday Decorations. Displays of a decorative, noncommercial nature for the purpose of celebrating a seasonal, political or religious holiday or a recognized community celebration, in season, for an aggregate period of not more than sixty days in one calendar year;

Q. Temporary or Seasonal Sales Booths. Signs including, but not limited to fireworks stands, pumpkin sales, Christmas tree lots, community crafts fairs and temporary certified farmer's markets;

R. Community or Special Event Signs, Including Banners. Signs and banners for noncommercial promotional events of a civic, charitable, educational, religious or community service organizations provided any applicable encroachment permit has been obtained from other governmental entities having jurisdiction. The signs or banners must be removed within fourteen days after the event.

17.74.180 Historical signs.

Signs which have historical significance to the community but do not conform to the provisions of these regulations may be issued a permit to remain provided the planning commission makes the following findings:

A. The sign has historical significance for the community.

B. The sign does not create a traffic hazard.

C. The sign does not create a visual nuisance to the character of the community..

D. The sign is properly maintained and structurally sound, or can be made so as part of an historical designation or preservation process.

E. The sign does not adversely affect adjacent properties.

17.74.200 Matrix of regulations

SIZE REGULATIONS	Single Family Res.Zones (CZ-R1, CZ-R1B)	Apts. of 4 or more units	Commcl Watrfrnt. (CZ-CW)	General Com and Hwy Services (CZ-C2, CZ-HS)	Coastal Zone Harbor (CZ-HR, CZ-HD)	Bed and Breakfast Establish-ments
Nameplates, 2 sq. ft. of sign area, nonilluminated	X	X				X
½ sq. ft. of sign area for each linear ft. of frontage plus ¼ sq. ft of sign area for each ft. of frontage for multiple frontages	X	X				
1 sq. ft. of sign area for each linear ft. of frontage			X			
1 sq. ft. of sign area for each linear ft. of frontage plus ½ sq. ft. of sign area for each ft. of frontage for multiple frontages			X			
1 and ½ sq. ft. of sign area for each linear ft. of frontage				X	X	
Projecting sign extending not more than 36 inches from building			X	X	X	
One sign not to exceed 20 sq. ft. in area						X
Maximum sign area 100 sq. ft. per face			X			
Maximum sign area 150 sq. ft. per face				X		
Construction signs not to exceed 32 sq. ft. in area			X	X	X	
Construction signs not to exceed 9 sq. ft. in area	X	X				X
Real estate signs not to exceed 9 sq. ft. in area and 3-1/2 ft. height	X	X	X	X	X	X
HEIGHT REGULATIONS:						
30 foot maximum to top of pole sign				X	X	
14 ft. minimum to bottom of pole sign in a vehicular area				X	X	
10 ft. minimum to bottom of pole sign in a pedestrian/landscaped area				X	X	
Ground or monument sign not to exceed 5 ft. in height and 20 sq. ft in area						X
Ground of monument sign not to exceed 5 ft. in height and 24 sq. ft. in area		X				
Ground or monument sign not to exceed 5 ft. in height			X			
Ground or monument sign not to exceed 10 ft. in height				X	X	

LOCATION REGULATIONS	Single Family Res.Zones (CZ-R1, CZ-R1B)	Apts. of 4 or more units	Commcl Watrfrnt (CZ-CW)	General Com and Hwy Services (CZ-C2, CZ-HS)	Coastal Zone Harbor (CZ-HR, CZ-HD)	Bed and Breakfast Establish-ments
One pole sign per parcel				X	X	
SIGN TYPE REGULATIONS						
Wall signs			X	X	X	
Awning or canopy signs			X	X	X	
Marquee signs			X	X	X	
Monument or ground signs		X	X	X	X	
Hanging signs			X	X	X	
Projecting signs			X	X	X	
Window signs			X	X	X	
Changeable copy signs				X	X	
Pole signs				X	X	
Banners				X	X	
Nameplate signs	X	X	X	X	X	X
Illuminated signs			X	X	X	

S. Section 17.76.020 of Chapter 17.76 of the Crescent City Municipal Code is deleted and the following is Section substituted in its place:

17.76.020 When required.

A. Off-street parking spaces, covered parking spaces and loading areas shall be provided as specified in this title:

1. For construction of new buildings;
2. For the floor area proposed for expansion to an existing building;
3. Whenever a change of use creates an increase in number of parking spaces required.
4. When a use is no longer considered nonconforming pursuant to Chapter 17.80

B. No certificate of occupancy shall be issued for the use of any building nor a building permit issued for the erection or alteration of any building unless such use or building complies with the regulations of this chapter. This shall not be interpreted to interfere with the nonconforming use of any structure in compliance with the provisions of Chapter 17.50.

C. No parking space, covered parking space or loading area required for compliance with this title shall be discontinued, reduced or altered in any manner below the requirements established in this chapter unless otherwise provided or unless equivalent parking spaces, covered parking space or loading area is provided elsewhere in compliance with this title.

T. Section 17.76.040 of Chapter 17.76 of the Crescent City Municipal Code is deleted and the following Section is substituted in its place to read as follows:

17.76.040 Residential parking space requirements.

A. One-family dwellings shall be provided with two covered parking spaces for each unit. Two -family dwellings shall be provided with one covered parking space and one uncovered parking space for each dwelling unit. Covered parking spaces may be converted for living purposes provided a replacement parking space is available within the lot line.

B. Three or more family dwellings and dwelling groups shall be provided with one and one-half spaces per dwelling unit.

C. Fraternities, sororities, dormitories, lodging, rooming and boarding houses shall be provided with one off-street parking space for each two adult occupants and each employee.

D. Planned-unit residential developments shall be provided parking commensurate with the type and number of residential units as required in A and B above and, where applicable, with parking for commercial uses as outlined in 17.76.060. For residential projects exceeding five units in size additional parking for recreational vehicle storage at a minimum ratio of one space per five units.

E. Residential care facilities: one space for the first six client beds and one space for every four beds thereafter with an additional one space for each employee or staff member.

F. Bed and breakfasts shall provide one parking space per guest room.

G. Mobilehome parks shall be provided with two parking spaces for each mobilehome.

U. Section 17.76.060 of Chapter 17.76 of the Crescent City Municipal Code is deleted and the following Section is substituted in its place to read as follows:

17.76.060 Business parking space—Number required.

The type of use, size and number of required parking spaces shall be as follows:

A. Transportation. Railroad, bus, air, marine terminal, one parking space for each five seats in waiting terminal.

B. Trade.

1. Wholesale, one parking space for each two employees based on largest shift, plus one space for each company vehicle.

C. Commercial Use.

1. Retail store not otherwise specified herein, one space per two hundred fifty square feet of floor area;
2. Bank, business or professional office, unless otherwise specified, one space per five hundred square feet of floor area;

3. Retail, handling bulky merchandise such as furniture or automobile, one space per five hundred square feet of floor area;
4. Medical or dental clinic or office, one space per two hundred square feet of floor area;
5. Shopping centers, one space per two hundred fifty square feet of floor area.
6. Motels and hotels shall be provided with one and one-tenth parking space for each unit.

D. Commercial Food Uses.

1. Restaurants, one space per four seats maximum occupancy and one per employee on the largest shift;
2. Taverns, one space per one hundred square feet of floor area. Taverns offering dancing or live entertainment, one space per seventy-five square feet of floor area,
3. Fast food establishments, one space per fifty square feet of floor area.

E. Food Stores.

1. Convenience stores (mini-marts), one space per one hundred square feet of floor area;
2. Grocery stores, one space per two hundred fifty square feet of floor area.

F. Personal Services.

1. Self-service laundry and dry cleaning, one parking space for each three machines;
2. Beauty shops, three parking spaces per operator;
3. Barbershops, two parking spaces per chair.

G. Business Services.

1. Advertising and duplicating, employment agencies, same for professional offices;
2. Warehousing, one parking space for each two employees based on largest shift, plus one space for each company vehicle.

H. Repair Services (wearing apparel, motor vehicles, appliances and furniture).

1. Zero to three thousand square feet of floor area, five spaces;
2. In excess of three thousand square feet of floor area, five spaces, plus one additional space for each eight hundred square feet of floor area in excess of three thousand square feet.

I. Professional Services.

1. General hospitals, for all bed capacities, one parking space for each two beds;
2. Convalescent hospitals, nursing homes, guesthomes, foster homes, one parking space for each three beds;
3. Residential facilities for the elderly, 1.25 spaces per unit;
4. Veterinary hospitals, six parking spaces, plus one space for each two hundred fifty square feet of floor area in excess of one thousand square feet;
5. Contract construction, one parking space for each two employees based on largest shift, plus one space for each company vehicle.

J. Educational Services.

1. Child care nursery, one parking space per employee, plus three spaces;
2. Elementary schools, one parking space per employee;
3. High schools, one parking space per employee, plus one space per seven students:
    a. Plus additional parking for stadium or sports arenas as required in subsection (L)(l) of this section;
4. College or university, one parking space per employee, plus one space per three students:
    a. Plus additional parking for stadium or sports arenas as required in subsection (L)(l) of this section;
5. Trade, vocation or business schools, one parking space per employee, plus one space per two students.

K. Miscellaneous Services.

1. Churches, for all seating capacity in sanctuary or seating hall:
    a. In residential zones, one parking space for each five seats,
    b. In commercial zones, one parking space for each ten seats;
2. Private clubs, lodges and union halls, for floor area devoted to public assembly, one parking space for each f fifty square feet of floor area.

L. Entertainment and Recreation.

1. Theaters, auditoriums and sports arenas or stadiums, including school auditoriums and stadiums, for all fixed seating capacity (eighteen linear inches of bench equals one seat), one parking space for each five seats;
2. Skating rinks, dancehalls, exhibition halls, without fixed seats, for floor area devoted to public assembly or activity, one parking space for each fifty square feet of floor area;
3. Bowling alleys, four parking spaces for each alley;
4. Billiard parlor, two parking spaces for each table;
5. Parks, recreation areas and pools, golf courses, as determined by the planning commission.
6. Exercise gymnasiums or clubs: one parking space for each equipment workstation, two parking spaces for small court activities such as racquetball or squash, 1 parking space per fifty square feet of dance, classroom or team court area and one parking space per employee.

M. Parking Requirements For Uses Not Specified. The parking space requirements of buildings and uses not set forth herein shall be determined by the planning director, and such determination shall be based upon requirements for the most comparable building or use specified herein, or where no such use is comparable, such space which would appear necessary to provide adequate parking for the use.

V. Section 17.76.120 of Chapter 17.42 of the Crescent City Municipal Code is deleted and the following Section is substituted in its place to read as follows:

17.76.120 Development, operation and maintenance of parking spaces.

A. For the purpose of this chapter, parking spaces shall be developed in accordance with standards as adopted from time to time by resolution of the city council.

B. All off-street parking spaces, whether required or not, shall be developed and maintained in accordance with the regulations contained in this chapter.

C. Approval of the location and development plan shall be secured from the planning director prior to the installation or use of any area for parking purposes which is not covered under the use permit provisions of this chapter.

D. Parking spaces and access driveways thereto shall be graded, drained and surfaced in accordance with city standards.

E. Each off-street parking space shall be designed so it can function independently of any other parking space and no space shall be approved which cannot function properly due to obstructions, restricted access, restricted turning radius or which require excessive maneuvering.

F. Whenever a parking area for commercial or industrial uses abuts the side or rear of a parcel located in a residential zone, the development plan for such parking area shall be reviewed and approved by the planning director to assure compliance with all regulations and requirements for the proper consideration and protection of the abutting residential property.

G. No sale, storage, repair work, dismantling or servicing of any kind shall be permitted on required parking spaces.

H. Ingress and egress across public sidewalks shall be made possible without the necessity of backing over the same except for property devoted exclusively to one-family, two-family or three-family dwellings. This requirement may be waived by the planning commission upon a showing of hardship and a finding that such waiver will not create a hazardous condition.

I. Required side yards and rear yards may be used for parking purposes.

J. Posts, bumpers, wheel stops or other acceptable devices shall be provided on all parking spaces located along property lines.

K. Wherever a parking area is lighted, such lighting shall be arranged so that it is directed onto the parking area and reflected away from any residential property.

L. Public alleys may be used to satisfy a portion of the required back-up space where the planning commission determines use of said alley for such purpose will not prove detrimental to traffic circulation or access to adjacent properties.

M. All parking areas shall be developed to the following minimum standards:

1. Landscaping shall be provided along all street side property lines not occupied by driveways as follows:
   a. A planter no less than sixty inches in width shall be provided with an acceptable irrigation system and planted and maintained with evergreen shrubs,
   b. One tree for every five spaces, or fraction thereof, shall be provided. Said trees shall be a minimum 1 ½ inch caliper in size and a minimum of six feet tall at time of planting, placed in tree wells at least five feet by five feet in size, provided with a means of irrigation and maintained in a living condition. Where two or more tress are provided half shall be of an evergreen species.

W. Chapter 17.79 of the Crescent City Municipal code is deleted and the following Chapter is substituted in its place to read as follows:

Chapter 17.79
SITE PLAN AND ARCHITECTURAL REVIEW

Sections:

17.79.010	Purposes and application.
17.79.020	Review committee.
17.79.030	Procedures.
17.79.035	Review standards.
17.79.040	Review, referral and action.
17.79.050	Appeals to the planning commission.
17.79.060	Appeals to the city council.
17.79.070	Development requirements and improvements.
17.79.080	Building permits and occupation.
17.79.090	Lapse of site plan or architectural design approval.
17.79.100	Site plan approval to run with the land.

17.79.010 Purposes and application.

A. The purposes of a site plan and architectural review are to permit the city to evaluate site plans and designs of structures to assure compatibility, harmony in appearance in neighborhoods, reduce negative impacts on adjacent properties, reduce the unnecessary destruction of the environment and ground cover to avoid the creation of hazardous conditions and drainage problems, to avoid monotonous and otherwise nonaesthetic development injurious to the overall community; to proide a vehicle to encourage full development of streets servicing the properties, and to assure full installation of all public utilities necessary to serve such properties.

B. Site plan review and architectural review provisions of this title shall apply to all permitted uses in the CZ-C2, CZ-HS, CZ-CW, CZ-O, CZ-HR, and the CZ-HD districts and shall be required of all uses subject to use permit.

17.79.020 Review committee.

A. The planning commission may establish a committee for such purposes consisting of the director of public works, the city planner, and two members of the planning commission. The members of the planning commission should be well-versed in the city's general plan and enabling legislation. The committee may invite individuals of known expertise from within the community to assist in making such evaluations necessary to make comments and recommendations on site plans and architectural renderings submitted for consideration.

B. In the event that a member of the committee is required to review drawings of a project in which one of its members or its advisors has a business or professional interest, it shall seek the advice of a disinterested party. The committee will stand as established, and from time to time as conditions warrant, the planning commission may make such changes within such personnel as it deems fit.

17.79.030 Procedures.

A. The applicant shall submit an application on a form provided by the director of public works, together with three copies of such site plans or elevations of buildings on which a review committee report is required. The site plan shall be drawn to a scale which shall equally indicate the full dimensions and information necessary for the committee to make an evaluation of the request. Architectural drawings shall be of such scale and contain such information to permit the committee to make a full evaluation of the outside appearance, color, texture of materials, and appurtenances necessary for the development of the structure.

B. Scale drawings of all signs which will be included within the subject property shall also be submitted concurrently with the site plan and architectural plans of any proposed project. The review committee may require additional information if necessary to carry out the purposes of this chapter and/or may authorize the omission of any or all drawings required by this section if they are not necessary.

17.79.035 Review standards

A. The committee shall review the application as to consistency with the applicable zoning , parking and Landscaping, fencing, signage , street, sidewalk and public services requirements as set forth by this Municipal Code.

B. Where the City Council has adopted a development plan and/or development standards for a specifically defined neighborhood within the City the application shall also be reviewed for consistency with the criteria of such plan or standards.

C. Where a structure(s) 45 years or older is proposed for remodel or demolition a review of the potential for impact upon a site listed on the National Historical Register or a site of local historical significance shall be made and considered in the architectural review decision. It is the goal of the City General Plan to encourage property owners and other land managers to preserve or rehabilitate important historical and cultural sites rather than destroying them.

D. In such case that a waiver, variance or special permit review is required review of the project shall not be completed until final action upon the waiver, variance or special permit is taken by the Planning Commission or City Council.

17.79.040 Review, referral and action.

A. Within fifteen days after the submission of drawings and applications for review by this committee the committee shall meet to review the project. Subsequent to the meeting it shall and render a written report recommending approval, approval with conditions or disapproval. Action by the committee shall be final unless the applicant seeks redress from the action of the committee by making appeals as set forth in this chapter.

B. Except as time requires to meet Section 17.79.035 C or D above, if no action is taken by the committee thirty days after receipt of all drawings and applications it shall be deemed accepted and building permits may then be issued which are in compliance with the drawings submitted for review. If modifications are requested by the committee the time periods established shall not be resumed until revisions to the drawings as requested are resubmitted for consideration.

C. Approved plans, together with such conditions, and signed by the planning director shall be dated and mailed to the applicant and one copy placed in the files of the planning commission.

17.79.050 Appeals to the planning commission.

A. Within ten days following the date of a decision of the review committee on any site plan or architectural review application, the decision may be appealed to the planning commission by the applicant or any other interested party. An appeal shall be made on a form prescribed by the planning commission, and shall be filed with the secretary of said commission. The appeal shall state specifically where it is claimed that there was an error or abusive discretion by the committee and wherein its decision was not supported by evidence in the record.

B. Following the receipt of such an appeal application, the planning commission at its next regular meeting shall set a date of hearing at which time the applicant may make his presentation and shall at that time present to the commission the site drawings and structural renderings and all other data which was presented to the committee, together with his arguments on said appeal. Should the planning commission find favor with the appeal, the commission shall order the secretary of the commission to sign the documents and date such documents and submit a copy to the applicant and one copy to the records of the planning commission.

C. Should the decision of the planning commission be unfavorable to the applicant, the applicant may appeal such decision to the city council.

17.79.060 Appeals to the city council.

A. Should an application for a site plan and architectural review meet with the disapproval of the planning commission or upon any of the modifications as decided by the commission, he may file with the city council a request for consideration by the city council. Such a request shall be on forms prescribed by the city council and the city council shall set a date of hearing upon such receipt.

B. At the public hearing set for such an appeal, the city council shall be provided with all of the material, recommendations and data reviewed by the planning commission and they shall at such a hearing, either affirm, deny, or amend the recommendations of the planning commission. The city council shall, in setting their public hearing, follow the procedures prescribed as set forth in Chapter 17.82.

17.79.070 Development requirements and improvements.

Consideration of approval of a site plan or architectural review shall include the requirements for the dedication of additional rights-of-way, the improvement of all public rights-of-way, the installation of underground utilities, and the provision of water, sewage, and drainage facilities.

17.79.080 Building permits and occupation.

A. Before a building permit shall be issued for any building or structure proposed as part of an approved site plan or architectural design, the building official shall determine that the proposed building location facilities and improvements are in conformity with the plans and conditions approved by the review committee, the planning commission, or the city council.

B. Before a building may be occupied the building official shall certify that the site or structure has been developed in conformity with the plans and conditions approved in this chapter.

17.79.090 Lapse of site plan or architectural design approval.

A. A site plan or architectural design approval shall lapse and shall become void one year following the date on which approval by the committee, planning commission or city council became effective unless prior to the expiration of one year a building permit is issued by the building official, and the construction is commenced and diligently pursued toward completion on the site or structures which were the subject of the site plan or architectural design approval.

B. Approval may be extended for an additional period for periods of one year upon written application to the planning commission before expiration of the first approval.

17.79.100 Site plan approval to run with the land.

A site plan or architectural design approved pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon the change of ownership of the site which was the subject of the site plan or architectural design approval, subject to the provisions of 17.79.090.

X. Chapter 17.80 of the City of Crescent City Municipal code is deleted and the following Chapter is substituted in its place t read as follows:

Chapter 17.80
COASTAL ZONE NONCONFORMING USES

Sections:

17.80.010 Generally.
17.80.020 Continuance of nonconforming uses of land.
17.80.030 Nonconforming uses of structures.
17.80.040 Nonconforming structures or buildings.
17.80.050 Nonconforming lots.
17.80.060 Removal of nonconforming uses of land or structures.

17.80.010 Generally.

Nonconforming uses, buildings, structures, signs and lots may be continued subject to the provisions of this chapter.

17.80.020 Continuance of nonconforming uses of land.

The lawful use of land existing on July 1, 1982, although such use does not conform to the provisions of this chapter, may be continued for a period of twenty years from July 1, 1982. A use of land which becomes nonconforming due to reclassification, change of ordinance or annexation may be continued for a period of twenty years from the date the use becomes nonconforming, except that a legally established non-conforming two-family and multiple dwelling use may be continued for a period of thirty years unless located within an area of industrial zoning. No nonconforming use of land shall be enlarged, increased or extended to occupy a greater area of land than was occupied when it became nonconforming.

17.80.030 Nonconforming uses of structures.

A. Maintenance. A nonconforming use of a structure or building may be maintained indefinitely in the original condition except as otherwise provided in this chapter.

B. Change of Nonconforming Use. A nonconforming use may be changed to similar use allowed in the most restrictive zoning district which would^ permit the existing use or to a use allowed in a more restricted zoning classification. When a use is changed to a use permitted in a more restrictive zoning classification and the use shall not subsequently be changed to a use not permitted in the more restrictive zoning classification. No change of use will be permitted if the new use proposed requires a use permit.

C. Expansion. A nonconforming use shall not be expanded.

D. Signs. Identification signs may be permitted on structures or buildings housing a nonconforming use provided such signs are mounted on the wall of the building parallel to the street side property line and shall not project more than twelve inches from the wall of the building and provided further that the total sign areas shall not exceed one square foot for each linear foot of building facing a public road or street.

E. Discontinuance. No nonconforming use of a structure shall continue if the use has been discontinued for six consecutive months or for twelve months during any consecutive thirty-six months. When such discontinuance has occurred, the premises or structure shall only be used for the purposes allowed in the zoning district in which it is located.

F. Damage or Destruction. Where a structure containing a nonconforming use is destroyed by any means to an extent of more than fifty percent of its market value as determined by the county assessor on the last equalized assessment roll, it shall not resume its nonconforming use but may be restored and used in conformity with the provisions of this title. Where a legally non-conforming two-family or multiple dwelling use is involuntarily damaged or destroyed by fire, other catastrophic event, or the public enemy, it may be considered for restoration, reconstruction or rebuilding subject to the following criteria:

1. The dwelling may be reconstructed, restored, or rebuilt up to its predamaged size and number of dwelling units, and its nonconforming use, if any, may be resumed.
2. The project shall be subject to issuance of a building permit within two years of the date of destruction and shall comply with those California Building Standards and any other local building standards authorized under the Health and Safety Code in effect at the time of restoration.
3. The project shall be in compliance with the State Historical Building Code for work on qualified historical buildings or structures.
4. The project shall otherwise be constructed in compliance with City zoning ordinances so long as the predamage size and number of units is maintained. Reconstruction of such units in an area zoned as industrial shall be prohibited.

17.80.040 Nonconforming structures or buildings.

A. Maintenance. A nonconforming structure or building may be maintained indefinitely in the original condition except as otherwise provided in this chapter.

B. Enlargement or Alteration. No nonconforming building may be enlarged or altered in any way which increases its nonconformity.

C. Repairs. Repairs of an ordinary nature may be made in any period of twelve consecutive months including repair or replacement of nonbearing walls, fixtures, wiring and plumbing to an extent not to exceed ten percent of the market value of the building as determined by the county assessor on the last equalized assessment roll. Work which is required to strengthen or to restore the building to a safe condition as determined and ordered by code enforcement official or other city or state officer by reason of statute or ordinance shall not be included within the ten percent limitation.

D. Damage or Destruction. If a nonconforming structure is destroyed by any means to an extent of more than fifty percent of its market value as determined on the last equalized assessment roll at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this title. Where a legally non-conforming two-family or multiple

dwelling use is involuntarily damaged or destroyed by fire, other catastrophic event, or the public enemy, it may be considered for restoration, reconstruction or rebuilding subject to the following criteria:

1.The dwelling may be reconstructed, restored, or rebuilt up to its predamaged size and number of dwelling units, and its nonconforming use, if any, may be resumed.

2.The project shall be subject to issuance of a building permit within two years of the date of destruction and shall comply with those California Building Standards and any other local building standards authorized under the Health and Safety Code in effect at the time of restoration.

3.The project shall be in compliance with the State Historical Building Code for work on qualified historical buildings or structures.

4.The project shall otherwise be constructed in compliance with City zoning ordinances so long as the predamage size and number of units is maintained.

Reconstruction of such units in an area zoned as industrial shall be prohibited.

F. Relocation. If a nonconforming building is moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the zoning district in which it is located.

17.80.050 Nonconforming lots.

A. A nonconforming lot shall not be reduced in area or width.

B. Any conforming use or conforming structure on a nonconforming lot may not be enlarged, extended or reconstructed.

C. A nonconforming lot to be used for residential purposes shall be subject to the density requirements of such zoning district in which it is located, except:

1. A single-family dwelling and customary accessory buildings may be erected on a nonconforming lot located in any district in which a single-family dwelling is permitted, so long as all setback requirements are provided.

D. If two or more lots or combination of lots or portion of lots with continuous frontage single ownership do not meet the requirements established for lot width or area, the land involved shall be considered to be a single building site for purposes of this section and no portion of said building site shall be used or sold in a manner which diminishes the degree of compliance with lot width and area requirements, nor shall any division of any building site be made which creates a lot width or area below the requirements stated in this title.

17.80.060 Removal of noncomfonning uses of land or structures.

Notwithstanding the provisions of Sections 17.80.020 and 17.80.030, upon a written complaint filed with the planning director by any aggrieved person, alleging that a nonconforming use of land or structures has become a public nuisance through decline in appearance, or through emissions of noise, smoke or vibrations, or through the conduct of its operations has become a persistent police problem, the planning director may refer the matter to the planning commission and the planning commission may, after a public hearing thereon, order the removal of the nonconforming use subject to the city's obtaining a coastal development permit(s) for such removal or demolition. The planning commission may initiate such proceedings upon its own motion for any of the above-described causes. The procedure for notice, hearing and appeal shall be as set forth in Section 17.82.030.

Y. Chapter 17.83 of the City of Crescent City Municipal Code is deleted and the following Chapter is substituted in its place to read as follows:

17.83
SPECIAL ZONING USES

Sections:

17.83.010	**Senior second units.**
17.83.020	**Reasonable housing accommodation for persons with disabilities.**
17.83.030	**Incentives for affordable housing.**
17.83.040	**Small wind energy systems.**
17.83.050	**Installation of manufactured homes on individual lots.**
17.83.060	**Mobilehome Parks in residential areas.**

17.83.010 Senior second units.

Where an R-1 designated parcel does not qualify for a second dwelling unit pursuant to Section 17.10.020e, a use permit for a temporary second dwelling use with kitchen facilities within an existing residence, or as part of a structural addition to an existing residence, in a zone restricting residential use to a one-family unit, may be considered by the Planning Commission as a use permit for seniors in any legally existing single-family residence subject to all of the following:

A. The senior second dwelling unit use shall be used for the sole occupancy of one to two specifically named adult persons who are sixty-two years of age or over.

B. The total designated floor area for the second dwelling use shall not exceed thirty percent of the floor area of the entire structure, including any proposed addition. However, under no circumstances shall the floor area of the second unit exceed seven hundred square feet.

C. The habitable floor area of the second dwelling use shall maintain direct, internal access to the habitable floor area of the primary residence, and a direct exist outside. For purposes of this section, habitable floor areas shall include interior hallways.

D. Any structural additions or alterations shall comply with all building, zoning, health and fire code requirements.

E. Utilities for the second dwelling area (electricity, water, sewage disposal, etc.) shall be integrated into those of the primary residence.

F. When the specified occupant(s) of the senior second dwelling use no longer reside in the unit or no longer qualifies for the use permitted under these provisions, the kitchen facilities shall be removed, the area integrated into the primary unit, and the area no longer used for second dwelling purposes.

G. The use permit shall be subject to annual review and verification of compliance by the planning department or planning commission. A use permit renewal fee, in an amount determined by the City Council, may be charged.

17.83.020 Reasonable housing accommodation for persons with disabilities.

It is the policy of the City to provide fair access to housing for persons with disabilities, including providing reasonable accommodation in the application of its zoning laws pursuant to federal and state law. This Title provides for residential care facilities as setforth by California Health and Safety Codes within specified residential and commercial districts. Where a request for accommodation beyond these provisions is made the following shall apply:

A. Application for Accommodation.

A request for reasonable accommodation may be made by submittal of an application to the City Planning Department. Certain factors provide the factual information necessary to develop a balance between the City's interest and the need for housing. Consideration of these factors will vary depending on whether the request is being made in a Residential or Commercial zoning district, and they can only include the physical impacts of the proposed use, not the type of residents. The factors to be considered for reasonable accommodation include the following:

1. Special needs created by the disability
2. Potential benefit that can be accomplished by the requested accommodation.
3. Potential impact of the request on surrounding uses.
4. Potential hazardous impact of surrounding environment upon the requested accommodation.
5. Physical attributes of the property and structures.
6. Alternative accommodations which may provide an equivalent level of benefit.
7. In the case of a determination involving a single family dwelling, whether the household would be considered a single family dwelling if it were not using special services which are required because of the disabilities of the residents.
8. Whether the requested accommodation would impose an undue financial or administrative burden on the City.
9. Whether the requested accommodation would require a fundamental alteration in the nature of a City program.

B. City Programs.

The following have been identified as city programs which should be considered with respect to requests for reasonable accommodation:

1. Health and Safety

The City is charged with ensuring the health and safety standards which are embodied in the Housing Code, Fire Code, Building Codes (including plumbing, mechanical and electrical), and the National Flood Insurance Program. The following are minimum health and safety standards which are not subject to variance.

a. Occupancy Standards. The most current California Building Code and Model Building Code (as adopted by the State of California) which have been adopted by the City prescribe the maximum number of persons per sleeping area which shall be applied.
b. Exiting. The most current California Building Code and Model Building Code which have been adopted by the City prescribe exiting requirements.
c. FEMA- Flood Insurance Program. The City is subject to potential flood, coastal erosion and tsunami damage. A request is located within an area designated as Zone A, B or V15 of the most current Flood Insurance Rate Map, prepared by the Federal Emergency Management Agency, shall be subject to the requirements of the city's Flood Damage Prevention Ordinance (Chapter 15.32 Municipal Code).
d. Building permits. Building permits will be required for new construction and changes to existing structures as prescribed by the most recently adopted California Building Code, Uniform Building Code and Americans with Disabilities Act.

2. Residential zoning district

The City recognizes the importance of sustaining and enhancing the livability of existing neighborhoods throughout the community. The City encourages a variety and mix of housing types to provide adequate choices for housing to all persons and recognizes the need to conserve the existing housing stock and preserve the environment and livability of existing residential neighborhoods. The City will therefore review requests with particular consideration given to the following issues:

a. Residential Character. If the accommodation is requested in a residential zoning district, then it is reasonable to require that the house retain a residential character. This means that its interior and exterior design should be consistent with the style of residential structures around it. In order to promote a cohesive living environment, homes should contain sufficient common areas for the number of residents: including, at a minimum, a kitchen, dining area and living room large enough to serve the residents, and, in the case of larger residences, congregating or recreational rooms and adequate bathrooms.
b. Parking. Recognizing that the parking demand for persons with disabilities is often less than for a similarly situated non-disabled household, the following factors should be considered in reviewing an accommodation request:
   - Nature of the disability, with respect to the ability to or likelihood to drive.
   - Proximity to public transit
   - Number of non-driving persons
   - Development of an alternate parking plan or resident transportation program

   In general, residential uses in one-family dwellings, which involve staff who also live at the premises, should meet the following guidelines:
   i. One off-street parking space for the first six (6) client beds, and
   ii. One off-street parking space for every four (4) client beds (or portion thereof) above the first six, and
   iii. One off-street parking space for each employee or staff member.

C. Notices and Hearings

1. Within thirty (30) days of the application, a Notice of Accommodation Decision is to be issued by the Planning Director and mailed to the applicant, adjacent property owners and any party who has requested notice of such determinations in writing. Adjacent is defined as those properties which share property lines with the proposed location or are directly across the street from the property for which reasonable accommodation is being requested.
2. Within ten (10) working days of the Notice of Accommodation Decision being mailed, any person may make a written appeal of the Directors decision to the Planning Commission. The appeal must state the grounds for the appeal and remedy requested. If no request is received, then the decision of the Director will be final.
3. If appeal is received a public hearing shall be scheduled at the next reasonable available Planning Commission meeting. The decision of the Planning Commission is final.

17.83.030 Incentives for affordable housing.

The City wishes to provide a balance in housing types for all households in the community. Pursuant to Section 65915 et.seq. of the California Government Code the City will consider developers proposals to provide housing for very low and low income households by the provision of a density bonus for housing developments when issues of providing such housing in an affordable manner arise. Such bonus shall be made subject to the following provisions:

A. Qualification. In order to quality for a density bonus, a project must be a low or very low income or senior citizen housing project developed in compliance with the Section 65915 et seq. For a low income project, at least twenty percent (20%) of the units shall be low income affordable, for very low income projects not less than ten percent (10%) shall be very low income affordable, and for senior citizen projects not less than fifty percent (50%) of the units shall be restricted to senior citizens.

B. Limitation. Density bonuses shall not exceed twenty-five percent (25%) of the maximum density permitted by the applicable General Plan land use designation for the subject property. For example, where the maximum allowable density based upon a land use designation is twelve (12) units per acre, the density bonus shall not exceed three (3) units per acre, yielding a total allowable density, with the bonus, of fifteen (15) units per acre. The final project unit total would then be calculated based upon the project property size.

C. Application. An application for a density bonus shall be made in conjunction with the other required applications for the development and shall be subject to the same procedures required by those applications.

D. Affordability Cost Analysis. The developer shall include in the application for density bonus a cost analysis of the proposed project, with and without density bonus, demonstrating the cost per dwelling unit and projecting sales and/or rental costs for residents. The City shall include in its review of the application a written finding as to the need for incentive or development standards waiver for the provision of affordable housing as setforth in Section 50052.2 of the Health and Safety Code. The City may deny the request if affordable housing can be provided without the requested incentives.

E. Maintenance of affordable units. In exchange for the density bonus, the developer shall guarantee the units will be maintained for very low and low income households for thirty years. The guarantee shall be in the form of a deed restriction or other legally binding and enforceable document acceptable to the City Council. The document shall be recorded with the Del Norte County Recorder prior to the issuance of a building permit. The applicant shall comply with Crescent City Housing Authority procedures for the physical maintenance of the units.

F. Development Standards.
   1. All residential projects granted a density bonus shall conform to the development standards applicable, except those standards regulating density or as waived under section 17.48.050 (E).
   2. Where a proposed project is to be phased in its construction the number bonus units shall either be proportionately allocated between the phases or provided in the last phase of construction.

G. Waiver of Development Standards. If the applicant can demonstrate that the increased density cannot physically be accommodated on the site then the following development standards shall be waived during site plan review to accommodate the increase density. The waiver in the standards shall follow the priority order hereby established and the applicant shall demonstrate that the increased density cannot be accommodated with each sequential waiver before the waiver of the next standard is allowed. Only one standard shall be waived unless it is shown that each individual standard waiver will not physically accommodate the proposed density. A complete site plan and floor plan shall be provided to demonstrate the physical noncompliance. Priority order for waiver is:
   1. A higher percentage of compact parking;
   2. Reduction in distance between buildings, subject to compliance with safety codes;
   3. Reduction in rear yard setbacks;
   4. One additional floor of building height above the zoning district standard;
   5. Reduction in side yard setbacks;
   6. Reduction in number of required parking spaces (but not less than one space per unit):
   7. Reduction in front yard setbacks; and
   8. Reduction in parking lot landscaping standards.

17.83.040 Small wind energy systems.

Pursuant to Section 65892.13 of the California Government Code the City shall issue a use permit for the placement of small wind energy systems subject compliance with the following criteria:

A. The size of the parcel upon which the system is located is at least one (1) net acre in size.

B. Tower height shall be limited to:
   1. For project parcels between one (1) and five(5) acres in size - 65 ft in overall height.
   2. For project parcel larger than five (5) acres – 80 ft overall height.
C. No part of the system, including guy wire anchors, extends closer than 30 feet to the property boundary, provided that it also complies with any applicable fire setback requirements pursuant to Section 4920 of the Public Resources Code.
D. The system does not exceed 60 decibels (dBA), as measured at the closest neighboring inhabited dwelling, except during short-term events such as utility outages and severe wind storms.
E. The system's turbine has been approved by the State Energy Resources Conservation and Development Commission as qualifying under the Emerging Renewables Fund of the commissions' Renewables Investment Plan or certified by a national program recognized and approved by the Energy Commission.
F. The application includes standard drawings and an engineering analysis of the tower, showing compliance with the Uniform Building Code and California Building Standards Code (as adopted by the City) and certification by a licensed professional engineer. A wet stamp is not required if the application demonstrates that the system is designed to meet the most stringent wind requirements (UBC Wind exposure D), the requirements for the worst seismic class (Seismic 4), and the weakest soil class, with a soil strength of not more than 1,000 pounds per square foot, or other relevant conditions normally required by a local agency.
G. The system complies with all applicable Federal Aviation Administration requirements, including any necessary approvals for installations close to airports, and the requirements of the State Aeronautics Act (Part 1- commencing with Section 21001 of Division 9 of the Public Utilities Code).
H. The application includes a line drawing of the electrical components of the system in sufficient detail to allow for a determination that the manner of installation conforms to the National Electric Code.
I. Unless the applicant indicates that the project will not connect the system to the electricity grid, the application includes evidence, that the electric utility service provider that serves the proposed site has been informed of the applicant's intent to install an interconnected customer-owner electricity generator.
J. A small wind energy system shall not be allowed on a site listed in the National Register of Historic Places or the California Register of Historical Resources pursuant to Section 5024.1 of the Public Resources Code.
K. No small wind energy system shall be placed so that it is visible from any Coastal Scenic Resource area designated by Table 5-3 of the adopted and certified Crescent City General Plan.
L. This section shall be inoperative on July 1, 2005, and as of January 1, 2006 is repealed, unless the California legislature enacts a statutes effective on or before January 1, 2006 which deletes or extends said date as applicable to Section 65892.13 of the California Government Code.

17.83.050 Installation of manufactured homes on individual lots.

The installation of a manufactured home certified under the National Manufactured Housing Construction and Safety Standards Act on individual lots in an area zoned for one-family residential units (R-1) in lieu of a home placed by conventional construction is permitted if in compliance with the following requirements:

A. The manufactured home shall be subject to the same development standards to which a conventional single family residential dwelling on the same lot would be subject including but not limited to, building setback standards, side and rear yard requirements, standards for enclosure and access, vehicle parking and any applicable aesthetic requirements, an minimum square footage requirements.

B. Pursuant to Section 65852.3 of California Government Code, the manufactured homes installed pursuant to this section shall conform to the following:

1. The unit shall be placed on a permanent foundation system persuant to Section 18551 of the Health and Safety Code.
2. The unit shall have a roof overhang of not less than four (4) inches on any side, or portion thereof, and not less than six (6) inches on each end of the unit. "End" is defined as the pulling front of each section and the rear of each transported section.
3. Roofing material must consist of composition or similar shingles or tile, including a simulated tile.
4. The exterior covering material shall be a conventional home siding such as a vertical or horizontal wood base product siding or masonry, vinyl or aluminum horizontal siding.

5. The exterior covering material shall extend to within six inches of the ground, except that when a solid concrete or masonry perimeter foundation is used the exterior covering material need not extend below the top of the foundation.

C. The manufactured home placement shall be subject to the same hazard standards (bluff, FEMA, etc) as any conventional residence which would be placed on the same site.

17.83.060 Mobilehome Parks in residential areas.

Subject to the issuance of a use permit, mobilehome parks, as defined in Section 18214 of the Health and Safety Code, are permitted on all land designated by the General Plan and zoned as residential, provided that:

A. Project density, including existing or non-mobilehome park residential development, does not exceed that designated to the parcel by the land General Plan use designation for the subject parcel; and

B. Project development shall meet the adopted mobilehome park development standards;

C. Setbacks from the exterior property boundaries of the project shall be observed;

D. Parking shall be as for one-family dwellings;

E. No recreational vehicle occupancy shall be permitted.

F. Mobilehome park dwelling units shall conform to the following standards:

1. The unit shall be placed on a permanent foundation system pursuant to Section 18551 of the Health and Safety Code.
2. The unit shall have a roof overhang of not less than four (4) inches on any side, or portion thereof, and not less than six (6) inches on each end of the unit. "End" is defined as the pulling front of each section and the rear of each transported section.
3. Roofing material must consist of composition or similar shingles or tile, including a simulated tile.
4. The exterior covering material shall be a conventional home siding such as a vertical or horizontal wood base product siding or masonry, vinyl or aluminum horizontal siding.
5. The exterior covering material shall extend to within six inches of the ground, except that when a solid concrete or masonry perimeter foundation is used the exterior covering material need not extend below the top of the foundation.
6. The manufactured home placement shall be subject to the same hazard standards (bluff, FEMA, etc) as any conventional residence which would be placed on the same site.

Z. Chapter 17.86 of the City of Crescent City Municipal Code is deleted and the following Chapter is substituted in its place to read as follows:

Chapter 17.86
COASTAL ZONE WATERFRONT DEVELOPMENT

Sections:

17.86.010 Purpose of regulations.
17.86.020 Building on City owned beachfront lands.
17.86.030 Public Access

17.86.010 Purpose of regulations.

The regulations set forth in this chapter are enacted to limit the development of the beachfront or waterfront area of city owned lands to recreational and public purposes and to provide for public access to local beaches on adjacent lands.

17.86.020 Building on City owned beachfront lands.

Proposals for building on City owned beachfront lands shall be subject to the following review and standards:

A. Detailed site plan. All applicants or prospective lessees or developers shall provide a detailed site plan acceptable to the city planning commission prior to city council review of the proposal.

B. Preliminary plans—Objectives, standards and conditions generally. Prior to application for a building permit in

connection with beachfront development, prospective developers shall submit preliminary plans and proposed building elevations to the city planning commission, and shall be guided by the following objectives, standards and conditions:

1. Development along and upon the city's waterfront area shall be designed and used for tourists, recreational and harbor-related purposes.
2. The city shall reserve such rights-of-way for street and utility purposes as deemed necessary or appropriate.
3. The general character of development shall be in keeping with the highest standards of architectural design represented in the city area. Natural materials such as wood, timber or rock materials should be used wherever practical. A festive atmosphere is encouraged, but all elements and aspects of the development shall be carefully designed and in good taste.
4. The city planning commission shall examine the size, location, color, proportions, textures, orientation, accessibility, landscaping and other features of each proposed development, to ensure that all developments of the city beachfront shall be carefully designed and in good taste.
5. Off-street parking shall be provided in accordance with the standards relating to zoning as provided in this code, and all additional areas up to fifty percent shall be reserved for off-street parking. All off-street parking areas should be suitably paved, lighted and screened by landscaping or other appropriate materials.

C. Leases generally. The particular area of the city's waterfront property available for leasing to and development by applicants shall be subject to the approval of the city council. When an application is made for leasing and developing a portion of the waterfront area, the city council shall review the application and approve or disapprove the development site.

D. Lease approval. All lease agreements entered into between the city and developers or lessees, public or private, shall be subject to the approval as to form by the city attorney.

17.86.030 Public Access

As setforth by the California Coastal Act new development along the immediate shoreline shall provide public access to and along the shoreline as outlined in the following standards.

A. For the purposes of this section "new development" does not include:
1. Replacement of any structure destroyed by natural disaster. Such replacement structure shall conform to applicable existing zoning requirements, shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk of the destroyed structure by more than ten percent, and shall be sited in the same location o the affected property as the destroyed structure. (As used in this subdivision, "natural disaster" means any situation in which the force or forces which destroyed the structure to be replaced were beyond the control of the owner.)
2. The demolition and reconstruction of a single-family residence, provided that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than ten percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.
3. Improvements to any structure which do not change the intensity of its use, which do not increase either the height, or bulk of the structure by more than ten percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure. (As used in this subdivision, "bulk" means total interior cubic volume as measured from the exterior surface of the structure.)
4. Any repair or maintenance activity which does not result in an addition to, or enlargement of maintenance activities; unless such activity will have an adverse impact on internal public access to the beach.

B. Lateral Access. New development along the immediate shoreline shall provide lateral access by access easements along the shoreline, inland of the mean high tide to the first line of vegetation or to the crest of the paralleling bluff in areas of coastal bluffs. No permit shall be issued for a project which obstructs lateral access on the immediate shoreline, inland of the mean high tide to the first line of vegetation, or the crest of the paralleling bluff. Exceptions to this requirement would be:
1. For the placement of navigational aids or shoreline protective devices to protect existing public structures;
2. Where access is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; or
3. Where adequate access already exists.

C. Vertical Access. Development along the immediate shoreline shall provide public access by access easements from the nearest public roadway to the shoreline. Priority for vertical access shall be restricted to that for sandy beach areas. Accessways to rock beaches will not be required for areas where public safety is of

concern or where increased visitor pressure on biological areas or areas of unique character, sensitive to visitor pressure, will be degraded. Other exceptions to this requirement would be:

1. Where access would have unavoidable adverse impacts on environmentally sensitive habitat areas;
2. An existing vertical accessway, adequate to meet anticipated access needs, is located one-quarter mile or less from the development;
3. Where the parcel is too small to allow for an adequate vertical access corridor without passing within twenty-five feet of a proposed dwelling; or
4. Where the project site is too small for the proposed development and the access with improvements related to its use (ie parking).

D. Design and Use.

1. Access proposals which provide access for the general public over a wide range of income levels, ages, and social groups shall have priority over other private development accessways.
2. The lateral access required shall be limited to passive recreational uses unless another type of use is specified as a condition of the development permit.
3. The vertical access required shall be limited to the right of pass and repass unless additional uses are specified as a condition of development. If possible, the accessway should be sited along the border of the development and shall extend from the road (or boundary line closest to the road) to the shoreline. Adequate provision for maintenance and safety access shall also be made.

E. Dedication of Public Access

1. Prior to the issuance of a permit for development which requires coastal public access the applicant shall be required to record legal documents for the provision of access to the City, on behalf of the public, by easement.
2. As a condition to the issuance of the permit, the applicant shall be required to furnish a CLTA title report and all necessary subordination agreements. Title insurance may also be required where extensive easements are being granted. The amount of insurance shall be estimated on the basis of what it would cost to acquire an equivalent access or recreational use easement elsewhere in the vicinity.
3. Copies of the document to be recorded, title report, current deed and permit shall be forwarded to the Coastal Commission within ten days after submission of all of the documents to the City. The City may make minor revisions to the documents to assure that the public right of access to and/or along the shoreline are protected and capable of being implemented. The Coastal Commission shall review the documents and notify the City and the applicant of any recommended revisions. If notification of inadequacy has not been received within 42 days, the City may issue record the documents and issue the permit. If revisions are recommended by the Commission, the permit shall not be issued until the discrepancies have been resolved.

F. Improvements

1. Any commercial, industrial, recreational, or residential project of more than 4 units which is subject to the provision of access shall be required to provide access improvements commensurate with the project size and access demand. Such improvements shall be outlined in the conditions of the project permit.
2. Design and construction of access improvements shall consider maintenance, safety, potential vandalism and protection of fragile coastal resources.
3. Upon completion and acceptance of access improvement construction such improvements shall be dedicated to the City for public use.

SECTION THREE. Classification.

This ordinance is considered to be of a general and permanent nature and as such is classified as a code ordinance.

SECTION FOUR. Severability Clause.

If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION FIVE. Effective date.

This ordinance shall become effective 31 days following its final passage and adoption.

The above and foregoing Ordinance No. 697 was introduced by Council Member Martell, seconded by Council Member Youngblood, and passed and adopted by the City Council of the City of Crescent City on this 2nd day of June 2003, by the following vote:

AYES:	Council Members Martell, Youngblood, Kolodner, Burns, and Mayor Gary
NOES:	None
ABSENT:	None
ABSTAIN:	None

Glenn Gary, Mayor

ATTEST:

L. Dianne Nickerson

APPROVED AS TO FORM:

Dohn R. Henion, City Attorney

RECEIVED

JUL 1 8 2003

CALIFORNIA
COASTAL COMMISSION

CITY OF CRESCENT CITY
ORDINANCE NO. 698

REPEALING THE OFFICIAL CRESCENT CITY COASTAL ZONING MAP AND ADOPTING A NEW OFFICIAL CRESCENT CITY COASTAL ZONING MAP AS IMPLEMENTATION OF THE CRESCENT CITY GENERAL PLAN/LOCAL COASTAL PLAN UPDATE 2000-2020

WHEREAS, The City of Crescent City Council, on May 21, 2001 adopted an updated Crescent City General Plan/Local coastal Plan and called for the updating of City Ordinances, including Zoning, to implement said adopted Plan; and

WHEREAS, Chapter 17.81 of the City of Crescent City Municipal code provides for the rezoning of property; and

WHEREAS, the City Council has received a recommendation from the Planning Commission for various amendments to the City Zoning Map as a part of the General Plan implementation proposal; and

WHEREAS, the City Council has held a duly publicized workshop on August 26, 2002 and duly publicized public hearing on January 6, January 21 and June 2, 2003 regarding Zoning Map amendments; and

WHEREAS, the City, as lead agency under the California Environmental Quality Act, has undertaken preparation of an Initial Study to as to evaluate the potential for adverse environmental impact which it has published as part of a Negative Declaration based upon the previously adopted Program EIR (SCH # 2000032062) and circulated for public review for public comment, duly noticed pursuant to state regulations for which no comments were submitted or identified during the public review period; and

WHEREAS, the City Council determines that this project will not have a significant effect on the environment and has no potential for adverse effect on wildlife resources, and hereby adopts a Negative Declaration (SCH# 2000032062) for same; and

WHEREAS, the City Council determines that the public health, safety and general welfare warrant such an amendment to the City's official zoning map, and that the zoning amendment is consistent with applicable land use policies of the General Plan 2000-2020.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESCENT CITY AS FOLLOWS:

SECTION ONE. Classification. This ordinance is considered to be of a general and permanent nature and as such is classified as a code ordinance.

EXHIBIT NO. 20
APPLICATION NO.
CRC-MAJ-1-03 - CRESCENT CITY LCP AMENDMENT
CITY ORDINANCE NO. 698: ADOPTION OF AMENDED COASTAL ZONING MAP

SECTION TWO. Severability Clause. Should any part of this ordinance be found to be in conflict under law, such action shall not affect the other sections adopted hereunder.

SECTION THREE. Effective Date. This ordinance shall become effective immediately upon final approval of the California Coastal Commission.

SECTION FOUR. Repealer Clause. This ordinance repeals the official Crescent City Coastal Zoning Map and adopts a new official Crescent City Coastal Zoning Map in its place.

SECTION FIVE. Adoption Clause. This ordinance rezones all of the City of Crescent City Coastal Zone as located and identified on the attached Exhibit "A."

The above and foregoing Ordinance No. 698 was introduced by Council Member Martell, seconded by Council Member Youngblood, and passed and adopted by the City Council of the City of Crescent City on this 2nd day of June 2003, by the following vote:

AYES:	Council Members Martell, Youngblood, Kolodner, Burns, and Mayor Gary
NOES:	None
ABSENT:	None
ABSTAIN:	None

Glenn Gary, Mayor

ATTEST:

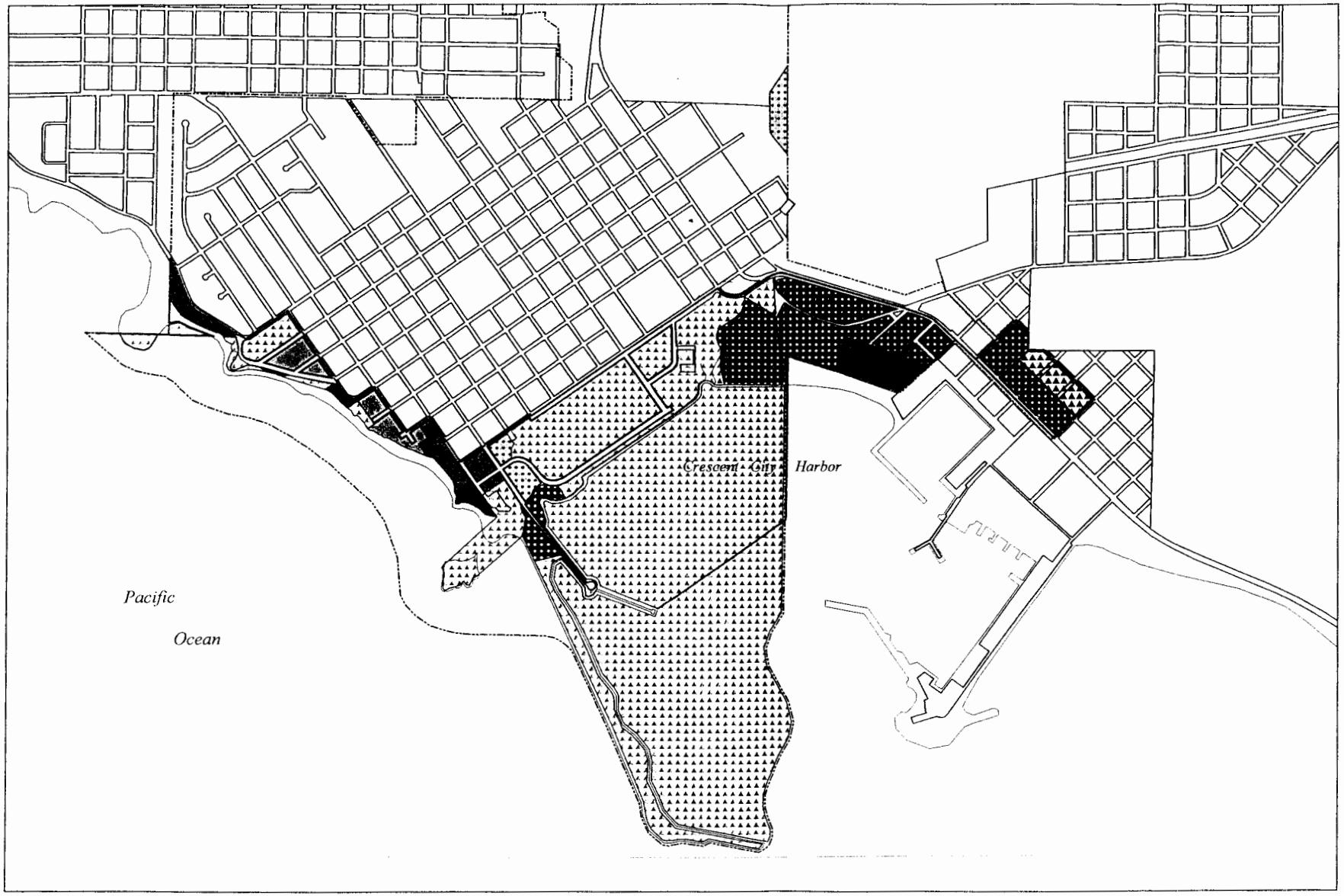
L. Dianne Nickerson

APPROVED AS TO FORM:

Dohn R. Henion, City Attorney

EXHIBIT A

EXHIBIT A OF THIS ORDINANCE IS AN ELECTRONIC MAP WHICH
INCLUDES THE ENTIRE CITY COASTAL ZONE AREA
A HARDCOPY OF WHICH IS ON FILE WITH THE CITY CLERK FOR REFERENCE
COPIES MAY BE OBTAINED FROM THE CITY CLERK



City of Crescent Cit

Coastal Zone Map

Legend

City Limits

Coastal Zone Boundary

Zoning

CZR1

CZR1B

CZC2

CZCW

CZHD

CZHR

CZHS

CZNR

CZO

1 inch equals 1,000 feet

0 250 500 1,000 Feet

Drawn by: T. Lustenberger
Crescent City Public Works
04/2005