



## FEBRUARY 24, AGENDA

### CITY OF CITRUS HEIGHTS CITY COUNCIL

6:30 PM SPECIAL MEETING

7:00 PM REGULAR MEETING

City Hall Council Chambers

6360 Fountain Square Drive, Citrus Heights, CA

**PLEASE NOTE:** In order to minimize the spread of the COVID-19 virus, Governor Newsom has issued Executive Orders that temporarily suspend some requirements of the Brown Act. Council Members may attend City Council meetings telephonically or otherwise electronically.

### PLEASE SEE BELOW FOR ZOOM MEETING INFORMATION

Regular Meeting 7:00 p.m. Zoom Meeting –Webinar link:

<https://us02web.zoom.us/j/81499615289>

For those individuals accessing the meetings through Zoom who wish to make a public comment, please use the Zoom hand raise function (or \*9 if you join the webinar via telephone) and the host will unmute you when it is time to speak. Speakers will be limited to 3 minutes each. Alternatively, you may submit your comment via email to [cityclerk@citrusheights.net](mailto:cityclerk@citrusheights.net) or by completion of an online Speaker Card at <https://www.citrusheights.net/FormCenter/City-Council-Meetings-Speaker-Card-30>. Written public comments shall be limited to 250 words or less. Each comment will be read aloud by the City Clerk.

You are strongly encouraged to observe the City Council meetings on television live on Metro Cable 14, the government affairs channel on the Comcast, Consolidated Communications, and AT&T U-Verse cable systems and replayed on the following Monday at 9:00 a.m. Alternatively, members of the public can view the City Council meeting live webcast at <https://www.citrusheights.net/673/Live-City-Council-Meeting-Webcasts>.

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

February 24, 2022 City Council Agenda Packet

Documents:

[FEBRUARY 24 2022 CITY COUNCIL AGENDA PACKET.PDF](#)

Item 8 - Revised Attachment 1 To The Zoning Code Update Staff Report

Documents:

[ATTACHMENT 1 ORDINANCE 2022-\\_\\_ ZC UPDATE REVISED.PDF](#)

CALL SPECIAL MEETING TO ORDER

1. Roll Call: Council Members: Bruins, Daniels, Miller, Schaefer, Middleton

PUBLIC COMMENT

CLOSED SESSION

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 7137 Auburn Blvd., Citrus Heights, CA (APN 211-0020-025-0000)

Agency Negotiator: City Manager Ashley J. Feeney and City Attorney Ryan Jones

Negotiating Parties: Woodside Homes

Under Negotiation: Both price and terms of payment

REPORT OUT OF CLOSED SESSION

ADJOURNMENT

CALL REGULAR MEETING TO ORDER

1. Flag Salute
2. Roll Call: Council Members: Bruins, Daniels, Miller, Schaefer, Middleton
3. Video Statement

APPROVAL OF AGENDA

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

PUBLIC COMMENT

CONSENT CALENDAR

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

4. SUBJECT: Approval Of Minutes

RECOMMENDATION: Approve the Minutes of the Regular Meeting of February 10, 2022

5. SUBJECT: Renewal Of Sacramento Abandoned Vehicle Services Authority (SAVSA) Program

STAFF: A. Turcotte/ C. Burnett

RECOMMENDATION: Adopt Resolution No. 2022-\_\_\_\_, A Resolution of the City Council of the City of Citrus Heights, California, Renewing the Sacramento County

Abandoned Vehicle Abatement Program and Approve the Proposed Abandoned Vehicle Abatement Tax Measure Ballot Language

6. SUBJECT: Approval Of The Final Subdivision Map And Subdivision Improvement Agreement For Auburn Heights Subdivision

STAFF: R. Cave/ L. Blomquist/ A. Flores

RECOMMENDATION: Adopt Resolution No. 2022-\_\_\_\_, A Resolution of the City Council of the City of Citrus Heights, California, Approving the Final Subdivision Map and Subdivision Improvement Agreement for Auburn Heights Subdivision

7. SUBJECT: Adopt 2021 Local Hazard Mitigation Plan Update

STAFF: R. Cave/ L. Blomquist

RECOMMENDATION: Adopt Resolution No. 2022-\_\_\_\_, A Resolution of the City Council of the City of Citrus Heights, California, Adopting the 2021 Sacramento County Local Hazard Mitigation Plan Update

#### PUBLIC HEARINGS

8. SUBJECT: Zoning Code Updates

STAFF: C. Kempenaar/ A. Bermudez/ E. Singer

RECOMMENDATION: The following is recommended;

- a. Move to Determine the Proposed Amendments are Exempt from California Environmental Quality Act (CEQA) under Section 1561(b)(3) of the Guidelines; and
- b. Move to Introduce for First Reading, Read by Title Only and Waive the Full Reading of Ordinance 2022 - \_\_\_\_, as Shown in Attachment 1, an Ordinance of the City Council of the City of Citrus Heights Amending Various Section of Chapter 106 of the Citrus Heights Municipal Code (Zoning Code Section)

#### 7:30 PM PUBLIC HEARING

9. SUBJECT: Public Hearing #2 On The Redistricting Process

STAFF: A. Van

RECOMMENDATION: The following is recommended;

- a. Receive a presentation from the City's Demographic Consulting Firm, National Demographics Corporation (NDC); and
- b. Hold a Public Hearing to Review Draft Maps and Receive Public Input Regarding the Composition of District Boundaries

#### REGULAR CALENDAR

10. SUBJECT: Fiscal Year 2021-22 Mid-Year Budget Adjustment And Financial Forecast Update

STAFF: B. Zenoni/ T. Nossardi

RECOMMENDATION: Adopt Resolution No. 2022-\_\_\_\_, A Resolution of the City

Council of the City of Citrus Heights, California, Approving Amendments to the  
Fiscal Year 2021-22 Budget

DEPARTMENT REPORTS

11. SUBJECT: Homeless Navigator Update  
DEPARTMENT: Police Department

CITY MANAGER ITEMS

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

ADJOURNMENT

**CITY OF CITRUS HEIGHTS  
CITY COUNCIL  
Special/ Regular Meeting of Thursday, February 24, 2022  
City Hall Council Chambers  
6360 Fountain Square Drive., Citrus Heights, CA  
Special Meeting 6:30 p.m.  
Regular Meeting 7:00 p.m.**

**HOW TO PARTICIPATE:**

The City of Citrus Heights welcomes your interest and involvement in the City's legislative process. The City of Citrus Heights is allowing for remote and in person participation. The City Council has established a procedure for addressing the Council. Speaker Identification Sheets are provided on the table inside the Council Chambers. If you wish to address the Council during the meeting, please either complete a Speaker Identification Sheet and give it to the City Clerk, if participating via webcast you may use the Zoom hand raise function (or \*9 if you join the webinar via telephone) and the host will unmute you when it is time to speak. Speakers will be limited to 3 minutes each. Alternatively, you may submit your comment via email to [cityclerk@citrusheights.net](mailto:cityclerk@citrusheights.net) or by completion of an online Speaker Card at <https://www.citrusheights.net/FormCenter/City-Council-Meetings-Speaker-Card-30>. Written public comments shall be limited to 250 words or less. Each comment will be read aloud by the City Clerk.

**Regular Meeting 7:00 p.m. Zoom Meeting** –Webinar link: <https://us02web.zoom.us/j/81499615289>

The City provides three ways to watch a City Council meeting.

IN PERSON	ONLINE	ON TELEVISION
		
City Council meetings take place in the City Hall Council Chambers.	Watch the livestream and replay past meetings on the City <a href="#">website</a> .	Watch live and replays of meetings on Sac Metro Cable, Channel 14.

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February 18, 2022

  
\_\_\_\_\_  
Amy Van, City Clerk

**SPECIAL CITY COUNCIL MEETING**

*Printed on Recycled Paper*

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**6:30 PM****CALL SPECIAL MEETING TO ORDER**

1. Roll Call: Council Members: Bruins, Daniels, Miller, Schaefer, Middleton

**PUBLIC COMMENT****CLOSED SESSION**

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code Section 54956.8  
Property: 7137 Auburn Blvd., Citrus Heights, CA (APN 211-0020-025-0000)  
Agency Negotiator: City Manager Ashley J. Feeney and City Attorney Ryan Jones  
Negotiating Parties: Woodside Homes  
Under Negotiation: Both price and terms of payment

**REPORT OUT OF CLOSED SESSION****ADJOURNMENT**

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**REGULAR CITY COUNCIL MEETING  
7:00 PM****CALL REGULAR MEETING TO ORDER**

1. Flag Salute
2. Roll Call: Council Members: Bruins, Daniels, Miller, Schaefer, Middleton
3. Video Statement

**APPROVAL OF AGENDA****COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES****PUBLIC COMMENT****CONSENT CALENDAR**

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

4. **SUBJECT:** Approval of Minutes  
**RECOMMENDATION:** Approve the Minutes of the Regular Meeting of February 10, 2022

5. **SUBJECT:** Renewal of Sacramento Abandoned Vehicle Services Authority (SAVSA) Program  
**STAFF:** A. Turcotte/ C. Burnett  
**RECOMMENDATION:** Adopt Resolution No. 2022-\_\_\_\_, A Resolution of the City Council of the City of Citrus Heights, California, Renewing the Sacramento County Abandoned Vehicle Abatement Program and Approve the Proposed Abandoned Vehicle Abatement Tax Measure Ballot Language
6. **SUBJECT:** Approval of the Final Subdivision Map and Subdivision Improvement Agreement for Auburn Heights Subdivision  
**STAFF:** R. Cave/ L. Blomquist/ A. Flores  
**RECOMMENDATION:** Adopt Resolution No. 2022-\_\_\_\_, A Resolution of the City Council of the City of Citrus Heights, California, Approving the Final Subdivision Map and Subdivision Improvement Agreement for Auburn Heights Subdivision
7. **SUBJECT:** Adopt 2021 Local Hazard Mitigation Plan Update  
**STAFF:** R. Cave/ L. Blomquist  
**RECOMMENDATION:** Adopt Resolution No. 2022-\_\_\_\_, A Resolution of the City Council of the City of Citrus Heights, California, Adopting the 2021 Sacramento County Local Hazard Mitigation Plan Update

#### **PUBLIC HEARING**

8. **SUBJECT:** Zoning Code Updates  
**STAFF:** C. Kempenaar/ A. Bermudez/ E. Singer  
**RECOMMENDATION:** The following is recommended;
  - a. Move to Determine the Proposed Amendments are Exempt from California Environmental Quality Act (CEQA) under Section 1561(b)(3) of the Guidelines; and
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#### **7:30 PM PUBLIC HEARING**

9. **SUBJECT:** Public Hearing #2 on the Redistricting Process  
**STAFF:** A. Van  
**RECOMMENDATION:** The following is recommended;
  - a. Receive a presentation from the City's Demographic Consulting Firm, National Demographics Corporation (NDC); and
  - b. Hold a Public Hearing to Review Draft Maps and Receive Public Input Regarding the Composition of District Boundaries

10. **SUBJECT:** Fiscal Year 2021-22 Mid-Year Budget Adjustment and Financial Forecast Update  
**STAFF:** B. Zenoni/ T. Nossardi  
**RECOMMENDATION:** Adopt Resolution No. 2022-\_\_\_\_, A Resolution of the City Council of the City of Citrus Heights, California, Approving Amendments to the Fiscal Year 2021-22 Budget

11. **SUBJECT:** Homeless Navigator Update  
**DEPARTMENT:** Police Department

**ADJOURNMENT**

**CITY OF CITRUS HEIGHTS  
CITY COUNCIL  
MINUTES  
Regular Meeting of Thursday, February 10, 2022  
City Hall Council Chambers  
Meeting Held Virtually**

**CALL REGULAR MEETING TO ORDER**

The regular council meeting was called to order at 7:00 p.m. by Mayor Middleton.

1. The Flag Salute was led by Council Member Miller.
2. Roll Call: Council Members present: Bruins, Daniels, Miller, Schaefer, Middleton  
Council Members absent: None  
Staff present: Baxter, Blomquist, Cave, Feeney, Huber, Jones, Kempenaar, Nossardi, Poole, Reid, Turcotte, Van, and Zenoni.
3. The video statement was read by City Clerk Van.

**APPROVAL OF AGENDA**

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

AYES: Bruins, Daniels, Miller, Schaefer, Middleton  
NOES: None  
ABSENT: None

**PRESENTATIONS**

4. Introduction of City Manager Ashley J. Feeney

Mayor Middleton introduced the new City Manager Ashley Feeney.

City Clerk Van administered the Oath of Office to City Manager Feeney.

Council comments followed.

5. City of Citrus Heights Proclamation Recognizing the Month of February as Black History Month

Mayor Middleton read a proclamation to recognize February as Black History month.

6. Recognition of the Republic Services Annual Recycle Poster Contest Winners

Annah Rulon with Republic Services introduced the annual Citrus Heights Recycle Poster Contest. Ray Robinson with Republic Services shared a presentation naming each of the twelve poster contest winners as follows: (can you list their names here, I recalling doing that in the past). Three Citrus Heights schools participated in the poster contest that was judged by City Council and staff members.

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**COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES**

Council Member Bruins attended the Citrus Heights Chamber of Commerce luncheon. She also attended the Police Activities League board meeting and shared information on their upcoming corn hole tournament event. Council Member Bruins also attended a Finance Committee meeting.

Council Member Daniels recently toured Citrus Heights with the new City Manager.

Council Member Miller provided an update from the Regional Transit ad hoc committee meeting. Council Member Miller shared information for the upcoming Rotary Crab feed.

Vice Mayor Schaefer recently toured Citrus Heights with the new City Manager.

Mayor Middleton recently attended the Police Activities League board meeting. She also attended the Finance Committee meeting.

**PUBLIC COMMENT**

City Clerk Van read a comment from Alfred Sanchez, "Citrus Heights has a bit of Winter Olympics history right here. In January 2002, several residents participated in the Salt Lake Winter Olympic torch relay. One of the torches carried by resident Alfred Sanchez is on display at Citrus Heights City Hall."

**CONSENT CALENDAR**

7. **SUBJECT:** Approval of Minutes  
**RECOMMENDATION:** Approve the Minutes of the Regular Meeting of January 27, 2022
8. **SUBJECT:** Approve Resolution for Continued Remote Meetings in Accordance with AB 361  
**STAFF:** A. Van/ R. Jones  
**RECOMMENDATION:** Adopt Resolution No. 2022-013, A Resolution of the City Council of the City of Citrus Heights, California, Making the Legally Required Findings to Continue to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency
9. **SUBJECT:** Quarterly Treasurer's Report  
**STAFF:** T. Nossardi  
**RECOMMENDATION:** Receive and File the Quarterly Treasurer's Report for the Quarter Ending December 31, 2021
10. PULLED FOR DISCUSSION

**ACTION:** On a motion by Council Member Miller, seconded by Council Member Bruins, the City Council adopted Consent Calendar Items 7, 8, and 9.

AYES: Bruins, Daniels, Miller, Schaefer, Middleton  
NOES: None  
ABSENT: None

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**CONSENT CALENDAR ITEM PULLED FOR DISCUSSION**

10. **SUBJECT:** Striping and Marking Maintenance Services 2022-2025 Award of Contract  
**STAFF:** R. Cave/ L. Blomquist  
**RECOMMENDATION:** Adopt Resolution No. 2022-014, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Agreement with Sierra Traffic Markings, Inc. for Striping and Marking Maintenance Services 2022–2025 and Further Authorizing the City Manager or his designee to Execute any Extensions and/or non-Substantive Amendments to this Contract Consistent with the City Manager’s General Signing Authority

Council Member Daniels pulled Item 10 for discussion.

General Services Director Cave explained the striping and maintenance services agreement, which included paving and striping proposals. This routine maintenance is separate from brand new pavement projects.

**ACTION:** On a motion by Council Member Daniels, seconded by Council Member Miller, the City Council adopted Consent Calendar Item 10.

AYES: Bruins, Daniels, Miller, Schaefer, Middleton  
NOES: None  
ABSENT: None

City Council recessed in place for two minutes.

**7:30 P.M. PUBLIC HEARING**

11. **SUBJECT:** Public Hearing #1 on the Redistricting Process  
**STAFF:** A. Van  
**RECOMMENDATION:** The following is recommended;
- a. Conduct a Public Hearing to receive public input on the composition of districts for the purpose of redrawing election district boundaries;
  - b. Receive a Presentation from the City’s Demographic Consulting Firm, National Demographics Corporation (NDC);
  - c. Set the Next Public Hearing for March 3, 2022

City Clerk Van introduced the item and the City’s demographer consultant, National Demographics Corporation (NDC). City Clerk Van informed Council that while the City established voting districts in 2019, the City must re-establish districts to reflect recent federal census updates. This is the first of four public hearings that will engage residents and community members in the redistricting process.

Robert McEntire with NDC introduced the process of re-districting. After the publication of recent census data, each city with district-based elections must take in to account any changes to the population. McEntire requested feedback from Council regarding a proposed redistricting schedule. Council reviewed two proposed schedules, which included future public hearing dates and deadlines for maps from the public. McEntire discussed the goal of laying the foundation for the redistricting process, which includes following guidelines

from federal laws, state criteria for cities, and other traditional redistricting principles. McEntire explained that given the updated census data, current district boundaries are legally compliant and could be selected if the Council wishes. The goal of the first public hearing is to establish notable areas in Citrus Heights.

City Clerk Van clarified that the proposed alternative hearing schedule would also include a public workshop on March 3, 2022.

Mayor Middleton opened the public hearing at 7:49 p.m.

### **PUBLIC COMMENT**

City Clerk Van read a public comment from Kathy Morris, "CHASEN is a Neighborhood Association of Citrus Heights Areas Seven, Eight, and Nine. Our boundaries correspond exactly with the current District 2 boundaries. Our group is very active with a good participation from all areas – therefore involving the entire District. We believe the current district structure works and encourage retaining the District 2 as currently configured."

Hearing no other public comments, Mayor Middleton closed the public hearing at 7:51 p.m.

Council Member Miller inquired about a public mapping toolkit. City Clerk Van informed him that we have blank maps available for the public but currently do not have an online mapping toolkit.

Council Member Bruins expressed support for the second proposed scheduling, holding the second Public Hearing on February 24, 2022 and keep all hearings aligned with current City Council meetings.

Mayor Middleton voiced her support with keeping the schedule of Public Hearings in line with currently scheduled City Council meetings and holding a separate workshop for the public.

Vice Mayor Schaefer supports the second schedule for the public hearings, keeping them on current City Council meetings. He also stated his support of adopting the current district boundaries. Vice Mayor Schaefer stated that as he has been out and around his Council district there were many people that didn't understand what districts were and he expressed concern with changing the existing district boundaries may further confuse residents. He felt it would be better to have residents get better acclimated with the existing districts.

Council Member Bruins also shared her support in adopting the current district boundaries.

Council Member Daniels inquired about the mapping toolkit and associated costs. City Manager Feeney informed Council Member Daniels that staff would monitor public participation, and then decide if purchasing the mapping toolkit is necessary.

Council Member Miller asked about any possibility of returning to at-large elections.

City Attorney Jones responded there are some cities that have tried to battle this, he believes it is a difficult battle and an expensive one that other cities have incurred. Returning to back to at-large voting is probably not something you want to entertain and we would likely get challenged and it would be an expensive process that in the end would probably not be successful.

All Council Members stated their consensus and support for the second proposed redistricting schedule.

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**DEPARTMENT REPORTS**

12. **SUBJECT:** Annual Communications Update  
**DEPARTMENT:** City Manager's Office

Communications Officer Baxter shared a recap of the communications efforts made in 2021. The communications team focused on consistent content on existing social media channels, creating new social media channels and methods, and providing feedback and responsiveness. Baxter created a "Communications Menu" to provide staff a list of engagement tools available to support project initiatives. The Communication team stood up new channels and outreach methods such as joining Instagram, establishing Citrus Heights Connect, and Citibot. All of the City's communications outreach has earned more than 11.9 million impressions.

**CITY MANAGER ITEMS**

City Manager Feeney shared information for the upcoming reopening of the City Hall Lobby on February 14, a COVID-19 vaccination clinic at the Citrus Heights Community Center on February 16, and the recent launch of the ARPA Small Business COVID-19 Recovery Grant Program. City Manager Feeney also shared information on the City's Strategic Planning that has been rescheduled to May 10, 2022, updates to the Sacramento County Public Health Order, and changes to the indoor mask mandate.

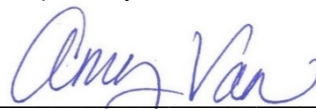
**ITEMS REQUESTED BY COUNCIL MEMBERS/ FUTURE AGENDA ITEMS**

None

**ADJOURNMENT**

Mayor Middleton adjourned the regular meeting at 8:23 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Amy Van", is written over a horizontal line.

Amy Van, City Clerk



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT

### MEMORANDUM

**DATE:** February 24, 2022

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

**FROM:** Alexander A. Turcotte, Chief of Police  
Cassandra Burnett, Senior Management Analyst

**SUBJECT:** **Renewal of Sacramento Abandoned Vehicle Services Authority (SAVSA) Program**

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#### **Summary and Recommendation**

Staff recommends the City Council adopt Resolution No. 2022-\_\_\_\_ A Resolution of the City Council of the City of Citrus Heights, California, Renewing the Sacramento County Abandoned Vehicle Abatement Program and Approve the Proposed Abandoned Vehicle Abatement Tax Measure Ballot Language.

#### **Fiscal Impact**

The cost to the City of Citrus Heights for its portion of placing the Abandoned Vehicle Abatement (AVA) tax on the June 2022 ballot is not to exceed \$8,500 and will be paid from the police department's general fund (100-21-190-53401).

#### **Background and Analysis**

The City of Citrus Heights receives funding from the Sacramento Abandoned Vehicle Service Authority (SAVSA) to combat city problems with abandoned vehicles on private and public property. The SAVSA program is administered by the Sacramento Transportation Authority (STA) and funds are collected from a \$1 fee that is paid by Sacramento County residents when they register their vehicle. The amount of funds each city and the county receive is based on population and the number of vehicles abated in the jurisdiction.

The City of Citrus Heights uses this funding to pay portions (approximately 20%) of two code enforcement officer salaries. Funding is around \$50,000 to \$60,000. For FY 21/22 the City budgeted \$57,680 in SAVSA revenue.

## **Renewal of Sacramento Abandoned Vehicle Services Authority (SAVSA) Program**

February 24, 2022

Page 2 of 2

The current SAVSA fee program will expire on April 30, 2022. STA/SAVSA legal counsel has advised that the SAVSA fee qualifies as a tax under California Proposition 26 and, therefore, its renewal requires a public vote with a supermajority (2/3) adoption threshold.

Initial estimates of costs associated with placing this item on the ballot were approximately \$63,000. This was brought to Council in June 2021 for direction as to whether or not the city should participate and pay the anticipated fees. At that time, due to associated costs, Council directed staff not to commit the City to participation unless there was a significant cost reduction.

In August 2021, the STA reached out after determining costs for placing the AVA tax on the ballot would be significantly lower than originally anticipated. Due to the reduced costs, in December 2021 the police department informed Council of the decision to move forward with placing the item on the ballot.

At this time, the police department is requesting Council to approve the ballot language in order for the city to continue to participate in the program in the event the tax measure passes.

### **Attachments**

1. Resolution No. 2022-\_\_\_\_ A Resolution of the City Council of the City of Citrus Heights, California, Renewing the Sacramento County Abandoned Vehicle Abatement Program and Approve the Proposed Abandoned Vehicle Abatement Tax Measure Ballot Language

### **Exhibits**

- A. Abandoned Vehicle Authority (AVA) Tax Measure language

**RESOLUTION NO. 2022-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA,  
RENEWING THE SACRAMENTO COUNTY ABANDONED VEHICLE ABATEMENT PROGRAM  
AND APPROVE THE PROPOSED ABANDONED VEHICLE ABATEMENT TAX MEASURE  
BALLOT LANGUAGE**

**WHEREAS**, the Sacramento County Abandoned Vehicle Abatement Program was formed in 1992; and

**WHEREAS**, the city received approximately \$50,000 to \$60,000 annually; and

**WHEREAS**, Sacramento County Abandoned Vehicle Abatement program is set to expire on April 30, 2022; and

**WHEREAS**, the City of Citrus Heights desires that the program, including a vehicle registration fee of \$1.00 and an additional \$2.00 for commercial vehicles, continue pursuant to Section 9250.47 of the California Vehicle Code; and

**WHEREAS**, the Abandoned Vehicle Abatement Fee qualifies as a “tax” under California Proposition 26, and therefore, its renewal requires a public vote with a supermajority (2/3) adoption threshold; and

**WHEREAS**, the City of Citrus Heights approves placing an Abandoned Vehicle Abatement Fee tax measure on the June 2022 ballot.

**NOW THEREFORE BE IT RESOLVED AND ORDERED** by the City Council of the City of Citrus Heights, California, hereby approves the renewal of the Sacramento County Abandoned Vehicle Abatement Program and approves the proposed Abandoned Vehicle Abatement Tax Measure ballot language.

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

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 24<sup>th</sup> day of February 2022 by the following vote, to wit:

**AYES: Council Members:**

**NOES: Council Members:**

**ABSTAIN: Council Members:**

**ABSENT: Council Members:**

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**Porsche Middleton, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**

**Exhibit**

A. Abandoned Vehicle Authority (AVA) Tax Measure language

## MEASURE “ \_\_\_\_ ”

*(County Elections Office assigns letter to Measure when it's submitted)*

### County of Sacramento

#### Renewal of the Abandoned Vehicle Abatement Program

Should the Sacramento County Vehicle Abatement Program and associated vehicle registration and renewal fees (\$1.00 dollar per vehicle and an additional \$2.00 dollars for certain commercial vehicles) be extended for a ten-year term under California Vehicle Code Sections 9250.7 and 22710, or any successor statutes thereto, for the purposes of removal and disposal of abandoned, wrecked, dismantled, or inoperative vehicles?

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#### COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE “ \_\_\_\_ ”

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This analysis of the renewal of the abandoned vehicle abatement program fee, Measure “ \_\_\_\_ ”, is prepared and submitted in accordance with Elections Code Section 9160. This measure was placed on the ballot by a vote of the Sacramento County Board of Supervisors.

Sections 22710 and 9250.7 of the California Vehicle Code authorize an Abandoned Vehicle Service Authority (AVSA) to impose a service fee (“AVA Fee”) of one dollar (\$1.00) on all vehicles at the time of registration or renewal of registration, except for those vehicles which are exempt from the payment of registration fees. The fee is charged at a rate of one (\$1.00) dollar for every vehicle registered to an owner with an address in the County, and an additional two (\$2.00) dollars on commercial vehicles weighing 10,001 pounds or more.

AVA Fees are approved for ten-year periods. The most recent AVA Fee authorization in Sacramento County expired during Spring, 2022.

The AVA Fees are collected by the California Department of Motor Vehicles (DMV) and then dispersed to the Sacramento Abandoned Vehicle Service Authority (SAVSA). The fees may only be used for the abatement, removal, and disposal of any abandoned, wrecked, dismantled, or inoperative vehicles, or vehicle parts located on public or private property within Sacramento County including the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova, and Sacramento.

A YES vote would authorize the DMV to continue collecting the AVA Fee in the amount of one (\$1.00) dollar for every vehicle registered in Sacramento County, and an additional two (\$2.00) dollars for certain commercial vehicles registered in Sacramento County for a term of ten (10) years for the purpose of removal and disposal of abandoned and wrecked vehicles. The authorization of the AVA fee granted by this Measure would end on June 30, 2032

A NO vote would mean that the DMV would not collect the AVA Fee.

The AVA Fee will be renewed only upon approval by two-thirds (2/3) of the registered voters voting on Measure “ \_\_\_\_ ”.

Dated: \_\_\_\_\_  
\_\_\_\_\_, County Counsel



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** February 24, 2022

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

**FROM:** Regina Cave, General Services Director  
Leslie Blomquist, City Engineer  
Ardelyn Flores, Associate Civil Engineer

**SUBJECT:** **Approval of the Final Subdivision Map and Subdivision Improvement Agreement for Auburn Heights Subdivision**

### **Summary and Recommendation**

On October 28, 2020, the Planning Commission approved, with conditions, the Tentative Map for the Auburn Heights Subdivision submitted by Jeremy Jaeger (Developer). The development consists of two existing parcels (total 0.719 gross acres) and is located on the south side of Auburn Boulevard approximately 130 feet west of Chivalry Way. The subdivision map creates eight single-family residential lots and one common area lot (Lot A).

The City Engineer reviewed the tentative map approval documents, the final subdivision map (Attachment A), subdivision improvement agreement with bonds (Attachment B) and found the final subdivision map to be technically correct and in substantial compliance with the conditionally approved tentative map.

Staff recommends the City Council approve Resolution No. 2022-\_\_\_ a Resolution of the City Council of the City of Citrus Heights, California, Approving the Final Subdivision Map and Subdivision Improvement Agreement for Auburn Heights Subdivision.

### **Fiscal Impact**

There is no fiscal impact associated with this item.

### **Background and Analysis**

The approved tentative subdivision map subdivides the existing two parcels into eight single-family lots and one common area lot (Lot A).

### Mapping Requirements

Per the Subdivision Map Act, a subdivision map is required for real property subdivisions creating five or more parcels, while a parcel map is required for subdivisions creating four or fewer parcels. Tentative maps are required for either process, but may be waived in certain instances.

In Citrus Heights, the Planning Commission is the hearing body that reviews and approves tentative maps and on October 28, 2020, the Planning Commission approved the Auburn Heights tentative map. The staff report and information presented to the Planning Commission can be found on the city's website at <http://www.citrusheights.net/AgendaCenter/ViewFile/Item/5554?fileID=32234>.

After the tentative map is approved, the Developer must construct subdivision improvements and prepare a final map in accordance with the conditions of approval. Once the improvements have been completed and field accepted, and the final map is determined to be technically correct and in substantial compliance to the approved tentative map, the legislative body of the local agency must accept the subdivision improvements and approve/accept the final map prior to recordation of the final map.

For the Auburn Heights Development, the Developer is proposing to record the map prior to completing the construction of the subdivision improvements. To accomplish this, the Developer proposes to execute a subdivision improvement agreement (SIA). Under the proposed SIA, the Developer will bond for the public improvements and complete construction of the improvements prior to December 31, 2022.

The Developer submitted the subdivision improvement agreement, prepared engineering plans, and bonded for said improvements. Additionally, the final map and supporting documents necessary to comply with the approved tentative map and associated conditions of approval submitted by the Developer have been approved.

### Attachments

1. Resolution No. 2022-\_\_\_ a Resolution of the City Council of the City of Citrus Heights, California, Approving the Final Subdivision Map and Subdivision Improvement Agreement for Auburn Heights Subdivision
2. Final Subdivision Map – Auburn Heights Subdivision
3. Subdivision Improvements Agreement

**RESOLUTION NO. 2022 -**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, APPROVING THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR AUBURN HEIGHTS SUBDIVISION**

**WHEREAS**, an application was submitted by Jeremy Jaeger (Developer) to subdivide the subject property described as the Auburn Heights Subdivision located within the City of Citrus Heights, Sacramento County, California. The subdivision map application subdivides the existing two parcels (total 0.719 gross acres) located on the south side of Auburn Boulevard, approximately 130 feet west of Chivalry Way. The final map creates eight single-family residential parcels and one common area lot (Lot A);

**WHEREAS**, on October 28, 2020, the Planning Commission of Citrus Heights, California approved with conditions the tentative subdivision map titled, “Auburn Boulevard Tentative Map” prepared by Baker Williams Engineering Group;

**WHEREAS**, the City Engineer reviewed the tentative map approval documents and the final subdivision map, and found the final subdivision map to be technically correct and in substantial compliance with the conditionally approved tentative map; and

**WHEREAS**, the Developer submitted a Subdivision Improvement Agreement and bonded for the public improvements.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the City of Citrus Heights does hereby declare that the subdivision agreement and final map titled “AUBURN HEIGHTS, PARCELS ‘A’ AND ‘B’ AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED ‘A PORTION OF THE W. ½ OF SECTION 26, T. 10N-R, 6E, M.D.M” – 56 PM 13, OFFICIAL RECORDS SACRAMENTO COUNTY, SUBDIVISION NO. 18-01, CITY OF CITRUS HEIGHTS, STATE OF CALIFORNIA”, dated January 2022, as prepared by Baker Williams Engineering Group, is approved and accepted and authorizes the City Manager to execute a subdivision improvement agreement for public improvements.

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

**PASSED AND ADOPTED** by the City Council of Citrus Heights, California, this 24<sup>th</sup> day of February 2022 by the following vote, to wit:

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

---

**Porsche Middleton, Mayor**

**ATTEST:**

---

**Amy Van, City Clerk**

OWNER'S STATEMENT:

THE UNDERSIGNED HEREBY CONSENTS TO THE PREPARATION AND RECORDATION OF THIS FINAL MAP.

THE UNDERSIGNED HEREBY OFFER FOR DEDICATION AND DOES HEREBY DEDICATE TO SPECIFIC PURPOSES THE FOLLOWING:

A) AN EASEMENT FOR THE PURPOSE OF PUBLIC UTILITIES INCLUDING BUT NOT LIMITED TO WATER, SEWER, GAS AND DRAINAGE PIPES, POLES, OVERHEAD LINES, UNDERGROUND FACILITIES AND OTHER APPURTENANCES AS COUNTY MAY DEEM NECESSARY, OVER, ACROSS, THROUGH AND UNDER LOT 'A' AND THAT CERTAIN PROPERTY SHOWN HEREON AND DESIGNATED "PUBLIC UTILITY EASEMENT" (P.U.E.).

B) AN EASEMENT FOR CONSTRUCTING AND MAINTAINING CENTRALIZED MAIL DELIVERY BOXES, PEDESTALS AND SLABS, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO INCLUDING PEDESTRIAN ACCESS FOR DELIVERY AND RECEIPT OF MAIL ON, OVER, UNDER AND ACROSS THOSE STRIPS OF LAND FIVE FEET IN WIDTH, LYING CONTIGUOUS TO LOT 'A' SHOWN HEREON.

C) A RIGHT OF WAY AND EASEMENT FOR EMERGENCY ACCESS PURPOSES, TOGETHER WITH ANY AND ALL APPURTENANCES PERTAINING THERETO ON, OVER AND ACROSS LOT 'A' SHOWN HEREON AND DESIGNATED "EMERGENCY ACCESS EASEMENT" (E.A.E.).

AUBURN CITRUS HEIGHTS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

LINDA. JAEGER, MANAGER

NOTARY'S ACKNOWLEDGEMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

STATE OF CALIFORNIA )  
 )  
 ) SS  
COUNTY OF )

ON , 202 , BEFORE ME, NOTARY PUBLIC,  
PERSONALLY APPEARED  
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S)  
WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES  
MY PRINCIPAL PLACE OF BUSINESS IS IN  
COUNTY.  
MY COMMISSION NO. IS

NOTARY PUBLIC

PRINT NAME

AUBURN HEIGHTS

PARCELS 'A' AND 'B', AS SHOWN ON THAT CERTAIN PARCEL MAP  
ENTITLED "A PORTION OF THE W. 1/2 OF SECTION 26, T. 10N-R. 6E,  
M.D.M" - 56 PM 13, OFFICIAL RECORDS SACRAMENTO COUNTY  
SUBDIVISION NO. 18-01  
CITY OF CITRUS HEIGHTS STATE OF CALIFORNIA

JANUARY, 2022  
BAKER WILLIAMS ENGINEERING GROUP  
SHEET 1 OF 2

TRUSTEE'S STATEMENT:

CHICAGO TITLE COMPANY, A CALIFORNIA CORPORATION, AS TRUSTEE UNDER DEEDS OF TRUST DATED JULY 31, 2015 AND RECORDED IN BOOK 20150731, AT PAGE 1431 AND DATED JANUARY 12, 2017 AND RECORDED IN BOOK 20170112, AT PAGE 666 OF OFFICIAL RECORDS OF SACRAMENTO COUNTY, STATE OF CALIFORNIA, HEREBY CONSENTS TO THE RECORDATION OF THIS MAP.

BY: PRINT NAME  
DATE: TITLE

NOTARY'S ACKNOWLEDGEMENT:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT

STATE OF CALIFORNIA )  
 )  
 ) SS  
COUNTY OF )

ON , 202 , BEFORE ME, NOTARY PUBLIC,  
PERSONALLY APPEARED  
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S)  
WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES  
MY PRINCIPAL PLACE OF BUSINESS IS IN  
COUNTY.  
MY COMMISSION NO. IS

NOTARY PUBLIC

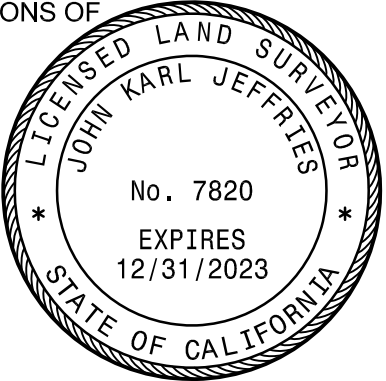
PRINT NAME

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF AUBURN CITRUS HEIGHTS, LLC. I HEREBY STATE THAT THE MONUMENTS ON THE BOUNDARY PERIMETER CORNERS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND THAT THE INDIVIDUAL LOT MONUMENTS WILL BE SET BY THE BAKER WILLIAMS ENGINEERING GROUP WITHIN 60 DAYS AFTER THE COMPLETION OF ALL REQUIRED STREET AND UTILITY IMPROVEMENTS AND BE OF THE CHARACTER AND WILL OCCUPY THE POSITION INDICATED AND THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT ALL PROVISIONS OF THE STATE LAW AND LOCAL ORDINANCES HAVE BEEN COMPLIED WITH.

JOHN KARL JEFFRIES L.S. 7820  
EXPIRES 12/31/2023

DATE:



CITY ENGINEER'S STATEMENT:

I, THE UNDERSIGNED CITY ENGINEER OF THE CITY OF CITRUS HEIGHTS, STATE OF CALIFORNIA, DO HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP ENTITLED AUBURN HEIGHTS (FM 18-01) AND FIND IT TO BE SUBSTANTIALLY THE SAME AS THE CONDITIONALLY APPROVED TENTATIVE SUBMITTED TO THE PLANNING COMMISSION OF THE CITY OF CITRUS HEIGHTS; THAT THIS FINAL MAP IS IN CONFORMANCE ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE SUBDIVISION MAP, AND ALL CITY CONDITIONS OF APPROVAL HAVE BEEN COMPLIED WITH.

DATE:

LESLIE BLOMQUIST, P.E., T.E.  
LICENSE NO. 73334  
EXPIRES 06/30/2022

CITY SURVEYOR'S STATEMENT:

I, THE UNDERSIGNED, DO HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP ENTITLED AUBURN HEIGHTS (FM 18-01) ON BEHALF OF THE CITY OF CITRUS HEIGHTS AND FIND IT SUBSTANTIALLY THE SAME AS THE CONDITIONALLY APPROVED TENTATIVE MAP ON FILE, AND ANY APPROVED ALTERATIONS THEREOF; THAT THIS PARCEL MAP IS IN CONFORMANCE WITH THE PROVISIONS OF THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE PARCEL MAP, AND THAT I AM SATISFIED THAT THIS PARCEL MAP IS TECHNICALLY CORRECT.

DATE:

BRIAN THIONNET L.S. 6866

CITY CLERK'S STATEMENT:

I, AMY VAN, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED FINAL MAP, CONSISTS OF TWO (2) SHEETS. THIS STATEMENT BEING ON SHEET ONE (1) THEREOF, AND DO HEREBY CERTIFY THE ABANDONMENT OF THE EASEMENTS PURSUANT TO SECTIONS 66434(G) AND 66499.20.2 OF THE GOVERNMENT CODE, LISTED AS FOLLOWS:

THE 12.5' SETBACK LINE ADJACENT TO THE 20' WIDE ROAD & UTILITY EASEMENT APPURTENANT TO PARCEL 'B' AS SAID SETBACK LINE IS SHOWN ON THAT PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 56 OF PARCEL MAPS, AT PAGE 13, OFFICIAL RECORDS.

AND WAS PRESENTED TO THE CITY COUNCIL AT A REGULAR MEETING HELD ON 2022, AND THAT SAID CITY COUNCIL DID THEREUPON BY RESOLUTION NO. DULY PASS AND APPROVE SAID MAP; AND DID ACCEPT ON BEHALF OF THE CITY OF CITRUS HEIGHTS, DEDICATION OF RIGHTS TO AREAS MARKED AS PUBLIC UTILITIES EASEMENT (P.U.E.) AND EMERGENCY VEHICLE ACCESS EASEMENT (E.A.E.). IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND THE DAY OF , 2022.

AMY VAN  
CITY CLERK AND CLERK OF THE CITY COUNCIL  
OF THE CITY OF CITRUS HEIGHTS  
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

RECORDER'S STATEMENT:

FILED THIS DAY OF 2022, AT , M. IN BOOK OF PARCEL MAPS, AT PAGE , AT THE REQUEST OF THE BAKER WILLIAMS ENGINEERING GROUP. TITLE TO THE LAND INCLUDED IN THIS FINAL MAP BEING VESTED AS CERTIFICATE NO. ON FILE IN THIS OFFICE.

FEE: FILE NO.:

DONNA ALLRED, COUNTY RECORDER BY: DEPUTY

AUBURN HEIGHTS

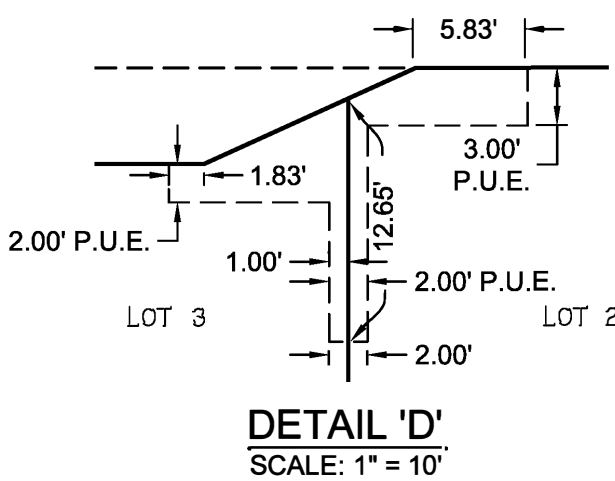
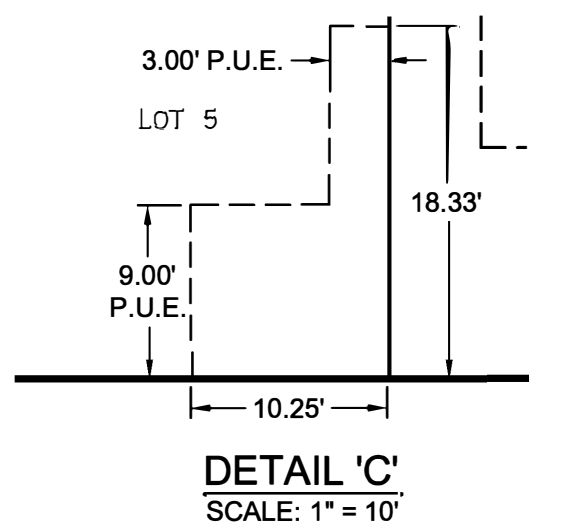
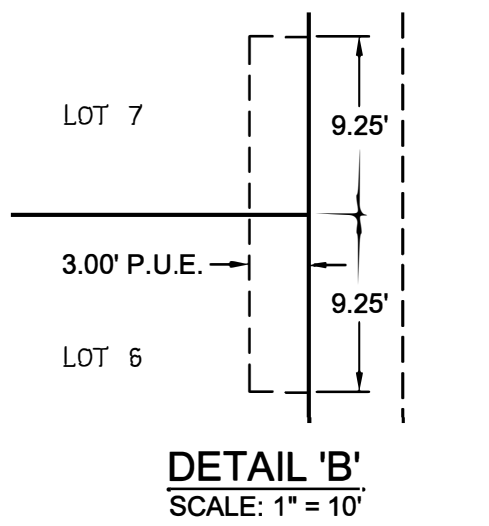
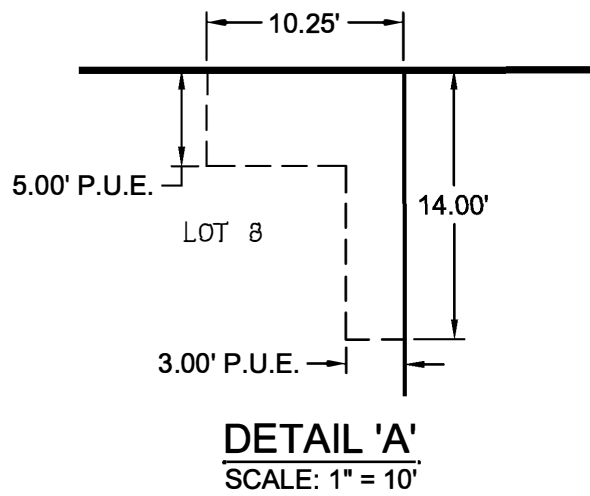
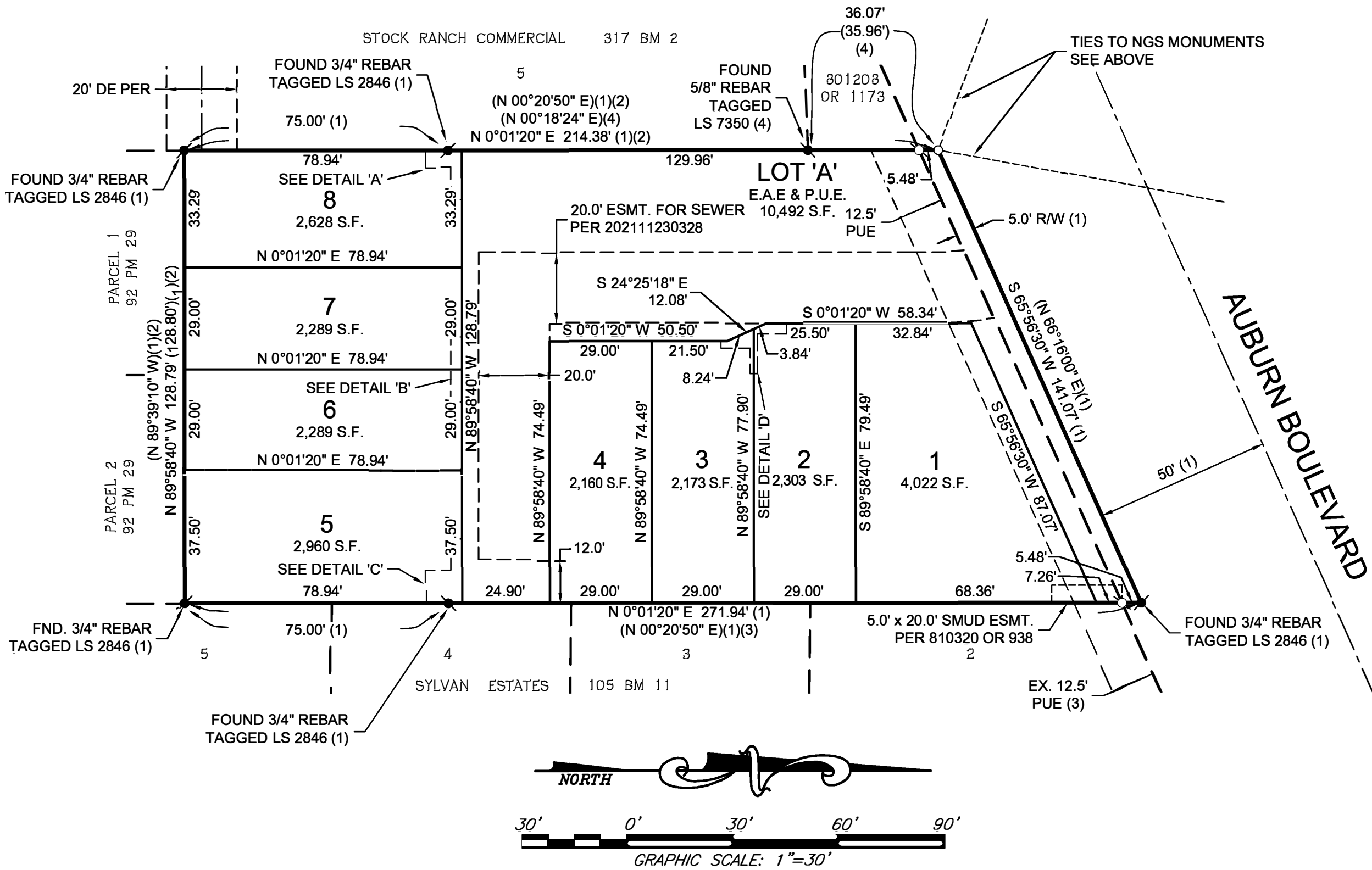
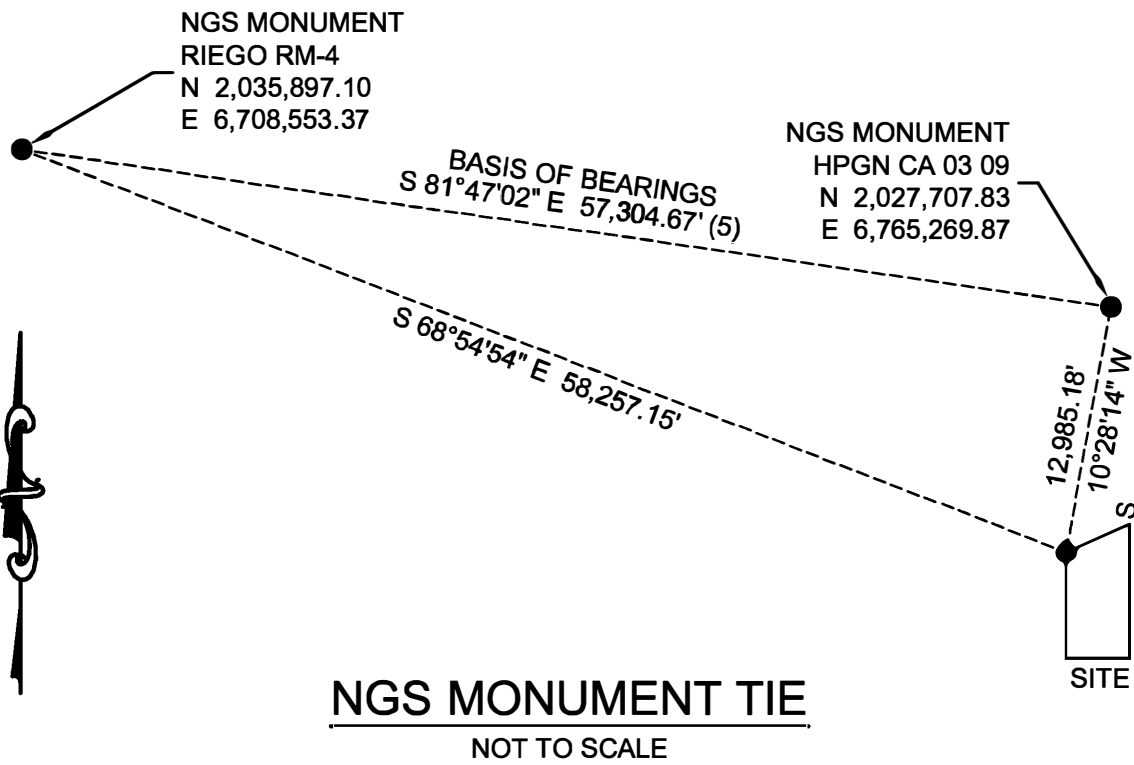
PARCELS 'A' AND 'B', AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED "A PORTION OF THE W. 1/2 OF SECTION 26, T.10.N. R.6.E., M.D.M" - 56 PM 13, OFFICIAL RECORDS SACRAMENTO COUNTY CITY OF CITRUS HEIGHTS STATE OF CALIFORNIA JANUARY, 2022

BAKER WILLIAMS ENGINEERING GROUP  
SHEET 2 OF 2

NOTES:

1. THIS PROPERTY CONTAINS 0.719 GROSS ACRES MORE OR LESS AND CONSISTS OF EIGHT (8) SINGLE FAMILY RESIDENTIAL LOTS AND ONE (1) COMMON AREA LOT (LOT 'A').
2. THE SUM OF THE PARTS MAY NOT ADD UP TO THE OVERALL DISTANCE DUE TO ROUNDING.
3. THIS PROPERTY IS SUBJECT TO ANY CONDITIONS OF APPROVAL SET FORTH IN CONNECTION WITH THE ADOPTED TENTATIVE MAP THAT HAVE NOT BEEN PERFORMED AT THE TIME OF FINAL MAP RECORDATION (CONTROL NO. TT-18-01)
4. A PRELIMINARY SOILS REPORT WAS PREPARED BY MID PACIFIC ENGINEERING INC, DATED MARCH 22, 2019 (FILE NO. MPE NO. 04178-01). A COPY OF THIS REPORT IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE CITY OF CITRUS HEIGHTS BUILDING AND INSPECTION DIVISION.
5. ALL REAR PROPERTY CORNERS SHALL BE MONUMENTED WITH A 5/8" REBAR WITH 1-1/2" METAL CAP STAMPED "LS7820".
6. ALL FRONT PROPERTY CORNERS SHALL BE MONUMENTED WITH A 1" BRASS DISC STAMPED "LS7820", 0.5' FROM PROPERTY CORNER INTO THE DRIVE AISLE ON A PROJECTION OF PROPERTY LINE.
7. LOT 'A' SHALL BE DEDICATED TO THE AUBURN HEIGHTS COMMUNITY ASSOCIATION FOR THE BENEFIT OF THE LOTS SHOWN HEREON AND THE LANDSCAPING AND MASONRY WALL ALONG AUBURN BOULEVARD SHALL BE OWNED AND MAINTAINED BY THE ASSOCIATION.
8. PURSUANT TO SECTIONS 66434(G) AND 66499.20.2 OF THE GOVERNMENT CODE, THE FOLLOWING EASEMENT ARE ABANDONED:

THE 12.5' SETBACK LINE ADJACENT TO THE 20' WIDE ROAD & UTILITY EASEMENT APPURTENANT TO PARCEL 'B' AS SAID EASEMENT IS SHOWN ON THAT PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 56 OF PARCEL MAPS, AT PAGE 13, OFFICIAL RECORDS.



LEGEND:

- DIMENSION POINT, NOTHING FOUND OR SET
- ⚓ SET 3/4" I.P. W/ 1" COPPER DISC STAMPED "LS 7820"
- ⚓ FOUND MONUMENT AS NOTED
- P.U.E. PUBLIC UTILITY EASEMENT
- BM BOOK OF MAPS
- PM PARCEL MAPS
- ESMT EASEMENT
- E.A.E. EMERGENCY ACCESS EASEMENT
- FND FOUND
- RS RECORD OF SURVEY
- OR OFFICIAL RECORDS
- S.F. SQUARE FEET
- R/W RIGHT-OF-WAY
- D.E. DRAIN EASEMENT

REFERENCES:

- (1) RECORD PER 56 PM 13
- (2) RECORD PER 92 PM 29
- (3) RECORD PER 105 BM 11
- (4) RECORD PER 317 BM 2
- (5) RECORD PER 65 RS 16

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON THE NATIONAL GEODETIC SURVEY MONUMENTS RIEGO RM-4 AND HPGN CA 03 09. THE CALCULATED BEARING IS S 81°47'02" E PER THE PUBLIC COORDINATE VALUES (EPOCH DATE 1991.35 PER 65 RS 16). DISTANCES SHOWN HEREON ARE GROUND DISTANCES.

NO FEE DOCUMENT

Government Code § 6103

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

CITY OF CITRUS HEIGHTS  
6360 Fountain Square Drive  
Citrus Heights, CA 95621  
Attention: City Clerk

**SUBDIVISION IMPROVEMENT AGREEMENT BETWEEN THE CITY OF CITRUS  
HEIGHTS, A MUNICIPAL CORPORATION AND AUBURN CITRUS HEIGHTS, LLC,  
A CALIFORNIA LIMITED LIABILITY COMPANY**

---

This Subdivision Improvement Agreement (“Agreement”) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by and between the City of Citrus Heights, a municipal corporation, hereinafter referred to as “City,” and Auburn Citrus Heights, LLC, a California limited liability company, hereinafter referred to as “Subdivider.”

RECITALS

A. Subdivider has presented to City a final map of a proposed subdivision of land located within the corporate limits of City that has been prepared in accordance with the Subdivision Map Act of the State of California, the subdivision ordinances of City, and the Subdivision’s tentative map approved by the City Council.

B. City approved the proposed subdivision of land as the “Auburn Heights Subdivision” on October 28, 2020 and is hereinafter referred to as the “Subdivision” or the “Project.”

C. Subdivider has requested approval of the final map prior to the construction and completion of the public improvements, including, but not limited to streets, highways, public ways, sidewalks, curbs, gutters, storm drainage facilities, sound walls, public landscaping, public utility facilities, design standards which are part of the provisions for lot grading and drainage in or appurtenant to the Subdivision, and other public improvements that are required by the Subdivision Map Act, the subdivision ordinances of City, the tentative map (and approvals given in connection therewith), and final grading plan, if any, approved by City. The foregoing improvements are hereinafter referred to as “Required Improvements.”

NOW, THEREFORE, the parties agree as follows:

1. Incorporation of Recitals. The foregoing recitals are true and correct, and incorporated herein by reference.

2. Performance of Work. Subdivider agrees to furnish, construct and install at Subdivider's own expense the Required Improvements as shown on the plans and specifications of the Subdivision, a copy of which is on file in the office of the City Manager, and is incorporated herein by reference, along with any changes or modifications as may be required by City Manager or the City Manager's designee (hereinafter "City Manager") due to errors, omissions, or changes in conditions. The plans and specifications of the Required Improvements may be modified by the Subdivider as the development progresses, subject to the prior written approval of City Manager. The total estimated cost of the Required Improvements as determined by the City Manager is Three hundred Eighty-Two thousand, Nine hundred Seventy-Two Dollars (**\$382,972.00**).

3. Work; Satisfaction of City Manager. All of the work on the Required Improvements is to be done in accordance with the approved plans and specifications and City's Improvement Standards and Specifications, to the satisfaction of the City Manager.

4. Injury to Public Improvements, Public Property or Public Utilities Facilities. Subdivider shall replace or repair, or have replaced or repaired, all public improvements, public utility facilities, and surveying or subdivision monuments which are destroyed or damaged in the performance of any work under this Agreement. Subdivider shall bear the entire cost of replacement or repairs of any and all public or private utility property damaged or destroyed in the performance of any work done under this Agreement. Any repair or replacement shall be to the satisfaction of the City Manager.

5. Inspection. Subdivider shall at all times maintain proper facilities and safe access for inspection of the Required Improvements by City and to the locations wherein any work for the Required Improvements is in preparation. Subdivider shall request a final inspection by the City Manager or the City Manager's representative upon completion of the Required Improvements. If the City Manager or designated representative determine that the work has been completed in accordance with this Agreement, the City Manager shall certify the completion of the Required Improvements to the City Council. No improvements shall be finally accepted unless all aspects of the work have been inspected and determined to have been completed in accordance with the Improvement Plans and City standards. Subdivider shall bear all costs of plan check, inspection(s) and certification.

6. Safety Devices. Subdivider shall provide and maintain such guards, fences, barriers, regulatory signs, warning lights, and other safety devices adjacent to and on the Property as may be necessary to prevent accidents to the public and damage to the Property and adjacent property. Subdivider shall furnish, place, and maintain such lights as may be necessary for illuminating the said fences, barriers, signs, and other safety devices. At the end of all work to be performed under this Agreement, all fences, barriers, regulatory signs, warning lights, and other safety devices (except such safety items as may be shown on the plans and included in the items of work) shall be removed from the site of the work by Subdivider, and the entire site left clean and orderly.

7. Superintendence by Subdivider. Subdivider shall require each contractor and subcontractor to have a competent project manager on the job at all times when that contractor or subcontractor, or any employee or agent thereof, is performing work on the Required

Improvements. In addition, Subdivider shall maintain an office with a telephone and Subdivider or a person authorized to make decisions and to act for Subdivider in Subdivider's absence shall be available on the job site within three (3) hours of being called at such office by City during the hours of 9:00 A.M. through 5:00 P.M., Monday through Friday, or any other day or time when work is being performed on the Required Improvements.

8. Work; Time for Commencement and Performance. Work on the Required Improvements will commence by the Subdivider on December 7, 2021\_ and Work on the Required Improvements shall be completed on or before December 31, 2022. City will accept the Required Improvements only after the Subdivider provides written notice to City that the Required Improvements are complete and City determines in writing that the Required Improvements are complete and consistent with all applicable terms and conditions.

9. Time of Essence; Extension.

a. Time is of the essence of this Agreement. The dates for commencement and completion of the Required Improvements ("Dates") may not be extended, except as provided in this paragraph. The City Manager may extend the Dates for a maximum of one hundred and eighty (180) days, for delays in work caused by inclement weather, riots, strikes, lockouts, fires, earthquakes, floods and conditions resulting therefrom, or for any other reason that is beyond the control of the Subdivider. The City Council shall authorize the extension of the Dates for any other cause, or an extension beyond one hundred and eighty (180) days. Extensions shall be granted only upon a showing of good cause by the Subdivider. The City Council or City Manager, as designated above, shall be the sole and final judge as to whether Subdivider shall be granted an extension.

b. Requests for extension of Dates shall be in writing and delivered to City in the manner hereinafter specified for service of notices. If City grants an extension of time, such extension shall be in writing to Subdivider in the manner hereinafter specified for service of notices. City shall not be bound by an oral extension of Dates.

c. If City extends the Dates, such extension may be granted without written notice by City to the Subdivider's surety, and shall in no way release any guarantee or security given by the Subdivider pursuant to this Agreement, or relieve or release those providing an improvement security pursuant to this Agreement. The surety or sureties, if any, in executing the securities shall be deemed to have expressly agreed to any such extension of time.

d. In granting any extension of Dates, City may require a new or amended improvement security in amounts to reflect increases in the costs of constructing the Required Improvements, and/or impose other conditions to protect City's interests and ensure the timely completion of the Required Improvements.

10. Utility Undergrounding and Relocation Costs. Subdivider shall assume all costs for utility and cable television undergrounding and/or relocation which are not the responsibility of the cable television, gas, electric, telephone, or other utility company under the terms of the franchises with City or otherwise imposed upon the utility companies by law.

11. Improvement Security. Concurrently with the execution of this Agreement, Subdivider shall furnish to City security to ensure the faithful performance of all duties and obligations of Subdivider herein contained. Such improvement security shall be in a form acceptable to the City Attorney. Such security shall be either a corporate surety bond, a letter of credit or other instrument of credit issued by a banking institution subject to regulation by the State or Federal government and pledging that the funds necessary to carry out this Agreement are on deposit and guaranteed for payment, or a cash deposit made either directly with the City or deposited with a recognized escrow agent for the benefit of the City. City shall be the sole indemnitee named on any instrument required by this section.

a. Faithful Performance Security. Subdivider shall maintain faithful performance security as set forth in the Citrus Heights Municipal Code Chapter 8, Article XII, Chapter 22.80 to secure faithful performance of this Agreement (“Faithful Security”). This security shall be in the amount of one hundred percent (100%) of the total estimated cost of the Required Improvements, as determined by the City Manager.

b. Payment Security. Subdivider shall maintain payment security as set forth in the Citrus Heights Municipal Code Article XII Chapter 22.80 to secure payment to its contractor, subcontractors and to persons renting equipment or furnishing labor or materials to them for the work (“Payment Security”). This security shall be in the amount of one hundred percent (100%) of the total estimated cost of the Required Improvements, as determined by the City Manager.

c. Guarantee and Warranty Security. Subdivider shall maintain a guarantee and warranty security in the amount of ten percent (10%) of the total estimated cost of the Required Improvements, as determined by the City Manager, to guarantee and warrant the Required Improvements for a period of one year following their completion and acceptance, against any defective work or labor done, or defective materials furnished (“Guarantee Security”).

d. Monument Security. Subdivider shall maintain a monument security in the amount of one hundred percent (100%) of the total estimated cost of the installation of survey monuments in the Subdivision, as determined by the City Manager, which total cost is in the amount of One Thousand Five Hundred Dollars (\$1,500.00), to guarantee and secure the placement of such monuments (“Monument Security”).

e. Bond security requirements. Any bonds submitted as security pursuant to this section shall be executed by a surety company authorized to transact a surety business in the State of California. These bonds shall be furnished on the forms enclosed following this Agreement or as approved by the City Attorney in writing. The bonds must also receive City approval. The bonds shall be obtained from a responsible corporate surety (or sureties) acceptable to City; the surety must be licensed by the State of California to act as surety upon bonds and undertakings and maintains in this State at least one office of business. The premiums for the bonds shall be paid by Subdivider.

f. All securities requirements.

i. No change, alteration, or addition to the terms of this Agreement or the plans and specifications incorporated herein shall in any manner affect the obligation of the sureties, except as otherwise provided by the Subdivision Map Act.

ii. The securities shall be irrevocable, shall not be limited as to time (except as to the one-year guarantee and warranty period) and shall provide that they may be released, in whole or part, only upon the written approval of the City Manager and as provided in Section 12. All securities provided pursuant to this Agreement shall expressly obligate the surety for any extension of time authorized by City for Subdivider's completion of the Required Improvements, whether or not the surety is given written notice of such an extension by City.

iii. The Attorney-in-Fact (resident agent) who executes the securities on behalf of the surety company must attach a copy of his/her Power of Attorney as evidence of his/her authority. A notary shall acknowledge the Power of Attorney as of the date of the execution of the surety bond that it covers.

12. Release of Security.

a. Guarantee Security. Guarantee Security shall be released one year after the City Council's acceptance of the Required Improvements. The amount released shall first be reduced by the amount deemed necessary by City to correct any defects in the Required Improvements that are known or believed to exist at the end of the Guarantee Security period.

b. Payment Security. Payment Security shall be released thirty-five (35) days after the date when claims of lien are required to be recorded pursuant to Civil Code Sections 9000 *et seq.*, but in no event shall the Payment Security be released prior to one hundred twenty (120) days after City Council's acceptance of the Required Improvements. The amount released shall first be reduced by the total of all claims filed and written notice thereof given to City. City may require the surety not to release the amount of Payment Security to assure payment of City's reasonable expenses and fees, including attorneys' fees.

c. Faithful Performance Security. Faithful Security shall be released after City Council's acceptance of the Required Improvements.

d. Monument Security. Monument Security shall be released upon City Manager's acceptance of the required monument installation.

13. Inspection and Other Fees. Subdivider shall pay City all fees imposed in connection with the construction and inspection of the Required Improvements. These fees must be paid in full prior to City's acceptance of the Required Improvements. The fees referred to above are not the only City fees, charges or other costs that have been, or will be, imposed on the Subdivision and its development, and this Agreement shall in no way exonerate or relieve the Subdivider from paying such other applicable fees, charges, and/or costs.

14. Defense, Indemnification and Hold Harmless. Subdivider shall defend, indemnify, and hold harmless City, its officers, officials, employees, agents, and volunteers from any and all

claims, losses, damages, including property damage, personal injury, including death, costs, including attorneys' fees, and liability of any kind or nature directly or indirectly arising out of or in any way connected with performance under this Agreement and/or the construction of the Required Improvements by the Subdivider, contractor or any subcontractor, or of any person directly or indirectly employed by, or acting as agent for the Subdivider, contractor or any subcontractor, except those matters arising from the sole or willful negligence of City.

This defense, indemnification and hold harmless provision shall extend to claims, losses, damage, injury, costs, including attorneys' fees, and liability for injuries occurring after completion of the construction of the Required Improvements as well as during construction, and shall apply regardless of whether or not City has prepared, supplied or approved the plans and/or specifications for the Required Improvements or has inspected or accepted the Required Improvements. Acceptance of insurance required under this Agreement shall not relieve Subdivider from liability under this defense, indemnification and hold harmless provision.

The parties intend that this provision shall be broadly construed to effectuate its purpose.

15. Environmental Warranty.

a. Warranties. Prior to City's acceptance of dedications or improvements, Subdivider shall certify and warrant that:

i. The Subdevelopment and Subdivider are not in violation of any environmental law, and neither are subject to any existing, pending, or threatened investigation by any federal, state or local governmental authority under or in connection with any environmental law;

ii. Subdivider nor any third party, will not use, generate, manufacture, produce, or release, on, or under the Subdevelopment, any hazardous substance, except in compliance with all applicable environmental laws; and

iii. Subdivider has not caused or permitted the release of and has no knowledge of the release or presence of, hazardous substance(s) on the Subdevelopment or the migration of any hazardous substance from or to any other property adjacent to, or in the vicinity of, the Subdevelopment.

b. Notice. Subdivider shall give prompt written notice to City at the address set forth herein of:

i. Any proceeding or investigation by federal, state or local governmental authority with respect to the presence of any hazardous substance on the Subdevelopment or the migration thereof from or to any other property adjacent to, or in the vicinity of, the Subdevelopment;

ii. Any claims made or threatened by any third party against City or the Subdevelopment, relating to loss or injury resulting from any hazardous substance; and

iii. Subdivider's discovery of an occurrence or condition on property adjoining or in the vicinity of the Subdevelopment that could cause the Subdevelopment to be subject to restrictions on its ownership, occupancy, use for the purpose for which it is intended, transferability, or lawsuit under any environmental law.

c. As used in this Agreement, the term "hazardous substance" includes any hazardous or toxic substance or material or waste, including but not limited to all types of gasoline, oil, and other petroleum hydrocarbons, asbestos, radon, polychlorinated biphenols (PCBs), or any other chemical, material, controlled substance, object, condition, waste, living organism or any combination thereof which is or may be hazardous to human health or safety or to the environment due to its radioactivity, ignitability, corrosivity, reactivity, explosivity, toxicity, carcinogenicity, mutagenicity, phytotoxicity, infectiousness or other harmful properties of effects..

#### 16. Subdivider's Pollution Liability Insurance

a. Subdivider, at its sole cost and expense shall maintain for the duration of this Agreement, pollution liability insurance of at least \$3,000,000 per pollution incident and \$3,000,000 Aggregate;

b. Coverage must apply to pollution incidents at or from any location at which Contractor is performing work under this agreement.

c. Prior written consent is required if the insurance has a deductible or self-insured retention in excess of \$50,000.

d. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the date of commencement of construction of the Required Improvements.

e. The insurance must be maintained for five (5) years after the Required Improvements are accepted by the City Council. If the insurance is on a Claims-Made basis, the continuation coverage may be provided by renewal of the existing policy; an extended reporting period endorsement; or replacement insurance with a retroactive date no later than the commencement of the work.

f. No cancellation or material change may be made to the insurance without written approval of City, and City must be given thirty (30) days' prior written notice of any proposed material change or cancellation.

g. If Subdivider fails to obtain or maintain pollution liability insurance as required by this section, City at its sole option, may obtain pollution liability insurance. Subdivider shall be responsible for City's costs of obtaining such insurance.

#### 17. Subdivider's Insurance.

a. Insurance. Subdivider shall maintain in force at all times during the duration and performance of this Agreement, the policies of insurance specified in this section.

Such insurance must have the written approval of City as to limit, form, and amount, and shall be placed with insurers with an A.M. Best rating of no less than A: VII.

b. Evidence of Insurance. Prior to the commencement of any work, the Subdivider shall furnish to City, and City must approve, original certificates of insurance and endorsements effecting coverage for all policies required by the Agreement. Subdivider shall not allow any contractor or subcontractor to commence work until similar insurance is obtained by such contractor(s) or subcontractor(s) and approved by City. Certificates shall be signed by a person authorized by the insurer, or insurers, to bind coverage on their behalf. Certificate of insurance and endorsements shall be on standard Acord, Department of Insurance, or Insurance Services Office approved forms, or on forms approved by City. As an alternative to providing City with approved forms of certificates of insurance and endorsements, the Subdivider may provide complete, certified copies of all required insurance policies, including endorsements, effecting the coverage required by this section.

c. No Suspension of Insurance. Each insurance policy required by this Agreement shall be endorsed to state that coverage shall not be suspended, voided, cancelled, or terminated without providing City with thirty (30) days prior written notice.

d. Deductibles. Any deductibles, or self-insured retentions, exceeding five thousand dollars (\$5,000) must be declared to, and approved by, City. Upon request by City, Subdivider shall demonstrate financial capability for payment of such deductibles or self-insured retentions.

e. Coverages Shall Not Limit Obligations. The requirement as to types, limits, and City's written approval of insurance coverage to be maintained by Subdivider are not intended to, and shall not in any manner, limit or qualify the liabilities and obligations assumed by Subdivider under the Agreement.

f. Material Element. The maintenance of insurance as required by this section is a material element of the Agreement. The failure of Subdivider, its contractor(s) or subcontractor(s) to maintain or renew insurance coverage, or to provide evidence of renewal shall be a material breach of this Agreement.

(1) Workers' Compensation Insurance. Subdivider shall maintain, during the term of this Agreement, Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Subdivider in the amount required by applicable law. Employer's Liability limits shall not be less than one million dollars (\$1,000,000) per occurrence. The Subdivider shall execute a certificate in compliance with Labor Code Section 1861, on the form provided in the Contract Documents. The insurer shall agree to waive all rights of subrogation against City, its officers, officials, employees, agents, and volunteers for losses arising from work falling within the terms of this Agreement. Subdivider shall indemnify and hold harmless City, its officers, officials, employees, agents, and volunteer from any damages resulting from failure of Subdivider, or its contractor(s) or subcontractor(s), to obtain and maintain such insurance.

(2) Commercial General and Automobile Liability Insurance.

Subdivider shall maintain during the term of this Agreement commercial general and automobile liability insurance. The City, its officers, officials, employees, agents, and volunteers shall be named as additional insured on all policies. The insurance shall include, but not be limited to, protection against claims arising from death, bodily or personal injury, or damage to property resulting from actions, failures to act, or operations of Subdivider, its contractor(s) or subcontractor(s), whether such operations are by Subdivider or any contractor or subcontractor or by anyone directly or indirectly employed by either Subdivider or any contractor or subcontractor. The amount of insurance coverage shall not be less than two million dollars (\$2,000,000) per occurrence and four million dollars (\$4,000,000) aggregate, combined single limit coverage for risks associated with the work contemplated by this Agreement. Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis.

(3) Endorsements. Subdivider's commercial general and automobile liability insurance shall include, or be endorsed to include, the following:

(a) Provision or endorsement naming City, its officers, officials, employees, agents, and volunteers as Additional Insureds for liability arising out of the performance of any work under this Agreement. Forms CG 20 10 and 20 37 or equivalent.

(b) Provision or endorsement stating that insurance is Primary insurance with respect to City, its officers, officials, employees, agents, and volunteers, to the extent City is an additional insured. Any insurance or self-insurance maintained by City, its officers, officials, employees, agents, and volunteers shall be excess of the Subdivider's insurance and shall be non-contributing.

(c) Provision or endorsement stating that the Subdivider's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability (cross-liability).

(d) Provision or endorsement stating that any failure to comply with reporting or other provisions of the policies including breaches of representations shall not affect coverage provided to City, its officers, officials, employees, agents, and volunteers.

18. Prevailing Wage. In the event it is determined that the Subdivider is required to pay prevailing wages for the work performed under this Agreement, the Subdivider shall pay all penalties and wages as required by applicable law, including penalties assessed to City.

19. Title to Required Improvements. City shall not accept any real property to be dedicated or the Required Improvements unless they are constructed in conformity with the approved plans and specifications, approved modifications, if any, the approved final map, and City Improvement Standards and Specifications, to the satisfaction of the City Manager. Until such time as the Required Improvements are accepted by City, Subdivider shall retain title and shall be responsible for, and bear the risk of loss to, any of the improvements constructed or installed.

Title to and ownership of any real property to be dedicated and the Required Improvements constructed under this Agreement by Subdivider shall vest absolutely in City upon completion and acceptance in writing of such Required Improvements by City. City shall not accept the Required Improvements unless title to the Required Improvements is entirely free from lien(s). Prior to acceptance, Subdivider shall supply City with appropriate lien releases, at no cost to and in a form acceptable to City.

20. Repair or Reconstruction of Defective Work. If, within a period of one year after final acceptance by the City Council of the Required Improvements, any improvement or part of any improvement furnished and/or installed or constructed, or caused to be installed or constructed by Subdivider, or any of the work done under this Agreement materially fails to fulfill any of the requirements of this Agreement or the specifications referred to herein, Subdivider shall without delay and without any cost to City, repair, replace or reconstruct any defective or otherwise unsatisfactory part or parts of the improvements. If the Subdivider fails to act promptly or in accordance with this requirement, or if the exigencies of the situation require repairs or replacements to be made before the Subdivider can be notified, then City may, at its option, make the necessary repairs or replacements or perform the necessary work, and Subdivider shall pay to City the actual cost of such repairs plus fifteen percent (15%) within thirty (30) days of the date of billing for such work by City.

21. Subdivider Not Agent of City. Neither Subdivider nor any of Subdivider's agents, contractors, or subcontractors are or shall be considered to be agents of City in connection with the performance of this Agreement.

22. Notice of Breach and Default. The following shall constitute a default under this Agreement: If Subdivider refuses or fails to perform the work on the Required Improvements, or any part thereof, with such diligence as will ensure its completion within the time specified in this Agreement, or any extension thereof, or fails to complete the Required Improvements within such time; if Subdivider should be adjudged bankrupt, or Subdivider should make a general assignment for the benefit of Subdivider's creditors, or if a receiver should be appointed in the event of Subdivider's insolvency; or if Subdivider or any of Subdivider's contractors, subcontractors, agents or employees should violate any of the provisions of this Agreement. In the event of Subdivider's default, Subdivider shall be deemed to be in breach of this Agreement and City may serve written notice upon Subdivider and Subdivider's surety, if any, of the breach of this Agreement. Subdivider shall have fifteen (15) days from receipt of written notice by City to cure any default.

a. City reserves all remedies available at law or in equity, for breach of Subdivider's obligations under this Agreement. City shall have the right, subject to this section, to draw upon or utilize the appropriate security to mitigate City damages in event of default by Subdivider. The right of City to draw upon or utilize the security is additional to, and not in lieu of, any other remedy available to City. It is specifically recognized that the estimated costs and security amounts may not reflect the actual cost of construction or installation of the Required Improvements and therefore, City's damages for Subdivider's default shall be measured by the cost of completing the Required Improvements. The sums provided by the Improvement Security may be used by City for the completion of the Required Improvements in accordance with the improvement plans and specifications contained herein. The Improvement Security

includes the Payment Security, Faithful Performance Security, guarantee and Warranty Security, Monument Security and any other improvement security required by Section 11 of this Agreement.

b. In the event of Subdivider's default under this Agreement, Subdivider authorizes City to perform Subdivider's obligations under this Agreement, after twenty (20) days from City's written notice of default to Subdivider and Subdivider's Surety. Subdivider agrees to pay the entire cost of such performance by City. City may take over the work and prosecute the same to completion, by contract or by any other method City may deem advisable, for the account and at the expense of Subdivider, and Subdivider's Surety shall be liable to City for any excess cost or damages; and, in such event, City, without liability for so doing, may take possession of, and utilize in completing the work, such materials, appliances, plant and other property belonging to Subdivider as may be on the site of the work and necessary for performance of the work.

c. Failure of Subdivider to comply with the terms of this Agreement shall constitute Subdivider's consent to the filing by City of a "notice of violation" against all the lots in the Subdivision, or to rescind the written approval of the Subdivision or otherwise revert the Subdivision to acreage. The remedy provided by this section is in addition to, and not in lieu of, other remedies available to City. Subdivider agrees that the choice of remedy or remedies for Subdivider's breach shall be at the discretion of City.

d. If Subdivider fails to perform any obligation hereunder, Subdivider agrees to pay all costs and expenses incurred by City in securing performance of such obligations, including costs of suit and reasonable attorneys' fees.

e. The failure of City to take an enforcement action with respect to a default, or to declare a breach, shall not be construed as a waiver of that default or breach or subsequent default or breach of Subdivider.

Subdivider recognizes that by approval of the final map for Subdivision, City has conferred substantial rights upon Subdivider, including the right to sell, lease, or finance lots within the Subdivision, and has taken the final act necessary to subdivide the property within the Subdivision. As a result, City will be damaged to the extent of the cost of installation of the improvements by Subdivider's failure to perform its obligations under this Agreement, including, but not limited to, Subdivider's obligation to complete construction of the Required Improvements by the time established in this Agreement. City shall be entitled to all remedies available to it pursuant to this Agreement and by law, in the event of a default by Subdivider. It is specifically recognized that the determination of whether a reversion to acreage or rescission of the Subdivision constitutes an adequate remedy for default by the Subdivider shall be within the sole discretion of City.

23. Building Permit Sign-Off or Issuance of Certificate of Occupancy. Until City accepts the Required Improvements, City will not finalize or sign off as complete any building permit or issue any certificate of occupancy for the Subdivision.

24. Notices. All notices required under this Agreement shall be in writing and delivered in person or sent by registered or certified mail, postage prepaid.

Notices to City shall be addressed as follows:

CITY OF CITRUS HEIGHTS  
Attn: Ashley Feeney, City Manager  
6360 Fountain Square Drive  
Citrus Heights, CA 95621

Notices to Subdivider shall be addressed as follows:

Jeremy Jaeger  
Auburn Citrus Heights, LLC  
7225 26<sup>th</sup> Street  
Rio Linda, CA 95673

Any party may change such address by notice in writing to the other party, and thereafter written notices shall be addressed and transmitted to the new address.

25. Waiver. The waiver by either party of a breach by the other party, of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of either the same or a different provision of this Agreement.

26. Attorney Fees. In the event legal action is brought to enforce or interpret this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees, in addition to any other relief to which it may be entitled.

27. Personal Nature of Subdivider's Obligations/Assignment. All of Subdivider's obligations under this Agreement are and shall remain the personal obligations of Subdivider notwithstanding a transfer of all or any part of the property within the Subdivision subject to this Agreement, and Subdivider shall not assign any of its obligations under this Agreement without the prior written consent of City.

28. Acquisition and Dedication of Easements or Right-of-Way. If any of the Required Improvements are to be constructed or installed on land not within the Subdivision or an already existing public right-of-way, no construction or installation shall be commenced before:

a. The irrevocable offer of dedication or conveyance to City of appropriate right-of-way, easements or other interests in real property, and appropriate authorization from the property owner to allow construction or installation of the Required Improvements; or

b. The issuance of an order of possession by a court of competent jurisdiction pursuant to California eminent domain law. Subdivider shall comply in all respects with any such order of possession.

Nothing in this section shall be construed as authorizing or granting an extension of time to Subdivider for completion of the Required Improvements.

29. Compliance with Laws. Subdivider, its agents, employees, contractors, and subcontractors shall comply with all federal, state and local laws in the performance of the Required Improvement including, but not limited to, obtaining all applicable permits and licenses.

30. No Vesting of Rights. Entering into this Agreement shall not be construed to vest Subdivider's rights with respect to any change in any zoning or building law or ordinance.

31. Approvals by City. Any approval or consent that is to be given by City under this Agreement shall be in writing, and any approval or consent that is not in writing shall not be binding on City.

32. Construction and Interpretation. It is agreed and acknowledged by Subdivider that the provisions of this Agreement have been arrived at through negotiation, and that Subdivider has had a full and fair opportunity to revise the provisions of this Agreement and to have such provisions reviewed by legal counsel. Therefore, the normal rule of construction that any ambiguities are to be resolved against the drafting party shall not apply in construing or interpreting this Agreement.

33. Successors and Assigns -- Covenant Running With the Land. This Agreement shall inure to the benefit of, and be binding upon, the successors and assigns of the respective parties. A memorandum of this Agreement in the form attached hereto shall be recorded in the Office of the Recorder of Sacramento County concurrently with the final map or parcel map of the Subdivision. This Agreement shall constitute a covenant running with the land and an equitable servitude upon the real property within the Subdivision.

34. Severability. The provisions of this Agreement are severable. If any portion of this Agreement is held invalid by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect unless amended or modified by mutual written consent of the parties.

35. Actions. Any action by any party to this Agreement, or any action concerning a security furnished pursuant thereto, shall be brought in the appropriate court of competent jurisdiction within the County of Sacramento, State of California, notwithstanding any other provision of law which may provide that such action may be brought in some other location. The law governing this Agreement is the law of the State of California.

36. Integration. This Agreement is an integrated agreement. It supersedes all prior negotiations, representations, or agreements, either written or oral.

37. Modification. This Agreement may be amended only by a written instrument signed by the parties. Subdivider shall bear all costs of amendments to this Agreement that are requested by the Subdivider.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Agreement as follows:

CITY OF CITRUS HEIGHTS, a municipal  
corporation

SUBDIVIDER  
AUBURN CITRUS HEIGHTS, LLC, a  
California limited liability company

By: \_\_\_\_\_  
Ashley J. Feeney, City Manager

By: \_\_\_\_\_  
Jeremy R. Jaeger, President

ATTEST:

\_\_\_\_\_  
Amy Van, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ryan R. Jones, City Attorney

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SACRAMENTO )

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_, who proved to me  
on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or  
the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the Stat of California that the foregoing paragraph is tru and correct.

WITNESS my hand and official seal.

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NOTARY PUBLIC



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** February 24, 2022

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

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

**SUBJECT:** **Adopt 2021 Local Hazard Mitigation Plan Update**

### **Summary and Recommendation**

The Disaster Mitigation Act of 2000 requires communities to develop a local hazard mitigation plan (LHMP) to remain eligible for federal hazard mitigation funding, with updates required approximately every five years. This LHMP updates the revised Sacramento County Plan dated December 6, 2016 and previously adopted by the Citrus Heights City Council on October 12, 2017. Final acceptance of the Plan by the Federal Emergency Management Agency (FEMA) is contingent upon adoption of the attached Resolution.

Staff recommends the City Council adopt Resolution No. 2022-\_\_\_\_, a Resolution of the City Council of the City of Citrus Heights, California, adopting the 2021 Sacramento County Local Hazard Mitigation Plan Update.

### **Fiscal Impact**

There are no direct fiscal impacts from approval of this Plan; however, if pursued several of the mitigation measures may need future funding. Maintaining an approved hazard mitigation plan allows participating jurisdictions to apply for state and federal grant funding.

### **Background and Analysis**

Sacramento County and 28 other jurisdictions, including the City of Citrus Heights, prepared the Plan update to the 2016 Sacramento County Local Hazard Mitigation Plan approved by FEMA.

On July 14, 2020, the Sacramento County Board of Supervisors approved a consultant agreement with Foster Morrison Consulting to coordinate the planning effort. The contract was managed by the Floodplain Management Section of the County of Sacramento Department of Water Resources through use of a FEMA grant and local cost sharing from the participating agencies including Sacramento County and the City of Citrus Heights.

The purpose of the Plan is to guide hazard mitigation planning to protect people and property from the effects of hazard events. Examples of the hazard events covered in the plan include flood, fire, earthquake, climate change, drought and extreme wind events.

The federal Disaster Mitigation Act of the year 2000 requires communities develop a local hazard mitigation plan to remain eligible for federal hazard mitigation funding, with updates required every five years. The LHMP is a tool to guide land use planning, and it is required for continued standing in the FEMA Community Rating System (CRS). In addition, maintaining a Plan allows participating jurisdictions to apply for grant funds from FEMA.

A planning committee, using the FEMA prescribed planning process, included active participation by staff from various County departments, from all seven cities, and from numerous special districts. This update also included several opportunities for local participation and there were public attendees from throughout the County and the seven cities.

The planning committee agreed on the following major goals for this plan:

1. Minimize risk and vulnerability of the Sacramento County community to the impacts of natural hazards, including consideration of the exacerbation of natural hazards and unique hazards due to climate change; and protect lives and reduce damages and losses to property, public health, economy, and the environment.
2. Provide protection for critical facilities, infrastructure, utilities, and services from hazard impacts, to include hardening and other efforts to establish redundancy and reliability, to prevent or minimize loss, and to facilitate recovery.
3. Enhance public outreach, education, awareness, and preparedness for all hazards to minimize hazard related losses and to include effective strategies for reaching underserved communities and vulnerable populations.
4. Increase community capabilities and leverage interagency and public-private coordination and resources to mitigate losses and to be prepared for, respond to, and recover from a disaster event.
5. Assure conformance to federal and state hazard mitigation initiatives and maximize potential for mitigation implementation.

The planning committee reviewed the hazards and assessed the risk, reviewed the progress on past mitigation measures and updated the list of proposed mitigation measures. The LHMP is presented in seven sections and there is an annex for each participating city and district. The appendices include the planning process, references, mitigation strategy, adoption resolution, threatened and endangered species, critical facilities, survey, the County's repetitive loss area analysis, and the watershed management plan. Adoption by each jurisdiction is relevant to the portion of the LHMP that pertains to that jurisdiction.

The California Office of Emergency Services and FEMA Region IX officials have reviewed the Sacramento County Local Hazard Mitigation plan and approve it contingent upon the official adoption of the participating governing body. This is a countywide plan and each of the 28 participating jurisdictions may also adopt the Plan.

**Subject:** Adopt 2021 Local Hazard Mitigation Plan Update

**Date:** February 24, 2022

**Page 3 of 3**

The 2936 page LHMP is too large to attach, but can be accessed online at [www.StormReady.org](http://www.StormReady.org) (click- Local Hazard Mitigation Plan). The Executive Summary is attached, and a hard copy of the full LHMP is available for review on the reference shelf at the Arcade Library, 2443 Marconi Avenue, Sacramento (Tuesday to Saturday 10am to 6pm).

**Attachments:**

1. Resolution No. 2022-\_\_\_\_, a Resolution of the City Council of the City of Citrus Heights, California, adopting the 2021 Sacramento County Local Hazard Mitigation Plan Update.
2. 2021 LHMP Executive Summary



**RESOLUTION NO. 2022-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CITRUS HEIGHTS, CALIFORNIA, ADOPTING THE 2021  
SACRAMENTO COUNTY LOCAL HAZARD MITIGATION PLAN UPDATE**

**WHEREAS**, the City of Citrus Heights recognizes the threat that natural hazards pose to people and property within our community;

**WHEREAS**, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences within our community;

**WHEREAS**, the United States Congress passed the Federal Disaster Mitigation Act of 2000 that emphasizes the need for pre-disaster mitigation of potential natural hazards;

**WHEREAS**, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments;

**WHEREAS**, an adopted Local Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs;

**WHEREAS**, the City of Citrus Heights fully participated in the FEMA-prescribed mitigation planning process to prepare the 2021 Local Hazard Mitigation Plan update (Plan);

**WHEREAS**, the California Office of Emergency Services and Federal Emergency Management Agency (FEMA) Region IX officials have reviewed the 2021 Sacramento County Local Hazard Mitigation Plan update and approved it contingent upon adoption by the participating governing body;

**WHEREAS**, Citrus Heights desires to comply with the requirements of the Disaster Mitigation Act and to augment its hazard mitigation and emergency planning efforts by formally adopting the Plan;

**WHEREAS**, adoption demonstrates the commitment of Citrus Heights to implement the Local Hazard Mitigation Plan in its planning and operations to achieve the goals, objectives, and actions in the Plan; and

**WHEREAS**, a copy of this adopted resolution will be presented to the California Office of Emergency Services and to FEMA Region IX officials to enable the Plan's final approval in accordance with the requirements of the Disaster Mitigation Act of 2000 and to establish conformance with the requirements of California Assembly Bill 2140.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** the City Council of the City of Citrus Heights hereby adopts the 2021 Sacramento County Local Hazard Mitigation Plan Update.

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

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 24th day of February, 2022 by the following vote, to wit:

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

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**Porsche Middleton, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**

*Sacramento County*

*Multi-jurisdictional Local Hazard Mitigation Plan Update*

*September 2021*



## Executive Summary

This 2021 Local Hazard Mitigation Plan (LHMP) Update serves to update the 2016 Federal Emergency Management Agency (FEMA) approved Sacramento County LHMP. The purpose of hazard mitigation is to reduce or eliminate long-term risk to people and property from hazards. Sacramento County, 7 incorporated communities, and 24 special districts prepared this LHMP Update to the FEMA approved 2016 Sacramento County LHMP, in order to make the County and its residents less vulnerable to future hazard events.

This LHMP Update demonstrates the community's commitment to reducing risks from hazards and serves as a tool to help decision makers direct mitigation activities and resources. This LHMP Update was also developed, among other things, to ensure Sacramento County and participating jurisdictions' continued eligibility for certain federal disaster assistance: specifically, the FEMA Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation Program (PDM), and the Flood Mitigation Assistance Program (FMA).

Each year in the United States, natural disasters take the lives of hundreds of people and injure thousands more. Nationwide, taxpayers pay billions of dollars annually to help communities, organizations, businesses, and individuals recover from disasters. These monies only partially reflect the true cost of disasters, because additional expenses to insurance companies and nongovernmental organizations are not reimbursed by tax dollars. Many natural disasters are predictable, and much of the damage caused by these events can be alleviated or even eliminated. The purpose of hazard mitigation is to reduce or eliminate long-term risk to people and property from hazards.

### LHMP Plan Development Process

Hazard mitigation planning is the process through which hazards that threaten communities are identified, likely impacts determined, mitigation goals set, and appropriate mitigation strategies determined, prioritized, and implemented. This LHMP Update documents the hazard mitigation planning process and identifies relevant hazards and vulnerabilities and strategies the County will use to decrease vulnerability and increase resiliency and sustainability in the community.

This is a multi-jurisdictional plan with the following seeking approval of the plan by FEMA:

- City of Citrus Heights\*
- City of Elk Grove\*
- City of Folsom\*
- City of Galt\*
- City of Isleton\*
- City of Rancho Cordova\*
- City of Sacramento\*
- American River Flood Control District
- Citrus Heights Water District
- Cosumnes Community Services District Fire\*
- Los Rios Community College\*
- Reclamation District 3\*

- Reclamation District 341\*
- Reclamation District 349
- Reclamation District 369\*
- Reclamation District 551\*
- Reclamation District 554\*
- Reclamation District 556\*
- Reclamation District 563\*
- Reclamation District 800\*
- Reclamation District 1000\*
- Reclamation District 1002\*
- Reclamation District 1601\*
- Reclamation District 2111\*
- Sacramento County Water Agency
- Sac Metro Fire
- Sacramento Regional County Sanitation District\*
- Sacramento Area Sewer District\*
- Southgate Recreation and Park District\*
- Twin Rivers School District\*

\* Participated in 2016 Sacramento County LHMP

This LHMP Update was prepared pursuant to the requirements of the Disaster Mitigation Act of 2000 (Public Law 106-390) and the implementing regulations set forth by the Interim Final Rule published in the Federal Register on February 26, 2002, (44 CFR §201.6) and finalized on October 31, 2007. The County and all participating jurisdictions followed a planning process prescribed by FEMA as detailed in Table ES-1.

**Table ES-1 Local Hazard Mitigation Planning Process**

DMA Process	Modified CRS Process
<b>1) Organize Resources</b>	
201.6(c)(1)	1) Organize the Planning Effort
201.6(b)(1)	2) Involve the Public
201.6(b)(2) and (3)	3) Coordinate with Other Departments and Agencies
<b>2) Assess Risks</b>	
201.6(c)(2)(i)	4) Identify the Hazards
201.6(c)(2)(ii)	5) Assess the Risks
<b>3) Develop the Mitigation Plan</b>	
201.6(c)(3)(i)	6) Set Goals
201.6(c)(3)(ii)	7) Review Possible Activities
201.6(c)(3)(iii)	8) Draft an Action Plan
<b>4) Implement the Plan and Monitor Progress</b>	
201.6(c)(5)	9) Adopt the Plan
201.6(c)(4)	10) Implement, Evaluate, and Revise the Plan

The planning process began with the organizational phase to establish the Hazard Mitigation Planning Committee (HMPC) comprised of key County representatives, and other local and regional stakeholders; to involve the public; and to coordinate with other departments and agencies. A detailed risk assessment was then conducted followed by the development of a focused mitigation strategy by all participating jurisdictions or the Sacramento County Planning Area. Once approved by Cal OES and FEMA, this LHMP Update will be adopted and implemented by the County and all participating jurisdictions over the next five years.

## Risk Assessment

The HMPC conducted a risk assessment that identified and profiled hazards that pose a risk to the County and participating jurisdictions, assessed the vulnerability of the Sacramento County Planning Area to these hazards, and examined the existing capabilities to mitigate them.

The Sacramento County Planning Area is vulnerable to numerous hazards that are identified, profiled, and analyzed in this Plan. Floods, earthquakes, drought, levee failures, landslides, wildfires, and other severe weather events are among the hazards that can have a significant impact on the County. Table ES-2 details the hazards identified for this Sacramento County LHMP Update.

**Table ES-2 Sacramento County Hazard Identification Assessment**

Hazard	Geographic Extent	Likelihood of Future Occurrences	Magnitude/Severity	Significance	Climate Change Influence
Climate Change	Extensive	Likely	Limited	Medium	–
Dam Failure	Significant	Occasional	Catastrophic	High	Medium
Drought & Water Shortage	Extensive	Likely	Limited	Medium	High
Earthquake	Extensive	Occasional	Catastrophic	Medium	Low
Earthquake Liquefaction	Limited	Occasional	Critical	Medium	Low
Floods: 1%/0.2% annual chance	Significant	Likely	Catastrophic	High	Medium
Floods: Localized Stormwater	Extensive	Highly Likely	Limited	Medium	Medium
Landslides, Mudslides, and Debris Flow	Limited	Occasional	Limited	Low	Medium
Levee Failure	Extensive	Occasional	Critical	High	Medium
Pandemic	Extensive	Likely	Catastrophic	Medium	Medium
Severe Weather: Extreme Cold and Freeze	Extensive	Highly Likely	Limited	Medium	Medium
Severe Weather: Extreme Heat	Extensive	Highly Likely	Limited	Medium	High
Severe Weather: Heavy Rains and Storms	Extensive	Highly Likely	Limited	Medium	Medium
Severe Weather: Wind and Tornado	Extensive	Highly Likely	Limited	Medium	Low
Subsidence	Significant	Highly Likely	Limited	Medium	Medium
Volcano	Extensive	Unlikely	Negligible	Low	Low
Wildfire	Significant	Highly Likely	Critical	High	High
<p><b>Geographic Extent</b>  Limited: Less than 10% of planning area  Significant: 10-50% of planning area  Extensive: 50-100% of planning area  <b>Likelihood of Future Occurrences</b>  Highly Likely: Near 100% chance of occurrence in next year, or happens every year.  Likely: Between 10 and 100% chance of occurrence in next year, or has a recurrence interval of 10 years or less.  Occasional: Between 1 and 10% chance of occurrence in the next year, or has a recurrence interval of 11 to 100 years.  Unlikely: Less than 1% chance of occurrence in next 100 years, or has a recurrence interval of greater than every 100 years.</p> <p><b>Magnitude/Severity</b>  Catastrophic—More than 50 percent of property severely damaged; shutdown of facilities for more than 30 days; and/or multiple deaths  Critical—25-50 percent of property severely damaged; shutdown of facilities for at least two weeks; and/or injuries and/or illnesses result in permanent disability  Limited—10-25 percent of property severely damaged; shutdown of facilities for more than a week; and/or injuries/illnesses treatable do not result in permanent disability  Negligible—Less than 10 percent of property severely damaged, shutdown of facilities and services for less than 24 hours; and/or injuries/illnesses treatable with first aid  <b>Significance</b>  Low: minimal potential impact  Medium: moderate potential impact  High: widespread potential impact  <b>Climate Change Influence</b>  Low: minimal potential impact  Medium: moderate potential impact  High: widespread potential impact</p>					

## Mitigation Strategy

Based on the results of the risk assessment, the participating jurisdictions and the HMPC developed a mitigation strategy for reducing the County's and all participating jurisdictions' risk and vulnerability to hazards. The resulting Mitigation Strategy for the Sacramento County Planning Area is comprised of LHMP goals and objectives and a mitigation action plan which includes a series of mitigation action projects and implementation measures. Based on the risk assessment, the HMPC identified goals and objectives for reducing the Sacramento County Planning Area's vulnerability to hazards. The goals and objectives of this multi-hazard mitigation plan are:

**GOAL 1: Minimize risk and vulnerability of the Sacramento County community to the impacts of natural hazards, including consideration of the exacerbation of natural hazards and unique hazards due to climate change; and protect lives and reduce damages and losses to property, public health, economy, and the environment.**

**Goal 2: Provide protection for critical facilities, infrastructure, utilities, and services from hazard impacts, to include hardening and other efforts to establish redundancy and reliability, to prevent or minimize loss, and to facilitate recovery.**

**GOAL 3: Enhance public outreach, education, awareness, and preparedness for all hazards to minimize hazard related losses and to include effective strategies for reaching underserved communities and vulnerable populations.**

**GOAL 4: Increase community capabilities and leverage interagency and public-private coordination and resources to mitigate losses and to be prepared for, respond to, and recover from a disaster event.**

**GOAL 5: Assure conformance to federal and state hazard mitigation initiatives and maximize potential for mitigation implementation.**

Actions to support these goals are shown on Table ES-3.

*Table ES-3 Sacramento County Planning Area Mitigation Actions*

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
<b>Sacramento County</b>						
<b>Multi-Hazard Actions</b>						
Action 1. Integrate Local Hazard Mitigation Plan into Safety Element of General Plan	Unincorporated Sacramento County	2016 Action	X	X		Prevention
Action 2. Public Education and Awareness of Natural Hazards and Public Understanding of Disaster Preparedness	Unincorporated Sacramento County	2016 Action	X	X		Public Information
Action 3. County-wide Mass Care and Shelter Plan Update	Unincorporated Sacramento County	New Action	X	X		Emergency Services
Action 4. County-wide Evacuation Annex Update	Unincorporated Sacramento County	New Action	X	X		Emergency Services
Action 5. Evacuation Planning Countywide	Unincorporated Sacramento County	New Action	X	X		Prevention Emergency Services
Action 6. Expand Broadband/Wifi Access	Unincorporated Sacramento County	New Action	X	X		Emergency Services
<b>Climate Change and Pandemic Actions</b>						
Action 7. Implement and improve telecommuting and remote work access for County operations	Unincorporated Sacramento County	New Action	X	X		Prevention
Action 8. Implement the actions contained within the Sacramento County Climate Action/Adaptation Plan	Unincorporated Sacramento County	New Action	X	X		Prevention Property Protection Structural Projects Natural Resource Protection Public Information Emergency Services
Action 9. Develop and incentivize carbon sequestration plans and programs	Unincorporated Sacramento County	New Action	X	X		Prevention Property Protection Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 10. Update the Sacramento County Climate Action for carbon neutrality by 2030	Unincorporated Sacramento County	New Action	X	X		Prevention Property Protection Natural Resource Protection
<b>Dam Failure, Earthquake (and liquefaction), Flood: 1%, 0.5%, 0.2% annual chance, Flood: Localized Flood, Levee Failure, Subsidence, and Severe Weather: Heavy Rains and Storms Actions</b>						
Action 11. Bicycle/pedestrian bridge across Discovery Park connecting Garden Highway to the Jibboom Street bridge	Unincorporated Sacramento County	New Action	X	X	X	Prevention Structural Projects Natural Resource Protection Emergency Services
Action 12. Acquire Floodprone Properties	Unincorporated Sacramento County	New Action	X	X	X	Prevention Property Protection Structural Projects
Action 13. Maintain and improve railroad embankment levee from south of Freeport to south of Hood, a reach owned by CA Parks Department (Railroad Museum)	Unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 14. McCormack Williamson flood control weir	Unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 15. Flood risk mitigation for mobile home and recreational vehicle parks	Unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Structural Projects
Action 16. Plan for Public Information (PPI)	Unincorporated Sacramento County	2016 Action	X	X	X	Public Information
Action 17. Mitigation of repetitive loss flood areas and properties	Unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Structural Projects
Action 18. Flood risk mapping	Unincorporated Sacramento County	New Action	X	X	X	Prevention
Action 19. Storm Ready	Unincorporated Sacramento County	2016 Action	X	X	X	Prevention Emergency Services

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 20. Alder Creek flood hazard mitigation	Unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 21. Operational protocol for American River pump stations that are affected by the reoperation of Folsom Dam	Unincorporated Sacramento County	New Action	X	X	X	Property Protection Emergency Services
Action 22. Arcade Creek flood control	Unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 23. Beach Stone Lakes area flood risk reduction program	Unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 24. Protect critical facilities from flooding	Unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Emergency Services
Action 25. Dam Safety (Activity 630)	Unincorporated Sacramento County	New Action	X	X	X	Public Information Emergency Services
Action 26. Flood fighting for Delta legacy communities: Hood, Courtland, Locke, Walnut Grove	Unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection Emergency Services
Action 27. Implement Delta Small Communities	Unincorporated Sacramento County	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection Emergency Services Public Information
Action 28. Elevate houses to reduce flood risk	Unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Structural Projects

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 29. Flood emergency management exercises	Unincorporated Sacramento County	New Action	X	X	X	Prevention Emergency Services
Action 30. Flood evacuation mapping	Unincorporated Sacramento County	2016 Action	X	X	X	Prevention Emergency Services
Action 31. Floodproofing non-residential structures	Unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects
Action 32. Flood insurance studies (modeling and mapping the special flood hazard area)	Unincorporated Sacramento County	New Action	X	X	X	Prevention
Action 33. Update Hydrology Standards	Unincorporated Sacramento County	2016 Action	X	X	X	Prevention
Action 34. Laguna Creek flood control, modeling, and mapping	Unincorporated Sacramento County	New Action	X	X	X	Prevention
Action 35. Update County GIS aerial photography and LiDAR topography	Unincorporated Sacramento County	New Action	X	X	X	Prevention
Action 36. Maintain and improve Sacramento River levee from south of Freeport to south of Hood, a reach owned and operated by CA DWR Maintenance Area 9	Unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 37. Use existing Aggregate Mining Pits for Flood Control	Unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 38. Implement Storm Drain Capital Improvement Plan	Unincorporated Sacramento County	2016 Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection Public Information
Action 39. Woodside Condominiums Flood Risk Reduction	Unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Structural Projects

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 40. Implement Actions In The Courtland Flood Risk Reduction Plan 2021	Unincorporated Sacramento County	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection Public Information
Action 41. Implement Actions In The Walnut Grove West Flood Risk Reduction Plan 2021	Unincorporated Sacramento County	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection Public Information
Action 42. Implement Actions In The Locke Flood Risk Reduction Plan 2021	Unincorporated Sacramento County	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection Public Information
<b>Drought &amp; Water Shortage, Severe Weather: Extreme Heat, and Wildfire Actions</b>						
Action 43. Reduce the urban heat island effect through the implementation of "cool communities" strategies, including but not limited to, increasing tree plantings, using cool/green roofs and cool/pervious pavements	Unincorporated Sacramento County	New Action	X	X		Prevention Property Protection Natural Resource Protection
Action 44. Defensible Space and Vegetation Management; Development of Areas of Refuge	Unincorporated Sacramento County	New Action	X	X		Prevention Property Protection Natural Resource Protection
Action 45. Wildfire Suppression - Regional Parks and Open Space (urban interface)	Unincorporated Sacramento County	2016 Action	X	X		Prevention Property Protection Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 46. Wildfire Fighting - Support	Unincorporated Sacramento County	2016 Action	X	X		Prevention Property Protection Natural Resource Protection
Action 47. Wildfire Suppression	Unincorporated Sacramento County	2016 Action	X	X		Prevention Property Protection Natural Resource Protection
<b>Severe Weather: Extreme Cold and Freeze and High Wind and Tornado Actions</b>						
Action 48. Establish Warming Centers with Backup Power	Unincorporated Sacramento County	New Action	X	X		Emergency Services Public Information
<b>City of Citrus Heights</b>						
Action 1. Integrate Local Hazard Mitigation Plan into Safety Element of General Plan	City of Citrus Heights	2016 Action	X	X		Prevention
Action 2. Enhance Public Education and Awareness of Natural Hazards and Public Understanding of Disaster Preparedness	City of Citrus Heights	New Action	X	X	X	Public Information
Action 3. Cable Trellis w/ Vines Shading Project	City of Citrus Heights	New Action	X	X	X	Property Protection
Action 4. Trash Racks and Debris Cages Project	City of Citrus Heights	New Action	X	X	X	Property Protection
Action 5. Protection of Transportation Infrastructure Project	City of Citrus Heights	New Action	X	X	X	Property Protection Structural Projects
Action 6. Neighborhood Storm Drain Project	City of Citrus Heights	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection
Action 7. Neighborhood Storm Drain Master Plan	City of Citrus Heights	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection Public Information

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 8. Storm Drain Inlet Retrofit Project	City of Citrus Heights	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection
Action 9. Reduce Citrus Heights extreme heat events and associated hazards by Increase tree planting/canopy preservation/enhancement (this is in general plan) Project	City of Citrus Heights	New Action	X	X		Prevention Property Protection Natural Resource Protection
Action 10. Increase pedestrian and bicycle evacuation routes by constructing regional bike/pedestrian trail infrastructure, and expanding connection to neighborhoods (particularly in vulnerable areas) Project	City of Citrus Heights	New Action	X	X		Emergency Services Public Information
Action 11. Interconnected Transportation System Project	City of Citrus Heights	New Action	X	X	X	Emergency Services
Action 12. Critical Facility Generator Project	City of Citrus Heights	New Action	X	X	X	Emergency Services
Action 13. Critical Street Floodproofing Project	City of Citrus Heights	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 14. Creek Maintenance and Restoration Project	City of Citrus Heights	New Action	X	X	X	Property Protection Natural Resource Protection
Action 15. CMP Storm Drain Replacement Project	City of Citrus Heights	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
<b>City of Elk Grove</b>						
Action 1. Integrate Local Hazard Mitigation Plan into Safety Element of General Plan	City of Elk Grove	2016 Action	X	X		Prevention

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 2. Enhance Public Education and Awareness of Natural Hazards and Public Understanding of Disaster Preparedness	City of Elk Grove	New Action	X	X		Public Information
Action 3. Elk Grove Green Street Project: Repurposing Urban Runoff with Green Infrastructure Technologies	City of Elk Grove	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 4. Mutual Aid Agreements	City of Elk Grove	2016 Action	X	X	X	Emergency Service
Action 5. City of Elk Grove's Storm Drainage Master Plan (SDMP)	City of Elk Grove	2016 Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection
Action 6. Create a Climate-Smart Stormwater Management System	City of Elk Grove	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection
Action 7. Implement a Comprehensive and Climate-Smart Green Infrastructure Strategy	City of Elk Grove	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection
Action 8. Upgrade the City's Laguna West Levee System to Mitigate Climate-Related Flood Impacts	City of Elk Grove	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 9. Establish a Resilient Pedestrian and Bicycle Infrastructure Network	City of Elk Grove	New Action	X	X		Emergency Services
<b>City of Folsom</b>						
Action 1. Integrate Local Hazard Mitigation Plan into Safety Element of General Plan	City of Folsom	2016 Action	X	X		Prevention

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 2. Enhance Public Education and Awareness of Natural Hazards and Public Understanding of Disaster Preparedness	City of Folsom	2016 Action	X	X		Public Information
Action 3. Redevelopment Area Drainage Improvements	City of Folsom	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 4. Stormwater Basin Maintenance and Operation Project	City of Folsom	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 5. Stormwater Utility Fee	City of Folsom	2016 Action	X	X	X	Prevention Property Protection
Action 6. Fuel Reduction and Modification	City of Folsom	New Action	X	X		Prevention Property Protection Natural Resource Protection
Action 7. Comprehensive Cooling City Strategy	City of Folsom	2016 Action	X	X		Prevention Property Protection
Action 8. Identification and Upgrades to Heating and Cooling Centers	City of Folsom	2016 Action	X	X		Prevention Emergency Services
Action 9. Landscape and Irrigation Modifications	City of Folsom	New Action	X	X		Prevention Property Protection Natural Resource Protection
Action 10. Landscape Ordinance and Model Water Efficient Landscape Ordinance Implementation	City of Folsom	New Action	X	X		Prevention
Action 11. Post Disaster Staff Training	City of Folsom	New Action	X	X		Emergency Services
Action 12. Weed Abatement Program	City of Folsom	2016	X	X		Prevention Property Protection Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
<b>City of Galt</b>						
Action 1. Integrate Local Hazard Mitigation Plan into Safety Element of General Plan	City of Galt	2016 Action	X	X		Prevention
Action 2. Enhance Public Education and Awareness of Natural Hazards and Public Understanding of Disaster Preparedness	City of Galt	New Action	X	X		Public Information
Action 3. Future Development Projects shall complete a Climate Action Plan Consistency Review Checklist.	City of Galt	New Action	X	X		Prevention
Action 4. Develop a Robust Geographic Based System (GIS) to Geographically Locate Issues/Actions/Mitigation in the City.	City of Galt	New Action	X	X		Prevention
Action 5. Perform Vegetative Control of City Drainages and Channels by Natural Methods	City of Galt	New Action	X	X		Property Protection Natural Resource Protection
Action 6. Continue Work with the Other Groundwater Sustainability Agencies (GSAs) in the Cosumnes Subbasin of the San Joaquin Valley Basin (DWR Basin No. 5-022.16) who are Working Together to Develop a Single Groundwater Sustainability Plan (GSP).	City of Galt	New Action	X	X		Prevention Property Protection Natural Resource Protection
Action 7. Increase Resiliency of City Critical Infrastructure and Emergency Operations and against Hazards.	City of Galt	New Action	X	X		Emergency Service
Action 8. Maintain City Drainages, Channels and Open Spaces	City of Galt	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection
<b>City of Isleton</b>						
Action 1. Integrate Local Hazard Mitigation Plan into Safety Element of General Plan	City of Isleton	2016 Action	X	X		Prevention

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 2. Enhance Public Education and Awareness of Natural Hazards and Public Understanding of Disaster Preparedness	City of Isleton	New Action	X	X		Public Information
Action 3. Support climate change mitigation laws	City of Isleton	New Action	X	X		Prevention
Action 4. Support drought mitigation laws. Establish RWIP (Redundant Water for Isleton Plan)	City of Isleton	New Action	X	X		Prevention Property Protection Natural Resource Protection
Action 5. Levee Reinforcement Projects	City of Isleton	New Action	X	X	X	Property Protection Natural Resource Protection Structural Projects
Action 6. Implement IFIP (Isleton Flood Improvement Plan) and create and activate IFMA (Isleton Flood Management Agency)	City of Isleton	New Action	X	X	X	Prevention Property Protection Natural Resource Protection Structural Projects
Action 8. Activate Emergency Operation Plan (Cooling Center)	City of Isleton	New Action	X	X	X	Emergency Services
Action 9. Storm Water Runoff Rehabilitation Project	City of Isleton	2016 Action	X	X	X	Property Protection Natural Resource Protection Structural Projects
Action 10. Wastewater Treatment Plant Pond Levee Elevation Raise to 200-year Flood Standard	City of Isleton	2016 Action	X	X	X	Property Protection Natural Resource Protection Structural Projects
<b>City of Sacramento</b>						
Action 1. Integrate Local Hazard Mitigation Plan into Safety Element of General Plan	City of Sacramento	2016 Action	X	X		Prevention
Action 2. Enhance Public Education and Awareness of Natural Hazards and Public Understanding of Disaster Preparedness	City of Sacramento	New Action	X	X	X	Public Information

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 3. Coordination with Relevant Organizations and Agencies to Consider the Impacts of Urbanization and Climate Change on Long-Term Natural Hazard Safety	City of Sacramento	2016 Action	X	X		Prevention
Action 4. Maintain and Identify Changes in Critical Facilities GIS Layer to Support Emergency Management Efforts	City of Sacramento	2016 Action	X	X	X	Prevention Emergency Services
Action 5. Community Outreach on Multi-Hazard Preparation & Pre-mitigation	City of Sacramento	2016 Action	X	X	X	Public Information
Action 6. Evaluation and Mitigation of Critical Facilities in Identified Hazard Areas	City of Sacramento	2016 Action	X	X	X	Prevention Emergency Services
Action 7. Retrofit of Repetitive Loss Properties	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Projects
Action 8. Safeguard Essential Communication Services	City of Sacramento	2016 Action	X	X	X	Prevention Emergency Services
Action 9. Multi-lingual Disaster Education	City of Sacramento	2016 Action	X	X	X	Prevention Emergency Services Public Information
Action 10. Cal OES Safety Assessment Program Evaluators	City of Sacramento	2016 Action	X	X	X	Prevention Emergency Services
Action 11. National Flood Insurance Program & Community Rating System Continuation	City of Sacramento	2016 Action	X	X	X	Prevention
Action 12. Develop a Master Generation Plan for Pump Stations	City of Sacramento	2016 Action	X	X	X	Prevention Property Protection
Action 13. Develop a Disaster Housing Plan	City of Sacramento	2016 Action	X	X		Prevention Emergency Services
Action 14. Disaster Resistant Business Program	City of Sacramento	2016 Action	X	X		Prevention Emergency Services
Action 15. Develop Enhanced Emergency Planning for Special Needs Populations in the City of Sacramento Emergency Operations Plan and Other Planning Documents	City of Sacramento	2016 Action	X	X		Prevention Emergency Services

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 16. Establish a Post-Disaster Action Plan	City of Sacramento	2016 Action	X	X		Emergency Services
Action 17. Flood Recovery Plan	City of Sacramento	2016 Action	X	X	X	Emergency Services
Action 18. Public Information Flood Response Plan (Action #18 from 2016)	City of Sacramento	2016 Action	X	X	X	Public Information
Action 19. Construction of a New Emergency Operation Center (EOC) (Action 19 from 2016 plan)	City of Sacramento	2016 Action	X	X		Emergency Services
Action 20. Emergency Operation Center (EOC) Expansion and Information Technology Upgrade (Action 20 from 2016 plan)	City of Sacramento	2016 Action	X	X		Prevention Emergency Services
Action 21. Protection of Transportation Infrastructure (Action 21 from 2016 plan)	City of Sacramento	2016 Action	X	X		Emergency Services Property Protection Structural Projects
Action 22. Public Education Campaign for Everbridge System (Action 22 from 2016 plan)	City of Sacramento	2016 Action	X	X		Public Information Emergency Services
Action 23. Regional Emergency and Disaster Preparedness Exercises to Test Operational & Emergency Plans (Action 23 from the 2016 plan)	City of Sacramento	2016 Action	X	X		Emergency Services
Action 24. Special Needs and Critical Facilities Database and Advanced Warning System (Action 24 from 2016 plan)	City of Sacramento	2016 Action	X	X	X	Emergency Services Public Information
Action 25. Asset Inventory	City of Sacramento	2016 Action	X	X		Prevention
Action 26. Protection of City Information Technology Infrastructure (Action 27 from 2016 plan)	City of Sacramento	2016 Action	X	X		Prevention Emergency Services
Action 27. Travel Time Model for Lower American and Sacramento Rivers and their Major Tributaries (Action 29 from 2016 plan)	City of Sacramento	2016 Action	X	X	X	Prevention
Action 28. Watershed Spill Contamination to Drinking Water Quality: Preparedness for Events and Recovery	City of Sacramento	2016 Action	X	X		Prevention Property Protection
Action 29. Purchase Drones for Use in Disaster Preparedness, Mitigation, and Response	City of Sacramento	2016 Action	X	X	X	Emergency Services

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 30. Map and Assess Vulnerability to Sea Level Rise (Action 32 from 2016 plan)	City of Sacramento	2016 Action	X	X		Prevention
Action 31. Emission Study of City Sump and Pump Stations (Action 33 from 2016 plan)	City of Sacramento	2016 Action	X	X		Prevention
Action 32. Climate Change Mitigation Actions/Climate Change Adaptation Plan for Drinking Water Quality (Action 34 from 2016 plan)	City of Sacramento	2016 Action	X	X		Prevention Property Protection
Action 33. Harmful Algal Bloom (HAB) Surveillance and Response Planning (Action 35 from 2016 plan)	City of Sacramento	2016 Action	X	X		Prevention Property Protection
Action 34. Perform a Groundwater Recharge Feasibility Study (Action 37 from 2016 plan)	City of Sacramento	2016 Action	X	X		Prevention Property Protection Natural Resource Protection
Action 35. Retrofit Historical Buildings	City of Sacramento	2016 Action	X	X		Prevention Property Protection Structural Projects
Action 36. Heating Centers in High Priority Locations	City of Sacramento	2016 Action	X	X		Prevention Emergency Services Public Information
Action 37. Cooling Centers in High Priority Locations	City of Sacramento	2016 Action	X	X		Prevention Emergency Services Public Information
Action 38. Extreme Weather Outreach Strategy	City of Sacramento	2016 Action	X	X		Prevention Emergency Services Public Information
Action 39. Severe Weather Action Plan	City of Sacramento	2016 Action	X	X		Prevention Emergency Services
Action 40. Coordinate with Stakeholder on Proposed Flood Control Project on Magpie Creek	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Project Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 41. Adopt Additional Floodplain Development Standards	City of Sacramento	2016 Action	X	X	X	Prevention
Action 42. Drainage Projects for Repetitive Loss Properties	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Project Natural Resource Protection
Action 43. Emergency Notification and Evacuation Planning	City of Sacramento	2016 Action	X	X	X	Emergency Services Public Information
Action 44. Historic Magpie Creek	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Project Natural Resource Protection
Action 45. Natomas Internal Drainage Canals/Levees	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Project Natural Resource Protection
Action 46. Drainage Projects from the City's Priority Drainage Project List	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Project Natural Resource Protection
Action 47. Projects Identified in the Combined Sewer System Improvement Plan Update	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Project Natural Resource Protection
Action 48. Easements for Open Land Along Levees	City of Sacramento	2016 Action	X	X	X	Prevention
Action 49. Emergency Management Planning and Levee Security	City of Sacramento	2016 Action	X	X	X	Emergency Services
Action 50. Flood Fighting Equipment	City of Sacramento	2016 Action	X	X	X	Emergency Services
Action 51. Flood Management Land Use Planning and Development	City of Sacramento	2016 Action	X	X	X	Prevention

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 52. Florin Creek Pump at Pomegranate Avenue	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 53. Internal Drainage System Improvements	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 54. Levee and Structural Flood Management Improvements	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 55. Master planning to identify facilities needed to prevent 10-year event street flooding and 100-year event structure flooding	City of Sacramento	2016 Action	X	X	X	Prevention
Action 56. Retrofit Pumping Plans with Discharge Monitoring Devices	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 57. Risk Communication and NFIP/CRS Projects	City of Sacramento	2016 Action	X	X	X	Prevention Public Information
Action 58. Trash Racks and Debris Cages	City of Sacramento	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 59. Multi-Jurisdictional Modeling for Drainage Watersheds Greater than 10 Square Miles	City of Sacramento	2016 Action	X	X	X	Prevention
Action 60. Post-Flood Water Treatment Facility Recovery	City of Sacramento	2016 Action	X	X	X	Emergency Services Property Protection
Action 61. Tree Trimming & Debris Removal	City of Sacramento	2016 Action	X	X		Property Protection Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 62. Install redundancies and Loop Feeds for Power Lines & Infrastructure	City of Sacramento	2016 Action	X	X		Property Protection
Action 63. Stabilization of Erosion Hazard Areas	City of Sacramento	2016 Action	X	X		Property Protection Structural Projects
Action 64. Implement a Fire Education and Information Program	City of Sacramento	2016 Action	X	X		Prevention Public Information
Action 65. Fuels Reduction on the American River Parkway	City of Sacramento	2016 Action	X	X		Property Protection Structural Projects Natural Resource Protection
Action 66. Outreach on the Effects of Smoke on Air Quality	City of Sacramento	2016 Action	X	X		Public Information
Action 67. Implement 2040 Climate Action and Adaptation Plan	City of Sacramento	New Action	X	X		Property Protection Natural Resource Protection
<b>City of Rancho Cordova</b>						
Action 1. Integrate Local Hazard Mitigation Plan into Safety Element of General Plan	City of Rancho Cordova	2016 Action	X	X		Prevention
Action 2. Enhance Public Education and Awareness of Natural Hazards and Public Understanding of Disaster Preparedness	City of Rancho Cordova	New Action	X	X		Public Information
Action 3. Sunrise Blvd Widening Kiefer to Jackson	City of Rancho Cordova	2016 Action	X	X	X	Property Protection Structural Projects
Action 4. City of Rancho Cordova Disaster Debris Management Plan	City of Rancho Cordova	New Action	X	X		Emergency Services
Action 5. Transportation Interconnectivity	City of Rancho Cordova	2016 Action	X	X		Emergency Services
Action 6. Intergovernmental Agreement between the County of Sacramento and the City of Rancho Cordova	City of Rancho Cordova	2016 Action	X	X		Prevention Emergency Services

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 7. Land Use (Long Range)	City of Rancho Cordova	2016 Action	X	X		Prevention Natural Resource Protection
Action 8. Post disaster training for staff	City of Rancho Cordova	2016 Action	X	X		Emergency Services
Action 9. Update/Maintain Emergency Operation Plans (EOPs)	City of Rancho Cordova	2016 Action	X	X		Emergency Services
Action 10. Increase Everbridge Enrollment	City of Rancho Cordova	2016 Action	X	X		Emergency Services
Action 11. Developing and maintaining a database to track community vulnerability	City of Rancho Cordova	2016 Action	X	X		Prevention Emergency Services
Action 12. Landscape and Irrigation Requirements/Retro	City of Rancho Cordova	2016 Action	X	X		Prevention Public Information
Action 13. Landscape Ordinance and Model Water Efficient Landscape Ordinance Implementation	City of Rancho Cordova	2016 Action	X	X	X	Prevention Natural Resource Protection
Action 14. Restrict Impervious Surfaces in Front Yards	City of Rancho Cordova	2016 Action	X	X	X	Prevention Natural Resource Protection Public Information
Action 15. Porous pavement and vegetative buffers	City of Rancho Cordova	2016 Action	X	X	X	Prevention Property Protection Natural Resource Protection
Action 16. Storm Water Pump Station Generator Purchase and Infrastructure Upgrades	City of Rancho Cordova	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 17. SB-5 Urban Level of Flood Protection	City of Rancho Cordova	2016 Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 18. Channel Vegetation Management and Erosion Control Projects	City of Rancho Cordova	2016 Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection
Action 19. Adoption of Hydromodification and Low Impact Development (LID) Standards	City of Rancho Cordova	2016 Action	X	X	X	Prevention Property Protection Natural Resource Protection
Action 20. Implement Projects in the Stormwater Capital Improvement Program Master Plan	City of Rancho Cordova	2016 Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection
Action 21. Sunrise Blvd. & Monier Circle Drainage Improvements	City of Rancho Cordova	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 22. Roundabouts	City of Rancho Cordova	2016 Action	X	X		Prevention Property Protection Structural Projects
Action 23. Dam Failure Mitigation and Preparedness for Evacuations	City of Rancho Cordova	New Action	X	X		Property Protection Natural Resource Protection
Action 24. Wildfire Weed Reduction and Resiliency	City of Rancho Cordova	New Action	X	X		Property Protection Natural Resource Protection
<b>American River Flood Control District</b>						
Action 1. Arcade Creek Erosion Repair Project	ARFCD and unincorporated Sacramento County	New Action	X	X	X	Property Protection Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 2. American River Emergency Rock Revetment Preparedness Stockpile	ARFCD and unincorporated Sacramento County	New Action	X	X	X	Property Protection Natural Resource Protection
Action 3. Highway 160 Bridge Gap Levee Access	ARFCD and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
<b>Citrus Heights Water District</b>						
Action 1. Implement ASR Technology	CHWD and unincorporated Sacramento County	New Action	X	X		Prevention
Action 2. Construction of a New Storage Tank	CHWD and unincorporated Sacramento County	New Action	X	X		Property Protection Structural Projects
Action 3. Construction of a New Operations Building	CHWD and unincorporated Sacramento County	New Action	X	X		Property Protection Structural Projects
<b>Cosumnes Community Services District</b>						
Action 1. Drought Mitigation Planning	Cosumnes CSD and unincorporated Sacramento County	New Action	X	X		Prevention
Action 2. Enhance the District's Public Education, Awareness, and Outreach Program to Include all Hazards of Concern	Cosumnes CSD and unincorporated Sacramento County	New Action	X	X		Prevention
Action 3. Integrate the LHMP into Cosumnes CSD Strategic Plans	Cosumnes CSD and unincorporated Sacramento County	New Action	X	X		Prevention
Action 4. Wildfire Staffing	Cosumnes CSD and unincorporated Sacramento County	New Action	X	X		Prevention

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 5. Mutual Aid Agreements	Cosumnes CSD and unincorporated Sacramento County	New Action	X	X		Prevention
Action 6. Continue Vegetation Management Program	Cosumnes CSD and unincorporated Sacramento County	New Action	X	X		Prevention
<b>Los Rios Community College</b>						
Action 1. Pandemic Response Plan	Los Rios Community College	New Action	X	X		Prevention Emergency Services
Action 2. Emergency Operations Plan Update	Los Rios Community College	New Action	X	X		Prevention Emergency Services
Action 3. COVID-19 Education/Information Program	Los Rios Community College	New Action	X	X		Prevention Public Information
Action 4. Installing a Microgrid Project, at the Folsom Lake College, El Dorado Center (EDC) in Placerville, CA	Los Rios Community College	New Action	X	X		Prevention Emergency Service
Action 5. Backup Power for Police Dispatch	Los Rios Community College	New Action	X	X		Emergency Services
Action 6. Tree Mitigation – Districtwide	Los Rios Community College	New Action	X	X		Property Protection Natural Resource Protection
<b>RD 800</b>						
Action 1. Reclamation District 800 Emergency Levee Repair Project	RD 800 and unincorporated Sacramento County	2016 Action	X	X		Property Protection Structural Projects Natural Resource Protection
<b>RD 1000</b>						
Action 1. Asset Management Plan Update	RD 1000 and unincorporated Sacramento County	New Action	X	X	X	Prevention

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 2. Corporation Yard Improvements	RD 1000 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 3. Waterside Levee Inspection Capability	RD 1000 and unincorporated Sacramento County	New Action	X	X	X	Property Protection
Action 4. Pleasant Grove Area Levee Improvements	RD 1000 and unincorporated Sacramento County	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection
Action 5. Plant 1 Emergency Generator Natural Gas Conversion and Mobile Generators for Plants 2, 3 and 5	RD 1000 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection Emergency Services
Action 6. Plant 8 Improvements	RD 1000 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 7. Expanded SCADA System	RD 1000 and unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Natural Resource Protection
Action 8. Update Emergency Operations Plan and Staffing	RD 1000 and unincorporated Sacramento County	New Action	X	X	X	Emergency Services
<b>Sacramento County Water Agency</b>						
Action 1. Flood Hazard Mitigation	SCWA and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 2. Improve Water Supply Portfolio	SCWA and unincorporated Sacramento County	New Action	X	X		Prevention
Action 3. Seismic Upgrades	SCWA and unincorporated Sacramento County	New Action	X	X		Property Protection Structural Projects Natural Resource Protection
<b>Sac Metro Fire</b>						
Action 1. Finalization and Implementation of Metro Fire's Community Risk Assessment and Associated Community Risk Reduction Plan	SMFD	New Action	X	X		Prevention Property Protection Structural Projects Natural Resource Protection Public Information Emergency Services
Action 2. Evaluation and Implementation of Measures Necessary to Mitigate Fire Stations that Would be Directly Affected by Dam Failure	SMFD	New Action	X	X		Property Protection Structural Projects Emergency Services
Action 3. Modernization/Upgrade all District Facilities to Comply with Essential Services Code Requirements	SMFD	New Action	X	X		Property Protection Structural Projects Emergency Services
Action 4. Community Wildfire Protection Plan (CWPP) – Revision and Implementation of Resulting Changes	SMFD	New Action	X	X		Prevention Property Protection Structural Projects Natural Resource Protection Emergency Services Public Information
Action 5. Relocate the Essential Facilities in the 200 year Floodplain	SMFD	New Action	X	X	X	Property Protection Structural Projects Emergency Services

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
<b>Sacramento Regional Sanitation District</b>						
Action 1. Develop Climate Change Resiliency Plan	Regional San and unincorporated Sacramento County	New Action	X	X		Prevention
Action 2. Replace current equipment with touchless technologies	Regional San and unincorporated Sacramento County	New Action	X	X		Property Protection Structural Projects
Action 3. Complete I&I Study and Develop I&I Policy	Regional San and unincorporated Sacramento County	New Action	X	X		Prevention Property Protection Structural Projects Natural Resource Protection
Action 4. Regional San Biogeneration Facility	Regional San and unincorporated Sacramento County	New Action	X	X		Property Protection Structural Projects Natural Resource Protection
Action 5. Reduction of Fire Hazard of Regional San Bufferlands	Regional San and unincorporated Sacramento County	2016 Action	X	X		Property Protection Natural Resource Protection
Action 6. Update GHG Emissions Inventory	Regional San and unincorporated Sacramento County	New Action	X	X		Prevention Property Protection
Action 7. Study Telecommute Options and Enhanced Information Technology Needs to Support Workforce	Regional San and unincorporated Sacramento County	New Action	X	X		Prevention
<b>Sacramento Area Sewer District</b>						
Action 1. Flood Control	SASD and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 2. Pandemic Planning	SASD and unincorporated Sacramento County	New Action	X	X		Prevention

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
<b>Southgate Recreation and Park District</b>						
Action 1. Drought Mitigation Actions/Drought Contingency Plan	SRPD and unincorporated Sacramento County	2016 Action	X	X		Prevention Property Protection Natural Resource Protection
Action 2. Flood Mitigation Actions/Land Acquisition	SRPD and unincorporated Sacramento County	2016 Action	X	X		Prevention Property Protection Structural Projects
Action 3. Conservation Easements	SRPD and unincorporated Sacramento County	2016 Action	X	X		Prevention
Action 4. Multi-jurisdictional Cooperation within Watersheds	SRPD and unincorporated Sacramento County	2016 Action	X	X		Prevention
Action 5. Storm Water Management Practices – Implement Storm Water Management Practices as identified in Stormwater Quality Design Manual	SRPD and unincorporated Sacramento County	2016 Action	X	X		Prevention Property Protection Structural Projects Natural Resource Protection
Action 6. Severe Weather: Heavy Rains and Storms Mitigation Actions/Tree Management	SRPD and unincorporated Sacramento County	2016 Action	X	X		Property Protection Natural Resource Protection
Action 7. Integrate Local Hazard Mitigation Plan into District Master Plan	SRPD and unincorporated Sacramento County	New Action	X	X		Prevention
Action 8. Covid-19 Response Plan	SRPD and unincorporated Sacramento County	New Action	X	X		Emergency Services
<b>Twin Rivers School District</b>						
Action 1. Reduce Risks to Property and Life due to Earthquake	TRSD	New Action	X	X		Property Protection Structural Projects
Action 2. Reduce Risk to Flooding of Northern Area Schools	TRSD	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 3. Stormdrain Upgrades/Revise and Update Districtwide Stormwater Prevention Plan	TRSD	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection
Action 4. Prevent Loss of Life or Injury due to Extreme Heat	TRSD	New Action	X	X		Prevention Emergency Services
Action 5. Evacuation for Heavy Rains, Storms, Winds, and ALL Hazards	TRSD	New Action	X	X		Emergency Services
Action 6. Trees Trimmed/ Vegetation Removed to Minimize Impact During Fire Season	TRSD	New Action	X	X		Property Protection Natural Resource Protection
<b>BALMD</b>						
Action 1. 2016 Sacramento County Flood Safety Plan (by GEI) and subsequent updating in 2021.	BALMD, RD 317, RD 407, RD 2067	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection Emergency Services Public Information
Action 2. Regional Flood Management Plan Projects	BALMD, RD 317, RD 407, RD 2067	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection Emergency Services Public Information
Action 3. Small Communities Plans – Flood Protection – Structural and Nonstructural Mitigation	BALMD, RD 317, RD 407, RD 2067	New Action	X	X	X	Prevention Property Protection Structural Projects Natural Resource Protection Emergency Services Public Information

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 4. 2021 Emergency Operations Plan (EOP) – Currently in development	BALMD, RD 317, RD 407, RD 2067	New Action	X	X	X	Prevention Emergency Services
<b>RD 3</b>						
Action 1. 2017 and 2019 Storm Event Waterside Erosion Repairs	RD 3 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 2. FSRP Critical Erosion Repair	RD 3 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 3. Steamboat Slough Seepage Repairs	RD 3 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 4. Interior Drainage Improvements	RD 3 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 5. Relief Cut Plan	RD 3 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 6. Implement recommendations in West Walnut Grove Flood Risk Reduction Plan	RD 3 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 7. Addressing Unacceptable Items in the District's USACE Periodic Inspection Report	RD 3 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
<b>RD 341</b>						
Action 1. San Joaquin River Multi-Benefit Project	RD 341 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
<b>RD 349</b>						
Action 1. 2017 and 2019 Storm Event Waterside Erosion Repairs	RD 349 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 2. Interior Drainage Improvements	RD 349 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 3. Addressing Unacceptable Items in the District's USACE Periodic Inspection Report	RD 349 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 4. Relief Cut Plan	RD 349 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
<b>RD 369</b>						
Action 1. Backup Power Project	RD 369 and unincorporated Sacramento County	New Action	X	X	X	Prevention Emergency Services Property Protection
Action 2. Flood Safety Plan Updates, Training, and Exercises	RD 369 and unincorporated Sacramento County	New Action	X	X	X	Prevention Emergency Services Public Outreach
Action 3. Small Communities Plans - flood protection - structural and nonstructural mitigation	RD 369 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
<b>RD 551</b>						
Action 1. 2017 and 2019 Storm Event Waterside Erosion Repairs	RD 551 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 2. FSRP Critical Seepage Repair	RD 551 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 3. Addressing Unacceptable Items in the District's USACE Periodic Inspection Report	RD 551 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 4. Interior Drainage Improvements	RD 551 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 5. Implement recommendations in Courtland Flood Risk Reduction Plan	RD 551 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
<b>RD 554</b>						
Action 1. Small Communities Plans – Flood Protection – Structural and Nonstructural Mitigation	RD 554	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 2. Disadvantaged Community Projects and subsequent updating in 2021.	RD 554	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 3. 2016 Sacramento County Flood Safety Plan (by GEI) and subsequent updating in 2021.	RD 554	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 4. 2021 Emergency Operations Plan (EOP) – Currently in development	RD 554	New Action	X	X	X	Prevention Emergency Services
Action 5. Regional Flood Management Plan Projects	RD 554	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
<b>RD 556</b>						
Action 1. 2021 Emergency Operations Plan (EOP) – Currently in development	RD 556	New Action	X	X	X	Prevention Emergency Services
Action 2. 2016 Sacramento County Flood Safety Plan (by GEI) and subsequent updating in 2021.	RD 556	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 3. Regional Flood Management Plan Projects	RD 556	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
<b>RD 563</b>						
Action 1. Rock Slope Protection Project	RD 563 and unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 2. Levee Geometry Levee Improvement Project	RD 563 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 3. Levee Failure Repair Project	RD 563 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 4. Levee Seepage Repair Project	RD 563 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 5. Backup Power Generator Project	RD 563 and unincorporated Sacramento County	New Action	X	X	X	Prevention Emergency Services
Action 6. Flood Exercise and Emergency Operations Plan Update	RD 563 and unincorporated Sacramento County	New Action	X	X	X	Prevention Emergency Services
<b>RD 1002</b>						
Action 1.Regional Flood Management Plan Projects	RD 1002 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 2.2016 Sacramento County Flood Safety Plan (by GEI) and subsequent updating in 2021.	RD 1002 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 3.2021 Emergency Operations Plan (EOP) – Currently in development	RD 1002 and unincorporated Sacramento County	New Action	X	X	X	Prevention Emergency Services
<b>RD 1601</b>						
Action 1. Levee Improvement Project	RD 1601 and unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 2. Rock Slope Protection Project	RD 1601 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 3. San Joaquin River Setback Levee	RD 1601 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 4. Backup Power Project	RD 1601 and unincorporated Sacramento County	New Action	X	X	X	Prevention Emergency Services
Action 5. Flood Safety Plan Updates, Training, and Exercises	RD 1601 and unincorporated Sacramento County	New Action	X	X	X	Prevention Emergency Services
<b>RD 2111</b>						
Action 1. Rock Slope Protection Project	RD 2111 and unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 2. Levee Improvement Projects	RD 2111 and unincorporated Sacramento County	2016 Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 3. Overflow Weir Project	RD 2111 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection
Action 4. Syphon Project	RD 2111 and unincorporated Sacramento County	New Action	X	X	X	Property Protection Structural Projects Natural Resource Protection

Action Title	Jurisdictions Benefitting from Action (s)	New Action/ 2016 Action	Address Current Development	Address Future Development	Continued NFIP Compliance	Mitigation Type
Action 5. Backup Power Project	RD 2111 and unincorporated Sacramento County	New Action	X	X	X	Prevention Emergency Services
Action 6. Flood Safety Plan Updates, Training, and Exercises	RD 2111 and unincorporated Sacramento County	New Action	X	X	X	Prevention Emergency Services



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** February 24, 2022

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

**FROM:** Casey Kempenaar, Community Development Director  
Alison Bermudez, Associate Planner  
Eric Singer, Assistant Planner

**SUBJECT:** **Zoning Code Updates**

### **Summary and Recommendation**

On occasion, refinements to the Zoning Code are necessary to clarify existing standards, implement new ones, reflect changes in law, and address changing business types and their activities. Staff proposes to modify various sections of the Zoning Code to implement necessary refinements.

The proposed Zoning Code updates were presented to the Planning Commission on January 26, 2022. The Planning Commission recommended 5-2 that the City Council approve the proposed amendments with one revision.

The following motions are recommended:

- Motion 1: Move to determine the proposed amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the Guidelines; and
- Motion 2: Move to introduce for first reading, read by title only and waive the full reading of Ordinance 2022-\_\_\_\_\_, as shown in Attachment 1, an Ordinance of the City Council of the City of Citrus Heights amending various sections of Chapter 106 of the Citrus Heights Municipal Code (Zoning Code Section)

### **Fiscal Impact**

There is no fiscal impact associated with this action.

## **Background and Analysis**

On occasion, refinements to the Zoning Code are necessary to clarify existing standards, implement new ones, reflect changes in law, and address changing business types and their activities. Staff proposes to modify various sections of the Zoning Code to implement necessary refinements. The approval of these amendments does not approve any development project. Rather, they amend and clarify certain sections of the Zoning Code. Exhibit A includes a complete list of the proposed amendments with underline/strikeout text. While many of the proposed changes are minor, special attention should be given to the key areas discussed below where the changes are more significant.

- **Paving Standards** Due to the large number of public inquiries regarding paving front yards, staff has found it necessary to include specific provisions within the Zoning Code to limit the area allowed to be impervious (paved) surface.

As it is currently written, the Zoning Code does not specify the amount of total lot area that shall remain pervious surface, and states that no more than 50% of the front yard area (measured along the front property line) shall be impervious surface. After consulting Zoning Codes of surrounding jurisdictions, staff has found that the majority of cities strive for greater pervious surface totals. Therefore, the proposed changes are as follows:

- A minimum of 25% of the entire lot area shall be pervious surface;
  - No more than 40% of the front yard area shall be impervious surface (e.g. sidewalks, driveway, or parking surfaces);
  - Deviations from these standards may be allowed with a staff-level Design Review Permit.
- **Tree Mitigation** The proposed amendments include modifications related to tree mitigation. Currently, the Zoning Code allows for mitigation to be achieved via either an inch-for-inch replacement of the trees removed from the site, or payment into a tree mitigation fund.  
  
Currently, there is no requirement or incentive for developers to retain existing trees that are below the minimum size to be considered protected. In order to offer additional incentive to preserve existing trees, staff is recommending to also allow on-site preservation of native oak trees under 6" in diameter at breast height (dbh) within the buildable areas of the lot to be counted toward mitigation totals.  
  
For example, if a 4" Valley oak is preserved within the buildable area of the site, it would count as 4" toward the total mitigation requirement. This standard is currently in place in other agencies including Sacramento County:
    - On-site preservation of native oak trees that are less than 6 inches dbh and within the buildable area of the site may also be used to meet the tree mitigation requirement

Another change that was originally proposed was to remove language about a property being exempt from tree permit and mitigation requirements if the property cannot be

subdivided further based on minimum lot area requirements as seen in Article 3, Section 106.39.020(C). One Commissioner voiced concern about this change, stating that it would unfairly prevent these lots from creating further housing by preventing ADU construction if a tree was being removed and had to be mitigated. The Commission eventually voted 5-2 to adopt all amendments to the Zoning Code except this change. Therefore, the language of this section remains unchanged from the current Zoning Code per the Commission's recommendation for the Council's consideration.

- **Fences and Walls** Currently, fences and walls have two triggers for when staff-level Design Review is required. The first is if the proposed fence or wall is visible from the public right-of-way and has a height greater than six feet and a length greater than 100 feet. The second trigger is if the length of the fence is 200 feet or more, regardless of height. Over the past few years, staff has received multiple inquiries regarding fencing along commercial corridors like Auburn Boulevard, Greenback Lane and Sunrise Boulevard. On occasion, some of the proposed fencing projects fell below the requirements for Design Review and have thus been allowed to be constructed without staff review or approval.

Fences and walls can be a significant visual component of a site, especially on commercial corridors that act as gateways into the city. After reviewing the Zoning Codes from surrounding jurisdictions, as well as the city's own previous planning documents, staff is proposing the following changes to the Zoning Code as it pertains to fences in commercial zones:

- Design Review required for all fences proposed within commercial zones and visible from the public right-of-way;
- Eliminating the "six feet and length greater than 100 feet" requirement and instead requiring Design Review for any fence over eight feet tall and/or visible from a public right-of-way;
- Creating objective Design Review criteria for commercial fencing, including the following elements:
  - Maximum height of eight feet, with fences and walls not visible from a public right-of-way allowed to go up to ten feet tall;
  - Fences and walls should be treated as architectural extensions of the building and incorporate features that create visual interest;
  - When fronting pedestrian routes, fences and walls should be set back at least three feet to allow for landscaping to soften the impact of walls and fencing.

These changes allow for greater discretion and reduce the aesthetic impact of fencing along commercial corridors.

- **Permits to Run with the Land** Currently, if a use on a property that was originally approved via Use Permit discontinues and remains inactive for more than a year, the Zoning Code states that a public hearing must be held to revoke the Use Permit from the

property. In order to eliminate duplicative processes and streamline efficiency, staff is proposing the following changes:

- If the use is discontinued for more than twelve months, the Use Permit shall expire without requiring a public hearing as long as the following criteria have been met:
  - No appurtenant structure is required and the use has been discontinued for twelve months; or
  - If an appurtenant structure is required for the Use Permit but it is removed from the site for more than twelve consecutive months.
- If an appurtenant structure required for the Use Permit that has been issued a certificate of occupancy, and all other criteria of the Use Permit have been met, the Use Permit will continue even if the structure remains vacant for more than twelve consecutive months. However, no use may be re-established in the structure unless it has been determined by the Director to be substantially the same as the original conditionally permitted use.
- **Wireless Telecommunications Facilities** Staff is adding a section discussing the criteria for the installation of emergency standby generators meeting the definition of a Minor Modification pursuant to Section 6409(a) of the Federal Statute.

### ***January 26 Planning Commission Meeting***

The proposed amendments to the Zoning Code were presented to the Planning Commission at the January 26<sup>th</sup> Planning Commission meeting. The Planning Commission reviewed the proposed changes discussed above as well as the complete list of changes presented as Exhibit A.

The Planning Commission included a more robust discussion on a few components of the proposed amendments including regulations related to front yard pervious surface and Tree Preservation requirements. Ultimately, the Planning Commission supported the bulk of the proposed revisions; however, two commissioners supported the staff recommendation related to Tree Preservation. The Planning Commission voted 5-2 to accept the amendments including the retention of existing Tree Preservation requirements for lots that are not splittable.

Although the Planning Commission recommended approval of Section 106.30.025 (Special Landscape Provisions), after internal discussions staff found that this section should be further clarified. Therefore, the staff recommended motion includes the changes as recommended by the Planning Commission but omits Section 106.30.025 (Special Landscape Provisions).

### ***Environmental Review***

This project is categorically exempt from the California Environmental Quality Act (CEQA Guidelines Section 15061(b) (3)) in that adoption of the proposed Ordinance will not result in any impacts on the physical environment; and under the general rule that the proposed amendments to the Municipal Code do not have the potential to have a significant effect on the environment.

### ***Outreach***

After the January 26<sup>th</sup> Planning Commission meeting, staff received an e-mail that echoed the concerns regarding changes to the parking and pervious surface requirements (seen as Attachment 3). As discussed previously, the Planning Commission had a discussion on the points raised in the letter and ultimately recommended approval of the Zoning Code Update as presented by staff. After internal review, staff finds that these concerns could be addressed by clarifying the section further. As mentioned above, staff recommends approving the changes as approved by the Planning Commission but omitting Section 106.30.025 at this time.

### **Attachments**

1. Ordinance No. 2022-\_\_\_\_\_ an Ordinance of the City Council of the City of Citrus Heights amending various sections of Chapter 106 of the Citrus Heights Municipal Code (Zoning Code Section)
  - Exhibit A: Redline Strikeout of Zoning Code
2. Planning Commission Staff Report (without attachments)
3. Public Comment Letter dated February 6, 2022

ORDINANCE NO. 2022-\_\_\_\_\_

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

THE CITY OF CITRUS HEIGHTS DOES ORDAIN AS FOLLOWS:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend the Citrus Heights Zoning Code as shown in Exhibit A amending various sections of the Zoning Code, relating to Residential Paving Standards, Tree Mitigation, Commercial Fencing, Conditional Use Permits and various Definitions within the Zoning Code and other minor changes.

Section 2: Findings

- The proposed amendment to residential pervious surface area requirements is consistent with the General Plan.
- The proposed amendment to the Tree Mitigation requirement is consistent with the General Plan.
- The proposed amendment to create objective design criteria for Commercial Fencing is consistent with the General Plan.
- The proposed amendment to modify Conditional Use Permit expiration procedures is consistent with the General Plan.
- The proposed added definitions for Artisan/Craft Product Manufacturing, Pervious Surface, and Base Station/Macro Cell Tower Sites are consistent with the General Plan.
- The proposed amendments will not be detrimental to the public, interest, health, safety, convenience, or welfare of the City.

Section 3: Action

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

Section 4: Severability

If any section of this Ordinance is determined to be unenforceable, invalid, or unlawful, such determination shall not affect the enforceability of the remaining provisions of this Ordinance.

Section 5: Effective Date and Publication

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

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights this \_\_\_\_ day of \_\_\_\_, 2022 by the following vote:

<b>AYES:</b>	<b>Councilmembers:</b>
<b>NOES:</b>	<b>Councilmembers:</b>
<b>ABSENT:</b>	<b>Councilmembers:</b>
<b>ABSTAIN:</b>	<b>Councilmembers:</b>

\_\_\_\_\_  
**Porsche Middleton, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Amy Van, City Clerk**

Exhibit:  
A. Redline Strikeout of Zoning Code

## ARTICLE 2

# Zoning Districts & Allowable Land Uses

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LAND USE (1)			PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
			BP	LC	SC	GC	AC	CR	MP	
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING										
	Artisan/Craft Product manufacturing		MUP	MUP	P	P	MUP	—	P	
	Contract construction service - Indoor		—	—	—	P	—	—	P	
	Contract construction service - Outdoor storage		—	—	—	MUP	—	—	MUP	
	Contract construction service - Outdoor work area		—	—	—	UP	—	—	UP	
	Manufacturing/processing - Light		—	—	—	UP	—	—	P	
	Manufacturing/processing - Medium intensity		—	—	—	—	—	—	—	
	Manufacturing/processing - Heavy		—	—	—	—	—	—	—	
	Medical marijuana cultivation		S	S	S	S	S	S	S	50-702
	Non-medical marijuana cultivation		S	S	S	S	S	S	S	50-802
	Recycling - Small collection facility		—	MUP	MUP	MUP	—	—	MUP	106.42.190
	Storage - Outdoor		—	—	—	UP	—	—	UP	106.42.170
	Storage - Personal storage facility (mini-storage)		—	UP	—	UP	—	—	MUP	
	Storage - RVs, boats		—	—	—	UP	—	UP	—	
	Storage - Warehouse, indoor storage		—	—	—	P	—	—	P	
	Wholesaling and distribution		—	—	—	P	—	—	P	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES										
	Adult entertainment business		—	S	—	S	—	—	S	106.40
	Bingo parlor		—	—	—	UP	—	—	—	10.81 - 10.100
	Card room		—	—	UP	UP	—	—	—	10.26 - 10.54
	Commercial recreation facility - Indoor, Minor		—	P	P	P	—	P	P	
	Commercial recreation facility - Indoor, Major		—	UP	UP	UP	—	MUP	UP	
	Commercial recreation facility - Outdoor		UP	—	—	UP	—	MUP	UP	
	Conference/convention facility		UP	—	UP	UP	—	UP	—	
	Fitness/health facility		UP	P	P	P	—	P	UP	
	Golf Course		—	—	—	UP	—	MUP	UP	
	Library, museum		P	P	P	P	—	—	—	
	Meeting facility, public or private		UP	UP	UP	UP	—	—	UP	
	Park, play ground		P	P	P	P	—	P	UP	
	School - College, university		UP	UP	UP	UP	—	—	—	
	School - Elementary, middle, secondary		—	UP	UP	UP	—	—	—	
	School - Specialized education/training - Minor		P	P	P	P	—	—	P	
	School - Specialized education/training -Major		UP	UP	UP	UP	—	—	UP	
	Sports and entertainment assembly facility		—	—	UP	MUP	—	MUP	MUP	
	Studio - Art, dance, martial arts, music, etc.		S	P	P	P	—	—	S	106.26.030.C
	Theater		—	—	MUP	MUP	—	MUP	—	
Key to Zone Symbols										
BP	Business and Professional Office	AC	Auto Commercial							
LC	Limited Commercial	CR	Commercial Recreation							
SC	Shopping Center	MP	Industrial/Office Park							
GC	General Commercial	Notes:	(1) See Article 8 for land use definitions.							

## ARTICLE 3

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that land outside the areas of special flood hazards or uses permitted within the areas will be free from flooding or flood damages. This Section shall not create liability on the part of the City or by any officer or employee for any flood damages that result from reliance on this Section or any administrative decision lawfully made under this Section.

### 106.30.050 - Fences and Walls

**A. Applicability.** The requirements of this Section apply to all fences and walls unless otherwise stated.

1. **Fences or wall in flood hazard area.** A fence or wall in an area subject to flooding identified on a Federal Flood Insurance Rate Map (FIRM) or as otherwise known to the City shall comply with all requirements of Section 106.30.040 (Creekside Development and Flood Hazard Mitigation), and the City's Drainage and Development Policy, in addition to this Section.
2. **Exemptions.** This Section does not apply to fences or walls required by regulations of a local, State or Federal agency.

**B. Design Review.**

1. **When required.** Design Review in compliance with Section 106.62.040 (Design Review) shall be required for a fence or wall that is visible from a public right-of-way and:
  - a. **Located within a commercial zone; or**
  - b. **Has a height greater than six feet and a length greater than 100 feet than eight feet; or and**
  - c. **Regardless of height, has a length greater than 200 feet.**
2. **Findings required for approval.** Design Review approval of a fence or wall identified in Subsection B.1 above shall require that the review authority first find that the fence or wall:
  - a. **Complies with all applicable requirements of this Section; and**
  - b. **Complies with the design guidelines for fences and walls in Section 106.31.070G (Fences and walls).**

**C. Height limitations.** Each fence, wall, and hedge shall comply with the height limitations shown in Table 3-1.

**TABLE 3-1 - MAXIMUM HEIGHT OF FENCES, WALLS, AND HEDGES**

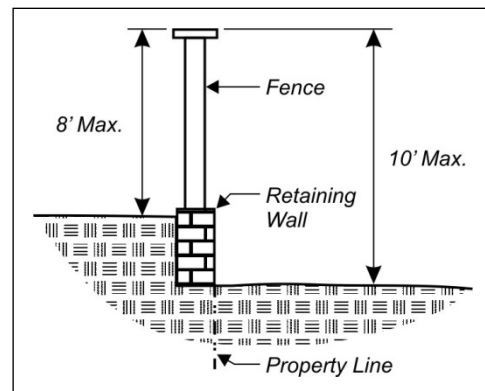
Location	Maximum Height
Within required front yard setback	3 ft (2)
Within required side and rear yard setbacks	8 ft as the fence appears from a parcel or right-of-way abutting the site, 10 ft as the fence appears on the site. See Figure 3-2. (1)
Within required street side setback	3 ft. See also Section 106.30.060.E (Height Limit at Street Corners). Fencing exceeding a height of 3 ft shall be set back a minimum of 3 ft from the property line or sidewalk to allow for the planting of landscaping to mitigate the visual impact of the fence mass; provided that this requirement shall not apply to a fence that was lawfully constructed prior to November 6, 2006, which may be replaced in the same location. (1)
At intersections of alleys, streets, and driveways within sight visibility areas. See 106.30.060.E (Height Limit at Street Corners).	2' 6"
Outside of a required setback	As determined by the height limit for structures within the applicable zoning district. (1)
Within a zone where no setback is required, and not adjacent to a street	8 ft (1)

**Notes:**

- (1) Additional height to a maximum of 10 ft may be authorized through Design Review approval (Section 106.62.040).
- (2) Front yard fence setback in the RD-1 through RD-15 zoning districts is 20 ft. In the RD-20 through RD-30 zoning districts the front yard fence setback is 25 ft.

**D. Measurement of fence and wall height.**

1. Fence and wall height shall be measured from the top of the fence or wall to the level of the finished grade.
2. The height of fencing placed on top of a retaining wall shall be measured from the base of the wall, except as provided in Subsection D.3.
3. In cases where elevation of the finished grade within six feet of the base of the fence differs from one side of the fence to the other (as when a fence is placed at the top of a slope or on a retaining wall), the height shall be measured from the side with the lowest natural grade. See Figure 3-2.



**Figure 3-2 - Fence Height Measurement**

**E. Specific fence and wall requirements.**

1. **Fencing between different land uses.** Fencing between different land uses shall be provided in compliance with Section 106.30.090 (Screening).

2. **Swimming pools, spas, and similar features.** Swimming pools/spas and other similar water features shall be fenced in compliance with Building Code requirements, regardless of the other requirements of this Section.
3. **Outdoor equipment, storage, and work areas.** Screening of non-residential outdoor uses and equipment adjacent to a residential use shall be provided in compliance with Section 106.30.090 (Screening).
4. **Temporary fencing during construction.** Temporary fencing may be necessary to protect archaeological or historic resources, trees, or other similar sensitive features during site preparation and construction. This fencing shall be approved by the Director.
5. **Temporary security fencing.** Temporary Security Fencing (including chain link) with a maximum height of six feet may be installed around the property lines of vacant property with the approval of the Director. The vacant property shall be maintained in a condition free from weeds and litter.
6. **Retaining walls.** Embankments to be retained that are over 48 inches in height shall be benched so that no individual retaining wall exceeds a height of 36 inches, and each bench is a minimum width of 36 inches. Wood shall not be used for a retaining wall that is more than two feet in height.

**F. Commercial Fencing.** Commercial walls and fences can become significant visual elements on a site. When walls and fences are required, they shall be designed as an extension of architectural and landscape design concepts.

1. All walls and fences within a commercial zone visible from a public right-of-way are subject to Design Review approval.
2. All walls and fences within commercial zones and visible from a public right-of-way shall be limited to a maximum of eight feet in height. Walls and fences not visible from a public right-of-way may be authorized to a maximum height of ten feet with Design Review approval. Fences and walls shall also comply with all requirements of Section 106.30.060 (Heights Limits and Exceptions) within a traffic safety visibility area.
3. If walls or fences are not required for a specific screening or security purpose they should not be used. The intent is to keep a wall or fence as low as possible while still performing their screening and security functions.
4. Screen walls and fences should be architecturally treated as an extension of the building, using similar colors, design, and materials. Vertical and horizontal reveals, accents, reliefs, and other details shall be included. Chain link fences are prohibited, unless they are used as temporary security fencing.
5. Wherever possible along pedestrian routes, screen walls and fences should be set back a minimum of three feet from the sidewalk to allow for landscaping. Additionally, the use of climbing vines or ivy on walls and fences is highly encouraged.

**G. Prohibited materials.** Sheet or corrugated iron, steel, aluminum, bamboo, or asbestos are prohibited, with the exception of ornamental fences approved by the Director. Barbed wire, concertina or razor wire, or electrified or similar fence types are not permitted.

**H. Graffiti resistance.** Each fence and wall adjacent to a public right-of-way in a non-residential zone, or a zone that allows multi-unit residential development, shall be provided with a permanently maintained, graffiti resistant coating.

- d. The review authority may waive or approve a substitute for the requirements of this Subsection if the review authority first determines that:
  - (1) The relationship of the proposed uses make the required screening unnecessary;
  - (2) The intent of this Section can be successfully met by means of alternative screening methods;
  - (3) Physical constraints on the site make the required screening infeasible; or
  - (4) Physical features of the site or adjoining parcels (e.g. topography, vegetation, etc.) make the required screening unnecessary.

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

- a. Roof or ground mounted mechanical equipment shall be screened from public view from adjoining public streets and rights-of-way and adjoining areas zoned for residential uses. This equipment includes air conditioning, heating, ventilation ducts, and exhaust vents, loading docks, refuse storage areas, and utility services, electrical transformers, gas meters, etc.
- b. The method of screening shall be architecturally compatible with the colors, materials, and architectural style of other on-site development.

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

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

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

## 106.30.100 - Setback Requirements and Exceptions

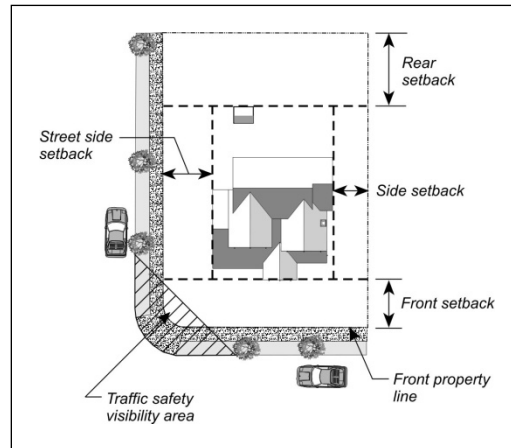
- A. **Purpose.** This Section provides standards for the use and minimum size of setbacks. Setbacks provide open areas around structures for: visibility and traffic safety; access to and around structures; access to natural light, ventilation and direct sunlight; separation between incompatible activities;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

**B. Setback requirements.**

- 1. **Minimum setbacks for all structures.** Each structure shall comply with the setback requirements of the applicable zoning district, and with any setbacks established for specific uses by Article 4 (Standards for Specific Land Uses), except as otherwise provided by this Section. No portion of any structure, including eaves or roof overhangs, shall extend beyond a property line; or into an access easement or street right-of-way.
- 2. **Infill development within previously approved projects.** Where the City has established specific setbacks for individual parcels through the approval of a specific plan, subdivision map, or other entitlement, those setbacks shall apply to continuing development within the approved project instead of the setbacks required by this Zoning Code.
- 3. **Exemptions from setback requirements.** The minimum setback requirements of this Zoning Code apply to all development and new land uses, except the following:

- a. A fence or wall to the extent allowed by Section 106.30.050 (Fences and Walls);
- b. Decks, earthworks, steps, terraces, and other site design elements that are placed directly upon grade and do not exceed a height of 18 inches above the surrounding grade at any point;
- c. A sign in compliance with Chapter 106.38 (Signs); and
- d. A retaining wall less than three feet in height above finished grade. A higher wall may be allowed within a required setback with Design Review by the Director.

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

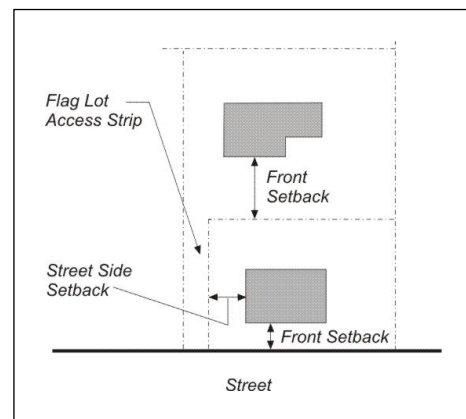


**Figure 3-5 - Location of Required Setbacks**

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

- a. **Offer of dedication.** The front setback shall be measured at right angles from the nearest point on the edge of an Irrevocable Offer of Dedication (IOD).
- b. **Private street.** The front setback shall be measured at right angles from the nearest point on the edge of the recorded access easement of a private street, or the edge of the pavement, whichever is greater.

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



**Figure 3-6 - Flag Lot Setbacks**

- d. **Corner lot.** The measurement of the front setback shall be from the nearest point of the wall of the structure to the nearest point of the most narrow street frontage property line. If the property lines on both street frontages are of the same length, the Director shall determine the property line to be used for front yard setback measurement.
  - e. **Double-frontage lot.** Proposed development on a double-frontage lot shall comply with the front yard setback requirements of the applicable zoning district on both street frontages.
2. **Side yard setbacks.** The side yard setback shall be measured at right angles from the nearest point on the side property line of the parcel to the nearest point of the wall of the structure; establishing a setback line parallel to the side property line, which extends between the front and rear yard setbacks.
  3. **Street side yard setbacks.** The side yard on the street side of a corner parcel shall be measured from the nearest point on the side property line bounding the street, or the edge of an easement for a private road, or the inside edge of the sidewalk, whichever results in the greatest setback from the roadway.
  4. **Rear yard setbacks.**
    - a. The rear yard shall be measured at right angles from the nearest point on the rear property line to the nearest line of the structure, establishing a setback line parallel to the rear property line.
    - b. Where a parcel has no rear property line because its side property lines converge to a point, an assumed line 10 feet long within the parcel, parallel to and at a maximum distance from the front property line, shall be deemed to be the rear property line for the purpose of determining the depth of the required rear yard. See Figure 3-7.

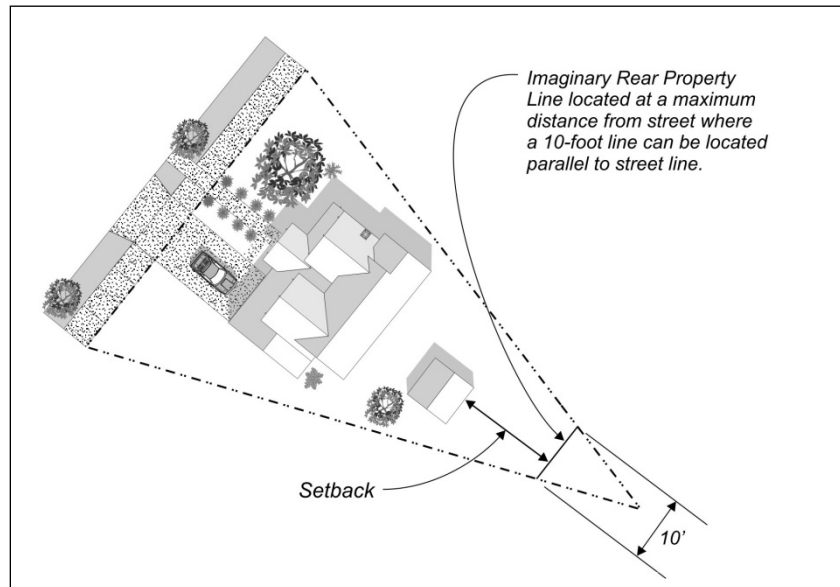


Figure 3-7 - Rear Setback on Irregular Lot

#### D. Limitations on uses of setbacks.

1. **Structures.** A required setback shall not be occupied by structures other than:
  - a. The fences and walls permitted by Section 106.30.050 (Fences and Walls);

- b. The projections into setbacks allowed by Subsection E.; and
  - c. Residential accessory structures as allowed by Section 106.42.200 (Residential Accessory Uses and Structures).
2. **Storage.** No front or street side setback shall be used for the accumulation, placement or storage of automobiles ~~or~~ other motor vehicles, **recreational vehicles, trailers,** building materials, scrap, junk or machinery except for:
- a. Automobiles ~~or~~ other motor vehicles, **recreational vehicles, and/or trailers** parked within a designated off-street parking area, and which shall be operable, registered, and licensed **as allowed under Section 106.36.080(B)(2).**
  - b. Building materials required for construction on the parcel, immediately before and during a construction project which has a valid Building Permit in force. Storm discharge Best Management Practices (BMPs) shall be used to prevent runoff from these materials into the storm drainage system.
  - c. Materials stored behind a fence that is at least six feet high and in compliance with Section 106.30.050 (Fences and Walls).
3. **Parking.** **See Section 106.36.080 (Parking Design and Development Standards) for all parking requirements within setbacks. Required parking for single-family residences may be located within the required front and interior side setback in compliance with Section 106.36.080.A.1.a. Temporary (overnight) parking is allowed within required setback areas only on an approved, paved driveway, in compliance with Section 106.36.080 (Parking Design and Development Standards).**
- 4. Storage of habitable trailer prohibited.** No habitable trailer shall be stored or parked within a required street setback, except where limited display areas are authorized in a commercial zone through Minor Use Permit approval (Section 106.62.050).
- 5. Pavement.** Pavement within a front setback shall be limited to a driveway plus 12 feet abutting and parallel to the driveway. The additional 12 feet of width shall be located adjacent to the interior side property line of a corner lot. Alternate locations for the additional pavement may be approved by the Director and City Engineer. Total pavement width in the front of the lot shall not exceed 50 percent of the lot frontage. The Director and City Engineer may grant an exception for exceeding the allowed limits for lots located on a collector or arterial street, where the owner proposes a circular driveway. This Subsection does not apply to front setback areas that were paved to a greater extent than allowed by this Section, prior to October 5, 2006.

#### E. Allowed projections into setbacks.

- 1. **Primary structure into rear setback.** Within a residential zoning district, a primary structure may project into a required rear yard setback provided that an area equal to the projection is provided as a yard or court within the buildable area of the lot. In no event shall the rear yard setback be less than 10 feet for a one-story building, or 15 feet for a two-story building.
- 2. **Accessory structures.** See Section 106.42.200 (Residential Accessory Uses and Structures).
- 3. **Architectural features.** A cornice, sill, eave, canopy, chimney, window bay, media niche, or similar architectural feature may project into a required setback by a maximum of 24 inches; provided that the length of a projecting chimney, canopy or window bay along the wall from which it projects shall be limited to a maximum of 10 feet.

- d. **Dwelling unit access.** The use of balconies and corridors to provide access to units should be limited. To the extent possible, main entrances to individual units should be from street sidewalks. Distinctive architectural elements and materials should be used to highlight primary entrances.

Building entrances should be located so that clear lines of sight are provided to adjacent public sidewalks, or internal walkways and parking areas, as applicable.

- e. **Exterior stairways.** A stairway that provides access to an upper level of a multi-unit structure should be integrated into the building design. Where an exterior stairway is necessary, it should provide residents and visitors protection from weather, and should be of low maintenance, durable materials, and located so as to be visible from the street and/or public areas of the site.
- f. **Accessory structures.** Accessory structures should be designed as an integral part of a project. Their materials, color, and details should be the same as the principal structures on the site.
- g. **Walls and fences.** Walls and fences should comply with the design standards in Section 106.31.070.G (Walls and fences), and shall comply with the standards in Section 106.30.050 (Fences and Walls).

- D. **Small Lot Housing Product Project Design.** The design of small lot housing **subdivisions-developments** requires careful consideration to ensure privacy, safety, open space and quality of life are considered. The goals of these guidelines are to create high quality indoor and outdoor living environments, enhance the public realm, provide increased opportunities for home ownership, provide solutions for infill housing, and prioritize livability over density.

- 1. **Relationship to street frontage.** Small lot developments should be oriented towards the street.
  - a. Homes fronting a public street should have a primary entrance and main windows facing the street. (See 1 on Figure 3-17).
  - b. For homes not fronting a public street, a primary entrance should face the vehicular access and/or a paseo (for alley loaded products). (See 2 on Figure 3-17).

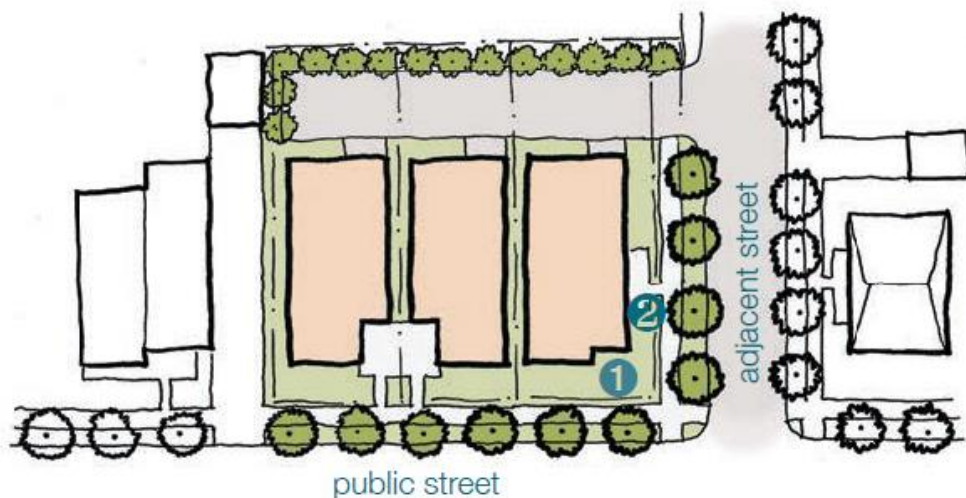


Figure 3-17 - Project oriented towards the street

## CHAPTER 106.34 - LANDSCAPING STANDARDS

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### Sections:

- 106.34.010 - Purpose
- 106.34.020 - Applicability
- 106.34.030 - Landscape and Irrigation Plans
- 106.34.040 - Landscape Location Requirements
- 106.34.050 - Landscape Standards
- 106.34.060 - Water Efficient Landscaping
- 106.34.070 - Maintenance of Landscape Areas

### 106.34.010 - Purpose

This Chapter establishes requirements for landscaping to enhance the appearance of development, provide shade, reduce heat and glare, control soil erosion, conserve water, screen potentially incompatible land uses, enhance the quality of neighborhoods, improve air quality, and improve pedestrian and vehicular traffic and safety.

### 106.34.020 - Applicability

The provisions of this Chapter apply to all development and land uses as follows:

- A. **New projects.** Each new nonresidential, **mixed-use** and multi-unit residential project shall provide landscaping in compliance with this Chapter. Each single dwelling subdivision of five or more parcels shall provide street trees in compliance with Section 106.34.050.B.2.d(2).
- B. **Existing development.** **Existing nonresidential, mixed-use, multi-unit and/or single-family residential development shall comply with the minimum maintenance provisions of Chapter 106.34.060.** The approval of a Minor Use Permit, Use Permit, Minor Variance, Variance, or application for Design Review for physical alterations and/or a change in use within an existing development may include one or more conditions of approval requiring compliance with specific landscaping and irrigation requirements of this Chapter to the extent determined by the review authority to be feasible. Changes to existing development that require only Zoning Clearance are not required to comply with this Chapter unless the Director determines that existing landscaping is not being properly maintained.
- C. **Timing of installation.** Required landscape and irrigation improvements shall be installed prior to final building inspection. The installation of landscaping may be deferred for a maximum of 90 days in compliance with Section 106.64.060 (Performance Guarantees).
- D. **Alternatives to requirements.** The review authority may modify the standards of this Chapter to accommodate alternatives to required landscape materials or methods, where the review authority first determines that the proposed alternative will be equally effective in achieving the purposes of this Chapter.

### 106.34.030 - Landscape and Irrigation Plans

- A. **Preliminary Landscape Plan.** A Preliminary Landscape Plan shall be submitted as part of each application for new development, or the significant expansion (i.e., a total of 25 percent or more of floor area over a two-year period), or redevelopment of an existing use, as determined by the Director.
- B. **Final Landscape Plan.** After land use approval, a Final Landscape Plan shall be submitted as part of the application for a Building Permit. A Final Landscape Plan shall be approved by the Director prior to the start of grading or other construction, and prior to the issuance of a Building Permit.

## CHAPTER 106.36 - PARKING AND LOADING

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### Sections:

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

### 106.36.010 - Purpose

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

### 106.36.020 - Applicability

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

### 106.36.030 - General Parking Regulations

- A. **Timing of installation.** A new or altered structure shall not be occupied, and a new land use not requiring a structure shall not be established, until all off-street parking and loading facilities required by this Chapter are in place and approved by the City.
- B. **Permanent facilities required.** Each required parking and loading space shall be permanently available, marked, and maintained for parking or loading purposes for the use it is intended to serve. The approval of a Temporary Use Permit (Section 106.62.030) may allow the temporary use of a parking or loading space for other purposes.
- C. **Unrestricted facilities required.** An owner, lessee, tenant, or other person who controls the operation of a site with required parking or loading spaces shall not prevent, prohibit, or restrict authorized persons from using the spaces without the prior approval of the Director.
- ~~D. **Recreational vehicle parking.** The storage (parking for any period longer than 72 hours) of a recreational vehicle and/or boat in a residential zone shall be allowed only when all portions of the vehicle or boat are located entirely within the property boundaries on a paved surface and do not extend into the public right of way as per Section 106.36.080.~~
- ~~E. **Truck or Trailer Parking.** The parking of a motor vehicle used for commercial or industrial purposes and rated more than one (1) ton capacity and trailers used for commercial or industrial purposes shall not be parked or stored in any residential zone except when loading, unloading, or rendering service.~~

**106.36.080 - Parking Design and Development Standards**

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

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

1. **Residential parking.** Residential parking shall be located on the same site as each residential unit served; except for a mixed use project developed in compliance with Section 106.42.130 (Mixed Use Projects).
  - a. **Single-family residential.** Required parking may be located within the required front and interior side setback provided the required parking occurs on an approved driveway at least 20 feet in length and is perpendicular to the street. Alternate locations may be approved by the Director provided the design of the driveway is aesthetically pleasing, compatible with the surroundings and will not create a pedestrian or vehicular hazard.
  - b. **Duplex and multi-unit residential.** Required parking shall not occupy any required front setback, or a side or rear setback.
2. **Nonresidential parking.** Nonresidential parking shall be located on the same site as the use served, or within 300 feet of the parcel when off-site parking is approved in compliance with Section 106.36.070.G (Off-site parking), with reasonable access to and from the use for which the spaces are required.

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

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

1. **Residential parking surface.** Pavement within a front setback shall be limited to a driveway plus 12 feet abutting and parallel to the driveway. The additional 12 feet of width shall be located adjacent to the interior side property line of a corner lot. Alternate locations for the additional pavement may be approved by the Director and City Engineer. Total pavement width in the front of the lot shall not exceed 50 percent of the lot frontage. The Director and City Engineer may grant an exception for exceeding the allowed limits for lots located on a collector or arterial street, where the owner proposes a circular driveway. This Subsection does not apply to front setback areas that were paved to a greater extent than allowed by this Section, prior to October 5, 2006.
2. **Recreational vehicle and trailer parking.** The storage (parking for any period longer than 72 hours) of a recreational vehicle, trailer, boat, and/or other mobile equipment, or portions of parts of components thereof, in a residential zone shall be allowed only when all portions of the vehicle are located entirely within the property boundaries on a paved surface and do not extend into the public right-of-way. Storage of a recreational vehicle, trailer, boat, and/or other mobile equipment is not allowed within the front or street side yard setback unless located on required parking spaces or approved paved surfaces per Section 106.36.080(B)(2). When located within any side or rear yard, a recreational vehicle and/or boat must maintain a three-foot-wide continuous fire accessway from the front of the property. The use of any recreational vehicle for residential occupancy is prohibited except on property zoned for mobile home parks or camping.

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

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

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

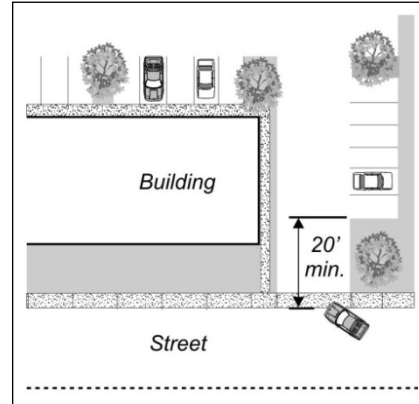


Figure 3-43 - Queuing Area

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

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

**DE. Parking stall and aisle design.**

1. **Minimum dimensions.**

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

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

TABLE 3-8 - MINIMUM PARKING LOT AISLE DIMENSIONS

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

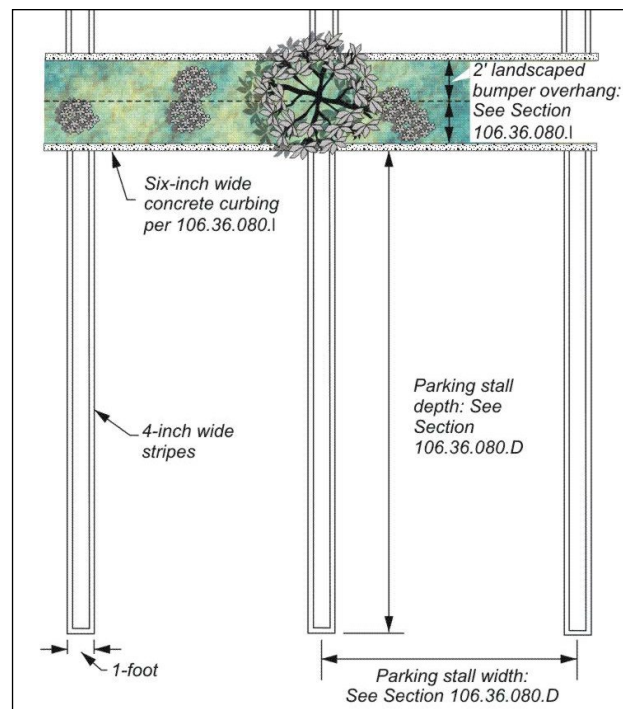
Parallel parking	24 ft for a 2-way aisle 12 ft for a 1-way aisle
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2. **General configuration.** Tandem parking, or the parking of vehicles inline shall be prohibited in multi-unit residential and commercial zoning districts.
3. **Employee parking.** Where Table 3-7 requires employee parking, the spaces shall be identified by the employer as "employee parking" and shall be located as far away as possible from the main entrance.
4. **90-degree single-loaded parking aisles.** A parking lot aisle that provides access to parking spaces on one side only may be reduced to a width of 22 feet provided a landscaped planter at least five feet in width, or a two-foot planter with a walkway, is installed adjacent to the aisle.
5. **Dead-end aisles.** Dead-end aisles are discouraged. When used, 90 degree angle stalls with adequate turning space are required, as approved by the Engineering Division.

**EF. Landscaping.** Landscaping shall be provided in compliance with Section 106.34

**FG. Lighting.** See Chapter 106.35 (Outdoor Lighting).

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



**Figure 3-44- Parking Lot Striping**

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

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

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

1. Individual wheel stops may be provided in lieu of continuous curbing when parking is adjacent to a landscaped area to which drainage is directed.
2. When provided, wheel stops shall be placed to allow for 30" of vehicle overhang area within the dimension of the parking space. Wheel stops shall be placed 30" from the curb.
3. Parking spaces may be designed to allow vehicle overhang of a landscape area only where the width of the landscape area is increased two additional feet over the width required by Section 106.34.040.D (Parking areas). The same overhang allowance shall apply where parking spaces directly abut a pedestrian walkway. The overhang allowance shall not be considered as part of the design width of the walkway.

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

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

1. New parking lots and significantly redeveloped sites with existing parking shall be required to install Best Management Practices (BMPs) for their storm water discharge.
2. Post BMPs may include vegetated swales, rain gardens, storm water basins with a low flow channel to cleanse the runoff, an underground stormwater vault, or other Low-Impact Design solutions approved by the City. Low-Impact Design solutions are preferred to underground vaults.
3. Stormwater vaults and basins will require an access agreement for the City to conduct periodic inspections of the post BMP system.

### 106.36.090 - Loading Space Requirements

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

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

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

**J. Sign maintenance.**

1. Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times.
2. Any repair to a sign shall be of materials and design of equal or better quality as the original sign.
3. A sign that is not properly maintained and is dilapidated shall be deemed a public nuisance, and may be abated in compliance with the Municipal Code.
4. When an existing sign is removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed.

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

**106.38.060 - Zoning District Sign Standards**

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

- A. Setback requirement for freestanding signs.** A freestanding sign shall be set back a minimum of 5 feet from a dedicated public right-of-way, except where this Zoning Code requires a different setback for a specific sign type.
- B. Residential zone sign standards.** Each sign in the residential zoning districts shall comply with the requirements in Table 3-11, except for signs that are allowed by standards for a specific land use in Chapter 106.42.

**TABLE 3-11 - SIGN STANDARDS FOR RESIDENTIAL ZONES**

Allowed Sign Types	Maximum Sign Height	Maximum Number of Signs Allowed per Parcel	Maximum Sign Area Allowed per Parcel
<b>Single Dwelling, Duplex, Triplex, Home Occupation</b>			
Wall	6 ft	1	1 sf
<b>Multi-Unit Residential Project or Structure</b>			
Wall or freestanding	Wall signs: below edge of roof; Freestanding: 4 ft	1 of either allowed sign type per entrance or street frontage	50 sf total for all signs
<b>Non-Residential Use</b>			
Wall or freestanding	Wall signs: below edge of roof; Freestanding: 6 ft	1 of either allowed sign type per entrance or street frontage	Total combined of all wall signage shall not exceed 50 (one-half) sf for each linear ft of primary building frontage 50 sf total for all signs
Freestanding	6 ft ; height may be increased by one additional foot up to 10 ft max with increased setback as per 106.38.070.E.5	1 allowed per entrance or street frontage	Total combined of all freestanding signs shall not exceed 100 sf

## CHAPTER 106.39 - TREE PRESERVATION AND PROTECTION

### Sections:

- 106.39.010 - Purpose
- 106.39.020 - Applicability
- 106.39.030 - Tree Permit Application Requirements
- 106.39.040 - Arborist's Report
- 106.39.050 - Standard Policies and Procedures for Approved Work
- 106.39.060 - Tree Planting and Replacement
- 106.39.070 - Tree Permit Approval or Denial
- 106.39.080 - Post Approval Procedures

### 106.39.010 - Purpose

This Chapter provides regulations for the protection, preservation, and maintenance of:

- A. Native oak trees;
- B. The habitat values of oak woodlands;
- C. Trees of historic or cultural significance;
- D. Groves and stands of mature trees; and
- E. Mature trees in general that are associated with proposals for development.

### 106.39.020 - Applicability

- A. **Applicability to protected trees.** The provisions of this Chapter shall apply in all zoning districts to the removal or relocation of any protected tree, and to any encroachment (for example, grading) within the protected zone of a protected tree. A protected tree is any of the following:
  1. A native oak tree with a diameter of six or more inches as measured 54 inches above the ground, or a multi-trunked oak tree having an aggregate diameter of 10 inches or more measured 54 inches above ground. **A native oak tree is defined as any of the following species: blue oak (*Quercus douglasii*), interior live oak (*Quercus wislizenii*), coastal live oak (*Quercus agrifolia*), and valley oak (*Quercus lobata*);**
  2. A heritage, or landmark tree or grove identified by Council resolution;
  3. Significant groves or stands of trees identified by Council resolution;
  4. A mature tree other than those listed in Subsections A.1 through A.3, that is 19 inches or more in diameter as measured at 54 inches above the ground, and located on a commercial parcel, or on a residential parcel that can be further subdivided, or on a parcel in the RD-1, RD-2, or RD-3 zones, provided that the tree is not a willow (*Salix* spp.), fruit tree, eucalyptus (*Eucalyptus* spp.), alder (*Alnus* spp.), cottonwood (*Populus* spp.), pine (*Pinus* spp.), catalpa (*Catalpa* spp.), fruitless mulberry (*Morus* spp.), **privet (*Ligustrum* spp.), tree of heaven (*Ailanthus altissima*), or palm (*Acoelorrhpe* spp.);**
  5. A tree required to be planted, relocated, or preserved by a requirement of this Zoning Code, or by a condition of approval of a Tree Permit or other discretionary permit, and/or as environmental mitigation for a discretionary permit; and

recommendations for any additional care or treatment. Inspection frequency may be specified in the Tree Permit Conditions of Approval.

### 106.39.060 - Tree **Planting and Replacement**Mitigation

The City's principal objective for the Tree Permit process is the preservation of protected trees. The review authority may condition any Tree Permit involving removal of a protected tree upon the replacement of trees in kind. ~~The replacement requirement shall be calculated based upon an inch for an inch replacement of the DBH of the removed trees where a 15 gallon tree (i.e., nursery stock in a #15 container) will replace one inch DBH of the removed tree; a 24 inch box tree will replace two inches, and a 36 inch box tree will replace three inches. The replacement trees shall have a combined diameter equivalent not less than the total diameter of the trees removed. A minimum of 50 percent of the replacement requirement shall be met by native oaks. Up to 50 percent may be met by non-native species.~~ The review authority may approve a replacement program using one of the following ~~four~~ five methods or any combination of the ~~four~~ five methods. The preferred alternative is on-site replacement.

**A. Replacement trees.** Replacement trees may be planted on-site or in other areas where maintenance and irrigation are provided to ensure survival of the trees. ~~The replacement trees shall have a combined diameter equivalent not less than the total diameter of the trees removed. A minimum of 50 percent of the replacement requirement shall be met by native oaks. Up to 50 percent may be met by non-native species. The replacement requirement shall be calculated based upon an inch for an inch replacement of the DBH of the removed trees using the following formula:~~

1. ~~One 15 gallon tree (i.e., nursery stock in a #15 container) will replace one inch DBH of the removed tree;~~
2. ~~One 24 inch box tree will replace two inches DBH of the removed tree; and~~
3. ~~One 36 inch box tree will replace three inches DBH of the removed tree.~~

**B. Relocation of trees.** In certain cases, the City may consider the relocation of native oak trees from one area in a project to another. Credit shall be given for relocation on the same basis as replacement. The guidelines and limitations for relocation are as follows:

1. The trees being recommended for relocation must be approved by the review authority whose decision will be based upon factors relating to health, type, size, time of year and proposed location.
2. The relocation of a tree shall be conditioned to require a secured five-year replacement agreement for the tree with security provided by the developer in a form satisfactory to the City Attorney. If at the end of five years the tree is deemed by an arborist to be in a substantially similar condition to that prior to the transplanting, the agreement will be terminated. If the tree dies during the five-year period, it shall be replaced as required by this Section.

**C. Revegetation requirements.** The review authority may, instead of requiring replacement trees, require implementation of a revegetation plan. The applicant shall enter into a written agreement with the City obligating the applicant to comply with the requirements of the revegetation plan. A performance security or bond for 150 percent of the cost of the revegetation plan shall be required to insure that the agreement is fulfilled. The review authority shall approve the proposed plan. The revegetation program shall propagate native oak trees from seed using currently accepted methods. A revegetation program shall identify the seed source of the trees to be propagated, the location of the plots, the methods to be used to ensure success of the revegetation program, an annual reporting requirement, and the criteria to be used to measure the success of the plan. A revegetation program shall not be considered complete until the trees to be propagated have reached one-half inch in diameter or the revegetation plan demonstrates the need for alternative success criteria and achieves mitigation on an inch for inch basis as approved by the Commission.

- D. In-lieu mitigation fee.** The review authority may determine that the remedies described above are not feasible or desirable and may require instead payment of a cash contribution based upon the cost of purchasing, planting, irrigating and maintaining the required number of 15 gallon trees. The cost of purchasing, planting, irrigating and maintaining a 15 gallon oak tree shall be set by Council resolution. The cash contribution shall be deposited into the Tree Mitigation Fund.

Tree Mitigation Funds can be used as determined by the Director:

1. **Tree Mitigation Fund.** This fund shall be used to propagate, purchase, plant, protect and maintain trees, including purchasing property to plant or protect trees, propagating trees from seed or container stock and maintaining existing and replacement trees.
2. To fund special projects that enhance urban forestry programming, build on existing information, and/or to develop outreach or educational materials in support of the community urban forest and tree canopy.

**E. On-site tree preservation.** On-site preservation of native oak trees that are less than 6 inches (<6 inches) dbh, as described in Section 106.39.020, and within the buildable area of the site may also be used to meet the tree mitigation requirement pursuant to the formula described in Section 106.39.060(A).

### 106.39.070 - Tree Permit Approval or Denial

Each Tree Permit application shall be reviewed, and approved or denied in compliance with this Section.

- A. Review authority.** A Tree Permit shall be reviewed, and approved or denied by the Director, except that the Commission shall decide upon a Tree Permit application where tree removal is part of a project that otherwise requires approval by the Commission.
- B. Application evaluation criteria.** The following criteria shall be used to support the findings required by Subsection C. for the approval of a Tree Permit.
1. **General criteria.**
    - a. The gross floor area of proposed buildings in relation to the "usable" size of the site and the amount of usable space on the site that does not require the removal of protected trees;
    - b. Design features in comparison with other existing or approved projects in the vicinity and in the same zone that have or had protected trees on their sites;
    - c. Factors that are unique to the site, such as topographic constraints, lot configuration and other physical limitations;
    - d. The overall health and structural condition of the potentially impacted protected trees;
    - e. The approximate age of the each protected tree compared with the average life span for each species;
    - f. The number of healthy protected trees that the site will support, with and without the proposed development;
    - g. The effect of tree removal on soil stability/erosion, particularly near watercourses or on steep slopes;
    - h. Whether there are any alternatives that would allow for the preservation of the protected tree; and

## ARTICLE 4

### Standards for Specific Land Uses

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**106.42.010 - Purpose and Applicability**

- A. Purpose.** This Chapter provides site planning, development, and/or operating standards for certain land uses that are allowed by Article 2 (Zoning Districts and Allowable Land Uses) within individual or multiple zoning districts, and for activities that require special standards to mitigate their potential adverse impacts.
- B. Applicability.** The land uses and activities covered by this Chapter shall comply with the provisions of the Sections applicable to the specific use, in addition to all other applicable provisions of this Zoning Code.
- 1. Where allowed.** The uses that are subject to the standards in this Chapter shall be located only where allowed by Article 2 (Zoning Districts and Allowable Land Uses).
  - 2. Planning permit requirements.** The uses that are subject to the standards in this Chapter shall be authorized by the planning permit required by Article 2 (Zoning Districts and Allowable Land Uses), except where a planning permit requirement is established by this Chapter for a specific use.
  - 3. Development standards.** The standards for specific uses in this Chapter supplement and are required in addition to those in Articles 2 (Zoning Districts and Allowable Land Uses) and 3 (Site Planning and Project Design Standards).
    - a. The applicability of the standards in this Chapter to the specific land uses listed is determined by Article 2 (Zoning Districts and Allowable Land Uses).
    - b. In the event of any conflict between the requirements of this Chapter and those of Articles 2 (Zoning Districts and Allowable Land Uses) or 3 (Site Planning and Project Design Standards), the requirements of this Chapter shall control.

**106.42.015 – Accessory Dwelling Units**

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

- A. Allowed Location.** An accessory dwelling unit is allowed on any property developed with residential living unit(s).
- B. Limitation on number of units.** No more than one accessory dwelling unit shall be located on a parcel developed with a single dwelling except the parcel may also have one junior accessory dwelling unit provided the junior accessory dwelling unit complies with Section 106.42.105.D.8. Accessory dwelling units are not included when calculating the density of a parcel.
- C. Relationship to primary use.**
- 1. Design, style.** An accessory dwelling unit shall be incidental to the primary single-family residential use of the site in terms of location and appearance and shall not alter the character of the primary structure. The architectural style, exterior materials, and colors of the accessory dwelling unit shall be compatible with the primary dwelling unit.
  - 2. Timing of construction.** An accessory dwelling unit may be constructed simultaneously with or after the primary dwelling. In addition, an existing dwelling that complies with the development standards for accessory

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

3. **Term of Rentals.** Accessory dwelling units or junior accessory dwelling units shall not be rented for periods of less than thirty one (31) days. This provision shall not apply to accessory dwelling units lawfully constructed prior to January 1, 2020.
- D. **Development standards.** The following standards apply to all newly constructed accessory dwelling units unless an exception is provided in Section 106.42.015.D.9.
1. **Setback requirements.** An accessory dwelling unit shall comply with the setback requirements of the applicable zoning district except that the side and rear yard setbacks may be four feet.
  2. **Height limit.** An attached accessory dwelling unit shall comply with the height limits of the applicable zoning district except that a detached accessory dwelling unit shall not exceed a maximum height of 16 feet except when the accessory dwelling unit is above a detached residential accessory structure, in which case it shall not exceed 25 feet.
  3. **Allowed floor area.**
    - a. The floorspace of an attached accessory dwelling unit shall not exceed 60 percent of the floorspace of the primary dwelling or 1,200 square feet, whichever is less. Regardless of the size of the primary dwelling, an attached accessory dwelling unit shall be allowed the minimum size as follows:
      - (1) 850 square feet for an accessory dwelling with zero to one bedrooms; or
      - (2) 1,000 square feet for an accessory dwelling with two or more bedrooms.
    - b. The floorspace of a detached accessory dwelling unit shall not exceed 1,200 square feet, regardless of the size of the primary dwelling.
    - c. For purposes of computing the floorspace of an accessory dwelling unit, all enclosed areas accessed from within the accessory dwelling unit shall be included. For purposes of computing the floorspace of the primary dwelling, all living area shall be included when calculating the floorspace of the primary dwelling.
  4. **Off-street parking requirements.** Additional off-street parking is not required for an accessory dwelling unit.
  5. **Separate entrance required.** An attached accessory dwelling unit shall have an entrance separate from the entrance to the primary dwelling.
  6. **Window placement.** An accessory dwelling unit that is 15 feet or less from a residential unit on an adjacent parcel shall not have windows that directly face windows in the other unit. A detached accessory dwelling unit located closer than 10 feet to a side lot line or 20 feet from a rear lot line shall have no second floor windows facing the side or rear except obscured glass or clerestory windows, unless the review authority determines that other types of windows will not significantly interfere with the privacy of residents on adjacent parcels.

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

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

- (1) The unit is created within the walls of the proposed or existing single-family residence, including attached garages, through the conversion of living space within an existing single dwelling.
- (2) The unit does not exceed 500 square feet in size.
- (3) The unit has at least an efficiency kitchen. The efficiency kitchen shall be removed if the junior accessory unit ceases.
- (4) The unit has bathroom facilities that are either separate from or shared with the residence in which the unit is contained.
- (5) The unit has exterior access separate from the entrance to the dwelling in which it is contained.

~~b. A junior accessory dwelling unit shall be permitted to develop an additional 150 square feet which may exceed the allowable lot coverage otherwise permitted by the underlying zoning district to allow for ingress and egress of the junior accessory dwelling unit.~~

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

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

- (1) The junior accessory dwelling unit shall not be sold separately from the single dwelling.
- (2) The junior accessory dwelling unit shall be restricted in size and attributes as describe in Government Code 65852.22.

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

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

- (1) One interior accessory dwelling unit or one junior accessory dwelling unit per lot constructed within an existing or proposed single-family or accessory structure, including the construction of up to a one hundred fifty (150) square foot expansion beyond the same physical dimensions as the existing accessory dwelling structure to accommodate ingress and egress. The accessory dwelling unit or junior accessory dwelling unit must have exterior access and side and rear setbacks sufficient for fire safety. If the unit is a junior accessory dwelling unit, it must also comply with the requirements of section 106.042.015.5.; or
- (2) One new, detached accessory dwelling unit with a minimum four-foot side and rear setbacks, up to eight hundred (800) square feet and no more than sixteen (16) feet high on a lot with an existing or proposed single family dwelling. A junior accessory dwelling unit may also be built within the existing or proposed dwelling of such residence in connection with the accessory dwelling unit.

- b. For lots with an existing multi-family dwelling:
- (1) Accessory dwelling units may be constructed in areas that are not used as livable space within an existing multi-family dwelling structure (i.e., storage rooms, boiler rooms, passageways, attics, basements, or garages), provided the spaces meet state building standards for dwellings. The number of interior accessory dwelling units permitted on the lot shall not exceed twenty-five percent (25%) of the current number of units of the multi-family complex on the lot and at least one such unit shall be allowed. Units constructed pursuant to this subsection shall not exceed eight hundred (800) square feet in floor area; and
  - (2) Up to two (2) detached accessory dwelling units may be constructed, provided they are no taller than sixteen (16) feet, and they have at least four (4) feet of side and rear yard setbacks. Units constructed pursuant to this subsection shall not exceed eight hundred (800) square feet in floor area. For the purpose of this subsection, a structure with two or more attached dwellings on a single lot is considered a multi-family dwelling structure. Multiple detached single-unit dwelling on the same lot are not considered multi-family.

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

3. A dish antenna installed directly on the ground shall not be located within a required setback. The maximum attainable height of the dish shall not exceed the diameter of the dish plus three feet to a maximum of 15 feet.
- C. Residential satellite TV and dish antenna standards.** Residential satellite television and dish antennas larger than one meter in diameter shall comply with the following requirements.
1. Roof-mounted antennas are not permitted.
  2. Dish antennas shall be installed directly on the ground. The maximum attainable height of the dish shall not exceed the diameter of the dish plus three feet, to a maximum of 15 feet.
  3. Dish antennas shall meet the setback requirements for accessory structures.
  4. Only one dish antenna is permitted on each lot.
  5. The distribution of signals to more than one dwelling unit is permitted, provided the distribution is limited to the same parcel or same project as the antenna site.
  6. In any situation where the above provisions do not allow reasonable access to satellite signals, a Use Permit shall be considered by the Commission with the objective of ascertaining the most aesthetically acceptable alternative siting solution. In no case may the final decision result in denial of reasonable access to satellite signals. The Commission shall consider the following:
    - a. The decision on the Use Permit application must provide for a reasonable quality of signal reception, taking into consideration the particular circumstances of the property and its surroundings.
    - b. The decision on the Use Permit application may take into consideration all the alternative site locations and reception solutions on the property and the use permit may be conditional for the purpose of reducing the visual impact of the dish antenna as seen from adjacent properties or for the purpose of reducing the potential safety or health impacts. The conditions may include partitions, screening, landscaping, mountings, fencing, height of antenna, and site location within the parcel.

#### 106.44.050 - Wireless Telecommunications Facilities

- A. Permit or approval required.** Each telecommunications facility shall require Design Review Permit approval or minor modification approval in compliance with this Section.
1. **Design Review Permits or minor modifications requiring Director approval.** The following Design Review Permit applications or minor modification applications are subject to review and approval by the Director:
    - a. Antennas within the public right-of-way attached to an existing structure and without ground-mounted equipment;
    - b. Antennas placed on an existing building or on an existing monopole; **and**
    - c. Minor modifications to a previously approved tower or base station pursuant to Federal Statute Section 6409(a); **and:**
      - d. **Installation of emergency standby generators for a macro cell tower site if the following apply:**
        1. **The emergency standby generator is rated below 50 horsepower, compliant with applicable air quality regulations, has a double-wall storage tank, not to exceed 300 gallons, and is mounted on a concrete pad.**

2. The macro cell tower site at which the emergency standby generator is proposed to be installed is an existing site that was previously permitted by the applicable local agency.
3. The emergency standby generator complies with all applicable state and local laws and regulations, including building and fire safety codes.
4. The physical dimensions of the emergency standby generator and storage tank are cumulatively no more than 250 cubic feet in volume.
5. The emergency standby generator shall be located not more than 100 feet from the physical structure of the macro cell tower or base station.

2. **Design Review Permits requiring Commission approval.** All applications for new wireless telecommunications facilities, or collocations or modifications to existing wireless telecommunications facilities other than those listed in Subsection (A)(1) above are subject to review and approval by the Commission. In addition, the Director may refer a Design Review Permit application under Subsection (A)(1)(a) or (A)(1)(b) to the Commission for hearing and decision.
3. **Other Permits and Regulatory Approvals.** Facilities approved under this Chapter are subject to all federal, state, and local laws, rules, regulations, conditions, and other lawful requirements, including, but not limited to, FCC rules and regulations, and approvals, licenses, and applicable conditions required by other City departments.
4. **Application requirements.** An application for the approval of a wireless telecommunications facility shall include the following information, in addition to all other information required by the City. Each application for Design Review shall be filed on a City application form, together with required fees and/or deposits, and all other information and materials required by the City's list of required application contents.
  - a. Written documentation demonstrating a good faith effort in locating facilities in accordance with the location requirements in Subsection (C) below. This may include a written statement and supporting information, as requested by the Director, regarding alternative site selection and collocation opportunities in the service area and why alternative sites were rejected. The Director may waive this requirement for applications for collocations or modifications to existing facilities.
  - b. Where required by the Director, visual simulations showing the proposed facility superimposed on photographs of the site and surroundings as viewed from residential properties, public rights-of-way, or other perspective points at varying distances, to be determined in consultation with the Director. Such visual simulations will assist the review authority and the public in assessing the visual impacts of the proposed facility and its compliance with the provisions of this Chapter. In addition, the Director may also require simulations analyzing stealth designs and/or on-site demonstration mock-ups for consideration by the review authority.
  - c. A diagram or map showing the viewshed of the proposed facility (all areas of the City from which the facility will be visible).
  - d. A map or description of the service area of the proposed wireless telecommunications facility and an explanation of the need for the facility.
  - e. A map showing the locations and service areas of other wireless telecommunications facility sites operated by the applicant and those that are proposed by the applicant that are close enough to affect service within the City.
  - f. Site plan including and identifying (i) all facility-related support and protection equipment; and (ii) a description of general project information, including the type of facility, number of antennas, height to top of antenna(s), radio frequency range, wattage output of equipment, and a statement of compliance with current FCC requirements.

## ARTICLE 6

# Planning Permit Procedures

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Project	Review Authority
<b>Nonresidential development</b>	
New construction or addition, less than 5,000 sf	Director
New construction or addition, 5,000 sf or more	Commission
Proposed subdivision, as to street and lot layout	Commission
Fence or wall – more than 8 ft in height	Director
<b>Residential development</b>	
Single family homes - Project of 5 to 9 units	Director
Single family homes - Project of 10 or more units	Commission
Multi-family housing - Project of 10 or fewer units	Director
Multi-family housing - Project of 11 or more units	Commission
Fence or wall - Between 8 ft and 10 ft in height	Director
Fence or wall - More than 200 feet in length	Commission
2nd floor residential addition, garage conversion, or accessory structure between primary residential structure and the street	Director
Proposed subdivision, as to street and lot layout	Commission

- C. Application filing and processing.** An application shall be prepared, filed, and processed in compliance with Section 106.60.040 (Application Preparation and Filing). It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection D below.
- D. Findings and decision.** The review authority shall approve or disapprove an application for Design Review approval concurrently with the approval or disapproval of any other planning permit (i.e., Use Permit, Minor Use Permit, Variance or Minor Variance, Zoning Clearance, or subdivision map) required for the project, if the Design Review application is filed with the City at the same time. Design Review approval shall require that the review authority first find that the project, as proposed or with changes resulting from the review process and/or conditions of approval:
1. Complies with this Section and all other applicable provisions of this Zoning Code;
  2. Provides architectural design, building massing and scale, and street and lot layout in the case of a subdivision, that are appropriate to and compatible with the site surroundings and the community;
  3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;
  4. Provides safe and efficient public access, circulation and parking, including bicycle and pedestrian accommodations where appropriate;

## CHAPTER 106.64 - PERMIT IMPLEMENTATION, TIME LIMITS, AND EXTENSIONS

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### Sections:

- 106.64.010 - Purpose
- 106.64.020 - Effective Date of Permits
- 106.64.030 - Applications Deemed Approved
- 106.64.040 - Filing of New Application after Denial
- 106.64.050 - Permits to Run with the Land
- 106.64.060 - Performance Guarantees
- 106.64.070 - Permit Time Limits, Extensions, and Expiration
- 106.64.080 - Changes to an Approved Project
- 106.64.090 - Permit Revocation or Modification

### 106.64.010 - Purpose

This Chapter provides requirements for the implementation or "exercising" of the permits required by this Zoning Code, including time limits and procedures for granting extensions of time.

### 106.64.020 - Effective Date of Permits

A Design Review approval, Use Permit, Minor Use Permit, Variance, or Minor Variance shall become effective on the 11th day following the date of application approval by the review authority, provided that no appeal has been filed in compliance with Chapter 106.72 (Appeals).

### 106.64.030 - Applications Deemed Approved

A planning permit application deemed approved in compliance with State law (Government Code Section 65956) shall be subject to all applicable provisions of this Zoning Code, which shall be satisfied by the applicant before a Building Permit is issued or a land use not requiring a Building Permit is established.

### 106.64.040 - Filing of New Application after Denial

After the denial of an application for, or the revocation of, a Use Permit, Minor Use Permit, Variance, or Minor Variance, no application for the approval of the same or a substantially similar project on the same site shall be accepted by the Department for processing within 12 months of the decision to deny the application or revoke the planning permit, except where authorized by the Commission or Council.

### 106.64.050 - Permits to Run with the Land

Except when otherwise provided by this Zoning Code, each planning permit approval that is granted in compliance with Chapter 106.62 (Permit Review and Decisions) shall be deemed to run with the land through any change of ownership of the subject site, from the effective date of the permit, except in any case where a permit expires and becomes void in compliance with Section 106.64.070 (Permit Time Limits, Extensions, and Expiration). All applicable conditions of approval shall continue to apply after a change in property ownership.

**A. Lapse of permit after implementation.** A use which has been established and/or operated as approved and the use is discontinued for more than twelve (12) consecutive months shall be considered lapsed if any of the following apply:

1. If no appurtenant structure is required and the use is discontinued for more than twelve (12) consecutive months:

2. If an appurtenant structure is required for the conditionally-permitted use and the structure is removed from the site for more than twelve (12) consecutive months.

a. If a structure associated with the operation of a conditionally permitted use is issued a certificate of occupancy and all other conditions of approval of the conditional use permit are satisfactorily completed, the entitlement remains in effect even if the structure is vacant for more than twelve (12) consecutive months; however, no use may be reestablished in the structure and/or on the site unless the use is determined by the Director to be substantially the same as the original conditionally permitted use.

### 106.64.060 - Performance Guarantees

Security to guarantee the completion of work required by a condition of approval of a planning permit required by this Zoning Code may be required by the review authority as a condition of approval, or allowed by the Director to defer required improvements or landscaping, in compliance with this Section.

- A. The security shall, as required by law or otherwise at the option of the City, be deposited with the City in the form of cash, a certified or cashier's check, letter of credit, or a faithful performance bond executed by the permittee and a corporate surety authorized to do business in California. The type of security shall be at the discretion of the Director. The security shall remain in effect until all of the secured conditions and/or work have been performed to the satisfaction of the Director.
- B. Upon completion of work to the satisfaction of the Director, the security deposit will be released. However, upon failure to perform any secured condition, the City may cause the work to be done, and may collect from the permittee, and surety in the case of a bond, all costs incurred by the City, including engineering, legal, administrative, and inspection costs.
- C. In the event the City causes the completion of required work guaranteed by the performance guarantee, any unused portion of the security shall be refunded to the permittee after deduction of the cost of the work and administrative costs incurred by the City; except that, to the extent that the Director can demonstrate to the satisfaction of the City Manager that the permittee willfully breached an obligation in a manner that he or she knew or should have known would create irreparable harm to the City, the entire amount of the bond or deposit may be withheld. The City Manager's determination may be appealed to the Council by the permittee in compliance with Chapter 106.72 (Appeals).

### 106.64.070 - Permit Time Limits, Extensions, and Expiration

- A. **Time limits.** Unless a condition of approval or other provision of this Zoning Code establishes a different time limit, any permit or approval not exercised within ~~two~~ **three** years of approval shall expire and become void, except where an extension of time is approved in compliance with Subsection B below.
  1. The permit shall not be deemed "exercised" until the permittee has substantially ~~commenced~~ the approved activity or has actually commenced the allowed use on the site in compliance with the conditions of approval.
  2. After it has been exercised, a planning permit shall remain valid and run with the land in compliance with Section 106.64.050 (Permits to Run with the Land), as long as a Building Permit is active for the project, and after a final building inspection or certificate of occupancy has been granted.
  3. If a project is to be developed in approved phases, each subsequent phase shall be exercised within ~~two~~ **three** years from the date that the previous phase was exercised, unless otherwise specified in the permit, or the permit shall expire and be void in compliance with Subsection D below, except where an extension of time is approved in compliance with Subsection B below. If the project also involves the approval of a Tentative Map, the phasing shall be consistent with the Tentative Map and the permit shall be exercised before the expiration of the Tentative Map, or the permit shall expire and become void.

## ARTICLE 8

### Glossary

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Chapter 106.80 - Definitions .....	8-3
106.80.010 - Purpose.....	8-3
106.80.020 - Definitions of Specialized Terms and Phrases.....	8-3

**Artisan/Craft Product Manufacturing.** Establishments manufacturing and/or assembling small products primarily by hand, including jewelry, pottery and other ceramics, as well as small glass and metal art and craft products. **May also include small scale food/beverage production like coffee roasting.**

**Artisan Shop.** A retail store selling art glass, ceramics, jewelry, paintings, sculpture, and other handcrafted items, that are small run or one-of-a-kind items, where the store includes an area for the crafting of the items being sold. Mass production of these items is defined as "Manufacturing/Processing - Light."

**Assessed Value.** The value of a structure as shown in the records of the County Assessor.

**Attic.** The area located between the uppermost plate and the roof or ridge of a structure.

**Auto and Vehicle Sales and Rental.** A retail or wholesale establishment selling and/or renting automobiles, trucks and vans, trailers, motorcycles, and scooters with internal combustion engines. (Bicycle sales are included under "General Retail"). Vehicles for sale may be displayed outdoors or indoors, as authorized by the required Use Permit. May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include: the sale of auto parts/accessories separate from a vehicle dealership (see "Auto Parts Sales"); mobile home, recreational vehicle, or watercraft sales (see "Mobile Home, RV and Boat Sales"); tire recapping establishments (see "Vehicle Services"); businesses dealing exclusively in used parts, (see "Recycling - Scrap and Dismantling Yards"); or "Service Stations," which are separately defined.

**Auto and Vehicle Sales, Wholesale.** The sale of automobiles and other vehicles at wholesale to retail dealers.

**Auto Parts Sales.** Stores that sell or new or re-manufactured automobile parts, tires, and accessories. Establishments that provide installation services are instead included under "Vehicle Services - Repair and Maintenance - Minor." Does not include tire recapping establishments, which are found under "Vehicle Services" or businesses dealing exclusively in used parts, which are included under "Recycling - Scrap and Dismantling Yards."

**Auto Repair.** See "Vehicle Services."

**Automated Teller Machine (ATM).** Computerized, self-service machines used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel. The machines may be located at or within banks, or in other locations. Does not include drive-up ATMs which are included under "Drive-Through Retail or Service."

## B. Definitions, "B."

**Bank, Financial Services.** Financial institutions including:

banks and trust companies	securities/commodity contract brokers
credit agencies	and dealers
holding (but not primarily operating) companies	security and commodity exchanges
lending and thrift institutions	vehicle finance (equity) leasing agencies
other investment companies	

See also "Automated Teller Machine." Does not include check cashing stores, which are instead defined under "Personal Services - Restricted."

**Bar/Tavern.** A business where alcoholic beverages are sold for on-site consumption, which is not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May include dancing as an incidental use, if authorized by the Use Permit approval for the facility. Does not include adult oriented businesses, which are separately defined.

**Personal Services.** Establishments providing non-medical services to individuals as a primary use. Examples of these uses include:

barber and beauty shops	microblading
clothing rental	palm and card readers
dry cleaning pick-up stores with limited equipment	permanent make-up
home electronics and small appliance repair	pet grooming and/or daycare with no overnight boarding
laundromats (self-service laundries)	shoe repair shops
locksmiths	tailors
	tanning salons

These uses may also include accessory retail sales of products related to the services provided. Does not include massage therapy, which is separately defined.

**Personal Services - Restricted.** Personal services that may tend to have a blighting and/or deteriorating effect upon surrounding areas and which may need to be dispersed through Minor Use Permit review to minimize their adverse impacts. Examples of these uses include:

- check cashing stores
- pawnshops
- spas and hot tubs for hourly rental
- tattoo and body piercing services

**Pervious.** A pervious surface is a surface that allows the percolation of water into the underlying soil. Pervious surfaces include grass (including artificial turf which allows water infiltration), mulched groundcover, planted areas, vegetated roofs as well as porches and decks erected on pier foundations that maintain the covered lot surface's water permeability. Pervious surfaces do not include any structure or building, any porch or deck that limits the covered lot surface from absorbing water, or any outdoor stairs, on-grade surface sports court, swimming pool, sidewalk or patio constructed of concrete, asphalt, brick, compacted gravel or other material that impedes the infiltration of water directly into the subsurface of the lot.

**Planning Commission.** The City of Citrus Heights Planning Commission, appointed by the Citrus Heights City Council in compliance with Government Code Section 65101, referred to throughout this Zoning Code as the "Commission."

**Planning Permit.** Authority granted by the City to use a specified site for a particular purpose. "Planning Permit" includes Use Permits, Minor Use Permits, Variances, Minor Variances, Design Review, and Zoning Clearances, as established by Article 6 (Planning Permit Procedures) of this Zoning Code.

**Plant Nursery.** A commercial agricultural establishment engaged in the production of ornamental plants and other nursery products, grown under cover either in containers or in the soil on the site, or outdoors in containers. The outdoor production of ornamental plants in the soil on the site is instead included under "Crop Production, Horticulture, Orchard, Vineyard." Also includes establishments engaged in the sale of these products (e.g., wholesale and retail nurseries) and commercial-scale greenhouses (home greenhouses are included under "Residential Accessory Use or Structure"). The sale of house plants or other nursery products entirely within a building is also included under "General Retail."

**Primary Structure.** A structure that accommodates the primary use of the site.

**Primary Use.** The main purpose for which a site is developed and occupied, including the activities that are conducted on the site a majority of the hours during which activities occur.

**Printing and Publishing.** An establishment engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying; and other establishments serving the printing trade such as bookbinding,

**Supportive Housing.** A facility that provides permanent, affordable housing linked to health, mental health, employment, and other support services. Supportive housing shall be considered a residential use and only subject to the restriction that apply to other residential uses of the same type in the same zone.

## T. Definitions, "T."

**Tap Room.** Allowed accessory use to a brewery or brew pub for the purpose of consuming alcohol beverages manufactured on the premises. Allows the retail sales and wholesaling of alcoholic beverages manufactured on the premise.

**Tavern.** A business whose alcoholic beverages are limited to beer/wine only. Food service is subordinate to the sale of alcoholic beverages.

### Telecommunications Facility.

**Telecommunications Facility.** Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including stationary commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections, or vehicles utilizing global positioning satellite (GPS) direction-finding technology, or equipped for reception of commercial satellite radio, television, or internet programming. The following terms and phrases are defined for the purposes of Chapter 106.44 (Telecommunications Facilities).

**Antenna.** Any system of poles, panels, rods, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves or radio frequency signals.

**Array.** Several antennas connected and arranged in a regular structure to form a single antenna.

**Base Station.** A structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

**Building Mounted.** An antenna attached to a building.

**Collocation.** The mounting of one or more wireless telecommunications facilities, including antennas, on an existing structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities.

**Equipment Cabinet or Building.** A cabinet or structure used to house equipment associated with a wireless, hard wire, or cable communication facility.

**Macro cell tower site.** A place where wireless telecommunications equipment and network components including towers, base stations, and emergency powers necessary for providing wire area outdoor service. A macro cell tower site does not include rooftop, small cell, or outdoor and indoor distributed antenna.

**Minor Modification.** This term means the same as "eligible facilities request" as defined by the Code of Federal Regulations, Title 47, Chapter 1, Subchapter A, Part 1, Subpart CC, Section 1.40001(b)(3), as may be amended. Currently this means a modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving: (1) collocation of new transmission equipment; (2) removal of transmission equipment; or (3) replacement of transmission equipment.

**Monopole.** A single freestanding pole, post, or similar structure erected on the ground or on a structure to

 <div style="text-align: center;"> <h1>STAFF REPORT</h1> <p>Community Development Department Planning Division 6360 Fountain Square Dr. Citrus Heights, CA 95621 <a href="http://www.citrusheights.net">www.citrusheights.net</a> (916) 727-4740</p> </div>		Hearing Date: January 26, 2022	
		File Number: OTA-21-01	
		Application Type: Zoning Ordinance Update	
		Assessor's Parcel Number(s): Citywide	
		Prepared by: Eric Singer, Assistant Planner <a href="mailto:esinger@citrusheights.net">esinger@citrusheights.net</a>	
Project Name: Zoning Code Update			
Project Address: N/A			
Gross Acreage: N/A		Net Acreage: N/A	
Current Zoning: N/A		Proposed Zoning: N/A	
Surrounding Zoning:		Surrounding Land Use Designation	
Actual Use:			
On-site:	Not Applicable Citywide		
North:			
South:			
West:			
East:			
<b>Environmental Status:</b> <input checked="" type="checkbox"/> Exempt Section 15061(b)(3) <input type="checkbox"/> Previous Negative Declaration <input type="checkbox"/> Negative Declaration <input type="checkbox"/> Environmental Impact Report <input type="checkbox"/> Mitigated Negative Declaration <input type="checkbox"/> Previous Environmental Impact Report			
<b>Planning Department Recommendations:</b> <input checked="" type="checkbox"/> Recommend approval and forward to the City Council for final action <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial			
Applicant:	City of Citrus Heights Planning Division	Property Owner:	Citywide Ordinance

## **REQUEST**

The Planning Division requests the Planning Commission review the attached proposed Zoning Code Amendments. The proposed amendments include fences and walls, parking, landscaping, trees, and other various sections of the Zoning Code as shown in Exhibit A. The Planning Commission's decision will be forwarded to the City Council for final action.

## **SUMMARY RECOMMENDATION**

The Planning Division recommends the Planning Commission make the following motions:

**Motion 1:** Recommend the City Council adopt a Resolution to find the proposed amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the Guidelines in that adoption of the proposed Ordinance will not result in any impacts on the physical environment; and

**Motion 2:** Recommend the City Council adopt an Ordinance amending various sections of Chapter 106 of the City of Citrus Heights Municipal Code (Zoning Code Section) as shown in Exhibit A.

## **BACKGROUND**

The city's land use and zoning regulations are contained in Title 106 (Zoning) of the city's Municipal Code (hereinafter referred to as the Zoning Code). The Zoning Code carries out the policies of the General Plan by providing standards and guidelines for the continuing orderly development of the city.

On occasion, refinements to the Zoning Code are necessary to clarify existing standards, implement new ones, reflect changes in law, and address changing business types and their activities. Staff proposes to modify various sections of the Zoning Code to implement necessary refinements. The approval of these amendments does not approve any development project. Rather, they amend and clarify the certain sections of the Zoning Code.

## **PROJECT DESCRIPTION**

This staff report includes a table of the proposed changes. The table lists the code section number, the topic and a brief discussion of the change. Exhibit A includes a complete list of the zoning amendments in underline/strikeout text format.

While many of the proposed changes are minor, special attention should be given to the key areas discussed below where the changes are more significant.

- **Paving Standards** Due to the large number of public inquiries regarding paving front yards, staff has found it necessary to include specific provisions within the Zoning Code to limit the area allowed to be impervious (paved) surface.

As it is currently written, the Zoning Code does not specify the amount of total lot area that shall remain pervious surface, and states that no more than 50% of the front yard area shall be impervious surface. After consulting Zoning Codes of surrounding jurisdictions, staff has found that the majority of cities strive for greater pervious surface totals. Therefore, the proposed changes are as follows:

- A minimum of 25% of the lot area shall be pervious surface;

- No more than 40% of the front yard are shall be impervious surface (e.g. sidewalks, driveway, or parking surfaces);
- Deviations from these standards may be allowed with a staff-level Design Review Permit.
- **Tree Mitigation** The proposed amendments include modification related to tree mitigation. Currently the Zoning Code allows for mitigation to be achieved via either an inch-for-inch replacement of the trees removed from the site, or payment of \$298-per-inch into a tree mitigation fund. Currently, there is no requirement or incentive for developers to retain existing trees that are below the minimum size to be considered protected. In order to offer additional incentive to preserve existing trees, staff is recommending to also allow on-site preservation of native oak trees under 6" in diameter at breast height (dbh) within the buildable areas of the lot to be counted toward mitigation totals. For example, if a 4" Valley oak is preserved within the buildable area of the site, it would count as 4" toward the total mitigation requirement. This standard is currently in place in other agencies including Sacramento County:
  - On-site preservation of native oak trees that are less than 6 inches dbh and within the buildable area of the site may also be used to meet the tree mitigation requirement
- **Fences and Walls** Currently, fences and walls have two triggers for when staff-level Design Review is required. The first is if the proposed fence or wall is visible from the public right-of-way and has a height greater than six feet and a length greater than 100 feet. The second trigger is if the length of the fence is 200 feet or more, regardless of height. Over the past few years, staff has received multiple inquiries regarding fencing along commercial corridors like Auburn Boulevard, Greenback Lane and Sunrise Boulevard. On occasion, some of the proposed fencing projects fell below the requirements for Design Review and have thus been allowed to be constructed without staff review or approval.

Fences and walls can be a significant visual component of a site, especially on commercial corridors that act as gateways into the city. After reviewing the Zoning Codes from surrounding jurisdictions, as well as the city's own previous planning documents, staff is proposing the following changes to the Zoning Code as it pertains to fences in commercial zones:

- Requiring Design Review for all fences proposed within commercial zones and visible from the public right-of-way;
- Eliminating the "six feet and length greater than 100 feet" requirement and instead requiring Design Review for any fence over eight feet tall and/or visible from a public right-of-way;
- Creating objective Design Review criteria for commercial fencing, including the following elements:
  - Maximum height of eight feet, with fences and walls not visible from a public right-of-way allowed to go up to ten feet tall;
  - Fences and walls should be treated as architectural extensions of the building and incorporate features that create visual interest;
  - When fronting pedestrian routes, fences and walls should be set back at least three feet to allow for landscaping.

These changes allow for greater discretion and reduce the aesthetic impact of fencing along commercial corridors.

- **Permits to Run with the Land** If a use on a property that was originally approved via Use Permit discontinues and remains inactive for more than a year, the Zoning Code currently states that a public hearing must be held to revoke the Use Permit from the property. In order to eliminate duplicative processes and streamline efficiency, staff is proposing the following changes:
  - If the use is discontinued for more than twelve months, the Use Permit shall expire as long as the following criteria have been met:
    - No appurtenant structure is required and the use has been discontinued for twelve months; or
    - If an appurtenant structure is required for the Use Permit but it is removed from the site for more than twelve consecutive months
  - If an appurtenant structure required for the Use Permit that has been issued a certificate of occupancy, and all other criteria of the Use Permit have been met, the Use Permit will continue even if the structure remains vacant for more than twelve consecutive months. However, no use may be re-established in the structure unless it has been determined by the Director to be substantially the same as the original conditionally permitted use.

## **SUMMARY OF ALL CHANGES**

The table below includes all the changes proposed for the Zoning Code Update.

<b>Article 2 – Zoning Code Districts and Allowable Land Uses</b>		
<i>Code Section</i>	<i>Topic</i>	<i>Change</i>
106.26.030	Table 2-5 Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts	➤ Created new category for “Artisan/Craft Product manufacturing”
<b>Article 3 – Site Planning and Project Design Standards</b>		
<i>Code Section</i>	<i>Topic</i>	<i>Change</i>
106.30.050(B)(1)	Fences and Walls	Changes thresholds for Design Review of fences and walls to the following: <ul style="list-style-type: none"> <li>➤ Required when visible from a public right-of-way and located within a commercial zone</li> <li>➤ Eliminates the requirement of six feet tall and 100 feet long, instead required for all fences or walls over eight feet</li> </ul>
106.30.050(F)	Fences and Walls – Commercial Fencing	Creates new section for objective design standards for new commercial fencing: <ul style="list-style-type: none"> <li>➤ Maximum allowed height of eight feet, with ten feet allowed with Design Review if not visible from the public right-of-way</li> <li>➤ If walls or fences are not required for a specific screening or security purpose they should not be used. The intent is to keep a wall or fence as low as possible while still performing their screening and security function</li> </ul>

		<ul style="list-style-type: none"> <li>➤ Screen walls and fences should be architecturally treated as an extension of the building, using similar colors, design, and materials. Vertical and horizontal reveals, accents, reliefs, and other details shall be included. Chain link fences are prohibited, unless they are used as temporary security fencing</li> <li>➤ Wherever possible along pedestrian routes, screen walls and fences should be set back a minimum of three feet from the sidewalk to allow for landscaping. Additionally, the use of climbing vines or ivy on walls and fences is highly encouraged</li> </ul>
106.30.100(2)	Setback Requirements and Exceptions – Storage	Includes recreational vehicles and trailers specifically among items not to be stored within front or street side setbacks, unless they are on an approved parking surface
106.30.100(3)	Setback Requirements and Exceptions – Parking	Moves and redirects the provisions of this section to 106.36.080 (Parking Design and Development Standards)
106.31.030(3)(D)	Small Lot Housing Product Project Designs	Changes the word “subdivisions” to “developments” in first paragraph as small lot housing products are not exclusive to land divisions
106.34.020	Landscaping Standards	Adds mixed-use to the land use categories and indicates all existing development comply with minimum maintenance provisions of newly created section 106.34.025
106.34.025	Special Landscape Provisions	<p>New section specifies following landscaping requirements for single- and two-family residential zoning districts:</p> <ul style="list-style-type: none"> <li>➤ 25% of lot area shall be pervious surface</li> <li>➤ No more than 40% of front yard area shall be impervious surface (sidewalks, driveway, parking surface)</li> <li>➤ Allows for deviation of requirements through Design Review</li> </ul>
106.36.030(D)	General Parking Regulations	Eliminates this subsection from this section and moves it to section 106.36.080, subsection (B)(2) – Residential Parking Restrictions
106.36.080(A)(1)(b)	Parking Design and Development Standards – Location of Parking, Multi-unit residential	Eliminates the word Duplex from description, as duplex is allowed within both single- and multi-family residential zones
106.36.080(B)	Residential parking restrictions	Creates new subsection that consolidates information from disparate parts of the Zoning Code, including from Section 106.30.100 (Setback Requirements and Exceptions) and 106.36.030 (General Parking

		Regulations), into single location titled Residential parking restrictions. Subsection includes the following: <ul style="list-style-type: none"> <li>➤ Residential parking surface requirements</li> <li>➤ Recreational vehicle and trailer parking requirements, which also incorporates language from the Municipal Code regarding fire access</li> </ul>
106.38.060	Table 3-11 Sign Standards for Residential Zones	Under non-residential uses, separates wall and freestanding sign allowances and increases allowances for each from 50 SF for all combined signs to the following: <ul style="list-style-type: none"> <li>➤ .50 (1/2) SF wall signage for every linear foot of primary building frontage</li> <li>➤ Total combined SF of all freestanding signs not to exceed 100 SF</li> </ul>
106.39.020(A)	Tree Preservation and Protection – Applicability to protected trees	Defines a native oak tree as any of the following four species: <ul style="list-style-type: none"> <li>➤ Blue oak (<i>Quercus douglasii</i>)</li> <li>➤ Interior live oak (<i>Quercus wislizenii</i>)</li> <li>➤ Coastal live oak (<i>Quercus agrifolia</i>)</li> <li>➤ Valley oak (<i>Quercus lobata</i>)</li> </ul> Also adds privet ( <i>Ligustrum</i> spp.) and tree of heaven ( <i>Ailanthus altissima</i> ) to list of non-protected trees, regardless of size
106.39.020(C)	Tree Preservation and Protection – Exceptions	Removes language about properties being exempt if they cannot be subdivided further based on minimum lot area requirements
106.39.060	Tree Planting and Replacement	Renames the section to Tree Mitigation, moves language from first paragraph into subsection A and provides bullet points of mitigation requirements for clarity. <p>Also introduces subsection E, which states the following:</p> <ul style="list-style-type: none"> <li>➤ On-site preservation of native oak trees that are less than 6 inches (&lt;6 inches) dbh, as described in Section 106.39.020, and within the buildable area of the site may also be used to meet the tree mitigation requirement pursuant to the formula described in Section 106.39.060(A)</li> </ul>
<b>Article 4 – Standards for Specific Land Uses</b>		
<i>Code Section</i>	<i>Topic</i>	<i>Change</i>
106.42.010(D)(7)	Junior Accessory Dwelling Unit	Changes to the definition of JADU include the following: <ul style="list-style-type: none"> <li>➤ A unit is considered a JADU if the unit is created within the walls of the proposed or existing single-family residence. The old text states a JADU is created through the conversion of living space within an existing single dwelling.</li> <li>➤ Removal of item b, stating “A junior accessory dwelling unit shall be permitted to develop an</li> </ul>

		additional 150 square feet which may exceed the allowable lot coverage otherwise permitted by the underlying zoning district to allow for ingress and egress of the junior accessory dwelling unit.”
106.42.010(D)(8)(b)(2)	Accessory Dwelling Unit – Exceptions	Additional clarification of the definition of multi-family dwelling to include the language “For the purpose of this subsection, a structure with two or more attached dwellings on a single lot is considered a multi-family dwelling. Multiple detached single-unit dwelling on the same lot are not considered multi-family.”
106.44.050	Wireless Telecommunications Facilities	Adds a section discussing the criteria for the installation of emergency standby generators meeting the definition of a Minor Modification pursuant to Section 6409(a) of the Federal Statute.
<b>Article 6 – Planning Permit Procedures</b>		
<i>Code Section</i>	<i>Topic</i>	<i>Change</i>
106.62.040	Design Review	Design Review Thresholds Table modified to include the following:
		Project - Nonresidential development      Review Authority
		Fences or wall – more than 8 ft in height      Director
106.64.050	Permits to Run with the Land	Introduces subsection A, which establishes that a use that has been allowed by Use Permit and has discontinued for twelve months may be considered lapsed if: <ul style="list-style-type: none"> <li>➤ If no appurtenant structure is required and the use is discounted for more than twelve (12) consecutive months;</li> <li>➤ If an appurtenant structure is required for the conditionally-permitted use and the structure is removed from the site for more than twelve (12) consecutive months <ul style="list-style-type: none"> <li>○ If a structure associated with the operation of a conditionally permitted use is issued a certificate of occupancy and all other conditions of approval of the conditional use permit are satisfactorily completed, the entitlement remains in effect even if the structure is vacant for more than twelve (12) consecutive months; however, no use may be reestablished in the structure and/or on the site unless the use is determined by the Director to be substantially the same as the original conditionally permitted use</li> </ul> </li> </ul>
106.64.070	Permit Time Limits, Extensions, and Expiration	Time limits on approved entitlements extended from two to three years, including on phased projects. This is intended to match the Subdivision Map Act time limits

Article 8 – Glossary		
Code Section	Topic	Change
106.80.020	Definitions of Specialized Terms and Phrases	<p>Added definitions for the following terms:</p> <ul style="list-style-type: none"> <li>➤ Artisan/Craft Product Manufacturing to include small scale food/beverage production like coffee roasting</li> <li>➤ Pervious Surface</li> <li>➤ Base Station and Macro Cell Tower Site in Telecommunications Facilities</li> </ul>

## **CONCLUSION**

The proposed Zoning Code amendment is consistent with the General Plan and will not be detrimental to the public interest, health, safety, convenience, or welfare of the city. The proposed modifications are intended to update the Zoning Code based on changing trends, new legal requirements or best practices; therefore, staff recommends approval of the amendments.

## **ENVIRONMENTAL DETERMINATION**

This project is categorically exempt from the California Environmental Quality Act (CEQA Guidelines Section 15061(b) (3)) in that adoption of the proposed Ordinance will not result in any impacts on the physical environment; and under the general rule that the proposed amendments to the Municipal Code do not have the potential to have a significant effect on the environment.

## **RECOMMENDATION**

The Planning Division recommends the Planning Commission make the following motions:

**Motion 1:** Recommend the City Council adopt a Resolution to find the proposed amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines; and

**Motion 2:** Recommend the City Council adopt an Ordinance amending Chapter 106 of the City of Citrus Heights Municipal Code (Zoning Code Section) as shown in Exhibit A.

Exhibit A: Redline of Zoning Code Text

February 6, 2022

Dear City Council Members.

I write to ask you to **please consider voting NO** on the proposed change to *Zoning Code Section 106.34.025*. The section of the change I am opposed to is:

**"No more than 40% of the front yard shall be impervious surface ..."**

Paragraph 2 under Paving Standards indicates the reduction down to 40% was a result of "consulting Zoning Codes of surrounding jurisdictions" (A highlighted screenshot of this section is below). This comparison and a follow-the-leader type of decision makes no practical sense to me.

Why? Because Citrus Heights is **not** like Elk Grove nor Rancho Cordova which was mentioned in the Planning Commission meeting. We do not have as multiple new developments nor excess vacant land where developers are building subdivisions using postage-stamp-sized lots (which already require little irrigation). Citrus Heights is well established with **many larger-than-average front yards**. Therefore, in my view, it is not unreasonable **to retain the 50% limit on impervious area as it stands**. In fact, it is environmentally conscientious to do so.

On the next page I am attaching a couple of pictures from just around my own neighborhood. Many of the homeowners have made improvements to their property which entailed covering OVER 40% of their front yards with flatwork. Doing so has accomplished the following positive things for the community:

1. Lowered water usage. Our large pervious front yards require a lot of this precious natural resource.
2. Safety – More automobiles are off the streets. These are large-family homes with multiple drivers. Our neighborhood has **benefited substantially** by these homeowners providing more parking on their front yard lots rather than cluttering the street vehicles. This has **resulted in a safer, more enjoyable neighborhood for the residents and their children to walk, ride and play.**
3. Increased property values (opinion as a consumer). The curb appeal in our neighborhood has only increased by homeowners using more than 40% of their front yards for impervious flatwork. We have much cleaner looking streets after owners provide their vehicles a place to be off the street. Yards are better kept with less maintenance required. Less weeds and more actual landscape design than prior to flatwork.

**Article 3 – Site Planning and Project Design Standards Code Section 106.34.025 Special Landscape Provisions.**

- **Paving Standards** Due to the large number of public inquiries regarding paving front yards, staff has found it necessary to include specific provisions within the Zoning Code to limit the area allowed to be impervious (paved) surface.

As it is currently written, the Zoning Code does not specify the amount of total lot area that shall remain pervious surface, and states that no more than 50% of the front yard area shall be impervious surface. After consulting Zoning Codes of surrounding jurisdictions, staff has found that the majority of cities strive for greater pervious surface totals. Therefore, the proposed changes are as follows:

- **A minimum of 25% of the lot area shall be pervious surface;**
- **No more than 40% of the front yard are shall be impervious surface (e.g. sidewalks, driveway, or parking surfaces);**
- **Deviations from these standards may be allowed with a staff-level Design Review Permit.**

I would like to share that I also drove around other neighborhoods and it becomes clear that Grand Oaks, Twin Oaks, Rusch Park areas also have sufficiently large lots to cover 50% with impervious materials and still have plenty of pervious front yards left (just to name a few).

One last note regarding our residents with front yards facing busy streets. It is beneficial and much safer for these people to be allowed to pour L-shaped or Circular driveways allowing them to navigate entrance to and exit from their homes more safely. (Even if it took up more than the 40% recommended by this zoning change.)

I hope you are moved to take a short drive to view for yourselves how 40% restriction would be too little for some of these homes:

My hope is that it will help you agree that:

- The 50% amount currently in the Zoning code need NOT be reduced.

Thank you,

Janelle Ingle  
8457 Menke Way, Citrus Heights, CA 95610  
(916-532-6564)

Addresses I suggest that you take a drive by to view the beauty of over 40% impervious flatwork/gravel/etc:

8413 Jonquil Way  
8434 Los Serranos Way  
8448 Menke Way, 8455 Menke Way, 8441 Menke Way  
7250 Quailwood Way, 7256 Quailwood Way, 7257 Quailwood Way





Lives on a Court. Needs to have parking if possible. .





# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** February 24, 2022

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

**FROM:** Amy Van, City Clerk

**SUBJECT:** **Public Hearing #2 on the Redistricting Process**

### **Summary and Recommendation**

Staff recommends the City Council:

1. Receive a presentation from the City's demographic consulting firm, National Demographics Corporation (NDC); and
2. Hold a public hearing to review draft maps and receive public input regarding the composition of district boundaries.

### **Fiscal Impact**

There is no fiscal impact associated with this public hearing.

### **Background and Analysis**

Each city with district-based elections is required to update ("redistrict") the district boundaries every ten years, following the receipt of updated population data from each federal decennial census. The City is required to redistrict the district boundaries prior to the next election in November 2022. Although the City recently transitioned to district-based elections in 2019, the boundaries are based on the 2010 federal census, which means the City must now update the boundaries through the redistricting process based on the 2020 federal census.

On February 10, 2022, the City Council held its first of four Public Hearings without maps to receive input from the public regarding district boundaries for Council Members. At the February 20, 2022 hearing the City's demographer, NCD, provided a presentation on the overall population changes within the City according to the 2020 federal census data, and an overview of the legal requirements under the FAIR MAPS Act that must be considered when drawing district boundaries. Following the first public hearing, the public was given the opportunity to submit

their proposed draft maps for consideration by the City Council with a deadline of February 17, 2022.

This City Council meeting is the second public hearing for the redistricting process, which is also the first public hearing with a draft district boundary map.

Once the City receives proposed district boundary maps from the public, these draft map submissions will be reviewed by the City's demographer and posted on the City's website, as well as entered into the public record.

#### *Proposed District Boundary Map for Consideration*

The City's demographer has considered all of the public input received thus far, including public testimony from the first Public Hearing, along with the most recent 2020 census population data. NDC has proposed one draft district boundary map that reflects the current district lines adopted on June 27, 2019, which meets the legal requirements under the FAIR MAPS Act. During this public hearing the City's demographer will provide a presentation, and members of the public will have an opportunity to provide input regarding the draft district boundary map.

Staff is requesting the City Council provide direction on the draft district boundary map in order for the City's demographer to create additional draft district boundary maps for consideration at upcoming Public Hearings and make any adjustments before adopting an ordinance establishing a final map to be used for the November 2022 General Municipal Election.

#### *Criteria for Drawing District Maps*

In accordance with the Fair and Inclusive Redistricting for Municipalities and Political Subdivisions ("FAIR MAPS") Act, the City Council shall draw and adopt boundaries using the following criteria in the order of priority (Elections Code Section 21601(b),(c)):

1. Comply with the federal requirements of equal population and the Federal Voting Rights Act (FVRA);
2. Geographically contiguous, to the extent practicable. A district is not contiguous if it includes areas that: (a) meet only at the point of adjoining corners, or (b) are separated by water and not connected by a bridge;
3. Geographic integrity of any local neighborhood or local "community of interest" (socio-economic geographic areas that should be kept together) shall be respected in a manner that minimizes its division;
4. Boundaries should be easily identifiable and understandable by residents. To the extent practicable, council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the City;
5. Districts shall be geographically compact in a manner that nearby areas of population are not bypassed in favor of more distant populations, to the extent practicable; and
6. Districts must not be adopted for the purpose of favoring or discriminating against a political party.

*Redistricting Timeline and Next Steps*

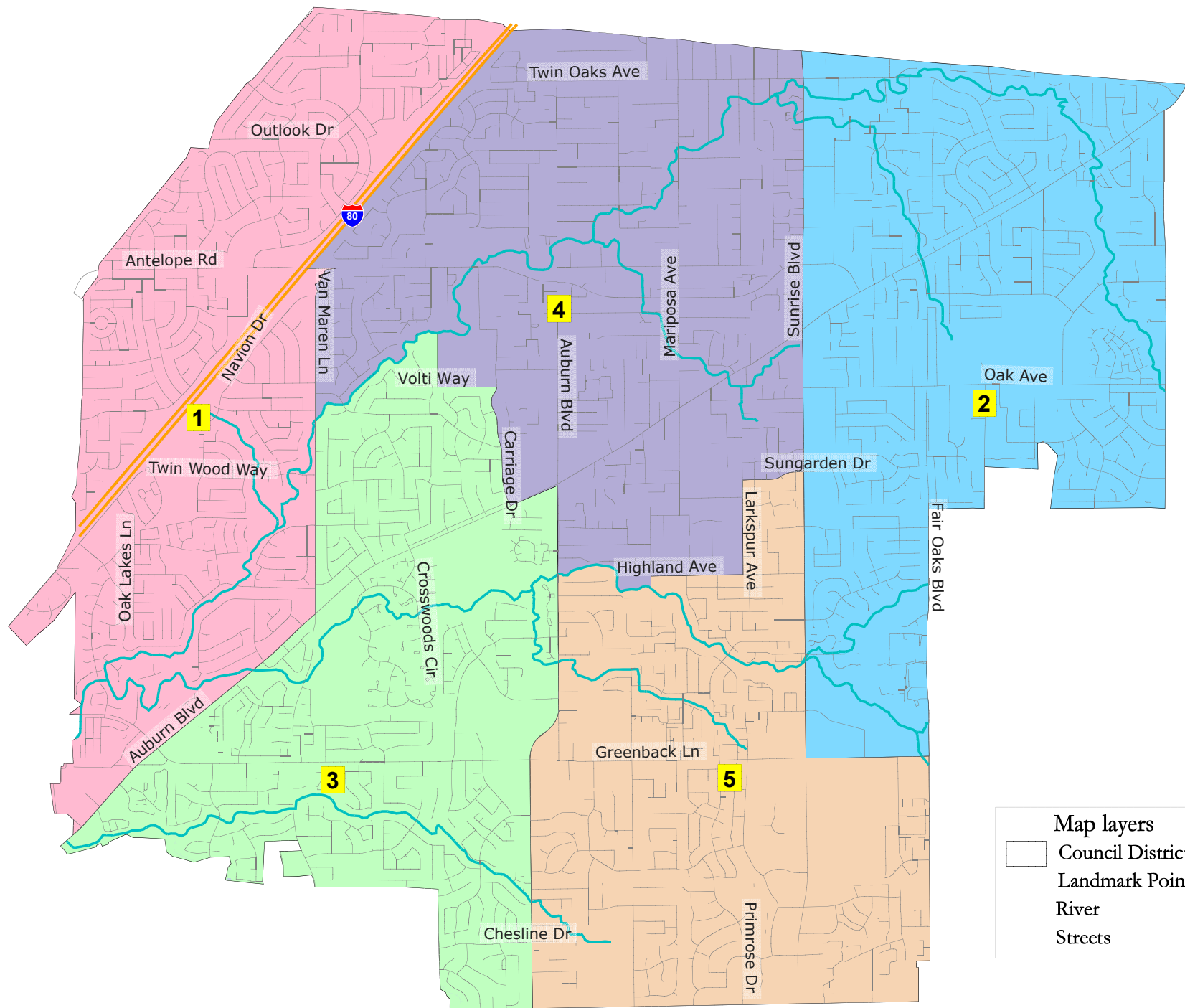
City staff has already conducted community outreach to increase public interest in the redistricting process. City staff will host a Public Workshop on March 3, 2022 from 5:30 to 7:00 p.m. at Citrus Heights City Hall to continue to encourage public participation in the redistricting process, including information for the public to draw their own maps.

The city has scheduled the required public hearings as follows:

Hearing	Date	Description
1	February 10, 2022, 7:30 p.m.	Completed
2	February 24, 2022 7:30 p.m.	2 <sup>nd</sup> Public Hearing with maps of proposed district boundaries produced by the demographer and published in advance for consideration and feedback by the public and Council
	March 3, 2022 5:30 p.m. to 7 p.m.	Public Workshop to provide information to the public and solicit input from the public on composition of districts
3	March 10, 2022	3 <sup>rd</sup> Public Hearing to deliberate on map options. Council vote on preferred map and introduce an ordinance with a final map establishing new district boundaries.
4	March 24, 2022	4 <sup>th</sup> Public Hearing final adoption of the map via ordinance

**Attachments**

1. Proposed Redistricting Map



<i>City of Citrus Heights - Current Plan</i>							
Category	Field	1	2	3	4	5	Total
2020 Census	Total Population	17,075	17,610	18,106	17,285	17,774	87,850
	Population Deviation	-495	40	536	-285	204	1,031
	Pct. Deviation	-2.82%	0.23%	3.05%	-1.62%	1.16%	5.87%
Total Pop.	Hispanic/Latino	20%	16%	17%	21%	23%	20%
	NH White	64%	70%	66%	64%	59%	64%
	NH Black	4%	3%	6%	4%	7%	5%
	NH Asian/Pac.Isl.	7%	7%	7%	7%	7%	7%
	NH Native Amer.	3%	3%	3%	3%	2%	3%
Citizen Voting Age Pop	Total	12,806	13,514	13,247	12,948	12,061	64,576
	Hispanic	14%	13%	14%	15%	13%	14%
	NH White	75%	75%	76%	77%	73%	75%
	NH Black	4%	4%	4%	3%	8%	4%
	Asian/Pac.Isl.	6%	7%	6%	5%	5%	6%
	Native Amer.	1%	2%	1%	2%	1%	2%
Voter Registration (Nov 2020)	Total	10,679	11,142	11,376	9,923	9,004	52,124
	Latino est.	12%	9%	11%	12%	12%	11%
	Spanish-Surnamed	12%	9%	10%	11%	11%	10%
	Asian-Surnamed	2%	2%	2%	2%	2%	2%
	Filipino-Surnamed	1%	1%	1%	1%	1%	1%
	NH White est.	81%	84%	84%	84%	80%	83%
	NH Black	3%	4%	3%	2%	6%	4%
Voter Turnout (Nov 2020)	Total	8,756	9,418	9,280	7,921	7,158	42,533
	Latino est.	11%	8%	10%	11%	11%	10%
	Spanish-Surnamed	11%	8%	9%	10%	10%	10%
	Asian-Surnamed	2%	2%	2%	2%	2%	2%
	Filipino-Surnamed	1%	1%	1%	1%	1%	1%
	NH White est.	81%	84%	84%	84%	80%	83%
	NH Black	3%	4%	3%	2%	6%	4%
Voter Turnout (Nov 2018)	Total	6,284	6,750	6,678	5,314	4,629	29,655
	Latino est.	9%	7%	8%	9%	9%	9%
	Spanish-Surnamed	9%	7%	8%	8%	9%	8%
	Asian-Surnamed	2%	2%	1%	2%	1%	2%
	Filipino-Surnamed	1%	1%	1%	1%	1%	1%
	NH White est.	83%	85%	85%	86%	82%	84%
	NH Black est.	3%	4%	3%	2%	5%	3%
Age	age0-19	24%	20%	23%	23%	24%	23%
	age20-60	51%	54%	52%	56%	56%	54%
	age60plus	25%	25%	25%	21%	20%	23%
Immigration	immigrants	11%	12%	15%	12%	19%	14%
	naturalized	64%	68%	69%	53%	44%	59%
Language spoken at home	english	85%	83%	80%	81%	74%	81%
	spanish	9%	8%	7%	11%	12%	9%
	asian-lang	3%	2%	3%	1%	3%	2%
	other lang	4%	7%	11%	7%	12%	8%
Language Fluency	Speaks Eng. "Less than Very Well"	7%	6%	10%	7%	14%	9%
Education (among those age 25+)	hs-grad	61%	55%	57%	62%	57%	58%
	bachelor	14%	17%	14%	14%	15%	15%
	graduatedegree	4%	7%	8%	4%	5%	6%
Child in Household	child-under18	30%	29%	27%	30%	27%	29%
Pct of Pop. Age 16+	employed	60%	66%	65%	67%	65%	65%
Household Income	income 0-25k	13%	8%	20%	15%	23%	16%
	income 25-50k	25%	20%	21%	23%	25%	23%
	income 50-75k	23%	21%	22%	20%	21%	21%
	income 75-200k	35%	46%	34%	38%	28%	36%
	income 200k-plus	3%	5%	3%	4%	2%	3%
Housing Stats	single family	93%	84%	65%	71%	46%	71%
	multi-family	7%	16%	35%	29%	54%	29%
	rented	25%	32%	46%	45%	68%	44%
	owned	75%	68%	54%	55%	32%	56%
Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database ("Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate).							



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** February 24, 2022

**TO:** Mayor and City Council Members  
Ashley Feeney, City Manager

**FROM:** Bill Zenoni, Administrative Services Director  
Tammy Nossardi, Finance Manager

**SUBJECT:** **Fiscal Year 2021-22 Mid-Year Budget Adjustment and Financial Forecast Update**

### **Summary and Recommendation**

Staff recommends the City Council review the General Fund revenues and expenditures for the first seven months of Fiscal Year 2021-22 and the updated Ten Year Financial Forecast, and adopt Resolution No. 2022-\_\_\_ approving amendments to the Fiscal Year 2021-22 Budget.

### **Fiscal Impact**

The proposed budget amendments will increase Fiscal Year 2021-22 General Fund revenue appropriations by \$2,543,325 and increase General Fund expenditure appropriations by \$1,017,511 for a net favorable impact to the General Fund budget of \$1,467,814.

### **Background and Analysis**

### **FISCAL YEAR 2021-22 MID-YEAR BUDGET REVIEW**

The City's budget for Fiscal Years 2021-22 and 2022-23 was adopted by the City Council on April 22, 2021. The Fiscal Year 2021-22 adopted budget for all City funds anticipated revenue of \$70.5 million and expenditures of \$75.3 million with the difference of \$4.8 million budgeted from the accumulated fund balances in 28 of the City's 44 various funds. As of February 10, 2022, \$36.7 million (52.1 percent) of the budgeted revenue had been received and \$39.9 million (53.0 percent) of the budgeted expenditures had been incurred.

The City's main operating fund is the General Fund. The adopted General Fund budget for Fiscal Year 2021-22 anticipated revenue of \$32.6 million to fund expenditures of \$32.7 million (excluding American Rescue Plan Act funds). As of February 10, 2022, General Fund revenues totaled \$17.5 million (53.5 percent of the budgeted amount). General Fund expenditures totaled \$18.9 million (57.7 percent of the annual budgeted amount). General Fund expenditures exceeded General Fund revenues by \$1.4 million at the end of the first seven months of the fiscal year. As the City Council has previously discussed, the General Fund operates in a deficit cash

flow position during the first portion of the fiscal year due to the timing of the receipt of major sources of revenue including motor vehicle-in-lieu fees and sales tax. During this period, the General Fund relies on the available fund balance and in recent years has also utilized available cash in other funds to temporarily bridge the cash shortage.

Based upon fiscal activities during the first seven months of the fiscal year and information currently available, staff is proposing adjustments to the Fiscal Year 2021-22 General Fund Budget to more closely align the budget with anticipated revenues and expenditures.

### GENERAL FUND REVENUE

The Fiscal Year 2021-22 General Fund budget projected revenue of \$32.6 million. This projection was based upon information available at the time the budget was developed in early 2021. Based upon actual revenue received as of February 10<sup>th</sup> and projected revenue for the remaining five months of the fiscal year, staff is recommending adjustments to the General Fund revenue budget which will increase the budgeted revenues by \$2.5 million.

The proposed adjustments to General Fund budgeted revenue include:

#### Taxes and Franchises

The largest source of revenue to the General Fund is sales tax. Sales tax revenue was budgeted at \$13.2 million. Based upon a combination of increased gas prices and gas consumption, auto sales and the opening of new retail businesses, the City's sales tax consultant has increased the projected sales tax revenue by \$854,000 to \$14.1 million.

Revenue from the property transfer tax is also coming in higher than anticipated by \$95,000 due to a continued strong local real estate market.

#### Licenses and Permits

The major revenue items under this category include business license and building-related fees. Business license revenue was budgeted at \$235,000, a slight reduction from Fiscal Year 2020-21 in anticipation of the impact of the COVID pandemic on local businesses. Actual revenue to date is consistent with last year, so it is recommended that the budget be increased to \$250,000.

At the time the budget was developed, a slow-down in construction activity was also anticipated. The Building Division has continued to be extremely busy this year processing a high volume of permits, including Mitchell Farms which has been submitting plans sooner than anticipated. The overall increase in construction-related revenue this year is projected to be an additional \$1,225,000. It is not anticipated that this level of activity will continue in future years.

#### Fines and Forfeitures

Revenue in this category is projected to be \$223,300 under the budgeted amount. The major variance is due to a reduction of \$178,400 in forecasted revenue from red light camera fines due to several factors including reduced patterns of driving during the COVID-19 pandemic and delays in court processing of fines. The projected revenue from vehicle fines is \$45,000 under the amount budgeted due also to court processing delays as well as reduced public safety staffing during the first half of the fiscal year.

### Intergovernmental Revenue

The second largest source of General Fund revenue is motor vehicle-in-lieu fees which is paid by Sacramento County in two installments – 50 percent in January and the remaining 50 percent in May of each year. The City has been notified that the Fiscal Year 2021-22 vehicle-in-lieu fee revenue will total \$9,581,920 which is \$238,350 more than the budgeted amount.

Also included in the intergovernmental revenue category is reimbursement for state mandated costs. Senate Bill 90 which was passed by the State legislature in 1972 provided that the state reimburse local governments for any new programs or increased levels of service mandated by the State of California. Examples of programs which fall under state mandated costs are domestic violence arrests and victims assistance, rape victim counseling center notices, stolen vehicle notification and other activities mostly impacted the Police Department. The State is extremely slow in processing these payments, which can take years to receive. In Fiscal Year 2020-21, the City received reimbursements of \$32,900. While \$51,500 in reimbursements were budgeted this year, only \$480 has been received to date. The projection through June 30<sup>th</sup> has been reduced to \$25,000.

### Investment Revenue

Continued low interest rates have resulted in a reduction of \$20,000 in projected interest earnings. Interest revenue will still be higher than last fiscal year due to the earned interest on unexpended American Rescue Plan Act funds.

### Charges for Service

Charges for Service revenue was budgeted at \$951,226. The largest line item in this category is Community Center Rental revenue. At the time the budget was prepared, it was assumed that the Community Center would see increased rental activity. The budgeted revenue estimate of \$335,925 has been reduced to \$175,000 based upon the lower than anticipated rental activity. Adjustments to Police contract overtime reimbursement, Livescan and false alarm/permit fees (a net reduction of \$19,800) are recommended based upon revenues received to date this fiscal year.

### Other Revenue

Miscellaneous and reimbursement revenue is projected to exceed the budgeted amount by \$475,500 due to the receipt of one-time revenue from the California Intergovernmental Risk Authority (CIRA) to fund a portion of the Police Department body worn cameras and increased general liability insurance costs.

A summary of General Fund revenues as of February 10, 2022 and the recommended budget adjustments is provided below:

Subject: Fiscal Year 2021-22 Mid-Year Budget Adjustment and Financial Forecast Update

Date: February 24, 2022

Page 4 of 8

FY 2021-22 General Fund Revenue					
As of February 10, 2022					
	FY 2020-21 Actual	FY 2021-22 Budget	YTD Actual (2/10/2021)	Year-End Projection	Budget Adjustment
<b>TAXES AND FRANCHISES</b>					
Sales and Use Tax	13,373,483	13,250,000	5,866,212	14,104,000	854,000
Utility Users Tax	2,717,945	2,780,000	1,418,160	2,780,000	
Franchise Fees	619,090	700,000	-	700,000	
Franchise Fees Solid Waste	522,754	515,000	278,094	515,000	
Property Transfer Tax	383,773	355,000	356,583	450,000	95,000
Transient Occupancy Tax	23,237	18,000	11,793	18,000	
<b>Total Taxes and Franchises</b>	<b>17,640,282</b>	<b>17,618,000</b>	<b>7,930,842</b>	<b>18,567,000</b>	<b>949,000</b>
<b>LICENSES AND PERMITS</b>					
Business License	246,621	235,000	148,489	250,000	15,000
Building Plan Check	592,703	255,000	391,298	614,200	359,200
Cardroom Table Tax	30,720	31,600	15,360	31,600	
Engineering Fees Private Dev	(17,013)	32,800	3,166	32,800	
Zone Check	26,456	10,000	5,639	6,700	(3,300)
Building Permits	1,789,146	1,000,900	1,157,028	1,870,000	869,100
Engineering Fees Utilities	63,212	132,600	12,913	132,600	
Tree Permit	1,470	1,500	960	1,500	
Transportation Permits	16,340	15,000	7,808	15,000	
Records Processing/Strong Motion	12,799	8,100	4,919	8,100	
Fireworks License	1,100	1,200	-	1,200	
Animal License	43,547	47,000	24,085	47,000	
<b>Total Licenses and Permits</b>	<b>2,807,101</b>	<b>1,770,700</b>	<b>1,771,665</b>	<b>3,010,700</b>	<b>1,240,000</b>
<b>FINES AND FORFEITURES</b>					
Non-Sufficient Funds Penalty	100	100	157	200	100
Vehicle Fines	213,760	175,000	55,712	130,000	(45,000)
Red Light Camera Fines	663,739	803,400	259,177	625,000	(178,400)
<b>Total Fines and Forfeitures</b>	<b>877,598</b>	<b>978,500</b>	<b>315,046</b>	<b>755,200</b>	<b>(223,300)</b>
<b>INTERGOVERNMENTAL</b>					
State Mandated Reimbursements	32,900	51,500	480	25,000	(26,500)
Federal Grants/ Reimbursements	2,926,414	-	-	-	-
State Grants/ Reimbursements	155,737	-	-	-	-
Motor Vehicle-in-Lieu Fee	9,303,916	9,343,570	4,892,299	9,581,920	238,350
<b>Total Intergovernmental</b>	<b>12,418,967</b>	<b>9,395,070</b>	<b>4,892,780</b>	<b>9,606,920</b>	<b>211,850</b>
<b>USE OF MONEY</b>					
Investment Revenue	5,109	50,000	15,122	30,000	(20,000)
<b>Total Use of Money</b>	<b>5,109</b>	<b>50,000</b>	<b>15,122</b>	<b>30,000</b>	<b>(20,000)</b>
<b>CHARGES FOR SERVICES</b>					
Filing / Copies	8,292	5,700	3,506	5,700	
Product Sales	1,797	2,000	2,049	2,000	
Lease Payments	173,356	214,451	158,208	214,451	
Administrative Fees	63,946	41,950	25,313	41,950	
Police - Reimbursement Contract Overtime	114,994	100,000	78,871	150,000	50,000
Livescan Fees	47	10,000	96	200	(9,800)
False Alarm/Alarm Permit Fees	9,283	75,000	5,858	15,000	(60,000)
Vehicle Release / Towing	75,116	55,200	32,573	55,200	
Community Center Rentals	148	335,925	87,696	175,000	(160,925)
Planning Fees	140,368	104,000	58,284	104,000	
Animal Non-Compliance/Boarding Fees	910	-	(3,138)	-	
Animal Surrender Fees	7,231	7,000	3,306	7,000	
Rabies, Spay/Neuter Fees	828	-	-	-	
<b>Total Charges for Services</b>	<b>596,316</b>	<b>951,226</b>	<b>452,621</b>	<b>770,501</b>	<b>(180,725)</b>
<b>CONTRIBUTIONS</b>					
Donations	150	10,000	500	1,000	(9,000)
<b>Total Contributions</b>	<b>150</b>	<b>10,000</b>	<b>500</b>	<b>1,000</b>	<b>(9,000)</b>
<b>OTHER</b>					
Miscellaneous Revenue	80,196	16,100	98,508	150,000	133,900
Reimbursement Revenue	292,326	8,400	304,801	350,000	341,600
Internal Service Fund Charges	1,415,720	1,458,192	1,440,305	1,458,192	
Cash Over/Short	3	-	-	-	
Recovery of Labor & Benefits	376,441	253,822	124,079	253,822	
Temp Disability Recovery	265,456	100,000	119,167	200,000	100,000
Restitution/Public Property Damage Recovery	97,994	50,000	17,758	50,000	
Police Department Sales	4,584	6,000	342	6,000	
Transfers In	48,600	-	-	-	
<b>Total Other</b>	<b>2,581,320</b>	<b>1,892,514</b>	<b>2,104,960</b>	<b>2,468,014</b>	<b>575,500</b>
<b>Total General Fund Revenue</b>	<b>\$ 36,926,844</b>	<b>\$ 32,666,010</b>	<b>\$ 17,483,535</b>	<b>\$ 35,209,335</b>	<b>\$ 2,543,325</b>

## GENERAL FUND EXPENDITURES

The Fiscal Year 2021-22 budget includes General Fund expenditure appropriations of \$32.7 million, with \$18.9 million (57.7 percent) expended as of February 10, 2022. It is recommended that the City Council consider the following adjustments to the General Fund expenditure appropriations totaling \$1.0 million:

### Risk Management

It is recommended that the Risk Management budget be increased by \$610,000 to fund increased general liability insurance costs (\$350,000) and increased workers compensation claims costs (\$250,000).

The adopted budget included \$591,030 for payment of the City's annual general liability insurance premium. The Fiscal Year 2020-21 cost was \$551,323. Municipal general liability insurance costs have increased industry-wide due to increased liability exposure. The actual premium paid for Fiscal Year 2021-22 was \$950,553. The Risk Management budget includes \$360,500 for payment of workers compensation claims. Based upon claims paid to date, it is projected that the actual cost this fiscal year will be \$610,500.

### Non-Departmental

It is recommended that the Non-Departmental budget be increased by \$157,511. The Fiscal Year 2021-22 budget includes \$300,000 to fund accrued leave payouts for terminating employees. The cost this year is projected to be \$360,000 due to the retirement of several long-term employees. The second adjustment is related to the City's annual pension liability payment to CalPERS. The actual cost of \$1,353,703 exceeded the budgeted amount of \$1,256,192 by \$97,511.

### Police Department

The City Council, on September 9, 2021, authorized the purchase of body worn cameras for the Citrus Heights Police Department. Of the \$538,734 total cost, \$266,784 was funded with Public Safety (COPS) grant funding, \$21,950 was funded with federal asset forfeiture funds and the remaining \$250,000 was funded with funds provided by the California Intergovernmental Risk Authority (CIRA). The \$250,000 expenditure was charged to the Police Department budget which must be amended to reflect this unbudgeted cost. The offsetting revenue of \$250,000 was included in the 'Other Revenue' category adjustment to budgeted revenue.

A summary of General Fund expenditures as of February 10, 2022 and the recommended budget adjustments is provided below:

Fiscal Year 2021-22 General Fund Expenditures By Department				
As of February 10, 2022				
	FY 2021-22 Budget	YTD Actual (2/10/2021)	Year-End Projection	Budget Adjustment
City Council	135,436	76,744	135,317	
City Manager	683,164	252,331	484,351	
Economic Development	602,447	278,562	559,850	
City Attorney	309,000	156,331	309,000	
City Clerk	224,781	132,539	237,226	
Elections	-	-	-	
Human Resources	600,059	352,312	667,814	
Information Services	1,009,777	596,690	1,002,195	
Risk Management	1,643,642	1,425,863	2,214,750	\$610,000
Finance	1,026,810	548,932	952,473	
Non Departmental	2,658,580	2,190,031	2,816,091	\$157,511
Police	18,729,919	9,955,796	18,029,224	\$250,000
Animal Control	750,439	347,379	638,995	
Community Events	165,275	71,684	158,772	
Community Center Operations	632,667	339,170	607,187	
Sylvan Community Center	18,447	10,835	18,447	
Sayonara Community Center	16,945	14,441	16,945	
Housing	83,927	83,781	115,000	
Planning	631,820	323,166	601,468	
Building Inspection	949,785	514,630	898,012	
Engineering	476,899	299,042	479,805	
Facility Management - City Hall	455,551	251,093	452,672	
Facility Management - Police Bldg.	263,437	128,565	263,437	
Fleet Management	160,822	75,862	159,611	
Planning Commission	16,686	2,440	16,686	
History & Arts Commission	20,000	-	20,000	
Transfer Out	477,000	477,000	477,000	
<b>Subtotal General Fund Expenditures</b>	<b>\$ 32,743,315</b>	<b>\$ 18,905,218</b>	<b>\$ 32,332,328</b>	<b>\$ 1,017,511</b>

In addition to the proposed budget adjustments discussed above, preliminary estimates of departmental savings from position vacancies and other cost savings total \$1.4 million, which would result in an operating surplus of \$2.9 million for Fiscal Year 2021-22. This is a very preliminary estimate and will be updated as we progress through the remaining months of the fiscal year. A General Fund budget summary is provided below:

FY 2020-21 General Fund Summary  
 As of February 10, 2022

	FY 2020-21 Actual	FY 2021-22 Budget	YTD Actual	Year-End Projection
<b>Revenue</b>	\$ 36,926,844	\$ 32,666,010	\$ 17,483,535	\$ 35,209,335
<b>Expenditures</b>	33,316,148	32,743,315	18,905,218	32,332,328
<b>Operating Surplus/(Shortfall)</b>	\$ 3,610,696	\$ (77,305)	\$ (1,421,683)	\$ 2,877,007

### **American Rescue Plan Act Funds**

The City received the first installment of American Rescue Plan Act (ARPA) funds in the amount of \$7,838,486 in May 2021. These funds were deposited to a sub-account of the General Fund so that the expenditure of ARPA funds could be properly tracked for reporting and audit purposes. The final payment of \$7,838,486 is anticipated to be received from the United States Treasury in May 2022.

On June 24, 2021, the City Council allocated \$5,353,210 of the initial payment to restore public safety staffing in the Police Department. Of this amount, \$2,541,434 was appropriated for Fiscal Year 2021-22 and \$2,811,775 was appropriated for the Fiscal Year 2022-23 budget. Of the \$2,541,434 budgeted for public safety staffing this fiscal year, \$677,624 had been expended as of February 10, 2022. An additional \$323,763 was appropriated by the City Council on January 13, 2022 for the Small Business COVID Recovery Grant Program. The Small Business COVID Recovery Grant Program funds will be disbursed during the fourth quarter of this fiscal year.

A future meeting on ARPA funding is anticipated for an April or May City Council meeting.

### **TEN YEAR FINANCIAL FORECAST**

As a strategic fiscal planning tool, the City maintains a long-term financial forecast. Because this forecast is based upon data currently available, it is updated periodically to reflect new information regarding anticipated future revenues and expenditures. The financial forecast covers a ten year period for the City's General Fund. The City Council last reviewed the Ten Year Financial Forecast on October 28, 2021. The Ten-Year Financial Forecast has been updated and includes the following changes:

- Fiscal Year 2021-22 – an additional column has been added to reflect the Mid-Year budget projections.

- Fiscal Years 2022-23 and 2023-24 – additional columns have been added to reflect the updated revenue projections (property tax, sales tax and vehicle in-lieu fees) and updated labor cost estimates.
- The line item for street repairs has been adjusted based upon additional projected revenue with funding limited to the amount which will not deplete General Fund reserves below the City Council approved minimum level of 17 percent of operating expenditures.

A summary of the Ten Year Financial Forecast is provided below. A more detailed version is attached to this report.

	FY 2021-22 Budget (Oct Forecast)	FY 2021-22 Updated Projection	FY 2022-23 Budget (Oct Forecast)	FY 2022-23 Updated Projection	FY 2023-24 October Forecast	FY 2023-24 Projected	FY 2024-25 Projected	FY 2025-26 Projected	FY 2026-27 Projected	FY 2027-28 Projected	FY 2028-29 Projected	FY 2029-30 Projected	FY 2030-31 Projected
TOTAL REVENUE	32,666,010	35,209,335	40,379,549	42,156,030	41,689,513	43,095,624	44,394,368	45,770,506	47,241,864	48,448,083	49,589,972	50,694,057	51,896,870
TOTAL OPERATING EXPENDITURES	32,743,315	32,402,329	36,694,635	37,058,372	37,058,372	41,252,999	40,501,621	41,636,742	42,874,158	44,098,737	45,359,922	46,658,828	47,996,568
STREET REPAIRS						4,500,000	4,500,000	4,500,000	4,500,000	4,500,000	4,000,000	4,000,000	3,500,000
Auburn Blvd - Phase 2 Match						4,000,000							
Net Operating Position	(77,305)	2,807,006	3,684,914	5,097,658	(4,273,250)	(6,657,375)	(607,253)	(366,236)	(132,294)	(150,654)	230,050	35,229	400,302
Ending Reserve Balance	\$ 8,368,178	\$ 11,252,489	\$ 12,053,092	\$ 16,350,147	\$ 7,781,792	\$ 9,692,772	\$ 9,085,519	\$ 8,719,283	\$ 8,586,988	\$ 8,436,334	\$ 8,666,384	\$ 8,701,613	\$ 9,101,915
Minimum Reserve per City Council Policy (17%)	\$ 5,566,364			\$ 6,299,923		\$ 8,458,010	\$ 7,650,276	\$ 7,843,246	\$ 8,053,607	\$ 8,261,785	\$ 8,391,187	\$ 8,612,001	\$ 8,754,416

The information on the Fiscal Year 2021-22 General Fund Mid-Year budget analysis and the updated Ten Year Financial Forecast was reviewed with the Finance and Administration Committee on February 9, 2022.

### Attachments

1. Resolution
2. Ten Year Financial Forecast

**RESOLUTION NO. 2022 - \_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS  
HEIGHTS APPROVING AMENDMENTS TO THE FISCAL YEAR  
2021-22 BUDGET**

**WHEREAS**, on April 22, 2021, the City Council adopted the budget for the City of Citrus Heights for Fiscal Year 2021-22; and

**WHEREAS**, based upon a review of revenues and expenditures, staff has recommended amendments to the Fiscal Year 2021-22 Budget; and

**WHEREAS**, the Finance and Administration Committee reviewed the proposed budget amendments on February 9, 2022; and

**WHEREAS**, the City Council has reviewed information on the status of revenues and expenditures for the 2021-22 Fiscal Year which are the basis for the recommended budget amendments .

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Citrus Heights approves amendments to the Fiscal Year 2021-22 Budget Amendments as provided for in the attached Exhibit A.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 24<sup>th</sup> day of February 2022, by the following vote, to wit:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**Porsche Middleton, Mayor**

**ATTEST:**

---

**Amy Van, City Clerk**

**Exhibit A: Fiscal Year 2021-22 Budget Amendments**

# Exhibit A

## FY 2021-22 Mid-Year Budget Amendments

REVENUE	FY 2021-22 Budget	Budget Adjustment	Revised FY 2021-22 Budget
<b>TAXES AND FRANCHISES</b>			
Sales and Use Tax	13,250,000	854,000	14,104,000
Utility Users Tax	2,780,000		2,780,000
Franchise Fees	700,000		700,000
Franchise Fees Solid Waste	515,000		515,000
Property Transfer Tax	355,000	95,000	450,000
Transient Occupancy Tax	18,000		18,000
<b>Total Taxes and Franchises</b>	<b>\$ 17,618,000</b>	<b>\$ 949,000</b>	<b>\$ 18,567,000</b>
<b>LICENSES AND PERMITS</b>			
Business License	235,000	15,000	250,000
Building Plan Check	255,000	359,200	614,200
Cardroom Table Tax	31,600		31,600
Engineering Fees Private Dev	32,800		32,800
Zone Check	10,000	(3,300)	6,700
Building Permits	1,000,900	869,100	1,870,000
Engineering Fees Utilities	132,600		132,600
Tree Permit	1,500		1,500
Transportation Permits	15,000		15,000
Records Processing/Strong Motion	8,100		8,100
Fireworks License	1,200		1,200
Animal License	47,000		47,000
<b>Total Licenses and Permits</b>	<b>\$ 1,770,700</b>	<b>\$ 1,240,000</b>	<b>\$ 3,010,700</b>
<b>FINES AND FORFEITURES</b>			
Non-Sufficient Funds Penalty	100	100	200
Vehicle Fines	175,000	(45,000)	130,000
Red Light Camera Fines	803,400	(178,400)	625,000
<b>Total Fines and Forfeitures</b>	<b>\$ 978,500</b>	<b>\$ (223,300)</b>	<b>\$ 755,200</b>
<b>INTERGOVERNMENTAL</b>			
State Mandated Reimbursements	51,500	(26,500)	25,000
Federal Grants/ Reimbursements	-	-	-
State Grants/ Reimbursements	-		-
Motor Vehicle-in-Lieu Fee	9,343,570	238,350	9,581,920
<b>Total Intergovernmental</b>	<b>\$ 9,395,070</b>	<b>\$ 211,850</b>	<b>\$ 9,606,920</b>
<b>USE OF MONEY</b>			
Investment Revenue	50,000	(20,000)	30,000
<b>Total Use of Money</b>	<b>\$ 50,000</b>	<b>\$ (20,000)</b>	<b>\$ 30,000</b>
<b>CHARGES FOR SERVICES</b>			
Filing / Copies	5,700		5,700
Product Sales	2,000		2,000
Lease Payments	214,451		214,451
Administrative Fees	41,950		41,950
Police - Reimbursement Contract Overtime	100,000	50,000	150,000
Livescan Fees	10,000	(9,800)	200
False Alarm/Alarm Permit Fees	75,000	(60,000)	15,000
Vehicle Release / Towing	55,200		55,200
Community Center Rentals	335,925	(160,925)	175,000
Planning Fees	104,000		104,000
Animal Non-Compliance/Boarding Fees	-		-
Animal Surrender Fees	7,000		7,000
Rabies, Spay/Neuter Fees	-		-
<b>Total Charges for Services</b>	<b>\$ 951,226</b>	<b>\$ (180,725)</b>	<b>\$ 770,501</b>
<b>CONTRIBUTIONS</b>			
Donations	10,000	(9,000)	1,000
<b>Total Contributions</b>	<b>\$ 10,000</b>	<b>\$ (9,000)</b>	<b>\$ 1,000</b>
<b>OTHER</b>			
Miscellaneous Revenue	16,100	133,900	150,000
Reimbursement Revenue	8,400	341,600	350,000
Internal Service Fund Charges	1,458,192		1,458,192
Cash Over/Short	-		-
Recovery of Labor & Benefits	253,822		253,822
Temp Disability Recovery	100,000	100,000	200,000
Restitution/Public Property Damage Recovery	50,000		50,000
Police Department Sales	6,000		6,000
Transfers In	-		-
<b>Total Other</b>	<b>\$ 1,892,514</b>	<b>\$ 575,500</b>	<b>\$ 2,468,014</b>
<b>Total General Fund Revenue</b>	<b>\$ 32,666,010</b>	<b>\$ 2,543,325</b>	<b>\$ 35,209,335</b>
Revenue Neutrality	\$ 6,290,000	-	\$ 6,290,000

## FY 2021-22 Mid-Year Budget Amendments

EXPENDITURES	FY 2021-22 Budget	Budget Adjustment	Revised FY 2021-22 Budget
City Council	135,436		135,436
City Manager	683,164		683,164
Economic Development	602,447		602,447
City Attorney	309,000		309,000
City Clerk	224,781		224,781
Elections	-		-
Human Resources	600,059		600,059
Information Services	1,009,777		1,009,777
Risk Management	1,643,642	610,000	2,253,642
Finance	1,026,810		1,026,810
Non Departmental	2,658,580	157,511	2,816,091
Police	18,729,919	250,000	18,979,919
Animal Control	750,439		750,439
Community Events	165,275		165,275
Community Center Operations	632,667		632,667
Sylvan Community Center	18,447		18,447
Sayonara Community Center	16,945		16,945
Housing	83,927		83,927
Planning	631,820		631,820
Building Inspection	949,785		949,785
Engineering	476,899		476,899
Facility Management - City Hall	455,551		455,551
Facility Management - Police Bldg.	263,437		263,437
Fleet Management	160,822		160,822
Planning Commission	16,686		16,686
History & Arts Commission	20,000		20,000
Transfer Out	477,000		477,000
<b>Total General Fund Expenditures</b>	<b>\$ 32,743,315</b>	<b>\$ 1,017,511</b>	<b>\$ 33,760,826</b>
Revenue Neutrality	6,290,000		6,290,000

**General Fund Ten Year Financial Forecast**  
**With Partial Street Funding**  
February 2022

	FY 2020-21 Actual	FY 2021-22 Budget (Oct Forecast)	FY 2021-22 Revised Projection	FY 2022-23 Budget (Oct Forecast)	FY 2022-23 Revised Projection	FY 2023-24 October Forecast	FY 2023-24 Projected	FY 2024-25 Projected	FY 2025-26 Projected	FY 2026-27 Projected	FY 2027-28 Projected	FY 2028-29 Projected	FY 2029-30 Projected	FY 2030-31 Projected
<b>REVENUE</b>														
<b>Taxes and Franchises</b>														
Property Tax	-	-	-	6,445,000	6,830,400	6,640,000	7,126,530	7,434,592	7,760,947	8,101,614	8,344,662	8,595,002	8,852,852	9,118,438
Sales & Use Tax	13,373,483	13,250,000	14,104,000	13,800,000	14,548,500	14,145,000	14,941,600	15,240,432	15,545,241	15,856,145	16,173,268	16,496,734	16,826,668	17,163,202
Utility Users Tax	2,717,945	2,780,000	2,780,000	2,850,000	2,850,000	2,907,000	2,850,000	2,850,000	2,850,000	2,850,000	2,850,000	2,850,000	2,850,000	2,850,000
Franchise Fees	619,090	700,000	700,000	725,000	725,000	743,125	743,125	761,703	780,746	800,264	820,271	840,778	861,797	883,342
Solid Waste Franchise Fees	522,754	515,000	515,000	520,000	520,000	533,000	533,000	546,325	559,983	573,983	588,332	603,041	618,117	633,570
Real Property Transfer Tax	383,773	355,000	450,000	370,000	370,000	379,250	379,250	388,731	398,450	408,411	418,621	429,087	439,814	450,809
Transient Occupancy Tax	23,237	18,000	18,000	18,000	18,000	18,450	18,450	18,911	19,384	19,869	20,365	20,874	21,396	21,931
<b>Total Taxes and Franchises</b>	<b>17,640,282</b>	<b>17,618,000</b>	<b>18,567,000</b>	<b>24,728,000</b>	<b>25,861,900</b>	<b>25,365,825</b>	<b>26,591,955</b>	<b>27,240,695</b>	<b>27,914,750</b>	<b>28,610,286</b>	<b>29,215,520</b>	<b>29,835,515</b>	<b>30,470,645</b>	<b>31,121,292</b>
<b>Licenses and Permits</b>														
Business License Tax	295,061	267,800	282,800	300,950	300,950	308,474	308,474	316,186	324,090	332,192	340,497	349,010	357,735	366,678
Building Plan Check	592,703	255,000	262,650	262,650	262,650	269,216	269,216	275,947	282,845	289,916	297,164	304,593	312,208	320,014
Engineering Plan Check	(17,013)	32,800	32,800	33,700	33,700	34,543	34,543	35,406	36,291	37,198	38,128	39,082	40,059	41,060
Zone Check	26,541	10,000	6,700	10,000	10,000	10,250	10,250	10,506	10,769	11,038	11,314	11,597	11,887	12,184
Building Permit Fees	1,785,324	1,009,000	1,878,100	1,028,000	1,028,000	1,053,700	1,053,700	1,080,043	1,107,044	1,134,720	1,163,088	1,192,165	1,221,969	1,252,518
Engineering Fees Utilities	63,212	132,600	132,600	136,600	136,600	140,015	140,015	143,515	147,103	150,781	154,550	158,414	162,374	166,434
Tree Permit	1,470	1,500	1,500	2,000	2,000	2,050	2,050	2,101	2,154	2,208	2,263	2,319	2,377	2,437
Transportation Permits	16,340	15,000	15,000	15,000	15,000	15,375	15,375	15,759	16,153	16,557	16,971	17,395	17,830	18,276
Animal License	43,547	47,000	47,000	45,000	45,000	55,000	55,000	55,000	55,000	55,000	55,000	55,000	55,000	55,000
<b>Total Licenses and Permits</b>	<b>2,807,185</b>	<b>1,770,700</b>	<b>3,010,700</b>	<b>1,833,900</b>	<b>1,833,900</b>	<b>1,888,623</b>	<b>1,888,623</b>	<b>1,934,463</b>	<b>1,981,450</b>	<b>2,029,611</b>	<b>2,078,976</b>	<b>2,129,576</b>	<b>2,181,440</b>	<b>2,234,601</b>
<b>Fines and Forfeitures</b>	<b>877,599</b>	<b>978,500</b>	<b>755,200</b>	<b>1,002,602</b>	<b>1,002,602</b>	<b>1,027,667</b>	<b>1,027,667</b>	<b>1,053,359</b>	<b>1,079,693</b>	<b>1,106,685</b>	<b>1,134,352</b>	<b>1,162,711</b>	<b>1,162,711</b>	<b>1,191,779</b>
<b>Intergovernmental (Inc. Motor Vehicle In-Lieu Fees)</b>	<b>9,336,816</b>	<b>9,395,070</b>	<b>9,606,920</b>	<b>9,676,922</b>	<b>10,319,503</b>	<b>10,050,000</b>	<b>10,229,981</b>	<b>10,673,963</b>	<b>11,144,684</b>	<b>11,635,050</b>	<b>11,984,101</b>	<b>12,343,624</b>	<b>12,713,933</b>	<b>13,095,351</b>
<b>Use of Money</b>	<b>5,109</b>	<b>50,000</b>	<b>30,000</b>	<b>50,000</b>	<b>50,000</b>	<b>120,550</b>	<b>120,550</b>	<b>96,928</b>	<b>90,855</b>	<b>130,789</b>	<b>128,805</b>	<b>126,545</b>	<b>173,328</b>	<b>174,032</b>
<b>Charges for Services</b>	<b>428,230</b>	<b>736,775</b>	<b>556,050</b>	<b>875,850</b>	<b>875,850</b>	<b>897,746</b>	<b>897,746</b>	<b>920,190</b>	<b>943,195</b>	<b>966,775</b>	<b>990,944</b>	<b>1,015,717</b>	<b>1,015,717</b>	<b>1,041,110</b>
<b>Dignity Lease</b>	<b>173,356</b>	<b>214,451</b>	<b>214,451</b>	<b>256,609</b>	<b>256,609</b>	<b>296,057</b>	<b>296,057</b>	<b>340,215</b>	<b>385,477</b>	<b>431,872</b>	<b>479,425</b>	<b>479,425</b>	<b>479,425</b>	<b>479,425</b>
<b>Cost Allocations</b>	<b>1,415,720</b>	<b>1,458,192</b>	<b>1,458,192</b>	<b>1,501,937</b>	<b>1,501,937</b>	<b>1,577,973</b>	<b>1,577,973</b>	<b>1,657,857</b>	<b>1,741,786</b>	<b>1,829,964</b>	<b>1,922,606</b>	<b>1,970,671</b>	<b>1,970,671</b>	<b>2,019,938</b>
<b>CARES Act</b>	<b>1,084,214</b>													
<b>FEMA/Cal OES - Great Plates Reimbursement</b>	<b>1,997,937</b>													
<b>Other Revenues</b>	<b>1,160,396</b>	<b>444,322</b>	<b>1,010,822</b>	<b>453,729</b>	<b>453,729</b>	<b>465,072</b>	<b>465,072</b>	<b>476,699</b>	<b>488,617</b>	<b>500,832</b>	<b>513,353</b>	<b>526,187</b>	<b>526,187</b>	<b>539,341</b>
<b>TOTAL REVENUE</b>	<b>\$ 36,926,844</b>	<b>\$ 32,666,010</b>	<b>\$ 35,209,335</b>	<b>\$ 40,379,549</b>	<b>\$ 42,156,030</b>	<b>\$ 41,689,513</b>	<b>\$ 43,095,624</b>	<b>\$ 44,394,368</b>	<b>\$ 45,770,506</b>	<b>\$ 47,241,864</b>	<b>\$ 48,448,083</b>	<b>\$ 49,589,972</b>	<b>\$ 50,694,057</b>	<b>\$ 51,896,870</b>
<b>EXPENDITURES</b>														
<b>Labor</b>														
Salaries (incl OT, standby)	16,683,636	16,718,510		17,226,691	17,445,559	20,469,712	20,458,928	21,072,696	21,704,877	22,356,023	23,026,704	23,717,505	24,429,030	25,161,901
Retirement	2,196,810	2,197,877		2,273,614	2,265,107	2,694,111	2,561,640	2,638,489	2,717,644	2,799,173	2,883,148	2,969,643	3,058,732	3,150,494
Retirement - UAL	1,102,196	1,256,192		1,423,429	1,613,206	1,646,479	1,771,228	1,933,817	2,037,624	2,133,476	2,182,244	2,232,344	2,283,834	2,336,733
Compensated Absences		300,000		350,000	350,000		350,000		350,000	350,000		350,000	350,000	350,000
Benefits (excluding Retirement)	4,180,628	3,910,030		4,133,363	4,096,963	4,958,322	4,867,064	5,013,076	5,163,469	5,318,373	5,477,924	5,642,262	5,811,529	5,985,875
Total Labor	24,163,270	24,382,609	23,192,456	25,407,097	25,770,834	30,118,624	30,008,860	31,008,078	31,973,612	32,957,045	33,920,020	34,911,753	35,933,125	36,985,003
Operating Costs	6,698,864	7,550,861	8,400,028	7,747,708	7,747,708	8,470,139	8,470,139	8,219,543	8,466,130	8,720,114	8,981,717	9,251,169	9,528,704	9,814,565
Great Plates Delivery Program	2,016,702	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest Expense		332,845	332,845	342,830	342,830	77,000	77,000	77,000	-	-	-	-	-	-
Line of Credit Principal Repayment		-	-	2,000,000	2,000,000	1,500,000	1,500,000	-	-	-	-	-	-	-
Transfers-Out	437,312	477,000	477,000	1,197,000	1,197,000	1,197,000	1,197,000	1,197,000	1,197,000	1,197,000	1,197,000	1,197,000	1,197,000	1,197,000
Auburn Blvd - Phase 2 City Match						4,000,000	4,000,000							
<b>STREET REPAIRS</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>600,000</b>	<b>4,500,000</b>	<b>4,500,000</b>	<b>4,500,000</b>	<b>4,500,000</b>	<b>4,500,000</b>	<b>4,000,000</b>	<b>4,000,000</b>	<b>3,500,000</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 33,316,148</b>	<b>\$ 32,743,315</b>	<b>\$ 32,402,329</b>	<b>\$ 36,694,635</b>	<b>\$ 37,058,372</b>	<b>\$ 45,962,763</b>	<b>\$ 49,752,999</b>	<b>\$ 45,001,621</b>	<b>\$ 46,136,742</b>	<b>\$ 47,374,158</b>	<b>\$ 48,598,737</b>	<b>\$ 49,359,922</b>	<b>\$ 50,658,828</b>	<b>\$ 51,496,568</b>
<b>NET OPERATING POSITION</b>	<b>\$ 3,610,696</b>	<b>\$ (77,305)</b>	<b>\$ 2,807,006</b>	<b>\$ 3,684,914</b>	<b>\$ 5,097,658</b>	<b>\$ (4,273,250)</b>	<b>\$ (6,657,375)</b>	<b>\$ (607,253)</b>	<b>\$ (366,236)</b>	<b>\$ (132,294)</b>	<b>\$ (150,654)</b>	<b>\$ 230,050</b>	<b>\$ 35,229</b>	<b>\$ 400,302</b>
<b>Line of Credit Draw for Operating Expenses</b>	<b>-</b>													
<b>Net Position After Line of Credit Draw</b>														
<b>Beginning Reserve Balance (Unassigned/Committed)</b>		<b>8,447,432</b>	<b>8,445,483</b>	<b>8,370,127</b>	<b>11,252,489</b>	<b>12,055,042</b>	<b>16,350,147</b>	<b>9,692,772</b>	<b>9,085,519</b>	<b>8,719,283</b>	<b>8,586,988</b>	<b>8,436,334</b>	<b>8,666,384</b>	<b>8,701,613</b>
<b>Ending Reserve Balance</b>	<b>\$ 8,445,483</b>	<b>\$ 8,370,127</b>	<b>\$ 11,252,489</b>	<b>\$ 12,055,041</b>	<b>\$ 16,350,147</b>	<b>\$ 7,781,792</b>	<b>\$ 9,692,772</b>	<b>\$ 9,085,519</b>	<b>\$ 8,719,283</b>	<b>\$ 8,586,988</b>	<b>\$ 8,436,334</b>	<b>\$ 8,666,384</b>	<b>\$ 8,701,613</b>	<b>\$ 9,101,915</b>

Minimum Reserve per Council Policy (17%) \$ 5,663,745 \$ 5,566,364 \$ 6,238,088 \$ 7,778,010 \$ 7,650,276 \$ 7,843,246 \$ 8,053,607 \$ 8,261,785 \$ 8,391,187 \$ 8,612,001 \$ 8,754,416

PROJECTION EXCLUDES ARPA FUNDING IN FISCAL YEARS 2021-22 AND 2022-23

	FY 2021-22 Budget	FY 2022-23 Budget	FY 2023-24 Projected	FY 2024-25 Projected	FY 2025-26 Projected	FY 2026-27 Projected	FY 2027-28 Projected	FY 2028-29 Projected	FY 2029-30 Projected	FY 2030-31 Projected
<b>Funding Requirements Included in Forecast</b>										
General Plan Update	-	-	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000
OPEB Trust	248,000	245,000	253,000	260,000	268,000	276,000	285,000	293,000	300,000	300,000
Building Maintenance	190,000	210,000	210,000	210,000	210,000	210,000	210,000	210,000	210,000	210,000
Capital Building Replacement	-	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000
Compensated Absences	300,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000	350,000
Equipment & Software Replacement	50,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
Vehicle Replacement	150,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000	400,000
Financial Reporting System/Permit Software Upgrade	-	-	490,000	-	-	-	-	-	-	-
<b>Total</b>	<b>938,000</b>	<b>1,705,000</b>	<b>2,243,000</b>	<b>1,760,000</b>	<b>1,768,000</b>	<b>1,776,000</b>	<b>1,785,000</b>	<b>1,793,000</b>	<b>1,800,000</b>	<b>1,800,000</b>

ORDINANCE NO. 2022-\_\_\_\_\_

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

THE CITY OF CITRUS HEIGHTS DOES ORDAIN AS FOLLOWS:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend the Citrus Heights Zoning Code as shown in Exhibit A amending various sections of the Zoning Code, relating to Residential Paving Standards, Tree Mitigation, Commercial Fencing, Conditional Use Permits and various Definitions within the Zoning Code and other minor changes.

Section 2: Findings

- ~~The proposed amendment to residential pervious surface area requirements is consistent with the General Plan.~~
- The proposed amendment to the Tree Mitigation requirement is consistent with the General Plan.
- The proposed amendment to create objective design criteria for Commercial Fencing is consistent with the General Plan.
- The proposed amendment to modify Conditional Use Permit expiration procedures is consistent with the General Plan.
- The proposed added definitions for Artisan/Craft Product Manufacturing, Pervious Surface, and Base Station/Macro Cell Tower Sites are consistent with the General Plan.
- The proposed amendments will not be detrimental to the public, interest, health, safety, convenience, or welfare of the City.

Section 3: Action

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

Section 4: Severability

If any section of this Ordinance is determined to be unenforceable, invalid, or unlawful, such determination shall not affect the enforceability of the remaining provisions of this Ordinance.

Section 5: Effective Date and Publication

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

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights this \_\_\_\_ day of \_\_\_\_, 2022 by the following vote:

<b>AYES:</b>	<b>Councilmembers:</b>
<b>NOES:</b>	<b>Councilmembers:</b>
<b>ABSENT:</b>	<b>Councilmembers:</b>
<b>ABSTAIN:</b>	<b>Councilmembers:</b>

\_\_\_\_\_  
**Porsche Middleton, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Amy Van, City Clerk**

Exhibit:

A. Redline Strikeout of Zoning Code

## ARTICLE 2

# Zoning Districts & Allowable Land Uses

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TABLE 2-5 Allowed Land Uses and Permit Requirements for Commercial and Industrial Zoning Districts				P Permitted Use, Zoning Clearance required MUP Conditional use, Minor Use Permit required UP Conditional use Permit required S Permit requirement set by Specific Use Regulations — Use not allowed					
LAND USE (1)		PERMIT REQUIRED BY DISTRICT							Specific Use Regulations
		BP	LC	SC	GC	AC	CR	MP	
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING									
	Artisan/Craft Product manufacturing		MUP	MUP	P	P	MUP	—	P
	Contract construction service - Indoor		—	—	—	P	—	—	P
	Contract construction service - Outdoor storage		—	—	—	MUP	—	—	MUP
	Contract construction service - Outdoor work area		—	—	—	UP	—	—	UP
	Manufacturing/processing - Light		—	—	—	UP	—	—	P
	Manufacturing/processing - Medium intensity		—	—	—	—	—	—	—
	Manufacturing/processing - Heavy		—	—	—	—	—	—	—
	Medical marijuana cultivation		S	S	S	S	S	S	S
	Non-medical marijuana cultivation		S	S	S	S	S	S	S
	Recycling - Small collection facility		—	MUP	MUP	MUP	—	—	MUP
	Storage - Outdoor		—	—	—	UP	—	—	UP
	Storage - Personal storage facility (mini-storage)		—	UP	—	UP	—	—	MUP
	Storage - RVs, boats		—	—	—	UP	—	UP	—
	Storage - Warehouse, indoor storage		—	—	—	P	—	—	P
	Wholesaling and distribution		—	—	—	P	—	—	P
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES									
	Adult entertainment business		—	S	—	S	—	—	S
	Bingo parlor		—	—	—	UP	—	—	—
	Card room		—	—	UP	UP	—	—	—
	Commercial recreation facility - Indoor, Minor		—	P	P	P	—	P	P
	Commercial recreation facility - Indoor, Major		—	UP	UP	UP	—	MUP	UP
	Commercial recreation facility - Outdoor		UP	—	—	UP	—	MUP	UP
	Conference/convention facility		UP	—	UP	UP	—	UP	—
	Fitness/health facility		UP	P	P	P	—	P	UP
	Golf Course		—	—	—	UP	—	MUP	UP
	Library, museum		P	P	P	P	—	—	—
	Meeting facility, public or private		UP	UP	UP	UP	—	—	UP
	Park, play ground		P	P	P	P	—	P	UP
	School - College, university		UP	UP	UP	UP	—	—	—
	School - Elementary, middle, secondary		—	UP	UP	UP	—	—	—
	School - Specialized education/training - Minor		P	P	P	P	—	—	P
	School - Specialized education/training -Major		UP	UP	UP	UP	—	—	UP
	Sports and entertainment assembly facility		—	—	UP	MUP	—	MUP	MUP
	Studio - Art, dance, martial arts, music, etc.		S	P	P	P	—	—	S
	Theater		—	—	MUP	MUP	—	MUP	—
Key to Zone Symbols									
BP	Business and Professional Office	AC	Auto Commercial						
LC	Limited Commercial	CR	Commercial Recreation						
SC	Shopping Center	MP	Industrial/Office Park						
GC	General Commercial	Notes:	(1) See Article 8 for land use definitions.						

## ARTICLE 3

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that land outside the areas of special flood hazards or uses permitted within the areas will be free from flooding or flood damages. This Section shall not create liability on the part of the City or by any officer or employee for any flood damages that result from reliance on this Section or any administrative decision lawfully made under this Section.

### 106.30.050 - Fences and Walls

**A. Applicability.** The requirements of this Section apply to all fences and walls unless otherwise stated.

1. **Fences or wall in flood hazard area.** A fence or wall in an area subject to flooding identified on a Federal Flood Insurance Rate Map (FIRM) or as otherwise known to the City shall comply with all requirements of Section 106.30.040 (Creekside Development and Flood Hazard Mitigation), and the City's Drainage and Development Policy, in addition to this Section.
2. **Exemptions.** This Section does not apply to fences or walls required by regulations of a local, State or Federal agency.

**B. Design Review.**

1. **When required.** Design Review in compliance with Section 106.62.040 (Design Review) shall be required for a fence or wall that is visible from a public right-of-way and:
  - a. **Located within a commercial zone; or**
  - b. **Has a height greater than six feet and a length greater than 100 feet than eight feet; or and**
  - c. **Regardless of height, has a length greater than 200 feet.**
2. **Findings required for approval.** Design Review approval of a fence or wall identified in Subsection B.1 above shall require that the review authority first find that the fence or wall:
  - a. **Complies with all applicable requirements of this Section; and**
  - b. **Complies with the design guidelines for fences and walls in Section 106.31.070G (Fences and walls).**

**C. Height limitations.** Each fence, wall, and hedge shall comply with the height limitations shown in Table 3-1.

**TABLE 3-1 - MAXIMUM HEIGHT OF FENCES, WALLS, AND HEDGES**

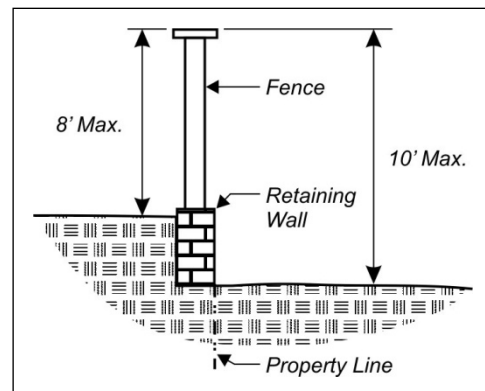
Location	Maximum Height
Within required front yard setback	3 ft (2)
Within required side and rear yard setbacks	8 ft as the fence appears from a parcel or right-of-way abutting the site, 10 ft as the fence appears on the site. See Figure 3-2. (1)
Within required street side setback	3 ft. See also Section 106.30.060.E (Height Limit at Street Corners). Fencing exceeding a height of 3 ft shall be set back a minimum of 3 ft from the property line or sidewalk to allow for the planting of landscaping to mitigate the visual impact of the fence mass; provided that this requirement shall not apply to a fence that was lawfully constructed prior to November 6, 2006, which may be replaced in the same location. (1)
At intersections of alleys, streets, and driveways within sight visibility areas. See 106.30.060.E (Height Limit at Street Corners).	2' 6"
Outside of a required setback	As determined by the height limit for structures within the applicable zoning district. (1)
Within a zone where no setback is required, and not adjacent to a street	8 ft (1)

**Notes:**

- (1) Additional height to a maximum of 10 ft may be authorized through Design Review approval (Section 106.62.040).
- (2) Front yard fence setback in the RD-1 through RD-15 zoning districts is 20 ft. In the RD-20 through RD-30 zoning districts the front yard fence setback is 25 ft.

**D. Measurement of fence and wall height.**

1. Fence and wall height shall be measured from the top of the fence or wall to the level of the finished grade.
2. The height of fencing placed on top of a retaining wall shall be measured from the base of the wall, except as provided in Subsection D.3.
3. In cases where elevation of the finished grade within six feet of the base of the fence differs from one side of the fence to the other (as when a fence is placed at the top of a slope or on a retaining wall), the height shall be measured from the side with the lowest natural grade. See Figure 3-2.



**Figure 3-2 - Fence Height Measurement**

**E. Specific fence and wall requirements.**

1. **Fencing between different land uses.** Fencing between different land uses shall be provided in compliance with Section 106.30.090 (Screening).

2. **Swimming pools, spas, and similar features.** Swimming pools/spas and other similar water features shall be fenced in compliance with Building Code requirements, regardless of the other requirements of this Section.
3. **Outdoor equipment, storage, and work areas.** Screening of non-residential outdoor uses and equipment adjacent to a residential use shall be provided in compliance with Section 106.30.090 (Screening).
4. **Temporary fencing during construction.** Temporary fencing may be necessary to protect archaeological or historic resources, trees, or other similar sensitive features during site preparation and construction. This fencing shall be approved by the Director.
5. **Temporary security fencing.** Temporary Security Fencing (including chain link) with a maximum height of six feet may be installed around the property lines of vacant property with the approval of the Director. The vacant property shall be maintained in a condition free from weeds and litter.
6. **Retaining walls.** Embankments to be retained that are over 48 inches in height shall be benched so that no individual retaining wall exceeds a height of 36 inches, and each bench is a minimum width of 36 inches. Wood shall not be used for a retaining wall that is more than two feet in height.

**F. Commercial Fencing.** Commercial walls and fences can become significant visual elements on a site. When walls and fences are required, they shall be designed as an extension of architectural and landscape design concepts.

1. All walls and fences within a commercial zone visible from a public right-of-way are subject to Design Review approval.
2. All walls and fences within commercial zones and visible from a public right-of-way shall be limited to a maximum of eight feet in height. Walls and fences not visible from a public right-of-way may be authorized to a maximum height of ten feet with Design Review approval. Fences and walls shall also comply with all requirements of Section 106.30.060 (Heights Limits and Exceptions) within a traffic safety visibility area.
3. If walls or fences are not required for a specific screening or security purpose they should not be used. The intent is to keep a wall or fence as low as possible while still performing their screening and security functions.
4. Screen walls and fences should be architecturally treated as an extension of the building, using similar colors, design, and materials. Vertical and horizontal reveals, accents, reliefs, and other details shall be included. Chain link fences are prohibited, unless they are used as temporary security fencing.
5. Wherever possible along pedestrian routes, screen walls and fences should be set back a minimum of three feet from the sidewalk to allow for landscaping. Additionally, the use of climbing vines or ivy on walls and fences is highly encouraged.

**G. Prohibited materials.** Sheet or corrugated iron, steel, aluminum, bamboo, or asbestos are prohibited, with the exception of ornamental fences approved by the Director. Barbed wire, concertina or razor wire, or electrified or similar fence types are not permitted.

**H. Graffiti resistance.** Each fence and wall adjacent to a public right-of-way in a non-residential zone, or a zone that allows multi-unit residential development, shall be provided with a permanently maintained, graffiti resistant coating.

- d. The review authority may waive or approve a substitute for the requirements of this Subsection if the review authority first determines that:
  - (1) The relationship of the proposed uses make the required screening unnecessary;
  - (2) The intent of this Section can be successfully met by means of alternative screening methods;
  - (3) Physical constraints on the site make the required screening infeasible; or
  - (4) Physical features of the site or adjoining parcels (e.g. topography, vegetation, etc.) make the required screening unnecessary.

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

- a. Roof or ground mounted mechanical equipment shall be screened from public view from adjoining public streets and rights-of-way and adjoining areas zoned for residential uses. This equipment includes air conditioning, heating, ventilation ducts, and exhaust vents, loading docks, refuse storage areas, and utility services, electrical transformers, gas meters, etc.
- b. The method of screening shall be architecturally compatible with the colors, materials, and architectural style of other on-site development.

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

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

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

## 106.30.100 - Setback Requirements and Exceptions

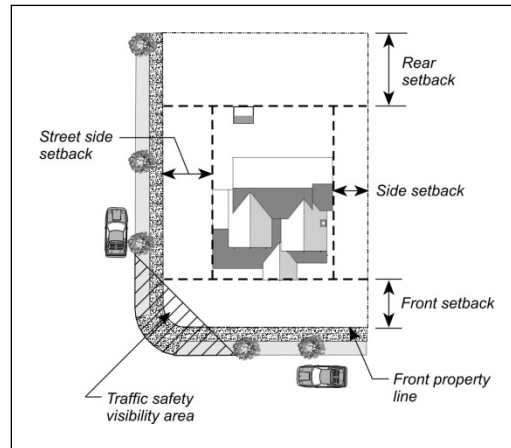
- A. **Purpose.** This Section provides standards for the use and minimum size of setbacks. Setbacks provide open areas around structures for: visibility and traffic safety; access to and around structures; access to natural light, ventilation and direct sunlight; separation between incompatible activities;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

**B. Setback requirements.**

- 1. **Minimum setbacks for all structures.** Each structure shall comply with the setback requirements of the applicable zoning district, and with any setbacks established for specific uses by Article 4 (Standards for Specific Land Uses), except as otherwise provided by this Section. No portion of any structure, including eaves or roof overhangs, shall extend beyond a property line; or into an access easement or street right-of-way.
- 2. **Infill development within previously approved projects.** Where the City has established specific setbacks for individual parcels through the approval of a specific plan, subdivision map, or other entitlement, those setbacks shall apply to continuing development within the approved project instead of the setbacks required by this Zoning Code.
- 3. **Exemptions from setback requirements.** The minimum setback requirements of this Zoning Code apply to all development and new land uses, except the following:

- a. A fence or wall to the extent allowed by Section 106.30.050 (Fences and Walls);
- b. Decks, earthworks, steps, terraces, and other site design elements that are placed directly upon grade and do not exceed a height of 18 inches above the surrounding grade at any point;
- c. A sign in compliance with Chapter 106.38 (Signs); and
- d. A retaining wall less than three feet in height above finished grade. A higher wall may be allowed within a required setback with Design Review by the Director.

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

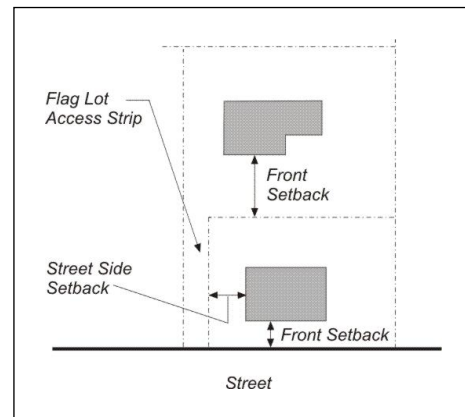


**Figure 3-5 - Location of Required Setbacks**

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

- a. **Offer of dedication.** The front setback shall be measured at right angles from the nearest point on the edge of an Irrevocable Offer of Dedication (IOD).
- b. **Private street.** The front setback shall be measured at right angles from the nearest point on the edge of the recorded access easement of a private street, or the edge of the pavement, whichever is greater.

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



**Figure 3-6 - Flag Lot Setbacks**

- d. **Corner lot.** The measurement of the front setback shall be from the nearest point of the wall of the structure to the nearest point of the most narrow street frontage property line. If the property lines on both street frontages are of the same length, the Director shall determine the property line to be used for front yard setback measurement.
  - e. **Double-frontage lot.** Proposed development on a double-frontage lot shall comply with the front yard setback requirements of the applicable zoning district on both street frontages.
2. **Side yard setbacks.** The side yard setback shall be measured at right angles from the nearest point on the side property line of the parcel to the nearest point of the wall of the structure; establishing a setback line parallel to the side property line, which extends between the front and rear yard setbacks.
  3. **Street side yard setbacks.** The side yard on the street side of a corner parcel shall be measured from the nearest point on the side property line bounding the street, or the edge of an easement for a private road, or the inside edge of the sidewalk, whichever results in the greatest setback from the roadway.
  4. **Rear yard setbacks.**
    - a. The rear yard shall be measured at right angles from the nearest point on the rear property line to the nearest line of the structure, establishing a setback line parallel to the rear property line.
    - b. Where a parcel has no rear property line because its side property lines converge to a point, an assumed line 10 feet long within the parcel, parallel to and at a maximum distance from the front property line, shall be deemed to be the rear property line for the purpose of determining the depth of the required rear yard. See Figure 3-7.

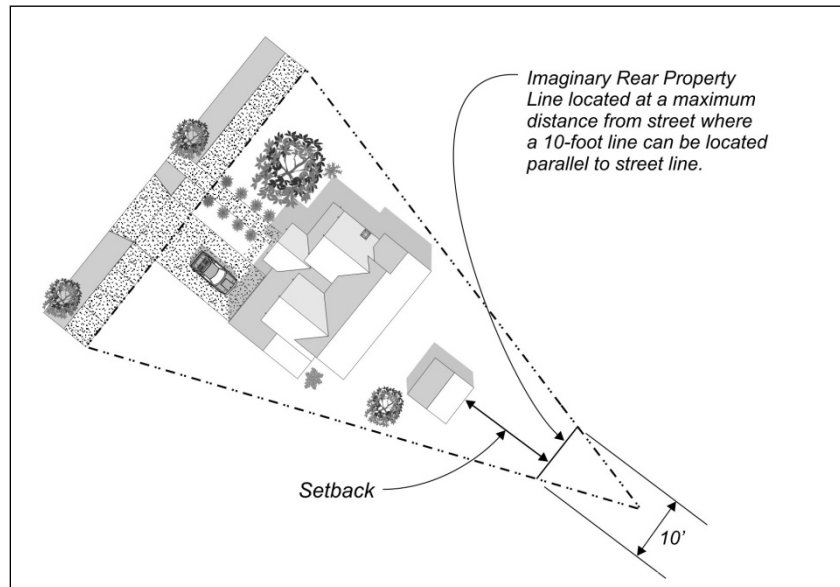


Figure 3-7 - Rear Setback on Irregular Lot

#### D. Limitations on uses of setbacks.

1. **Structures.** A required setback shall not be occupied by structures other than:
  - a. The fences and walls permitted by Section 106.30.050 (Fences and Walls);

- b. The projections into setbacks allowed by Subsection E.; and
  - c. Residential accessory structures as allowed by Section 106.42.200 (Residential Accessory Uses and Structures).
2. **Storage.** No front or street side setback shall be used for the accumulation, placement or storage of automobiles ~~or other motor vehicles~~, **recreational vehicles, trailers**, building materials, scrap, junk or machinery except for:
- a. Automobiles ~~or other motor vehicles~~, **recreational vehicles, and/or trailers** parked within a designated off-street parking area, and which shall be operable, registered, and licensed **as allowed under Section 106.36.080(B)(2)**.
  - b. Building materials required for construction on the parcel, immediately before and during a construction project which has a valid Building Permit in force. Storm discharge Best Management Practices (BMPs) shall be used to prevent runoff from these materials into the storm drainage system.
  - c. Materials stored behind a fence that is at least six feet high and in compliance with Section 106.30.050 (Fences and Walls).
3. **Parking.** **See Section 106.36.080 (Parking Design and Development Standards) for all parking requirements within setbacks.**~~Required parking for single-family residences may be located within the required front and interior side setback in compliance with Section 106.36.080.A.1.a. Temporary (overnight) parking is allowed within required setback areas only on an approved, paved driveway, in compliance with Section 106.36.080 (Parking Design and Development Standards).~~
- ~~4. **Storage of habitable trailer prohibited.** No habitable trailer shall be stored or parked within a required street setback, except where limited display areas are authorized in a commercial zone through Minor Use Permit approval (Section 106.62.050).~~
- ~~5. **Pavement.** Pavement within a front setback shall be limited to a driveway plus 12 feet abutting and parallel to the driveway. The additional 12 feet of width shall be located adjacent to the interior side property line of a corner lot. Alternate locations for the additional pavement may be approved by the Director and City Engineer. Total pavement width in the front of the lot shall not exceed 50 percent of the lot frontage. The Director and City Engineer may grant an exception for exceeding the allowed limits for lots located on a collector or arterial street, where the owner proposes a circular driveway. This Subsection does not apply to front setback areas that were paved to a greater extent than allowed by this Section, prior to October 5, 2006.~~

**E. Allowed projections into setbacks.**

- 1. **Primary structure into rear setback.** Within a residential zoning district, a primary structure may project into a required rear yard setback provided that an area equal to the projection is provided as a yard or court within the buildable area of the lot. In no event shall the rear yard setback be less than 10 feet for a one-story building, or 15 feet for a two-story building.
- 2. **Accessory structures.** See Section 106.42.200 (Residential Accessory Uses and Structures).
- 3. **Architectural features.** A cornice, sill, eave, canopy, chimney, window bay, media niche, or similar architectural feature may project into a required setback by a maximum of 24 inches; provided that the length of a projecting chimney, canopy or window bay along the wall from which it projects shall be limited to a maximum of 10 feet.

- d. **Dwelling unit access.** The use of balconies and corridors to provide access to units should be limited. To the extent possible, main entrances to individual units should be from street sidewalks. Distinctive architectural elements and materials should be used to highlight primary entrances.

Building entrances should be located so that clear lines of sight are provided to adjacent public sidewalks, or internal walkways and parking areas, as applicable.

- e. **Exterior stairways.** A stairway that provides access to an upper level of a multi-unit structure should be integrated into the building design. Where an exterior stairway is necessary, it should provide residents and visitors protection from weather, and should be of low maintenance, durable materials, and located so as to be visible from the street and/or public areas of the site.
- f. **Accessory structures.** Accessory structures should be designed as an integral part of a project. Their materials, color, and details should be the same as the principal structures on the site.
- g. **Walls and fences.** Walls and fences should comply with the design standards in Section 106.31.070.G (Walls and fences), and shall comply with the standards in Section 106.30.050 (Fences and Walls).

- D. **Small Lot Housing Product Project Design.** The design of small lot housing **subdivisions-developments** requires careful consideration to ensure privacy, safety, open space and quality of life are considered. The goals of these guidelines are to create high quality indoor and outdoor living environments, enhance the public realm, provide increased opportunities for home ownership, provide solutions for infill housing, and prioritize livability over density.

1. **Relationship to street frontage.** Small lot developments should be oriented towards the street.
- a. Homes fronting a public street should have a primary entrance and main windows facing the street. (See 1 on Figure 3-17).
- b. For homes not fronting a public street, a primary entrance should face the vehicular access and/or a paseo (for alley loaded products). (See 2 on Figure 3-17).

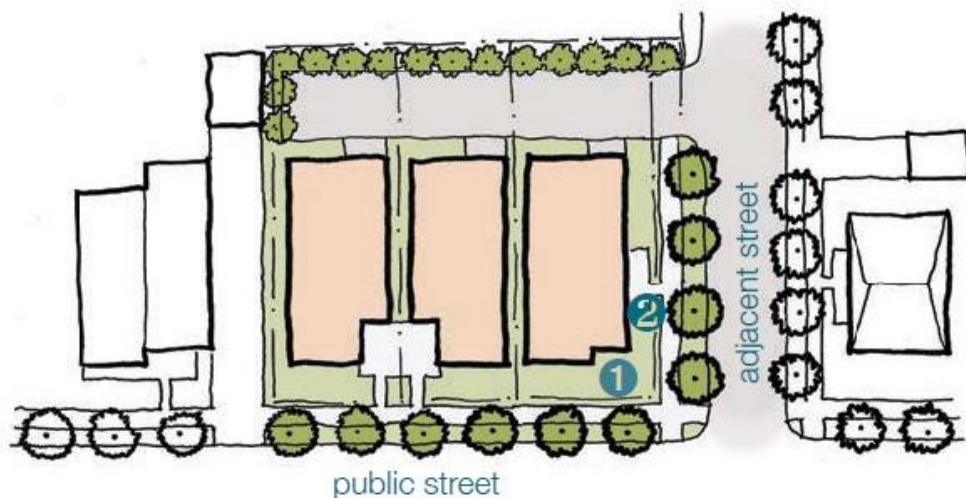


Figure 3-17 - Project oriented towards the street

## CHAPTER 106.34 - LANDSCAPING STANDARDS

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### Sections:

- 106.34.010 - Purpose
- 106.34.020 - Applicability
- 106.34.030 - Landscape and Irrigation Plans
- 106.34.040 - Landscape Location Requirements
- 106.34.050 - Landscape Standards
- 106.34.060 - Water Efficient Landscaping
- 106.34.070 - Maintenance of Landscape Areas

### 106.34.010 - Purpose

This Chapter establishes requirements for landscaping to enhance the appearance of development, provide shade, reduce heat and glare, control soil erosion, conserve water, screen potentially incompatible land uses, enhance the quality of neighborhoods, improve air quality, and improve pedestrian and vehicular traffic and safety.

### 106.34.020 - Applicability

The provisions of this Chapter apply to all development and land uses as follows:

- A. **New projects.** Each new nonresidential, **mixed-use** and multi-unit residential project shall provide landscaping in compliance with this Chapter. Each single dwelling subdivision of five or more parcels shall provide street trees in compliance with Section 106.34.050.B.2.d(2).
- B. **Existing development.** **Existing nonresidential, mixed-use, multi-unit and/or single-family residential development shall comply with the minimum maintenance provisions of Chapter 106.34.060.** The approval of a Minor Use Permit, Use Permit, Minor Variance, Variance, or application for Design Review for physical alterations and/or a change in use within an existing development may include one or more conditions of approval requiring compliance with specific landscaping and irrigation requirements of this Chapter to the extent determined by the review authority to be feasible. Changes to existing development that require only Zoning Clearance are not required to comply with this Chapter unless the Director determines that existing landscaping is not being properly maintained.
- C. **Timing of installation.** Required landscape and irrigation improvements shall be installed prior to final building inspection. The installation of landscaping may be deferred for a maximum of 90 days in compliance with Section 106.64.060 (Performance Guarantees).
- D. **Alternatives to requirements.** The review authority may modify the standards of this Chapter to accommodate alternatives to required landscape materials or methods, where the review authority first determines that the proposed alternative will be equally effective in achieving the purposes of this Chapter.

### 106.34.030 - Landscape and Irrigation Plans

- A. **Preliminary Landscape Plan.** A Preliminary Landscape Plan shall be submitted as part of each application for new development, or the significant expansion (i.e., a total of 25 percent or more of floor area over a two-year period), or redevelopment of an existing use, as determined by the Director.
- B. **Final Landscape Plan.** After land use approval, a Final Landscape Plan shall be submitted as part of the application for a Building Permit. A Final Landscape Plan shall be approved by the Director prior to the start of grading or other construction, and prior to the issuance of a Building Permit.

## CHAPTER 106.36 - PARKING AND LOADING

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### Sections:

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

### 106.36.010 - Purpose

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

### 106.36.020 - Applicability

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

### 106.36.030 - General Parking Regulations

- A. **Timing of installation.** A new or altered structure shall not be occupied, and a new land use not requiring a structure shall not be established, until all off-street parking and loading facilities required by this Chapter are in place and approved by the City.
- B. **Permanent facilities required.** Each required parking and loading space shall be permanently available, marked, and maintained for parking or loading purposes for the use it is intended to serve. The approval of a Temporary Use Permit (Section 106.62.030) may allow the temporary use of a parking or loading space for other purposes.
- C. **Unrestricted facilities required.** An owner, lessee, tenant, or other person who controls the operation of a site with required parking or loading spaces shall not prevent, prohibit, or restrict authorized persons from using the spaces without the prior approval of the Director.
- ~~D. **Recreational vehicle parking.** The storage (parking for any period longer than 72 hours) of a recreational vehicle and/or boat in a residential zone shall be allowed only when all portions of the vehicle or boat are located entirely within the property boundaries on a paved surface and do not extend into the public right of way as per Section 106.36.080.~~
- ~~E.D. **Truck or Trailer Parking.** The parking of a motor vehicle used for commercial or industrial purposes and rated more than one (1) ton capacity and trailers used for commercial or industrial purposes shall not be parked or stored in any residential zone except when loading, unloading, or rendering service.~~

**106.36.080 - Parking Design and Development Standards**

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

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

1. **Residential parking.** Residential parking shall be located on the same site as each residential unit served; except for a mixed use project developed in compliance with Section 106.42.130 (Mixed Use Projects).
  - a. **Single-family residential.** Required parking may be located within the required front and interior side setback provided the required parking occurs on an approved driveway at least 20 feet in length and is perpendicular to the street. Alternate locations may be approved by the Director provided the design of the driveway is aesthetically pleasing, compatible with the surroundings and will not create a pedestrian or vehicular hazard.
  - b. **Duplex and multi-unit residential.** Required parking shall not occupy any required front setback, or a side or rear setback.
2. **Nonresidential parking.** Nonresidential parking shall be located on the same site as the use served, or within 300 feet of the parcel when off-site parking is approved in compliance with Section 106.36.070.G (Off-site parking), with reasonable access to and from the use for which the spaces are required.

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

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

1. **Residential parking surface.** Pavement within a front setback shall be limited to a driveway plus 12 feet abutting and parallel to the driveway. The additional 12 feet of width shall be located adjacent to the interior side property line of a corner lot. Alternate locations for the additional pavement may be approved by the Director and City Engineer. Total pavement width in the front of the lot shall not exceed 50 percent of the lot frontage. The Director and City Engineer may grant an exception for exceeding the allowed limits for lots located on a collector or arterial street, where the owner proposes a circular driveway. This Subsection does not apply to front setback areas that were paved to a greater extent than allowed by this Section, prior to October 5, 2006.
2. **Recreational vehicle and trailer parking.** The storage (parking for any period longer than 72 hours) of a recreational vehicle, trailer, boat, and/or other mobile equipment, or portions of parts of components thereof, in a residential zone shall be allowed only when all portions of the vehicle are located entirely within the property boundaries on a paved surface and do not extend into the public right-of-way. Storage of a recreational vehicle, trailer, boat, and/or other mobile equipment is not allowed within the front or street side yard setback unless located on required parking spaces or approved paved surfaces per Section 106.36.080(B)(2). When located within any side or rear yard, a recreational vehicle and/or boat must maintain a three-foot-wide continuous fire accessway from the front of the property. The use of any recreational vehicle for residential occupancy is prohibited except on property zoned for mobile home parks or camping.

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

1. **Direction of travel.** Parking areas shall provide suitable maneuvering area so that vehicles exit to a street in a forward direction. Parking lots shall be designed to prevent access at any point other than at designated access drives. Single dwellings and duplexes are exempt from this requirement.
2. **Stacking area for non-residential parking.** A commercial or industrial use shall have access driveways that are not intersected by a parking aisle, parking space, or another access driveway for a minimum distance of 20 feet from the street right-of-way, to provide a stacking area for vehicles entering and exiting the parking area. The City Engineer may require a greater distance for uses with high traffic volumes or located along heavily traveled arterials. See Figure 3-43.
3. **Clear height above parking.** A minimum unobstructed clearance height of 14 feet shall be maintained above areas accessible to vehicles within nonresidential uses.

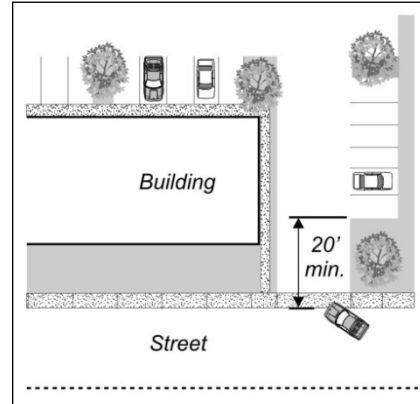


Figure 3-43 - Queuing Area

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

**DE. Parking stall and aisle design.**

1. **Minimum dimensions.**
  - a. **Parking spaces.** Each parking space shall be a minimum of nine feet wide and 19 feet long. Compact car spaces with minimum dimensions of eight feet by 16 feet may be allowed within a parking lot interior, up to a maximum of 25 percent of the total number of spaces. Compact spaces shall be dispersed throughout the parking lot. Parallel parking spaces shall have minimum dimensions of nine feet wide and 24 feet long.
  - b. **Parking lot aisles.** Each parking lot aisle shall comply with the minimum dimension requirements in Table 3-8.

TABLE 3-8 - MINIMUM PARKING LOT AISLE DIMENSIONS

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

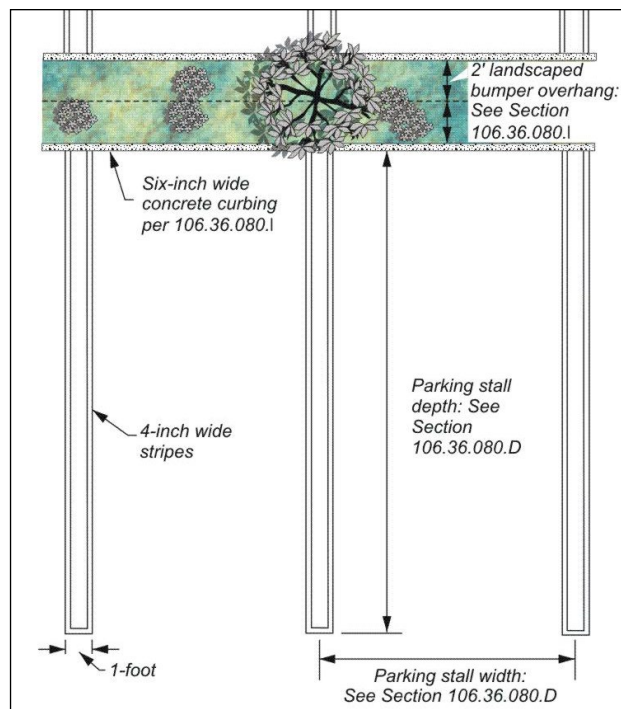
Parallel parking	24 ft for a 2-way aisle 12 ft for a 1-way aisle
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2. **General configuration.** Tandem parking, or the parking of vehicles inline shall be prohibited in multi-unit residential and commercial zoning districts.
3. **Employee parking.** Where Table 3-7 requires employee parking, the spaces shall be identified by the employer as "employee parking" and shall be located as far away as possible from the main entrance.
4. **90-degree single-loaded parking aisles.** A parking lot aisle that provides access to parking spaces on one side only may be reduced to a width of 22 feet provided a landscaped planter at least five feet in width, or a two-foot planter with a walkway, is installed adjacent to the aisle.
5. **Dead-end aisles.** Dead-end aisles are discouraged. When used, 90 degree angle stalls with adequate turning space are required, as approved by the Engineering Division.

**EF. Landscaping.** Landscaping shall be provided in compliance with Section 106.34

**FG. Lighting.** See Chapter 106.35 (Outdoor Lighting).

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



**Figure 3-44- Parking Lot Striping**

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

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

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

1. Individual wheel stops may be provided in lieu of continuous curbing when parking is adjacent to a landscaped area to which drainage is directed.
2. When provided, wheel stops shall be placed to allow for 30" of vehicle overhang area within the dimension of the parking space. Wheel stops shall be placed 30" from the curb.
3. Parking spaces may be designed to allow vehicle overhang of a landscape area only where the width of the landscape area is increased two additional feet over the width required by Section 106.34.040.D (Parking areas). The same overhang allowance shall apply where parking spaces directly abut a pedestrian walkway. The overhang allowance shall not be considered as part of the design width of the walkway.

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

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

1. New parking lots and significantly redeveloped sites with existing parking shall be required to install Best Management Practices (BMPs) for their storm water discharge.
2. Post BMPs may include vegetated swales, rain gardens, storm water basins with a low flow channel to cleanse the runoff, an underground stormwater vault, or other Low-Impact Design solutions approved by the City. Low-Impact Design solutions are preferred to underground vaults.
3. Stormwater vaults and basins will require an access agreement for the City to conduct periodic inspections of the post BMP system.

### 106.36.090 - Loading Space Requirements

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

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

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

**J. Sign maintenance.**

1. Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times.
2. Any repair to a sign shall be of materials and design of equal or better quality as the original sign.
3. A sign that is not properly maintained and is dilapidated shall be deemed a public nuisance, and may be abated in compliance with the Municipal Code.
4. When an existing sign is removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed.

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

**106.38.060 - Zoning District Sign Standards**

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

- A. Setback requirement for freestanding signs.** A freestanding sign shall be set back a minimum of 5 feet from a dedicated public right-of-way, except where this Zoning Code requires a different setback for a specific sign type.
- B. Residential zone sign standards.** Each sign in the residential zoning districts shall comply with the requirements in Table 3-11, except for signs that are allowed by standards for a specific land use in Chapter 106.42.

**TABLE 3-11 - SIGN STANDARDS FOR RESIDENTIAL ZONES**

Allowed Sign Types	Maximum Sign Height	Maximum Number of Signs Allowed per Parcel	Maximum Sign Area Allowed per Parcel
<b>Single Dwelling, Duplex, Triplex, Home Occupation</b>			
Wall	6 ft	1	1 sf
<b>Multi-Unit Residential Project or Structure</b>			
Wall or freestanding	Wall signs: below edge of roof; Freestanding: 4 ft	1 of either allowed sign type per entrance or street frontage	50 sf total for all signs
<b>Non-Residential Use</b>			
Wall or freestanding	Wall signs: below edge of roof; Freestanding: 6 ft	1 of either allowed sign type per entrance or street frontage	Total combined of all wall signage shall not exceed 50 (one-half) sf for each linear ft of primary building frontage 50 sf total for all signs
Freestanding	6 ft ; height may be increased by one additional foot up to 10 ft max with increased setback as per 106.38.070.E.5	1 allowed per entrance or street frontage	Total combined of all freestanding signs shall not exceed 100 sf

## CHAPTER 106.39 - TREE PRESERVATION AND PROTECTION

### Sections:

- 106.39.010 - Purpose
- 106.39.020 - Applicability
- 106.39.030 - Tree Permit Application Requirements
- 106.39.040 - Arborist's Report
- 106.39.050 - Standard Policies and Procedures for Approved Work
- 106.39.060 - Tree Planting and Replacement
- 106.39.070 - Tree Permit Approval or Denial
- 106.39.080 - Post Approval Procedures

### 106.39.010 - Purpose

This Chapter provides regulations for the protection, preservation, and maintenance of:

- A. Native oak trees;
- B. The habitat values of oak woodlands;
- C. Trees of historic or cultural significance;
- D. Groves and stands of mature trees; and
- E. Mature trees in general that are associated with proposals for development.

### 106.39.020 - Applicability

- A. **Applicability to protected trees.** The provisions of this Chapter shall apply in all zoning districts to the removal or relocation of any protected tree, and to any encroachment (for example, grading) within the protected zone of a protected tree. A protected tree is any of the following:
  1. A native oak tree with a diameter of six or more inches as measured 54 inches above the ground, or a multi-trunked oak tree having an aggregate diameter of 10 inches or more measured 54 inches above ground. **A native oak tree is defined as any of the following species: blue oak (*Quercus douglasii*), interior live oak (*Quercus wislizenii*), coastal live oak (*Quercus agrifolia*), and valley oak (*Quercus lobata*);**
  2. A heritage, or landmark tree or grove identified by Council resolution;
  3. Significant groves or stands of trees identified by Council resolution;
  4. A mature tree other than those listed in Subsections A.1 through A.3, that is 19 inches or more in diameter as measured at 54 inches above the ground, and located on a commercial parcel, or on a residential parcel that can be further subdivided, or on a parcel in the RD-1, RD-2, or RD-3 zones, provided that the tree is not a willow (*Salix* spp.), fruit tree, eucalyptus (*Eucalyptus* spp.), alder (*Alnus* spp.), cottonwood (*Populus* spp.), pine (*Pinus* spp.), catalpa (*Catalpa* spp.), fruitless mulberry (*Morus* spp.), **privet (*Ligustrum* spp.), tree of heaven (*Ailanthus altissima*),** or palm (*Acoelorrhpe* spp.);
  5. A tree required to be planted, relocated, or preserved by a requirement of this Zoning Code, or by a condition of approval of a Tree Permit or other discretionary permit, and/or as environmental mitigation for a discretionary permit; and

recommendations for any additional care or treatment. Inspection frequency may be specified in the Tree Permit Conditions of Approval.

### 106.39.060 - Tree **Planting and Replacement**~~Mitigation~~

The City's principal objective for the Tree Permit process is the preservation of protected trees. The review authority may condition any Tree Permit involving removal of a protected tree upon the replacement of trees in kind. ~~The replacement requirement shall be calculated based upon an inch for an inch replacement of the DBH of the removed trees where a 15 gallon tree (i.e., nursery stock in a #15 container) will replace one inch DBH of the removed tree; a 24 inch box tree will replace two inches, and a 36 inch box tree will replace three inches. The replacement trees shall have a combined diameter equivalent not less than the total diameter of the trees removed. A minimum of 50 percent of the replacement requirement shall be met by native oaks. Up to 50 percent may be met by non-native species.~~ The review authority may approve a replacement program using one of the following ~~four~~ five methods or any combination of the ~~four~~ five methods. The preferred alternative is on-site replacement.

**A. Replacement trees.** Replacement trees may be planted on-site or in other areas where maintenance and irrigation are provided to ensure survival of the trees. ~~The replacement trees shall have a combined diameter equivalent not less than the total diameter of the trees removed. A minimum of 50 percent of the replacement requirement shall be met by native oaks. Up to 50 percent may be met by non-native species. The replacement requirement shall be calculated based upon an inch for an inch replacement of the DBH of the removed trees using the following formula:~~

1. ~~One 15 gallon tree (i.e., nursery stock in a #15 container) will replace one inch DBH of the removed tree;~~
2. ~~One 24 inch box tree will replace two inches DBH of the removed tree; and~~
3. ~~One 36 inch box tree will replace three inches DBH of the removed tree.~~

**B. Relocation of trees.** In certain cases, the City may consider the relocation of native oak trees from one area in a project to another. Credit shall be given for relocation on the same basis as replacement. The guidelines and limitations for relocation are as follows:

1. The trees being recommended for relocation must be approved by the review authority whose decision will be based upon factors relating to health, type, size, time of year and proposed location.
2. The relocation of a tree shall be conditioned to require a secured five-year replacement agreement for the tree with security provided by the developer in a form satisfactory to the City Attorney. If at the end of five years the tree is deemed by an arborist to be in a substantially similar condition to that prior to the transplanting, the agreement will be terminated. If the tree dies during the five-year period, it shall be replaced as required by this Section.

**C. Revegetation requirements.** The review authority may, instead of requiring replacement trees, require implementation of a revegetation plan. The applicant shall enter into a written agreement with the City obligating the applicant to comply with the requirements of the revegetation plan. A performance security or bond for 150 percent of the cost of the revegetation plan shall be required to insure that the agreement is fulfilled. The review authority shall approve the proposed plan. The revegetation program shall propagate native oak trees from seed using currently accepted methods. A revegetation program shall identify the seed source of the trees to be propagated, the location of the plots, the methods to be used to ensure success of the revegetation program, an annual reporting requirement, and the criteria to be used to measure the success of the plan. A revegetation program shall not be considered complete until the trees to be propagated have reached one-half inch in diameter or the revegetation plan demonstrates the need for alternative success criteria and achieves mitigation on an inch for inch basis as approved by the Commission.

- D. In-lieu mitigation fee.** The review authority may determine that the remedies described above are not feasible or desirable and may require instead payment of a cash contribution based upon the cost of purchasing, planting, irrigating and maintaining the required number of 15 gallon trees. The cost of purchasing, planting, irrigating and maintaining a 15 gallon oak tree shall be set by Council resolution. The cash contribution shall be deposited into the Tree Mitigation Fund.

Tree Mitigation Funds can be used as determined by the Director:

1. **Tree Mitigation Fund.** This fund shall be used to propagate, purchase, plant, protect and maintain trees, including purchasing property to plant or protect trees, propagating trees from seed or container stock and maintaining existing and replacement trees.
2. To fund special projects that enhance urban forestry programming, build on existing information, and/or to develop outreach or educational materials in support of the community urban forest and tree canopy.

**E. On-site tree preservation.** On-site preservation of native oak trees that are less than 6 inches (<6 inches) dbh, as described in Section 106.39.020, and within the buildable area of the site may also be used to meet the tree mitigation requirement pursuant to the formula described in Section 106.39.060(A).

### 106.39.070 - Tree Permit Approval or Denial

Each Tree Permit application shall be reviewed, and approved or denied in compliance with this Section.

- A. Review authority.** A Tree Permit shall be reviewed, and approved or denied by the Director, except that the Commission shall decide upon a Tree Permit application where tree removal is part of a project that otherwise requires approval by the Commission.
- B. Application evaluation criteria.** The following criteria shall be used to support the findings required by Subsection C. for the approval of a Tree Permit.
1. **General criteria.**
    - a. The gross floor area of proposed buildings in relation to the "usable" size of the site and the amount of usable space on the site that does not require the removal of protected trees;
    - b. Design features in comparison with other existing or approved projects in the vicinity and in the same zone that have or had protected trees on their sites;
    - c. Factors that are unique to the site, such as topographic constraints, lot configuration and other physical limitations;
    - d. The overall health and structural condition of the potentially impacted protected trees;
    - e. The approximate age of the each protected tree compared with the average life span for each species;
    - f. The number of healthy protected trees that the site will support, with and without the proposed development;
    - g. The effect of tree removal on soil stability/erosion, particularly near watercourses or on steep slopes;
    - h. Whether there are any alternatives that would allow for the preservation of the protected tree; and

## ARTICLE 4

# Standards for Specific Land Uses

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**106.42.010 - Purpose and Applicability**

- A. Purpose.** This Chapter provides site planning, development, and/or operating standards for certain land uses that are allowed by Article 2 (Zoning Districts and Allowable Land Uses) within individual or multiple zoning districts, and for activities that require special standards to mitigate their potential adverse impacts.
- B. Applicability.** The land uses and activities covered by this Chapter shall comply with the provisions of the Sections applicable to the specific use, in addition to all other applicable provisions of this Zoning Code.
- 1. Where allowed.** The uses that are subject to the standards in this Chapter shall be located only where allowed by Article 2 (Zoning Districts and Allowable Land Uses).
  - 2. Planning permit requirements.** The uses that are subject to the standards in this Chapter shall be authorized by the planning permit required by Article 2 (Zoning Districts and Allowable Land Uses), except where a planning permit requirement is established by this Chapter for a specific use.
  - 3. Development standards.** The standards for specific uses in this Chapter supplement and are required in addition to those in Articles 2 (Zoning Districts and Allowable Land Uses) and 3 (Site Planning and Project Design Standards).
    - a. The applicability of the standards in this Chapter to the specific land uses listed is determined by Article 2 (Zoning Districts and Allowable Land Uses).
    - b. In the event of any conflict between the requirements of this Chapter and those of Articles 2 (Zoning Districts and Allowable Land Uses) or 3 (Site Planning and Project Design Standards), the requirements of this Chapter shall control.

**106.42.015 – Accessory Dwelling Units**

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

- A. Allowed Location.** An accessory dwelling unit is allowed on any property developed with residential living unit(s).
- B. Limitation on number of units.** No more than one accessory dwelling unit shall be located on a parcel developed with a single dwelling except the parcel may also have one junior accessory dwelling unit provided the junior accessory dwelling unit complies with Section 106.42.105.D.8. Accessory dwelling units are not included when calculating the density of a parcel.
- C. Relationship to primary use.**
- 1. Design, style.** An accessory dwelling unit shall be incidental to the primary single-family residential use of the site in terms of location and appearance and shall not alter the character of the primary structure. The architectural style, exterior materials, and colors of the accessory dwelling unit shall be compatible with the primary dwelling unit.
  - 2. Timing of construction.** An accessory dwelling unit may be constructed simultaneously with or after the primary dwelling. In addition, an existing dwelling that complies with the development standards for accessory

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

3. **Term of Rentals.** Accessory dwelling units or junior accessory dwelling units shall not be rented for periods of less than thirty one (31) days. This provision shall not apply to accessory dwelling units lawfully constructed prior to January 1, 2020.
- D. **Development standards.** The following standards apply to all newly constructed accessory dwelling units unless an exception is provided in Section 106.42.015.D.9.
1. **Setback requirements.** An accessory dwelling unit shall comply with the setback requirements of the applicable zoning district except that the side and rear yard setbacks may be four feet.
  2. **Height limit.** An attached accessory dwelling unit shall comply with the height limits of the applicable zoning district except that a detached accessory dwelling unit shall not exceed a maximum height of 16 feet except when the accessory dwelling unit is above a detached residential accessory structure, in which case it shall not exceed 25 feet.
  3. **Allowed floor area.**
    - a. The floorspace of an attached accessory dwelling unit shall not exceed 60 percent of the floorspace of the primary dwelling or 1,200 square feet, whichever is less. Regardless of the size of the primary dwelling, an attached accessory dwelling unit shall be allowed the minimum size as follows:
      - (1) 850 square feet for an accessory dwelling with zero to one bedrooms; or
      - (2) 1,000 square feet for an accessory dwelling with two or more bedrooms.
    - b. The floorspace of a detached accessory dwelling unit shall not exceed 1,200 square feet, regardless of the size of the primary dwelling.
    - c. For purposes of computing the floorspace of an accessory dwelling unit, all enclosed areas accessed from within the accessory dwelling unit shall be included. For purposes of computing the floorspace of the primary dwelling, all living area shall be included when calculating the floorspace of the primary dwelling.
  4. **Off-street parking requirements.** Additional off-street parking is not required for an accessory dwelling unit.
  5. **Separate entrance required.** An attached accessory dwelling unit shall have an entrance separate from the entrance to the primary dwelling.
  6. **Window placement.** An accessory dwelling unit that is 15 feet or less from a residential unit on an adjacent parcel shall not have windows that directly face windows in the other unit. A detached accessory dwelling unit located closer than 10 feet to a side lot line or 20 feet from a rear lot line shall have no second floor windows facing the side or rear except obscured glass or clerestory windows, unless the review authority determines that other types of windows will not significantly interfere with the privacy of residents on adjacent parcels.

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

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

- (1) The unit is created within the walls of the proposed or existing single-family residence, including attached garages, through the conversion of living space within an existing single dwelling.
- (2) The unit does not exceed 500 square feet in size.
- (3) The unit has at least an efficiency kitchen. The efficiency kitchen shall be removed if the junior accessory unit ceases.
- (4) The unit has bathroom facilities that are either separate from or shared with the residence in which the unit is contained.
- (5) The unit has exterior access separate from the entrance to the dwelling in which it is contained.

~~b. A junior accessory dwelling unit shall be permitted to develop an additional 150 square feet which may exceed the allowable lot coverage otherwise permitted by the underlying zoning district to allow for ingress and egress of the junior accessory dwelling unit.~~

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

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

- (1) The junior accessory dwelling unit shall not be sold separately from the single dwelling.
- (2) The junior accessory dwelling unit shall be restricted in size and attributes as describe in Government Code 65852.22.

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

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

- (1) One interior accessory dwelling unit or one junior accessory dwelling unit per lot constructed within an existing or proposed single-family or accessory structure, including the construction of up to a one hundred fifty (150) square foot expansion beyond the same physical dimensions as the existing accessory dwelling structure to accommodate ingress and egress. The accessory dwelling unit or junior accessory dwelling unit must have exterior access and side and rear setbacks sufficient for fire safety. If the unit is a junior accessory dwelling unit, it must also comply with the requirements of section 106.042.015.5.; or
- (2) One new, detached accessory dwelling unit with a minimum four-foot side and rear setbacks, up to eight hundred (800) square feet and no more than sixteen (16) feet high on a lot with an existing or proposed single family dwelling. A junior accessory dwelling unit may also be built within the existing or proposed dwelling of such residence in connection with the accessory dwelling unit.

- b. For lots with an existing multi-family dwelling:
- (1) Accessory dwelling units may be constructed in areas that are not used as livable space within an existing multi-family dwelling structure (i.e., storage rooms, boiler rooms, passageways, attics, basements, or garages), provided the spaces meet state building standards for dwellings. The number of interior accessory dwelling units permitted on the lot shall not exceed twenty-five percent (25%) of the current number of units of the multi-family complex on the lot and at least one such unit shall be allowed. Units constructed pursuant to this subsection shall not exceed eight hundred (800) square feet in floor area; and
  - (2) Up to two (2) detached accessory dwelling units may be constructed, provided they are no taller than sixteen (16) feet, and they have at least four (4) feet of side and rear yard setbacks. Units constructed pursuant to this subsection shall not exceed eight hundred (800) square feet in floor area. For the purpose of this subsection, a structure with two or more attached dwellings on a single lot is considered a multi-family dwelling structure. Multiple detached single-unit dwelling on the same lot are not considered multi-family.

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

3. A dish antenna installed directly on the ground shall not be located within a required setback. The maximum attainable height of the dish shall not exceed the diameter of the dish plus three feet to a maximum of 15 feet.
- C. Residential satellite TV and dish antenna standards.** Residential satellite television and dish antennas larger than one meter in diameter shall comply with the following requirements.
1. Roof-mounted antennas are not permitted.
  2. Dish antennas shall be installed directly on the ground. The maximum attainable height of the dish shall not exceed the diameter of the dish plus three feet, to a maximum of 15 feet.
  3. Dish antennas shall meet the setback requirements for accessory structures.
  4. Only one dish antenna is permitted on each lot.
  5. The distribution of signals to more than one dwelling unit is permitted, provided the distribution is limited to the same parcel or same project as the antenna site.
  6. In any situation where the above provisions do not allow reasonable access to satellite signals, a Use Permit shall be considered by the Commission with the objective of ascertaining the most aesthetically acceptable alternative siting solution. In no case may the final decision result in denial of reasonable access to satellite signals. The Commission shall consider the following:
    - a. The decision on the Use Permit application must provide for a reasonable quality of signal reception, taking into consideration the particular circumstances of the property and its surroundings.
    - b. The decision on the Use Permit application may take into consideration all the alternative site locations and reception solutions on the property and the use permit may be conditional for the purpose of reducing the visual impact of the dish antenna as seen from adjacent properties or for the purpose of reducing the potential safety or health impacts. The conditions may include partitions, screening, landscaping, mountings, fencing, height of antenna, and site location within the parcel.

#### 106.44.050 - Wireless Telecommunications Facilities

- A. Permit or approval required.** Each telecommunications facility shall require Design Review Permit approval or minor modification approval in compliance with this Section.
1. **Design Review Permits or minor modifications requiring Director approval.** The following Design Review Permit applications or minor modification applications are subject to review and approval by the Director:
    - a. Antennas within the public right-of-way attached to an existing structure and without ground-mounted equipment;
    - b. Antennas placed on an existing building or on an existing monopole; **and**
    - c. Minor modifications to a previously approved tower or base station pursuant to Federal Statute Section 6409(a); **and**
    - d. **Installation of emergency standby generators for a macro cell tower site if the following apply:**
      1. **The emergency standby generator is rated below 50 horsepower, compliant with applicable air quality regulations, has a double-wall storage tank, not to exceed 300 gallons, and is mounted on a concrete pad.**

2. The macro cell tower site at which the emergency standby generator is proposed to be installed is an existing site that was previously permitted by the applicable local agency.
3. The emergency standby generator complies with all applicable state and local laws and regulations, including building and fire safety codes.
4. The physical dimensions of the emergency standby generator and storage tank are cumulatively no more than 250 cubic feet in volume.
5. The emergency standby generator shall be located not more than 100 feet from the physical structure of the macro cell tower or base station.

2. **Design Review Permits requiring Commission approval.** All applications for new wireless telecommunications facilities, or collocations or modifications to existing wireless telecommunications facilities other than those listed in Subsection (A)(1) above are subject to review and approval by the Commission. In addition, the Director may refer a Design Review Permit application under Subsection (A)(1)(a) or (A)(1)(b) to the Commission for hearing and decision.
3. **Other Permits and Regulatory Approvals.** Facilities approved under this Chapter are subject to all federal, state, and local laws, rules, regulations, conditions, and other lawful requirements, including, but not limited to, FCC rules and regulations, and approvals, licenses, and applicable conditions required by other City departments.
4. **Application requirements.** An application for the approval of a wireless telecommunications facility shall include the following information, in addition to all other information required by the City. Each application for Design Review shall be filed on a City application form, together with required fees and/or deposits, and all other information and materials required by the City's list of required application contents.
  - a. Written documentation demonstrating a good faith effort in locating facilities in accordance with the location requirements in Subsection (C) below. This may include a written statement and supporting information, as requested by the Director, regarding alternative site selection and collocation opportunities in the service area and why alternative sites were rejected. The Director may waive this requirement for applications for collocations or modifications to existing facilities.
  - b. Where required by the Director, visual simulations showing the proposed facility superimposed on photographs of the site and surroundings as viewed from residential properties, public rights-of-way, or other perspective points at varying distances, to be determined in consultation with the Director. Such visual simulations will assist the review authority and the public in assessing the visual impacts of the proposed facility and its compliance with the provisions of this Chapter. In addition, the Director may also require simulations analyzing stealth designs and/or on-site demonstration mock-ups for consideration by the review authority.
  - c. A diagram or map showing the viewshed of the proposed facility (all areas of the City from which the facility will be visible).
  - d. A map or description of the service area of the proposed wireless telecommunications facility and an explanation of the need for the facility.
  - e. A map showing the locations and service areas of other wireless telecommunications facility sites operated by the applicant and those that are proposed by the applicant that are close enough to affect service within the City.
  - f. Site plan including and identifying (i) all facility-related support and protection equipment; and (ii) a description of general project information, including the type of facility, number of antennas, height to top of antenna(s), radio frequency range, wattage output of equipment, and a statement of compliance with current FCC requirements.

## ARTICLE 6

# Planning Permit Procedures

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Project	Review Authority
<b>Nonresidential development</b>	
New construction or addition, less than 5,000 sf	Director
New construction or addition, 5,000 sf or more	Commission
Proposed subdivision, as to street and lot layout	Commission
Fence or wall – more than 8 ft in height	Director
<b>Residential development</b>	
Single family homes - Project of 5 to 9 units	Director
Single family homes - Project of 10 or more units	Commission
Multi-family housing - Project of 10 or fewer units	Director
Multi-family housing - Project of 11 or more units	Commission
Fence or wall - Between 8 ft and 10 ft in height	Director
Fence or wall - More than 200 feet in length	Commission
2nd floor residential addition, garage conversion, or accessory structure between primary residential structure and the street	Director
Proposed subdivision, as to street and lot layout	Commission

- C. Application filing and processing.** An application shall be prepared, filed, and processed in compliance with Section 106.60.040 (Application Preparation and Filing). It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection D below.
- D. Findings and decision.** The review authority shall approve or disapprove an application for Design Review approval concurrently with the approval or disapproval of any other planning permit (i.e., Use Permit, Minor Use Permit, Variance or Minor Variance, Zoning Clearance, or subdivision map) required for the project, if the Design Review application is filed with the City at the same time. Design Review approval shall require that the review authority first find that the project, as proposed or with changes resulting from the review process and/or conditions of approval:
1. Complies with this Section and all other applicable provisions of this Zoning Code;
  2. Provides architectural design, building massing and scale, and street and lot layout in the case of a subdivision, that are appropriate to and compatible with the site surroundings and the community;
  3. Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;
  4. Provides safe and efficient public access, circulation and parking, including bicycle and pedestrian accommodations where appropriate;

## CHAPTER 106.64 - PERMIT IMPLEMENTATION, TIME LIMITS, AND EXTENSIONS

### Sections:

- 106.64.010 - Purpose
- 106.64.020 - Effective Date of Permits
- 106.64.030 - Applications Deemed Approved
- 106.64.040 - Filing of New Application after Denial
- 106.64.050 - Permits to Run with the Land
- 106.64.060 - Performance Guarantees
- 106.64.070 - Permit Time Limits, Extensions, and Expiration
- 106.64.080 - Changes to an Approved Project
- 106.64.090 - Permit Revocation or Modification

### 106.64.010 - Purpose

This Chapter provides requirements for the implementation or "exercising" of the permits required by this Zoning Code, including time limits and procedures for granting extensions of time.

### 106.64.020 - Effective Date of Permits

A Design Review approval, Use Permit, Minor Use Permit, Variance, or Minor Variance shall become effective on the 11th day following the date of application approval by the review authority, provided that no appeal has been filed in compliance with Chapter 106.72 (Appeals).

### 106.64.030 - Applications Deemed Approved

A planning permit application deemed approved in compliance with State law (Government Code Section 65956) shall be subject to all applicable provisions of this Zoning Code, which shall be satisfied by the applicant before a Building Permit is issued or a land use not requiring a Building Permit is established.

### 106.64.040 - Filing of New Application after Denial

After the denial of an application for, or the revocation of, a Use Permit, Minor Use Permit, Variance, or Minor Variance, no application for the approval of the same or a substantially similar project on the same site shall be accepted by the Department for processing within 12 months of the decision to deny the application or revoke the planning permit, except where authorized by the Commission or Council.

### 106.64.050 - Permits to Run with the Land

Except when otherwise provided by this Zoning Code, each planning permit approval that is granted in compliance with Chapter 106.62 (Permit Review and Decisions) shall be deemed to run with the land through any change of ownership of the subject site, from the effective date of the permit, except in any case where a permit expires and becomes void in compliance with Section 106.64.070 (Permit Time Limits, Extensions, and Expiration). All applicable conditions of approval shall continue to apply after a change in property ownership.

**A. Lapse of permit after implementation.** A use which has been established and/or operated as approved and the use is discontinued for more than twelve (12) consecutive months shall be considered lapsed if any of the following apply:

1. If no appurtenant structure is required and the use is discontinued for more than twelve (12) consecutive months:

2. If an appurtenant structure is required for the conditionally-permitted use and the structure is removed from the site for more than twelve (12) consecutive months.

a. If a structure associated with the operation of a conditionally permitted use is issued a certificate of occupancy and all other conditions of approval of the conditional use permit are satisfactorily completed, the entitlement remains in effect even if the structure is vacant for more than twelve (12) consecutive months; however, no use may be reestablished in the structure and/or on the site unless the use is determined by the Director to be substantially the same as the original conditionally permitted use.

### 106.64.060 - Performance Guarantees

Security to guarantee the completion of work required by a condition of approval of a planning permit required by this Zoning Code may be required by the review authority as a condition of approval, or allowed by the Director to defer required improvements or landscaping, in compliance with this Section.

- A. The security shall, as required by law or otherwise at the option of the City, be deposited with the City in the form of cash, a certified or cashier's check, letter of credit, or a faithful performance bond executed by the permittee and a corporate surety authorized to do business in California. The type of security shall be at the discretion of the Director. The security shall remain in effect until all of the secured conditions and/or work have been performed to the satisfaction of the Director.
- B. Upon completion of work to the satisfaction of the Director, the security deposit will be released. However, upon failure to perform any secured condition, the City may cause the work to be done, and may collect from the permittee, and surety in the case of a bond, all costs incurred by the City, including engineering, legal, administrative, and inspection costs.
- C. In the event the City causes the completion of required work guaranteed by the performance guarantee, any unused portion of the security shall be refunded to the permittee after deduction of the cost of the work and administrative costs incurred by the City; except that, to the extent that the Director can demonstrate to the satisfaction of the City Manager that the permittee willfully breached an obligation in a manner that he or she knew or should have known would create irreparable harm to the City, the entire amount of the bond or deposit may be withheld. The City Manager's determination may be appealed to the Council by the permittee in compliance with Chapter 106.72 (Appeals).

### 106.64.070 - Permit Time Limits, Extensions, and Expiration

- A. **Time limits.** Unless a condition of approval or other provision of this Zoning Code establishes a different time limit, any permit or approval not exercised within ~~two~~ **three** years of approval shall expire and become void, except where an extension of time is approved in compliance with Subsection B below.
  - 1. The permit shall not be deemed "exercised" until the permittee has substantially -commenced the approved activity or has actually commenced the allowed use on the site in compliance with the conditions of approval.
  - 2. After it has been exercised, a planning permit shall remain valid and run with the land in compliance with Section 106.64.050 (Permits to Run with the Land), as long as a Building Permit is active for the project, and after a final building inspection or certificate of occupancy has been granted.
  - 3. If a project is to be developed in approved phases, each subsequent phase shall be exercised within ~~two~~ **three** years from the date that the previous phase was exercised, unless otherwise specified in the permit, or the permit shall expire and be void in compliance with Subsection D below, except where an extension of time is approved in compliance with Subsection B below. If the project also involves the approval of a Tentative Map, the phasing shall be consistent with the Tentative Map and the permit shall be exercised before the expiration of the Tentative Map, or the permit shall expire and become void.

## ARTICLE 8

### Glossary

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**Artisan/Craft Product Manufacturing.** Establishments manufacturing and/or assembling small products primarily by hand, including jewelry, pottery and other ceramics, as well as small glass and metal art and craft products. **May also include small scale food/beverage production like coffee roasting.**

**Artisan Shop.** A retail store selling art glass, ceramics, jewelry, paintings, sculpture, and other handcrafted items, that are small run or one-of-a-kind items, where the store includes an area for the crafting of the items being sold. Mass production of these items is defined as "Manufacturing/Processing - Light."

**Assessed Value.** The value of a structure as shown in the records of the County Assessor.

**Attic.** The area located between the uppermost plate and the roof or ridge of a structure.

**Auto and Vehicle Sales and Rental.** A retail or wholesale establishment selling and/or renting automobiles, trucks and vans, trailers, motorcycles, and scooters with internal combustion engines. (Bicycle sales are included under "General Retail"). Vehicles for sale may be displayed outdoors or indoors, as authorized by the required Use Permit. May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include: the sale of auto parts/accessories separate from a vehicle dealership (see "Auto Parts Sales"); mobile home, recreational vehicle, or watercraft sales (see "Mobile Home, RV and Boat Sales"); tire recapping establishments (see "Vehicle Services"); businesses dealing exclusively in used parts, (see "Recycling - Scrap and Dismantling Yards"); or "Service Stations," which are separately defined.

**Auto and Vehicle Sales, Wholesale.** The sale of automobiles and other vehicles at wholesale to retail dealers.

**Auto Parts Sales.** Stores that sell or new or re-manufactured automobile parts, tires, and accessories. Establishments that provide installation services are instead included under "Vehicle Services - Repair and Maintenance - Minor." Does not include tire recapping establishments, which are found under "Vehicle Services" or businesses dealing exclusively in used parts, which are included under "Recycling - Scrap and Dismantling Yards."

**Auto Repair.** See "Vehicle Services."

**Automated Teller Machine (ATM).** Computerized, self-service machines used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel. The machines may be located at or within banks, or in other locations. Does not include drive-up ATMs which are included under "Drive-Through Retail or Service."

## B. Definitions, "B."

**Bank, Financial Services.** Financial institutions including:

banks and trust companies	securities/commodity contract brokers
credit agencies	and dealers
holding (but not primarily operating) companies	security and commodity exchanges
lending and thrift institutions	vehicle finance (equity) leasing agencies
other investment companies	

See also "Automated Teller Machine." Does not include check cashing stores, which are instead defined under "Personal Services - Restricted."

**Bar/Tavern.** A business where alcoholic beverages are sold for on-site consumption, which is not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May include dancing as an incidental use, if authorized by the Use Permit approval for the facility. Does not include adult oriented businesses, which are separately defined.

**Personal Services.** Establishments providing non-medical services to individuals as a primary use. Examples of these uses include:

barber and beauty shops	microblading
clothing rental	palm and card readers
dry cleaning pick-up stores with limited equipment	permanent make-up
home electronics and small appliance repair	pet grooming and/or daycare with no overnight boarding
laundromats (self-service laundries)	shoe repair shops
locksmiths	tailors
	tanning salons

These uses may also include accessory retail sales of products related to the services provided. Does not include massage therapy, which is separately defined.

**Personal Services - Restricted.** Personal services that may tend to have a blighting and/or deteriorating effect upon surrounding areas and which may need to be dispersed through Minor Use Permit review to minimize their adverse impacts. Examples of these uses include:

- check cashing stores
- pawnshops
- spas and hot tubs for hourly rental
- tattoo and body piercing services

**Pervious.** A pervious surface is a surface that allows the percolation of water into the underlying soil. Pervious surfaces include grass (including artificial turf which allows water infiltration), mulched groundcover, planted areas, vegetated roofs as well as porches and decks erected on pier foundations that maintain the covered lot surface's water permeability. Pervious surfaces do not include any structure or building, any porch or deck that limits the covered lot surface from absorbing water, or any outdoor stairs, on-grade surface sports court, swimming pool, sidewalk or patio constructed of concrete, asphalt, brick, compacted gravel or other material that impedes the infiltration of water directly into the subsurface of the lot.

**Planning Commission.** The City of Citrus Heights Planning Commission, appointed by the Citrus Heights City Council in compliance with Government Code Section 65101, referred to throughout this Zoning Code as the "Commission."

**Planning Permit.** Authority granted by the City to use a specified site for a particular purpose. "Planning Permit" includes Use Permits, Minor Use Permits, Variances, Minor Variances, Design Review, and Zoning Clearances, as established by Article 6 (Planning Permit Procedures) of this Zoning Code.

**Plant Nursery.** A commercial agricultural establishment engaged in the production of ornamental plants and other nursery products, grown under cover either in containers or in the soil on the site, or outdoors in containers. The outdoor production of ornamental plants in the soil on the site is instead included under "Crop Production, Horticulture, Orchard, Vineyard." Also includes establishments engaged in the sale of these products (e.g., wholesale and retail nurseries) and commercial-scale greenhouses (home greenhouses are included under "Residential Accessory Use or Structure"). The sale of house plants or other nursery products entirely within a building is also included under "General Retail."

**Primary Structure.** A structure that accommodates the primary use of the site.

**Primary Use.** The main purpose for which a site is developed and occupied, including the activities that are conducted on the site a majority of the hours during which activities occur.

**Printing and Publishing.** An establishment engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying; and other establishments serving the printing trade such as bookbinding,

**Supportive Housing.** A facility that provides permanent, affordable housing linked to health, mental health, employment, and other support services. Supportive housing shall be considered a residential use and only subject to the restriction that apply to other residential uses of the same type in the same zone.

## T. Definitions, "T."

**Tap Room.** Allowed accessory use to a brewery or brew pub for the purpose of consuming alcohol beverages manufactured on the premises. Allows the retail sales and wholesaling of alcoholic beverages manufactured on the premise.

**Tavern.** A business whose alcoholic beverages are limited to beer/wine only. Food service is subordinate to the sale of alcoholic beverages.

### Telecommunications Facility.

**Telecommunications Facility.** Public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including stationary commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections, or vehicles utilizing global positioning satellite (GPS) direction-finding technology, or equipped for reception of commercial satellite radio, television, or internet programming. The following terms and phrases are defined for the purposes of Chapter 106.44 (Telecommunications Facilities).

**Antenna.** Any system of poles, panels, rods, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves or radio frequency signals.

**Array.** Several antennas connected and arranged in a regular structure to form a single antenna.

**Base Station.** A structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined in this subpart or any equipment associated with a tower.

**Building Mounted.** An antenna attached to a building.

**Collocation.** The mounting of one or more wireless telecommunications facilities, including antennas, on an existing structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities.

**Equipment Cabinet or Building.** A cabinet or structure used to house equipment associated with a wireless, hard wire, or cable communication facility.

**Macro cell tower site.** A place where wireless telecommunications equipment and network components including towers, base stations, and emergency powers necessary for providing wire area outdoor service. A macro cell tower site does not include rooftop, small cell, or outdoor and indoor distributed antenna.

**Minor Modification.** This term means the same as "eligible facilities request" as defined by the Code of Federal Regulations, Title 47, Chapter 1, Subchapter A, Part 1, Subpart CC, Section 1.40001(b)(3), as may be amended. Currently this means a modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving: (1) collocation of new transmission equipment; (2) removal of transmission equipment; or (3) replacement of transmission equipment.

**Monopole.** A single freestanding pole, post, or similar structure erected on the ground or on a structure to