



City of Woodland

Meeting Agenda

City Council

City Hall
Council Chambers
300 First Street
Woodland, CA 95695

June 18, 2024
6:00 PM

CITY COUNCIL

JOINT REGULAR CITY COUNCIL/WOODLAND FINANCE AUTHORITY MEETING

6:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

Land Acknowledgment Statement - The City of Woodland acknowledges the land on which we live and work. For thousands of years, this land has been the home of Patwin people. Today, there are three federally recognized Patwin tribes: Cachil DeHe Band of Wintun Indians of the Colusa Indian Community, Kletsel Dehe Wintun Nation, and Yocha Dehe Wintun Nation. The Patwin people have remained committed to the stewardship of this land over many centuries. It has been cherished and protected, as elders have instructed the young through generations. We are honored and grateful to be here today on their traditional lands.

D. COMMUNICATIONS - PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed on this agenda. Speakers are requested to use the microphone in front of the Council and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered. The option to submit a public comment via voicemail is no longer available. Written Public Comments Members of the public are welcome to submit written comments prior to the meeting. Comments should be submitted by email to CouncilMeetings@cityofwoodland.gov. Written Comments received at least two (2) hours prior to the scheduled start time of the City Council meeting will be provided to the City Council and posted to the City website as part of the official record of the meeting but will not be read into the record. Written Comments received within two (2) hours of the scheduled start time of the City Council meeting and during the City Council meeting will be provided to the City Council the day following the City Council meeting. If you are submitting written comments on a particular item on the agenda, please identify the agenda item number and letter. If you are submitting written comments on an item not listed on the agenda, please identify your e-mail/comment as a General Public Comment. Note: Public comments at special meetings are limited to items on the agenda only.

1. SUBJECT: General Public Comments

WRITTEN COMMUNICATIONS: This section is reserved for "General" Public Comments emailed within two (2) hours prior to the Council Meeting. These comments will be provided to the City Council and incorporated into the meeting minutes. Any other written communications submitted for items specific to this agenda will be attached as a file to the associated agenda item.

E. COMMUNICATIONS - COUNCIL/STAFF STATEMENTS AND REQUESTS

This is an opportunity for the Council Members and Staff to make comments and announcements, to express concerns, or to request Council's consideration of any items a Council Member would like to have discussed at a future Council meeting.

2. SUBJECT: Long Range Calendar

RECOMMENDATION FOR ACTION: Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

F. PRESENTATIONS

3. SUBJECT: Sacramento-Yolo Mosquito & Vector Control District Update

RECOMMENDATION FOR ACTION: Staff recommends that the City Council receive an update from Luz Maria Robles, Public Information Officer for the Sacramento-Yolo Mosquito & Vector Control District regarding current mosquito control issues and what can be expected in the upcoming months relating to mosquitoes and West Nile virus.

G. CONSENT CALENDAR

4. SUBJECT: Pride Proclamation

RECOMMENDATION FOR ACTION: Staff recommends that the City Council adopt a proclamation declaring the month of June 2024 as "Pride Month".

5. SUBJECT: Cooperative Agreement with Caltrans for the I-5/SR 113 Freeway to Freeway Connector Project, CIP 24-06

RECOMMENDATION FOR ACTION: Staff recommends that the Council adopt Resolution No. _____, approving the Cooperative Agreement with the State of California Department of Transportation (Caltrans) regarding the I-5/SR 113 Freeway to Freeway Connector Project, and authorizing the City Manager to sign the Agreement on behalf of the City.

6. SUBJECT: Comprehensive Zoning Code - Second Reading

RECOMMENDATION FOR ACTION: Staff recommends that the City Council conduct a second reading and adopt Ordinance No. 1722 (Attachment 1) repealing the Interim Zoning Ordinance, repealing Title 17 (Zoning) of the Woodland Municipal Code and enacting the updated Comprehensive Zoning Code and associated Zoning Map.

7. SUBJECT: Appoint Members to various Boards and Commissions

RECOMMENDATION FOR ACTION: Staff recommends that the City Council appoint members to the various Boards and Commissions.

8. SUBJECT: Letter Agreement to Amend Franchise Agreement with USA Waste of California, Inc. dba Waste Management of Woodland (WM)

RECOMMENDATION FOR ACTION: Staff recommends that the City Council adopt Resolution No. _____, authorizing the City Manager to execute a Letter Agreement to Amend the Franchise Agreement with USA Waste of California, Inc. dba Waste Management of Woodland (WM).

9. SUBJECT: Approval of Memorandum of Understanding - MMPA and PMMA

RECOMMENDATION FOR ACTION: Staff recommends that the City Council (1) Adopt Resolution No. _____, ratifying a two-year, Memorandum of Understanding with the Woodland Mid-Management Professional Association, (MMPA) covering the period from July 1, 2024, through June 30, 2026, and (2) adopt Resolution No. _____, ratifying a two-year Memorandum of Understanding with the Woodland Police Mid-Management Association (PMMA) covering the period of July 1, 2024, through June 30, 2026.

H. PUBLIC HEARINGS

10. SUBJECT: Introduce and waive the first reading of an Ordinance revising Sections within Chapter 13.24, "Cross-Connection Control and Backflow Prevention," to Title 13 of the Woodland Municipal Code

RECOMMENDATION FOR ACTION: Staff recommends that the City Council introduce and waive the first reading of an ordinance of the City Council of the City of Woodland, California revising sections within Chapter 13.24, "Cross-Connection Control and Backflow Prevention" to Title 13 of the Woodland Municipal Code.

11. SUBJECT: Woodland Tourism Business Improvement District Annual Assessment

RECOMMENDATION FOR ACTION: Staff recommends that the City Council:

1. Hold a Public Hearing to receive testimony regarding the City Council's intention to continue the Woodland Tourism Business Improvement District; and
2. Determine whether a legally sufficient protest is made; and
3. If no legally sufficient protest is made, adopt Resolution No. _____, approving the WTBD FY 2024-25 Budget and affirming the continuation of the annual assessment for the WTBD for 2024-25 fiscal year.

I. REPORTS OF THE CITY MANAGER

12. SUBJECT: Consideration of November 2024 Ballot Measure to Authorize One-Cent Sales Tax

RECOMMENDATION FOR ACTION: Staff recommends that the City Council adopt:

1. Receive public comment;
2. Discuss options pertaining to a potential revenue measure to provide enhanced services and infrastructure investments; and
3. Adopt, with any amendments, Resolution No. _____, a resolution of the City of Council of the City of Woodland, California calling for the placement of a general tax measure on the ballot for the November 5, 2024, general municipal election for the submission to the qualified voters of an ordinance to enact a second supplemental general transaction and use tax (sales tax) at the rate of one-cent (1¢).

— or —

Direct staff to continue public outreach and engagement on the matter and return to Council at a later date with a recommendation to consider the appropriate timing and structure of a supplemental sales tax measure.

13. SUBJECT: Calling and Consolidating a General Municipal Election for Council Districts and Measure - November 5, 2024

RECOMMENDATION FOR ACTION: Staff recommends that the City Council take one of the two following actions:

1. Adopt Resolution No. _____, Calling a General Municipal Election for the Election of Three Council Members by District, and the Placement of a General Tax Measure on the Ballot for the General Municipal Election for the Submission to the Qualified Voters of an Ordinance to enact a Second Supplemental General Transactions and Use Tax (Sale Tax) at the rate of One Cent (1¢), and requesting the Board of Supervisors of the County of Yolo to Consolidate a General Municipal Election to be held on November 5, 2024, with the Statewide General Election to be held on that date pursuant to §10403 of the Elections Code.

-and-

Adopt Resolution No. _____, Providing for the Filing of Primary and Rebuttal Arguments and Setting Rules for the Filing of Written Arguments regarding a City Measure to be Submitted at the November 5, 2024 General Municipal Election.

-or-

2. Adopt Resolution No. _____, Calling a General Municipal Election for the Election of Three Council Members by District, and requesting the Board of Supervisors of the County of Yolo to Consolidate a General Municipal Election to be held on November 5, 2024, with the Statewide General Election to be held on that date pursuant to §10403 of the Elections Code.

14. SUBJECT: Approval of the Fiscal Year 2024/25 Budget

RECOMMENDATION FOR ACTION: Staff recommends that the City Council adopt Resolution No. _____, approving the Fiscal Year (FY)2024/25 Annual Budget of \$223.96 million as detailed in Exhibit A, and approving 324 full-time equivalent positions, by classification, as detailed in Exhibit B.

J. ADJOURN

I declare under penalty of perjury that the foregoing Agenda for the Joint Regular City Council/Woodland Finance Authority Meeting of the City of Woodland scheduled for Tuesday, June 18, 2024 was posted on Friday, June 14, 2024 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.



Ana B. Gonzalez
City Clerk

Upon request, agendas and documents in the agenda packet will be made available in appropriate alternative formats to persons with a disability, as required by law. Any such requests must be made in writing to the Office of the City Clerk of the City of Woodland. Requests will be valid for the calendar year in which the request is received, and must be renewed prior to January 1st.

Persons needing disability-related modifications or accommodations in order to participate in public meetings, including persons requiring auxiliary aids or services, may request such modifications or accommodations by calling the Office of the City Clerk (530-661-5806) at least 48 hours prior to the meeting.



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: D.1
SUBJECT: General Public Comments

WRITTEN COMMUNICATIONS: This section is reserved for "General" Public Comments emailed within two (2) hours prior to the Council Meeting. These comments will be provided to the City Council and incorporated into the meeting minutes. Any other written communications submitted for items specific to this agenda will be attached as a file to the associated agenda item.



Ken Hiatt
City Manager

Attachments:

None



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: E.2
SUBJECT: Long Range Calendar

Recommendation for Action: Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

Staff Contact:

Ana B. Gonzalez, MMC, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.gov

Background:

This calendar is being provided for planning purposes only and is intended to keep the Council apprised of upcoming agenda items and plan for upcoming Council items.

A handwritten signature in black ink, appearing to read "Ken Hiatt", is written over the printed name.

Ken Hiatt
City Manager

Attachments:

1. Council Long Range Calendar_06.18.24

CITY COUNCIL LONG RANGE CALENDAR

July 2nd

REGULAR MEETING

Consent Calendar

City Council Meeting Minutes for June 4, 2024 and June 18, 2024

2nd Reading Cross Connection Control and Backflow Prevention Policy Ordinance Amendment

Sole Source Contract for the Replacement of Raw Sewage Pump #2 at WPCF Headworks, CIP 14-02

Intent to Levy Assessments – Landscape and Lighting Districts

Quarterly Salary Schedule Update

Public Hearing

Public Hearing – Waste Management Liens

Reports of the City Manager

Annual Police Equipment Usage Report

July 16th

REGULAR MEETING

Valley Clean Energy Presentation

Aquatic Facility Bid Results

Weed Abatement Liens

Updated Fee Schedule

Spring Lake Fire District Contract

Award construction contract for Pacific Flyway Pond Enhancement Project, CIP 24-10

Public Hearing – Landscape and Lighting Assessment Districts

(Spring Lake, Gateway, Streng Pond, Gibson Road, North Park, West Wood)

SUMMER RECESS – JULY 17 – AUGUST 19, 2024

August 20th

REGULAR MEETING

City Council Meeting Minutes for July 2, 2024 and July 16, 2024

Community Care Car Proclamation

Approval of Update Truck Route Map

Future Topics / Study Sessions:

East Beamer Way / Homeless Update (TBD)

Rule 20A Undergrounding (TBD)

Operating Agreements and CUPs for Cannabis Retailers (TBD)

Updated 6/14/2024



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: F.3
SUBJECT: Sacramento-Yolo Mosquito & Vector Control District Update

Recommendation for Action: Staff recommends that the City Council receive a written update from Luz Maria Robles, Public Information Officer for the Sacramento-Yolo Mosquito & Vector Control District regarding current mosquito control issues and what can be expected in the upcoming months relating to mosquitoes and West Nile virus.

Staff Contact:

Ana B. Gonzalez, MMC, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.org



Ken Hiatt
City Manager

Attachments:

None



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: G.4
SUBJECT: Pride Proclamation

Recommendation for Action: Staff recommends that the City Council adopt a proclamation declaring the month of June 2024 as "Pride Month".

Staff Contact:

Ana B. Gonzalez, MMC, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.org

Discussion:

Council is asked to show their support for Pride Month via issuance of a proclamation.



Ken Hiatt
City Manager



Attachments:

1. Pride Proclamation_2024

**PROCLAMATION
DECLARING JUNE AS LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, AND INTERSEX
PRIDE MONTH
IN WOODLAND, CALIFORNIA**

WHEREAS, on June 28, 1969, the LGBTQI+ community took a brave stand for human rights at the Stonewall Inn in New York City, marking the first major demonstration for LGBTQI+ equal rights; and

WHEREAS, each June cities and towns throughout the United States, celebrate LGBTQI+ Pride Month to celebrate the bravery it takes for LGBTQI+ people to come out as their true selves, build community, and promote equal rights for all; and

WHEREAS, a tremendous amount of progress has been made since Stonewall, members of the LGBTQI+ community still face discrimination simply for being their true selves; and

WHEREAS, since 2018, the City Council re-affirmed the City of Woodland as a “safe and welcoming” place for all people, regardless of race, religion, age, gender, sexual orientation, disability or ethnicity; and

WHEREAS, countless individuals throughout Woodland, California are dedicated to improving and embracing the lives of the LGBTQI+ community; and

WHEREAS, Pride month offers the community an opportunity to reflect upon the discrimination and inequality that has troubled LGBTQI+ people, while celebrating and embracing the work of individuals and organizations who have continuously fought to create equality for all;

NOW, THEREFORE, BE RESOLVED that the Woodland City Council hereby declares the month of June “Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Pride Month” in the City of Woodland; and

BE IT FURTHER RESOLVED that the City Council calls upon all citizens of Woodland to eliminate prejudice everywhere it exists, recognizing that all people in Woodland should be treated equally regardless of sexual orientation or gender identity, and to celebrate the magnificent diversity of our community during LGBTQI+ Pride Month.

DATED: June 18, 2024

Tania Garcia-Cadena, Mayor

Rich Lansburgh, Mayor Pro Tem

Vicky Fernandez, Council Member

Tom Stallard, Council Member

Mayra Vega, Council Member



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: G.5
SUBJECT: Cooperative Agreement with Caltrans for the I-5/SR 113 Freeway to Freeway Connector Project, CIP 24-06

Recommendation for Action: Staff recommends that the Council adopt Resolution No. _____, approving the Cooperative Agreement with the State of California Department of Transportation (Caltrans) regarding the I-5/SR 113 Freeway to Freeway Connector Project, and authorizing the City Manager to sign the Agreement on behalf of the City.

Staff Contact:

Brent Meyer, Community Development Director/City Engineer, (530) 661-5947,
brent.meyer@cityofwoodland.org

Fiscal Impact:

The Capital Budget (including funding in the FY 25 fiscal year) includes \$1,841,982 in funding for the project, consisting of \$22,000 in Measure F Funding (Fund 1507), \$769,982 in Road Development Funding (Fund 1582) and \$1,050,000 in Transportation Grant Funding (Fund 1351). These funds will be used to cover the cost of updating the Caltrans Project Report.

The Caltrans Cooperative Agreement specifies the assignment of responsibilities between the City and Caltrans. Generally speaking, the City is responsible for funding the project work and Caltrans does not charge the City for their involvement in reviewing the project.

Background:

Since the 1990s, the city has been working with SACOG and the State of California (Caltrans) to fund the I-5/SR 113 Freeway to Freeway Connector Project. The City completed an environmental document and Project Report in 2000. The Project Report defined the scope of the project at that time. Since then, the City has wanted to incorporate changes to the Project that would reduce the overall construction costs. Caltrans has told the City that we need to complete a Supplemental Project Report in order to incorporate our proposed cost-reduction changes. The Supplemental Project Report also includes a review of the environmental document. The Cooperative Agreement is needed because the project is primarily located within the State of California right of way.

Caltrans will delegate the CEQA responsibilities to the City as the Lead agency for the entire project while remaining the CEQA responsible agency.

Discussion:

In 2023, the City submitted a Congressional directed funding request to Congressman Thompson to assist in funding needed to complete the Supplemental Project Report and position the project for construction funding. Rep. Thompson secured this funding in the government funding bill that was signed into law on March 9th. Full text for this Consolidated Appropriations Act, H.R.4366, can be found here:

<https://www.congress.gov/bill/118th-congress/house-bill/4366>. The City is required to provide a local match of at least 20% federal funding (\$262,500).

In the next six months, staff will perform a quality-based selection process in order to select a consultant to perform the Supplemental Project Report work. At that time, staff will return to the Council to authorize the contract.

Conclusion:

Staff recommends that the Council adopt Resolution No. _____, approving the Cooperative Agreement with the State of California Department of Transportation (Caltrans) regarding the I-5/SR 113 Freeway to Freeway Connector Project, and authorizing the City Manager to sign the Agreement on behalf of the City.

Prepared by: Brent Meyer, Community Development Director / City Engineer



Ken Hiatt
City Manager

Attachments:

1. Resolution
2. Project Layout
3. Cooperative Agreement

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING A COOPERATIVE AGREEMENT WITH THE STATE
DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE I-5/SR 113
FREEWAY TO FREEWAY CONNECTOR PROJECT, CIP 24-06**

WHEREAS, the City has been working with SACOG and Caltrans to reduce project costs so that this project can seek construction funding, and

WHEREAS, Caltrans is requiring that the City engage with a consultant to complete a Supplemental Project Report in order to document the changes to the project scope, and

WHEREAS, in March of this year, the City received \$1,050,000 in federal earmark funding and is combining this funding with local funding to fully fund the project work, and

WHEREAS, the State requires a cooperative agreement between the State Department of Transportation and the City of Woodland to define the roles that each party performs, and

WHEREAS, the City of Woodland wishes to approve the cooperative agreement with the State Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF WOODLAND AS FOLLOWS:**

Section 1. The City Manager is hereby authorized and directed to execute the Agreement, subject to City Attorney approval. The City Attorney is hereby authorized to make clarifying and confirming changes.

Section 2. A copy of the Agreement is available and on file in the City Clerk's office, and is incorporated herein by reference and made a part of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Woodland at a regular meeting of the City Council held on the 18th day of June, 2024, by the following vote:

AYES:

NOES:

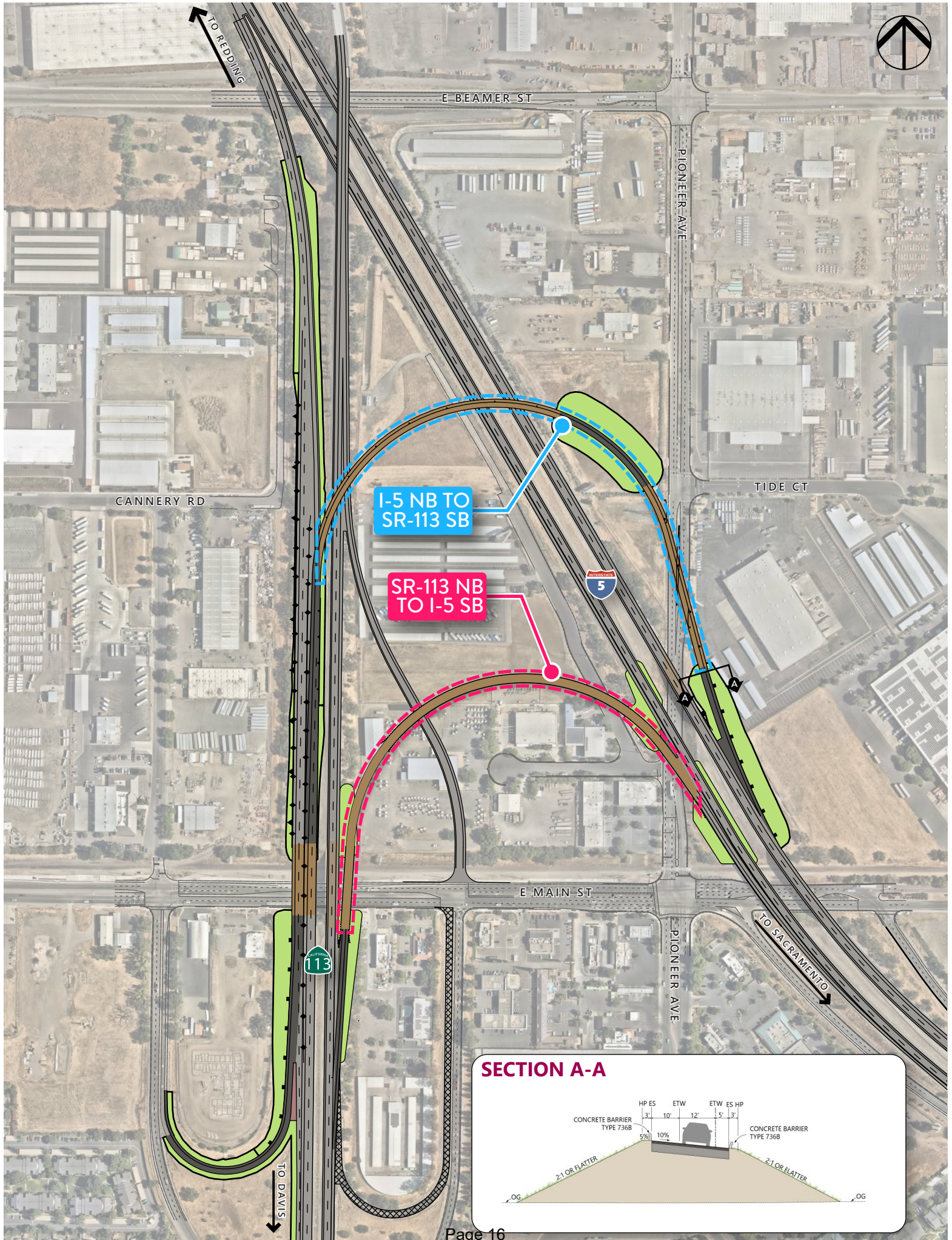
ABSENT:

ABSTAIN:

Tania Garcia-Cadena, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk



COOPERATIVE AGREEMENT COVER SHEET

Work Description

IN WOODLAND, ON INTERSTATE 5 (I-5) TO STATE ROUTE (SR) 113, THIS PROJECT PROPOSES TO CONSTRUCT A NORTHBOUND I-5 TO SOUTHBOUND SR 113 CONNECTOR AND A NORTHBOUND SR 113 TO SOUTHBOUND I-5 CONNECTOR

Contact Information

The information provided below indicates the primary contact information for each PARTY to this AGREEMENT. PARTIES will notify each other in writing of any personnel or location changes. Contact information changes do not require an amendment to this AGREEMENT.

CALTRANS

Gurtej Bhattal, Project Manager
703 B St
Marysville, CA95901
Office Phone: (530) 720-6153
Mobile Phone: (530) 720-6153
Email: gurtej.bhattal@dot.ca.gov

CITY OF WOODLAND

Brent Meyer, Community Development Director / City Engineer
300 First Street
Woodland, CA95695
Office Phone: (530) 661-5947
Mobile Phone: (530) 601-8340
Email: brent.meyer@cityofwoodland.gov

Table of Contents

RIGHT-CLICK AND UPDATE TOC FIELD

COOPERATIVE AGREEMENT

This AGREEMENT, executed on and effective from _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of Woodland, a body politic and municipal corporation or chartered city of the State of California, referred to hereinafter as CITY.

An individual signatory agency in this AGREEMENT is referred to as a PARTY. Collectively, the signatory agencies in this AGREEMENT are referred to as PARTIES.

RECITALS

1. PARTIES are authorized to enter into a cooperative agreement for improvements to the State Highway System (SHS) per the California Streets and Highways Code, Sections 114 and 130.
2. For the purpose of this AGREEMENT, *in Woodland, on Interstate 5 (I-5) to State Route (SR) 113, this project proposes to construct a northbound I-5 to southbound SR 113 connector and a northbound SR 113 to southbound I-5 connector*, will be referred to hereinafter as PROJECT. The PROJECT scope of work is defined in the project initiation and approval documents (e.g. Project Study Report, Design Engineering Evaluation Report, or Project Report).
3. All obligations and responsibilities assigned in this AGREEMENT to complete the following PROJECT COMPONENT will be referred to hereinafter as WORK:
 - PLANS, SPECIFICATIONS, AND ESTIMATE (PS&E)

Each PROJECT COMPONENT is defined in the CALTRANS Workplan Standards Guide as a distinct group of activities/products in the project planning and development process.

4. The term AGREEMENT, as used herein, includes this document and any attachments, exhibits, and amendments.

This AGREEMENT is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between the PARTIES regarding the PROJECT.

PARTIES intend this AGREEMENT to be their final expression that supersedes any oral understanding or writings pertaining to the WORK. The requirements of this AGREEMENT will preside over any conflicting requirements in any documents that are made an express part of this AGREEMENT.

If any provisions in this AGREEMENT are found by a court of competent jurisdiction to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other AGREEMENT provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this AGREEMENT.

Except as otherwise provided in the AGREEMENT, PARTIES will execute a written amendment if there are any changes to the terms of this AGREEMENT.

PARTIES agree to sign a CLOSURE STATEMENT to terminate this AGREEMENT. However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement or expire by the statute of limitations.

5. The following work associated with this PROJECT has been completed or is in progress:

- CITY completed the Project Report on April 6, 2000.
- CITY approved the Negative Declaration on April 6, 2000.
- CITY approved the Finding of No Significant Impact (FONSI) on April 6, 2000.

6. In this AGREEMENT capitalized words represent defined terms, initialisms, or acronyms.

7. PARTIES hereby set forth the terms, covenants, and conditions of this AGREEMENT.

RESPONSIBILITIES

Sponsorship

8. A SPONSOR is responsible for establishing the scope of the PROJECT and securing the financial resources to fund the WORK. A SPONSOR is responsible for securing additional funds when necessary or implementing PROJECT changes to ensure the WORK can be completed with the funds committed in this AGREEMENT.

PROJECT changes, as described in the CALTRANS Project Development Procedures Manual, will be approved by CALTRANS as the owner/operator of the State Highway System.

9. CITY is the SPONSOR for the WORK in this AGREEMENT.

Implementing Agency

10. The IMPLEMENTING AGENCY is the PARTY responsible for managing the scope, cost, schedule, and quality of the work activities and products of a PROJECT COMPONENT.

- CITY is the Plans, Specifications, and Estimate (PS&E) IMPLEMENTING AGENCY.

PS&E includes the development of the plans, specifications, and estimate; obtaining any resource agency permits; and the advertisement/award of the construction contract.

11. CITY will provide a Quality Management Plan (QMP) for the WORK in every PROJECT COMPONENT that they are implementing. The QMP describes the IMPLEMENTING AGENCY's quality policy and how it will be used. The QMP will include a process for resolving disputes between the PARTIES at the team level. The QMP is subject to CALTRANS review and concurrence.

12. Any PARTY responsible for completing WORK will make its personnel and consultants that prepare WORK available to help resolve WORK-related problems and changes for the entire duration of the PROJECT including PROJECT work that may occur under separate agreements.

Funding

13. Funding sources, PARTIES committing funds, funding amounts, and invoicing/payment details are documented in the Funding Summary section of this AGREEMENT.
14. PARTIES will not be reimbursed for costs beyond the funding commitments in this AGREEMENT.
15. Unless otherwise documented in the Funding Summary, overall liability for project costs within a PROJECT COMPONENT, subject to program limitations, will be in proportion to the amount contributed to that PROJECT COMPONENT by each fund type.
16. Unless otherwise documented in the Funding Summary, any savings recognized within a PROJECT COMPONENT will be credited or reimbursed, when allowed by policy or law, in proportion to the amount contributed to that PROJECT COMPONENT by each fund type.
17. WORK costs, except those that are specifically excluded in this AGREEMENT, are to be paid from the funds obligated in the Funding Summary. Costs that are specifically excluded from the funds obligated in this AGREEMENT are to be paid by the PARTY incurring the costs from funds that are independent of this AGREEMENT.

CALTRANS' Quality Management

18. CALTRANS, as the owner/operator of the State Highway System (SHS), will perform quality management work including Quality Management Assessment (QMA) and owner/operator approvals for the portions of WORK within the existing and proposed SHS right-of-way.
19. CALTRANS' Quality Management Assessment (QMA) efforts are to ensure that CITY's quality assurance results in WORK that is in accordance with the applicable standards and the PROJECT's quality management plan (QMP). QMA does not include any efforts necessary to develop or deliver WORK or any validation by verifying or rechecking WORK.

When CALTRANS performs QMA, it does so for its own benefit. No one can assign liability to CALTRANS due to its QMA.
20. CALTRANS, as the owner/operator of the State Highway System, will approve WORK products in accordance with CALTRANS policies and guidance and as indicated in this AGREEMENT.
21. CITY will provide WORK-related products and supporting documentation upon CALTRANS' request for the purpose of CALTRANS' quality management work.

CEQA/NEPA Lead Agency

22. CITY is the CEQA Lead Agency for the PROJECT.
23. CALTRANS is a CEQA Responsible Agency for the PROJECT.
24. CALTRANS is the NEPA Lead Agency for the PROJECT.

Environmental Permits, Approvals and Agreements

25. PARTIES will comply with the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each PARTY's responsibilities in this AGREEMENT.
26. Unless otherwise assigned in this AGREEMENT, the IMPLEMENTING AGENCY for a PROJECT COMPONENT is responsible for all PROJECT COMPONENT WORK associated with coordinating, obtaining, implementing, renewing, and amending the PROJECT permits, agreements, and approvals whether they are identified in the planned project scope of work or become necessary in the course of completing the PROJECT.
27. The PROJECT will not require environmental permits/approvals.

Plans, Specifications, and Estimate (PS&E)

28. As the PS&E IMPLEMENTING AGENCY, CITY is responsible for all PS&E WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.
29. CALTRANS will be responsible for completing the following PS&E activities:

CALTRANS Work Breakdown Structure Identifier (If Applicable)	AGREEMENT Funded Cost
100.15.10.xx Quality Management	NO

30. This AGREEMENT does not include the RIGHT-OF-WAY PROJECT COMPONENT. Completion of PS&E may depend upon completion of some RIGHT-OF-WAY activities. PARTIES acknowledge that the WORK may not result in a product that can be used to advertise and award a contract for the CONSTRUCTION PROJECT COMPONENT without completing some activities under a separate agreement or by later amending this AGREEMENT.
31. CITY will prepare Utility Conflict Maps identifying the accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.

CITY will provide CALTRANS a copy of Utility Conflict Maps for CALTRANS' concurrence prior to issuing the Notices to Owner and executing the utility agreement. All utility conflicts will be addressed in the PROJECT plans, specifications, and estimate.
32. CITY will determine the cost to positively identify and locate, accommodate, protect, relocate, or remove any utility facilities whether inside or outside the State Highway System right-of-way in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements including but not limited to Freeway Master Contracts.

Schedule

33. PARTIES will manage the WORK schedule to ensure the timely use of committed funds and to ensure compliance with any environmental permits, right-of-way agreements, construction contracts, and any other commitments. PARTIES will communicate schedule risks or changes as soon as they are identified and will actively manage and mitigate schedule risks.
34. The IMPLEMENTING AGENCY for each PROJECT COMPONENT will furnish PARTIES with written quarterly progress reports during the completion of the WORK.

Additional Provisions

Standards

35. PARTIES will perform all WORK in accordance with federal and California laws, regulations, and standards; Federal Highway Administration (FHWA) standards; and CALTRANS standards. CALTRANS standards include, but are not limited to, the guidance provided in the:
 - CADD Users Manual
 - CALTRANS policies and directives
 - Plans Preparation Manual
 - Project Development Procedures Manual (PDPM)
 - Workplan Standards Guide
 - Standard Environmental Reference
 - Highway Design Manual
 - Right of Way Manual
 - Stewardship and Oversight Agreement
 - Encroachment Permits Manual

Noncompliant Work

36. CALTRANS retains the right to reject noncompliant WORK. CITY agrees to suspend WORK upon request by CALTRANS for the purpose of protecting public safety, preserving property rights, and ensuring that all WORK is in the best interest of the State Highway System.

Qualifications

37. Each PARTY will ensure that personnel participating in WORK are appropriately qualified or licensed to perform the tasks assigned to them.

Consultant Selection

38. CITY will invite CALTRANS to participate in the selection of any consultants that participate in the WORK.

Encroachment Permits

39. CALTRANS will issue, upon proper application, the encroachment permits required for WORK within State Highway System (SHS) right-of-way. CITY, their contractors, consultants, agents, and

utility owners will not work within the SHS right-of-way without an encroachment permit which specifically allows them to do so. CALTRANS will provide encroachment permits to CITY at no cost. CALTRANS will provide encroachment permits to utility owners at no cost. If the encroachment permit and this AGREEMENT conflict, the requirements of this AGREEMENT will prevail.

40. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will coordinate, prepare, obtain, implement, renew, and amend any encroachment permits needed to complete the WORK.

Protected Resources

41. If any PARTY discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTY will notify all PARTIES within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and CALTRANS approves a plan for its removal or protection.

Disclosures

42. PARTIES will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for the WORK in confidence to the extent permitted by law and where applicable, the provisions of California Government Code, Section 7921.505(c)(5) will protect the confidentiality of such documents in the event that said documents are shared between PARTIES.

PARTIES will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete the WORK without the written consent of the PARTY authorized to release them, unless required or authorized to do so by law.

43. If a PARTY receives a public records request pertaining to the WORK, that PARTY will notify PARTIES within five (5) working days of receipt and make PARTIES aware of any disclosed public records.

Hazardous Materials

44. HM-1 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law, whether it is disturbed by the PROJECT or not.

HM-2 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by the PROJECT.

The management activities related to HM-1 and HM-2, including and without limitation, any necessary manifest requirements and disposal facility designations are referred to herein as HM-1 MANAGEMENT and HM-2 MANAGEMENT respectively.

45. If HM-1 or HM-2 is found, the discovering PARTY will immediately notify all other PARTIES.

46. CALTRANS, independent of the PROJECT, is responsible for any HM-1 found within the existing State Highway System right-of-way. CALTRANS will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

CALTRANS will pay, or cause to be paid, the cost of HM-1 MANAGEMENT for HM-1 found within the existing State Highway System right-of-way with funds that are independent of the funds committed in this AGREEMENT.

47. CITY, independent of the PROJECT, is responsible for any HM-1 found within the PROJECT limits and outside the existing State Highway System right-of-way. CITY will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

CITY will pay, or cause to be paid, the cost of HM-1 MANAGEMENT for HM-1 found within the PROJECT limits and outside of the existing State Highway System right-of-way with funds that are independent of the funds committed in this AGREEMENT.

48. The CONSTRUCTION IMPLEMENTING AGENCY is responsible for HM-2 MANAGEMENT within the PROJECT limits.

CITY and CALTRANS will comply with the Soil Management Agreement for Aerially Deposited Lead Contaminated Soils (Soil Management Agreement) executed between CALTRANS and the California Department of Toxic Substances Control (DTSC). Under Section 3.2 of the Soil Management Agreement, CALTRANS and CITY each retain joint and severable liability for noncompliance with the provisions of the Soil Management Agreement. CITY will assume all responsibilities assigned to CALTRANS in the Soil Management Agreement during PROJECT COMPONENTS for which they are the IMPLEMENTING AGENCY except for final placement and burial of soil within the State right-of-way, per Section 4.5 of the Soil Management Agreement, which is subject to CALTRANS concurrence and reporting to DTSC which will be performed by CALTRANS.

49. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

Claims

50. Any PARTY that is responsible for completing WORK may accept, reject, compromise, settle, or litigate claims arising from the WORK without concurrence from the other PARTY.
51. PARTIES will confer on any claim that may affect the WORK or PARTIES' liability or responsibility under this AGREEMENT in order to retain resolution possibilities for potential future claims. No PARTY will prejudice the rights of another PARTY until after PARTIES confer on the claim.
52. If the WORK expends state or federal funds, each PARTY will comply with the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards of 2 CFR, Part 200. PARTIES will ensure that any for-profit consultant hired to participate in the

WORK will comply with the requirements in 48 CFR, Chapter 1, Part 31. When state or federal funds are expended on the WORK these principles and requirements apply to all funding types included in this AGREEMENT.

Accounting and Audits

53. PARTIES will maintain, and will ensure that any consultant hired by PARTIES to participate in WORK will maintain, a financial management system that conforms to Generally Accepted Accounting Principles (GAAP), and that can properly accumulate and segregate incurred PROJECT costs and billings.
54. PARTIES will maintain and make available to each other all WORK-related documents, including financial data, during the term of this AGREEMENT.

PARTIES will retain all WORK-related records for three (3) years after the final voucher.

PARTIES will require that any consultants hired to participate in the WORK will comply with this Article.

55. PARTIES have the right to audit each other in accordance with generally accepted governmental audit standards.

CALTRANS, the State Auditor, FHWA (if the PROJECT utilizes federal funds), and CITY will have access to all WORK-related records of each PARTY, and any consultant hired by a PARTY to participate in WORK, for audit, examination, excerpt, or transcription.

The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of operation. The auditing PARTY will be permitted to make copies of any WORK-related records needed for the audit.

The audited PARTY will review the draft audit, findings, and recommendations, and provide written comments within thirty (30) calendar days of receipt.

Upon completion of the final audit, PARTIES have forty-five (45) calendar days to refund or invoice as necessary in order to satisfy the obligation of the audit.

Any audit dispute not resolved by PARTIES is subject to mediation. Mediation will follow the process described in the General Conditions section of this AGREEMENT.

56. If the WORK expends state or federal funds, each PARTY will undergo an annual audit in accordance with the Single Audit Act in the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as defined in 2 CFR, Part 200.
57. When a PARTY reimburses a consultant for WORK with state or federal funds, the procurement of the consultant and the consultant overhead costs will be in accordance with the Local Assistance Procedures Manual, Chapter 10.

Interruption of Work

58. If WORK stops for any reason, IMPLEMENTING AGENCY will place the PROJECT right-of-way in a safe and operable condition acceptable to CALTRANS.
59. If WORK stops for any reason, each PARTY will continue with environmental commitments included in the environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, and will keep the PROJECT in environmental compliance until WORK resumes.

Penalties, Judgments and Settlements

60. The cost of awards, judgments, fines, interest, penalties, attorney's fees, and/or settlements generated by the WORK are considered WORK costs.
61. The cost of legal challenges to the environmental process or documentation are considered WORK costs.
62. Any PARTY whose action or lack of action causes the levy of fines, interest, or penalties will indemnify and hold all other PARTIES harmless per the terms of this AGREEMENT.

Project Files

63. CITY will furnish CALTRANS with the Project History Files related to the PROJECT facilities on State Highway System within sixty (60) days following the completion of each PROJECT COMPONENT. CITY will assure that the Project History File is prepared and submitted in compliance with the Project Development Procedures Manual, Chapter 7. All material will be submitted neatly in a three-ring binder and in PDF format.

Environmental Compliance

64. If during performance of WORK additional activities or environmental documentation is necessary to keep the PROJECT in environmental compliance, PARTIES will amend this AGREEMENT to include completion of those additional tasks.

GENERAL CONDITIONS

65. All portions of this AGREEMENT, including the RECITALS section, are enforceable.

Venue

66. PARTIES understand that this AGREEMENT is in accordance with and governed by the Constitution and laws of the State of California. This AGREEMENT will be enforceable in the State of California. Any PARTY initiating legal action arising from this AGREEMENT will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this AGREEMENT resides, or in the Superior Court of the county in which the PROJECT is physically located.

Exemptions

67. All CALTRANS' obligations and commitments under this AGREEMENT are subject to the appropriation of resources by the Legislature, the State Budget Act authority, programming and allocation of funds by the California Transportation Commission (CTC).

Indemnification

68. Neither CALTRANS nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY under this AGREEMENT. It is understood and agreed that CITY, to the extent permitted by law, will defend, indemnify, and save harmless CALTRANS and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under this AGREEMENT.
69. Neither CITY nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this AGREEMENT. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under this AGREEMENT.

Non-parties

70. PARTIES do not intend this AGREEMENT to create a third- party beneficiary or define duties, obligations, or rights for entities in PARTIES not signatory to this AGREEMENT. PARTIES do not intend this AGREEMENT to affect their legal liability by imposing any standard of care for fulfilling the WORK different from the standards imposed by law.
71. PARTIES will not assign or attempt to assign obligations to entities not signatory to this AGREEMENT without an amendment to this AGREEMENT.

Ambiguity and Performance

72. Neither PARTY will interpret any ambiguity contained in this AGREEMENT against the other PARTY. PARTIES waive the provisions of California Civil Code, Section 1654.

A waiver of a PARTY's performance under this AGREEMENT will not constitute a continuous waiver of any other provision.

73. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

Defaults

74. If any PARTY defaults in its performance of the WORK, a non-defaulting PARTY will request in writing that the default be remedied within thirty (30) calendar days. If the defaulting PARTY fails to do so, the non-defaulting PARTY may initiate dispute resolution.

Dispute Resolution

75. PARTIES will first attempt to resolve AGREEMENT disputes at the PROJECT team level as described in the Quality Management Plan. If they cannot resolve the dispute themselves, the CALTRANS District Director and the Executive Officer of CITY will attempt to negotiate a resolution. If PARTIES do not reach a resolution, PARTIES' legal counsel will initiate mediation. PARTIES agree to participate in mediation in good faith and will share equally in its costs.

Neither the dispute nor the mediation process relieves PARTIES from full and timely performance of the WORK in accordance with the terms of this AGREEMENT. However, if any PARTY stops fulfilling its obligations, any other PARTY may seek equitable relief to ensure that the WORK continues.

Except for equitable relief, no PARTY may file a civil complaint until after mediation, or forty-five (45) calendar days after filing the written mediation request, whichever occurs first.

PARTIES will file any civil complaints in the Superior Court of the county in which the CALTRANS District Office signatory to this AGREEMENT resides or in the Superior Court of the county in which the PROJECT is physically located.

76. PARTIES maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

Prevailing Wage

77. When WORK falls within the Labor Code § 1720(a)(1) definition of "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code § 1771, PARTIES will conform to the provisions of Labor Code §§ 1720-1815, and all applicable provisions of California Code of Regulations, Title 8, Division 1, Chapter 8, Subchapter 3, Articles 1-7. PARTIES will include prevailing wage requirements in contracts for public work and require contractors to include the same prevailing wage requirements in all subcontracts.

Work performed by a PARTY's own employees is exempt from the Labor Code's Prevailing Wage requirements.

If WORK is paid for, in whole or part, with federal funds and is of the type of work subject to federal prevailing wage requirements, PARTIES will conform to the provisions of the Davis-Bacon and Related Acts, 40 U.S.C. §§ 3141-3148.

When applicable, PARTIES will include federal prevailing wage requirements in contracts for public works. WORK performed by a PARTY's employees is exempt from federal prevailing wage requirements.

FUNDING SUMMARY

FUNDING TABLE				
<u>IMPLEMENTING AGENCY:</u>			<u>CITY</u>	
Source	Party	Fund Type	PS&E	Totals
FEDERAL	CITY	HIP (80%)	1,050,000	1,050,000
LOCAL	CITY	Local ^M	262,500	262,500
Totals			1,312,500	1,312,500

^MUsed as non-federal match.

SPENDING TABLE			
	PS&E		
Fund Type	CALTRANS	<u>CITY</u>	Totals
HIP	0	1,050,000	1,050,000
Local	0	262,500	262,500
Totals	0	1,312,500	1,312,500

Funding

78. If there are insufficient funds available in this AGREEMENT to place the PROJECT right-of-way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY will fund these activities until such time as PARTIES amend this AGREEMENT.

That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

79. If there are insufficient funds in this AGREEMENT to implement the obligations and responsibilities of this AGREEMENT, including the applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, each PARTY accepts responsibility to fund their respective WORK until such time as PARTIES amend this AGREEMENT.

Each PARTY may request reimbursement for these costs during the amendment process.

80. The cost of any engineering support performed by CALTRANS includes all direct and applicable indirect costs. CALTRANS calculates indirect costs based solely on the type of funds used to pay support costs. State and federal funds administered by CALTRANS are subject to the current Program Functional Rate. All other funds are subject to the current Program Functional Rate and the current Administration Rate. The Program Functional Rate and Administration Rate are adjusted periodically.

In accordance with California law, the Administration Rate is capped at 10 percent for Self-Help Counties with a countywide sales tax measure dedicated to transportation improvements.

81. If the WORK is funded with state or federal funds, any PARTY seeking CALTRANS reimbursement of indirect costs must submit an indirect cost rate proposal and central service cost allocation plan (if any) in accordance with Local Assistance Procedures Manual, 2 CFR, Part 200 and Chapter 5. These documents are to be submitted annually to CALTRANS' Audits and Investigations for review and acceptance prior to CALTRANS' reimbursement of indirect costs.

82. Travel, per diem, and third-party contract reimbursements for WORK are to be paid from the funds in this AGREEMENT only after the contractor performs the work and incurs said costs.

Payments for travel and per diem will not exceed the rates paid rank and file state employees under current California Department of Human Resources (CalHR) rules current at the effective date of this AGREEMENT.

If CITY invoices for rates in excess of CalHR rates, CITY will fund the cost difference and reimburse CALTRANS for any overpayment.

83. In accordance with the CALTRANS Federal-Aid Project Funding Guidelines, PARTIES must obtain approval from the Federal Highway Administration prior to any PROJECT funding changes that that will change the federal share of funds.

Invoicing and Payment

84. PARTIES will invoice for funds where the SPENDING TABLE shows that one PARTY provides funds for use by another PARTY. PARTIES will pay invoices within forty-five (45) calendar days of receipt of invoice when not paying with Electronic Funds Transfer (EFT). When paying with EFT, CITY will pay invoices within five (5) calendar days of receipt of invoice.
85. When a PARTY is reimbursed for actual cost, invoices will be submitted each month for the prior month's expenditures. After all PROJECT COMPONENT WORK is complete, PARTIES will submit a final accounting of all PROJECT COMPONENT costs. Based on the final accounting, PARTIES will invoice or refund as necessary to satisfy the financial commitments of this AGREEMENT.
86. If an executed Program Supplement Agreement (PSA) or STIP Planning, Programming, and Monitoring Program Fund Transfer Agreement (PPM) exists for this PROJECT then CITY will abide by the billing and payment conditions detailed for the fund types identified in the PSA or PPM.
87. If CALTRANS reimburses CITY for any costs later determined to be unallowable, CITY will reimburse those funds.

Plans, Specifications, and Estimate (PS&E)

88. CITY will invoice and CALTRANS will reimburse for actual costs incurred and paid.

SIGNATURES

PARTIES are authorized to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and hereby covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT. By signing below, the PARTIES each expressly agree to execute this AGREEMENT electronically.

The PARTIES acknowledge that executed copies of this AGREEMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

**STATE OF CALIFORNIA
DEPARTMENT OF
TRANSPORTATION**

CITY OF WOODLAND

Greg Wong
Deputy District Director, D3 Program,
Project and Asset Management

Ken Hiatt
City Manager

Verification of Funds and Authority:

Attest:

TBD
District Project Control Officer

Ana Gonzalez
City Clerk

**Certified as to financial terms and
policies:**

DRAFT Agreement No. 03-0843
Project No.: 0300000430
EA: 03-37422
03-YOL-5-6.40/6.80

Nadine Karavan
HQ Accounting Supervisor

Kim McKinney
Administrative Services Director



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: G.6
SUBJECT: Comprehensive Zoning Code - Second Reading

Recommendation for Action: Staff recommends that the City Council conduct a second reading and adopt Ordinance No. 1722 (Attachment 1) repealing the Interim Zoning Ordinance, repealing Title 17 (Zoning) of the Woodland Municipal Code and enacting the updated Comprehensive Zoning Code and associated Zoning Map.

Staff Contact:

Erika Bumgardner, Deputy Community Development Director, (530) 661-5886,
erika.bumgardner@cityofwoodland.gov

Fiscal Impact:

The Zoning Code and CEQA Update Project (CIP#07-07) was established in 2007 with \$100,000 to fund Zoning Code and CEQA updates. Since 2007, limited code updates and preparation of the Interim Zoning Update have utilized project funds (CIP#07-07). In 2017, the State Department of Housing and Community Development (HCD) initiated the Planning Grants Program intended for the preparation, adoption and implementation of plans to streamline housing approvals and accelerate housing production. The City of Woodland initiated a Comprehensive Zoning Code (CZC) Update and received two Planning Grants from HCD, SB2 funds in 2019, for \$310,000, and LEAP grant funds in 2020, for \$300,000. Additionally, the City received \$85,000 in REAP grant funds from SACOG. Total funds allocated to the CZC project are \$655,624.

On September 3, 2019, the City entered into a professional services contract with Lisa Wise Consulting, Inc. for \$358,610 to prepare the CZC update. On October 15, 2020, a Second Amendment to the contract was approved to add \$36,160 to the original contract for an overall contract amount of \$394,770. A fourth amendment reallocated grant funds in the amount of \$130,830 to the contract with Lisa Wise Consulting, Inc., resulting in an overall contract amount of \$525,600 to complete the CZC project.

Background:

On June 4, 2024, the City Council introduced and waived the first reading of an Ordinance repealing the Interim Zoning Ordinance, repealing Title 17 (Zoning) of the Woodland Municipal Code and enacting the updated Comprehensive Zoning Code (CZC) and associated Zoning Map.

The Zoning Ordinance is one of the most important tools for implementing the City's 2035 General Plan. While the General Plan provides broad land use classifications, zoning is more specific and may allow multiple zones per single general plan land use category as long as the intensity and density of development are consistent with the General Plan. Zoning translates general policies into more specific regulations and standards.

For the period immediately following adoption of the General Plan, the city adopted a stand-alone Interim Zoning Ordinance (IZO) to address areas of land use inconsistency between the newly adopted General Plan and Zoning for the commercial, industrial and mixed-use zones. The IZO incorporates new standards and practices that have guided much of the new development that has occurred since 2018. The IZO has generally been considered successful and the CZC has built upon

the best elements and lessons learned through use of the IZO.

The goal of the CZC update is to facilitate new desired development through the provision of clear and understandable standards, guidelines, and procedures. The CZC includes an updated development review process to assist residents, development partners, staff and decision makers to allow qualified development proposals expedited review, thereby helping to reduce the front-end design/development costs particularly for new housing projects and for new or expanding businesses. A critical purpose for the update is to ensure that the CZC addresses numerous legislative updates and requirements. Since 2017, the State of California has passed a significant amount of legislation relating to housing with a primary emphasis on streamlining the production of new housing and removing barriers. Grants from the State Department of Housing and Community Development (HCD) have assisted in funding the CZC update and require the new code to utilize objective design standards that clearly articulate development standards and minimize the review process for housing projects. Objective standards have also been provided for commercial, mixed use and industrial developments in the CZC to clarify desired site and building design expectations and provide certainty through the review process.

Environmental Review

In May 2017, the City Council adopted the City of Woodland 2035 General Plan and certified the related Environmental Impact Report (Final EIR), State Clearinghouse Number 2013032015. Under CEQA Guidelines section 15162, a subsequent EIR need not be prepared unless the lead agency determines one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The Zoning Code Update, in and of itself, does not propose specific development projects, but rather codifies zoning rules, processes, and procedures that guide future growth in Woodland. The proposed General Plan text and land use map amendments do not include any new goals, policies, or implementation actions, or otherwise authorize new uses or development of land. Each future development project would be subject to separate review to determine potential impacts on the environment related to each project as potential impacts are location-specific and cannot be assessed in a meaningful way until a project site and development proposal are identified. When a specific development proposal is considered for approval, that project would be subject to adopted development guidelines and standards outlined in the Zoning Code and be required to incorporate applicable mitigation measures, alternatives and/or uniformly applied policies developed in the 2035

General Plan EIR certified in 2017 (in accordance with *CEQA Guidelines* Section 15168[c]). If a subsequent activity (in this case a specific development proposal that requires discretionary approval) would have effects not identified in the program EIR (the 2035 General Plan EIR and this Addendum), the lead agency must prepare additional CEQA documentation.

The Addendum Evaluation prepared for the Comprehensive Zoning Code update and related General Plan Amendments (Attachment 9), includes the analysis of the changes and potential impacts related to the adoption of the Zoning Code Update. The Addendum evaluation demonstrates the project's consistency with the existing Woodland 2035 General Plan and Final EIR to satisfy the requirements of CEQA. No substantial changes are proposed in the Comprehensive Zoning Code update and related General Plan Amendments, and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in *CEQA Guidelines* Section 15162(a)(3). Therefore, the previously certified 2035 General Plan EIR is adequate and the Addendum Evaluation serves as an addendum to the 2035 General Plan Final Environmental Impact Report (General Plan FEIR).

Conclusion:

Staff recommends that the City Council conduct a second reading and adopt Ordinance No. 1722 (Attachment 1) repealing the Interim Zoning Ordinance, repealing Title 17 (Zoning) of the Woodland Municipal Code and enacting the updated Comprehensive Zoning Code and associated Zoning Map.

Prepared by: Erika Bumgardner, Deputy Community Development Director

A handwritten signature in black ink, appearing to read 'Ken Hiatt', with a long horizontal flourish extending to the right.

Ken Hiatt
City Manager

Attachments:

1. Ordinance No. 1722
2. Comprehensive Zoning Code
3. CEQA Addendum

ORDINANCE NO. 1722

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND (1) REPEALING THE INTERIM ZONING CODE, (2) REPEALING AND REENACTING TITLE 17 (ZONING) OF THE CITY OF WOODLAND MUNICIPAL CODE, AND (3) REPEALING AND REENACTING THE CITY OF WOODLAND ZONING MAP (COMPREHENSIVE ZONING CODE AND ZONING MAP UPDATE)

WHEREAS, the Woodland City Council adopted the 2035 General Plan on May 16, 2017. The 2035 General Plan involved a comprehensive update with new goals and policies, changes to the General Plan Land Use Map and creation of new land use designations; and

WHEREAS, on May 16, 2017, through adoption of Resolution No. 6835, the City Council certified the Final Environmental Impact Report (EIR) (SCH 2013032015) for the 2035 General Plan and Climate Action Plan, including: (1) certification of the Final EIR; (2) adoption of California Environmental Quality Act (CEQA) findings for significant environmental impacts and a statement of overriding considerations; and (3) adoption of the Mitigation Monitoring and Reporting Program (MMRP); and

WHEREAS, on March 21, 2023, the Woodland City Council adopted the 6th Cycle Housing Element for the City of Woodland, which was later certified by the State Department of Housing and Community Development on April 28, 2023; and

WHEREAS, given the adoption of the 2035 General Plan and Housing Elements, the current Zoning Code (Title 17 of the Woodland Municipal Code) and Zoning Map require a comprehensive update to be consistent with the 2035 General Plan and Housing Element implementation measures; and

WHEREAS, on May 18, 2018, through adoption of Ordinance No. 1634, the City Council adoption an Interim Zoning Ordinance to resolve inconsistencies between the current Zoning Code and the General Plan and to provide clarity regarding applicable zoning standards relating to allowed, conditionally allowed or prohibited uses and site development requirements. The Interim Zoning Ordinance was later updated on April 17, 2020 (Ordinance No. 1661). The Interim Zoning Ordinance does not apply to all zones throughout the city, nor does it address citywide development standards; and

WHEREAS, given the age and disorganization and outdated condition of the current Zoning Code, the City determined that a comprehensive update and overhaul of the Zoning Code was necessary, as opposed to specific amendments implementing the 2035 General Plan; and

WHEREAS, the City has identified refinements to reinforce the intent and purpose of the Corridor Mixed Use General Plan Land Use designation, which is described on page 2-38 of the Land Use, Community Design and Historic Preservation Element of the General Plan; and

WHEREAS, during the Comprehensive Zoning Code and Zoning Map update project, it was discovered that amendments to the General Plan Land Use Map are necessary to reflect the recommendations and proposed zoning designations associated with the Comprehensive Zoning Code update; and

WHEREAS, on September 19, 2023, the Public Review Draft of the Comprehensive Update to the Zoning Code and Zoning Map and the 2035 General Plan and Land Use Map Amendments were released for public review and posted on the City's web site. Notification of the availability of draft documents was published in the Woodland Daily Democrat, an email was sent to the interested parties list

that the Public Review Draft was available, and notice of proposed zoning and land use changes was sent to each of the property owners directly affected by the amendments; and

WHEREAS, in September and October 2023, the City held seven public hearings and/or public workshops to provide information regarding the Public Review Draft Comprehensive Zoning Code and Zoning Map update and related 2035 General Plan and Land Use Map amendments, and to take comments and feedback from the community and local stakeholders prior to preparing the Final Hearing Draft Comprehensive Zoning Code; and

WHEREAS, in April 2024, the Final Hearing Draft Comprehensive Zoning Code and Zoning Map were made available online and information regarding the availability of documents was shared through mail, email, social media posts, and through publication in the Woodland Daily Democrat; and

WHEREAS, the proposed amendments to the 2035 General Plan and Land Use Map, and the proposed Comprehensive Zoning Code and Zoning Map were reviewed for applicable CEQA tiering exemptions, for which findings are provided below; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on May 16, 2024, as required by law to consider all of the information presented by staff and public testimony presented in writing and at the meeting, and voted 6-1 to adopt a Resolution, recommending City Council adopt the Comprehensive Zoning Code Update with minor amendments including allowing for nonconforming use expansion in the CMU-Armfield zone, associated Zoning Map, related General Plan and Land Use map amendments, and to repeal the Interim Zoning Code and Downtown Specific Plan; and

WHEREAS, a Notice of Public Hearing was duly published in the Woodland Daily Democrat on May 26, 2024, providing notice of the City Council's June 4, 2024, public hearing regarding the Comprehensive Zoning Code, Zoning Map and related actions including amendments to the General Plan and Land Use Map and repeal of the Downtown Specific Plan and Interim Zoning Ordinance; and

WHEREAS, The City Council considered the entire administrative record, including the staff report, the General Plan 2040, the comprehensive zoning update to the Zoning Ordinance and Zoning Map and associated amendments to the Woodland 2035 General Plan.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Woodland does hereby ordain as follows:

Section 1: Recitals

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

Section 2: Findings for Zoning Ordinance Amendment

Pursuant to Woodland Municipal Code 17.04.030, the City Council finds that the comprehensive update to the Zoning Ordinance promotes the health, safety, comfort, and general welfare, provides a plan for sound and orderly development, and ensures social and economic stability within the various zones.

The comprehensive update to the Zoning Ordinance is consistent with the 2035 General Plan and Climate Action Plan, and conforms to the requirements of State planning and zoning laws. This comprehensive update to the Zoning Ordinance and Zoning Map implements all applicable goals and policies of the City's 2035 General Plan that relate to development on real property throughout the City.

The Zoning Ordinance update is consistent with good zoning and planning practices and will allow the City to implement the community goals, objectives, and policies of the 2035 General Plan and Climate Action Plan through regulation of land uses and development on real property throughout the City.

Section 3: Environmental Review

The City Council finds that no substantial changes are proposed in the Comprehensive Zoning Code update (**Exhibit A**), Zoning Map (**Exhibit B**) and related 2035 General Plan text and Land Use Map amendments resulting in new or unanticipated levels of development that were not previously identified in the 2035 General Plan Final EIR, and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in *CEQA Guidelines* Section 15162(a)(3). Therefore, the previously certified 2035 General Plan EIR is adequate and the Addendum Evaluation (**Exhibit C**) serves as an addendum to the 2035 General Plan Final Environmental Impact Report (General Plan FEIR).

Section 4: Repeals

Title 17 of the Woodland Municipal Code (entitled "Zoning") is hereby repealed in its entirety.

The Woodland Zoning Map is hereby repealed in its entirety.

The Interim Zoning Ordinance 2020 is hereby repealed in its entirety.

Section 5: Adoption of the New Zoning Ordinance

The new Zoning Ordinance, identified as Exhibit A attached and incorporated hereto, is hereby adopted in its entirety as Title 17 of the Woodland Municipal Code.

Section 6: Adoption of the New Zoning Map

The new Zoning Map is hereby adopted, identified as Exhibit B attached and incorporated hereto.

Section 7: Effect of Repeals or Amendments

Any such repealed or superseded part of the Woodland Municipal Code as provided in this Ordinance will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

Section 8: Severability

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

Section 9: Mandatory Duty of Care

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within

or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 10: Effective Date

This Ordinance shall take effect thirty (30) days after its passage by the City Council and following the affirmative vote of a majority of the members of the City Council. Within 15 days of its adoption, a summary of the ordinance shall be published in a newspaper of general circulation in the City of Woodland, State of California, which summary shall include the names of those Council Members voting for and against the ordinance. A certified copy of the full text of such adopted ordinance or amendment shall be on file in the office of the City Clerk.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Woodland, California on the 4th day of June, 2024, and thereafter **PASSED, APPROVED AND ADOPTED** by the City Council of the City of Woodland at a regular meeting of the City Council held on the _____, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Tania Garcia-Cadena, Mayor

ATTEST:

Ana B. Gonzalez, MMC, City Clerk

APPROVED AS TO FORM:

Ethan Walsh, City Attorney

Exhibit A – Comprehensive Zoning Code

Exhibit B – Zoning Map

Exhibit C – CEQA Addendum

Exhibit A – Comprehensive Zoning Code

[Insert Comprehensive Zoning Code]

Available Online: <https://www.cityofwoodland.gov/DocumentCenter/View/11030/Combined-Full-Code-Cover-through-Division-5?bidId=>

Draft Comprehensive Zoning Map

WOODLAND
CALIFORNIA

4/30/2024 DRAFT

Legend:

- Residential Low
- Neighborhood Preservation
- Residential Low-Medium
- Residential Medium
- Residential High
- Downtown-Core, DK-1
- Downtown-Core, DK-2
- Downtown-Transitional, DK-3
- Downtown-Gateway, DK-4
- Corridor Mixed Use-West Main
- Mixed Use-East St
- Corridor Mixed Use-Kentucky
- Corridor Mixed Use-Armfield
- Corridor Mixed Use-Flex
- Community Commercial Mixed Use
- Neighborhood Mixed Use
- Regional Commercial Flex
- Regional Commercial
- Industrial Flex
- Industrial General
- Public Facilities
- Open Space
- Flood Study Area
- Southeast Area Specific Plan
- Spring Lake Specific Plan
- City Boundary

Map Labels:

CR 99, CR 102, CR 103, CR 104, CR 105, CR 106, CR 107, CR 108, CR 109, CR 110, CR 111, CR 112, CR 113, CR 114, CR 115, CR 116, CR 117, CR 118, CR 119, CR 120, CR 121, CR 122, CR 123, CR 124, CR 125, CR 126, CR 127, CR 128, CR 129, CR 130, CR 131, CR 132, CR 133, CR 134, CR 135, CR 136, CR 137, CR 138, CR 139, CR 140, CR 141, CR 142, CR 143, CR 144, CR 145, CR 146, CR 147, CR 148, CR 149, CR 150, CR 151, CR 152, CR 153, CR 154, CR 155, CR 156, CR 157, CR 158, CR 159, CR 160, CR 161, CR 162, CR 163, CR 164, CR 165, CR 166, CR 167, CR 168, CR 169, CR 170, CR 171, CR 172, CR 173, CR 174, CR 175, CR 176, CR 177, CR 178, CR 179, CR 180, CR 181, CR 182, CR 183, CR 184, CR 185, CR 186, CR 187, CR 188, CR 189, CR 190, CR 191, CR 192, CR 193, CR 194, CR 195, CR 196, CR 197, CR 198, CR 199, CR 200, CR 201, CR 202, CR 203, CR 204, CR 205, CR 206, CR 207, CR 208, CR 209, CR 210, CR 211, CR 212, CR 213, CR 214, CR 215, CR 216, CR 217, CR 218, CR 219, CR 220, CR 221, CR 222, CR 223, CR 224, CR 225, CR 226, CR 227, CR 228, CR 229, CR 230, CR 231, CR 232, CR 233, CR 234, CR 235, CR 236, CR 237, CR 238, CR 239, CR 240, CR 241, CR 242, CR 243, CR 244, CR 245, CR 246, CR 247, CR 248, CR 249, CR 250, CR 251, CR 252, CR 253, CR 254, CR 255, CR 256, CR 257, CR 258, CR 259, CR 260, CR 261, CR 262, CR 263, CR 264, CR 265, CR 266, CR 267, CR 268, CR 269, CR 270, CR 271, CR 272, CR 273, CR 274, CR 275, CR 276, CR 277, CR 278, CR 279, CR 280, CR 281, CR 282, CR 283, CR 284, CR 285, CR 286, CR 287, CR 288, CR 289, CR 290, CR 291, CR 292, CR 293, CR 294, CR 295, CR 296, CR 297, CR 298, CR 299, CR 300, CR 301, CR 302, CR 303, CR 304, CR 305, CR 306, CR 307, CR 308, CR 309, CR 310, CR 311, CR 312, CR 313, CR 314, CR 315, CR 316, CR 317, CR 318, CR 319, CR 320, CR 321, CR 322, CR 323, CR 324, CR 325, CR 326, CR 327, CR 328, CR 329, CR 330, CR 331, CR 332, CR 333, CR 334, CR 335, CR 336, CR 337, CR 338, CR 339, CR 340, CR 341, CR 342, CR 343, CR 344, CR 345, CR 346, CR 347, CR 348, CR 349, CR 350, CR 351, CR 352, CR 353, CR 354, CR 355, CR 356, CR 357, CR 358, CR 359, CR 360, CR 361, CR 362, CR 363, CR 364, CR 365, CR 366, CR 367, CR 368, CR 369, CR 370, CR 371, CR 372, CR 373, CR 374, CR 375, CR 376, CR 377, CR 378, CR 379, CR 380, CR 381, CR 382, CR 383, CR 384, CR 385, CR 386, CR 387, CR 388, CR 389, CR 390, CR 391, CR 392, CR 393, CR 394, CR 395, CR 396, CR 397, CR 398, CR 399, CR 400, CR 401, CR 402, CR 403, CR 404, CR 405, CR 406, CR 407, CR 408, CR 409, CR 410, CR 411, CR 412, CR 413, CR 414, CR 415, CR 416, CR 417, CR 418, CR 419, CR 420, CR 421, CR 422, CR 423, CR 424, CR 425, CR 426, CR 427, CR 428, CR 429, CR 430, CR 431, CR 432, CR 433, CR 434, CR 435, CR 436, CR 437, CR 438, CR 439, CR 440, CR 441, CR 442, CR 443, CR 444, CR 445, CR 446, CR 447, CR 448, CR 449, CR 450, CR 451, CR 452, CR 453, CR 454, CR 455, CR 456, CR 457, CR 458, CR 459, CR 460, CR 461, CR 462, CR 463, CR 464, CR 465, CR 466, CR 467, CR 468, CR 469, CR 470, CR 471, CR 472, CR 473, CR 474, CR 475, CR 476, CR 477, CR 478, CR 479, CR 480, CR 481, CR 482, CR 483, CR 484, CR 485, CR 486, CR 487, CR 488, CR 489, CR 490, CR 491, CR 492, CR 493, CR 494, CR 495, CR 496, CR 497, CR 498, CR 499, CR 500, CR 501, CR 502, CR 503, CR 504, CR 505, CR 506, CR 507, CR 508, CR 509, CR 510, CR 511, CR 512, CR 513, CR 514, CR 515, CR 516, CR 517, CR 518, CR 519, CR 520, CR 521, CR 522, CR 523, CR 524, CR 525, CR 526, CR 527, CR 528, CR 529, CR 530, CR 531, CR 532, CR 533, CR 534, CR 535, CR 536, CR 537, CR 538, CR 539, CR 540, CR 541, CR 542, CR 543, CR 544, CR 545, CR 546, CR 547, CR 548, CR 549, CR 550, CR 551, CR 552, CR 553, CR 554, CR 555, CR 556, CR 557, CR 558, CR 559, CR 560, CR 561, CR 562, CR 563, CR 564, CR 565, CR 566, CR 567, CR 568, CR 569, CR 570, CR 571, CR 572, CR 573, CR 574, CR 575, CR 576, CR 577, CR 578, CR 579, CR 580, CR 581, CR 582, CR 583, CR 584, CR 585, CR 586, CR 587, CR 588, CR 589, CR 590, CR 591, CR 592, CR 593, CR 594, CR 595, CR 596, CR 597, CR 598, CR 599, CR 600, CR 601, CR 602, CR 603, CR 604, CR 605, CR 606, CR 607, CR 608, CR 609, CR 610, CR 611, CR 612, CR 613, CR 614, CR 615, CR 616, CR 617, CR 618, CR 619, CR 620, CR 621, CR 622, CR 623, CR 624, CR 625, CR 626, CR 627, CR 628, CR 629, CR 630, CR 631, CR 632, CR 633, CR 634, CR 635, CR 636, CR 637, CR 638, CR 639, CR 640, CR 641, CR 642, CR 643, CR 644, CR 645, CR 646, CR 647, CR 648, CR 649, CR 650, CR 651, CR 652, CR 653, CR 654, CR 655, CR 656, CR 657, CR 658, CR 659, CR 660, CR 661, CR 662, CR 663, CR 664, CR 665, CR 666, CR 667, CR 668, CR 669, CR 670, CR 671, CR 672, CR 673, CR 674, CR 675, CR 676, CR 677, CR 678, CR 679, CR 680, CR 681, CR 682, CR 683, CR 684, CR 685, CR 686, CR 687, CR 688, CR 689, CR 690, CR 691, CR 692, CR 693, CR 694, CR 695, CR 696, CR 697, CR 698, CR 699, CR 700, CR 701, CR 702, CR 703, CR 704, CR 705, CR 706, CR 707, CR 708, CR 709, CR 710, CR 7

Exhibit E – CEQA Addendum

[Insert CEQA Addendum]

City of Woodland Comprehensive Zoning Code

Adopted June 2024

Prepared for:

City of Woodland
300 First Street
Woodland, CA 95695

Prepared by:



Lisa Wise Consulting, Inc.
983 Osos Street
San Luis Obispo, CA 93401



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17.04.010 Title

Title 17 of the Woodland Municipal Code shall be known and cited as the “Zoning Code” or “Code.”

17.04.020 Authority

The Woodland Zoning Code is adopted in compliance with the authority contained in California Government Code § 65850.

17.04.030 Purpose

The Zoning Code is enacted in order to promote the public health, safety, comfort, and general welfare, to provide a plan for sound and orderly development, and to ensure social and economic stability within the various zones established by the provisions of this Title. More specifically, the Code is adopted to achieve the following objectives:

- A. Provide standards for the orderly growth and development of the City, and guide and control the use of land to provide a safe, harmonious, attractive, and sustainable community.
- B. Achieve the arrangement of land uses depicted in the Woodland General Plan, consistent with the goals and policies of the General Plan.
- C. Enhance the appearance of the City and promote high-quality design.
- D. Preserve and enhance the quality of life and character of residential neighborhoods.
- E. Incorporate sustainability practices and ensure climate resiliency.
- F. Promote economic growth and the creation of jobs.
- G. Promote compact development patterns, mixed land use, and higher-development intensities that conserve land resources, reduce vehicle trips, improve air quality, and facilitate walking, bicycling, and transit use.

- H. Facilitate the appropriate location of community facilities, institutions, transportation, and parks and recreation areas.
- I. Allow for public participation in government decision-making regarding land use and development in a manner consistent with State law.
- J. Define the duties and power of administrative bodies and officers responsible for implementing the Code.

17.04.040 Relationship to the General Plan

This Code implements the goals and policies of the Woodland General Plan by regulating the use of land and structures within the City. This Code and the General Plan shall be consistent with one another. Any permit, license, or approval issued in compliance with this Code must be consistent with the General Plan and all applicable Specific Plans. In any case where there is a conflict between this Code and the General Plan, the General Plan shall control.

17.04.050 Applicability

- A. **Applicability to Property.** This Code shall apply, to the extent allowed by law, to all property within the corporate limits of the City and to property for which applications for annexation and/or subdivisions have been submitted to the City, including all uses, structures, and land owned by any private person, firm, corporation, or organization, or the City or other local, State, or federal agencies. Any governmental agency shall be exempt from the provisions of this Code only to the extent that such property may not be lawfully regulated by the City.
- B. **Requirements.** The provisions of this Code shall establish requirements for the promotion of the public health, safety, and general welfare. Where this Code provides for more discretion on the part of a City official or body, that discretion may be exercised to impose more stringent requirements than set forth in this Code as may be necessary to promote orderly land use development and the purposes of this Code.
- C. **Compliance with Regulations.** No land shall be used, and no structure shall be constructed, occupied, enlarged, altered, demolished, or moved in any zone, except in accordance with the provisions of this Code, including the development and performance standards herein, and any permit issued in compliance hereto. The temporary or transitory nature of a use does not exempt it from this requirement.
- D. **Conflicting Regulations.** The regulations of this Code and requirements or conditions imposed in compliance with this Code shall not supersede any other regulations or requirements adopted or imposed by the City Council, the State of California, or any federal agency that has jurisdiction by law over uses and projects authorized by this Code. All uses and projects authorized by this Code shall comply with all other such regulations and requirements. Where conflict occurs between the provisions of the Code and any other City ordinance, resolution, or regulation, the more restrictive provision shall control.
- E. **Private Agreements.** This Code shall not interfere with or annul any recorded easement, covenant, or other agreement now in effect, provided that where this Code imposes greater

restriction than imposed by an easement, covenant, or agreement, this Code shall control. The City shall not be responsible for monitoring or enforcing private agreements.

- F. **Prior Ordinance.** The provisions of this Code supersede all prior ordinances codified in Title 17 of the Woodland Municipal Code and any amendments. No provisions of this Code shall validate any land use or structure established, constructed, or maintained in violation of the prior Zoning Code, unless such validation is specifically authorized by this Code and is in conformance with all other regulations.
- G. **Effect on Previously Approved Projects and Projects in Progress.**
1. **Building Permit.** Any building or structure for which a Building Permit (see Building Permit, 17.100.130) has been issued may be completed and used in accordance with the plans, specifications, and permits on which the Building Permit was granted, provided at least one inspection has been requested and posted for the primary structure on the site where the permit is issued and provided construction is diligently pursued. No extensions of time except as provided for in the Building Code shall be granted for commencement of construction unless the applicant has secured an allowed permit extension from the Planning Division.
 2. **Previously Approved Land Use Authorization.** This Zoning Code shall not interfere with, repeal, abrogate, or annul any previously granted land use authorization. All allowances, requirements, and conditions of approval of previous land use authorizations shall apply until the applicable review authority specifically repeals the allowance, requirement, or condition.
 3. **Land Use Authorization in Process.** An application for a discretionary land use authorization that has been accepted by the Planning Division as complete for processing prior to the adoption of this Code or any applicable amendment shall be processed according to the requirements of this Zoning Code or the prior Code upon written request from the project applicant. The written request shall be made no later than 30 days after the Effective Date of this Zoning Code and entitlement(s) are diligently pursued.
- H. **Application During Local Emergency.** The City Council may authorize a deviation from a provision of this Code during a local emergency declared and ratified in accordance with the Woodland Municipal Code. The City Council may authorize a deviation by resolution without notice or public hearing.

17.04.060 Severability

If any section, sentence, clause, phrase, word, portion, or provision of this Chapter is held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this Chapter which can be given effect without the invalid provision. The invalidation of the application of any section, sentence, clause, phrase, word, portion, or provision of this Chapter to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction shall

not affect the application of such section, sentence, clause, phrase, word, portion or provision to any other property or structure not specifically included in said invalidation.

Chapter 17.08 Interpretation and Rules of Measurement

Sections:

17.08.010	Purpose.....	I-6
17.08.020	Interpretation.....	I-6
17.08.030	Rules of Measurement.....	I-8

17.08.010 Purpose

This Chapter provides specific rules that explain how to interpret the Code and how to perform calculations and measurements that are required to implement the Code (e.g., measuring floor area, lot area, setbacks, or floor area ratio).

17.08.020 Interpretation

- A. **Conflict between Text and Figure.** In the event of a difference or conflict between the text and a figure, illustration, heading, caption, diagram or graphic, the text controls.
- B. **Conflict within this Title.** Where provisions of this Title are in conflict, the more specific, or restrictive regulations shall apply over the more general.
- C. **Public Property.**
 - 1. In the event public streets, alleys, or public property are vacated, abandoned, become private property, or are leased for private use, they shall be classified by the Planning Commission at the time of change of status.
 - 2. In the event that any public property is not indicated as being zoned on the Zoning Map, it shall not be used for private purposes until said property has been classified as to zone.
- D. **Interpretation of Zone Boundaries.** When determining the boundary of a zone, the following rules shall apply:
 - 1. Where uncertainty exists regarding the location of a zone boundary or other feature shown on the Zoning Map, the following rules shall apply:
 - a. Boundaries indicated as approximately following the centerlines of alleys, lanes, streets, highways, streams, or railroads shall be construed to follow such centerlines.
 - b. Boundaries indicated as approximately following lot lines, City limits, or extraterritorial boundary lines, shall be construed as following such lines, limits, or boundaries.
 - c. Boundaries not indicated as following an alley, lane, street, highway, stream, or railroad and not following or coinciding approximately with a lot line, City

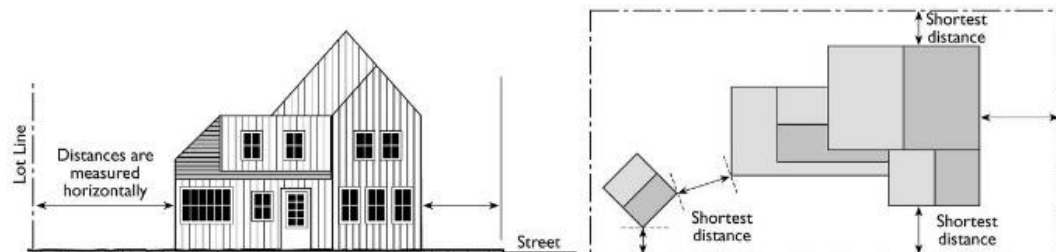
limits, or extraterritorial lot line shall be determined by the use of the scale designated on the Zoning Map to determine the boundary location.

- d. Where further uncertainty exists, the Planning Commission, upon receiving written application or upon its own motion, shall determine the location of the zone boundary in question, giving due consideration.
 2. Where the Code references applicable provisions of State law (e.g., the California Government Code, Subdivision Map Act, or Public Resources Code), the reference shall be construed to be to the applicable State law provisions as they may be amended from time to time.
- E. **Parcels Containing Two or More Zones.**
1. For parcels containing two or more zones the location of the zone boundary shall be determined by the Community Development Director (Director).
 2. For parcels containing two or more zones, the applicable regulations for each zone shall apply.
- F. **Interpretation.** Where uncertainty exists regarding the interpretation of any provision of this Zoning Code or its application to a specific site, the Director shall determine the interpretation of the provision (see Table 17.100.020-1: Planning Processes/Permits and Review Authority). The determination of the Director may be appealed in compliance with the provisions of Section 17.96.160, Appeals.
- G. **Definitions.** The Director shall make the interpretation for any definition not expressly identified in this Code.
- H. **Interpretation of Words and Conjunctions.** Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
1. "And" indicates that all connected words or provisions may apply.
 2. "And/or" indicates that the connected words or provisions may apply singularly or in any combination.
 3. "Or" indicates that the connected words or provisions may apply singularly or in any combination.
 4. "Either...or" indicates that the connected words or provisions shall apply singularly, but not in combination.
 5. The words "shall," "will," "must," and "is to" are always mandatory and not discretionary. "Should" is a regulation that is not mandatory but must be either fulfilled or the applicant must demonstrate an alternative that fulfills the intent of the regulation. "May" is permissive.
 6. The present tense includes the past and future tenses, and the future tense includes the past.
- I. **Calendar Days.** All references to days are to calendar days, unless otherwise indicated. If a deadline falls on a weekend or holiday, or a day when the City offices are closed, it shall be extended to the next working day.

17.08.030 Rules of Measurement

- A. For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Review Authority.
- B. **Fractions.** Whenever this Code requires consideration of distances, parking spaces, dwelling units, or other aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:
 1. **General Rounding.** Fractions of one-half or greater shall be rounded up to the nearest whole number and fractions of less than one-half shall be rounded down to the nearest whole number, except as otherwise provided.
 2. **Exception for State Affordable Housing Density Bonus.** For projects eligible for bonus density in accordance with California Government Code § 65915 or any successor statute and Woodland Municipal Code Chapter 15.16, Affordable Housing, any fractional number of allowed bonus density units shall be rounded up to the next whole number.
- C. **Measuring Distances.**
 1. **Measurements are Shortest Distance.** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.

FIGURE 17.08.030.C-1: MEASURING DISTANCES

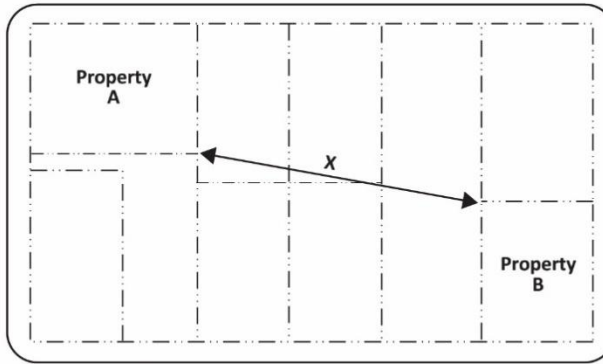


2. **Distances are Measured Horizontally.** When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.
3. **Measurements Involving a Structure.** Measurements involving a structure are made to the closest support element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.
4. **Measurement of Vehicle Stacking or Travel Areas.** Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, are measured down the center of the vehicle travel area. For example, curving

driveways and travel lanes are measured along the center arc of the driveway or traffic lane.

5. **Measuring Distance Between Two Properties.** When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project.

FIGURE 17.08.030.C-2: MEASURING DISTANCES BETWEEN PROPERTIES



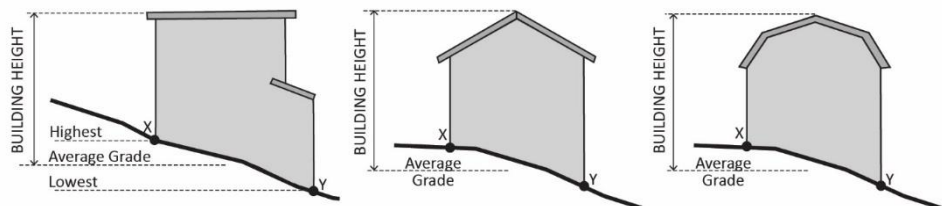
X = distance between properties A and B

D. Measuring Height.

1. Measuring Building Height.

- a. Building height is measured from the average level of the highest and lowest point where the vertical plane of the exterior walls touches existing or finished grade, whichever is lower, to the highest point on the roof, the top of the parapet wall, the wall coping of a flat roof, or the deck line of a mansard roof.

FIGURE 17.08.030.D-1: MEASURING BUILDING HEIGHT

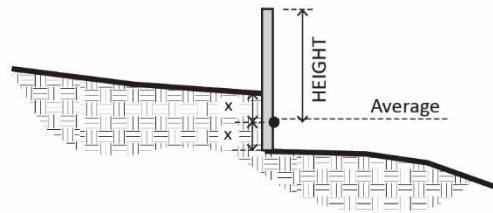


- b. *Exceptions.* Chimneys, cupolas, spires, grain silos and towers, elevators, and rooftop equipment are not included in the building height.

2. Measuring Fence Height.

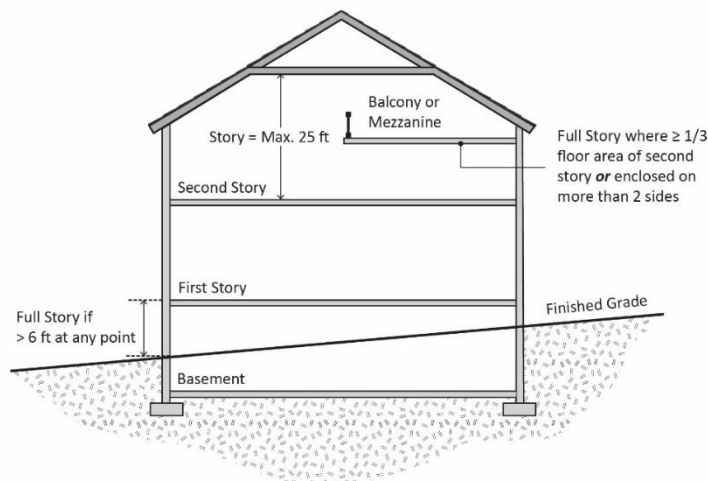
- a. *Fences at Grade.* The height of any fence or wall is measured as the vertical distance from the average of the ground levels immediately adjacent to both sides of the fence or wall to the highest point of the fence or wall.
- b. Any fence or railing required by the California Building Code to exceed the maximum height is allowed.

FIGURE 17.08.030.D-2: MEASURING HEIGHT FENCES ON RETAINING WALLS



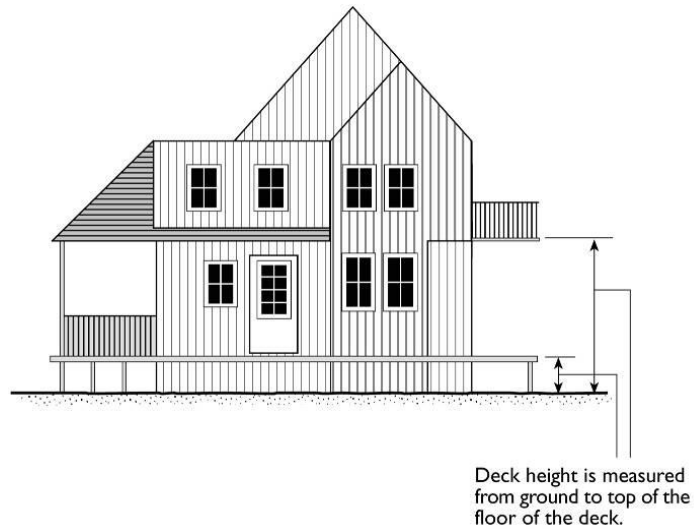
3. **Measuring the Number of Stories in a Building.** In measuring the height of a building in stories the following measurement rules shall apply:
 - a. A story means that portion of a building included between the surface of any floor and the surface of the floor next above, or if there is no floor above, the ceiling or roof above it.
 - b. A basement shall be counted as a full story if the vertical distance between the finished grade and the finished floor level directly above a basement or cellar is more than six feet at any point.
 - c. An interior balcony or mezzanine shall be counted as a full story if its floor area exceeds one-third of the total area of the nearest full floor directly below it or if it is enclosed on more than two sides.
 - d. A story of a commercial or residential building shall not exceed 25 feet in height from the upper surface of the floor to the ceiling above. Industrial buildings are exempt from this standard.

FIGURE 17.08.030.D-3: MEASURING NUMBER OF STORIES IN A BUILDING



4. **Measuring the Height of Decks.** Deck height is determined by measuring from the ground to the top of the floor of the deck directly above the ground point.

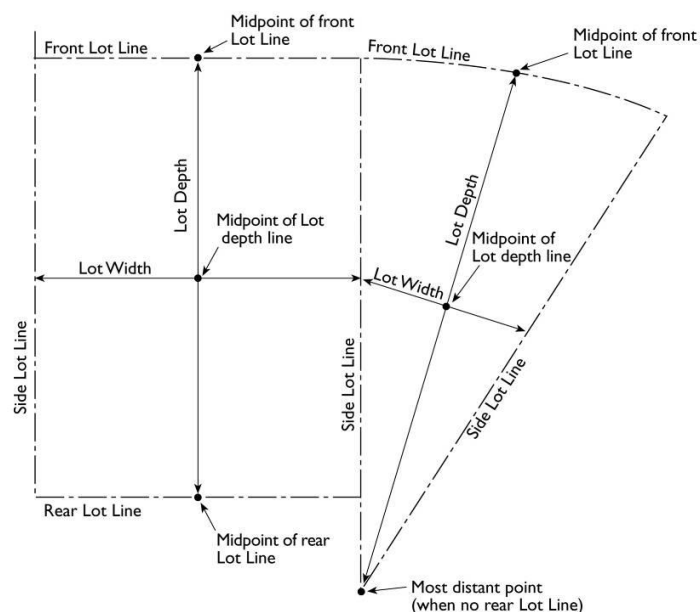
FIGURE 17.08.030.D-4: MEASURING THE HEIGHT OF DECKS



E. **Measuring Lot Width and Depth.**

1. **Lot Width.** Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.
2. **Lot Depth.** Lot depth is measured along an imaginary straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line. See also definitions for lot line, front, rear and side in Chapter 17.136, Definitions of Terms.

FIGURE 17.08.030.E-1: MEASURING LOT WIDTH AND DEPTH



- F. **Determining Average Slope.** The average slope of a lot is calculated using the following formula: $S = 100(I)(L)/A$, where:

S = Average slope (in percent)

I = Contour interval (in feet)

L = Total length of all contour lines on the lot (in feet)

A = Area of subject lot (in square feet)

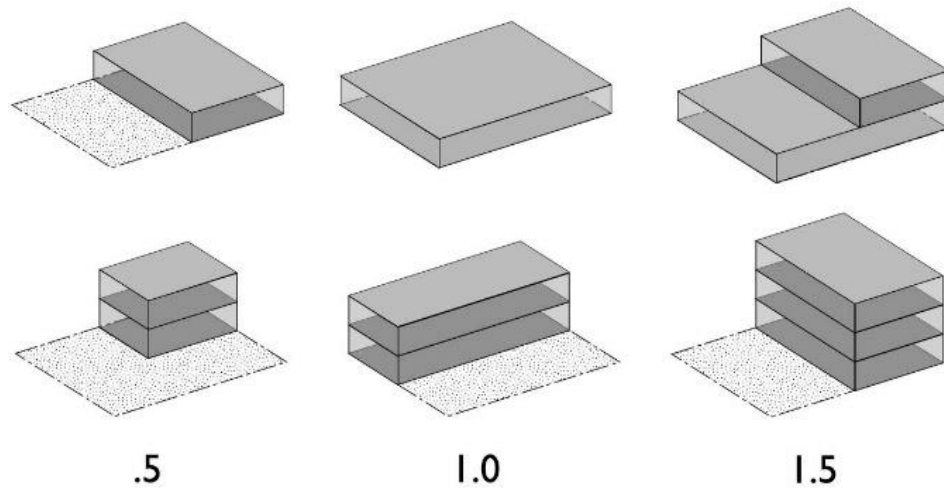
G. **Determining Floor Area.** The floor area of a building is the sum of the gross horizontal areas of all floors of a building or other enclosed structure.

1. **Included in Floor Area.** Floor area includes, but is not limited to, habitable space (as defined in the California Building Code) including basements and cellars that are below the roof and within the outer surface of the main walls of principal or accessory buildings or the centerlines of party walls separating such buildings or portions thereof or within lines drawn parallel to and two feet within the roof line of any building without walls. In the case of a multi-story building that has covered or enclosed stairways, stairwells or elevator shafts, the horizontal area of these features shall be counted only once at the floor level of their greatest area of horizontal extent.
2. **Excluded from Floor Area.** Floor area does not include mechanical, electrical, and communication equipment rooms that do not exceed two percent of the building's gross floor area; bay windows or other architectural projections where the vertical distance between the lowest surface of the projection and the finished floor is 30 inches or greater; areas that qualify as usable open space; and areas used for off-street parking spaces or loading spaces; driveways; ramps between floors of a multi-level parking garage; and maneuvering aisles that are located below the finished grade of the property. Gross square floor area excludes areas of a building devoted to flood protection measures.
3. **Nonresidential Uses.** For nonresidential uses, gross floor area includes pedestrian access interior walkways or corridors, interior courtyards, walkways, paseos, or corridors covered by a roof or skylight. Nonresidential gross floor area does not include arcades, porticoes, and similar open areas that are located at or near street level and are accessible to the general public but are not designed or used as sales, display, storage, service, or production areas.

H. **Determining Floor Area Ratio.** Floor area ratio (FAR) is the ratio of the floor area, excluding the areas described below, of all principal and accessory buildings on a site to the site area. To calculate FAR, floor area is divided by site area, and typically expressed as a decimal. For example, if the floor area of all buildings on a site totals 20,000 square feet, and the site area is 10,000 square feet, the FAR is expressed as 2.0.

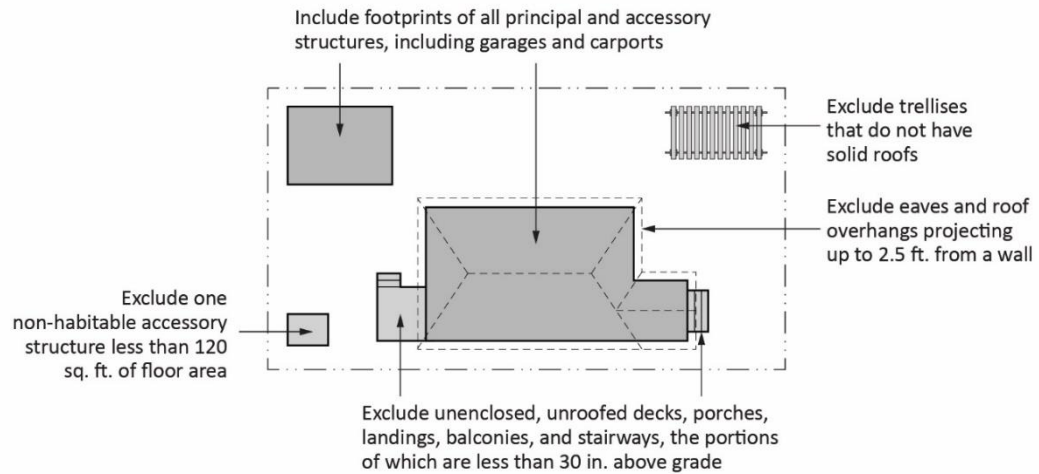
1. **Excluded from Floor Area in Calculating FAR.**
 - a. *Underground Areas.* Floor area located below finished grade.
 - b. *Parking.* Parking areas located below finished grade or beneath the finished floor of habitable space where the vertical distance between the finished floor of habitable space and finished grade is less than six feet.

FIGURE 17.08.030.H-1: DETERMINING FLOOR AREA RATIO



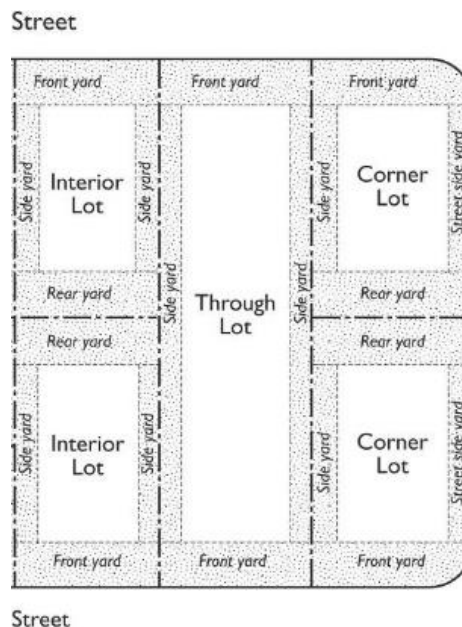
- I. **Determining Lot Coverage.** Lot coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, shall be summed in order to calculate lot coverage. The following structures shall be excluded from the calculation:
1. Unenclosed and unroofed decks, uncovered patio slab, porches, landings, balconies, and stairways less than 30 inches in height;
 2. Eaves and roof overhangs projecting up to 2.5 feet from a wall;
 3. Fences, walls, and hedges;
 4. Trellises and similar structures that have roofs that are at least 50 percent open to the sky through with uniformly distributed openings;
 5. Swimming pools and hot tubs that are not enclosed in roofed structures or decks; and
 6. One small, non-habitable accessory structure under 120 square feet and under seven feet high. Structures above quantity of one shall be included in lot coverage.

FIGURE 17.08.030.I-1: DETERMINING LOT COVERAGE



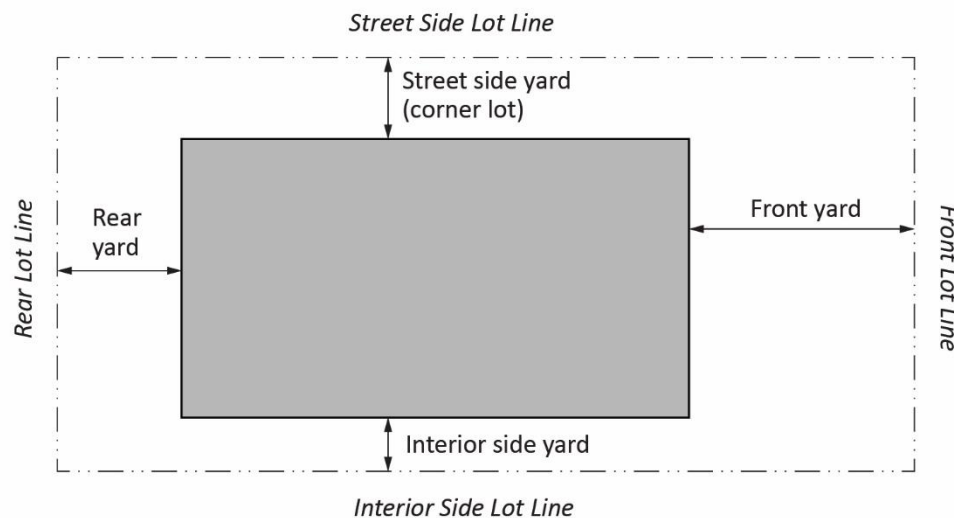
- J. **Determining Lot Frontage.** The lot frontage is the line separating the lot from the street right-of-way.
1. **Corner Lots.** In the case of a corner lot, the applicant may choose which street he or she shall designate as the front of the lot, subject to approval by the Director and the Fire Department. It is recommended that any driveway be located on the less traveled street in most cases. Once the choice of frontage has been made, it cannot be changed unless all requirements for yard space are complied with. The lot frontage shall provide primary ingress/egress to the front door/primary entrance unless otherwise approved by the Director and the Fire Department.
 2. **Through Lot.** In the case of a through lot, the lot frontage is the line that abuts the street of primary access (e.g., driveway access) to the lot.

FIGURE 17.08.030.J-1: THROUGH LOTS



- K. **Determining Required Setbacks.** A line defining a required setback is parallel to and at the specified distance from the corresponding front, side, or rear property line. The following special regulations for determining setbacks when a lot abuts a proposed street or alley. Required setbacks shall be unobstructed from the ground to the sky except where allowed in compliance with Section 17.64.060, Projections into Required Setbacks, subject to compliance with the California Building Code, or as otherwise allowed in this Code.
1. **Required Setbacks on Alleys.**
 - a. If a side lot line abuts an alley, the side abutting the alley shall be considered an interior side rather than a corner side.
 - b. In calculating the required setback for any lot abutting an alley or private driveway, no part of the width of the alley or private driveway may be considered as part of the required setback.
 2. **Setbacks Abutting Planned Street Expansions.** If a property abuts an existing or proposed street for which the existing right-of-way is narrower than the right-of-way ultimately required for the street, the required setback shall be established from the edge of the future right-of-way.
- L. **Measuring Yards.** Yards shall be measured as the distance between the nearest lot line and the closest point on the exterior of a building or structure along a line at right angles to the lot line.

FIGURE 17.08.030.L-1: MEASURING YARDS



- M. **Measuring Signs.** The calculation of measurements related to signs are described in Section 17.72.040, General Standards for All Signs.

Chapter 17.12 Zones

Section:

17.12.010 Zones Established..... I-16

17.12.010 Zones Established

The City shall be classified into zones, the designation and regulation of which are set forth in this Code and as follows.

Table 17.12.010-1: Zones			
Chapter	Zone Abbrev.	Zone Name	Implements the following General Plan Land Use:
Residential Zones			
Chapter 17.24	R-L	Low-Density Residential	<i>Low Density-Residential (1-8 du/ac)</i>
Chapter 17.24	N-P	Neighborhood Preservation	<i>Low Density-Residential (1-8 du/ac)</i>
Chapter 17.24	R-LM	Residential Low-Medium	<i>Medium-Low Density-Residential (5-15 du/ac)</i>
Chapter 17.24	R-M	Residential Medium	<i>Medium Density-Residential (8.1-19.9 du/ac)</i>
Chapter 17.24	R-H	Residential High	<i>High Density-Residential (20-40 du/ac)</i>
Downtown Zones			
Chapter 17.28	DX-1	Downtown Core	<i>Downtown Mixed Use</i>
Chapter 17.28	DX-2	Downtown Civic	<i>Downtown Mixed Use</i>
Chapter 17.28	DX-3	Downtown Transitional	<i>Downtown Mixed Use</i>
Chapter 17.28	DX-4	Downtown Gateway	<i>Downtown Mixed Use</i>
Mixed-Use Zones			
Chapter 17.32	CMU-WM	Corridor Mixed-Use-West Main	<i>Corridor Mixed Use</i>
Chapter 17.32	CMU-E	Corridor Mixed-Use-East	<i>Corridor Mixed Use and Downtown Mixed Use</i>
Chapter 17.32	CMU-K	Corridor Mixed-Use-Kentucky	<i>Corridor Mixed Use</i>
Chapter 17.32	CMU-A	Corridor Mixed-Use-Armfield	<i>Corridor Mixed Use</i>
Chapter 17.32	CMU-F	Corridor Mixed-Use-Flex	<i>Corridor Mixed Use with Light Industrial Flex Overlay</i>
Chapter 17.32	CCMU	Community Commercial Mixed-Use	<i>Community Commercial</i>
Chapter 17.32	NMU	Neighborhood Mixed-Use	<i>Neighborhood Commercial</i>

Table 17.12.010-1: Zones			
Chapter	Zone Abbrev.	Zone Name	Implements the following General Plan Land Use:
Chapter 17.32	CMU-G	Corridor Mixed-Use-Gateway	<i>Corridor Mixed Use</i>
Commercial Zones			
Chapter 17.36	RC-F	Regional Commercial-Flex	<i>Regional Commercial with Light Industrial Flex Overlay</i>
Chapter 17.36	RC	Regional Commercial	<i>Regional Commercial</i>
Employment Zones			
Chapter 17.40	IF	Industrial Flex	<i>Industrial with Light Industrial Flex Overlay</i>
Chapter 17.40	IG	Industrial General	<i>Industrial</i>
Chapter 17.40	BP	Business Park	<i>Business Park</i>
Public and Open Space Zones			
Chapter 17.44	PF	Public Facilities/Institutional	<i>Public/Quasi-Public</i>
Chapter 17.44	OS	Open Space	<i>Open Space</i>
Chapter 17.44	FSA	Flood Study Area	<i>Flood Study Area</i>
Specific Plans			
Chapter 17.52	SLSP	Spring Lake Specific Plan	<i>Various</i>
Chapter 17.52	SASP	Southeast Area Specific Plan	<i>Various</i>
Overlays			
Chapter 17.48	PD	Planned Development	<i>N/A</i>

Chapter 17.16 Maps

Sections:

17.16.010	Zoning Map	I-18
17.16.020	National Historic Register Map	I-18
17.16.030	Floodplain Map	I-18

Maps referenced in this Title are not included in this Code but are maintained by the City Clerk. The official maps, together with all legends, symbols, notations, references, zone boundaries, map symbols, and other information on the maps, have been adopted by the City Council and are incorporated into this Code by reference, together with any amendments previously or hereafter adopted, as though they were fully included here.

17.16.010 Zoning Map

The boundaries of the zones established by this Chapter are shown on the Official Zoning Map maintained by the City Clerk.

17.16.020 National Historic Register Map

Properties included on the National Register of Historic Places are shown on a National Historic Register Map maintained by the City Clerk.

17.16.030 Floodplain Map

The boundaries of the Woodland Floodplain Map established by this Chapter are shown on the Official Floodplain Map maintained by the City Clerk.

Chapter 17.20

Reserved

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DIVISION II: ZONE REGULATIONS

Chapter 17.24 Residential Zones II-2

Chapter 17.28 Downtown Zones II-8

Chapter 17.32 Mixed-Use Zones II-16

Chapter 17.36 Commercial Zones II-31

Chapter 17.40 Employment Zones II-38

Chapter 17.44 Public and Open Space Zones II-46

Chapter 17.48 Planned Development II-50

Chapter 17.52 Specific Plans II-51

Chapter 17.56 Building and Site Design Standards II-52

Chapter 17.60 Reserved II-86

Chapter 17.24 Residential Zones

Sections:

17.24.010	Purpose and Applicability	II-2
17.24.020	Use Regulations	II-3
17.24.030	Development Standards	II-6
17.24.040	Supplemental Regulations	II-7

17.24.010 Purpose and Applicability

The purpose of this Chapter is to provide for the development of residential dwellings that are suitable to the character of Woodland's residential neighborhoods while allowing for neighborhood services that meet the daily needs of residents. Additional purposes of each zone are described below.

- A. **Low-Density Residential (R-L).** The R-L zone is intended to accommodate primarily low-density housing with private yards and private parking; to provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment. The R-L zone implements areas of the Low Density Residential General Plan land use designation.
- B. **Neighborhood Preservation (N-P).** The purpose of the N-P zone is to stabilize and protect the established diverse character of older, predominately residential neighborhoods, where a mix of housing types and other uses exist. These areas are along the fringes of the Downtown zones and are characterized by homes generally constructed prior to 1940. This zone is intended to be applied to those areas designated Low Density Residential in the General Plan. This zone is intended to provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment.
- C. **Residential Low-Medium (R-LM).** The R-LM zone is intended to provide a variety of housing types with a compatible mixture of low and medium density housing; to provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment. The R-LM zone implements areas of the Medium-Low-Medium Density Residential General Plan land use designation.
- D. **Residential Medium (R-M).** The R-M zone is intended to provide residential areas which can accommodate a suitable mixture of more intensive land uses, including multiple-unit dwellings, community facilities, and limited commercial and office uses compatible with the surrounding area. The R-M zone also accommodates a range of detached and attached housing types including triplexes, fourplexes, and townhomes. The R-M zone implements the Medium Density Residential General Plan land use designation.
- E. **Residential High (R-H).** The R-H zone is intended to accommodate a mix of higher density multi-unit development types including rowhouses and stacked flats (apartments or condominiums). Units can be contained in single structures or in a collection of cohesive structures with common open spaces and amenities. Multi-story structures are intended to

include centrally located parking in order to provide urban intensity at locations within easy walking distance to transit, recreation, and community facilities. In addition, ancillary commercial uses as well as medical and professional offices may be allowed when found to be compatible with the surrounding neighborhood. The R-H zone implements the High Density Residential General Plan land use designation.

17.24.020 Use Regulations

Table 17.24.020-1, Use Regulations – Residential Zones, lists the uses permitted, permitted with a staff-level Zoning Administrator Permit (see Section 17.100.140, Zoning Administrator Permit), and permitted with a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) granted at a public hearing. The right-hand column provides references to other Sections of this Code where additional regulations are located. Refer to Division V, Chapter 17.144 for Definitions of Uses.

Table 17.24.020-1: Use Regulations – Residential Zones						
Use Classification	R-L	N-P	R-LM	R-M	R-H	Additional Regulations
“P” = Permitted; “A” = Zoning Administrator Permit (ZAP) required; “C” = Conditional Use Permit (CUP) required; “—” = Not Allowed						
Residential Uses						
Single-Family						
Detached	P	P	P	—	—	
Attached	P	P	P	—	—	
Duplex	P	P	P	—	—	
SB 9 Project	P	P	P	—	—	See Title 16, Subdivisions and Section 17.84.380, Two-Unit Projects
Small Lot Subdivision	A	A	A	P	P	
Multi-Unit Dwelling	—	—	A	P	P	
Accessory Dwelling Unit	See Section 17.84.030, Accessory Dwelling Units					
Family Day Care						
Small	P	P	P	P	P	
Large	A	A	A	A	A	See Section 17.84.150, Day Care Centers, Family Day Cares and Residential Care Facilities
Live/Work	—	—	A	A	P	See Section 17.84.230, Live/Work
Manufactured Home Park	—	—	C	C	—	See Section 17.84.240, Manufactured Home Parks, RV/Trailer Parks, and Manufactured Buildings
Residential Care Facilities						
Small	P	P	P	P	P	

Division II: Zone Regulations

Table 17.24.020-1: Use Regulations – Residential Zones

Use Classification	R-L	N-P	R-LM	R-M	R-H	Additional Regulations
"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed						
Large	P	P	P	P	P	See Section 17.84.150, Day Care Centers, Family Day Cares and Residential Care Facilities
Supportive Housing	Subject only to those restrictions that apply to other residential uses of the same type in the same zone					
Transitional Housing	Subject only to those restrictions that apply to other residential uses of the same type in the same zone					
Commercial Uses						
Eating and Drinking Establishments						
Restaurant, Limited Counter Service/Fast Casual Food (no drive-through)	—	—	—	A ¹	A ¹	See also Section 17.84.320, Residential Limited Retail
Tasting Room	—	—	—	A ¹	A ¹	See Section 17.84.060, Alcoholic Beverage Sales
Lodging						
Bed and Breakfast	—	C	—	A	A	See Section 17.84.100, Bed and Breakfast Lodging
Short-Term Rental	—	—	—	—	—	See Section 17.84.330, Short-Term Rental
Office Uses						
Business, Professional, and Technology	—	—	—	A ¹	P ¹	
Medical and Dental Offices	—	—	—	C	—	
Personal Services						
General Personal Services	—	—	—	A ¹	P ¹	See Section 17.84.290, Personal Services
Instructional Services	—	—	—	A ¹	P ¹	See Section 17.84.290, Personal Services
Massage Establishments	—	—	—	A ¹	A ¹	See Section 17.84.290, Personal Services and WMC Chapter 5.20, Massage Establishments
Recreation, Fitness, and Entertainment						
Indoor Sports and Recreation, Small-Scale	—	—	—	C	C ¹	
Indoor Entertainment Facility	—	—	—	—	—	
Outdoor Sports and Recreation Facility	C	C	C	C	—	

Table 17.24.020-1: Use Regulations – Residential Zones

Use Classification	R-L	N-P	R-LM	R-M	R-H	Additional Regulations
"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed						
Retail						
Residential Limited Retail	A	A	A	A	A	See Section 17.84.320, Residential Limited Retail
Public/Institutional Uses						
College and Trade School	—	—	—	A ¹	A ¹	
Community and Religious Assembly	C	C	C	C	A	
Community Garden	A	A	A	A ¹	A ¹	See Section 17.84.130, Community Gardens
Cultural Facility	—	—	C	C	A ¹	
Day Care Center	C	C	C	A	A	See Section 17.84.150, Day Care Centers, Family Day Cares and Residential Care Facilities
Government Buildings	C	C	C	P	P	
Hospitals and Clinics						
Skilled Nursing Facility	A	A	A	A	—	
Clinic	—	—	—	C	A ¹	
Park and Recreation Facility, Public	P	P	P	P	—	
School	C	C	C	C	—	
Transportation, Communications, and Utilities						
Communication Facilities						
Antennas and Transmission Towers	See Section 17.84.360, Telecommunication Facilities					
Equipment within Buildings	See Section 17.84.360, Telecommunication Facilities					
Cannabis Uses						
Indoor Personal Cannabis Cultivation	P	P	P	P	P	See Section 17.84.280, Personal Cultivation of Cannabis
Other Uses						
Accessory Uses	See Section 17.84.020, Accessory Uses					
Home Occupations	See Section 17.84.200, Home Occupations and Cottage Food Operations					
Temporary Uses	See Section 17.84.370, Temporary Uses					

Division II: Zone Regulations

Notes

1. Use shall be considered as accessory to a primary use only.

17.24.030 Development Standards

Table 17.24.030-1, Development Standards – Residential Zones, establishes the development standards for the Residential zones. Letters refer to subsections that directly follow the table.

Table 17.24.030-1: Development Standards – Residential Zones					
Standard	R-L	N-P	R-LM	R-M	R-H
Density and Lot Standards					
Density (units/acre)	1- 8	1- 8	5-15	8.1-19.9	20-40
Lot Area (sf)					
Corner Lot	Min. 6,000	Min. 6,000	Min. 5,000	n/a	n/a
Interior Lot	Min. 5,000	Min. 5,000	Min. 5,000	n/a	n/a
Small Lot Subdivision (see Section 17.56.040)	n/a	n/a	n/a	n/a	n/a
Lot Width (ft.)					
Corner Lot	Min. 60	Min. 60	Min. 60	n/a	n/a
Interior Lot	Min. 50	Min. 50	Min. 50	n/a	n/a
Small Lot Subdivision (see Section 17.56.040)	n/a	n/a	n/a	n/a	n/a
Max. Lot Coverage	50%	50%	60%	60%	70%
Building Form and Placement Standards					
Max. Building Height (ft.)	30	40	30	40; 30 within 40 feet of an R-L, N-P or R- LM zone	45; 30 within 40 ft of an R- L, N-P or R- LM zone
Min. Setbacks (ft.)					
Front, Primary Structure	20 (A)	20 (A)	20 (A)	15	15
Front, Porch/Stoop	14 (C)	14 (C)	14 (C)		
Front, Garage	20	20	20	n/a	n/a
Street Side	15	15	10	10	10
Interior Side	5	5	5	5; 10 when abutting R-L or N-P	5, 10 when abutting R-L or N-P
Rear	20	20	20	10; 15 when abutting R-L or N-P	10; 15 when abutting R-L or N-P

Table 17.24.030-1: Development Standards – Residential Zones

Standard	R-L	N-P	R-LM	R-M	R-H
Alley	4 (B)	4 (B)	4 (B)	4 (B)	4 (B)
Small Lot Subdivision	See Section 17.56.040				
Site and Open Space Standards					
Max. Impervious/Paved Area	50% of required front and street side setbacks	50% of required front and street side setbacks	50% of required front and street side setbacks	n/a	n/a
Min. Private Open Space	n/a	n/a	100 sf per unit	48 sf per unit	n/a
Min. Private Open Space Dimension	n/a	n/a	6 ft.	6 ft.	n/a
Min. Common Open Space	n/a	n/a	100 sf per unit	100 sf per unit	n/a
Private OR Common Open Space	n/a	n/a	n/a	n/a	48 sf per unit

- A. Where a uniform setback which differs from the above standard exists on the block or cul-de-sac, the setback shall conform to the established setback of the block or cul-de-sac.
- B. Setbacks facing alleys may be reduced to zero where determined by the Director to allow adequate maneuverability for emergency and waste vehicles and where no garage access is required.
- C. A front porch may project into the required front setback up to six feet in order to provide a covered porch that is open on three sides and parallel to the street frontage.

17.24.040 Supplemental Regulations

- A. **General Design Standards.** See Section 17.56.010, General Design Standards.
- B. **Single-Family and Duplex Design Standards.** See Section 17.56.020, Single-Family and Duplex Design Standards.
- C. **Multi-Unit Use Design Standards.** See Section 17.56.030, Multi-Unit Design Standards.
- D. **Small Lot Subdivision Design Standards.** See Section 17.56.040, Small Lot Subdivision Design Standards.
- E. **Citywide Standards.** All development is subject to the provisions of Division III, Citywide Standards.

Chapter 17.28 Downtown Zones

Sections:

17.28.010	Purpose and Applicability	II-8
17.28.020	Use Regulations	II-9
17.28.030	Development Standards	II-13
17.28.040	Supplemental Regulations	II-15

17.28.010 Purpose and Applicability

The purpose of this Chapter is to provide for the development of a range of uses suitable to the character of Downtown Woodland. Additional purposes of each zone are described below.

- A. **Downtown Core (DX-1).** The Downtown Core zone is intended to support a diverse mix of offices, housing, and active uses such as theaters, retail, professional services, restaurants, and entertainment in Woodland's historic downtown core. The zone envisions primarily a vertical mix of uses that support a vibrant district centered on Main Street. The DX-1 zone implements areas of the Downtown Mixed Use General Plan land use designation.
- B. **Downtown Civic (DX-2).** The Downtown Civic zone is intended to support a mix of public uses and offices, housing, retail, professional services, and open space in the Court Street corridor of Woodland's historic downtown core. The zone envisions both vertical and horizontal mix of uses that support a vibrant and walkable civic-oriented downtown district. The DX-2 zone implements areas of the Downtown Mixed Use General Plan land use designation.
- C. **Downtown Transitional (DX-3).** The Downtown Transitional zone is intended to support a mix of offices, housing, and active uses on the edges of Woodland's historic downtown core. Centered on the Lincoln Avenue and North Street corridors, this zone provides a transition from the downtown core to the residential neighborhoods north and south of the zone. The zone supports vertical and horizontal mixed-use development with a lower intensity urban feel that provides walkable transition to the residential neighborhoods to the north and south. The DX-3 zone implements areas of the Downtown Mixed Use General Plan land use designation.
- D. **Downtown Gateway (DX-4).** The Downtown Gateway zone supports a vibrant mixed-use node at the primary entry point to Woodland's historic downtown core. Centered on Main Street between 5th Street and East Street, the DX-4 zone facilitates a mix of uses and open spaces that welcome residents and visitors to the Downtown, that intensify opportunity areas abutting the railroad, and that ensure appropriate transitions to the corridor, downtown, and residential areas. The DX-4 zone implements areas of the Downtown Mixed Use General Plan land use designation.

17.28.020 Use Regulations

Table 17.28.020-1, Use Regulations – Downtown Zones lists the uses permitted, permitted with a staff-level Zoning Administrator Permit (see Section 17.100.140, Zoning Administrator Permit), and permitted with a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) granted at a public hearing. The right-hand column provides references to other Sections of this Code where additional regulations are located. Refer to Division V, Chapter 17.144 for Definition of Uses.

Table 17.28.020-1: Use Regulations – Downtown Zones

Use Classification	DX-1	DX-2	DX-3	DX-4	Additional Regulations
“P” = Permitted; “A” = Zoning Administrator Permit (ZAP) required; “C” = Conditional Use Permit (CUP) required; “—” = Not Allowed					
Residential Uses					
Single-Family					
Detached	—	—	P	—	
Attached	—	—	P	—	
Duplex	—	—	P	—	
Small Lot Subdivision	P ¹	P	P	P ¹	
Multi-Unit Dwelling	P ¹	P	P	P ¹	
Accessory Dwelling Unit	See Section 17.84.030, Accessory Dwelling Units				
Family Day Care					
Small	P	P	P	P	
Large	P ¹	C	A	P	
Live/Work	A ¹	P	P	A ¹	See Section 17.84.230, Live/Work
Residential Care Facilities					
Small	—	—	P	—	
Large	—	A ²	A	—	
Commercial Uses					
Animal Care, Sales, and Services					
Grooming	A	P	A	P	
Pet Store	P	P	A	P	
Veterinary Services	P ²	A	A	C ²	
Automobile/Vehicle Sales and Services					
Automobile Rental Office	P	P	P	P	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses

Division II: Zone Regulations

Table 17.28.020-1: Use Regulations – Downtown Zones

Use Classification	DX-1	DX-2	DX-3	DX-4	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>					
<i>Automobile/Vehicle Sales and Leasing, New</i>	C	—	—	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Automobile/Vehicle Service and Repair, Minor³</i>	—	—	—	—	
Banks and Financial Institution					
<i>Bail Bonds</i>	—	C ⁴	—	—	See Section 17.84.260, Non-Traditional Financial Institutions
<i>Bank and Savings and Loan</i>	P	P	—	P	
Business and Communication Services					
<i>General Business Services</i>	P	P	A	P	
<i>Printing and Copy Services</i>	P	P	A	P	
Eating and Drinking Establishments					
<i>Bar/Night Club/Lounge</i>	C	C	—	C	See Section 17.84.060, Alcoholic Beverage Sales
<i>Brewpub</i>	A	A	—	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Microbrewery</i>	A	A	—	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Micro-Distillery</i>	C	A	—	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Restaurant, Full Service</i>	P	P	A	P	
<i>Restaurant, Limited Counter Service/Fast Casual Food</i>	P	P	A	P	
<i>Tasting Room</i>	P	P	A	P	See Section 17.84.060, Alcoholic Beverage Sales
<i>Funeral and Internment Service</i>	P ²	P	A	—	
Lodging					
<i>Bed and Breakfast</i>	A	A	A	A	See Section 17.84.100, Bed and Breakfast Lodging
<i>Boarding House</i>	—	C	—	—	
<i>Hotel and Motel</i>	C	C	—	C	
<i>Short-Term Rental</i>	A	—	A	—	See Section 17.84.330, Short-Term Rental

Table 17.28.020-1: Use Regulations – Downtown Zones

Use Classification	DX-1	DX-2	DX-3	DX-4	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>					
Maintenance and Repair Services	P	P	A	P	
Office Uses					
<i>Business, Professional, and Technology</i>	P	P	A	P	
<i>Medical and Dental Offices</i>	P ¹	P	A	P	
Personal Services					
<i>General Personal Services</i>	P	P	A	P	See Section 17.84.290, Personal Services
<i>Dry Cleaner/Self Service Laundry</i>	P ^{1, 2}	P ^{1, 2}	—	—	See Section 17.84.290, Personal Services
<i>Instructional Services</i>	P	P	P	P	See Section 17.84.290, Personal Services
<i>Massage Establishments</i>	C	C	C	C	See Section 17.84.290, Personal Services
<i>Tattoo/Body Modification Parlor</i>	A	A	—	A	See Section 17.84.290, Personal Services
Recreation, Fitness, and Entertainment					
<i>Cinema/Theaters</i>	P	—	—	—	
<i>Indoor Entertainment Facility</i>	P	A	—	A	
<i>Indoor Sports and Recreation, Small-Scale</i>	P	P	—	P	
Retail					
<i>Artisan Shop</i>	P	P	P	P	
<i>Convenience/Small Grocery Market</i>	P	P	A	P	
<i>General Retail Sales</i>	P	P	P	P	
<i>Liquor Sales as Primary Use</i>	C	C	—	—	See Section 17.84.060, Alcoholic Beverage Sales
<i>Liquor Sales as Accessory Use, Small</i>	A	A	A	A	See Section 17.84.020, Accessory Uses and Section 17.84.060, Alcoholic Beverage Sales
<i>Liquor Sales as Accessory Use, Large</i>	A	A	—	A	See Section 17.84.020, Accessory Uses and Section 17.84.060, Alcoholic Beverage Sales
<i>Secondhand/Consignment Store</i>	P	P	P	P	

Division II: Zone Regulations

Table 17.28.020-1: Use Regulations – Downtown Zones

Use Classification	DX-1	DX-2	DX-3	DX-4	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>					
Public/Institutional Uses					
College and Trade School	P	P	—	P	
Community and Religious Assembly	A	A	A	C	
Community Garden	—	—	A	—	See Section 17.84.130, Community Gardens
Cultural Facility	P	P ⁵	P ⁵	P ⁵	
Day Care Center	A ²	A	C	—	See Section 17.84.150, Day Care Centers, Family Day Cares and Residential Care Facilities
Emergency Shelter	—	C	A	A	See Section 17.84.170, Emergency Shelters, Daytime Services Facilities, and Low Barrier Navigation Centers
Government Buildings	P	P	C	P	
Hospitals and Clinics					
<i>Skilled Nursing Facility</i>	—	C	C	—	
<i>Clinic</i>	—	—	—	—	
Park and Recreation Facility, Public	P	P	P	P	
School	C	C	C	C	
Industrial Uses					
Artisan/Small-Scale Manufacturing	A	A	A	P	
Artist's Studio	P	P	P	P	
Food and Beverage Manufacturing					
<i>Small Scale</i>	P ¹	P	P ¹	—	
Food Preparation	P	P	A	P	
Research and Development	P ⁵	P ⁵	—	P ⁵	
Transportation, Communications, and Utilities					
Communication Facilities					
<i>Antennas and Transmission Towers</i>	See Section 17.84.360, Telecommunication Facilities				
<i>Equipment within Buildings</i>	See Section 17.84.360, Telecommunication Facilities				

Table 17.28.020-1: Use Regulations – Downtown Zones

Use Classification	DX-1	DX-2	DX-3	DX-4	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>					
Emergency Services	P	P	P	P	
Cannabis Uses					
Indoor Personal Cannabis Cultivation	P	P	P	P	See Section 17.84.280, Personal Cultivation of Cannabis
Cannabis Retail	—	—	—	—	See Section 17.84.280, Personal Cultivation of Cannabis
Other Uses					
Accessory Uses	See Section 17.84.020, Accessory Uses				
Home Occupations	See Section 17.84.200, Home Occupations and Cottage Food Operations				
Temporary Uses	See Section 17.84.370, Temporary Uses				

Notes:

1. Not permitted on the ground floor facing Main Street.
2. Not permitted on properties fronting/adjacent to Main Street.
3. Existing auto repair businesses, established prior to the Effective Date may remain. Any proposed expansion or modification shall be subject to a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) and shall be subject to the standards of Chapter 17.80, Nonconforming Provisions.
4. Bail bonds are subject to the same design and operational standards as non-traditional financial institution; see Section 17.84.260, Non-Traditional Financial Institutions.
5. A ZAP is required for establishments greater than 5,000 gross square feet.

17.28.030 Development Standards

Table 17.28.030-1, Development Standards – Downtown Zones establishes the development standards for the Downtown zones. Letters refer to subsections that directly follow the table.

Table 17.28.030-1: Development Standards – Downtown Zones

Standard	DX-1	DX-2	DX-3	DX-4
Intensity and Lot Standards				
Density (du/ac)	Min. 15; Max. Unlimited	Min. 15; Max. Unlimited	Unlimited	Min. 15; Max. Unlimited
FAR of Residential and Non-residential Combined	Min 1.0, Max. 4.0 (A)	Min 1.0, Max. 4.0 (A)	Min 1.0, Max. 4.0 (A)	Min 1.0, Max. 4.0 (A)
Max. Lot Coverage	100%	70%	60%	70%(B)
Building Form and Placement Standards				
Building Height				

Division II: Zone Regulations

<i>Principal Structure</i>	Min. 25 ft., Max. 65 ft., 50 ft. within 50 ft. of DX-3 zone	Max. 55 ft., 50 ft. within 50 ft. of DX-3 zone	Max. 40 ft.	Min. 25 ft., Max 65 ft.
<i>Min. Ground Floor Height, Floor to Ceiling</i>	12 ft.	10 ft.	10 ft.	12 ft.
<i>Min. Upper Floor Height, Floor to Ceiling</i>	9 ft.	9 ft.	9 ft.	9 ft.
Setbacks				
<i>Front and Street Side</i>	Min. 0, Max. 15 ft.; Max. 5 ft. if fronting Main Street (C)	Min. 0, Max. 20 ft.	Min. 8, Max. 20 ft.	Min. 5, Max. 15 ft. (C)
<i>Interior Side</i>	0 ft.; Min. 5 ft. adjacent to DX-3 or adjacent residential land use	5 ft.	5 ft.	0 ft.
<i>Rear</i>	Min. 0 ft.; Min. 10 ft. adjacent to DX-3 or any Residential zone	Min. 0 ft.; Min. 10 ft. adjacent to DX-3 or any Residential zone	Min. 10 ft.; 15 ft. if building is over 30' in height and adjacent to any Residential zone	Min. 0 ft.; Min. 30 ft. adjacent to railroad centerline
Open Space Standards for Residential Uses				
Min. Private Open Space	n/a	48 sf per unit	48 sf per unit	n/a
Min. Private Open Space Dimension	n/a	6 ft.	6 ft.	n/a
Min. Common Open Space	0 sf if development fronts Main Street; 50 sf per unit if off Main Street	50 sf per unit	100 sf per unit	50 sf per unit

- A. Additional FAR may be granted for uses that offer community benefits. Eligible benefits include but are not limited to public open space beyond what is required, restoration or adaptive reuse of a historic structure, or the promotion of alternative modes of transportation. The additional development capacity and nature of community benefits may be determined through a Development Agreement (see Section 17.100.180, Development Agreements).
- B. In the Downtown Gateway DX-4 district, development approved as part of a master plan or precise plan, may allow for increase in lot coverage for one or more individual parcels if community serving features have been incorporated, such as a plaza, open space, or pass through to an interior courtyard.

- C. Building setback from Main Street may be increased to allow for outdoor dining, patio, or plaza space at the discretion of the Director or applicable Review Authority.

17.28.040 Supplemental Regulations

- A. **Preservation/Restoration of and Additions to Historic Structures.** See Section 17.56.050, Preservation/Restoration of and Additions to Historic Structures.
- B. **New Development or Renovation of Non-Historic Structures Design Standards in the Downtown Zones.** See Section 17.56.060, New Development or Renovation of Non-Historic Structures Design Standards in the Downtown Zones.
- C. **Citywide Standards.** All development is subject to the provisions of Division III, Citywide Standards.

Chapter 17.32 Mixed-Use Zones

Sections:

17.32.010	Purpose and Applicability	II-16
17.32.020	Use Regulations	II-17
17.32.030	Development Standards	II-27
17.32.040	Supplemental Regulations	II-30

17.32.010 Purpose and Applicability

The purpose of this Chapter is to provide for the development of a range of uses suitable to the character of Woodland's corridors. Additional purposes of each zone are described below.

- A. **Corridor Mixed-Use-West Main (CMU-WM).** West of Downtown, the Corridor Mixed-Use-West Main Zone is a mixed-use corridor intended to accommodate residential infill and neighborhood-serving retail. The residential density and intensity of non-residential uses are intended to give the corridor an urban character and revitalize and replace older strip commercial development. Residential, retail, commercial service, and office uses are permitted in a horizontal or vertical mixed-use setting to enhance the streetscape. The CMU-WM zone implements the Corridor Mixed-use General Plan land use designation.
- B. **Corridor Mixed-Use-East (CMU-E).** The Corridor Mixed-Use-East zone facilitates the revitalization of the auto-oriented East Street corridor. Supporting a mix of uses, the zone permits a flexibility of design intended to enhance the urban character and streetscape of the corridor. Residential, retail, commercial service, office, and light industrial uses are permitted in a horizontal or vertical mixed-use configuration. The CMU-E zone implements the Corridor Mixed-use General Plan land use designation.
- C. **Corridor Mixed-Use-Kentucky (CMU-K).** The Corridor Mixed-Use-Kentucky zone accommodates a mix of uses including service and light industrial uses. Residential uses are allowed on the south side of Kentucky. The zone allows this area to continue to function as an agriculture-industrial corridor while sensitively integrating new, mixed-use development to activate specific sections of the corridor. The CMU-K zone implements the Corridor Mixed-use General Plan land use designation.
- D. **Corridor Mixed-Use-Armfield (CMU-A).** The Corridor Mixed-Use-Armfield zone supports a mix of uses similar to the CMU-E zone and permits a flexibility of design intended to enhance the urban character and streetscape of the area with residential, retail, commercial service, and office, uses in a horizontal or vertical mixed-use configuration while providing appropriate transitions and buffers between newer higher intensity uses and existing single family residential uses. The CMU-A zone implements the Corridor Mixed-use General Plan land use designation.
- E. **Corridor Mixed-Use-Flex (CMU-F).** The Corridor Mixed-Use-Flex zone supports a sensitive transition between the North East Street corridor and the industrial areas to the east. Like the

CMU-E zone, it facilitates the revitalization of the auto-oriented East Street corridor and supports a mix of uses to enhance the urban character and streetscape of the corridor, with residential, retail, commercial service, office, and light industrial uses in a horizontal or vertical mixed-use configuration. Smaller-scale custom, light industrial and artisan manufacturing are allowed to add flexibility and vitality to the corridor. The CMU-F zone implements the Corridor Mixed-use General Plan land use designation.

- F. **Community Commercial Mixed-Use (CCMU).** The Community Commercial Mixed-Use zone is intended to support commercial development that serves local neighborhoods as well as the rest of the City but does not regularly attract regional, visitor, or pass-through traffic. Uses in this zone include retail, services, grocery stores, restaurants, professional offices, hotels, and similar commercial uses, as well as higher density housing and mixed-use development. The CCMU zone implements the Community Commercial General Plan land use designation.
- G. **Neighborhood Mixed-Use (NMU).** The Neighborhood Mixed-Use zone supports commercial development that meets the needs of local neighborhoods. Uses in this zone include smaller-scale retail, grocery stores, office, and service-oriented businesses, as well as higher density housing and mixed-use development. The NMU zone implements the Neighborhood Commercial General Plan land use designation.
- H. **Corridor Mixed-Use-Gateway (CMU-G).** The Corridor Mixed-Use-Gateway zone, located along an important north-south corridor, is envisioned by the General Plan to support a mix of uses including retail, medical services, offices, business park development and housing. The zone allows for vertical and horizontal mixed-use development. The CMU-G zone implements the Corridor Mixed-use General Plan land use designation.

17.32.020 Use Regulations

Table 17.32.020-1, Use Regulations – Mixed-Use Zones lists the uses permitted, permitted with a staff-level Zoning Administrator Permit, and permitted with a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) granted at a public hearing. The right-hand column provides references to other Sections of this Code where additional regulations are located. Refer to Division V, Chapter 17.144 for Definition of Uses.

Table 17.32.020-1: Use Regulations – Mixed-Use Zones									
Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>									
Residential Uses									
Single-Family									
<i>Detached</i>	—	A	A ¹	A	—	—	—	—	
<i>Attached</i>	—	A	A ¹	A	—	—	—	—	
Duplex	—	A	—	A	—	—	—	—	

Division II: Zone Regulations

Table 17.32.020-1: Use Regulations – Mixed-Use Zones

Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed									
Small Lot Subdivision	P	P	A ¹	A	—	A ²	—	P	
Multi-Unit Dwelling	P	P	P ¹	P	P	P ²	P ²	P ²	
Accessory Dwelling Unit	See Section 17.84.030, Accessory Dwelling Units								
Family Day Care									
Small	P	P	P	P	—	P	P	P	
Large	P	A	—	A	—	—	—	P	
Live/Work	P ²	P	P ¹	A	A	A	P	P ²	See Section 17.84.230, Live/Work
Manufactured Home Park	—	C	—	—	—	—	—	—	See Section 17.84.240, Manufactured Home Parks, RV/Trailer Parks, and Manufactured Buildings
Residential Care Facilities									
Small	P	P	P	P	—	—	A	A	
Large	A	A	P	A	—	—	—	A	
Single-Room Occupancy	—	C	—	—	C	—	—	—	See Section 17.84.340, Single Room Occupancy Units
Commercial Uses									
Adult Businesses	—	—	—	—	C	—	—	—	See Section 17.84.040, Adult Businesses
Animal Care, Sales and Services									
Animal Boarding Kennel/Pet Day Care	—	—	C	—	C	—	—	C	
Grooming	P	P	P	P	P	P	A	P	

Table 17.32.020-1: Use Regulations – Mixed-Use Zones

Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>									
<i>Pet Store</i>	P	P	P	P	P	P	P	P	
<i>Veterinary Services</i>	P	P	P	P	—	P	A	A	
Automobile/Vehicle Sales and Services									
<i>Automobile Rental Office</i>	P	P	P	P	P	P	—	P	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Automobile/Vehicle Sales and Leasing, New</i>	A ³	A ³	A ³	—	—	—	—	A ³	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Automobile/Vehicle Service and Repair, Major</i>	—	C	C	—	C	—	—	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Automobile/Vehicle Service and Repair, Minor</i>	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	A	—	P ⁴	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Farm/Agricultural Equipment Sales, Service and Rental</i>	P	P	P	A	P	—	—	P	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Fueling Station</i>	C ⁵	C ⁵	C ⁵	—	—	C ⁵	—	C ⁵	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Large Vehicle and Equipment Sales, Service and Rental</i>	—	—	—	—	C	—	—	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses

Division II: Zone Regulations

Table 17.32.020-1: Use Regulations – Mixed-Use Zones

Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed									
<i>Washing (Full Service)</i>	—	C ⁶	—	—	—	—	—	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Washing (Self-Serve)</i>	A ⁶	A ⁶	A ⁶	—	A ⁶	C ⁶	—	A ⁶	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
Banks and Financial Institution									
<i>Bank and Savings and Loan</i>	P	P	P	P	—	P	P	P	
<i>Non-Traditional Financial Institution</i>	A	A	—	—	—	A	—	—	See Section 17.84.260, Non-Traditional Financial Institutions
Business and Communication Services									
<i>General Business Services</i>	P	P	P	P	P	P	P	P	
<i>Printing and Copy Services</i>	P	P	P	P	P	P	P	P	
Drive-Through Facility									
<i>Drive-Through, Food Establishment</i>	—	—	—	—	—	C	—	A	See Section 17.84.160, Drive-Through Establishments
<i>Drive-Through, Limited</i>	C	—	—	—	—	C	—	A	See Section 17.84.160, Drive-Through Establishments
Eating and Drinking Establishments									
<i>Bar/Night Club/Lounge</i>	C	C	C	C	C	C	—	C	See Section 17.84.060, Alcoholic Beverage Sales

Table 17.32.020-1: Use Regulations – Mixed-Use Zones

Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>									
<i>Brewpub</i>	A	A	A	A	A	A	—	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Microbrewery</i>	A	A	A	A	A	A	—	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Micro-Distillery</i>	A	A	A	A	A	C	—	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Restaurant, Full Service</i>	P	P	P	P	P	P	P	P	
<i>Restaurant, Limited Counter Service/Fast Casual Food</i>	P	P	P	P	P	P	P	P	
<i>Tasting Room</i>	P	P	P	P	P	P	P	P	See Section 17.84.060, Alcoholic Beverage Sales
<i>Funeral and Internment Service</i>	P	P	P	—	A	—	—	—	
<i>Hookah Lounge</i>	C	C	—	—	—	—	—	C	See Section 17.84.210, Hookah Lounges
Lodging									
<i>Bed and Breakfast</i>	A	A	—	A	—	—	A	A	See Section 17.84.100, Bed and Breakfast Lodging
<i>Boarding House</i>	A	—	—	—	—	—	—	—	
<i>Hotel and Motel</i>	A	A	—	A	—	A	—	A	
<i>RV Park Resort</i>	—	—	—	—	C	—	—	—	See Section 17.84.240, Manufactured Home Parks, RV/Trailer Parks, and Manufactured Buildings

Division II: Zone Regulations

Table 17.32.020-1: Use Regulations – Mixed-Use Zones

Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>									
<i>Short-Term Rental</i>	A	A	—	—	—	—	—	A	See Section 17.84.330, Short-Term Rental
Maintenance and Repair Services	P	P	P	P	P	P	P	P	
Office Uses									
<i>Business, Professional, and Technology</i>	P	P	P	P	P	P	P	P	
<i>Medical and Dental Offices</i>	P	P	P	P	P	P	P	P	
Personal Services									
<i>General Personal Services</i>	P	P	P	P	P	P	P	P	See Section 17.84.290, Personal Services
<i>Instructional Services</i>	P	P	P	P	P	P	P	P	See Section 17.84.290, Personal Services
<i>Massage Establishments</i>	A	A	C	C	—	A	C	A	See Section 17.84.290, Personal Services
<i>Tattoo/Body Modification Parlor</i>	A	A	A	A	A	A	C	A	See Section 17.84.290, Personal Services
Recreation, Fitness, and Entertainment									
<i>Cinema/Theaters</i>	—	—	—	—	—	—	—	—	
<i>Indoor Entertainment Facility</i>	P	P	P	A	A	A	A	P	
<i>Indoor Sports and Recreation, Large-Scale</i>	A	A	C	—	C	A	—	A	
<i>Indoor Sports and Recreation, Small-Scale</i>	P	P	P	P	A	P	P	P	

Table 17.32.020-1: Use Regulations – Mixed-Use Zones

Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>									
<i>Outdoor Sports and Recreation</i>	—	—	—	A	A	—	—	—	
Retail									
<i>Artisan Shop</i>	P	P	P	P	P	P	P	P	
<i>Convenience/ Small Grocery Market</i>	P	P	P	P	P	P	P	P	See Section 17.84.020, Accessory Uses and Section 17.84.060, Alcoholic Beverage Sales
<i>Firearm Sales and Servicing</i>	A	A	A	A	A	A	—	A	See Section 17.84.180, Firearms Sales
<i>General Retail Sales</i>	P	P	P	P	P	P	P	P	
<i>Grocery Store</i>	P	P	P	A	A	P	P	P	
<i>Large Format Retail Sales</i>	—	—	—	—	—	—	—	P	
<i>Liquor Sales as Primary Use</i>	C	C	C	C	C	C	C	C	
<i>Liquor Sales as Accessory Use, Small</i>	A	A	A	C	C	A	A	A	See Section 17.84.020, Accessory Uses and Section 17.84.060, Alcoholic Beverage Sales
<i>Liquor Sales as Accessory Use, Large</i>	A	A	A	C	C	A	—	A	See Section 17.84.020, Accessory Uses and Section 17.84.060, Alcoholic Beverage Sales
<i>Nursery and Garden Center</i>	P	P	P	A	P	P	P	P	
<i>Pawn Shop</i>	A	A	A	—	A	—	—	—	
<i>Secondhand/ Consignment Store</i>	P	P	P	P	—	P	P	P	

Division II: Zone Regulations

Table 17.32.020-1: Use Regulations – Mixed-Use Zones

Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>									
<i>Smoke Shop</i>	A	A	—	—	A	—	—	—	See Section 17.84.350, Smoke Shops
Public/Institutional Uses									
College and Trade School	P	P	P	P	P	P	—	P	
Community and Religious Assembly	A	A	A	A	A	A	A	A	
Community Garden	—	—	A	A	—	—	A	—	See Section 17.84.130, Community Gardens
Cultural Facility	P ⁷	P ⁷	P	P ⁷	P ⁷	—	P ⁷	P ⁷	
Day Care Center	A	A	A	C	C	A	A	A	See Section 17.84.150, Day Care Centers, Family Day cares and Residential Care Facilities
Emergency Shelter	P	P	P	P	P	P	—	—	See Section 17.84.170, Emergency Shelters, Daytime Service Facilities, and Low Barrier Navigation Centers
Government Buildings	P	P	P	P	—	P	—	P	
Hospitals and Clinics									
<i>Hospital</i>	C	C	C	—	—	—	—	C	
<i>Skilled Nursing Facility</i>	A	A	A	A	—	—	—	A	
<i>Clinic</i>	A	A	A	—	—	—	A	A	
Park and Recreation Facility, Public	P	P	—	P	A	P	—	P	

Table 17.32.020-1: Use Regulations – Mixed-Use Zones

Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>									
Parking Facilities (privately-owned)	—	C	—	—	—	—	—	—	
School	—	C	—	C	—	C	—	—	
Social Service Centers/ Daytime Service Facility	C	C	A	—	C	—	—	—	See Section 17.84.170, Emergency Shelters, Daytime Service Facilities, and Low Barrier Navigation Centers
Industrial Uses									
Agricultural Production, Light	—	—	A	—	A	—	—	—	
Artisan/Small-Scale Manufacturing	P	P	P	P	P	—	—	P	
Artist's Studio	P	P	P	P	P	P	P	P	
Building Materials and Supply	A	A	A	A	A	A	—	A	
Food and Beverage Manufacturing									
<i>Small Scale</i>	A	A	A	—	P	A	—	A	
<i>Large Scale</i>	—	—	—	—	P	—	—	—	
Food Preparation	P	P	P	P	P	P	A	P	
Industrial, Light	—	A	A	—	P ⁸	—	—	—	
Recycling Facilities									
<i>Reverse Vending Machine</i>	A	A	A	A	A	A	—	A	
Research and Development	P/A ⁹	P/A ⁹	P/A ⁹	P/A ⁹	P	P/A ⁹	—	P/A ⁹	
Storage Yard	—	P ¹⁰	P ¹⁰	—	P ¹⁰	—	—	—	See Section 17.70.040 Outdoor Storage Areas, Section 17.84.020 Accessory Uses, and Subsection

Division II: Zone Regulations

Table 17.32.020-1: Use Regulations – Mixed-Use Zones

Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>									
									17.64.100.B Truck Storage
Warehousing, Storage, Logistics, and Distribution									
<i>Indoor Warehousing and Storage</i>	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	—	—	—	See Section 17.84.020, Accessory Uses
<i>Logistics and Distribution</i>	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	—	—	P ¹¹	See Section 17.84.020, Accessory Uses
<i>Chemical or Mineral Storage</i>	—	—	—	—	—	—	—	—	
<i>Personal Storage Warehouse Facility</i>	—	—	—	—	—	—	—	—	See Section 17.84.300, Personal Storage Facilities
Transportation, Communications, and Utilities									
Communication Facilities									
<i>Antennas and Transmission Towers</i>	See Chapter 17.84, Telecommunication Facilities								
<i>Equipment within Buildings</i>	See Chapter 17.84, Telecommunication Facilities								
Emergency Services	P	P	P	P	P	P	P	P	
Transportation Passenger Facility	—	C	—	C	—	—	—	—	
Cannabis Uses									
Indoor Personal Cannabis Cultivation	P	P	P	P	P	—	—	—	See Section 17.84.280, Personal Cultivation of Cannabis
Cannabis Retail	C	C	C	C	C	C	C	C	See Section 17.84.120, Commercial Cannabis Businesses
Temporary/Other Uses									

Table 17.32.020-1: Use Regulations – Mixed-Use Zones

Use Classification	CMU-WM	CMU-E	CMU-K	CMU-A	CMU-F	CCMU	NMU	CMU-G	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>									
Farmers Market	P	P	P	P	—	P	P	P	See Section 17.84.370, Temporary Uses
Mobile Vendor	See Section 17.84.250, Mobile Vendors						—	—	
Swap Market/Flea Market	—	C	—	C	—	—	—	—	See Section 17.84.370, Temporary Uses

Notes:

1. Residential uses are allowed only on the south side of Kentucky Avenue unless part of an adopted Specific Plan.
2. Residential not permitted on the ground floor facing Main Street or CR102.
3. Used Car Sales must be associated with a new car dealership, except for a large format used car dealership. A single use, used car lot is not permitted. See Subsection 17.84.090.B, Auto/Vehicles Sales, New and Used.
4. A ZAP is required where adjacent to an R-L, N-P, or R-LM zone.
5. Beer and wine sales associated with a fueling station is subject to a CUP. The sale of hard alcohol is not permitted.
6. Only allowed as an accessory use to a gas station or car dealership, typically on the same parcel. See Subsection 17.84.090.D.2.
7. A ZAP is required for establishments greater than 2,000 gross square feet.
8. A ZAP is required for outdoor processing and storage.
9. A ZAP is required for establishments greater than 5,000 gross square feet.
10. May not exceed 5,000 gross square feet. Must be located on the rear half of the lot or screened from view from the right-of-way and must be accessory to a primary use.
11. May not exceed 5,000 gross square feet and must be accessory to a primary use. See Chapter 17.84.020, Accessory Uses.

17.32.030 Development Standards

Table 17.32.030-1, Development Standards – Mixed-Use Zones establishes the development standards for the Mixed-Use zones. Letters refer to subsections that directly follow the table.

Table 17.32.030-1: Development Standards – Mixed-Use Zones

Standard	CMU-WM CMU-E, CMU-F, and CMU-G	CMU-K	CMU-A	CCMU	NMU
Intensity and Lot Standards					
Density (du/ac)	Min. 20, Max. 40. For CMU-G,	Min. 20, Max. 40	Min. 20, Max. 40	Min. 15, Max. 30	Unlimited

Division II: Zone Regulations

	Min. 15, Max 45				
FAR of Residential and Non-residential Combined	0.25-2.0 for single use; 0.5-3.0 for residential mixed use (A)	0.25-2.0 for single use; 0.5-3.0 for residential mixed use (A)	0.25-2.0 for single use; 0.5-3.0 for residential mixed use (A)	0.15-0.7 for single use; 0.5-3.0 for residential mixed use (A)	0.15-0.5
Max. Lot Coverage	70%	60%	70%	60%	60%

Building Form and Placement Standards

Building Height

<i>Max. Height</i>	55 ft. (B)	55 ft. (B)	45 ft. (B)	55 ft. (B)	45 ft. (B)
<i>Min. Height on Corner Sites</i>	Min. 2 stories required on all corner parcels with frontage on Main, West Main and East Streets	Min. 2 stories required on all corner parcels with frontage on Kentucky Avenue	—	—	—

Minimum Setbacks

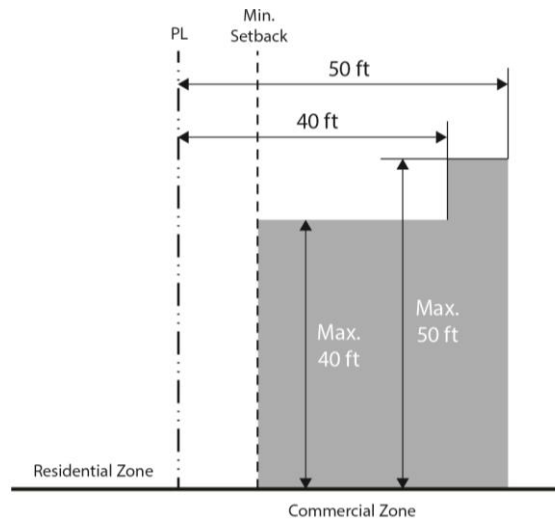
<i>Front</i>	10 ft. (C)(D)	10 ft. (C)(D)	10 ft. (C)(D)	15 ft. (C)(D)	20 ft. (D)
<i>Interior Side Setback</i>	0 ft.; where abutting a residential zone, minimum setback is that of the abutting residential zone			5 ft.	5 ft.
<i>Street Side Setback</i>	10 ft. (C)(D)	10 ft. (C)(D)	10 ft. (C)(D)	10 ft. (C)(D)	10 ft. (D)
<i>Rear Setback</i>	0 ft.; where abutting a residential zone, minimum setback is that of the abutting residential zone			10 ft.	10 ft.

Open Space Standards

Min. Common or Private Open Space (Residential)	48 sf per unit	48 sf per unit	48 sf per unit	48 sf per unit	48 sf per unit
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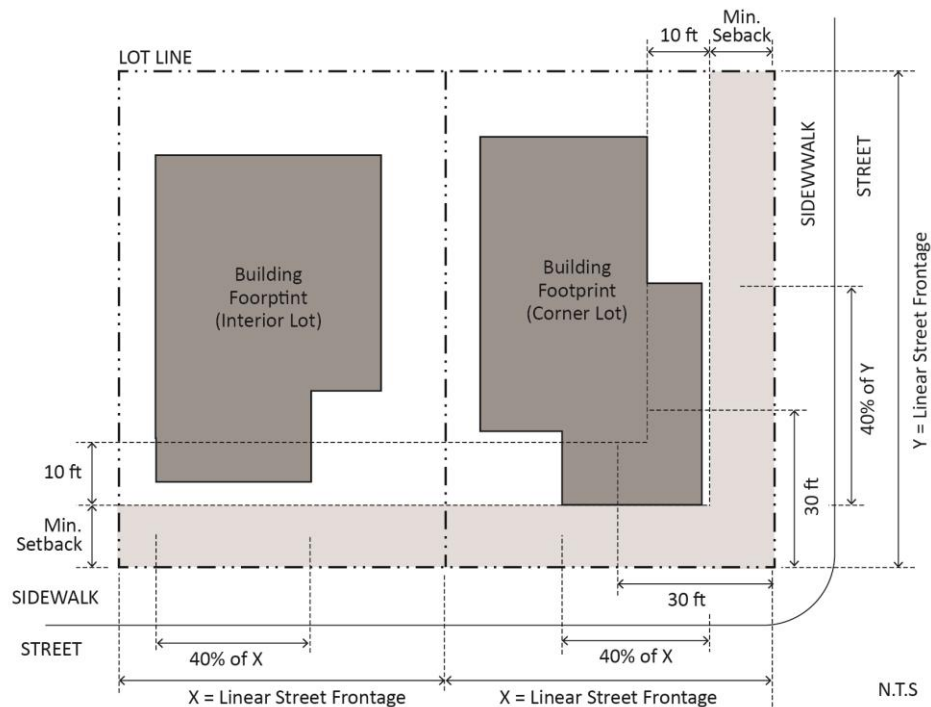
- A. **Additional FAR.** Additional FAR may be granted for uses that offer significant community benefits. Eligible benefits include but are not limited to the provision of public open space and the promotion of transit accessibility. The additional development capacity and nature of community benefits shall be determined through an Agreement between the City and Applicant.
- B. **Maximum Height Adjacent to Residential Zones.** The maximum height within 40 feet of a Residential zone is limited to 40 feet. The maximum height within 50 feet of a Residential zone is 50 feet. If an adjacent residential use is 40 feet or taller, the maximum height requirement shall be that stated in Table 17.32.030-1, Development Standards – Mixed-Use Zones, above.

FIGURE 17.32.030.B-1: MAXIMUM HEIGHT ADJACENT TO RESIDENTIAL ZONES



- C. **Required Building Location.** The following building location requirements apply in all Mixed-Use zones with the exception of the NMU zone.
1. Buildings shall be located within 10 feet of the minimum required front setback line for at least 40 percent of the linear street frontage.
 2. Buildings shall be located within 10 feet of the required setback line within 30 feet of the street corner.

FIGURE 17.32.030.C-1: REQUIRED BUILDING LOCATION



3. *Frontage Improvements.* The area between buildings and the property line shall be improved as part of a wider sidewalk, as outdoor dining/seating area, or with landscaping.
 4. *Exceptions.* These requirements may be modified or waived by the Director upon finding that:
 - a. Entry courtyards, plazas, entries, or outdoor eating areas are located adjacent to the property line and buildings are built to the edge of the courtyard, plaza, or dining area; or
 - b. The building incorporates an alternative entrance design that creates a welcoming entry feature facing the street.
- D. **Front Setback Exception.** Where 50 percent or more of the block is developed and has lesser setbacks, the setbacks shall be the average of the two nearest buildings on the same side of the street.

17.32.040 Supplemental Regulations

- A. **Mixed Use, Commercial, and Employment Zones Design Standards.** See Section 17.56.070, Mixed Use, Commercial and Employment Zones Design Standards.
- B. **Citywide Standards.** All development is subject to the provisions of Division III, Citywide Standards.

Chapter 17.36 Commercial Zones

Sections:

17.36.010	Purpose and Applicability	II-31
17.36.020	Use Regulations	II-31
17.36.030	Development Standards	II-35
17.36.040	Supplemental Regulations	II-37

17.36.010 Purpose and Applicability

The purpose of this Chapter is to provide for the development of neighborhood shopping areas where retail business or service establishments supply commodities or perform services to meet the daily needs of the residential neighborhood and commercial uses that are appropriate in the RC-F and RC zones. Additional purposes of each zone are described below.

- A. **Regional Commercial-Flex (RC-F).** The Regional Commercial Flex zone is located near entry access nodes to the community and supports regional commercial uses, light industrial uses, new auto and recreational vehicle sales and service, limited contractor facilities, and other retail uses. The RC-LIF zone implements the Regional Commercial with Light Industrial Flex Overlay General Plan land use designation.
- B. **Regional Commercial (RC).** The Regional Commercial zone is intended to accommodate retail establishments that serve residents and visitors of the region at large. Shopping malls and large format “big-box” retail is allowed, as are supporting uses such as gas stations and hotels, stand-alone professional office buildings, and limited ancillary office spaces. Complementary clusters of retail, healthcare, commercial, recreational, and institutional uses also are permitted. The RC zone implements the Regional Commercial General Plan land use designation.

17.36.020 Use Regulations

Table 17.36.020-1, Use Regulations – Commercial Zones, lists the uses permitted, permitted with a staff-level Zoning Administrator Permit, and permitted with a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) granted at a public hearing. The right-hand column provides references to other sections of this Code where additional regulations are located. Refer to Division V, Chapter 17.144 for Definition of Uses.

Table 17.36.020-1: Use Regulations – Commercial Zones			
Use Classification	RC-F	RC	Additional Regulations
<i>“P” = Permitted; “A” = Zoning Administrator Permit (ZAP) required; “C” = Conditional Use Permit (CUP) required; “—” = Not Allowed</i>			
Commercial Uses			
Animal Care, Sales, and Services			

Division II: Zone Regulations

<i>Animal Boarding Kennel/Pet Day Care</i>	C	—	
<i>Grooming</i>	P	P	
<i>Pet Store</i>	P	P	
<i>Veterinary Services</i>	P	A	
Automobile/Vehicle Sales and Services			
<i>Automobile Rental Office</i>	A	P	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Automobile/Vehicle Sales and Leasing, New</i>	P	P	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Automobile/Vehicle Service and Repair, Major</i>	C	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Automobile/Vehicle Service and Repair, Minor</i>	A	C	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Farm/Agricultural Equipment Sales, Service and Rental</i>	P	P	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Fueling Station</i>	C ¹	C ¹	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Large Vehicle and Equipment Sales, Service and Rental</i>	A	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Washing (Self-Serve)</i>	A ²	A	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
Banks and Financial Institution			
<i>Bank and Savings and Loan</i>	P	P	
Business and Communication Services			
<i>General Business Services</i>	P	P	
<i>Printing and Copy Services</i>	P	P	
Drive-Through Facility			
<i>Food Establishment</i>	C	C	See Section 17.84.160, Drive-Through Establishments
<i>Limited</i>	C	C	See Section 17.84.160, Drive-Through Establishments
Eating and Drinking Establishments			
<i>Bar/Night Club/Lounge</i>	C	C	See Section 17.84.060, Alcoholic Beverage Sales
<i>Brewpub</i>	A	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Microbrewery</i>	A	A	See Section 17.84.060, Alcoholic Beverage Sales

<i>Micro-Distillery</i>	A	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Restaurant, Full Service</i>	P	P	
<i>Restaurant, Limited Counter Service/Fast Casual Food</i>	P	P	
<i>Tasting Room</i>	P	P	See Section 17.84.060, Alcoholic Beverage Sales
Funeral and Internment Service	A	—	
Hookah Lounge	C	C	See Section 17.84.210, Hookah Lounge
Lodging			
<i>Hotel and Motel</i>	A	A	
Maintenance and Repair Services	P	P	
Office Uses			
<i>Business, Professional, and Technology</i>	P	P	
<i>Medical and Dental Offices</i>	P	P	
Personal Services			
<i>General Personal Services</i>	P	P	See Section 17.84.290, Personal Services
<i>Instructional Services</i>	P	—	See Section 17.84.290, Personal Services
<i>Massage Establishments</i>	—	C	See Section 17.84.290, Personal Services
<i>Tattoo/Body Modification Parlor</i>	A	A	See Section 17.84.290, Personal Services
Recreation, Fitness, and Entertainment			
<i>Indoor Sports and Recreation, Large-Scale</i>	A	A	
<i>Indoor Sports and Recreation, Small-Scale</i>	P	P	
<i>Outdoor Sports and Recreation Facilities</i>	A	C	See Section 17.64.090, Swimming Pools and Spas
Retail			
<i>Artisan Shop</i>	P	P	
<i>Convenience/Small Grocery Market</i>	P	—	
<i>Grocery Store</i>	A	P	
<i>Firearm Sales and Servicing</i>	A	A	See Section 17.84.180, Firearms Sales
<i>General Retail Sales</i>	P	P	
<i>Large Format Retail Sales</i>	P	P	
<i>Liquor Sales as Primary Use</i>	C	C	
<i>Liquor Sales as Accessory Use, Small</i>	A	A	See Section 17.84.060, Alcoholic Beverage Sales

Division II: Zone Regulations

<i>Liquor Sales as Accessory Use, Large</i>	A	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Nursery and Garden Center</i>	P	A	
<i>Secondhand/Consignment Store</i>	P	—	
Public/Institutional Uses			
College and Trade School	A	P	
Community and Religious Assembly	A	A	
Cultural Facility	P	P	
Day Care Center	C	A	See Section 17.84.150, Day Care Centers, Family Day Cares and Residential Care Facilities
Government Buildings	P	P	
Hospitals and Clinics			
<i>Hospital</i>	—	C	
<i>Clinic</i>	A	A	
Park and Recreation Facility, Public	A	P	See Section 17.64.090, Swimming Pools and Spas
Industrial Uses			
Artisan/Small-Scale Manufacturing	P	—	
Artist's Studio	P	—	
Brewery	A	A	
Building Materials and Supply	A	—	
Food and Beverage Manufacturing			
<i>Small Scale</i>	P	—	
<i>Large Scale</i>	P	—	
Food Preparation	P	—	
Freight / Trucking Facilities	—	—	
Industrial, Light	P ³	—	
Recycling Facilities			
<i>Reverse Vending Machine</i>	A	—	
Research and Development	P ⁴	P ⁴	See Section 17.84.020, Accessory Uses
Storage Yard	P ⁵	—	See Chapter 17.70, Screening Standards; Section 17.64.100, Vehicle/Truck Parking and Storage; and Section 17.84.020, Accessory Uses
Salvage and Wrecking Yard	—	—	

Warehousing, Storage, Logistics and Distribution			
<i>Chemical or Mineral Storage</i>	C	—	
<i>Indoor Warehousing and Storage</i>	P ⁶	—	See Section 17.84.020, Accessory Uses
<i>Logistics and Distribution</i>	P ⁶	—	See Section 17.84.020, Accessory Uses
<i>Personal Storage Facility</i>	—	—	
Wholesale Nursery	A	—	
Transportation, Communications, and Utilities			
Communication Facilities			
<i>Antennas and Transmission Towers</i>	See Section 17.84.360, Telecommunication Facilities		
Emergency Services	P	P	
Light Fleet Based Services	A	—	
Public Service, Minor	P	P	
Cannabis Uses			
Cannabis Retail	C	—	See Section 17.84.120, Commercial Cannabis Businesses
Other Uses			
Mobile Vendor	See Section 17.84.250, Mobile Vendors		
Swap Market/Flea Market	C	—	See Section 17.84.370, Temporary Uses

Notes:

1. Liquor sales associated with a fueling station is subject to a CUP. The sale of hard alcohol is not permitted.
2. Only allowed as an accessory use to a gas station or car dealership, typically on the same parcel. See Section 17.84.090.D.2.
3. A ZAP is required for outdoor processing and storage.
4. A ZAP is required for establishments greater than 10,000 gross square feet.
5. Must be located on the rear half of the lot or screened from view from the right-of-way and must be accessory to a primary use.
6. Outdoor pallet storage is prohibited, except as an accessory use in support of an existing business. Pallets must be stored below the fence line or otherwise screened from public view.

17.36.030 Development Standards

Table 17.36.030-1, Development Standards – Commercial Zones, establishes the development standards for the Commercial zones. Letters refer to subsections that directly follow the table.

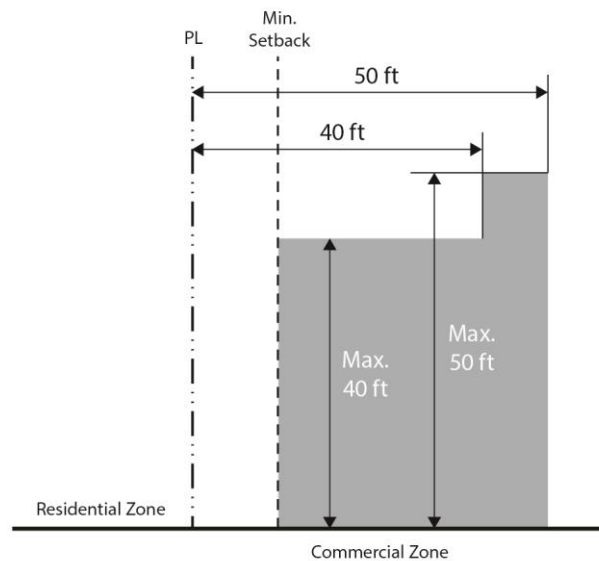
Table 17.36.030-1: Development Standards– Commercial Zones		
Standard	RC-F	RC
Floor Area Ratio (FAR)	0.15 – 0.7 (A)	0.15 – 0.7 (A)
Lot Coverage	Max. 70%	Max. 70%

Table 17.36.030-1: Development Standards– Commercial Zones

Standard	RC-F	RC
Building Height	Max. 65 ft. (B)	Max. 65 ft. (B)
Minimum Setbacks		
<i>Front</i>	15 ft. (C)	15 ft. (C)
<i>Street Side</i>	10 ft.	10 ft.
<i>Interior Side</i>	Min. 0 ft.; where abutting a residential zone, minimum setback is equal to that of the residential zone	
<i>Rear</i>	Min. 0 ft.; where abutting a residential zone, minimum setback is equal to that of the residential zone	
<i>Surface Parking, from any Street-Facing Property Line</i>	Min. 12 ft.	Min. 12 ft.
Common Usable Open Space for Employees	For employment uses over 50,000 sf: Min. 5 sf per 1,000 sf up to 1,500 sf This space need not be publicly accessible.	

- A. **Additional FAR.** Additional FAR may be granted for uses that include an upper-story office, lodging or service use.
1. A total of 1.2 FAR may be achieved with a Development Review Tier 2 permit (see Section 17.100.060, Development Review Tier 2: Major).
 2. A total of 1.5 FAR may be achieved with a CUP.
- B. **Maximum Height Adjacent to Residential Zones.** The maximum height within 40 feet of a Residential zone is limited to 40 feet. The maximum height within 50 feet of a Residential zone is 50 feet. If an adjacent residential use is 40 feet or taller, the maximum height requirement shall be that stated in Table 17.36.030-1, Development Standards – Commercial Zones above.

FIGURE 17.36.030.B-1: MAXIMUM HEIGHT ADJACENT TO RESIDENTIAL ZONES



- C. **Front Setback Exception.** Where 50 percent or more of the block is developed and has lesser setbacks, the setbacks shall be average of the two nearest buildings on the same side of the street.

17.36.040 Supplemental Regulations

- A. **Mixed Use, Commercial, and Employment Zones Design Standards.** See Section 17.56.070, Mixed Use, Commercial and Employment Zones Design Standards.
- B. **Citywide Standards.** All development is subject to the provisions of Division III, Citywide Standards.

Chapter 17.40 Employment Zones

Sections:

17.40.010	Purpose and Applicability	II-38
17.40.020	Use Regulations	II-38
17.40.030	Development Standards	II-44
17.40.040	Supplemental Regulations	II-45

17.40.010 Purpose and Applicability

The purpose of this Chapter is to encourage sound industrial development by providing areas exclusively for such development subject to regulations necessary to insure the protection of adjoining uses. Additional purposes of each zone are described below.

- A. **Industrial Flex (IF).** The Industrial Light zone provides for a mix of research and development and limited, artisan/small-scale manufacturing uses, including multi-tenant spaces with offices, agricultural processing, food producers, industrial technology, and other sensitive processing regulated by specific performance standards. Larger and more intensive uses that may create odors, particulates, dust, vibration, etc. are restricted and, in the case of general industrial uses with outdoor facilities, are not allowed. The zone provides a transition between more intensive industrial uses and urban mixed-use environments, with the intent of minimizing conflicts with sensitive uses. The IL zone implements the Industrial with Light Industrial Flex Overlay General Plan land use designation.
- B. **Industrial General (IG).** The Industrial General zone encourages sound industrial development by providing areas exclusively for such development. The zone supports light, medium, and heavy industrial uses, including manufacturing, processing, refining, and similar uses including those with outdoor facilities. It also provides for warehousing, distribution, and logistics uses with supporting commercial services and office space. Uses in the IG zone are subject to regulations necessary to insure the protection of adjoining uses. The IG zone implements the Industrial General Plan land use designation.
- C. **Business Park (BP).** The Business Park zone accommodates master-planned office parks that may include a mix of research and development, green technology uses, and light manufacturing related to research and development. This zone additionally allows for supporting uses including professional offices, hotels, and general retail that cater to industrial and office uses. The BP zone implements the Business Park General Plan land use designation.

17.40.020 Use Regulations

- A. **Permitted Uses.** Table 17.40.020-1, Use Regulations – Employment Zones, lists the uses permitted, permitted with a staff-level Zoning Administrator Permit (see Section 17.100.140, Zoning Administrator Permit), and permitted with a Conditional Use Permit (see Section

17.100.100, Conditional Use Permit) granted at a public hearing. The right-hand column provides references to other Sections of this Code where additional regulations are located. Refer to Division V, Chapter 17.144 for Definition of Uses.

- B. **Prohibited Uses.** Prohibited uses include those uses not listed Table 17.40.020-1, Use Regulations – Employment Zones; uses shown as not permitted in Table 17.40.020-1, Use Regulations – Employment Zones; and the following uses:

1. Pallet storage as a primary use;
2. Freight storage yard as a primary use;
3. Tire or concrete recycling/storage;
4. Salvage and wrecking yard, either as a primary or accessory use;
5. Vehicle impound and tow yard, either as a primary or accessory use;
6. Personal storage facilities, either as a primary or accessory use; and
7. Personal storage warehouse facilities, either as a primary or accessory use.

Table 17.40.020-1: Use Regulations – Employment Zones

Use Classification	IF	IG	BP	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>				
Residential Uses				
Small Lot Subdivision	—	—	A	
Live/Work	—	—	A	
Multi-Unit Dwelling	—	—	P	
Commercial Uses				
Adult Businesses	C	—	C	
Animal Care, Sales and Services				
<i>Animal Boarding Kennel/Pet Day Care</i>	A	A	A	
<i>Grooming</i>	A	—	—	
<i>Pet Store</i>	A	—	—	
<i>Veterinary Services</i>	A	—	A	
Automobile/Vehicle Sales and Services				
<i>Automobile Rental Office</i>	A	—	A	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Automobile/Vehicle Sales and Leasing, New</i>	A	—	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Automobile/Vehicle Service and Repair, Major</i>	C	A	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses

Division II: Zone Regulations

Table 17.40.020-1: Use Regulations – Employment Zones

Use Classification	IF	IG	BP	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>				
<i>Automobile/Vehicle Service and Repair, Minor</i>	A	A	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Farm/Agricultural Equipment Sales, Service and Rental</i>	A	P	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Fueling Station</i>	C ¹	—	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Large Vehicle and Equipment Sales, Service and Rental</i>	A ²	P	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Tire Retreading and Capping</i>	—	C	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
<i>Washing (Self-Serve)</i>	A ³	—	—	See Section 17.84.090, Automobile/Vehicle Sales and Service Uses
Business and Communication Services				
<i>General Business Services</i>	P	—	P	
<i>Printing and Copy Services</i>	P	—	P	
Eating and Drinking Establishments				
<i>Bar/Night Club/Lounge</i>	C	—	C	See Section 17.84.060, Alcoholic Beverage Sales
<i>Brewpub</i>	C	—	A	
<i>Microbrewery</i>	C	—	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Micro-Distillery</i>	C	—	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Restaurant, Full Service</i>	A	—	A	See Section 17.84.060, Alcoholic Beverage Sales
<i>Restaurant, Limited Counter Service/Fast Casual Food</i>	P	P	—	See Section 17.84.060, Alcoholic Beverage Sales
<i>Tasting Room</i>	A	A	—	See Section 17.84.060, Alcoholic Beverage Sales
Funeral and Internment Service	A	C	—	
Maintenance and Repair Services	P	P	P	
Lodging				
<i>Hotel and Motel</i>	—	P ⁴	—	

Table 17.40.020-1: Use Regulations – Employment Zones

Use Classification	IF	IG	BP	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>				
Office Uses				
<i>Business, Professional, and Technology</i>	P	P ⁴	P	
<i>Medical or Dental Offices</i>	—	—	A	
Recreation, Fitness, and Entertainment				
<i>Indoor Sports and Recreation, Large-Scale</i>	C	C	C	
<i>Indoor Sports and Recreation, Small-Scale</i>	C	C	C	
<i>Outdoor Sports and Recreation Facility</i>	A	—	A	
Personal Services				
<i>Dry Cleaner/Self Service Laundry</i>	—	—	A	
<i>General Personal Services</i>	—	—	P	
<i>Instructional Services</i>	—	—	P	
Retail				
<i>Artisan Shop</i>	P	A	P	
<i>Convenience/Small Grocery Market</i>	P	—	P	
<i>General Retail Sales</i>	P ⁴	P ⁴	P ⁴	
<i>Nursery and Garden Center</i>	P	—	—	
Public/Institutional Uses				
College and Trade School	A	A	P	
Community and Religious Assembly	A	—	A	
Cultural Facility	A	—	A	
Day Care Center	C	—	C	See Section 17.84.150, Day Care Centers, Family Day Cares and Residential Care Facilities
Emergency Shelter	—	C	—	See Section 17.84.170, Emergency Shelters, Daytime Service Facilities, and Low Barrier Navigation Centers
Government Buildings	P	—	P	

Hospitals and Clinics

Division II: Zone Regulations

Table 17.40.020-1: Use Regulations – Employment Zones

Use Classification	IF	IG	BP	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>				
<i>Clinics</i>	—	—	A	
<i>Hospital</i>	—	—	C	
Park and Recreation Facility, Public	A	—	A	
Parking Facilities (privately-owned)	—	—	—	
Social Service Centers/Daytime Service Facility	—	C	—	See Section 17.84.170, Emergency Shelters, Daytime Service Facilities, and Low Barrier Navigation Centers
Industrial Uses				
Agricultural Production, Light	P	P	P	See Section 17.84.050, Agricultural Production, Light
Artisan/Small-Scale Manufacturing	P	A	P	
Artist's Studio	P	A	P	
Brewery	C	C	C	
Building Materials and Supply	P	P	P	
Crematorium	—	C	—	See Section 17.84.140, Crematorium
Food and Beverage Manufacturing				
<i>Small Scale</i>	P	P	P	
<i>Large Scale</i>	P	P	P	
Food Preparation	P	A	P	
Freight, Trucking Facilities	—	—	—	
Hazardous Waste Management Facilities	—	C	—	See Section 17.84.190, Hazardous Waste Management Facilities
Laundry and Dry-Cleaning Plants	A	A	A	
Industrial, Heavy	—	A	—	
Industrial, Light	P ⁵	P	P ⁵	
Industrial, Medium	A	P	A	
Pallet Storage	—	—	—	Accessory only
Recycling Facilities				
<i>Collection</i>	—	C	—	See Section 17.84.310, Recycling Facilities
<i>Processing</i>	—	C	—	
<i>Reverse Vending Machine</i>	A	—	A	

Table 17.40.020-1: Use Regulations – Employment Zones

Use Classification	IF	IG	BP	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>				
<i>Tire/Concrete Recycling and Storage</i>	—	—	—	
Research and Development	P	P	P	
Storage Yard	P ^{5, 7}	P ^{6, 7}	P ^{6, 7}	See Chapter 17.70, Screening Standards; Section 17.64.100, Vehicle/Truck Parking and Storage; and Section 17.84.020, Accessory Uses
Salvage, Wrecking Yard	—	—	—	
Vehicle Impound and Tow Yard	—	—	—	
Warehousing, Storage, Logistics and Distribution				
<i>Chemical or Mineral Storage</i>	—	C ⁶	—	
<i>Indoor Warehousing and Storage</i>	C ⁶	C ⁶	A ⁶	
<i>Logistics and Distribution</i>	P ⁴	P	—	
<i>Personal Storage Facility</i>	—	—	—	
Wholesale Nursery	A	A	—	
Transportation, Communications, and Utilities				
Communication Facilities				
<i>Antennas and Transmission Towers</i>	See Section 17.84.360, Telecommunication Facilities			
<i>Equipment within Buildings</i>	See Section 17.84.360, Telecommunication Facilities			
Emergency Services	P	—	P	
Heliport	—	C	—	
Light Fleet Based Services	A	A	—	
Public Service, Major	P	C	P	
Public Service, Minor	P	P	P	
Cannabis Uses				
Cannabis Manufacturing, Volatile and Non-Volatile	C	C	C	See Section 17.84.120, Commercial Cannabis Businesses
Cannabis Testing, Research and Development	C	C	C	See Section 17.84.120, Commercial Cannabis Businesses
Cannabis Distribution	C	C	C	See Section 17.84.120, Commercial Cannabis Businesses
Other Uses				

Table 17.40.020-1: Use Regulations – Employment Zones

Use Classification	IF	IG	BP	Additional Regulations
<i>“P” = Permitted; “A” = Zoning Administrator Permit (ZAP) required; “C” = Conditional Use Permit (CUP) required; “—” = Not Allowed</i>				
Mobile Vendor	See Section 17.84.250, Mobile Vendors			

Notes:

1. Beer and wine sales associated with a fueling station is subject to a CUP. The sale of hard alcohol is not permitted.
2. Not permitted on properties facing Main Street or adjacent to a Main Street-facing property.
3. Only allowed as an accessory use to a gas station or car dealership, typically on the same parcel. See Section 17.84.090.D.2, Self Service Drive Through.
4. Permitted as accessory use only and shall not exceed 20% percent of the site area. Greater percentage subject to ZAP and not more than 50% of the site.
5. A ZAP is required for outdoor processing and storage.
6. Must be located on the rear half of the lot or screened from view from the right-of-way and must be accessory to a primary use.
7. Outdoor pallet storage is prohibited, except as an accessory use in support of an existing business. Pallets must be stored below the fence line or otherwise screened from public view.

17.40.030 Development Standards

Table 17.40.030-1, Development Standards – Employment Zones, establishes the development standards for the Employment Zones. Letters refer to subsections that directly follow the table.

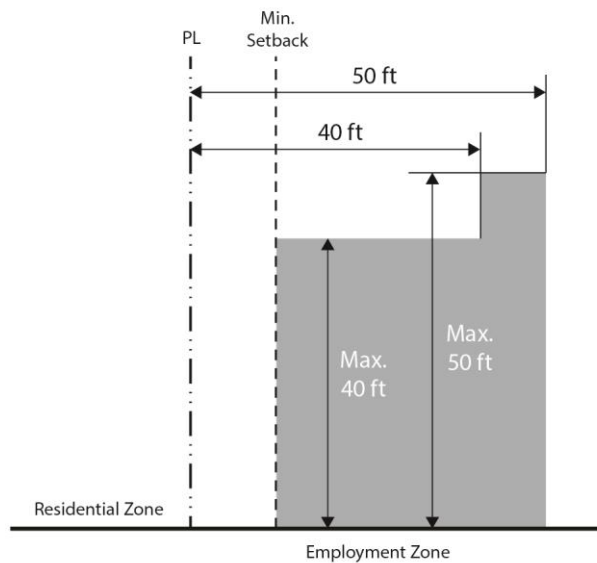
Table 17.40.030-1: Development Standards – Employment Zones

Standard	IF	IG	BP
Floor Area Ratio (FAR)	0 – 0.8	0 – 0.8	0.25 – 2.0
Max. Lot Coverage (percent)	70%	70%	70%
Max. Building Height (ft)	55 ft. (A)	65 ft. (A)(B)	55 ft. (A)
Min. Ground Floor Height, Finish Floor to Finish Floor (ft)	12	None	12
Minimum Setbacks			
<i>Front</i>	15 ft. (C)	20 ft. (C)	15 ft.
<i>Street Side</i>	15 ft.	20 ft.	15 ft.
<i>Interior Side</i>	5 ft.; 15 ft. abutting an R-L, N-P or R-LM zone	0 ft.	5 ft.; 15 ft. when abutting a residential zone or use
<i>Rear</i>	0 ft.; 10 ft. when abutting an R-L, N-P or R-LM zone	0 ft	0 ft.; 10 ft. when abutting a residential zone or use

Table 17.40.030-1: Development Standards – Employment Zones

Standard	IF	IG	BP
Common Usable Open Space	For employment uses over 50,000 sf: Min. 5 sf per 1,000 sf, up to 1,500 sf This space need not be publicly accessible.		

- A. **Maximum Height Adjacent to Residential Zones.** The maximum height within 40 feet of a Residential zone is limited to 40 feet. The maximum height within 50 feet of a Residential zone is 50 feet. If an adjacent residential use is 40 feet or taller, the maximum height requirement shall be that stated in Table 17.40.030-1, Development Standards – Employment Zones, above.

FIGURE 17.40.030.A-1: MAXIMUM HEIGHT ADJACENT TO RESIDENTIAL ZONES

- B. **Height Exceptions.** Maximum height may be increased for agricultural related facilities such as grain siloes or towers. Other height exemptions may be granted through a CUP, unless otherwise permitted subject to Section 17.08.030, Rules of Measurement.
- C. **Setback Exceptions.** Where 50 percent or more of the block is developed and has lesser setbacks, the setbacks shall be average of the two nearest buildings on the same side of the street.

17.40.040 Supplemental Regulations

- A. **Mixed Use, Commercial, and Employment Zones Design Standards.** See Section 17.56.070, Mixed Use, Commercial and Employment Zones Design Standards.
- B. **Citywide Standards.** All development is subject to the provisions of Division III, Citywide Standards.

Chapter 17.44 Public and Open Space Zones

Sections:

17.44.010	Purpose and Applicability	II-46
17.44.020	Use Regulations	II-46
17.44.030	Development Standards	II-48
17.44.040	Supplemental Regulations	II-49

17.44.010 Purpose and Applicability

The purpose of this Chapter is to provide civic spaces throughout the City to properly serve the needs of residents and provide open space to recreate and conserve natural habitats. Additional purposes of each zone are described below.

- A. **Public Facilities/Institutional (PF).** The Public Facilities/Institutional zone provides for public and quasi-public facilities such as colleges, schools, hospitals, penal institutions, libraries, museums, government offices and courts, places of worship, meeting halls, cemeteries and mausoleums, and similar uses. It also includes public facilities such as fire and police stations, recycling centers, and waste-water treatment. The PF zone implements the Public/Quasi Public General Plan land use designation.
- B. **Open Space (OS).** The Open Space zone provides for public parks, agricultural uses, outdoor recreational and equestrian uses, habitat protection, irrigation canals, reservoirs, watershed management, and natural recreation viewing areas typically limited for human occupation due to public health and safety hazards or areas containing wildlife habitat and other environmentally sensitive features. The OS zone implements the Open Space General Plan land use designation.
- C. **Flood Study Area (FSA).** The Flood Study Area zone is applied to areas restricted from urban development due to health and safety concerns related to flood risk, or because the property falls within a likely future flood project improvement area. Allowed uses include open space, as well as low-intensity agriculture or recreational uses. Generally, land uses that require extensive capital improvements or permanent infrastructure improvements shall be prohibited, except for improvements related to flood protection and control. Existing structures and business operations in areas designated as Flood Study Area Zone may remain but may not expand. The FSA zone implements the Flood Study Area General Plan land use designation.

17.44.020 Use Regulations

Table 17.44.020, Use Regulations – Public and Open Space Zones, lists the uses permitted, permitted with a staff-level Zoning Administrator Permit, and permitted with a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) granted at a public hearing. The right-hand column

provides references to other sections of this Code where additional regulations are located. Refer to Division V, Chapter 17.144 for Definition of Uses.

Table 17.44.020: Use Regulations – Public and Open Space Zones

Use Classification	PF	OS	FSA	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>				
Commercial Uses				
Cemetery	C	C	—	
Lodging				
<i>RV Park Resort</i>	C	—	—	See Section 17.84.240, Manufactured Home Parks, RV/Trailer Parks, and Manufactured Buildings
Recreation, Fitness and Entertainment				
<i>Indoor Sports and Recreation, Large-Scale</i>	A	—	—	
<i>Outdoor Sports and Recreation Facility</i>	A	A	—	See Section 17.64.090, Swimming Pools and Spas
Public/Institutional Uses				
College and Trade School	P	—	—	
Community and Religious Assembly	A	—	—	
Community Garden	A	C	—	See Section 17.84.130, Community Gardens
Cultural Facility	P	C	—	
Day Care Center	C	—	—	See Chapter 17.84, Day Care Centers, Family Day Cares and Residential Care Facilities
Government Buildings	P	C	—	
Hospitals and Clinics				
<i>Hospital</i>	C	—	—	
<i>Clinic</i>	P	—	—	
Park and Recreation Facility, Public	P	P	C ¹	
School	P	—	—	
Social Service Centers/Daytime Service Facility	A	—	—	See Section 17.84.170, Emergency Shelters, Daytime Service Facilities, and Low Barrier Navigation Centers
Industrial Uses				

Table 17.44.020: Use Regulations – Public and Open Space Zones

Use Classification	PF	OS	FSA	Additional Regulations
<i>"P" = Permitted; "A" = Zoning Administrator Permit (ZAP) required; "C" = Conditional Use Permit (CUP) required; "—" = Not Allowed</i>				
Agricultural Production, Light	—	C	C	See Section 17.84.050, Agricultural Production, Light
Transportation, Communications, and Utilities				
Heliport	C	C	—	
Public Services, Minor	P	—	—	
Transportation Passenger Facility	P	—	—	

Notes:

1. Permanent structures are not allowed in the FSA zone.

17.44.030 Development Standards

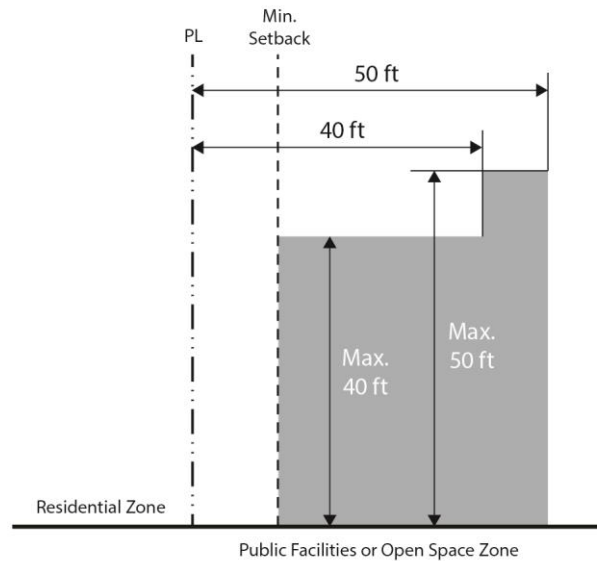
Table 17.44.030-1, Development Standards – Public Facilities and Open Space Zones, establishes the development standards for the PF, OS, and FSA zones. The numbers in each illustration below refer to corresponding regulations in the table. Letters refer to subsections that directly follow the table.

Table 17.44.030-1: Development Standards – Public Facilities and Open Space Zones

Standard	PF	OS	FSA
Max. Lot Coverage	50%	10%	(A)
Max. Building Height	55 ft. (B)	30 ft.	(A)
Minimum Setbacks			
<i>Front</i>	20 ft.	35 ft.	(A)
<i>Street Side</i>	20 ft.	20 ft.	(A)
<i>Interior Side</i>	10 ft.	10 ft.	(A)
<i>Rear</i>	20 ft.	40 ft.	(A)

- Existing structures and business operations may remain but may not expand.
- Maximum Height Adjacent to Residential Zones.** The maximum height within 40 feet of a Residential zone is limited to 40 feet. The maximum height within 50 feet of a Residential zone is 50 feet. If an adjacent residential use is 40 feet or taller, the maximum height requirement shall be that stated in Table 17.44.030-1, Development Standards – Public Facilities and Open Space Zones above.

FIGURE 17.44.030.B-1: MAXIMUM HEIGHT ADJACENT TO RESIDENTIAL ZONES



17.44.040 Supplemental Regulations

- A. **Public Facilities and Open Space Zones Design Standards.** See Section 17.56.080, Public Facilities and Open Space Zones Design Standards.
- B. **General Design Standards.** All development is subject to the provisions of Division III, Citywide Standards.

Chapter 17.48 Planned Development

Sections:

17.48.010	Purpose	II-50
17.48.020	Applicability	II-50
17.48.030	Procedures	II-50

17.48.010 Purpose

The purpose of a Planned Development (PD) zone is to afford maximum flexibility and diversity in site planning and building design and layout while protecting the integrity and character of the residential, commercial, and industrial areas of the City.

17.48.020 Applicability

Upon adoption, the PD zone designation supersedes the prior base zone and any applicable overlays.

17.48.030 Procedures

- A. The procedures for review and adoption of a PD and amendment of the Zoning Map to reflect the PD are established in Chapter 17.112, Planned Development (PD).
- B. Each PD will be assigned a number by the City. The standards associated with the PD will be recorded in the assigned numbered PD.

Chapter 17.52 Specific Plans

Sections:

17.52.010 Purpose..... II-51

17.52.020 Applicability II-51

17.52.030 Adopted Specific Plans..... II-51

17.52.010 Purpose

The purpose of this Chapter is to identify all adopted Specific Plans that apply in the City and reference the regulations that apply.

17.52.020 Applicability

Once adopted, a Specific Plan shall govern all use and development of properties within the bounds of that Specific Plan.

- A. No discretionary entitlement applications or other permits may be approved, adopted, or amended within an area covered by a Specific Plan, unless found to be consistent with the adopted Specific Plan.
- B. Where a Specific Plan is silent regarding development standards, the Director shall have the authority to determine which provisions of this Code apply to the Specific Plan area.

17.52.030 Adopted Specific Plans

The following is a list of the City’s adopted Specific Plans. Each Specific Plan area is mapped on the official Zoning Map.

- A. **Spring Lake Specific Plan.** See the Spring Lake Specific Plan on file with the City.
- B. **Southeast Area Specific Plan.** See the Southeast Area Specific Plan on file with the City.
- C. New Specific Plans will be added as needed.

Chapter 17.56 Building and Site Design Standards

Sections:

17.56.010	General Design Standards.....	II-52
17.56.020	Single-Family and Duplex Design Standards	II-54
17.56.030	Multi-Unit Design Standards	II-58
17.56.040	Small Lot Subdivision Design Standards	II-65
17.56.050	Preservation/Restoration of and Additions to Historic Structures	II-70
17.56.060	New Development or Renovation of Non-Historic Structures Design Standards in the Downtown Zones.....	II-72
17.56.070	Mixed Use, Commercial and Employment Zones Design Standards	II-76
17.56.080	Public Facilities and Open Space Zones Design Standards	II-84

17.56.010 General Design Standards

A. Durability of Materials.

1. Exterior finish materials shall have an expected lifespan of no less than 30 years.
2. Exterior timber shall be protected from decay by stain and sealant.
3. Exterior ferrous metals shall be protected from corrosion either through the use of galvanized, stainless, or weathering steel.

B. Shade, Cooling and Energy Conservation Requirements. New development shall incorporate at least two of the following thermal design/energy conservation measures:

1. "Cool" surfacing materials and roofs with high reflectivity values.
2. Adequate openings and interior ventilation, as well as ventilation corridors between buildings and public spaces.
3. A combination of building placement, vegetation, and structural shade features to provide heat mitigation and improve human thermal comfort. Structural shade features may include ramadas, pergolas, and canvas shades and other built structures can provide varying shade amounts.
4. Fixed overhangs over all south facing windows in combination with window coverings on south and west exposures.
5. Building orientation, including the incorporation of courtyards, to provide shade and passive cooling.
6. On buildings sides with high solar exposure, improvements such as shade screens, window glazing, and less than 50 percent glass on east and west walls.

7. Use of high-performance building envelopes, including insulation of floors, walls, and ceilings that exceed California Code of Regulations Title 24 standards, use of low-e glass and other high-performance curtain wall or glazing systems.
 8. Alternative means to address interior thermal regulation such as installation operable windows to allow cross ventilation, ceiling fans, and alternative heating and cooling systems such as heat pump or on-demand water heating.
 9. Employment of heat recovery ventilation within residential or non-residential buildings, which rather than venting warm exhaust air outside, captures the exhaust air and uses it to preheat incoming air.
 10. Use of energy efficient appliances and lighting that meet, at minimum California Green Building Code Tier 1 standards.
- C. **Sustainable Materials and Construction Practices.** New development and redevelopment/renovations shall consider the following:
1. Sustainable local and renewable building materials should be used and verified whenever feasible.
 2. Projects shall strive to reduce or eliminate waste during design, construction, operation, and end of life in order to conserve natural resources.
 3. The use of low-carbon cement is encouraged whenever feasible and/or the use of alternative materials.
 4. Consider prefabricated building/structural components when feasible.
 5. Leftover material stock should be recycled, donated, or returned for alternative use at the completion of construction.
- D. **Electrification.** All new buildings shall be all-electric ready, including providing for sufficient capacity in the installed utility service, dedicated wiring, reserved electrical breaker space, and a space large enough for future electric appliances or equipment. All new development shall meet California Green Building Code requirements.
- E. **Water Conservation/Quality.** The following guidelines are recommended to minimize water use and/or improve water quality for all new development and redevelopment/renovations:
1. Use high-performance water fixtures that reduce water consumption and reduce demand on the water supply and the amount of waste-water entering the waste-water system.
 2. Design streets, parking lots, and building surfaces to collect stormwater run-off using low impact development techniques, such as bioswales or other biofiltration systems.
 3. Capture rainwater in cistern or other devices to supply water for landscape irrigation during dry months or channel rainwater from building rooftop drains to landscaping in common areas.
- F. **Affordable Unit Design.** Affordable units and market rate units in the same development shall be constructed of the same or similar exterior materials and details such that the units are not distinguishable.

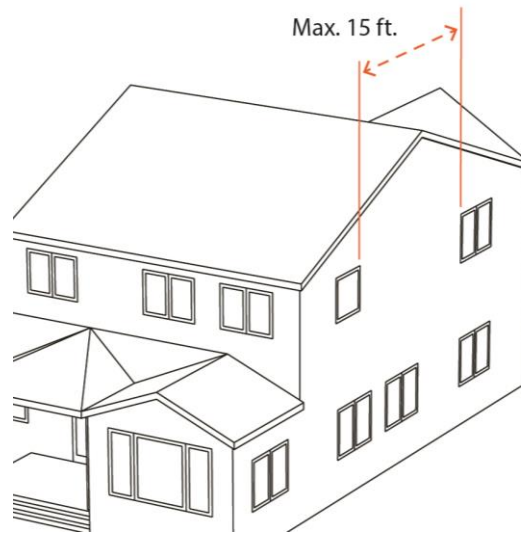
- G. **Universal Design.** For residential projects with at least 10 dwelling units, 10 percent of the units must adhere to the following principles of Universal Design:
1. At least one entrance without steps and a flat threshold.
 2. Living space on one floor or stair landings big enough to accept lifts.
 3. Wide interior doors (32-inch clear, typically provided with 36-inch door), hallways, and alcoves with 60- by 60-inch turning space at doors, in kitchens, and dead ends.
 4. At least one bedroom and one bathroom must be located on the ground level. A family room or den may satisfy this bedroom requirement if a sleeping structure (such as a bed, futon, hideaway, or Murphy bed) can be placed in the room and if the room complies with provisions for emergency escape and rescue and smoke alarms in the California Building Code (CBC).
 5. At least one accessible route through the hallways consistent with the requirements of CBC Chapter 11A from the accessible entrance of the dwelling unit to the primary entry level powder room or bathroom, a common use room, and the kitchen if located on the primary entry level.
 6. If on the primary entry level, miscellaneous areas or facilities (such as a patio or yard, laundry room, or storage area) for the dwelling must have an accessible route to and from the accessible entrance, either through the dwelling unit or around the dwelling unit.
 7. A 30- by 48-inch clear space at appliances and fixtures in bathrooms and kitchens.
 8. Flooring throughout the residential dwelling unit consistent with CBC Chapter 11A.
 9. The installation of all receptacle outlets, lighting controls and environmental controls through the balance of the residential dwelling unit must comply with CBC Chapter 11A or applicable provisions of the California Electrical Code.

17.56.020 Single-Family and Duplex Design Standards

- A. **Applicability.** This Section applies to single-family and duplex development in all zones.
- B. **Building Orientation.** All street-facing dwelling units must have the primary entrance facing or within 30 degrees of a public right-of-way or internal walkway.
- C. **Façade Articulation.**
1. No building facade may extend in a continuous plane for more than 15 feet without a window or a projection, offset, or recess of the building wall at least one foot in depth.
 2. All street-facing facades shall have at least one horizontal or vertical projection or recess at least two feet in depth, for every 25 horizontal feet of wall. Building entrances and front porches may count towards meeting this requirement.
 3. Facades facing a right-of-way shall be treated with an equal level of detail and articulation as the front elevation and shall incorporate a minimum of two of the following façade articulation measures:

- a. At least two high-quality building façade materials that accentuate or correspond to variations in building massing.
- b. Porticos, awnings, terraces, balconies, or trellises that provide variations in the building plane.
- c. A break in the façade plane of a minimum of six inches in depth that is applied to at least 10 vertical feet of the façade.
- d. Other additional architectural enhancements to the first floor of the primary entrance and below so as to create a human scale to the building. Examples include entryway hardscape, door design, handrails, fixed planters, and ornamental details, such as lighting, molding, or tiles.

FIGURE 17.56.020.C-1: CONTINUOUS WALL PLANES



D. Architectural Diversity.

1. In order to achieve architectural diversity within residential subdivisions, the following number of unique floor plans and elevations shall be provided:

Table 17.56.020-1: Required Floor Plans for Subdivisions

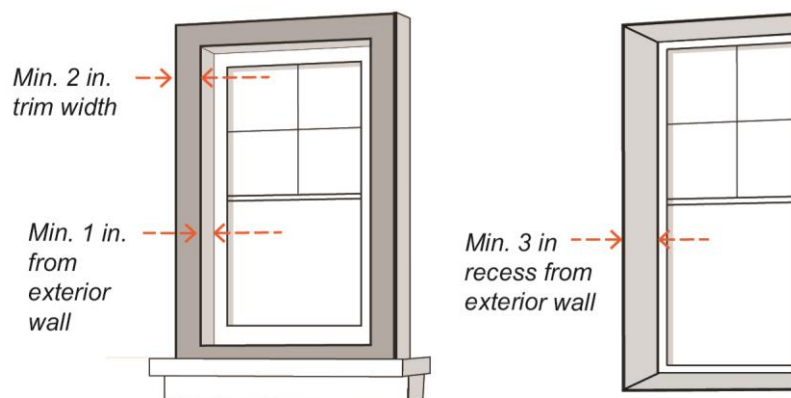
Number of Units	Required Number of Floor Plans	Required Number of Elevations per Plan
<25 units	2 plans	6 elevations (3 per plan)
25-50	3 plans	9 elevations (3 per plan)
51-75	3 plans	9 elevations (3 per plan)
76-120	4 plans	12 elevations (3 per plan)

Table 17.56.020-1: Required Floor Plans for Subdivisions

Number of Units	Required Number of Floor Plans	Required Number of Elevations per Plan
>120	5 plans	15 elevations (3 per plan)

2. Twenty-five percent of all single-family detached units in any new single-family subdivision development that has more than 25 units, shall be single story.
- E. **Roofline.** Roof design must include a minimum of two forms and slopes. Forms may include but are not limited to hips, gables, sheds, dormers, and parapets.
1. **Parapet Length.** Parapet segments may not exceed 25 feet in length without interruption in height or form.
 2. **Pitch.** The pitch of the roof must be 4:12 to 5:12 ratio.
 3. **Eaves.** Where eaves exceed 18 inches in depth, exterior brackets or beams are required.
- F. **Entrance Project or Recess.** Building entrances shall have a roofed projection (such as a porch) or recess with a minimum depth of at least five feet and a minimum area of 30 square feet. Exceptions to this requirement may be approved for alternative designs that create a welcoming entry feature facing the street, such as a trellis or landscaped courtyard entry.
- G. **Windows and Balconies.**
1. Trim at least two inches in width and one inch in depth must be provided around all windows, or windows must be recessed at least three inches from the plane of the surrounding exterior wall. The Director may consider alternatives that meet the intent of this standard of providing offsets on a flat exterior wall plane.

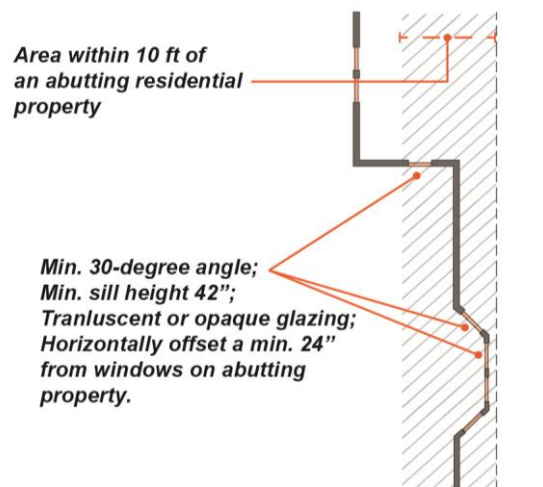
FIGURE 17.56.020.G-1: WINDOW DESIGN



2. Residential buildings shall incorporate operable windows on all frontages facing streets, pedestrian paths, or shared open spaces.

3. Windows shall be offset to avoid direct sightlines into and from neighboring properties. For upper-story living room, dining room, bedroom, or family room within 10 feet of an abutting residential property, windows must:
 - a. Be a minimum 30 degrees as measured perpendicular to the adjacent side setback line;
 - b. Have a minimum sill height of 42 inches from the finished floor;
 - c. Use permanently translucent or opaque glazing; or
 - d. Be horizontally offset a minimum 24 inches from windows on abutting property

FIGURE 17.56.020.G-2: WINDOW PLACEMENT AND PRIVACY



H. Building Materials.

1. Building materials may include, but are not limited to wood, glass, brick, metal spandrel, aluminum composite, cement board siding, tile, or other equivalent materials as approved by the Director.
2. The palette of building materials must be applied to all sides of a building.
3. Every building shall have at least two colors, not including the roof.
4. All material changes shall occur at changes in the building plane.

I. Garages.

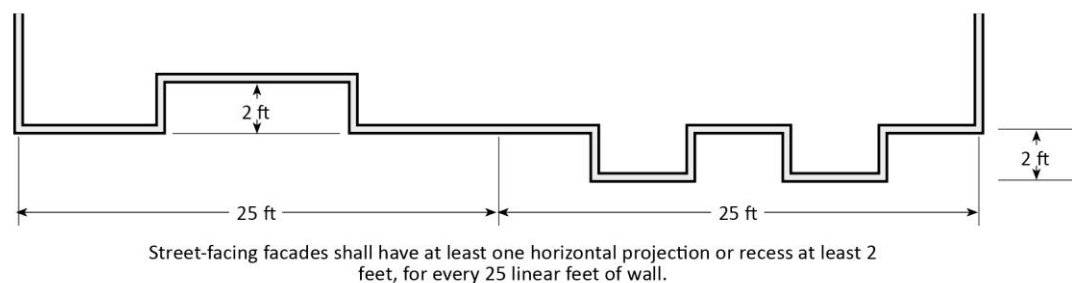
1. Garages appearances shall be minimized from the public right-of-way in at least one of the following ways:
 - a. Garages shall be setback a minimum of two feet from the front façade;
 - b. A second story shall project out over a garage; or
 - c. An alternate design technique such as a trellis or balcony over the garage shall be used, as approved by the Director.

2. In projects with multiple single-family or duplex units, a maximum of 40 percent of units may have garages that are flush with or forward of the primary façade.
3. Where an attached garage is forward of the primary façade, usable open space must be provided within the front setback in the amount of 200 square feet or 20 percent of the required front setback, whichever is less. The open space area shall be delineated by low fencing, landscaping, or hardscape enabling and defining an active outdoor use area.
4. Garage doors shall be recessed a minimum of six inches from the garage door frame.
5. Detached garages and carports shall be designed to include a minimum of one of the following from the main building(s): materials, detailing, roof materials, and colors. Solar panels structures are allowed as roof material for garages or carports.

17.56.030 Multi-Unit Design Standards

- A. **Applicability.** This Section applies to multi-unit and residential mixed-use development where at least two-thirds of the floor area is dedicated to residential use, in all zones.
- B. **Multi-Unit Buildings in the R-LM Zone.** In the R-LM zone, not more than four primary units can be attached or included in any one building.
- C. **Building Orientation.** All dwelling units must have the primary entrance, either individual or shared, facing a public right-of-way, a paseo/pathway, or a public open space.
- D. **Building Design and Articulation.**
 1. **Wall Facades.** All street-facing facades shall have at least one horizontal or vertical projection or recess at least two feet in depth, for every 25 horizontal feet of wall. Building entrances and front porches may count towards meeting this requirement.

FIGURE 17.56.030.D-1: WALL FACADES



2. **Ground Floor vs. Upper Floor.** Buildings over three stories shall provide a ground floor elevation that is distinctive from the upper floors by a change in material, color, accent treatment, projections, recesses, or a change in window patterns along at least 75 percent of the building façade with a frontage upon a street.
3. **Façade Articulation.**

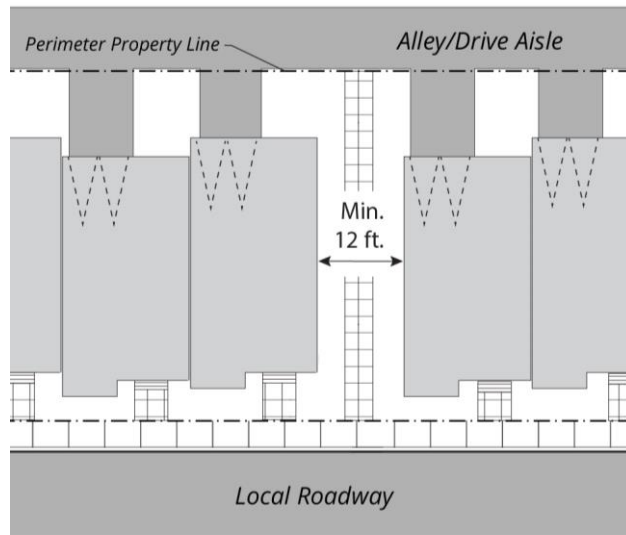
- a. At least one of the following architectural façade details shall be incorporated into the facade design: balconies (projecting or engaged); oriels/bay windows; decks/verandahs; solar shading fins, louvers, or screens; or dormers or a story embedded within a mansard roof on the topmost level.

FIGURE 17.56.030.D-2: BUILDING ARTICULATION



- b. Where the distance between multi-unit buildings is 15 feet or greater or where a side of a building is visible from a public right-of-way, all elevations shall be articulated with the same degree of detail as the primary elevation. This includes windows, frames, shutters, color, and materials, and/or other architectural treatments.
4. **Transition Areas.** Where new multi-unit development is built adjacent to or across from the R-L and NP zones, all units shall include individual front doors at the ground level. Exceptions may be granted for stacked fourplex project types and sites separated from existing R-L and NP zones by a sound/barrier wall. Where stairs are required, stairs shall be interior to each unit.
 5. **Rowhouses/Townhouses.**
 - a. Attached rowhouse or townhouse development may be configured with vehicular access provided from an on-site drive aisle, from an abutting alley, or from the primary building frontage.
 - b. Blocks of attached rowhouses or townhouses must be a minimum of three units and a maximum of eight units.
 - c. For attached rowhouse or townhouse units, a minimum separation of 12 feet must be provided between blocks of units. Units four stories or higher, building ends shall have a minimum 16-foot separation.

FIGURE 17.56.030.D-3: BUILDING SEPARATION



E. **Roofline.** The roofline at each elevation shall be vertically articulated by:

1. Varying roof height with an offset of at least 18 inches for each one to three units exposed on that elevation, or each 60 feet, whichever is greater;
2. Varying cornice design; or
3. Varying roof form.

FIGURE 17.56.030.E-1: ROOFLINE VARIATION



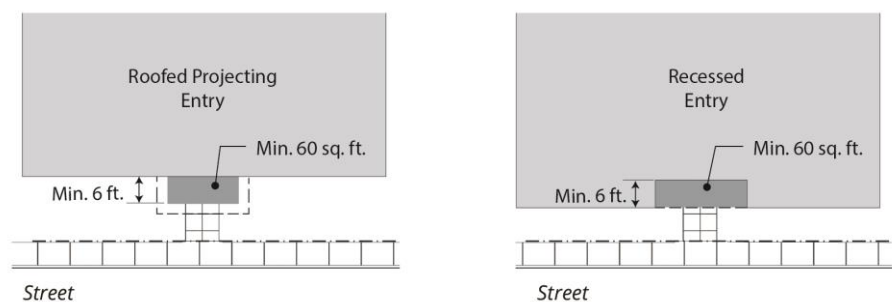
The roof line for each elevation shall be offset at least 18 inches for each one to three units exposed on that elevation.

F. **Entrances.**

1. Exterior entrances to residential units or commercial tenant spaces shall be in the form of individual or shared entrances at the ground floor of the building. Unit entrances located above the ground floor are also allowed; however, no exterior access corridor located above the ground floor may provide access to three or more units.
2. *Residential Frontages.* Individual ground floor entrances to individual units within a multi-unit or mixed-use development must:

- a. Be visible and directly accessible from the right-of-way or a shared pathway;
 - b. Incorporate usable outdoor areas such as porches, patios, stoops, or forecourts;
 - i. Porches shall measure at least six feet in depth and eight feet in width.
 - ii. Fences or walls defining and/or retaining the front yard shall not exceed three feet in height from the adjacent sidewalk.
 - c. Provide a doorway that is recessed at least three inches from the building façade; and
 - d. Provide a clearly marked entryway with a side light window panel, adjacent window, or a door with a window.
3. In residential and mixed-use projects, entrances to residential units shall be physically separated from the entrance to the allowed commercial uses.
- a. The entrance to the commercial uses shall be identified through:
 - i. A change in materials, vertical or horizontal variation in the building plane, or roof projection.
 - ii. The landing area shall be enhanced with a unique paving material, texture, pattern, or color.
 - b. An exterior entrance servicing multiple units, or mixed uses, must have a roofed projection or recess with a minimum depth of six feet and a minimum area of 60 feet.

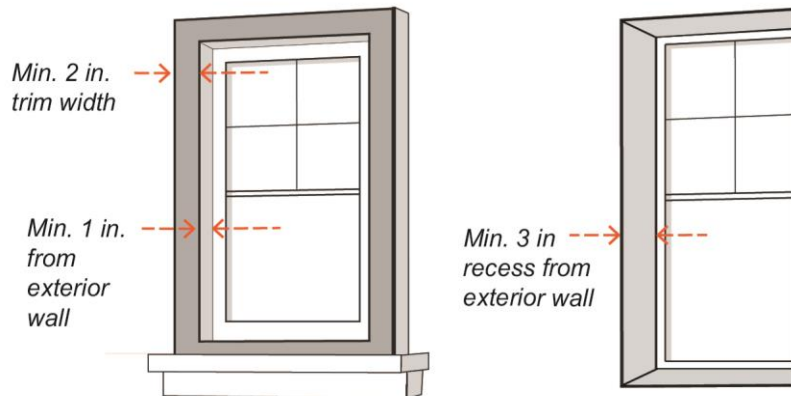
FIGURE 17.56.030.F-1: ENTRY PROTECTION



G. Windows and Doors.

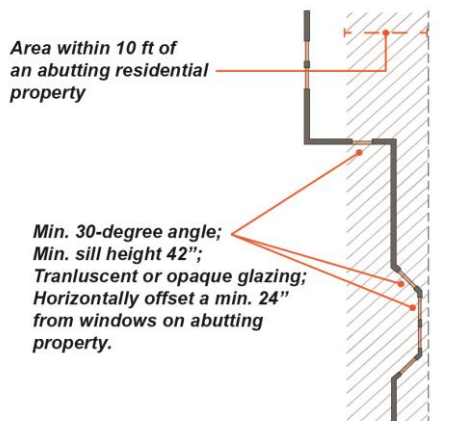
1. **Trim.** Trim at least two inches in width and one inch in depth must be provided around all windows, or windows must be recessed at least three inches from the plane of the surrounding exterior wall. The Director may consider alternatives that meet the intent of this standard of providing offsets on a flat exterior wall plane.

FIGURE 17.56.030.G-1: WINDOW DESIGN



2. **Exterior Doors.** Exterior doors must include raised panels, glass, transom windows, or other forms of details and articulation and must be inset a minimum of 3 inches from the building façade.
 3. **Operable Windows.** Residential buildings shall incorporate operable windows on all frontages facing streets, pedestrian paths, or shared open spaces.
- H. **Privacy.** Windows and balconies shall be offset to avoid direct sightlines into and from neighboring properties. For upper-story living room, dining room, bedroom, or family room within 10 feet of an abutting residential property or within 25 feet of and facing another unit on-site, windows must:
1. Be a minimum 30 degrees as measured perpendicular to the adjacent side setback line;
 2. Have a minimum sill height of 42 inches from the finished floor;
 3. Use permanently translucent or opaque glazing; or
 4. Be horizontally offset a minimum 24 inches from windows on abutting property.

FIGURE 17.56.030.H-1: WINDOW PLACEMENT AND PRIVACY



I. **Building Colors.**

1. Buildings shall utilize at least three exterior colors. Each cladding material, trim, or accent shall count as a color.
 2. Buildings that accurately adhere to a recognized architectural style, which is appropriately expressed through one cladding material or color, can be allowed with the Director approval.
- J. **Building Materials.** At least two materials shall be used on any building frontage, (excluding roof and foundation), in addition to glazing and railings. Any one material shall comprise at least 20 percent of the building frontage.
- K. **Required Open Space Design.**
1. **Private Open Space.** Required private open space may be provided by balconies, private gardens, private yards, terraces, decks, and/or porches. Personal storage spaces can be designed as an extension of the private open space but shall not count toward meeting private open space requirements for each dwelling unit.
 2. **Roof Decks.**
 - a. Roof decks along the project perimeter abutting lower density residential uses shall be stepped back a minimum of five feet from the roof edge of the floor below, and in no case may be closer than 8 feet from an abutting residential property line.
 - b. All roof decks shall be screened to prevent direct views with a minimum 42-inch solid rail/parapet.
 - c. Roof decks facing a right-of-way are not required to be stepped back.
 3. **Common Open Space.**
 - a. Common outdoor recreation space must be available for passive and active outdoor recreational purposes and able to be accessed by all residents of the project.
 - b. Outdoor recreation space types shall incorporate a minimum of three of the following features, or other similar feature as determined by the Director:
 - i. Picnic areas, tot lots, sports courts, passive mini-park space, swimming pools, community gardens, courtyards, gardens, play areas, outdoor dining/seating areas, paseos wider than 19 feet, and accessible rooftop spaces.
 - ii. Open lawn or recreation space shall have a minimum dimension of 25 feet.
 - c. Common open space areas and facilities must be conveniently and centrally located to serve the majority of units.
 4. **Separation.** Separation between common and private open space must be provided with low walls, plant materials, or fences a maximum of 42 inches in height.
 5. **Slope.** The slope of the common outdoor recreational space must not exceed a slope of 10 percent and must be easily accessible for all residents.

6. **Accessibility.**

- a. Common outdoor recreation spaces must be visible from primary living spaces and be accessible to all residents of the project for which the space is provided.
- b. Amenities such as pools, club houses, or other recreation areas, common patios or greens, seating, picnic spots, tot lots, community garden boxes, and walking paths must be designed to serve all age groups and abilities of the anticipated residents of the development.

7. **Precluded Areas.** Common outdoor recreation space must not include driveways, public or private streets, or utility easements where the ground surface may not be appropriate for recreational space.

L. **Pedestrian Circulation.**

1. **Internal Connections.** Walkways must link the residential units with recreational and other internal facilities including parking areas and with other residential units.
2. **To Circulation Network.** Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes or trails shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
3. **To Neighbors.** Direct and convenient access shall be provided to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.
4. **To Transit.** Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.
5. **Pedestrian Walkway Design.**
 - a. Walkways shall be the shortest practical distance between the primary residential entry and path/sidewalk.
 - b. Walkways shall be a minimum of six feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material.
 - c. Where a required walkway crosses parking areas or loading areas, it shall be clearly identifiable by a raised crosswalk, a different paving material, or similar method.
 - d. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.

M. **Parking and Garages.**

1. **Location.** Off-street parking serving multi-unit or mixed-use residential development must be located in one of the following facilities:

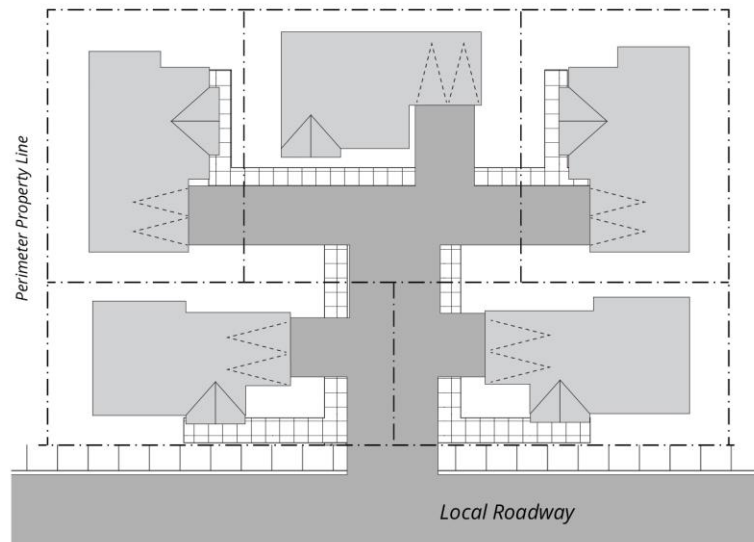
- a. Surface parking lots, shared garages, or carports located to the side or rear of residential buildings in relation to adjacent streets. If a site fronts on two or more streets, this standard applies to the front of the lot.
 - b. Attached individually secured garages.
2. **Surface Parking.** One row of on-site parking may be allowed in front of a multi-unit or mixed-use residential development provided:
 - a. On-street parking is not available along the primary street frontage;
 - b. The development is sited to provide visible front entry access; and
 - c. The building is not located across the street from single-family development.
3. **Garage Frontages.** Garages appearances shall be minimized from the public right-of-way in at least one of the following ways:
 - a. Garages shall face a side street, alley, or private access roadway; or
 - b. Garages facing a public right of way shall be recessed a minimum two feet from the building façade; or
 - c. Utilizing an alternate design technique, such as a trellis or balcony over the garage, as approved by the Director.
4. **Detached Garages and Carports.** Detached garages and carports shall be designed to include a minimum of one of the following from the main building(s): materials, detailing, roof materials, and colors. Solar panels structures are allowed as roof material for garages or carports.

17.56.040 Small Lot Subdivision Design Standards

- A. **Purpose.** The purpose of the Small Lot Subdivision is to allow for greater development flexibility on residential infill development sites and a smart growth alternative to traditional suburban style single-family subdivisions, while retaining the essential fabric and rhythms of the surrounding neighborhood.
- B. **Applicability**
 1. This Section applies to Small Lot Subdivisions in all Residential, Downtown and Mixed Use zones and in the Business Park zone.
 2. If conflicts arise between standards of this Section (Section 17.56.040, Small Lot Subdivision Design Standards) and those of Chapter 17.56, Building and Site Design Standards, the standards of this Section shall apply.
- C. **Subdivision Required.** All Small Lot Subdivisions must be subdivided into separate parcels.
- D. **Lot Coverage.** Maximum lot coverage for small lot subdivisions shall be considered in view of the entire subdivision, not per parcel. Any one parcel may exceed lot coverage as long as the subdivision in its entirety does not exceed lot coverage.

- E. **Small Lot Building Types.** Small lot development types may include, but are not limited to cluster housing, drive courts, cottage courts, or townhouse/rowhouse configurations subject to the following:
1. ***R-L and N-P Zones.*** Only single family and duplex building types are allowed within the R-L and N-P zones. Attached multi-unit dwelling types are not permitted in the R-L and N-P zones.
 2. ***R-LM, R-M, R-H, Downtown, Mixed Use, and Business Park Zones.*** All residential building types as defined in this code are permitted in the R-LM, R-M and R-H zones, provided that multi-unit dwelling units (e.g., attached units such as townhomes or rowhouses) are located on individual parcels and each unit may be owned/sold with the land, fee-simple. In the R-LM zone, not more than four primary units can be located within in any one building.

FIGURE 17.56.040.E-1: DRIVE COURT WITH CENTER DRIVEWAY AND ATTACHED



GARAGES (EXAMPLE CONFIGURATION)

FIGURE 17.56.040.E-2: DRIVE COURT WITH ON THROUGH LOT (EXAMPLE CONFIGURATION)

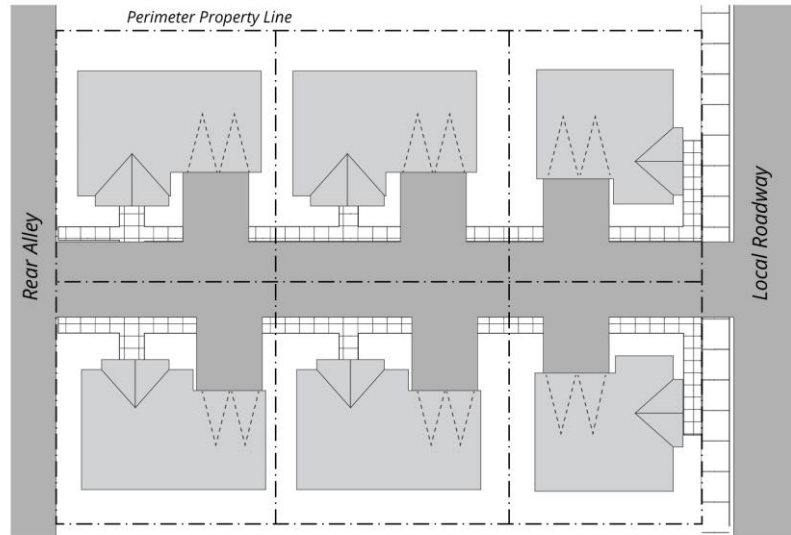


FIGURE 17.56.040.E-3: COTTAGE COURT WITH PERIMETER DRIVE AISLE, COMMON OPEN SPACE, AND DETACHED OR ATTACHED GARAGES (EXAMPLE CONFIGURATION)

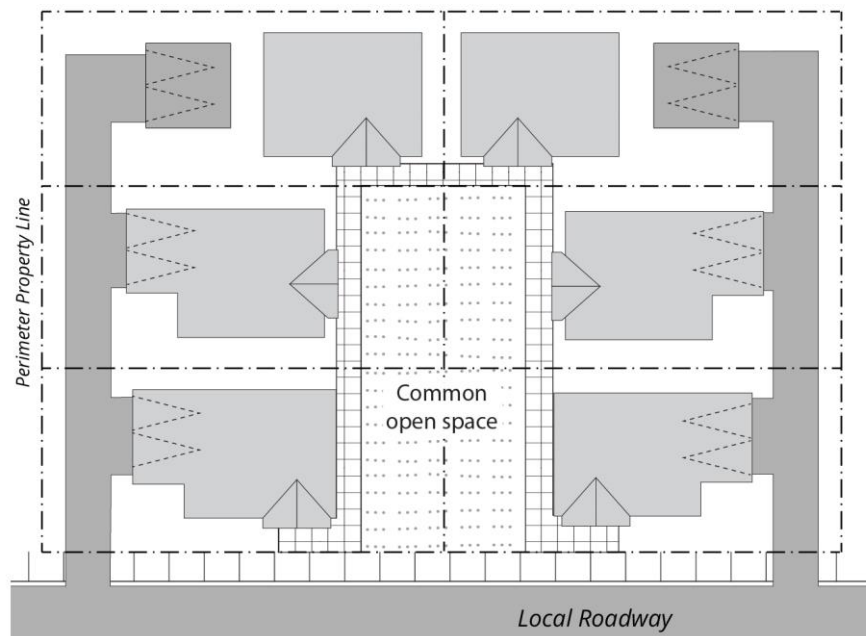
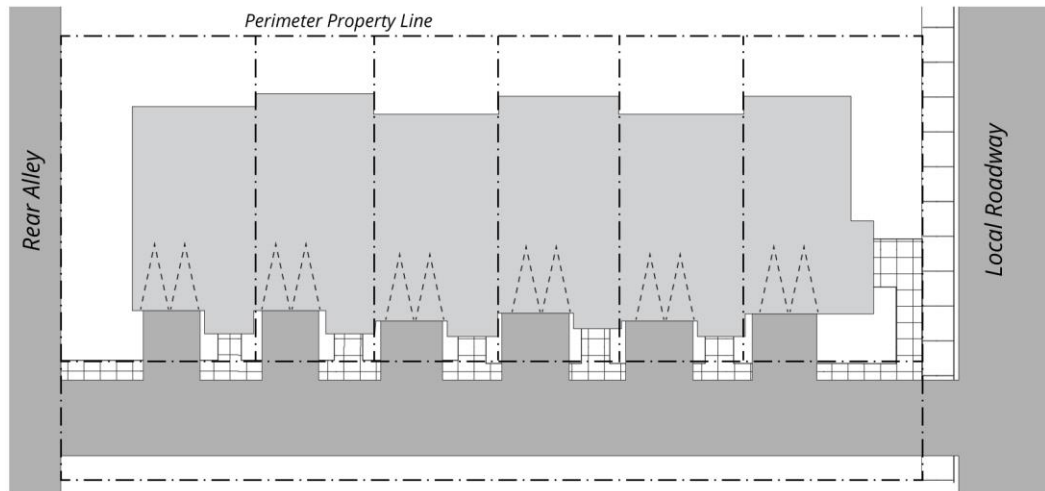


FIGURE 17.56.040.E-4: ATTACHED UNITS WITH TUCK-UNDER GARAGES (EXAMPLE CONFIGURATION)



F. Setbacks.

1. **Perimeter Setbacks.** The minimum setbacks from the property lines on the perimeter of the small lot subdivision shall be the required setbacks of the underlying base zone, except as provided for below.
 - a. *Perimeter Interior Side Setback for R-L, N-P, and R-LM Zones:* The perimeter interior side setback shall be 5 feet minimum within 80 feet of the perimeter front setback. For any residential unit developed further than 80 feet from the perimeter front setback, the perimeter interior side setback shall be 10 feet minimum for single story structures and 15 feet minimum for two or more story structures.
 - b. *Perimeter Rear Setback for R-L, N-P, and R-LM Zones:* The Perimeter Rear setback shall be a minimum of 15 feet for single story structures and 20 feet for two or more story structures.
 - c. *Perimeter Setbacks Adjacent to Non-Residential Uses:* The perimeter interior side and rear setbacks, when adjacent to non-residential uses, may be reduced to 5 feet. Front setback may be reduced to the average existing front setback on the block.
2. **Interior Setbacks.** There are no minimum interior setback requirements within a small lot subdivision, except for those that may be required in accordance with the California Building Code.

G. Building Separation.

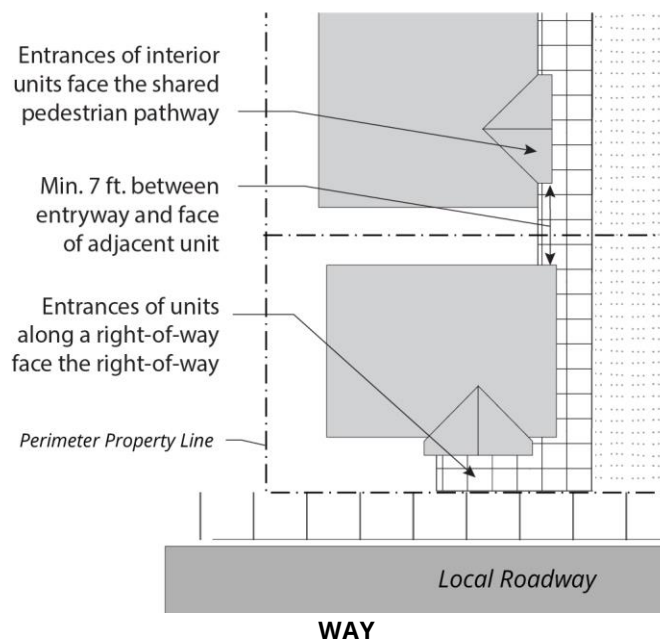
1. Building separation for single family attached and detached and duplex building types is a minimum seven feet for adjacent one- and two-story units, 10 feet for three story units and 12 feet for any buildings four or more stories.

2. Building separation for multi-unit building types shall be those outlined in the Multi-Unit Design Standards.

H. Small Lot Entrances.

1. Each unit must have a primary covered or recessed entry. The primary entry of units located in the interior of the development must be oriented towards and visible from a pedestrian pathway, common central open space, or drive aisle that is connected to a public right-of-way or private street.
2. All primary entryways shall provide the address or unit identification, ornamental low-level lighting to illuminate the entry area, and a landing.
3. Units abutting a right-of-way must:
 - a. Be oriented with the primary entrance facing the right-of-way; or
 - b. Provide transparency and articulation on the street-facing façade that is commensurate with that of the primary façade.
4. A minimum seven-foot clearance (to the sky) is required between the face of the primary entryway of a unit and the adjacent building wall of a neighboring unit.

FIGURE 17.56.040.H-1: SMALL LOT ENTRANCE ORIENTATION ADJACENT TO RIGHT-OF-



I. Small Lot Parking and Access.

1. Garages must not be oriented to face perimeter streets if alley or internal drive aisles can accommodate parking and garage access.

2. Required parking must be accommodated within a common/shared parking area on site, or accompanying each individual small lot, or in a combination of the two.

J. Small Lot Fencing and Landscaping.

1. All setback and common open space areas not used for buildings, parking areas, driveway, pedestrian pathways, or utilities shall be attractively landscaped and maintained.
2. Fences or walls abutting the street or common open space areas shall be decorative, including, but not limited to, latticework, ornamental fences, screen walls, hedges or dense shrubs or trees.

K. Pedestrian Pathways.

1. Pedestrian pathways a minimum width of four feet shall be provided from the public rights-of-way to all primary entryways and common areas, such as common open space areas, guest parking, mailboxes, and centralized trash enclosures.
2. A pedestrian pathway located within or parallel to a common access driveway shall be constructed and/or treated with a change of materials, finishes, pattern or paving that distinguishes the pathway from vehicular traffic.

L. Small Lot Private Open Space.

1. For detached unit types, a minimum of 150 square feet private open space must be provided for each small lot unit. This space may take the form of a rear yard, porch, deck, patio, or garden or combination thereof.
2. The minimum allowed dimension for required private open space is six feet.

M. Roof Decks.

1. Roof decks along the project perimeter abutting lower density residential uses shall be stepped back a minimum of five feet from the roof edge of the floor below, and in no case may be closer than 8 feet from an abutting residential property line.
2. All roof decks shall be screened to prevent direct views with a minimum 42-inch solid rail/parapet.
3. Roof decks facing a right-of-way are not required to be stepped back.

17.56.050 Preservation/Restoration of and Additions to Historic Structures

A. Purpose.

1. Conserve the traditional neighborhood and Downtown character, fabric, and setting while guiding future development.
2. Discourage demolition of historic and potentially historic structures and encourage the re-use of non-designated contributing structures.
3. Provide guidance to clarify expectations for the type and quality of development.

4. Preserve the integrity of the Downtown Historic National Register Designation in accordance with Chapter 15.24, Historical Landmarks, Districts and Resources.
- B. **Applicability.** This Section applies to the following:
1. Projects involving the alteration of Designated Historic Resources, including districts, structures, and sites. Designated properties will be subject to the design guidelines found in this Section as well as "The Secretary of Interior's Standards for the Treatment of Historic Properties."
- C. **Additions.** Additions to buildings with historic designation shall be identifiable from original construction. Additions shall employ the same or complementing materials, and shall exhibit similar opening proportions, facade rhythms and horizontal elements as the original. Specific architectural elements shall not be replicated.
- D. **Restorations.**
1. Sandblasting of masonry surfaces to remove paint will damage the material. Other methods shall be used only under the advice and guidance of an expert.
 2. Original siding materials shall not be covered over or replaced with different materials unless otherwise approved by the governing authority.
 3. When re-roofing, original or similar materials shall be used if available and in compliance with current codes.
 4. Original architectural elements such as cornices, moldings, or trim, shall not be removed unless replaced by elements of similar outward appearance, character, texture, durability, and finish as the original.
- E. **Architectural Features.**
1. Deteriorated architectural features shall be repaired rather than replaced wherever possible. If replacement is necessary, new materials shall match the original in design, color, texture, and other visual qualities. If the original was painted, the substitute materials shall be painted as well.
 2. Where original architectural elements such as cornices, moldings, and trim must be replaced, the new material shall match the materials being replaced in terms of its design, color, texture, and other visual qualities.
- F. **Windows.**
1. Where the original structure includes transom windows, every effort shall be made to retain this traditional storefront feature. If the ceiling inside the structure has been lowered, the ceiling shall be stepped up to meet the transom so that light will penetrate building interior.
 2. Proportions of existing door and window openings and the pattern of existing window sash shall be maintained in replacement work or additions.
 3. Glazing shall enhance visibility and connection between indoor and outdoor spaces, particularly at the pedestrian/street level. Highly reflective or opaque window glazing is not allowed.

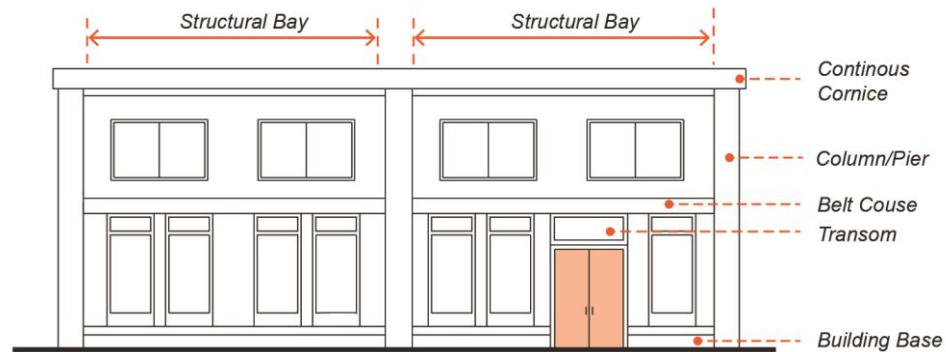
4. Wood window sash is preferred for historic buildings. Factory finished aluminum frames are acceptable if the original design can be duplicated.
- G. **Materials.** Original siding materials shall not be covered over, clad, or replaced with a different material.
- H. **Awnings.** Awnings shall be of a durable, commercial grade fabric, canvas or similar material having a matte finish. Canopies can be constructed of wood or other natural materials in keeping with materials used historically in the Downtown.
- I. **Building Code Requirements.**
 1. The City will utilize the California Historic Building Code for review of reuse, modification, renovation, or addition to historic structures.
 2. The City Building Official and Fire Marshal will review the structure to determine the safety of the building prior to the issuance of needed permits.
- J. **Demolitions.** See Chapter 15.24, Historical Landmarks, Districts, and Resources.

17.56.060 New Development or Renovation of Non-Historic Structures Design Standards in the Downtown Zones

- A. **Applicability.** This Section applies to all infill development or renovation in the Downtown zones, with the exception of historic structures that are subject to Section 17.56.050, Preservation/Restoration of and Additions to Historic Structures. See also Section 17.56.070, Mixed Use, Commercial and Employment Zones Design Standards for design standards for residential mixed-use development and Section 17.56.030, Multi-Unit Design Standards for multi-unit development as applicable.
- B. **Street Orientation.**
 1. Storefronts and/or predominant building entries shall be designed to be oriented towards the major street frontage.
 2. The front building façade shall be oriented parallel to the street.
 3. Surface parking lots shall not be placed along Main Street.
- C. **Façade Design.**
 1. All street-facing building facades shall be composed of a clearly distinguishable base, middle, and top. Non-traditional designs may incorporate other means of façade composition.
 2. Horizontal articulation shall consist of a differentiated base, a roof cornice line, an eave and gables overhang, or other architectural element that frames the middle section of the building.
 3. Buildings or portions of buildings that are over four stories shall provide vertical articulation above the third story. This may be accomplished through a change in color, change in material, a cornice/belt course at the bottom of the uppermost floor, story step-back, or similar measures.

4. Along Main Street, infill facades (i.e., a new building proposed between two adjacent, existing commercial structures) shall be broken down into a series of appropriately proportioned "structural bays" or components, consistent with existing characteristic facades on the street (e.g., characterized by columns/masonry piers which frame window and door elements). The characteristic rhythm, proportioning and spacing of existing door and window openings shall be maintained.

FIGURE 17.56.060.C-1: FAÇADE DESIGN



D. Corner Treatment.

1. Building massing at street intersections must be accentuated with at least one of the following elements or equivalent as determined by the Review Authority.
 - a. A tower or dome element at least 80 square feet in area;
 - b. A decorative parapet;
 - c. A rounded corner with enhanced transparency; or
 - d. Bay windows within six feet of the building corner.
2. Storefront/building design features shall extend at least 50 percent of the wall area on the side street elevation.

E. Entrances.

1. Entrances to ground floor commercial establishments adjacent to streets shall be no farther than 80 feet apart; and no farther than 50 feet apart if in the DX-1 and DX-4 zones.
2. The main entry to a building, leading to a lobby, stair, or central corridor, shall be emphasized at the street to announce a point of arrival in one or more of the following ways:
 - a. Flanked columns, piers, decorative fixtures, or other details;
 - b. Recessed within a larger arched or cased decorative opening;
 - c. Covered by means of a portico (formal porch) projecting from or set into the building face;

- d. Punctuated by means of a transom or change in roofline, a tower, or a break in surface of the subject wall.

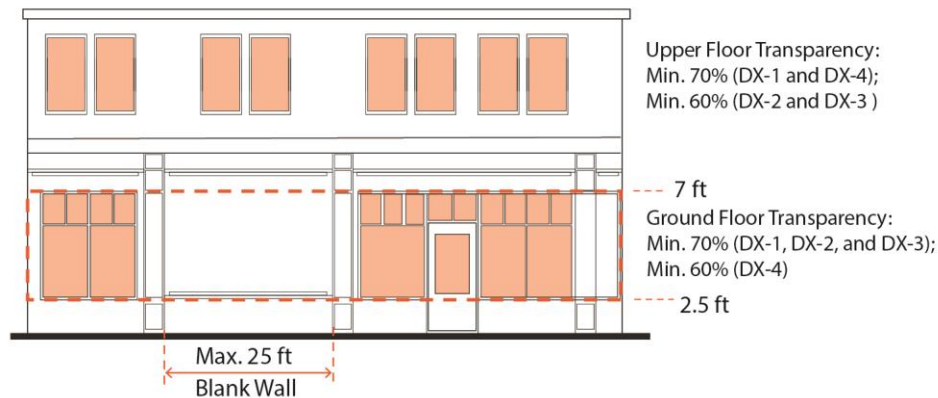
F. **Roofs.**

1. Roofs may be flat or sloped. For sloped roofs, the visible portion shall be sheathed with a roofing material complementary to the architectural style of the building.
2. Radical roof pitches that create overly prominent or out of character buildings such as A-frames, geodesic domes, or chalet style buildings are not permitted.
3. Appropriate roofing materials include standing seam metal, class "A" composition shingles for residential structures, tile of neutral color. Crushed stone, shake, brightly colored tile and corrugated fiberglass roofing material is not permitted.

G. **Transparency.**

1. **Ground Floor.** Street-facing non-residential ground-floor facades shall include windows (at least 88 percent light transmission), transparent doors, storefronts or other openings with transparent glazing that provides views into retail and/or work areas in the following amounts:
 - a. *DX-1 and DX-4 Zones.* When fronting Main Street, approximately 70 percent of the building wall located between 2.5 and 7 feet above the level of the sidewalk.
 - b. *DX-2 and DX-3 Zones.* Approximately 50 percent of the building wall located between 2.5 and 7 feet above the level of the sidewalk.
2. **Upper Floor Transparency.** Street-facing upper-floor facades shall include fenestration in the following amounts:
 - a. *DX-1 and DX-4 Zones.* Approximately 50 percent of the façade surface area.
 - b. *DX-2 and DX-3 Zones.* Approximately 40 percent of the façade surface area.
3. Permanent, fixed security grates or grilles in front of windows are not allowed. If security grilles are necessary, they shall be placed inside the building, behind the window display area and only used when the business is closed.

- H. **Blank Walls.** No building facade may extend in a continuous plane for more than 25 feet without a window, door, or storefront opening.

FIGURE 17.56.060.H-1: TRANSPARENCY AND BLANK WALLS**I. Exterior Materials.**

1. Building materials permitted within the DX zones include clear glass, glass block (storefront only), smooth or very light sand finish stucco/exterior plaster, new or used face/brick, cut stone or rusticated block (cast stone), clapboard, and ceramic tiles.
2. The following building materials are prohibited in the DX zones: reflective or tinted glass, "pecky cedar," plastic panels, T-111 or vertical siding.
3. Metalwork and other details may be incorporated into building design to add visual richness and interest. Such details may include the following items: light fixtures, wall mounted or hung with decorative metal brackets; metal grillwork at vent openings or as decorative features at windows, doorways, or gates; decorative scuppers, catches and downspouts; balconies, rails, finials, corbels, plaques; flag or banner bole brackets.

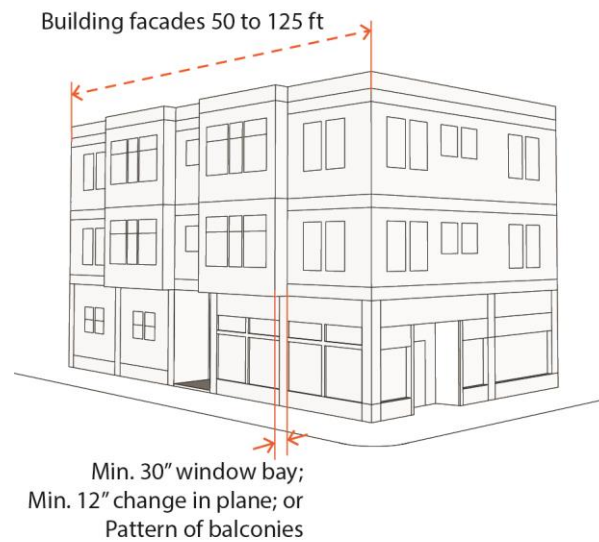
J. Awnings and Canopies.

1. When there are several businesses in one building, awnings of the same color shall be used with simple signs on the valance flap.
2. Where the façade is divided into distinct structural bays, awnings shall be placed within the vertical elements rather than overlapping them. The awning design shall respond to the scale, proportion, and rhythm created by these structural bay elements and be placed within the space created by the structural bay. An awning that spans several bays may be appropriate for restaurants or similar uses with outdoor seating.
3. Awning shape shall relate to the window or door opening.
4. Awnings shall be of a durable, commercial grade fabric, canvas or similar material having a matte finish. Awning frames and supports shall be of painted or coated metal or other non-corroding material.
5. Awnings shall have a single color or two-color stripes. Utilizing more colors is permitted but will be considered as sign area.
6. Awnings shall be well maintained, washed regularly, and replaced when faded or torn.

17.56.070 Mixed Use, Commercial and Employment Zones Design Standards

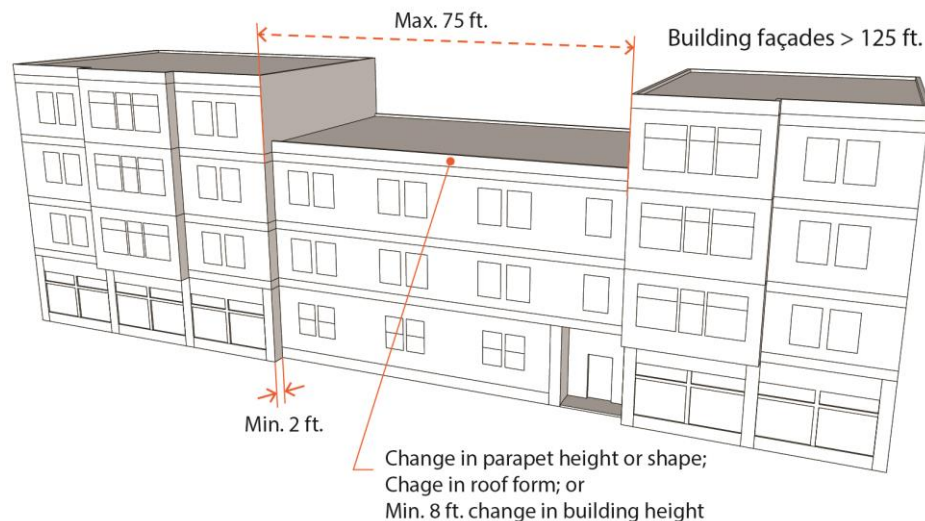
- A. **Applicability.** This Section applies to all Mixed Use, Commercial and Employment zones except where otherwise noted. For mixed-use projects where at least two thirds of the square footage is dedicated to residential uses, Section 17.56.030, Multi-Unit Design Standards shall apply to the residential portions of the building in addition to the standards of this Section.
- B. **Building Orientation.**
1. The primary façade of the building shall face the primary street and pedestrian walkway.
 2. On corner lots, buildings shall help visually anchor the intersection through height, mass, and architectural features.
- C. **Building Articulation.** Building facades must be segmented into modules or bays by columns, projecting or recessed volumes, or other articulation that frames windows, doors, and structural components.
1. Buildings or portions of buildings that are three or more stories shall provide articulation for the top story of the building through color change, material change, a cornice/belt course at the bottom of the uppermost floor, a stepped-back top story, or similar distinguishing design features.
 2. Building façades between 50 and 125 feet in length along a right-of-way must incorporate at least one of the following on all floors above the first floor (not applicable within the IG zone):
 - a. At least two breaks in the facade plane a minimum 12 inches in depth; or
 - b. Window bays a minimum 30 inches in depth (recessed or projecting) from building facade; or
 - c. A regular pattern of balconies.

FIGURE 17.56.070.C-1: BUILDING ARTICULATION FOR STREET-FACING FACADES 50 TO 100 FEET IN LENGTH

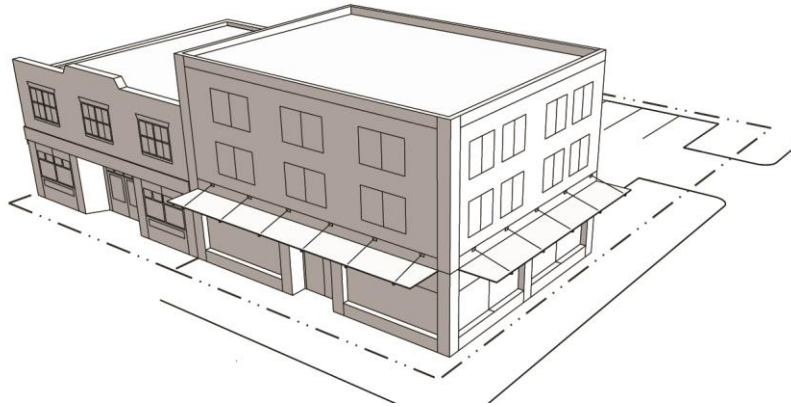


3. When a building facade exceeds 125 feet in length along a right of way, it must be broken down to read as a series of buildings no wider than 75 feet each or separated into facade bays no greater than 75 feet in width defined by a recess a minimum of two feet in depth and at least one of the following strategies (not applicable within the IG zone):
 - a. Change in roof parapet height or shape;
 - b. Change in roof form and slope; or
 - c. Change in building height with a minimum difference of five vertical feet.

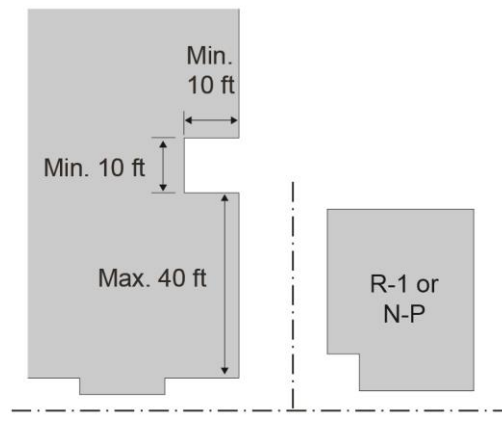
FIGURE 17.56.070.C-2: BUILDING ARTICULATION FOR STREET-FACING FACADES OVER 125 FEET IN LENGTH



4. The maximum dimension of any single building shall not exceed 150 feet. Exceptions may be granted with approval of a Zoning Administrator Permit (see Section 17.100.140, Zoning Administrator Permit) or, at the discretion of the Director, a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit), based on the finding that adequate design features have been incorporated to create visual variety and avoid a large-scale, bulky, or monolithic appearance. This standard is not applicable within the IG zone.
5. Buildings within the IG zone, regardless of dimension, shall incorporate design features to create visual variety and avoid monolithic appearance. This may include but is not limited to moldings/trim, brackets, niches, enhanced cornice, awnings/shade devices, and decorative entrances.
6. All building facades that face a street, driveway, paseo, public right-of-way, or common open space area shall exhibit consistent architectural treatment and level of detail, with features wrapping around the corners of adjacent facades as appropriate. Architectural treatments may include but are not limited to wrap-around porches, belt courses, rustication, trellises, canopies, eaves, brackets, niches, and moldings/trims. When applicable, decorative parapets should be extended around the sides of the building and contain necessary depth to appear as an integral part of the building design and form.

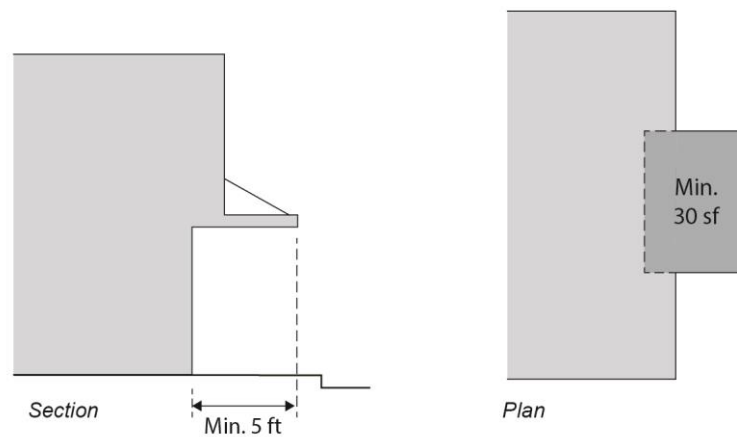
FIGURE 17.56.070.C-3: ARCHITECTURAL FEATURES ON CORNERS

7. Where a building abuts an R-L or N-P zone, the building façade plane may not exceed 40 feet in length without a break of minimum 10 feet in depth and 10 feet in length.
8. Buildings shall be designed and oriented to minimize visual intrusion into adjoining residential properties. Windows, balcony, and deck locations shall be directed away from window areas of adjoining residences.

FIGURE 17.56.070.C-4: DEVELOPMENT ABUTTING AN R-L OR N-P ZONE

- D. **Commercial/Retail Building Frontage Design.** Awnings, canopies, balconies, porches, stoops, arcades, forecourts, or massing changes shall provide surface relief and articulation building façades.
- E. **Entrances.** Building entrances shall have a roofed projection or recess with a minimum depth of at least five feet, as measured from the primary building façade, and a minimum area of 30 square feet. Exceptions to this requirement may be approved for alternative designs that create a welcoming entry feature facing the street, such as a trellis or courtyard entry.

FIGURE 17.56.070.E-1: ENTRANCES

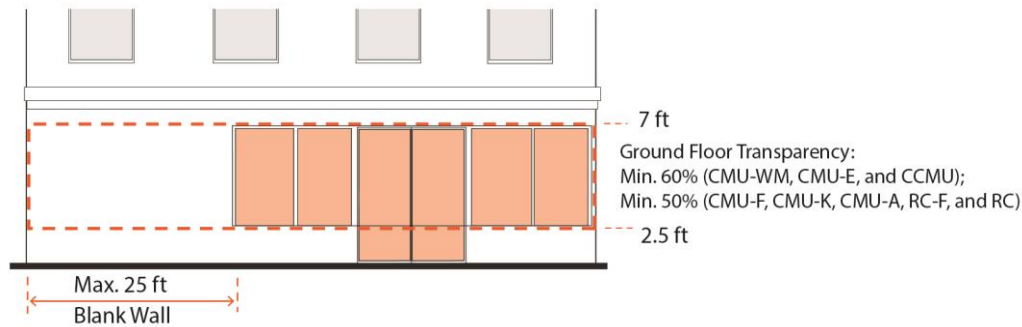


F. **Windows and Lighting.**

1. **Transparency.** Street-facing ground-floor facades shall include windows, transparent doors, storefronts, or other openings with transparent glazing that provides views into retail and/or work areas in the following amounts (not applicable to IG zone):
 - a. *CMU-WM, CMU-E, and CCMU.* 60 percent of the building wall located between 2.5 and 7 feet above the level of the sidewalk.
 - b. *CMU-F, CMU-K, CMU-A, CMU-G, RC-F, RC, and BP.* 50 percent of the building wall located between 2.5 and 7 feet above the level of the sidewalk.
2. **Reductions.** The building transparency requirement may be reduced or waived by the review authority upon finding that:
 - a. The proposed use has unique operational characteristics with which providing the required windows and openings is incompatible; and
 - b. Street facing building walls will exhibit architectural relief and detail and will be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.
3. For commercial and retail storefronts, windows must be a minimum of nine feet in height and inset or recessed from the wall plane for visual interest and shadow line.
4. All windows shall be designed with trim at least 1-inch in depth around or recessed at least two inches deep from the plane of the surrounding exterior wall (not applicable to IG zone).
5. Highly reflective or opaque window glazing is generally not permitted.
6. Up-lighting or rooftop lighting is encouraged and may be used to accentuate architectural details, building form and/or landscape elements at night.
7. All building lighting is subject to the standards of 17.64.050, Outdoor Lighting and Illumination.

- G. **Blank Walls.** No building facade facing a public right-of-way may extend in a continuous plane for more than 25 feet without a window, door, or storefront opening (not applicable to IG zone).

FIGURE 17.56.070.G-1: TRANSPARENCY AND BLANK WALLS



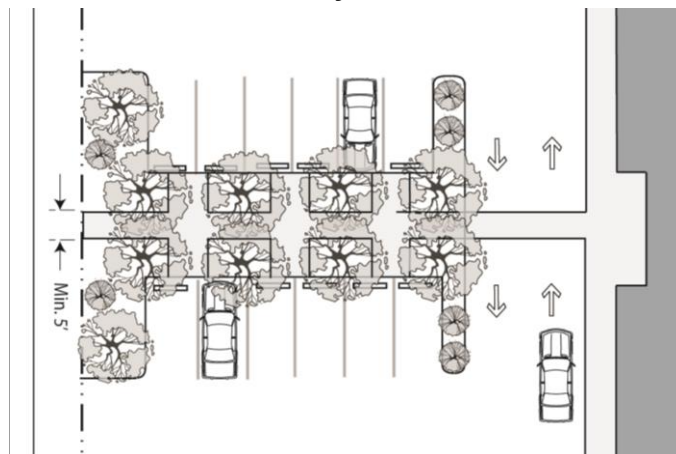
H. **Materials and Colors.**

1. ***Building Materials.***

- a. At least two materials shall be used on any building frontage, (excluding roof and foundation) in addition to glazing and railings. Any one material must comprise at least 20 percent of the building frontage.
- b. Buildings three stories or taller with frontage along a street or a shared open space must incorporate a material change between the first floor and upper floors along at least 60 percent of any building façade width.
- c. A minimum 5/8" thickness is required for panel siding. Battens are required to be incorporated in to the design for a board and batt appearance.
- d. Acceptable materials include but are not limited to wood, concrete, brick, glass, metals, stucco, stone, tile, and brushed steel, aluminum composite material, and aluminum plate are all acceptable. Corrugated metal and aluminum may be used as accent materials if properly treated for durability. Plywood is not permitted.
- e. Masonry shall wrap corners and terminate at inside corners. Other material changes shall occur at an inside corners or other appropriate transition elements, such as a fence line.
- f. Stucco textured foam trim shall not be used as the only application to provide architectural detailing. Heavy knock-down or "lace" stucco finish is not permitted.
- g. Stucco finishes shall be smooth or very light sand finish. Stucco foam trim, where used, shall be smooth finish or shall incorporate a natural woodgrain texture where appropriate.

- h. Accent elements, such as trellises, arches, arbors, columns, or low monument features shall be used to demarcate building frontages, building entrances, and common open space areas.
 - i. Awning frames and supports shall be painted or coated with a non-corroding material.
 2. **Colors.** At least three exterior colors shall be used on any building frontage. Elements that count toward this requirement include cladding material, trim/accent colors, and visually significant colors for doors, balconies, and similar elements. Primary colors shall be used as accent colors only. Matte finishes are preferred; highly reflective surfaces are generally not appropriate and should be used sparingly as accents only.
- I. **Additions/remodels.** Notwithstanding the design standards of this Chapter, additions to and remodels of existing buildings, including porches, balconies, and decks, must be consistent in design and quality to the architectural design and detail of the existing building.
- J. **Pedestrian Circulation.**
 1. Where applicable, a system of pedestrian walkways shall connect all primary buildings entrances on a site to each other, to on-site automobile and bicycle parking areas, to the public right-of-way, and to any on-site open space areas, pedestrian amenities, and transit stops.
 2. Shaded walkways a minimum of five feet in width shall be provided between the principal building entries and parking areas. A clearly defined pedestrian route between the street-adjacent sidewalk, parking areas, and the primary pedestrian entrance(s) to the building shall be provided. Features such as landscaping, seating, fountains, low walls, patio seating, and other architectural features shall be provided to enhance the pedestrian experience.

FIGURE 17.56.070.J-1: SHADED PATHWAYS



- Where a required walkway crosses driveways, parking areas, or loading areas, it must be clearly identifiable through a raised crosswalk, a different paving material, or similar method

4. Where a required walkway is parallel and adjacent to an auto travel lane, it must be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.
5. Pedestrian and bicycle connections shall be provided from adjoining neighborhoods and transit-served streets. New development on abutting lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems. Easements shall be used to assist in defining maintenance and utility responsibilities.

K. Parking Access and Design.

1. Shared access drives to parking areas are allowed in order to minimize curb cuts and potential conflicts with pedestrians. Where shared driveways are centered on property lines, easements shall be dedicated to allow access.
2. Vehicle access to and from off-street parking shall be off a side street or single access point along the frontage.
3. Where a project side abuts an alley or lane, access to parking shall be provided from the alley or lane whenever feasible.
4. On corner lots, driveways or curb cuts shall be located on the street frontage with the least pedestrian activity whenever feasible.
5. Surface parking areas shall be located to the rear of the principal building(s) whenever feasible and must be separated from on-site buildings by a minimum distance of five feet, which may be occupied by landscaping or walkways. Off-street parking may not be located within 40 feet of a street facing property line. Exceptions may be granted where the Director or applicable approval authority makes the following findings:
 - a. The design incorporates habitable space built close to the public sidewalk to the maximum extent feasible; and
 - b. The site is small and constrained such that surface parking located more than 40 feet from the street frontage is not feasible.
6. Where a parcel proposed for development has adjacent properties that are undeveloped and could feasibly allow for possible future connection points, a Precise Plan may be required (see Chapter 17.116, Precise Plans).

L. Common and Publicly Accessible Open Space. For commercial and mixed-use buildings that require common open space or publicly accessible open space or that include at least four retail stores or offices suites, a plaza, courtyard, square or green shall be provided with at least two of the following amenities:

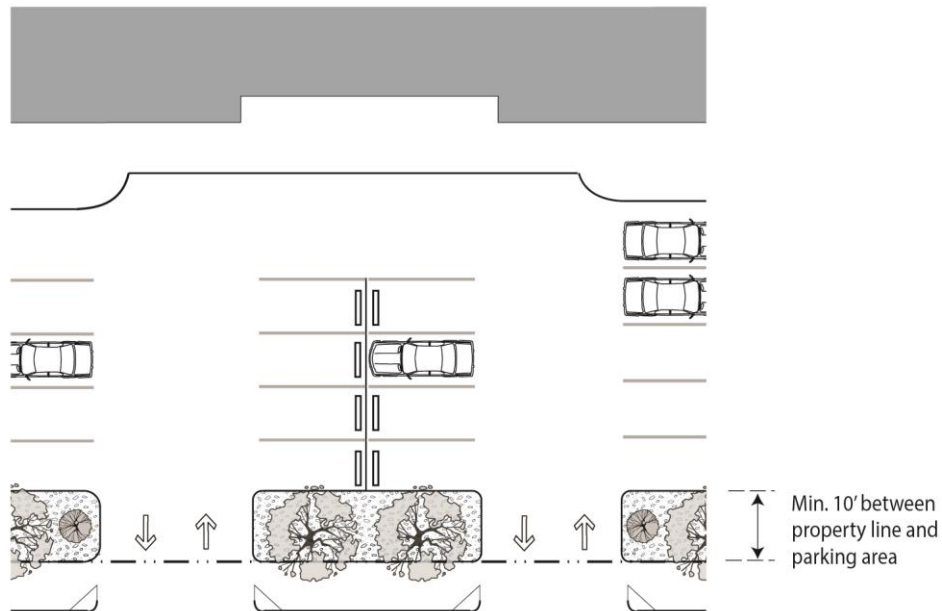
1. Benches or other seating;
2. Shade trees with a canopy that covers a minimum 50 percent of the space at maturity;
3. Drinking fountains;
4. Water features;
5. Public art; or

6. Performance areas.

M. **Additional Site Design Standards in Employment Zones (IF, IG, and BP).**

1. Side yards may be utilized for railroad spurs except when the side yard adjoins a residential or commercial zone.
2. Streetscape design shall promote an uncluttered street appearance with appropriate fencing, landscaping, and screening.
3. Parking shall be located at the side or rear of buildings, wherever possible, with only customer parking located in front of buildings.
4. A 10-foot landscaped area must be provided between parking areas in front of buildings and the adjacent right-of-way. Additional landscaping may be required along property frontages for screening purposes. See also Section 17.64.040, Landscaping.

FIGURE 17.56.070.M-1: LANDSCAPED BUFFER IN THE EMPLOYMENT ZONES



5. All outdoor storage must be screened in compliance with Chapter 17.70, Screening Standards.
6. Stormwater detention facilities and hydromodification requirements as applicable shall be incorporated into the site landscaping as a visual amenity where feasible.

17.56.080 Public Facilities and Open Space Zones Design Standards

- A. **Applicability.** This Section applies to all development in the Public Facilities and Open Space zones.

B. Design.

1. Architectural features, including but not limited to projections, recesses, and variety of surface textures shall be incorporated.
2. Building design must be generally compatible with the surrounding physical context.
3. Site design shall include signage and maps that emphasize linkages between parks, greenbelts, and open space systems, as appropriate.
4. Storage and equipment must be screened from public view.

Chapter 17.60

Reserved

DIVISION III: CITYWIDE STANDARDS

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Chapter 17.64 General Site Standards

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17.64.010 Purpose

The purpose of this Chapter is to prescribe site standards that apply, except where specifically stated, to development in all zones. General site standards shall be used in conjunction with the base standards for each zone established in Division II. In any case of conflict, the more restrictive standard shall control.

17.64.020 Accessory Structures

- A. **Purpose.** This Section establishes development standards for accessory structures. The purpose is to recognize accessory structures as desirable and beneficial and to provide for such uses under certain circumstances by providing standards to protect the public health, safety, and welfare by maintaining safe distances between structures, establishing architectural compatibility between primary and accessory structures, and minimizing potential impacts associated with lot coverage, privacy, and maintenance of light and air space.
- B. **Applicability.** The provisions of this Section apply to:
 - 1. Detached accessory structures including, but not limited to, carports, detached garages, sheds, workshops, gazebos, greenhouses, and pool houses.
 - 2. Attached accessory structures including, but not limited to, patio covers, sunshades, porte-cocheres, and porches and decks that are over 18 inches in height measured from grade.

3. This Section does not apply to secondary or accessory dwelling units. Secondary or accessory dwelling units are governed by the requirements of Chapter 17.84.030, Accessory Dwelling Units.

C. Permits Required.

1. A Building Permit (see Section 17.100.130, Building Permit) is required for all accessory structures 120 square feet or greater and all accessory structures requiring utility hookups, regardless of square footage.
2. A Building Permit (see Section 17.100.130, Building Permit) is required for any accessory structure that is attached to an existing structure, including a deck or trellis.
3. A Building Permit (see Section 17.100.130, Building Permit) is required for decks over 30 inches in height.
4. A Development Review Permit Tier 1 (see Section 17.100.050, Development Review Tier 1: Minor) is required for accessory structures over 120 up to 800 square feet and under 12 feet in height in residential zones and for accessory structures over 1,200 square feet in all other zones, or where an exception as provided in this Section is requested.
5. A Development Review Permit Tier 2 (see Section 17.100.060, Development Review Tier 2: Major) is required for accessory structures over 800 gross square feet in gross floor area or over 12 feet in height in residential zones or and accessory structures over 1,200 gross square feet in gross floor area in mixed-use, commercial, or employment zones.

D. Requirements for All Detached Accessory Structures.

1. Accessory structures may not encroach into recorded utility easements.
2. Accessory structures must be appurtenant to and incidental to a primary structure.
3. The cumulative floor area of an accessory structure(s) may be a maximum of 30 percent of that of the primary structure.
4. Accessory structures may not be located within required front or street side setbacks, except as otherwise allowed in this Section or Section 17.64.060, Projections into Required Setbacks.
5. Accessory structures shall be setback a minimum of four feet from an alley or as required to provide a minimum 24-foot clear back-up space if the alley provides vehicular access to the detached accessory structure.
 - a. *Exception.* A setback less than four feet may be allowed, where there is no vehicular access required to the structure, and where there is adequate vehicular, pedestrian, and public safety access in the alley.
6. Accessory structures shall not contain a permanent indoor kitchen (combination of a sink, cooking apparatus, and refrigeration appliance) or a full bath and may not be designed for full-time living or rental purposes.

7. Carports shall be constructed out of durable materials, match or complement the architecture of the primary structure and be built on a permanent foundation. Temporary carports are prohibited.
8. Accessory structures shall be oriented and designed to minimize visual impacts on adjoining properties. Placement of doors and windows shall be located to ensure the greatest extent of privacy to adjacent neighbors.
9. Accessory structures located in residential zones shall be of a compatible size, scale, and appearance so as to be in harmony with the character and quality of surrounding development.

10. ***Detached Accessory Structures in Residential Zones.***

- a. *Placement.* All accessory structures shall be located on the rear one-half of the lot.
- b. *Building Separation.* All accessory structures shall be located at least six feet from any primary building or dwelling on the lot. An accessory structure closer than six feet to another structure may be considered through a Minor Modification request (see Section 17.100.110, Minor Modification).
- c. *Setbacks.* Accessory structures shall conform to the following setback requirements:

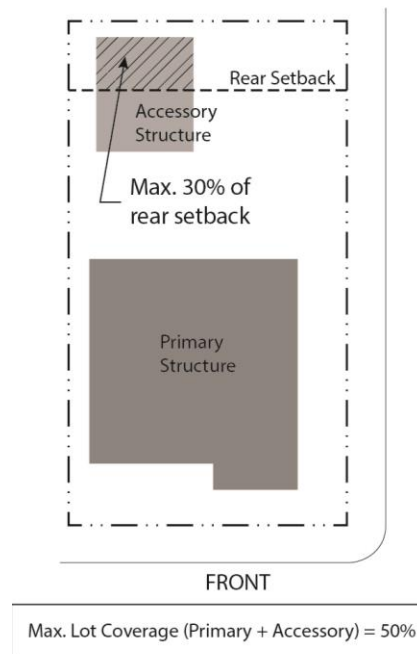
Table 17.64.020.D-1: Accessory Structure Setbacks

Eave Height at Point Closest to Property Line	Minimum Setback from Interior Side or Rear Property Line
Less than 9 feet	3 feet
At least 9 feet but less than 10 feet	4 feet
At least 10 feet but less than 11 feet	5 feet
At least 11 feet but less than 12 feet	6 feet
12 to 16 feet (subject to review)	7 feet

- d. *Fire Access.* A minimum three-foot ingress/egress pathway into a backyard shall be maintained for fire access.
- e. *Height.* Accessory structures shall not exceed a maximum height of 16 feet.
 - i. *Exception.* A two-story accessory structure no greater than 25 feet in height may be allowed at the rear of a lot that abuts an alley but must comply with a minimum 10-foot side property line setback.
- f. *Roof Decks.* All roof decks along the project perimeter and abutting residential uses shall be stepped back a minimum of 5 feet from the roof edge and a minimum of 8 feet from the property line and shall include a minimum 42-inch solid rail or parapet, so that they are oriented away from and screened to prevent direct views of abutting residential neighbors. Roof decks facing/adjacent to a right-of-way or alley are not required to be stepped back.

- g. *Lot Coverage.* The total square footage of all accessory structures shall not occupy more than 30 percent of the required rear setback. Unless otherwise allowed in the base zone, maximum aggregate lot coverage by primary and accessory structures shall not exceed 50 percent.
- i. Roofless structures or structures with a latticed roof, such as pergolas, arbors, and trellises, are excluded from lot coverage but shall not occupy more than 60 percent of the required rear setback.

FIGURE 17.64.020.D-1: ACCESSORY STRUCTURE LOT COVERAGE



- 11. ***Detached Accessory Structures in Mixed-Use and Non-Residential Zones.***
 - a. *Height.* An accessory structure in a nonresidential zone shall not exceed the permitted height for principal buildings in the zone in which it is located.
 - b. *Setbacks.* Any accessory structures in a nonresidential zone shall conform to the building setback requirements for that zone.
 - c. *Building Separation.* Any accessory structure in a nonresidential zone over 120 square feet shall be located at least six feet from any building on the lot.
 - d. *Location.* Any accessory structure up to 120 square feet in a nonresidential zone shall be located to the side or rear of the primary building and not in front of the primary building.

E. Requirements for Patio Covers.

- 1. ***Setbacks.***
 - a. Front and street side setbacks of the base zone apply to patio covers.

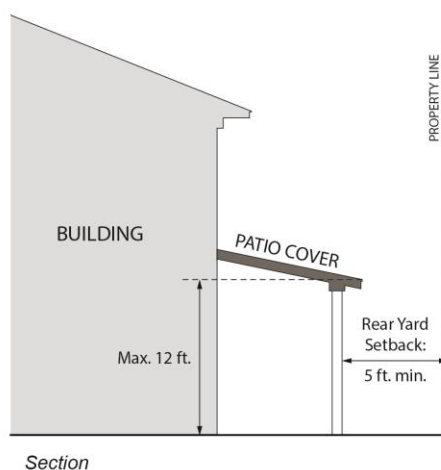
- b. A minimum five-foot rear yard setback is required, measured from the nearest post/structural support to the property line.
- c. The minimum required interior side yard and rear yard setbacks shall be increased by one foot for every one-foot increase in patio cover height over 10 feet. If a patio cover is sloped or otherwise varies in height, the setback requirements for the side versus the front of the structure may vary depending on orientation to the nearest property line(s).
- d. Patio covers in residential zones shall conform to the following setback requirements:

Table 17.64.020.E-1: Patio Cover Setbacks

Height at Point Closest to Property Line	Minimum Setback from Interior Side or Rear Property Line
Less than 11 feet	5 feet
At least 11 feet but less than 12 feet	6 feet
12 feet (Maximum Height)	7 feet

- 2. **Height.** Patio covers shall not exceed 12 feet in height. An exception to the 12-foot height limit may be granted by the Director if a taller cover is required to match the architectural style and roof pitch of the primary structure or as necessary to tie-in structurally to the primary structure as long as setbacks requirements are otherwise met and the Director finds that the increased height will not negatively impact adjacent residential properties.

FIGURE 17.64.020.E-1: PATIO COVERS AND SUNSHADE SETBACK AND HEIGHT

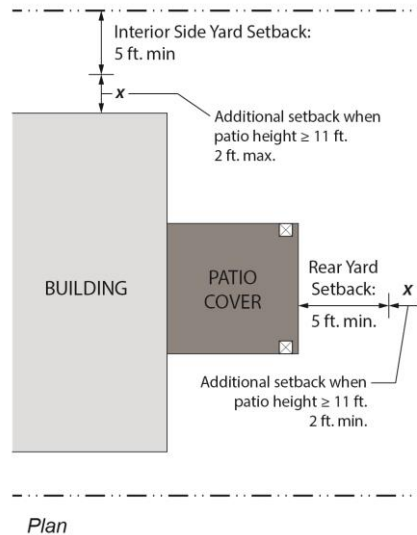


- 3. **Eaves and Projections into Required Setback Area.** Eaves, rain gutters, and other architectural features may project 24 inches into the required setback subject to applicable building and fire/life safety requirements as provided in Section 17.64.060, Projections into Required Setbacks.

4. **Yard and Lot Coverage.**

- a. Patio covers with a solid or impervious roof/cover shall count toward the lot coverage calculation.
- b. Patio covers with a permeable (i.e., open lattice style) or semi-transparent roof/cover are excluded from the lot coverage calculation.
- c. Solid cover residential patio covers may use up to 40 percent of the required rear setback as measured by the roof/covering dimensions.

FIGURE 17.64.020.E-2: PATIO HEIGHT AND REAR AND SIDE SETBACK



5. **Design.**

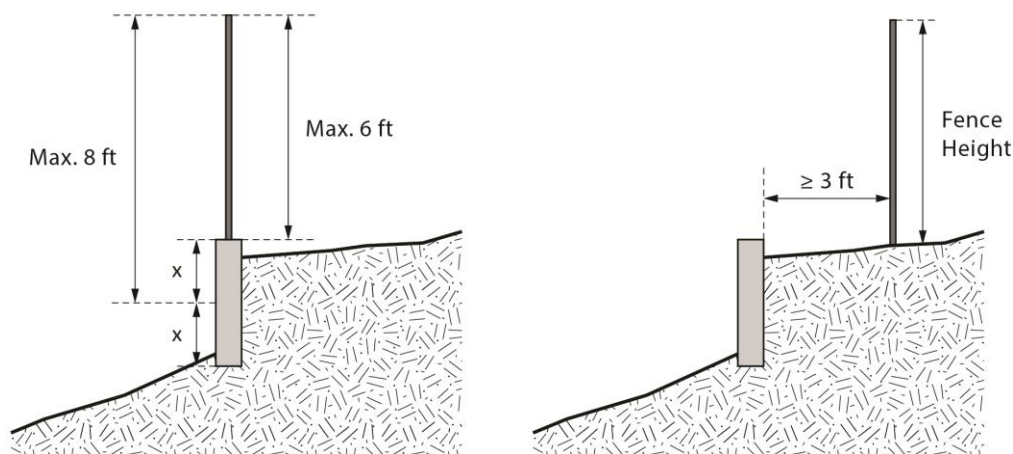
- a. Patio covers shall not be enclosed by any walls, partial solid panel wainscoting, and/or glazing, except for the walls adjoining primary and /or accessory building(s), which may not constitute more than two of the four sides of the patio structure.
- b. Patios shall be open structures that are at least 80 percent transparent.
- c. Patios shall not be conditioned space but may be fitted with removable clear plastic or screen mesh.
- d. Metal "lean-to" structures and similar metal structures are prohibited in residential zones.

17.64.030 Fences, Walls, and Hedges (Updated)

- A. **Purpose.** The purpose of this Section is to recognize well-designed fencing as a necessary site feature that can enhance the visual appearance of properties. Requirements ensure safe sight lines and minimize potential negative visual impacts or hazards of tall or unsightly fences, walls, and retaining walls.

- B. **Applicability.** The requirements of this Section apply to all fences, walls, hedges, and similar structures. For specific and modified fencing standards in the Spring Lake Specific Plan area, see the standards in the Spring Lake Specific Plan.
- C. **Permits Required.**
1. All fences and walls over six feet in height and all retaining walls 36 inches or greater in height require a Building Permit (see Section 17.100.130, Building Permit).
 2. All fences and walls within the public right-of-way require an encroachment permit and shall be subject to all requirements of this Section in addition to any Public Works requirements.
- D. **Fence, Wall and Hedge Height and Placement.** Fences, walls, and hedges shall comply with the height and placement standards below, unless more restrictive standards are required by an operative plan, an adopted policy, or a condition of approval for a project or subdivision.
1. **Fence and Retaining Wall Combinations.** Where a fence is located at the top of a retaining wall required to address grade differential, and a six-foot maximum height fence is normally applicable, the Director may allow a combined height of fence and retaining wall up to eight feet, as measured from the mid-point of the retaining wall to the fence top. Where the fence is offset from a retaining wall by at least three feet, the fence height shall be measured from finished grade to the fence top.

FIGURE 17.64.030.D-1: FENCE AND RETAINING WALL COMBINATIONS

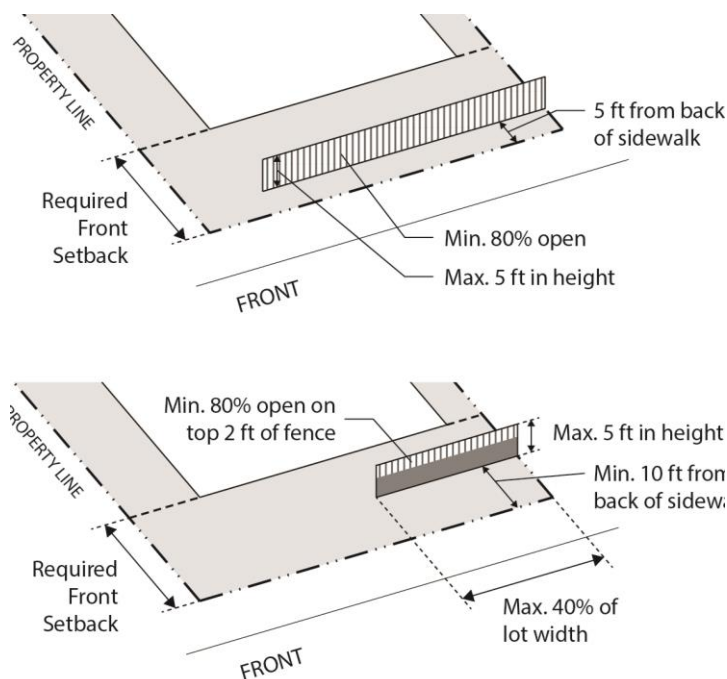


2. **Front Setback.**
 - a. Solid fences, walls, and hedges located within a required front setback or along the front yard property line may be a maximum of three feet six inches in height. See Section 17.64.040, Landscaping for landscaping requirements adjacent to street-facing walls and fences.
 - b. *Exceptions. (New)*
 - i. Downtown Zones. A wrought iron or powder coated/integral color tubular steel fence, or other equivalent material approved by the

Director (Tier 1 Development Review), up to five feet in height may be installed within a required front or street side setback provided the fence is a minimum of 80 percent open (no more than 20 percent opaque) and setback a minimum of five feet from the back of sidewalk.

- a) A landscaped and irrigated planting strip composed of groundcover, shrubs, and/or trees, shall be provided along the base of that portion of the fence that abuts the public street or public right-of-way. The remaining setback area between the fence and property line shall be landscaped and maintained in a healthy and growing condition. In no case shall fencing block required access or sight visibility.
- ii. Downtown and N-P Zones. In the Downtown and N-P zones, fencing may follow a historically established pattern and location of fencing provided sight visibility, safety and public welfare are not impacted, as determined by the Director.
- iii. Residential Zones RL, N-P, RLM. A fence up to five feet in height may be located five feet from the back of sidewalk provided the fence in its entirety is open a minimum of 80 percent (no more than 20 percent opaque), such as black and tubular steel. A fence up to five feet in height may be located a minimum of 10 feet from the back of the sidewalk provided the top 2 feet are open a minimum of 80 percent (no more than 20 percent opaque) and may not extend more than 40 percent across the front width of the property. The area between the fence and the public right-of-way- shall be landscaped and maintained.

FIGURE 17.64.030.D-2: FENCE HEIGHT IN R-L, N-P, R-LM FRONT YARDS



- iv. *Multi-unit (RM and RH), Mixed-use (CMU, CCMU), Commercial (RC, RCF) and Employment (IF, IG, and BP) Zones.* A decorative, wrought Iron, power coated/integral color tubular steel, or other equivalent material approved by the Director, fence up to six feet in height may be located 10-feet from the back of sidewalk, provided the fence is a minimum of 80 percent open (no more than 20 percent opaque) and set back a minimum of 10 feet from the back of sidewalk. In no case shall fencing block required access or sight visibility.
 - a) A landscaped and irrigated planting strip composed of groundcover, climbing vines, shrubs, and trees, shall be provided along the base of that portion of the fence that abuts the public street or public right-of-way. The remaining setback area between the fence and property line shall be landscaped and maintained in a healthy and growing condition.
 - b) If necessary for security purposes, as determined by the Director, tubular steel, or equivalent open welded metal fencing, may be placed at the back of sidewalk (or if no sidewalk, then property line) in the RCF, IF, IG, and BP zones as long as the required landscaping is visible through the fencing.
- v. Columns, pilasters, and support structures, and the decorative elements attached to them associated with a fence or gate located on

or within required setbacks may exceed the height limit provided they meet the following criteria:

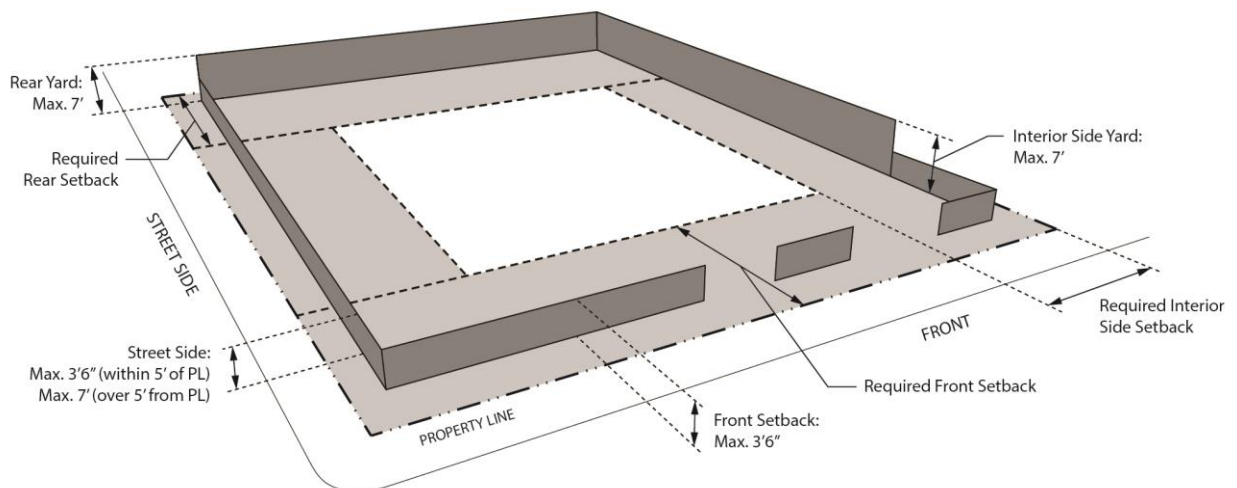
- a) They do not exceed seven feet in height;
- b) They are not located closer than 12 feet on center;
- c) The fencing materials do not cumulatively exceed the see through fence standard, where applicable; and
- d) They do not interfere with the sight visibility area associated with any street or driveway.

3. **Street Side.**

- a. Fences, walls, and hedges within five feet of the street side property line may be a maximum of three feet six inches in height. Fences, walls, and hedges located more than five feet from the street side property line may be a maximum of seven feet in height.
 - i. *Exception.* When the primary structure is located within the five-foot setback, a fence up to seven feet is allowed where the fence is parallel to the street and represents an extension of the primary structure's façade.
- b. See Section 17.64.040, Landscaping for landscaping requirements adjacent to street-facing walls and fences.

- 4. **Rear and Interior Side Setbacks.** Fences, walls, and hedges behind the required front setback within the interior side and rear setback areas may be a maximum of seven feet in height.

FIGURE 17.64.030.D-3: FENCE, WALL, AND HEDGE HEIGHT



5. **Intersection and Driveways.** Notwithstanding other provisions of this Section, fences, walls, and hedges shall comply with Section 17.64.110, Visibility at Intersections to ensure adequate site visibility.
 6. **Additional Fence Height.** In nonresidential zones, additional fence height up to eight feet may be considered by the Director (Development Review Tier 1) if located outside of a required front setback and more than five feet from a street side lot line, provided that the Director determines that the additional height is necessary due to specific circumstances related to on-site safety and security and the fence is designed appropriately to minimize negative visual impacts to neighboring properties.
- E. **Double Fence/Walls.** Double walls or fences are prohibited unless the Director finds that:
1. The existing fence is not adequate to provide basic privacy, safety, security, and it is not possible to remove the established fencing material; and
 2. The new fence has been designed to allow access for maintenance and cleanout of the space between the two fences and minimizes the gap to the smallest extent possible to reduce the potential for rodents, debris accumulation, and other nuisance problems.
- F. **Fence and Wall Materials and Design.**
1. Perimeter fencing utilized along a public street shall be constructed of material such as iron, pre-painted welded steel, brick, wood picket, or other similarly durable material.
 2. Fence posts shall be set in concrete.
 3. All wood fencing posts shall be either wood or galvanized metal covered in wood and stained with a semi-transparent or opaque treatment.
 4. Each fence or wall adjacent to the public right-of-way shall be stained, painted, or treated with a graffiti-resistant coating.
 5. **Limitations on Chain-Link Fencing.**
 - a. *Location.* Chain-link fencing is prohibited in Residential and Downtown Zones.
 - b. *Visibility.* Chain-link fencing shall not be located in a front or street side yard setback area, or where visible from the street, a state highway, or an adjacent Residential zone. Exceptions may be granted by the Director in the IG and IF zones for powder coated chain link.
 - c. *Exception.* Welded horizontal and vertical “hog” wire or steel cable, that is supported by either a decorative capped stained wood fence frame or decorative welded tubular steel posts and frame, or other similarly architecturally designed fence, may be allowed as a fencing material, subject to Tier 1 Development Review.
 6. **Limitations on Concrete/Masonry Block.**

- a. Plain, concrete block is not permitted as a fencing or wall material along arterials and collectors, in any residential zone, or any area where walls are required as a condition of approval.
 - b. Concrete block must be finished with stucco or be of a decorative material and capped with a decorative cap. Other materials may be approved by the Director should the design provide an enhanced appearance.
7. ***Prohibited Fencing Materials.*** The following fence materials are prohibited in all zones
- a. Barbed wire or electrified security fence, except for security purposes as outlined in Subsection 17.64.030.F.7.f, Exception below.
 - b. Razor or concertina wire, climb-proof spikes, or other hazardous fencing in conjunction with a fence or wall, or by itself.
 - c. Electrified fence for animal control.
 - d. Improvised security materials such as broken glass or nails.
 - e. Improvised materials such as plywood, particle board, paper, plastic tarp, cloth, or secondhand material not designed for fencing, or other similar material.
 - f. *Exception.* An exception to fence types listed in Subsection A or B may be considered for sites in Employment Zones, in the CMU-Flex zone, and in the Regional Commercial Flex zone east of Quality Circle only, where the Director finds such fencing if necessary for security purposes. Exceptions shall be considered through a Development Review Tier 3, Zoning Administrator review process (see Section 17.100.070, Development Review Tier 3) and are subject to the following provisions:
 - i. Hazardous or electrified security fencing shall not be permitted within 100 feet of a residential property or facility where children are routinely present.
 - ii. Hazardous or electrified security fencing shall be setback a minimum of 75 feet from any segment of Main Street. A setback exception may be considered along E. Main Street, east of Quality Circle, where existing semi-truck/trailer parking areas are located closer to Main Street. (Non-electrified security fencing that resembles electrified security fencing shall similarly be setback a minimum of 75 feet from any segment of Main Street, unless the encroaching portion is equal height with the exterior fence.)
 - iii. The hazardous or electrified security fencing materials are located at the top portion of or behind a legally established fence which is at least five feet in height, but not more than eight feet in height, subject to fence height regulations described in this Chapter.
 - iv. Electrified security fencing shall meet all applicable standards as established in California Civil Code § 835.

- v. Required warning signs shall be set at the maximum separation requirements established in California Civil Code § 835.
 - vi. Electrified security fencing shall not extend taller than eight feet in height within 80 feet of the front property line; and may not extend taller than 10 feet in height if setback further than 80 feet from the front property line. Non-electrified security fencing that resembles electrified security fencing shall at no time exceed eight feet in height and shall meet otherwise applicable fence setback requirements.
- G. **Entry Gateway.** One entry gateway, trellis, arbor, or other entry or decorative feature is permitted in the required front yard or street facing side yard of each lot, provided that the maximum height or width of the structure does not exceed ten feet and the maximum depth or width does not exceed six feet.
- H. **Temporary Fencing.**
 - 1. **Temporary Construction Fencing.** Temporary construction fencing may be required by the designated approving authority where necessary to protect trees or other sensitive features and the general public from construction activity during site preparation and construction. Temporary fencing shall be removed after 90 days once construction is complete. See Section 12.48.130, Tree preservation of established trees, heritage oak trees, specimen trees and landmark trees as part of development projects or on vacant/undeveloped commercial and residential property.
 - 2. **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 approval from the Director. Properties shall be maintained in a condition free from weeds and litter.
- I. **Gates.** All driveway gates shall be placed to allow adequate “throat depth” for all driveways to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. The installation of driveway gates requires Development Review Tier 1 approval (see Section 17.100.050, Development Review Tier 1), and if they are electrically operated, a Building Permit is required (see Section 17.100.130, Building Permit).
- J. **Swimming Pool Fences.** Swimming pools, spas, and other similar water features shall be fenced in compliance with the adopted Building Code.
- K. **Sound Walls.** Wherever sound walls are required to mitigate sound impacts adjacent to streets, the following standards shall apply. These standards do not preclude the use of other innovative methods of project design utilizing greater setbacks, building design, or mounding.
 - a. **Setbacks.** Walls shall be set back a sufficient distance from the ultimate public street right-of-way in accordance with sound attenuation and landscaping. The area between the right-of-way and the wall shall include a public sidewalk and landscaping, including canopy street trees.
 - b. **Materials.** Walls shall be constructed of brick, concrete, or decorative masonry material. Walls and fences shall be made of durable materials, be graffiti resistant, and require limited ongoing upkeep and maintenance.

- c. **Height.**
 - i. Walls shall be six feet in height along the roadway side, unless additional height is needed as documented by a noise study, required to conform to environmental mitigation measures, or the noise element of the General Plan.
 - ii. Walls required to be greater than 6 feet in height shall be constructed utilizing soil mounding, or other techniques, to reduce the apparent height from the roadway. The mounds shall not exceed a 3:1 slope. Drainage shall be contained so that there is no sheet flow of water onto the sidewalk.
 - d. **Maintenance.** A funding method to provide for the long term, ongoing maintenance of the wall and landscaped area shall be submitted and approved by the City prior to the construction of the wall.
 - e. **Walls adjacent to CalTrans Right-of-Way.** Walls located adjacent to CalTrans rights-of-way shall utilize the CalTrans sound wall design criteria and the CalTrans standard construction drawings of approved sound wall types.
- L. **Screening of Outdoor Uses.** All outdoor uses shall be adequately screened in accordance with Chapter 17.70, Screening Standards.

17.64.040 Landscaping (Updated)

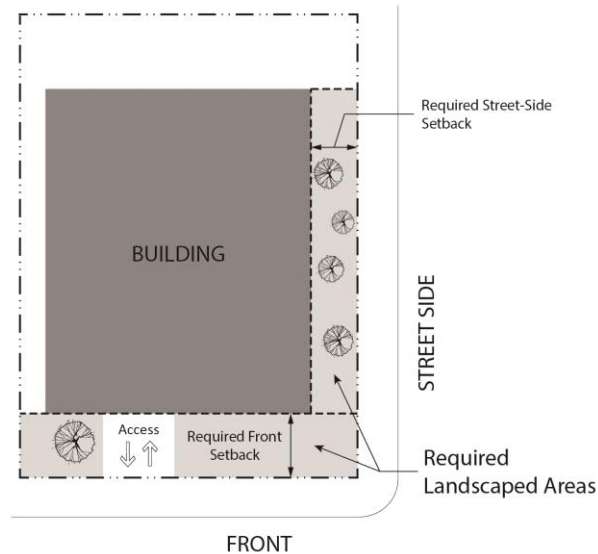
- A. **Purpose.** The purpose of this Chapter is to:
 - 1. Promote an attractive visual environment requiring permanently maintained landscaping;
 - 2. Promote a transition between land uses and minimize or eliminate conflicts between potentially incompatible uses through landscaping;
Soften the appearance of parking lots and other development;
 - 3. Promote conservation and efficient use of water through proper plant selection and placement and to decrease high summer temperature by blocking heat and glare;
 - 4. Provide opportunities for carbon sequestration;
 - 5. Preserve existing established tree canopy; and
 - 6. Implement the Water Conservation in Landscaping Act.
- B. **Applicability.** The regulations of this Section apply to all new development and improvement of existing uses in the City, including any construction, expansion, or improvement on private property, which requires the issuance of a Building Permit (see Section 17.100.130, Building Permit) or other approval by the City. Specific applications are as follows:
 - 1. New nonresidential projects, multifamily residential projects, and single-family residential subdivisions.

2. Modification to an existing nonresidential development project that proposes an increase in building square footage by 10 percent or more. In this case, the designated approving authority for design review shall evaluate the existing landscape to ensure compliance with applicable provisions of this Chapter as deemed necessary.
 3. New and rehabilitated nonresidential and multifamily residential landscaping projects that include new irrigated landscaping over 500 square feet.
 4. Change of occupancy of an existing building requiring a change of occupancy permit as defined by the Building Code.
 5. An unpaved area proposed to be used for parking.
 6. The removal of existing trees on vacant/undeveloped, multi-unit, or non-residential projects. See also Woodland Municipal Chapter 12.48, Trees.
 7. Any other permit when the Director deems it necessary.
- C. **Permits Required.**
1. A landscape plan is required in conjunction with project entitlement review identified in Section B above.
 2. Development Review Tier 1 (see Section 17.100.050, Development Review Tier 1) is required for any new or rehabilitated landscaping.
- D. **Other Applicable Requirements.** In addition to the provisions of this Section:
1. California Green Buildings Standards Code (CalGreen);
 2. California Model Water Efficient Landscape Ordinance (MWELI);
 3. California Plumbing Code (CPC) may apply to landscape plans at the time of plan review submittal for building, landscaping and/or plumbing permits. Where there is a conflict between CalGreen, MWELI, and CPC and this article, the state requirements prevail;
 4. Development Engineering Post Construction Standards Plan;
 5. Woodland Municipal Code Chapter 12.48, Tree Preservation; and
 6. Woodland Municipal Code Chapter 13.32, Water Conservation.
- E. **Areas to be Landscaped.** The following areas shall be landscaped and may count toward the total area of the site required to be landscaped by the zoning regulations.
1. **Landscape Area Requirements.** Minimum landscape area (net lot area) requirements by zone, inclusive of parking lot landscape requirements, are as follows:
 - a. *R-H Zone.* 20 percent.
 - b. *CMU-WM, CMU-E, CMU-K, CMU-G, and CMU-F Zones.* 10 percent.
 - c. *CMU-A, CCMU, and NMU Zones.* 15 percent.
 - d. *RC-F Zone.* 15 percent.
 - e. *IF, IG, and BP Zones.* 15 percent.

2. **Required Front and Street-Facing Setbacks.**

- a. All required front and street-facing side setbacks, except for areas used for parking, exit and entry, shall be landscaped.

FIGURE 17.64.040.E-1: AREAS REQUIRED TO BE LANDSCAPED



- b. *Street Adjacent Walls and Fencing.* A landscaping area shall be installed adjacent to that portion of the wall or fence that fronts a public street between the fence or wall and the property line. All plants shall be properly planted, irrigated, and maintained in accordance with Section 17.64.040, Landscaping.
- c. For additional landscape buffer requirements in the IF zone, see Section 17.56.0670.M, Additional Site Design Standards in Employment Zones (IF, IG, and BP).

3. **Interior Side and Rear Common Property Lines.**

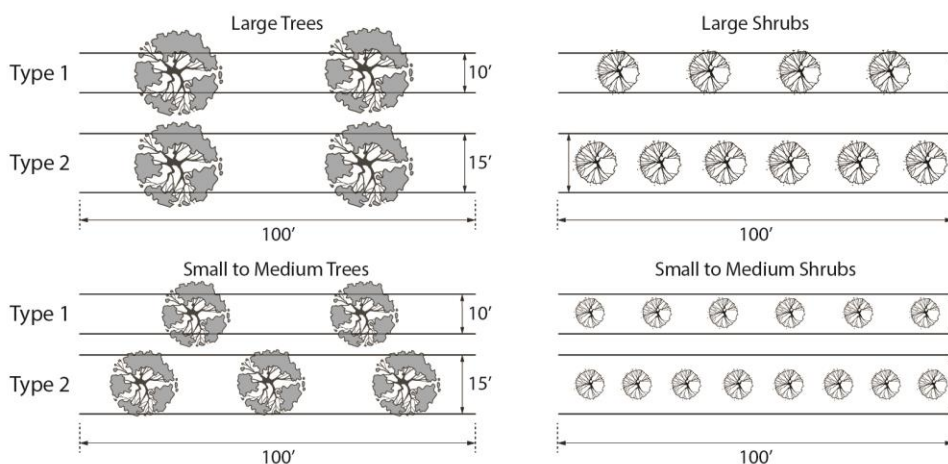
- a. Whenever a development is located adjacent to a zone with a lower maximum intensity, a landscape buffer planted with a mix of trees and shrubs shall be provided along the interior property lines. Tables 17.64.040.E-1, Required Common Property Line Buffers and 17.64.040.E-2, Common Property Line Buffer Types indicate when a buffer treatment is required and what type, based on the abutting zone.
- b. Required screen planting shall have a 75 percent summer opacity and 60 percent winter opacity within three years of planting.

Table 17.64.040.E-1: Required Common Property Line Buffers

Zone	Adjoining Zone
------	----------------

	Public or Open Space Zones	R-L or N-P Zone	R-LM, R-M, and R-H Zone	Downtown or Mixed-Use Zone	Commercial Zone	Employment Zone
Public or Open Space Zones	–	Type 1	Type 1	Type 1	–	–
R-L or N-P Zone	–	–	–	Type 1	Type 2	Type 2
R-LM, R-M, and R-H Zone	Type 1	Type 1	–	–	Type 1	Type 2
Downtown or Mixed-Use Zone	Type 2	Type 2	Type 2	–	–	Type 1
Commercial Zone	Type 2	Type 2	Type 2	Type 1	–	–
Employment Zone	Type 2	Type 2	Type 2	Type 2	Type 2	–

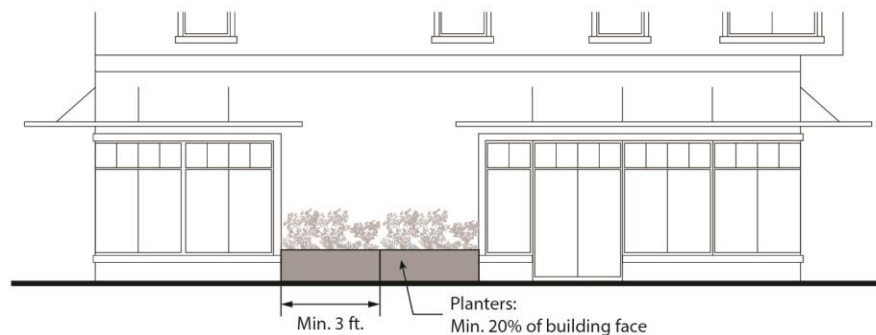
Table 17.64.040.E-2: Common Property Line Buffer Types



Buffer Yard Type	Minimum Width	Trees per 100 linear feet of Buffer		Shrubs per 100 linear feet of Buffer		Fencing
		Large	Small to Medium	Large	Small to Medium	
Type 1	10 ft	2	2	4	6	Wood or masonry
Type 2	15 ft	2	3	6	8	Masonry

- c. **Alternative Buffering or Screening.** Alternative means of achieving buffering or screening as required in Tables 17.64.040.E-1, Required Common Property Line Buffers and 17.64.040.E-2, Common Property Line Buffer Types may be considered by the Director or applicable approval authority provided the alternative will achieve the intended purpose for the buffering or screening. Alternative screening measures include, but are not limited to landscaping, alternate window, and balcony placement, incorporating wing walls or louvers, using glass block or other translucent material, or building placement.
4. **Building Perimeters.** The portions of a nonresidential building that front a public street shall have one or more landscape planters installed along a minimum 20 percent of that building face. The minimum width of the planter shall be three feet or the entire distance between the building and the property line, whichever is less.
 - a. **Exception.** Not applicable to the DX zones.

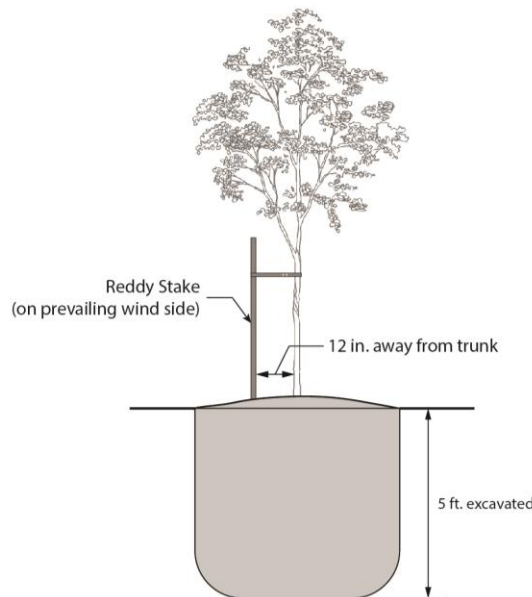
FIGURE 17.64.040.E-2: BUILDING PERIMETER LANDSCAPING



5. **Interior Areas.** All open areas in the interior of a project site shall be landscaped with appropriate plant materials and maintained in good condition as provided in this Code.
 6. **Unused Areas.** All areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, shall be landscaped or hydro seeded. The Director may waive this requirement for areas planned for near-term future development.
 7. **Parking Areas.** Parking areas as required by Section 17.68.090, Parking Area Development and Design Standards.
- F. Required Parking Area Landscaping.**
1. **Minimum Landscaped Area in Parking Areas.** A minimum of six percent of the interior portion of a required parking area shall be landscaped in addition to any shading or other requirements.
 2. **Landscaping Between Parking Areas and Non-Residential Entrances.** A landscaped area at least three feet in width is required between a non-residential entrance and abutting parking area.
 3. **Parking Area Landscaping along the Public Right-of-Way.**

- a. Along the public right-of-way adjacent to any street front parking there shall be a minimum landscape strip eight feet wide.
 - b. Portions of the right-of-way landscape strip may be reduced to five feet when in the opinion of the Director the following conditions are met:
 - i. The total amount of required landscaping, as calculated by applying the eight-foot width requirement, is met along the same street frontage;
 - ii. The reduction does not preclude the requirement for adequate shading or screening of the parking area; and
 - iii. The reduction in required width does not impede any other landscape requirement.
4. ***Minimum Planter Sizes Within Parking Areas. (Updated)***
- a. For each tree, a minimum six-foot by six-foot tree well or a planting area a minimum six feet in width shall be provided in an island or finger.
 - b. A planter strip, perpendicular to the cars or any planter island/finger, shall be a minimum of five feet by eight feet.
 - c. Planter dimensions are measured from the interior side of the curb.
 - d. Where large shade tree species as defined in Subsection 17.64.040.G.16, Trees, below are proposed, fewer planter areas may be considered, subject to Director approval as long as resulting planter areas are larger, such as 12 feet in length by 12 feet in width, and provided that the shade tree requirements of Section 17.64.040.G, Landscape Plans are met.
5. ***Parking Lot Tree Planting Requirements.***
- a. Trees shall be staked with “Reddy Stake” or equal set 12 inches away from trunk on the prevailing wind side. Nursery stakes shall be removed when setting Reddy Stake. Stakes shall be removed once trees can stand by themselves.
 - b. The entire tree planting area shall be excavated to a depth of five feet. Planter shall be backfilled with native soil and necessary amendment prior to planting.

FIGURE 17.64.040.F-1: PARKING LOT LANDSCAPING



- G. **Landscape Plans.** A landscape plan showing compliance with the standards of this Chapter shall be submitted with the permit application for all projects for which landscaping is required. The following may be required, as clarified in the application requirements, as part of the plan set subject to application submittal requirements and the Director's determination; landscape plan, landscape grading plan, irrigation plan, and shading plan.
1. **Information Required.** Landscape plans shall be drawn to scale and shall at a minimum include the following:
 - a. Proposed plant locations, species type and common name, sizes, quantities, growth rate, and water consumption factor.
 - b. Plants with similar water needs shall be grouped together on the landscape plan. The plant factor, established in the California Department of Water Resources study, Water Use Classification of Landscape Species (WUCOLS) shall be identified for all landscaped areas on site.
 - c. Proposed landscape features (mounds, stepping stones, benches, sculptures, decorative stones, or other ornamental features) locations, dimensions, and materials.
 - d. Proposed landscape structures (sheds, trellises, arbors, gazebos, fire pits, fireplaces, built-in barbeques, decks, retaining walls, and seat walls) locations, dimensions, and materials.
 - e. Location and diameter of any existing trees over six inches in diameter, as measured at 48 inches above natural grade, and whether such tree is proposed for retention or removal.
 - f. Any erosion control or water runoff measures.

- g. Shade coverage as required in Section 17.64.040.H, General Landscaping Requirements and Section 17.64.040.I, Shade Requirements. At minimum shade plans shall include:
 - i. All surface areas, trees drawn to scale representing canopy size at 15 years;
 - ii. Percentage of the tree crown for each tree that will result in shading over the parking or right-of-way surface.
 - iii. Trees shall receive 25 percent, 50 percent, 75 percent, or 100 percent shading credit based on their location relative to paved surface. Where canopies overlap, they may not be counted twice.
 - iv. Include a table identifying the quantity and type of trees used and the percentage of shade credited to each.
 - h. Planting details and methods of application shall be shown.
 - i. Construction detail referencing shall be indicated.
2. ***Preparation by a Qualified Person.*** Landscaping for commercial projects and institutional projects and residential projects consisting of more than four units shall be prepared by a California Registered landscape architect. The architect shall indicate compliance with this Chapter with a written statement on all prepared landscape construction plan sets and intended compliance on all preliminary or conceptual plans.

H. General Landscaping Requirements.

1. **General.**
 - a. Landscaping shall be designed as an integral part of the overall site plan with the purpose of enhancing building design, public views, and spaces, and providing buffers, transitions, and screening.
 - b. Planting design shall have focal points at project entries, plaza areas, and other areas of interest using distinct planting and/or landscape features.
 - c. Required landscaped areas shall be planted with a combination of ground covers, shrubs, vines, and trees.
 - d. Landscaping may include incidental features such as stepping stones, benches, fountains, sculptures, decorative stones, or other ornamental features, placed within a landscape setting.
 - e. Landscaped areas may include paved or graveled surfaces, provided they do not cover more than 30 percent of the area required to be landscaped.
 - f. Garden areas and other areas dedicated to edible plants are considered landscaped areas and count toward required landscaping.
2. **Required Water Efficient Plants.** Plants shall be one of the following options to ensure that the landscape project meets water efficiency requirements as certified by a qualified landscape professional.

- a. *Option A: All Low Water Plants.* Exclusive of edible garden areas, all plants and trees shall be low or very low water use (California Department of Water Resources, Water Use Classification of Landscape Species (WUCOLS) plant factor of 0.3). Option A is available for all residential, mixed-use, and non-residential areas.
 - b. *Option B: Primarily Low Water Plants.* Exclusive of edible and decorative garden areas, at least 85 percent of the landscape area shall contain low or very low water use plants (average WUCOLS plant factor of 0.3). Option B is only available for residential-only areas.
 - c. *Option C: Water Use Calculation.* The estimated total water use (ETWU) of the landscaping shall not exceed the maximum applied water allowance (MAWA), calculated pursuant to the State Water Efficient Landscape Ordinance (MWELO). Option C is available for all residential, mixed-use, and non-residential areas.
 - i. Department of Water Resources Model Water Efficient Landscape Ordinance Compliance Required. Where Option C is selected, all requirements of the Department of Water Resources Model Water Efficient Landscape Ordinance shall apply.
3. **Hydrozones.** Plant materials shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun, and light), and maintenance needs.
4. **Drought-Tolerant Species.** Drought tolerant species and California native species are to be used to the maximum extent possible over non-drought tolerant and nonnative species.
5. **Invasive Plants Prohibited.** Plant species that are listed by the California Invasive Plant Council (CAL-IPC) as invasive are prohibited. Existing invasive plants and noxious weeds shall be removed.
6. **Landscaping Adjacent to Paved Areas.**
 - a. All landscaped areas located adjacent to driveways, loading areas, parking lots and sidewalks shall be protected along the parking lot side with curbs or wheel stops. Alternative treatments may be considered.
 - b. A six-inch high curb with a 12-inch wide concrete walkway shall be constructed along planters on end stalls adjacent to vehicle parking spaces.
7. **Landscaping in Public Areas.** Public landscaping, including street trees, shall comply with City Standard Specifications.
8. **Preservation of Mature Trees.** Existing mature trees on the site shall be preserved whenever it is possible and practical to do so. Site designs shall be prepared to preserve existing trees to the extent possible.
9. **Heritage Oak Trees.**
 - a. Applicant shall take measures to keep drainage flow around existing Heritage Oak Trees as close to natural state as possible.

- b. Applicant shall take measures to preserve the area to at least one foot outside the dripline of existing heritage oak trees in a natural state.
 - c. Native oaks may be surrounded with a variety of shade-tolerant native plants or alternative planting, design, or materials at the Director's discretion and in consultation with the City's Arborist.
- 10. **Mulch.** A minimum three-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seedling applications where mulch is contraindicated.
- 11. **Compost.** Compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contraindicated by a soil test) shall be incorporated.
- 12. **Stormwater/Retention.** Subject to Development Review, landscaped areas and setbacks may be used for stormwater management practices provided tree planting and canopy shading requirements are met. Additional planter spacing may be required. Areas designated for landscape-based stormwater treatment must satisfy the Stormwater Permit requirements of Chapter 8.08, Urban Stormwater Quality Management and Discharge Control.
- 13. **Water Features.** Recirculating water shall be used for all decorative water features.
- 14. **Turf.** Turf defined as a ground cover surface of mowed grass is subject to the following limitations.
 - a. No more than 25 percent of landscaped area may be turf.
 - b. Installation of turf on slopes greater than 25 percent is prohibited.
 - c. Prohibited in locations that are less than 10 feet wide.
 - d. Shall be heat tolerant and lowest water use species available.
 - e. Synthetic turf material may be used in place of any proposed turf areas provided synthetic material is located a minimum of six feet from any tree.
- 15. **Shrubs and Ground Covers.** Plants shall be of the following size and spacing at the time of installation:
 - a. **Ground Covers.** Ground cover plants other than grasses must be at least a four-inch container size. Areas planted in ground cover plants other than grass seed or sod must be planted at a rate of one per twelve inches on center.
 - b. **Shrubs.** Spacing of shrubs shall be according to local conditions; the species, cultivars, or varieties used; and their mature height, spread and form. When planted to serve as a hedge or screen, shrubs shall be spaced at 75 percent of their mature length.
 - i. **Small Shrub.** A small shrub shall have a mature height of three to less than five feet and shall be planted at a minimum from one-gallon containers.

- ii. *Medium Shrub.* A medium shrub shall have a height of between five and eight feet and shall be planted at minimum from five-gallon containers.
- iii. *Large Shrub.* A large shrub shall have a mature height of greater than eight feet and shall be planted at minimum from five-gallon containers.

16. **Trees. (Updated)**

- a. *Required Trees.* Trees shall be provided as follows:
 - i. *R-L, R-LM, and N-P Zones.* A minimum of two trees per frontage. If these are not provided in a landscaped parkway strip between the sidewalk and curb, they must be provided on private property and oriented to the street. Corner lots must provide four trees (two for each frontage) unless a lesser number is permitted by Director based on lot size/frontage limitations and/or dependent on mature canopy size of tree species.
 - ii. *R-M and R-H Zones.* A minimum of one tree per unit.
 - iii. *Downtown and Mixed-Use Zones.* A minimum of one tree per new residential unit.
 - iv. *Commercial Zones.* A minimum of one tree for every 2,000 square feet of lot coverage.
 - v. *Employment Zones.* Trees are only required in employment zones along the front or exterior side perimeter of a parcel. Trees required in other Sections of this Code, such as parking lot trees or street trees, may count toward this requirement provided the required shading is met.
- b. *Cumulative Requirement.* Trees required in other parts of this Code, including shade requirements, shall apply in addition to these requirements.
 - i. Where it is determined that it is not possible to place all required trees, an applicant may request that the Director allow planting in a nearby public facility or through payment of an in-lieu fee.
- c. *Tree Size.* All required trees shall be a minimum of fifteen-gallon size. Spacing of trees shall be according to local conditions; the species, cultivars, or varieties used; and their mature height, spread and form. Newly planted trees shall be appropriately supported.
 - i. *Small Tree.* A small tree shall have a mature height less than 25 feet and shall be at least one-inch in diameter at six inches above ground level.
 - ii. *Medium Tree.* A medium tree shall have a mature height of between 25 and 45 feet and be at least 1.25 inch in diameter at six inches above ground level.

- iii. *Large Tree.* A large tree shall have a mature height of greater than 45 feet and be at least 1.5 inch in diameter at six inches above ground level.
 - iv. Trees shall be spaced between 12 to 15 feet apart, regardless of tree size.
 - v. Appropriate planter sizing will be determined based on proposed tree sizing at maturity. If larger trees are proposed which have a larger canopy, the planter area shall be increased as needed for the larger tree.
- d. *Stakes.* Trees shall be staked with metal stakes or equivalent as may be approved by the Director.

I. **Shade Requirements. (New)**

- 1. ***Along a Public Right-of-Way.*** Trees shall be planted and spaced in order to achieve a 50 percent canopy cover after 10 years. The maximum spacing between trees shall be 35 feet on center and trees shall be drawn to scale representing canopy size at 10 years on a shade tree plan. Existing street trees located in the public right-of-way may be counted to meet this requirement.
- 2. ***Surface Parking Areas.*** Shade tree planting shall be installed to provide shade over 50 percent of the auto parking area within 15 years. All required parking is included in the total auto parking area calculation. Areas excluded from the total auto parking area are limited to:
 - a. The surface parking area covered by solar photovoltaic shade structures, or shade structures;
 - b. Truck loading in front of overhead doors;
 - c. Truck maneuvering and main access roads and driveways not used as back-up areas are exempt; and
 - d. Surfaced areas for automobile dealerships and areas used for display, service and vehicle storage.
- 3. ***Other Interior Shade Requirements.*** All multi-unit residential and non-residential projects shall provide the following in addition to the requirements of Section 17.64.040.E, Areas to be Landscaped.
 - a. *General Landscape Areas.* Shade tree plantings shall be installed to provide shade of 50 percent of landscape areas within 15 years.
 - b. *Hardscape Areas.* Shade tree plantings shall be installed to provide shade of 50 percent of hardscape areas, not including parking areas, within 15 years.

J. **Soil Testing.** For landscape development projects of over 2,000 square feet a soil test shall be obtained to determine appropriate soil amenities and planting requirements.

K. **Irrigation Specifications.** An automatic irrigation system shall be installed that meets the following standards.

1. ***Irrigation of Parking Lot Shade Trees.*** All parking lot shade trees shall be irrigated with either a minimum of two deep watering tubes or drip rings, and in any case shall be on their own valve system separate from the general landscaping valves.
2. ***General Requirements.***
 - a. All irrigation equipment must meet American National Standards Institute (ANSI), American Society of Agricultural and Biological Engineers / International Code Council (ASABE/ICC) 802-2014 or equal, "Landscape Irrigation Sprinkler and Emitter Standard".
 - b. The following areas must be irrigated with subsurface irrigation or other means that produce no runoff or overspray.
 - i. Slopes exceeding 25 percent.
 - ii. Areas less than 10 feet wide in any direction.
 - c. The irrigation system must be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas such as adjacent property or hardscapes.
 - i. Irrigation systems must be designed for zero run-off onto paved surfaces unless that surface drains to another landscape area.
 - ii. Spray irrigation must be placed at least two feet from impervious surfaces unless that surface drains to another landscape area.
 - iii. Proper irrigation equipment and schedules, including features such a repeated cycle, must be used to closely match application rates to infiltration rates therefore minimizing runoff.
 - iv. Slopes greater than 25 percent must not be irrigated with an irrigation system with an application rate exceeding 0.75 inches per hour. Check valves shall be utilized.
 - d. ***Sprinkler Heads.*** Where used, sprinkler heads must be selected for proper area coverage, application rate, operating pressure, adjustment capability, and ease of maintenance.
 - i. Sprinkler heads and other emission devices must have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.
 - e. ***Pressure Regulating Equipment.*** Pressure regulating valves or assemblies shall be installed to ensure that the dynamic pressure at each emission device is within the manufacture's recommended pressure range for optimal performance.
 - f. ***Controllers.*** Automatic control systems shall be required for all irrigation systems and must be able to accommodate all aspects of the design.
 - i. Automatic irrigation controllers must utilize either evapotranspiration or soil moisture sensor data, or rain sensing override devices.

- ii. Irrigation controllers must be of a type which does not lose programming data in the event the primary power source is interrupted.
- g. *Control Valves.* Plants which require different amounts of water should be irrigated by separate valves.

L. **Installation and Completion.**

1. ***Consistency with Approved Plans.*** All landscaping must be installed consistent with approved plans and specifications, in a manner designed to promote and maintain healthy plant growth.
2. ***Timing of Installation.*** Required landscaping must be installed prior to the issuance of a Certificate of Occupancy for the project.
3. ***Certification of Completion.*** Upon completion of the installation of the landscaping and irrigation system, a field observation shall be completed by the licensed project contractor. A certificate of completion shall be submitted to the City by the licensed project contractor. The certificate shall specifically indicate that the plants were installed as specified and that the irrigation system was installed as designed, along with a list of any deficiencies.
 - a. Where Required Water Efficient Plan Option C: Water Use Calculation, was installed, the applicant shall submit a Certificate of Completion pursuant to the Department of Water Resources Model Water Efficient Landscape Ordinance.

M. **Maintenance of Landscaping.**

1. All required landscaping and structural features must be maintained in a healthy and attractive condition as determined by the City, and consistent with the approved landscape plan and Landscape Maintenance Agreement. Maintenance must include, but is not limited to, watering, fertilizing, weeding, cleaning, pruning, trimming, spraying, and cultivating.
2. Planting areas must be kept free from weeds, debris, undesirable materials which may be detrimental to public safety, drainage, or site appearance.
3. All plant materials must be maintained free from physical damage or injury arising from lack of water, chemical damage, insects, and diseases. Dying, decayed, untrimmed, or plant materials showing such damage shall be remedied, or replaced in kind consistent with an approved landscape plan.
4. Prior to the re-occupancy of a building with existing landscaping all portions of damaged or defective irrigation systems, dead, dying, or damaged ground cover, shrubs, and trees must be replaced. Where trees are approved for removal due to maintenance concerns, all portions of the tree, including trunk and roots, shall be removed and stumps shall not be left in the landscape. Trees removed shall be replaced where feasible consistent with approved landscape plan or as otherwise approved by Director.
5. At the discretion of the Director, the City can require financial security, per year, to ensure the maintenance of landscaping.

6. All landscaped areas in a public street, sidewalk, or right-of-way that is abutting a residential property shall be maintained by the adjoining property owner, unless it is maintained through another mechanism such as a Home Owner's Association or Community Facilities or Landscape District.
7. Landscaping within a yard shall not obstruct a public street, intersection, sidewalk, or right-of-way either physically or visually.

17.64.050 Outdoor Lighting and Illumination (New)

- A. **Purpose.** The purpose of this Section is to control outdoor lighting in order to maintain adequate visibility and safety, conserve energy, and protect against glare and excessive lighting. This Section is intended to minimize outdoor artificial light that may have a detrimental effect on the environment, astronomical research, and enjoyment of the night sky. These provisions are also intended to reduce the unnecessary illumination of adjacent properties and the use of energy.
- B. **Applicability.** The standards of this Section apply to all new development and to exterior alterations and additions for multi-family residential, commercial, industrial, mixed use, and public/quasi-public uses that involve replacement light fixtures or systems, except as provided below.
 1. **Exemptions.** The following lighting is exempt from the provisions of this Section.
 - a. Public and private street lighting.
 - b. Athletic field lights used within a school campus or public park.
 - c. Safety and security lighting for public facilities.
 - d. Construction and emergency lighting provided the lighting is temporary and discontinued immediately upon completion of the construction work or abatement of the emergency.
 - e. Seasonal lighting displays related to cultural or religious celebrations.
- C. **Prohibitions.** The following types of exterior lighting are prohibited.
 1. **Searchlights.** The operation of searchlights for advertising purposes.
 2. **Mercury Vapor.** Mercury vapor lights.
 3. **Other Light Types.** Laser lights or any other lighting that flashes, blinks, alternates, or moves.
- D. **Outdoor Lighting Plans Required.**
 1. **When Required.** A preliminary outdoor lighting plan shall be submitted as part of each planning permit application, and a final plan shall be submitted as part of an application for a Building Permit (see Section 17.100.130, Building Permit) for a new structure, an addition of 25 percent or greater, or modification or replacement of existing lighting. A final outdoor lighting plan is required for all new outdoor lighting installations on commercial, mixed use, multi-unit residential, industrial, and

institutional properties. The Director may request outdoor lighting plans from applicants for other types of projects due to location, size, or proposed use, as necessary.

2. **Plan Content.** At a minimum, an outdoor lighting plan shall include the following:
 - a. Manufacturer specification sheets, cut sheets, and other manufacturer-provided information for all proposed outdoor light fixtures to show fixture diagrams and outdoor light output levels;
 - b. The proposed location, mounting height, and aiming point of all outdoor lighting fixtures;
 - c. If building elevations are proposed for illumination, drawings of all relevant building elevations showing the fixtures, the portions of elevations to be illuminated, the illumination level of the elevations, and the aiming point for any remote lighting fixture;
 - d. Photometric data including computer generated photometric grid showing foot-candle readings every 10 feet within the property or site and 10 feet beyond the property lines; and
 - e. The existing or proposed location of all large shrubs and/or trees to be shown on separate and coordinated plan, which illustrates lighting distance from trunk, and impact of tree canopy size and height as existing or at maturity.

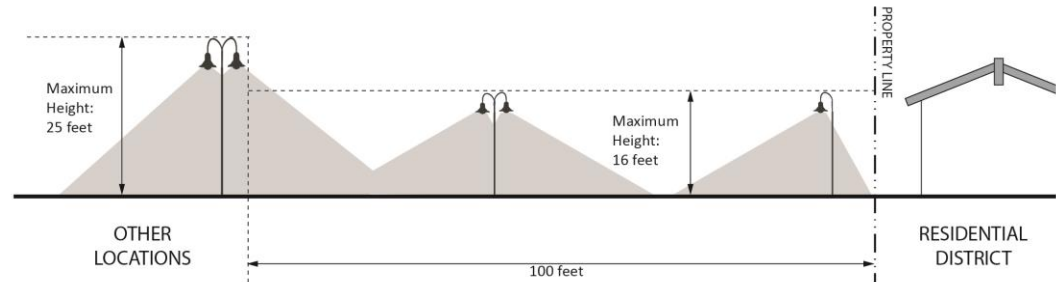
E. **Permits Required.**

1. An outdoor lighting plan, as determined by the Director, may be required for the projects identified in Subsection 17.64.050.B, Applicability above.
2. An outdoor lighting plan may be required as part of the submittal for Development Review to ensure safe and appropriate installation of outdoor lighting systems.

F. **General Requirements.** Outdoor lighting shall be designed to be an integral part of the built environment, reflecting a balance for the lighting needs with the contextual ambient light level and surrounding nighttime characteristics of the community. Lighting for commercial installations adjacent to or near residential uses shall be compatible with and not directly illuminate nearby residential uses.

1. **Maximum Height.** The maximum height of outdoor lighting shall be as indicated in Table 17.64.060.F-1, Maximum Height of Outdoor Lighting Fixtures.

Table 17.64.050.F-1: Maximum Height of Outdoor Lighting Fixtures



Location	Maximum Height
Any Residential zone or within 100 feet of and Residential zone	16 feet ¹
Downtown and Mixed Use zones	18 feet ¹
Commercial and Employment zones	25 feet ¹

Notes:

1. The approval authority may allow additional height for activities, uses, or development with unique lighting needs; accentuating historic architectural features of a building; accentuating signage and/or landscape features; or for security purposes.

2. **Trespass.** All lights shall be directed, oriented, and shielded to prevent light trespass or glare onto adjacent properties. The light level at property lines shall not exceed 0.3 foot-candles. Full cutoff shielding shall be used where adjacent to lower intensity residential uses.
3. **Pedestrian Scale Lighting.** Pedestrian-scaled lighting, less than 15-feet in height, shall be used to illuminate areas used for pedestrian circulation. Bollard-type light fixtures may also be used.
4. **Landscape Accent Lighting.** Landscape lighting fixtures shall be concealed-source fixtures.
5. **Coordination with Landscape Features.** All proposed individual lighting on poles, shall be coordinated with the location of existing or proposed trees and appropriate distances observed based on species and maximum growth habit.
6. **Lighting Design.**
 - a. All lighting shall meet the International Dark Sky Associations (IDA) and Illuminating Engineering Society of North America (IESNA) for "Cut Off" or "Full Cut Off" luminaire, as well as minimizing blue light emission (recommend a color temperature of no more than 3,000 Kelvins; S/P ratio less than or equal to 1.2).
 - b. Fixtures shall be appropriate to the style, material, colors, and scale of the architecture. Fixtures on buildings shall be attached only to walls or eaves, and the top of the fixture shall not exceed the height of the parapet or roof or eave

of roof. Lighting fixtures must be architecturally integrated with building style, material, and colors.

7. **Timing Controls.** All outdoor lighting in nonresidential development shall be on a time clock or photo-sensor system and turned off during daylight hours and during hours when the building or, in the case of shopping centers, all buildings, are not in use and the lighting is not required for security.
8. **Temporary Seasonal Lighting—Exempt.** Temporary seasonal lighting installed between Thanksgiving and January 1 is exempt from this Chapter.

G. Supplemental Requirements

1. **Multi-Unit Residential Buildings.**
 - a. Lighting in parking areas, garage areas, and carport areas shall be maintained with a minimum of one foot-candle of illumination at the ground level during the hours of darkness.
 - b. Aisles, passageways, and recesses related to and within the building complex shall be illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness.
2. **Nonresidential Buildings.**
 - a. Lighting in parking areas, garage areas, carport areas and pedestrian walkways shall be maintained with a minimum of one foot-candle of illumination at the ground level during the hours of darkness.
 - b. All exterior doors, during the hours of darkness, shall be illuminated with a minimum of 1.0 foot-candle of light.

17.64.060 Projections into Required Setbacks (New)

- A. Building projections may extend into required yards in accordance with the standards of Table 17.64.060-1, Allowed Building Projections into Required Setbacks.

Table 17.64.060-1: Allowed Building Projections into Required Setbacks			
Projection	Front, Street Side	Interior Side	Rear Yard
Cornices, eaves, sunshades, and similar architectural features supported from the structure; Chimneys	Max. 2 ft.	Max. 2 ft.	Max. 2 ft.
Bay Windows	Max. 3 ft.	Max. 2 ft.	Max. 3 ft.
Balconies, fire escapes, uncovered stairs that service upper stories ¹	Max. 2 ft.	Max. 0 ft.	Max. 1 ft.
Stoops, or landings, entry roof cover, portico, awning, or pergola ²	Max. 3 ft.	Max. 2 ft.	Max. 3 ft.

Porches and Decks ³	Max. 6 ft in residential zones; max. 3 ft in all other zones	Max. 2 ft.	Max. 2 ft.
Ramps and similar structures that provide access for persons with disabilities	Reasonable accommodation will be made, consistent with the Americans with Disabilities Act; See Section 17.100.160, Reasonable Accommodation for Housing.		

Notes:

1. Balcony may project up to 2-feet in a rear setback as long as the setback is at least 15 feet.
2. Typically a limited projection to provide cover over a doorway or entry.
3. Must be open on at least three sides. May not be closer than five feet to a street facing property line or three feet to an interior property line.

- B. All building projections are subject to all applicable requirements of the Building Code.
- C. In no cases may any building projection extend closer than three feet to an interior lot line or public utility easement.

17.64.070 Public Art

- A. **Purpose.** The purpose of this Section is to establish clear guidelines, design standards, and procedures for integrating public art into construction projects throughout the City of Woodland. The City has determined that public art is a critical element in providing for a diverse and culturally rich environment for Woodland residents and visitors. Public art fosters economic development and activity and promotes cultural tourism by enlivening the public areas of buildings and expressing the vitality and heritage of the community. A well-conceived work of art can increase the value of a development project as well. Public art may enhance urban revitalization efforts as the overall image, beauty, and livability of the community are enhanced. Accordingly, to achieve these purposes, the City Council has determined that public art should be regularly integrated into new development projects Citywide, however, it is the intent of this Section that this be a collaborative process between the City representatives and the applicant at all stages of the process with substantial deference to the applicant for how he or she wishes to incorporate public art within the project.
- B. **Public Art Requirement.**
 1. **Public Art Obligation Calculation.** Developers of commercial construction projects, as defined and specified below, shall be subject to the public art requirement as outlined in this Section. The project specific public art obligation shall be based on project construction costs as defined in this Section and as further outlined below:
 - a. **Nonresidential Construction.** Private nonresidential developments with a construction cost exceeding \$350,000.00 and subject to site plan or design review approval shall devote an amount of not less than one percent of the construction cost for public art. Construction costs, as defined in this Section, shall not include any portion of the project that includes system and operational equipment costs, grading, sidewalk repair or reconstruction, landscape installation, or utility facilities. Any developer of a nonresidential

development project with construction costs that exceed \$350,000.00 may submit a request to the Review Authority for a less expensive public art contribution provided that developer also submits documentation showing that such a contribution would be prohibitively expensive for project delivery.

- b. *Public Construction.* Public construction projects with a construction cost exceeding \$350,000.00 shall devote an amount of not less than one percent of the construction cost for public art subject to determination of sufficient funding. The construction cost shall be verified by the City Engineer, and the cost shall not include the portion of any project that includes underground public works projects, tree planting, street or sidewalk repair or reconstruction, or utility facilities with the exception of administrative buildings. A maintenance plan shall be developed to ensure any public art constructed as a component of a public construction project is adequately maintained and preserved.
- c. *Cell Towers/Monopoles.* Private construction of a new cellular tower or monopole to support wireless telecommunications antennas and connecting appurtenances shall pay \$10,000 for public art, unless public art is directly incorporated into the design and stealthing of the tower, as approved by the Director or Review Authority.

- 2. **Public Art Obligation Satisfaction Options.** A developer may choose one of the following options to satisfy his or her public art obligation subject to the review and approval of the Review Authority for the project, except as otherwise stated below:

- a. Install public art on the project site in a public place as approved by the Review Authority. The creator of the public art shall be an artist as defined in this Section.
- b. Pay an in-lieu fee in an amount equal to one percent of the development project construction cost to the public art fund for the creation, acquisition, and placement of public art in the City. Payment of an in-lieu fee shall be subject to approval by the Director and not subject to further Review Authority approval; or
- c. Place the required public art on an alternative project site in a location approved by the Review Authority.

- C. **Exemptions.** The following development projects shall not be subject to the requirements of this Section:

- 1. Repair or reconstruction of structures that have been damaged by fire, flood, wind, earthquake, or other calamity;
- 2. Historic rehabilitation and/or preservation projects;
- 3. Seismic retrofits or flood protection work performed on existing buildings and structures that do not otherwise qualify as new construction projects;
- 4. Fire sprinkler installation work items as defined in Chapter 8.20, Fire Prevention and Emergency Services as part of an existing project;

5. Solar or other renewable energy installation and energy efficiency upgrades as part of an existing project; and
 6. Infill development projects, either new construction or redevelopment of existing structures, that are located within the DX-1, DX-2, and DX-3 zones.
- D. **Design and Installation Standards**
1. **General.** The public art shall relate in terms of scale, form, and material to the proposed project and adjacent buildings with regards to architecture and landscaping style to best complement the project site and its surroundings.
 2. **Location.**
 - a. *Public Place.* The public art shall be located in an exterior area on public or private property that is clearly visible to the general public as determined by the Review Authority.
 - b. Public art commissioned by the City using the public art fund may be moved from time to time as part of a gallery collection placed in public buildings such as City Hall, the Library, or other publicly accessible facilities.
 - c. *Maintenance.* The developer shall submit a maintenance plan to the Review Authority for review and approval, shall maintain the public art, and shall be responsible for all maintenance costs for the duration of the public art's placement.
- E. **Compliance.** Prior to obtaining a Certificate of Occupancy, the developer shall demonstrate compliance with this Section through one of the following:
1. Completed installation of the required public art that satisfies the provisions of this Section and any other conditions specified by the Review Authority's approval;
 2. Payment of the applicable in-lieu fee as outlined in Subsection 17.164.070.C.2; or
 3. Written proof submitted to the Director of a contract to commission or purchase and install the required public art that was approved by the Review Authority for the development project. A performance security, in an amount and form determined by the Director, shall accompany such contract to adequately secure performance of the required public art.
- F. **Public Art Fund.** Public art in-lieu contributions shall be placed into the public art fund within the City's General Fund, and maintained, managed, and reviewed by the Director. The public art fund shall be used solely to acquire, commission, design, install, place, improve, and maintain public art throughout the City, consistent with the purpose and objectives of this Section. A reasonable percentage of the public art fund may be allocated for project administration, management, and curatorial services as well as the preservation and maintenance of artworks in the City art collection. The City Council shall review the public art fund as part of its annual budget review and approve allocations of public art funds upon the recommendation of the Director or the Review Authority. Allocation of public art funds shall consider available reserves for ongoing maintenance of City owned public art. City Council

shall be the final approval authority on all public art projects undertaken through the public art fund upon the recommendation of the Director or Review Authority.

G. **Developer's Pre-Application Proposal**

1. **Developer's Proposal.** For each construction project subject to this Section's requirements, the developer shall propose to the Director and the Review Authority one or more of the methods for the provision of public art described in Subsection 17.64.070.B, Public Art Requirement.
2. **Pre-Application Meeting.** Following submission of the developer's proposal, a pre-application meeting with the developer, Director and/or the Review Authority is recommended for newly proposed public art to review the proposal and development requirements and design and location standards for the type of public art proposed, and to ensure a qualified artist is used. When available, it is recommended that the applicant provide preliminary site plan and visual impact drawings to aide in the pre-applicant review process. These meetings are voluntary, and no fees shall be paid for the City's review of material provided at this stage.
3. **Review of Pre-Application Developer's Proposal.** The Director and/or Review Authority shall review and respond to the developer's proposal, if necessary, by recommending modifications to the proposed application.

H. **Applications for Public Art Review**

1. **Form and Content.** A proposal for all new public art installations shall be processed upon the application of the developer or its agent, subject to the following:
 - a. The developer shall file a completed application with the Director in a manner prescribed by the City.
 - b. The developer shall submit a vicinity map or site plan depicting the proposed public art installation location and dimensions.
 - c. The developer shall submit photographs and/or elevations of the buildings located on site or those approved for development on-site.
 - d. The Director will verify that the public art will not interfere with use of other adjacent buildings or facilities, pedestrian access to public sidewalks, or public safety.
 - e. When applicable, the developer shall submit material samples, color boards, photo simulations, or other graphic illustrations necessary for the Review Authority to determine potential visual impact of the proposed project, and the public art's style, scale, and design as compared to the project and surrounding buildings. The visual representation shall show the proposed public art as it would be seen from surrounding properties from various perspectives.
 - f. The developer shall submit the proposed artist's qualifications.
 - g. The developer shall submit a proposed maintenance plan for the public art.

- h. The developer shall submit all required processing and application fees. Such fees may be set and amended by resolution of the City Council.
- 2. **Approval for Public Art Applications.** The Review Authority shall review the public art component of the project as part of its consideration of the overall project in those cases where the applicant elects to submit an art installation for approval. The Review Authority shall determine if the proposed public art complies with the requirements of this Section and shall approve or require resubmission with recommended modifications or conditions for approval based on the findings for approval.
- 3. **Findings for Approval for Public Art Applications.**
 - a. The proposal meets or exceeds the criteria of this Section and is consistent with the General Plan and applicable land use designations.
 - b. The public art is consistent and compatible in its size, design, and appearance with the development and design of the proposed project and surrounding structures and neighborhood.
 - c. The public art will be adequately maintained so as to ensure and preserve its purpose as a permanent piece of public art in the City.
- I. **Appeals.** Any person dissatisfied with the decision to either approve, modify, or deny an application for public art, may file an appeal in accordance with the procedures set forth in either Section 17.96.160, Appeals, as applicable.

17.64.080 Refuse and Recycling Enclosures (New)

- A. **Purpose.** To ensure the appropriate collection and disposal of solid waste, recyclable materials, and organic waste.
- B. **Applicability.** All residential and non-residential properties shall have appropriate solid waste and recycling containers and enclosures to ensure the safe storage and access to the required facilities.
- C. **Other Applicable Requirements.**
 - 1. Woodland Municipal Code Chapter 13.08, Solid Waste, Recyclable Materials, and Organic Waste Service.
 - 2. Woodland Municipal Code Chapter 13.36, Recyclable Materials.
 - 3. Woodland Municipal Code Chapter 13.72, Organic Waste Disposal Reduction.
- D. **Trash Enclosures.**
 - 1. For projects that are comprised of individual units with individual trash pick-up, each unit shall be designed to accommodate the required number of trash containers. The project shall provide for the storage in a screened location during the week and provide for the adequate placement of such containers on trash pick-up day.
 - 2. Trash enclosures shall be required for multiple family, commercial and industrial uses. All of the following shall apply regarding materials, construction, and design:

- a. The walls of trash enclosure structures shall be constructed of solid masonry material with a decorative exterior surface finish compatible with the main structure(s). The trash enclosure walls shall be a minimum of six feet in height, and the minimum dimensions shall be adequate for the size and number of dumpster and recycling bins.
- b. The trash enclosure structure shall have solid heavy gauge metal gates. Decorative gates are encouraged in the Downtown Districts.
- c. The trash enclosure shall feature a floor and approach that is paved with a durable, all- weather surface.
- d. Trash receptacles shall be covered or a cover structure shall be constructed above the enclosure so as to protect its contents from the elements.
- e. The trash enclosure for residential developments should be designed to allow walk-in access by residents without requiring the main enclosure gates to be opened.
- f. Where compactors are installed, the compactor shall include plumbing directed to the sewer system to capture leaks and spills.
- g. Signage identifying the types of recyclable materials accepted for collection at the trash enclosure shall be conspicuously posted within the enclosure.
- h. The trash enclosure shall be designed so that adverse impacts such as noise, odor, vectors, or glare are minimized through the use of adequate separation, fencing, landscaping, or other means.
- i. If visible from public view, the perimeter of the trash enclosure structure shall be planted with landscaping, including a combination of shrubs and /or climbing evergreen vines consistent with screening requirements of Chapter 17.70, Screening Standards.
- j. All trash enclosures and compactors shall meet the standards for noise and odor as established in Chapter 17.76, Performance Standards.

17.64.090 **Swimming Pools and Spas**

- A. **Applicability.** Swimming pools, spas, and any body of water having a depth of more than 18 inches and related equipment shall comply with the standards of this Section.
- B. **Water Containing Portions of Swimming Pools and Spas.** The outside wall of the water containing portion of any swimming pool or spa shall be located as follows.
 - 1. **Front Setback.** The outside wall of the water containing portion of any swimming pool or spa shall be located on the rear half of the lot as measured from the front property line.
 - 2. **Street Side Setback.** The outside wall of the water containing portion of any swimming pool or spa shall be located a minimum of 10 feet from the street side property line.

Where the lot is enclosed by a masonry subdivision perimeter wall, the street side setback is five feet.

3. **Rear and Interior Side Setbacks.** The outside wall of the water containing portion of any swimming pool or spa shall be located a minimum of five feet from the interior side and rear property line.
 4. **Dwelling Unit Setback.** The outside wall of the water containing portion of any swimming pool or spa shall be located a minimum of five feet from the exterior wall of any dwelling unit.
- C. **Filter, Heating, and Maintenance Systems.** All filter, heating, and maintenance systems and equipment shall not be located within any required setback adjacent to a public street, or within three feet of an interior side or rear property line, or within 10 feet of the living area of any dwelling unit on an adjacent parcel unless located within a soundproof enclosure.

17.64.100 Vehicle/Truck Parking and Storage (New)

- A. **Applicability.** This Section applies to commercial truck storage, recreational vehicles, boats, trailers, portable storage, inoperable vehicles, permanent trailers, and portable storage/ISO containers in all zones.
- B. **Truck Storage.**
 1. **Commercial Trucks.** The parking of commercial trucks, excluding semi-trailers, in support of and ancillary to a primary existing business is permitted in non-residential zones.
 2. **Semi-trailers/Eighteen-wheelers.**
 - a. Large scale semi-trailers are permitted in Commercial and Employment zones in support of and ancillary to a primary existing business. Limited term parking is permitted in Commercial zones and in the Industrial Flex zone for the delivery and pick up of goods.
 - b. Longer-term parking/storage is permitted only in the Industrial General zone, associated with and in support of large-scale manufacturing and distribution uses.
 - c. Freight/trucking facilities as a standalone or primary use are not permitted.
 3. **Landscaping and Screening.**
 - a. Trucks shall be located behind the primary building and away from any public right of way whenever feasible. If infeasible, there shall be a minimum 10-foot landscape area along all streets to provide screening, unless a greater setback is required elsewhere in this Code.
 - b. Additional screening and landscaping, as determined by the Director may be required where necessary to prevent visual impacts on public view or adjacent properties.

4. **Operational Requirements.**
 - a. Truck or vehicle repairs shall be reviewed through an appropriate entitlement process and shall occur within enclosed buildings.
 - b. There shall be no dismantling of trucks.
 - c. Trucks oriented for the purpose of advertising is prohibited.
 - d. Retail sales of vehicles is prohibited unless part of an approved entitlement.
 5. **Surface Paving.** All parking and maneuvering areas shall be graded, prepared, and paved/surfaced per standards for parking lots. Truck parking on an unimproved surface is prohibited.
- C. **Recreational Vehicles, Boats, and Trailers.** Recreational vehicles, fifth wheel trailers, boats, trailers, etc., collectively referred to as Recreation Vehicles in this Section may be permitted per the provisions below, provided that they are not subject to Chapter 17.128, Enforcement. See "Indoor Warehousing and Storage," and/or "Storage Yard" provisions in the use tables for long-term storage of recreational vehicles.
1. **Habitation.** Recreational Vehicles may not be used for sleeping or habitation unless permitted per Section 17.84.240, Manufactured Home Parks, RV/Trailer Parks, and Manufactured Buildings.
 2. **R-L, N-P, and R-LM Zones. (Updated)**
 - a. One Recreational Vehicle may be stored off the street and on a residential property in the RL, NP, or RLM zone, as long as it is parked on an impervious surface.
 - b. Recreational vehicles shall not be parked in R-M, R-H, CMU, or CCMU zones.
 - c. The recreational vehicle must be registered to the current homeowner or long-term tenant.
 - d. Recreational vehicle parking may only be accessed by an approved driveway approach. Access to recreational vehicle parking shall not require driving a vehicle over a curb, parkway landscaping, or utility infrastructure and shall not require the removal of any required protected tree(s) as outlined in the City Tree Ordinance, including street trees, unless mitigation is approved by the City.
 - e. Second driveways shall only be allowed in accordance with Subsection 17.68.090.F, Driveways.
 - f. Recreational vehicles shall not be parked in a manner that is highly visible or unsightly, such as parallel to a front home.
 - g. Recreational vehicles must be parked a minimum of five feet from the back of a sidewalk in order to ensure adequate sight visibility. Additional setbacks may be required to ensure consistency with the sight visibility requirements of Section 17.64.110, Visibility at Intersections.

- h. Recreational vehicles shall be subject to the same side and rear setback standards as required for accessory structures, Subsection 17.64.020.D.1.
- i. Recreational vehicles shall be operational. Flat tires, broken windows, tarp covering not made specifically for the vehicle shall not be permitted. Construction-related trailers shall be removed upon completion of the construction or repairs.

3. **All Other Zones.**

- a. No personal recreational vehicle may be parked for more than 12 hours in any month on a site and shall not encroach into the public right-of-way. Areas used for this purpose shall be located outside of any required yard and/or any landscape areas.
- b. Recreational vehicles shall not be parked in R-M, R-H, CMU, or CCMU zones.
- c. Off-site overnight parking may be permitted in Commercial and Employment zones where out of immediate view of the public right-of-way.
- d. Camping is prohibited. Refer to Municipal Code Chapter 9.48, Camping Within the City Limits.
- e. Parking areas shall be graded, prepared, and paved/surfaced per standards for parking lots. Parking on an unimproved surface is prohibited.
- f. Trailers oriented for the purpose of advertising are prohibited.
- g. Repair and/or retail sales of recreational vehicles is prohibited unless part of an approved entitlement.

- 4. **Recreational Vehicles at Hospitals.** Hospitals may provide recreational vehicle parking areas for hospital visitor overnight stays, provided the hospital provides utility connection areas.

D. **Inoperable Vehicles.** In addition to the standards of Section 9.04.030, Acts Constituting a Nuisance, the following standards apply to inoperable vehicles.

- 1. **Residential Districts.** Inoperable vehicles in residential districts shall not be visible from the public right-of-way. Inoperable vehicles may only be stored on non-permeable surfaces in residential garages, or rear or side yards. Inoperable vehicles shall be limited to one per lot.
- 2. **Non-Residential Districts.** In non-residential districts inoperable vehicles shall be screened from public streets. If staging for repair, as part of an approved entitlement, vehicles may only be visible for up to eight hours prior to being moved into the repair garage. Inoperable vehicles may not be stored in public view overnight unless the vehicle was transported to the site after business hours.

E. **Permanent Trailers/Portable Storage/ISO Containers.** Permanent Trailers, Portable Storage, or ISO Containers, collectively referred to as "prefabricated storage containers" in this Section, may be permitted per the provisions below, provided that they are not subject to Chapter 17.128, Enforcement.

1. ***R-L, R-LM, NP, and R-M and R-H Zones.***
 - a. In the R-L, R-LM, NP, and R-M zones, prefabricated storage containers are not permitted for storage purposes.
 - b. In the R-H zone, prefabricated storage containers that are not habitable, and intended as storage, shall comply with all accessory structure standards including height, setbacks, screening, lot coverage requirements; shall be properly anchored in place on a permanent foundation; shall be architecturally compatible with existing or approved on site development; and are subject to a Development Review Tier 2 Permit (see Section 17.100.060, Development Review Tier 2: Major).
 - c. In all residential zones (R-L, R-LM, N-P, R-M, and R-H), prefabricated storage containers that are architecturally treated and designed consistent with applicable Building Code requirements to be habitable, may be considered as a building material with approval of a Development Review Tier 2 Permit (see Section 17.100.060, Development Review Tier 2: Major) or applicable entitlement process if discretionary review is required.
 - i. Structures shall be architecturally compatible with existing or approved on site development.
 - ii. Structures must include architectural features such as openings (door/windows) and architectural projections such as awnings, trellis, patio covers.
 - iii. Painting only does not meet the requirements of this Section.
2. ***All Other Zones.*** In all other zones, prefabricated storage containers (uninhabitable) intended to be permanent or on a parcel in excess of one year, shall require a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit) and are subject to Development Review Tier 3 (see Section 17.100.070, Development Review Tier 3) for design and placement of the container, including landscaping as appropriate to screen the facility, mitigate blank wall surfaces, and provide shade and reduce heat. The container shall be properly anchored in place on a permanent foundation or as otherwise required by Building Code. See also Subsection 17.84.370.B.4, Temporary Prefabricated Storage, Shipping, or Cargo Container.
3. ***Temporary and Portable Storage Units.*** Temporary and portable prefabricated storage containers may be parked on a driveway or in a parking space in all zones for the purposes of loading and unloading.
 - a. Units may not be on site for more than 96 hours in a month.
 - b. Units shall not encroach into the public right-of-way (sidewalk), nor be placed in the street or front lawn, unless the lot does not have a driveway, then it may be placed in the front yard.
 - c. Units that will be on site longer than 96 hours shall be subject to the Temporary Use provisions of Subsection 17.84.370.B.4, Temporary Prefabricated Storage, Shipping or Cargo Containers.

17.64.110 Visibility at Intersections

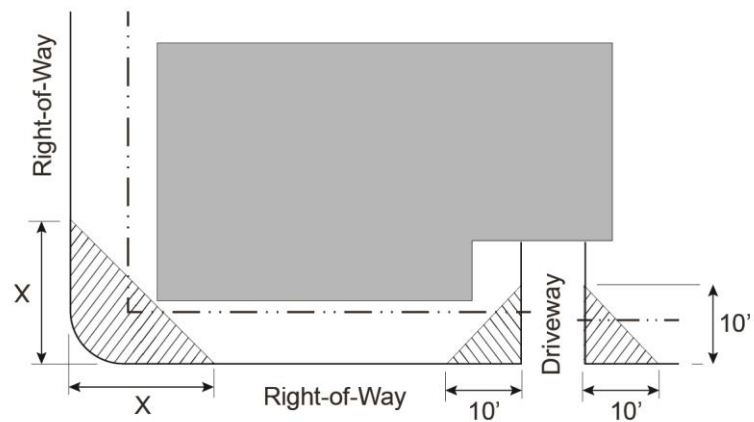
- A. **Sight Distance.** Sight distance is the length of roadway or driveway visible to a driver. No foliage, fences, or structural features shall extend into the cross-visibility area between three and one-half feet and seven feet above the surface of the public sidewalk or finished grade where the sidewalk does not exist.
- B. **Cross-Visibility Area.**
1. **Intersection of Driveways or Alleys and Public Rights-of-Way.** The cross-visibility area at the intersection of a driveway and a public right-of-way is a triangle having two sides 10 feet long and running along the driveway and public right-of-way, with the two 10-foot sides beginning at the intersection and the third side formed by a line connecting the two ends. All measurements shall be from the back edge of the sidewalk, or the edge of the roadway pavement if no curb exists. Intersections of private non-residential driveways and alleys may be subject to stricter provisions at the discretion of the City Engineer.
 2. **Intersection of Two Public Rights-of-Way.** The cross-visibility area at the intersection of two public rights-of-way is a triangle having two sides "X" feet long and running along each public right-of-way, with the sides beginning at their intersection and the third side formed by a line connecting the two ends (See City of Woodland Engineering Standard 13.05 and Figure 13A). All measurements shall be from the back edge of the sidewalk, or the edge of the roadway pavement if no curb exists.

Table 17.64.110.B-1: Cross Visibility Triangle Side Lengths

Zone	Length of Side "X"
Residential Zones	30 feet
Downtown Zones	16 feet
Mixed-Use Zones	18 feet
Commercial Zones	20 feet
Employment Zones	20 feet

3. **Modifications.** Sight visibility requirements may be modified depending on traffic safety considerations as determined by the City Engineer. Modifications may be required depending on roadway or alley classification, traffic speeds, obstructions, or other site visibility concerns.
4. **Conflicts in Standards.** Wherever there may be a conflict between two standards, the most restrictive shall apply.

FIGURE 17.64.110.B-1: CROSS-VISIBILITY AREAS



Chapter 17.68 Parking and Loading

Sections:

17.68.010	Purpose	III-45
17.68.020	Applicability.....	III-45
17.68.030	Required On-Site Parking Spaces (Updated).....	III-46
17.68.040	General Provisions.....	III-51
17.68.050	Alternative Programs for Parking (New)	III-53
17.68.060	Electric Vehicle Charging Stations (New).....	III-55
17.68.070	Bicycle Parking (New).....	III-57
17.68.080	Loading	III-59
17.68.090	Parking Area Development and Design Standards	III-60

17.68.010 Purpose

The specific purposes of the parking and loading regulations are to:

- A. Minimize design impacts that can result from parking lots, driveways, and drive aisles within parking lots.
- B. Offer flexible means of minimizing the amount of area devoted to vehicle parking by allowing reductions in the number of required spaces in transit served locations, shared parking facilities, and other situations expected to have lower vehicle parking demand.
- C. Reduce potential environmental impacts including urban runoff and the heat island effect.
- D. Ensure that adequate parking is provided for new land uses and alterations to existing uses.
- E. Ensure that adequate off-street bicycle parking facilities are provided and promote parking lot designs that offer safe and attractive pedestrian routes.
- F. Establish standards and regulations for safe and well-designed parking, unloading, and vehicle circulation areas that minimize conflicts between pedestrian and vehicles within parking lots and where appropriate, create buffers from surrounding uses.
- G. Provide loading and delivery facilities in proportion to the needs of allowed uses.

17.68.020 Applicability

The requirements of this Chapter apply to the establishment, alteration, expansion, or change in any use or structure, as provided in this Section.

- A. **All New Buildings and Land Uses.** On-site parking and loading in accordance with this Chapter shall be provided at the time any main building or structure is erected or any new land use is established.

B. Change in Use or Occupancy or Reconstruction.

1. When a change in use, expansion of a use, or expansion of floor area creates an increase of 20 percent or more in the number of required on-site parking or loading spaces, additional on-site parking and loading shall be provided for such addition, enlargement, or change in use and not for the entire building or site.
2. If the number of existing parking spaces is greater than the requirements for the change in use or occupancy, the number of spaces in excess of the prescribed minimum may be counted toward meeting the parking requirements for the addition, enlargement, or change in use.
3. A change in occupancy is not considered a change in use unless the new occupant is in a different use classification than the former occupant.
4. Additional parking and loading spaces are not required for the reconstruction of an existing building damaged by an act of nature where there is no increase in floor area.

C. Alterations that Increase the Number of Dwelling Units. The creation of additional dwelling units through the alteration of the existing building or construction of an additional structure may require the provision of on-site parking to serve the new dwelling units in accordance with Table 17.68.030-A, Required Parking in the Downtown and Mixed-Use Zones and Table 17.68-030.B, Required Parking in the Residential and Non-Residential zones, below.

17.68.030 Required On-Site Parking Spaces (Updated)

- A. Required On-Site Parking in the Downtown and Mixed-Use Zones.** Required on-site parking spaces for the Downtown and Mixed-Use zones are indicated in Table 17.68.030.B-1, Required Parking in the Downtown and Mixed-Use zones. Required parking for any use not listed in Table 17.68.030.B-1, Required Parking in the Downtown and Mixed-Use Zones shall be the same as stated in Table 17.68.030.C-1, Parking Requirements for Residential and Non-Residential Zones.
- B. Existing Buildings In Downtown.** Existing buildings which currently operate in the Downtown zones are exempt from the parking requirements set forth in this Section, except that:
1. Off-street parking shall be required upon the expansion, addition, or change in use of existing buildings following accordance with Subsections 17.68.020.B.1 and 17.68.020.C, Alterations that Increase the Number of Dwelling Units above; and
 2. Where a residential unit did previously exist, no parking is required (for example, use of the upstairs portion of a downtown building).

Table 17.68.030.B-1: Required Parking in the Downtown and Mixed-Use Zones

	Downtown Zones (DX-1, DX-2, DX-3, and DX-4)	Mixed-Use Zones (CMU-WM, CMU-E, CMU-K, CMU-A, CMU-F, CMU-G and CCMU)
New Residential Uses		
Studio and 1 bedroom	1 space per unit	1 space per unit plus 1 additional guest space for every 5 units for projects greater than 4 units
2 bedrooms	1.25 spaces per unit	1.25 spaces per unit plus 1 guest space for every 5 units for projects greater than 4 units
3 or more bedrooms	1.5 spaces per unit	1.5 spaces per unit plus 1 guest space for every 5 units for projects greater than 4 units
Non-Residential Uses		
Office	1 space per 500 square feet	
Retail	1 space per 500 square feet	
Restaurant	1 space per 500 square feet	
All other non-residential uses	1 space per 400 square feet	

- C. **Required On-Site Parking in the Residential and Non-Residential Zones.** Parking requirements for R-1, N-P, R-LM, R-M, R-H, RC-F, RC, IF, IG, BP, PF, OS, and FSA zones are indicated in Table 17.68.030.C-1, Required Parking in the Residential and Non-Residential zones.

Table 17.68.030.C-1: Required Parking in the Residential and Non-Residential Zones

Residential Uses	
Single-Family Dwelling (Attached and Detached) and Duplexes	2 per dwelling unit, must be located in a garage.
Accessory Dwelling Unit	See Section 17.84.030
Multi-Unit Dwelling (See Section 17.68.050.A for Affordable Multi-Unit Dwellings)	
<i>Studio and 1 bedroom</i>	1.25 space per unit. At least 60% of all spaces must be covered. This requirement may be waived due to site constraints, costs, or other factors as determined by the Director.
<i>2 bedrooms</i>	1.5 space per unit. Covered parking spaces are encouraged where feasible.
<i>3 or more bedrooms</i>	1.5 spaces per unit. Covered parking spaces are encouraged where feasible.
<i>Single Room Occupancy</i>	0.5 spaces per unit
Family Day Care, Large	1 per employee, plus an area for loading and unloading children, on or off-site. Required spaces and residential driveway for the primary residential use may be counted toward meeting these requirements.
Live/Work	1 per unit, or 1 for every 1,000 sq ft of floor area, whichever is greater.

Table 17.68.030.C-1: Required Parking in the Residential and Non-Residential Zones

Residential Care Facility, Large	2 spaces for the owner-manager; 1 for every 5 beds; and 1 for each non-resident employee
Residential Care Facility, Small	None beyond what is required for the residential housing type (Single-Family Dwelling, Duplex, or Multi-Unit Dwelling)
Supportive and Transitional Housing	None beyond what is required for the residential housing type (Single-Family Dwelling, Duplex, or Multi-Unit Dwelling)
Commercial Uses	1 per 300 square feet, or as determined by the Review Authority, unless otherwise specified below.
Automobile/Vehicle Sales and Services	
<i>Automobile Rental Office</i>	1 per 250 sq ft office area plus spaces for all vehicles for rent
<i>Automobile/Vehicle Sales and Leasing, New</i>	1 per 2,500 square feet of lot area plus 2 per service bay
<i>Automobile/Vehicle Service and Repair (Minor and Major)</i>	1 space plus 1.5 per service bay and 1 per 250 sq ft for of any retail or office on site
<i>Farm/Agricultural Equipment Sales, Service and Rental</i>	1 per 2,500 square feet of lot area plus 2 per service bay
<i>Fueling Station</i>	1.5 per bay if service bays are included on site; 1 per 250 sq ft of any retail and/or office on site. Parking spaces provided for fueling stations shall not count toward meeting parking standards.
<i>Large Vehicle and Equipment Sales</i>	1 per 2,500 square feet of lot area plus 2 per service bay
<i>Tire Retreading and Capping</i>	1 space plus 1.5 per service bay and 1 per 250 sq ft for of any retail or office on site
<i>Washing (Full Service)</i>	0.5 per service bay plus 1 per 250 per sq ft of indoor sales, office, or lounge area
<i>Washing (Self Service)</i>	0.5 per service bay
Eating and Drinking Establishments	
<i>Bar/Nightclub/Lounge, Brewpub, Microbrewery, Micro-Distillery</i>	1 per 100 sq ft of floor area
<i>Restaurant, Full Service</i>	1 per 150 sq ft of floor area plus 1 per 150 of outdoor dining areas over 300 square feet.
<i>Restaurant, Limited Counter Service/Fast Casual Food</i>	1 per 250 sq ft of floor area. For drive-through establishments, see Section 17.84.160.
<i>Tasting Room</i>	1 per 100 sq ft of floor area
Lodging	
<i>Bed and Breakfast</i>	1 per guest room and 1 manager's space
<i>Boarding House</i>	1 per sleeping room or 1 per 2 guest/resident beds, whichever is greater

Table 17.68.030.C-1: Required Parking in the Residential and Non-Residential Zones

<i>Hotel and Motel</i>	1 per guest room and 1 manager's space
Office Uses	
<i>Business, Professional, and Technology</i>	1 per 400 sq ft of floor area
<i>Medical and Dental Offices</i>	1 per 300 sq ft of floor area of lab, x-ray, or similar specialty plus five parking spaces per each doctor
Personal Services	
<i>General Personal Services</i>	1 per 400 sq ft of floor area, or 2 per service room or function plus 2 for administrative staff, whichever is greater
<i>Instructional Services</i>	1 per 250 sq ft of public or instruction area
Recreation, Fitness and Entertainment	
<i>Cinema/Theater</i>	1 per 5 seats in the main assembly area, or 1 for every 50 square feet of assembly area for group activities or where temporary or movable seats are provided, whichever is greater.
<i>Indoor Entertainment Facility</i>	1 space per 400 sq ft of floor area open to the public
<i>Indoor Sports and Recreation (Small-Scale and Large-Scale)</i>	1 space per 400 sq ft of floor area open to the public
<i>Outdoor Sports and Recreation Facility</i>	1 space per 400 sq ft of floor area open to the public
Retail	
<i>General Retail Sales</i>	1 per 400 sq ft, max. 1 per 300 sq ft
<i>Grocery Store</i>	1 per 400 sq ft, max. 1 per 300 sq ft
<i>Large Format Retail Sales</i>	1 per 400 sq ft, max. 1 per 300 sq ft
<i>Nursery and Garden Center</i>	1 per 500 square feet of floor area, plus 1 per 2,000 sq ft of outdoor display area
<i>Residential Limited Retail</i>	None
Public/Institutional	1 per 250 square feet or as determined by the Review Authority, unless otherwise specified below
Colleges and Trade Schools	1 per 5 members of the school population, (including students, faculty, and staff) based on maximum enrollment.
Community and Religious Assembly	1 per 5 seats in the main assembly area, or 1 for every 50 square feet of assembly area for group activities or where temporary or movable seats are provided, whichever is greater. For auxiliary classrooms, 1 space per classroom.
Community Garden	None
Cultural Facility	1 space per 400 sq ft of floor area open to the public

Table 17.68.030.C-1: Required Parking in the Residential and Non-Residential Zones

Day Care Center	1 per employee, 3 per classroom/instructional care room, plus 2 loading spaces up to 100 students; greater than 100 students additional loading/unloading spaces required per the Zoning Administrator.
Emergency Shelter	1 per 500 square feet
Hospitals and Clinics	
<i>Hospitals</i>	1 per 1.5 beds, plus 1 per 300 square feet of area used for office, clinics, testing, research, administration, and similar activities associated with the principal use.
<i>Skilled Nursing Facility</i>	1 for every 7 residents plus 1 for each live-in caregiver. Facilities serving more than 15 residents shall also provide 1 space for each caregiver, employee, and doctor on-site at any one time.
<i>Clinic</i>	1 per exam room, plus 1 per 300 square feet of area used for office, clinics, testing, research, administration, and similar activities with the principal use.
School	To be determined by the Zoning Administrator based on use, facilities, and location
Social Service Center/Daytime Service Facility	1 per 350 square foot of floor area
Industrial, Transportation, Communications, and Utilities Uses	1 per 2,000 square feet or as determined by Review Authority, unless otherwise specified below
Building Materials and Supply	1 per 500 sq ft of floor area, plus 1 per 2,000 sq ft of outdoor display area.
Food Preparation	1 per 500 square feet of floor area
Industrial (Heavy, Light, and Medium)	1 per 2,000 sq ft of use area plus 1 per 300 sq ft of office area
Recycling Processing Facility	1 for each 2 employees on the maximum work shift, or 1 per 1,000 sq ft of floor area, whichever is greater.
Research and Development	1 per 600 sq ft of manufacturing and assembly, 1 per 300 sq ft of office, 1 per 2000 sq ft of warehouse, and 1 per 800 sq ft of laboratory.
Warehousing, Storage, Logistics and Distribution	
<i>Chemical or Mineral Storage</i>	1 per 2,500 sq ft up to 10,000 sq ft, plus 1 per 5,000 sq ft over 10,000 sq ft, plus 1 per 300 sq ft of office area.
<i>Indoor Warehousing and Storage, Logistics and Distribution</i>	1 per 2,500 sq ft up to 10,000 sq ft, plus 1 per 5,000 sq ft over 10,000 sq ft, plus 1 per 300 sq ft of office area.
<i>Personal Storage Warehouse Facility</i>	1 per 50 storage units plus one manager space
Light Fleet Based Services	1 per 300 sq ft of office plus 1 truck parking space for each delivery vehicle on-site

- D. **Parking Requirements for Uses Not Specified.** When parking requirements for a use are not specifically stated, the parking requirement for such use shall be determined by the Director, based on the requirement from the most comparable listed use in this Code.

17.68.040 General Provisions

- A. **Calculation of Required Spaces.** The number of required parking spaces shall be calculated according to the following:
1. **Fractional Spaces.** When calculations determining the number of required parking spaces result in a fractional space, any fraction over one-half shall require one additional parking space.
 2. **Floor Area.** Where an on-site parking or loading requirement is stated as a ratio of parking spaces to floor area, the floor area is assumed to be gross floor area, unless otherwise stated.
 3. **Employees.** Where an on-site parking or loading requirement is stated as a ratio of parking spaces to employees, the number of employees shall be based on the largest shift that occurs in a typical week.
 4. **Bedrooms.** Where an on-site parking requirement is stated as a ratio of parking spaces to bedrooms, any rooms having the potential of being a bedroom and meeting the standards of the Building Code as a sleeping room shall be counted as a bedroom.
 5. **Seats.** Where parking requirements are stated as a ratio of parking spaces to seats, each 80 inches of bench type seating at maximum seating capacity is counted as one seat.
 6. **Queuing Area.** The number of parking spaces required does not include queuing space that may be required for vehicles and customers waiting in vehicles for service pump stations, drive-throughs, auto service bays, or similar uses.
 7. **Sites with Multiple Uses.** If more than one use is located on a site, the number of required on-site parking spaces and loading spaces shall be equal to the sum of the requirements calculated separately for each use unless a reduction is approved pursuant to Section 17.68.050, Alternative Programs for Parking.
- B. **Location of Required Parking.**
1. Parking shall not be located in a required front or street facing side yard except for driveways on residential lots, which may count toward required uncovered residential parking.
 2. Required parking for residential uses shall be on the same lot as the dwelling or use they serve or in an off-site facility as provided in Subsection 1.68.060.B.3, Off-Site Parking Facilities below.
 3. **Off-Site Parking Facilities.** Parking facilities for uses other than Single-Unit Dwellings, Two-unit Dwellings, and Accessory Dwelling Units may be provided off-site with Review Authority approval provided the following have been met:

- a. *Location.*
 - i. Residential Uses. Any off-site parking facility must be located within 300 feet, along a pedestrian route, of the unit or use served.
 - ii. Nonresidential Uses. Any off-site parking facility must be located within 600 feet, along a pedestrian route, of the principal entrance containing the use(s) for which the parking is required.
 - iii. Off-site properties held under a long-term lease through a recordable covenant, or other security.
- b. *Parking Agreement.* A written agreement between the landowner and the City in a form satisfactory to the City Attorney shall be executed and recorded in the Office of the County Recorder. The agreement shall include:
 - i. A guarantee among the landowner for access to and use of the parking facility; and
 - ii. A guarantee that the spaces provided will be maintained and reserved for the uses served for as long as such uses are in operation.
 - iii. The Director shall be notified immediately if any change, termination, or default of the off-site parking agreement.
 - iv. Upon notification of possible termination of an off-site parking agreement, the Director shall determine a reasonable time in which one of the following shall occur:
 - a) Substitute parking shall be provided that is acceptable and secured; or
 - b) An in-lieu parking fee shall be paid for each space eliminated.

C. **Parking Accessibility and Availability.**

- 1. ***Accessible Parking.*** Where parking is provided for the public as clients, guests, or employees, it shall include parking accessible to persons with disabilities in accordance with the standards of the California Building Standards Code.
- 2. ***Parking to be Unrestricted.***
 - a. Parking required by this article shall be available to the public without charge. A fee for parking may only be charged for spaces that exceed the minimum requirements of this article.
 - b. Residential Parking. Where this article requires communal parking areas in residential areas, said parking shall not be restricted to individual units.
- 3. ***Access to Adjacent Sites.*** Whenever possible, new commercial and office development shall provide shared vehicle and pedestrian access to adjacent properties for convenience, safety, and efficient circulation. A joint access agreement shall be required. If either site is developed and there is no feasible location to gain access, the Director may waive this condition, however, the removal of excess parking may not be considered a barrier to gaining access.

- D. **Moved Buildings and Structures.** Any building or structure which is moved from one lot to another shall be provided with off-street parking in the amount required for a new building or structure as required by this Chapter.
- E. **Additional Parking Required Where There is Limited or No On-Street Parking.** In those instances, where a multi-family residential project over four units, or small lot single family product does not have direct access to public on-street parking in the immediate vicinity, the project shall be required to provide more on-site parking to the equivalent of one additional space per unit.
- F. **On-Street Parking.** On-street parking along a lot frontage may be counted toward the parking requirement subject to Review Authority approval.

17.68.050 Alternative Programs for Parking

- A. **Affordable Units.** On-site parking requirements for affordable multi-unit dwellings of three or more units of moderate income or below may be reduced to the following, unless further reduced by AB 2345 or other state law:
 - 1. **Required Parking Spaces.**
 - a. Studios and one bedroom units: One space per unit.
 - b. Two bedroom units: 1.25 spaces per unit.
 - c. Three or More Bedrooms: 1.5 spaces per unit.
 - 2. **Guest Parking.** One additional uncovered guest parking space must be provided for every 5 units.
- B. **Parking Reductions.** The number of on-site parking spaces required may be reduced as follows:
 - 1. **Private Car/Van Pool Operations.** Office or Industrial developments which guarantee preferred parking spaces to employees who participate regularly in car or van pool may have their parking reduced by one space for every one space which is marked for car or van pool at a preferred location.
 - 2. **Transit Accessibility.** For any land use, except residential single unit, duplex, and triplex development, if any portion of the lot is located within one-quarter mile of a transit stop with a 15 minute or more frequent service during the hours of 7 AM to 9 AM and 5 PM to 7 PM, the number of required parking spaces may be reduced by 30 percent of the normally required number of spaces.
 - 3. **Shared Parking.** Where a shared parking facility serving more than one use will be provided, the total number of required parking spaces may be reduced up to 40 percent, at the discretion of the Review Authority, if all findings are made:
 - a. The peak hours of uses will not overlap or coincide to a degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;
 - b. The proposed shared parking provided will be adequate to serve each use;

- c. The use(s) will be adequately served by the proposed on-site parking;
 - d. A shared use parking analysis is provided to support the proposed shared parking arrangement;
 - e. When a shared parking facility serves more than one property, a parking agreement shall be prepared.
 - 4. **Reduction for Bicycle Parking.** Developments which provide secured bicycle parking facilities exceeding the minimum requirement may reduce the number of required vehicle parking spaces by one vehicle space for each three bike spaces up to five percent of the required number of parking spaces in parking lots for commercial and industrial uses only.
 - 5. **Reduction for Motorcycle Parking.** Motorcycle parking spaces may substitute for up to five percent of required automobile parking for Commercial or Industrial Uses. Each space must be at least four feet wide and seven feet deep.
 - 6. **Other Parking Reductions.** Required parking for any use may be reduced at the discretion of the Review Authority, if the Review Authority finds that the use will be adequately served by proposed on-site parking or other approved off-site parking, subject to a parking use analysis, and parking demand.
- C. **In-Lieu Parking Fee.** In lieu of satisfying the requirements of Section 17.68.030, Required On-Site Parking Spaces, off-street parking requirements may be satisfied through the payment of an in-lieu parking fee. The in-lieu parking fee shall be administered as follows:
- 1. **Establishment of Amount of Fee.** The amount of the in-lieu parking fee shall be set by separate resolution following a public hearing of the City Council. The City Council may adjust the fee at their discretion as frequently as is deemed necessary based on factors including, but not limited to, inflation, the cost of providing new parking spaces, and the market value of the parking spaces.
 - 2. **Applicable to Geographic Area.** Only properties located within the downtown parking district shall be eligible to apply for the in-lieu parking fee. The City Council may, by resolution and following a public hearing, change or modify the boundaries for the in-lieu parking fee, or determine new boundaries.
 - 3. **Determination of Eligibility.** The Director may allow a payment of in-lieu parking fees as an alternative to providing all or a portion of the required parking spaces on-site if it can be adequately demonstrated to the Review Authority that one or more of the following conditions apply:
 - a. It is infeasible to provide the required parking spaces on-site due to the size, shape or topography of the site, or other special circumstances pertaining to the property.
 - b. Providing the required parking spaces on-site is detrimental to the pedestrian nature of the downtown parking district.
 - c. The uses proposed for the project do not require parking to be on the project site.

- d. Encouraging users of the project site to walk from off-site parking to the project site would be beneficial to the downtown parking district.
 - e. The existing and planned parking supply in the vicinity of the project site is adequate.
 - f. Public assembly uses may not exempt more than 50 percent of the required parking for that use utilizing an in-lieu of parking fee.
4. **Payment of Fee.** Should the Director approve an in-lieu parking fee request, payment shall be made to the City in one lump sum prior to the issuance of a Building Permit or, if a Building Permit is not required, within 45 days of written request by City for payment. The in-lieu parking fee shall be a one-time only, nonrefundable payment and shall be considered full satisfaction of the off-street parking requirement for the number of parking spaces for which the in-lieu parking fee was paid.
5. **Effect of Payment.** In-lieu parking fees shall be used exclusively to make available additional parking spaces for public use within the downtown parking district and do not guarantee the construction of spaces in any particular area of the downtown parking district or within any particular period of time. In-lieu parking fees are solely an alternative means of satisfying the applicant's obligation to provide off-street parking as required by this Section. Payment of the in-lieu parking fee does not carry any other guarantees, rights, or privileges to the applicant.

17.68.060 Electric Vehicle Charging Stations (New)

Electric vehicle (EV) charging stations and EV-capable parking spaces shall be provided for all new buildings erected as required by this Section. All such spaces shall be included in the calculation of parking demands of Section 17.68.030, Required On-Parking Spaces.

- A. **Required EV Charging Stations.** The total number of required EV charging stations spaces are specified in Table 17.68.060.A-1: Required EV Charging Stations.

Table 17.68.060.A-1: Required EV Charging Spaces	
Total Number of Required Parking Spaces	Minimum EV Charging Spaces
0 – 9	0
10 – 25	1
26 -50	2 for residential uses; 2 for nonresidential uses
51+	6% of total

- B. **Exceptions.** Exceptions to Table 17.68.060.A-1: Required EV Charging Spaces may be made on a case-by-case basis where the Planning and Building Director and the Building Official determine that EV charging infrastructure is not feasible based upon one or more of the following conditions:

- 1. There is insufficient electrical supply;

2. There is evidence that additional local utility infrastructure design requirements directly related to the implementation of this Section may adversely impact the construction cost of the project; or
 3. Providing the EV charging infrastructure creates an economic hardship for an affordable housing project.
- C. **Size.** The size of EV charging station parking spaces and EV-capable parking spaces shall be as specified in Section 17.68.090, Parking Area Development and Design Standards. EV supply equipment shall not reduce the size of the parking space.
- D. **Accessible EV Spaces.** Where accessible parking requirements are required, at least one EV space or EV charging station shall meet current van accessible dimensions, as defined by the California Building Code, and be connected to a barrier-free accessible route of travel to the building. No accessible markings shall be made on the EV space or EV charging station with van accessible dimensions. The EV space with van accessible dimensions shall be the first EV charging station established on the property.
- E. **EV Charging Stations.** EV charging stations shall be allowed within any zone subject to all applicable requirements of the Municipal Code in addition to the following:
1. Construction shall comply with California Green Building Standards Code § 5.106.5.3.1 and 5.106.5.3.2 to facilitate future installation of EVSE.
 2. EV parking spaces shall be equipped with electric vehicle supply equipment (EVSE), which shall be Level 2 or higher.
 3. The EV charging station shall be protected as necessary to prevent damage by automobiles.
 4. Any EV charger shall be listed and labeled by an approved testing agency.
 5. Installation of mechanical equipment shall not conflict with existing infrastructure and will not result in pedestrian or vehicular traffic hazards.
 6. All existing trees that may be impacted or required to be removed as a result of the installation of the new charging facility shall be identified.
 7. The EV charging station shall have complete instructions and appropriate warnings posted in an unobstructed location next to each EV charging station.
 8. **EV Stations for Public Use.** EV charging stations for public use must be visible from the right-of-way and illuminated during nighttime business hours.
 - a. One standard non-illuminated sign, not to exceed four square feet in area and eight feet in height, may be posted for the purpose of identifying the location of each cluster of EV charging stations.
 - b. The EV charging station may be on a timer that limits the use of the station to the normal business hours of the use(s) that it serves to preclude unauthorized use after business hours.
 - c. The following information shall be posted at a public EV charging station:
 - i. Voltage and amperage levels;

- ii. Hour of operations if time limits or tow-away provisions are to be enforced by the property owner;
- iii. Usage fee;
- iv. Safety information; and
- v. Contact information for reporting when the equipment is not operating or other problems.

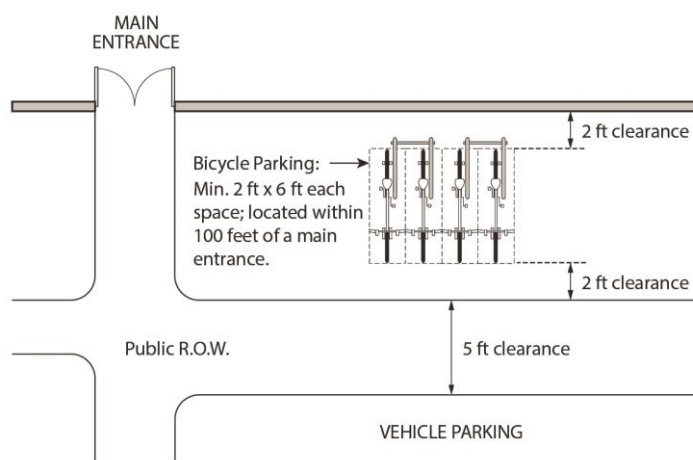
17.68.070 **Bicycle Parking (New)**

- A. Secured bicycle parking shall be incorporated into each project for use by employees, residents, and visitors.
- B. **Bicycle Parking Classifications.**
 - 1. **Class I.** A stationary bicycle rack designed to secure the frame and one wheel of the bicycle, where the bicyclist supplies only a padlock.
 - 2. **Class II.** An enclosed box with a locking door, typically called a bicycle locker, where a single bicyclist has access to a bicycle storage compartment, or other fenced/secured storage area as provided in this Section.
- C. **Class I Bicycle Parking.** Bicycle racks shall be placed near building entrances, in safe, well-lit locations, and permanently anchored to a hard, dust free surface, and installed in a manner which allows adequate space for access to the bicycle and locking device.
 - 1. **Spaces Required.** For the following uses, the number of Class I secure bicycle parking spaces shall be at least 10 percent of the requirements in Section 17.68.030, Required On-Site Parking Spaces, with a minimum of four secure bicycle parking spaces provided per establishment.
 - a. Multi-Unit Residential, Group Residential, and Single Room Occupancy.
 - b. All Public/Semi-Public Uses.
 - c. All Commercial Uses, except Automobile/Vehicle Sales and Services, Short-term Rentals, and Mobile Vendors.
 - 2. **Location.**
 - a. Class I secure bicycle parking shall be located outside of pedestrian walkways, and within 100 feet of a main entrance to the building it serves.
 - b. Class I secure bicycle parking shall be located outside of the public right-of-way except as allowed through an encroachment permit.
 - c. Where the secure bicycle parking area is not visible from the main entrance of the buildings, signs located at the main entrance of the building shall identify the location of bicycle parking.
 - 3. **Anchoring and Security.** For each Class I bicycle parking space required, a stationary, securely-anchored object shall be provided to which a bicycle frame and one wheel (two points of contact) can be secured with a high-security U-shaped shackle lock if

both wheels are left on the bicycle. One such object may serve multiple bicycle parking spaces.

4. **Size and Accessibility.** Each Class I bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving other bicycles. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian walkways. Five feet of clearance shall be provided from vehicle parking spaces.

FIGURE 17.68.070.C-1: CLASS I BICYCLE PARKING

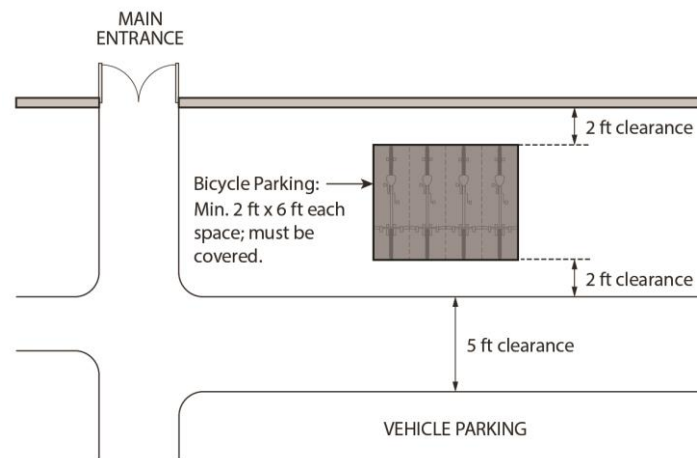


- D. **Class II Bicycle Parking.** Class II bicycle parking must be provided to serve employees, students, residents, commuters, and others who generally stay at a site for four hours or longer.

1. **Spaces Required.**
 - a. *Multi-Unit Residential, Group Residential, and Single-Room Occupancy.* A minimum of one Class II bicycle parking space, or other secured indoor bicycle parking, shall be provided per every five dwelling units for projects over 10 units.
 - b. *Parking Structures.* Class II bicycle parking shall be provided at a minimum ratio of one bicycle parking space per 25 vehicle parking spaces.
 - c. *Other Non-Residential Uses.* Any establishment with 25 or more full-time equivalent employees shall provide Class II bicycle parking at a minimum ratio of one bicycle parking space per 20 vehicle parking spaces.
2. **Location.** Class II bicycle parking must be located on the same lot as the use it serves and near the facility entrance. In parking structures, long-term bicycle parking must be located near an entrance to the facility. Where the bicycle parking area is not visible from the entrance of the building, signs located at the entrance or in an entry lobby of the building shall identify the location of bicycle parking.

3. **Cover.**
 - a. 100 percent of required Class II bicycle parking for multi-unit residential development shall be covered.
 - b. A minimum of 50 percent of Class II bicycle parking required for other land uses shall be covered.
 - c. Covered bicycle parking can be provided inside buildings, garages, bike lockers, or under roof overhangs, or awnings.
4. **Anchoring and Security.** Class II bicycle parking must be in:
 - a. An enclosed bicycle locker;
 - b. A fenced, covered, locked, or guarded bicycle storage area;
 - c. A rack or stand inside a building that is within view of an attendant or security guard, visible from employee work areas, or within a secure/restricted bicycle storage room; or
 - d. Other secure areas approved by the Director.
5. **Size and Accessibility.** Each Class II bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving other bicycles. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian walkways. Five feet of clearance shall be provided from vehicle parking spaces.

FIGURE 17.68.070.D-1: CLASS II BICYCLE PARKING



17.68.080 Loading

Every building or structure used for industrial uses, commercial uses except offices, or any other building where goods are received or shipped, or require pick up and drop off activities, shall be provided with loading and unloading space as follows:

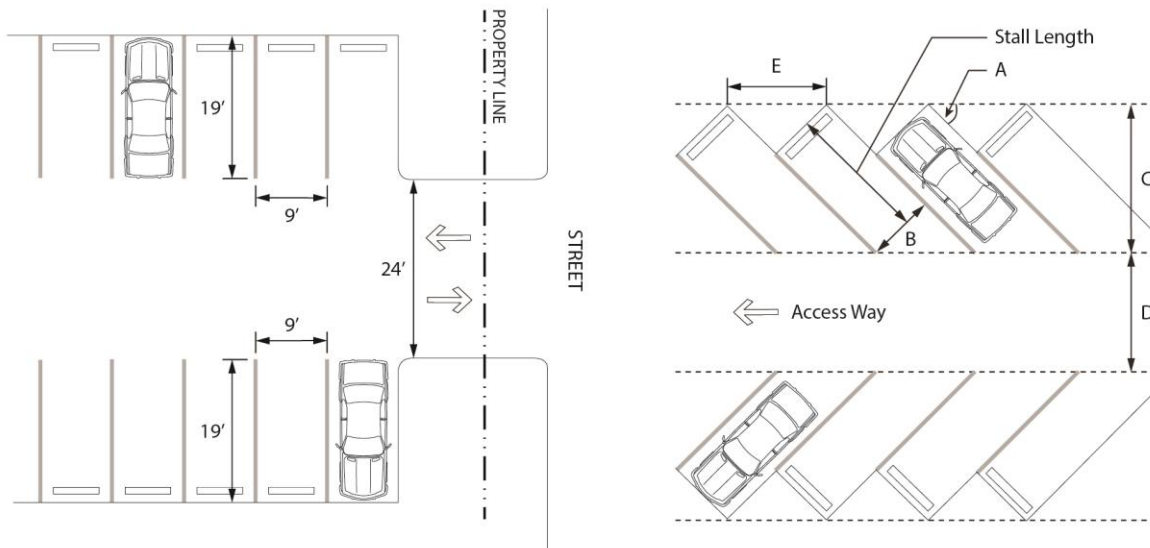
- A. One permanently maintained truck loading and unloading space for buildings having a gross floor area of 7,500 square feet or more, plus one additional space for each additional 20,000 square feet or major fraction thereof.
- B. Each loading space shall be not less than 10 feet in width, 25 feet in length and 14 feet in height.
- C. Loading space, exclusive of driveway or corridors leading thereto shall be in addition to required parking space.
- D. Loading space, unless otherwise specified, shall be on site. No on-street loading spaces will be permitted.
- E. Industrial, commercial, and office uses having need for only occasional receiving or shipping of goods may use a portion of the driveway or parking area for temporary loading and unloading.
- F. Special uses, such as day care, adult care, kennels, hospitals, schools, have specific loading and unloading requirements, as specified in Chapter 17.84, Standards for Specific Uses and Activities.

17.68.090 Parking Area Development and Design Standards

- A. **Location of Parking Areas.**
 - 1. Parking areas shall not be located such that vehicles back onto a public street except for driveways and off-street parking areas serving dwelling structures of three units or fewer on one parcel of land.
 - 2. Locations of all parking, loading, and unloading facilities are subject to the approval of the Director and the Traffic Engineer.
 - 3. Parking arrangements not consistent with the standards of Division II may be considered through site plan and development review with approval by the Zoning Administrator or Planning Commission as appropriate to the proposed use.
- B. **Parking Space Size and Access.**
 - 1. ***Minimum Parking Space Dimensions.***
 - a. *Standard Spaces.* Nine by 18 feet
 - b. *Compact Spaces.* Eight feet by 16 feet.
 - 2. ***Single Family and Duplex Garages and Carports.***
 - a. A single car garage or carport shall have a minimum inside dimension of 10 feet in width by 20 feet in length.
 - b. A two-car garage or carport shall have a minimum inside dimension of 20 feet in width by 20 feet in length.
 - c. The vertical clearance for garage or carport parking spaces shall not be less than seven feet six inches.

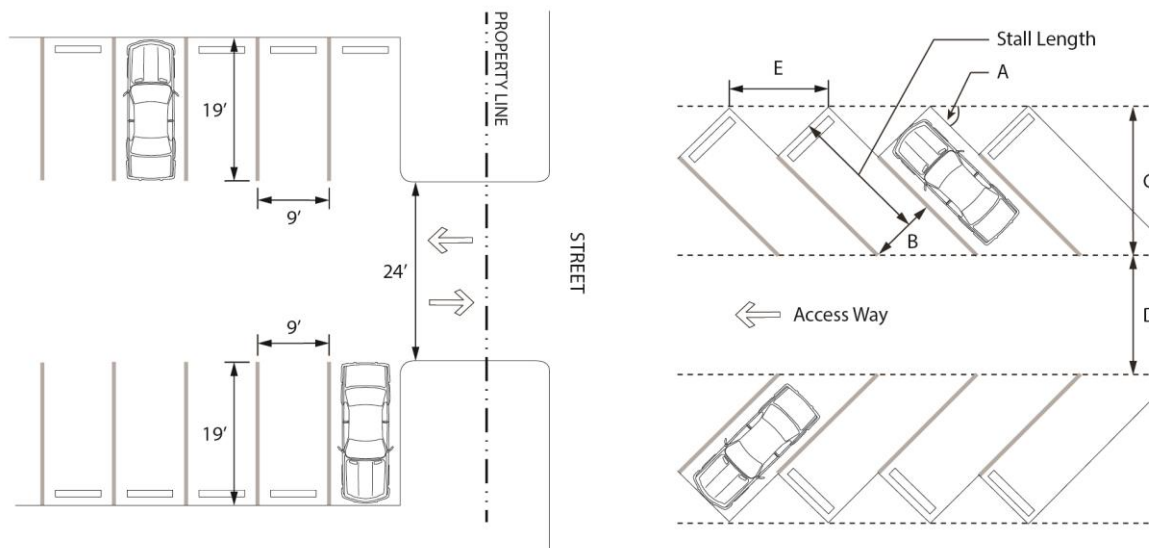
- d. Required uncovered parking spaces for single family and duplex dwellings located in the front yard shall not be used for, or obstructed by, storage of material, equipment, or inoperable vehicles.
- C. **Tandem Parking.** Tandem parking may be permitted to satisfy the off-street parking requirement in accordance with the following:
 - a. No more than two vehicles shall be placed one behind the other;
 - b. For a residential project, both spaces shall be assigned to a single dwelling unit;
 - c. For a non-residential establishment, both spaces shall be assigned as employee only parking and shall be for the same establishment and may not exceed 20 percent of the total required spaces; and
 - d. Tandem parking may not be used to satisfy the parking requirement for guest parking.
- D. **Parking Lot Area Dimensions.** All off-street parking facilities required by this Chapter shall comply with the dimensions in Table 17.68.090.D-1: Parking Lot Dimensions.

Table 17.68.090.D-1: Parking Lot Dimensions



A	B	C	D	E	F	G
Stall Angle (degrees)	Stall Width (ft)	Vehicle Projection for 19 ft. stall length	One-Way Aisle Depth	Curb Length Per Car	Width for Aisle, Wall to Wall	Width for Double Aisle, Overlap Center to Overlap Center
0	9	9	12	23	30	0

Table 17.68.090.D-1: Parking Lot Dimensions



A	B	C	D	E	F	G
Stall Angle (degrees)	Stall Width (ft)	Vehicle Projection for 19 ft. stall length	One-Way Aisle Depth	Curb Length Per Car	Width for Aisle, Wall to Wall	Width for Double Aisle, Overlap Center to Overlap Center
45	9	19.8	13	12.7	52.5	46.5
60	9	21	18	10.4	60	55.5
90	9	19	24 (two-way aisle); 26 feet where buildings are 3+ stories	9	62	0

1. The Zoning Administrator and the Traffic Engineer shall have the authority to establish and/or approve parking stall and maneuvering area dimensions for parking facilities other than those specified in this Code.
2. When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the required maneuvering space.
3. A walkway, if provided, shall be in addition to the required parking and maneuvering space.
4. Where off-street parking facilities are provided in excess of the amounts required, or when off-street parking facilities are provided, but not required by this Chapter, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space specified by this Code.

- E. **On-Site Drainage.** At locations where street drainage facilities are inadequate, do not exist or where unusual topographic conditions exist, the City Engineer may specify such on-site drainage measures as he or she deems necessary to adequately dispose of the drainage water (see City of Woodland Engineering Standards).
- F. **Driveways. (Updated)**
1. **Number of Driveways.**
 - a. In the Downtown and N-P zones, new or additional driveways and curb cuts shall be avoided in order to maintain the historic character of the block.
 - b. The number of driveways and curb cuts along streets shall be minimized to limit unsafe conditions and enhance the experience of walking and bicycling.
 - c. For single-family residential land uses (R-L, N-P, R-LM), only one driveway per parcel will be permitted.
 - d. Exceptions, subject to approval of the Director:
 - i. Circular driveways based on adjacent right of way traffic speed, volume, and visibility.
 - ii. When a property has a street front 80-feet or wider.
 - iii. When a property is on a corner, a second driveway may be considered if there will be no impact to existing utilities or removal of required City street trees and if the minimum distance from intersection requirements are met in accordance with the City of Woodland Engineering Standards.
 - iv. Parking in the required rear yard of single family and duplex dwellings shall be permitted only where the minimum usable open space requirement is met and where coverage requirements inclusive of an accessory structures and areas surfaced for parking are met and do not exceed thirty percent of the required rear yard area. Parking for recreational vehicles shall meet the standards of Section 17.64.100, Vehicle/Truck Parking and Storage.
 - e. Driveway access to major streets shall be spaced to provide reasonable access to properties while maximizing traffic safety and traffic flow. Emphasis should be placed on maximizing on-site reciprocal access and minimizing the number of street access points.
 2. **Driveway Throat Depth.** The length of driveways or “throat depth” shall be designed to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. Entrance designs shall be designed in accordance with Section 3.18 of the City of Woodland Engineering Standards and subject to approval by the City Engineer.

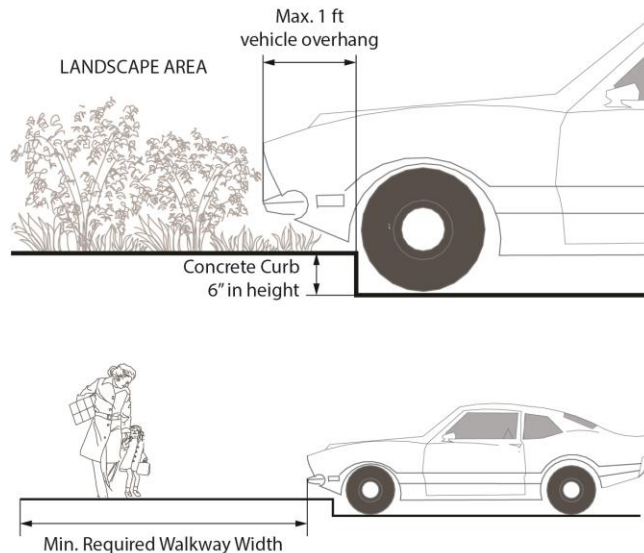
3. ***Driveway Width and Length.***

- a. Shared single family and duplex residential driveways, where the driveway cut through the curb is shared by multiple parcels, shall be a maximum of 24 feet wide at the property line.
- b. Shared multiple family and commercial industrial driveway shall have a maximum throat width of 40-feet at back-of-walk, in accordance with the City of Woodland Engineering Standards, Section 3.19.B.
- c. Residential driveway length providing direct access to a garage or carport shall be 20 feet in depth. Reductions up to 18 feet may be considered by the Director for access to private alleys through Development Review.
- d. If designated as a Fire Lane, the minimum width shall be 20 feet, unless a greater width is required by the Fire Marshall.

G. **Development and Maintenance of Parking Areas.**

1. ***Parking Lot Striping.*** All parking stalls shall be clearly outlined with striping, and all aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines as necessary to provide for safe traffic movement.
2. ***Wheel Stops.*** Concrete bumper guards or wheel stops shall be provided for all unenclosed parking spaces on a site with four or more unenclosed parking spaces. A six-inch high concrete curb surrounding a landscape area may be used as a wheel stop, provided that the overhang will not damage or interfere with plant growth or its irrigation. A concrete sidewalk may be used as a wheel stop if the overhang will not reduce the minimum required walkway width.
 - a. The entire parking space includes the wheel stop and overhang.
 - b. A maximum one-foot vehicle overhang is allowed. When overhang parking is utilized, the depth of the parking stall may be reduced by one foot. Landscaping in the one-foot overhang area does not count toward required landscaping.
 - c. The area at the front of the required parking space may be landscaped with low growing plants rather than paving. Any required planter space or width is in addition to the overhang area.

FIGURE 17.68.090.G-1: WHEEL STOPS



3. **Surfacing.**

- a. All parking areas shall be graded, paved, improved, and properly drained in accordance with the following standards and subject to approval of the City Engineer:
 - i. *Permeable Paving.* Permeable paving may be used if approved by the City Engineer.
 - ii. *Turf Grids/Grassy Pavers.* Turf grids or grassy pavers may be installed in areas of low traffic or infrequent use, such as emergency vehicle lanes, if approved by the Fire Marshall and City Engineer.
 - iii. *Alternate Parking Area Surface.* Concrete, asphalt, grouted continuous brick, cobblestone, turf block, or any similar durable and dustless surface may be used upon approval of the Director.

- H. **Forward Entry.** Parking lots shall be provided with suitable maneuvering room so that all vehicles therein may enter an abutting street in a forward direction.
- I. **Other Uses.** Parking areas shall be used for vehicle parking only with no sales, dead storage, repair work, dismantling or servicing of any kind permitted.
- J. **Covered Parking.** When covered parking is provided, landscape areas between covered parking structures shall be planted with appropriate landscaping. Where the covered parking is adjacent to a property boundary, landscaping shall be provided behind each covered parking area.
- K. **Carport and Garage Design.** Garages and carports shall be architecturally designed to be integrated with the main buildings. Solar panels are allowed as roof material for garages or carports.
- L. **Additional Considerations for All Off-Street Parking Areas.** The following requirements shall apply to the uncovered portions of all off-street parking and loading areas:

1. A clearly defined, lighted and landscaped pedestrian route shall be provided between parking areas and primary pedestrian entrance.
2. When an off-street parking area and a public right-of-way are continuous, a landscaped area shall be provided as described in Section 17.64.040, Landscaping, which effectively screens the parking area to a height of three and one-half feet.
3. Any portion of an off-street parking area which abuts a Residential zone shall be screened by a fence or wall not less than six feet in height, except within the front setback area where the fence shall be no higher than three and one-half feet (see Section 17.64.030, Fences, Walls, and Hedges and Chapter 17.70, Screening Standards).
4. Landscaping shall be provided along alleys, paths, and private streets when they are adjacent to parking and loading areas. See also Section 17.64.040, Landscaping.
5. Not less than six percent of the interior area of all auto parking lots shall be devoted to permanent landscaping and except for trees shall not exceed a height of four feet. Main access roads and driveway not used as back-up areas are exempt from this requirement. See also Section 17.64.040, Landscaping.
6. Edges of the parking lot must be clearly defined with trees, low walls, hedges, and/or berms.
7. Screening and orientation must prevent lights from cars in a parking lot from shining onto surrounding properties.
8. Subject to approval by the City, permanent landscaping in off-street parking and loading areas may be used for stormwater management practices. See also Section 17.64.040, Landscaping.
9. In locations where plants will be susceptible to injury by pedestrian or automobile traffic, the plants shall be protected by appropriate curbs, tree guards or other devices.
10. Paving, grading, and other parking area improvements shall conform to the City of Woodland Engineering Standards and this Chapter.

Chapter 17.70 Screening Standards (New)

Sections:

17.70.010	Purpose and Applicability	III-67
17.70.020	Mechanical and Electrical Equipment and Utilities	III-67
17.70.030	Service Areas	III-68
17.70.040	Outdoor Storage Areas	III-69

17.70.010 Purpose and Applicability

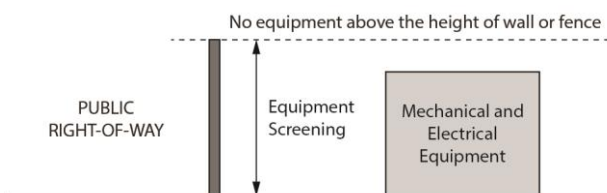
- A. **Purpose.** The specific purposes of the screening regulations are to minimize the visual impacts of on-site service, storage, and equipment.
- B. **Applicability.** This Chapter applies to the following:
 - 1. All on-site ground-mounted and roof-mounted mechanical, electrical, and other equipment related to utilities. Equipment to be screened includes but is not limited to, heating and/or air conditioning units, water tanks, valves, all back flow prevention devices, solar and photovoltaic panels, and transformers.
 - 2. All on-site outdoor service yards and work areas.
 - 3. Open storage of goods, materials, machines, equipment and vehicles, or parts outside of a building for more than 72 hours.
 - 4. **Exceptions.**
 - a. Temporary storage of materials reasonably required for construction work on the premises pursuant to a valid building or grading permit.
 - b. Outdoor sales or uses that by their nature provide outdoor storage, such as auto, trailer, and boat dealers, and equipment rental specified as an allowed land use in the applicable base zone.

17.70.020 Mechanical and Electrical Equipment and Utilities

- A. **Location of Equipment.**
 - 1. Utilities, particularly if noise producing, shall be located away from private and common open space areas, and shall not be located within the front setback of any Residential zone, excluding public utilities, unless sufficiently screened to the satisfaction of the Director.
 - 2. Backflow prevention devices shall not be located within the public right-of-way or along primary pedestrian streets unless required by the Fire Department or Public Works Department.

- B. **Screening and Visibility Requirements.** All exterior mechanical and electrical equipment and utilities shall be screened or incorporated into the design of buildings so as not to be visible from public rights of way or adjacent Residential zones.
- C. **Rooftop-Mounted Equipment Screening.** Roof mounted mechanical equipment shall be screened in compliance with the following standards:
1. To the extent possible equipment shall be placed in wells, or behind parapet walls.
 2. Screening materials may be solid concrete, wood, or other opaque material and shall effectively screen the mechanical equipment so that it is not visible from a public street;
 3. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural styles;
 4. Mechanical equipment must be screened from the perspective of the adjacent public streets, right-of-way, and/or sidewalk.
- D. **Ground-Mounted Equipment Screening.** Equipment shall be located underground where feasible or screened from the public right-of-way by landscaping, berms, decorative fencing and/or masonry walls, and/or solid building elements that are architecturally compatible and complementary with the structure and overall project in terms of materials, color, shape, and size rather than after-the-fact add-on screening (e.g., metal slats). Exceptions may be granted by the Director where screening is infeasible due to health and safety or utility requirements. See Subsection 17.84.070.B.4 for location requirements for ground-mounted solar equipment.

FIGURE 17.70.020.D-1: SCREENING OF MECHANICAL AND ELECTRICAL EQUIPMENT



17.70.030 Service Areas

- A. **Commercial Loading Docks and Service Areas.** Loading docks and storage areas shall be screened from public view and adjoining streets and rights-of-way and residentially zoned areas. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural style. Exceptions may be considered through Development Review for sites with unique characteristics (e.g., shallow depth, narrow lot).
- B. **Screening of Outdoor Trash Enclosures/Recycle Containers.** Trash receptacles including recycling and green waste containers shall not be stored within a required front or street side yard, when feasible, and shall be screened from the public right-of-way. See Section 17.64.080, Refuse and Recycling Enclosures for trash enclosure design standards.

- C. **Outdoor Equipment and Work Areas.** Work bays and related equipment for materials other than plants shall be enclosed and screened from view from the public right-of-way and abutting property by a solid fence or wall. All gates provided for ingress and egress in any required fence or wall shall be at least six feet in height and shall be of view obstructing construction in compliance with Section 17.64.110, Visibility at Intersections.

17.70.040 Outdoor Storage Areas

- A. All uses or activities shall be conducted wholly within completely enclosed buildings, and no outdoor storage shall be allowed between the primary building and the sidewalk or street, except as may be provided as a specified land use in allowed use tables of Division II, Zone Regulations.
- B. All allowed on-site outdoor storage areas shall be screened from view from any public street or freeway; existing or planned Residential zone; or publicly accessible open space area, parking area, access driveway, or similar thoroughfare.
- C. **Location of Outdoor Storage Areas.**
1. Outdoor storage may only be allowed in conjunction with and as an accessory use to an existing business with an active business license. Primary use outdoor storage or truck parking lot is not permitted.
 2. Outdoor storage may not be located within any required front or street side yard.
 3. If outdoor storage is adjacent to a residential district, a Zoning Administrator Permit is required (see Section 17.100.090, Zoning Administrator Permit).
- D. **Surfacing.**
- Outdoor storage areas must be surfaced (paved and/or treated) to mitigate potential dust, and debris on public roadways. In making a determination regarding the type of surfacing, the following shall be taken into consideration:
1. The type of product being stored and frequency of use and movement of goods, vehicles, and materials.
 2. Surrounding sensitive uses, such as residential, schools, day care, industrial food preparation, research and technology uses requiring clean facilities.
 3. If the surfacing will conform to all applicable federal and state air and water quality standards.
 4. Driveway access and employee parking must be paved and landscaped as required in Chapter 17.68, Parking and Loading.
- E. **Screening.** All materials and outdoor storage areas must be fully screened so as not to be visible from any rights-of-way and shall be located below fence height, wall, or building.
1. All outside industrial storage areas must be screened from all public rights-of-way and adjacent commercial or residential properties to a height of eight feet. Screening height and location may be modified for security reasons with the concurrence of the Director and the Police Chief.

2. The screening shall be a combination of appropriate wall or fence materials and landscaping, or of a substantially equivalent material appropriate to the district and location. See Section 17.64.030, Fences, Walls, and Hedges.
3. Where applicable, screen planting shall be designed to achieve a 75 percent summer opacity and 60 percent winter opacity within three years of planting.

Chapter 17.72 Signs

Sections:

17.72.010	Purpose	III-71
17.72.020	Applicability.....	III-72
17.72.030	Sign Permits	III-73
17.72.040	General Standards for All Signs	III-74
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17.72.010 Purpose

This Chapter regulates signs in a manner that expresses the character and environment of the City of Woodland and implements the General Plan, consistent with state and federal law. These regulations recognize the importance of business activity to the economic vitality of the City as well as the need to protect the visual environment. This Chapter promotes the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content neutral, and nondiscriminatory sign standards and requirements. More specifically, this Chapter is intended to:

- A. Ensure that all signs are compatible with the unique character and environment of the City, and that they support the desired ambience and development patterns of the various districts and historic areas within the City;
- B. Balance public and private objectives by allowing adequate avenues for both commercial and non-commercial messages;
- C. Allow signs to serve as an effective channel of communication while preventing signs that may create visual clutter, or nuisance to nearby properties, violate privacy, or create hazards or unreasonable distractions for pedestrians and drivers;
- D. Prevent property damage, personal injury, and litter caused by signs that are improperly constructed or maintained;
- E. Protect and improve property values, the local economy, and quality of life by preserving and enhancing the appearance of the streetscape;
- F. Encourage creative and innovative approaches to signage within an established framework; and
- G. Provide clear and unambiguous sign design standards that enable the fair and consistent enforcement of these sign regulations, and

- H. Ensure that the constitutionally guaranteed right of free speech is protected.

17.72.020 Applicability

- A. This Chapter applies to all signs within the City regardless of their nature or location, unless otherwise specifically exempted in Subsection 17.72.020.F, Exempt Signs.
1. Standards for permanent signs are found in Section 17.72.050, Standards for Permanent Signs.
 2. Standards for temporary signs are found in Section 17.72.060, Standards for Temporary Signs.
- B. The provisions of this Chapter shall be applied in a content-neutral manner. Non-communicative aspects of all signs, not related to the content of the sign, shall comply with the provisions of this Chapter. “Non-communicative aspects” include the time, place, manner, location, size, height, illumination, spacing, and orientation of signs.
- C. Nothing in this Chapter shall be construed to prohibit a person from holding a sign while picketing or protesting on public property that has been determined to be a traditional or designated public forum, so long as the person holding the sign does not block ingress and egress from buildings, create a safety hazard by impeding travel on sidewalks, in bike or vehicle lanes, or on trails, or violate any other reasonable time, place, and manner restrictions adopted by the City.
- D. All regulations included in this Chapter shall apply unless a Master Sign Program is approved by the Planning Commission; see Subsection 17.72.030.C. Entry into an agreement between the City and a developer for a Master Sign Program may supersede this Chapter, except for matters of public safety.
- E. **Substitutions and Interpretations.**
1. This Chapter is not intended to, and does not, restrict speech on the basis of its content, viewpoint, or message. No part of this Chapter shall be construed to favor commercial speech over non-commercial speech. A non-commercial message may be substituted for any commercial or non-commercial message displayed on a sign, or the content of any non-commercial message displayed on a sign may be changed to a different noncommercial message, without the need for any approval or permit, provided that the size of the sign is not altered and the sign otherwise complies with the provisions of this Chapter. To the extent any provision of this Chapter is ambiguous, the term will be interpreted not to regulate on the basis of the content of the message.
 2. This Chapter applies to all signs within the City. When there is any question regarding the interpretation of a provision of this Chapter, or its application to any specific case or situation, the Director shall interpret the intent of this Chapter.
 3. All regulations included in this Chapter shall apply unless a Master Sign Program is approved by the Planning Commission; see Section 17.72.030, Sign Permit – Permanent Signs. Entry into agreement between the City of Woodland and a

developer for a Master Sign Program may supersede this Chapter except for matters of public safety.

- F. **Exempt Signs.** The following are not regulated under this Chapter, do not count toward the maximum total sign area for all permanent signs, and do not require a Sign Permit:
1. **Government Signs.** Any sign, posting, notice or similar signs placed, installed, or required by law by a City, County, or a federal or state governmental agency in carrying out its responsibility to protect the public health, safety, and welfare, including the following:
 - a. Numerals and letters identifying an address from the street to facilitate emergency response and compliant with City requirements;
 - b. Emergency and warning signs necessary to warn of dangerous and hazardous conditions and that serve to aid public safety or civil defense;
 - c. Traffic signs erected and maintained by an authorized public agency;
 - d. Signs required to be displayed by any applicable federal, State, or local law, regulation, or ordinance;
 - e. Signs directing the public to points of interest; and
 - f. Signs showing the location of public facilities.
 2. **Incidental Signs.** Incidental signs not to exceed a total of three-square feet in sign area for all permanent signs in the R-1 and N-P zones and six square feet in all other zones;
 3. **Signs not Readable from the Public Right-of-Way.** Signs not readable from the public right-of-way, including:
 - a. Signs or displays located entirely inside of a building, within a courtyard, open-air pedestrian space or similar open area and not visible from the building's exterior;
 - b. Signs intended to be readable from within a parking area or City park but not readable beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way; and
 4. **Historic Plaques and Commemorative Signs.** Historic plaques, memorial signs or tablets, or signs indicating the names of buildings and dates they were erected, either attached to or cut into the surface of buildings, provided that no such sign exceeds four square feet in area.

17.72.030 Sign Permits

The procedures for submittal, review, and approval of permanent signs and for a Master Sign Program, inclusive of any required fees, are established in the following Sections:

- A. Section 17.100.140, Sign Permit – Permanent Signs, for all permanent building mounted and freestanding signs;
- B. Section 17.100.150, Sign Permits – Master Sign Program, for all Master Sign Programs; and

- C. A Sign Permit is not required for a sign on property used exclusively for a single-family residence or duplex.
- D. **Nonstructural Modifications and Maintenance.** A Sign Permit is not required for the following:
 - 1. Changes to the face or copy of changeable copy signs;
 - 2. Changes to the face or copy of an existing single-tenant or multi-tenant freestanding or building mounted non-illuminated sign from one business to another with no structural or lighting modifications to the sign; and
 - 3. The normal repair and maintenance of conforming or legal nonconforming signs, except as identified in Subsection 17.72.040.K, Sign Maintenance.

17.72.040 General Standards for All Signs

- A. **Sign Message.** Any permitted sign may contain, in lieu of any other message or copy, any lawful non-commercial message, so long as the sign complies with the size, height, area, location, and other requirements of this Chapter.
- B. **Location Standards.** All signs may not be placed in the following locations or manner, except where specifically authorized in this Chapter:
 - 1. **Architectural Features.** Areas where a sign would cover the architectural features of a building, such as dormers, insignias, pilasters, soffits, transoms, trims, windows, or another architectural feature;
 - 2. **Accessory Structures.** Tacked, painted, pasted, or otherwise affixed, to the walls of any building, barn or shed, accessory structure, or on trees, poles, posts, fences, ladders, or other structures that are visible from a public way. Signs may be attached to a fence or freestanding wall only when a ground sign is not present in the development and must be maximum three square feet in sign area;
 - 3. **Clearance Standards.** Within the horizontal or vertical clearance standards from communications lines and energized electrical power lines prescribed by the laws of the State of California;
 - 4. **Fences and Walls.** A fence or freestanding wall if a freestanding sign is present on the development;
 - 5. **Fuel Tanks, Storage Containers, and Solid Waste Receptacles.** Painted, attached, or mounted on fuel tanks, storage containers and/or solid waste receptacles or their enclosures, except for a manufacturer's or installer's identification sign, appropriate warning signs and placards, and information required by law;
 - 6. **Off-premises.** Off the premises to which the sign refers, except as provided in Section 17.72.060, Standards for Temporary Signs;
 - 7. **Public Utilities and Infrastructure.** Any sign attached to any public utility pole, structure or streetlight, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, statue, memorial, or other location on public property, except those signs approved

as part of a Special Event Permit on City property or banner signs permitted by the City on light poles within the City;

8. **Right-of-Way.** Within, on, or projecting over public property including City rights-of-way, except as specifically provided in this Chapter;
9. **Signs Mounted on a Roof.** Except as allowed in Table 17.72.050.C-9: Standards for Roof-mounted Signs; and
10. **Vehicles.** Mounted, attached, or painted on a trailer, boat, or motor vehicle when parked, stored, or displayed conspicuously on private premises in a manner intended to attract attention of the public for the purpose of advertising or identifying the business premises. This provision excludes signs indicating the name of the owner or business that are permanently painted or wrapped on the surface of the vehicle, adhesive vinyl film affixed to the interior or exterior surface of a vehicle window, or signs magnetically attached to motor vehicles or rolling stock that are actively used in the daily conduct of the business. Vehicles must be operable and parked in a lawful or authorized manner.

C. **Parking of Mobile Billboards Prohibited.** No person shall park or convey any mobile billboard advertising display as defined by this Code, either standing alone or attached to a motor vehicle, upon any public street or public lands in the City.

1. **Removal of Mobile Billboard Advertising Displays Authorized.** Pursuant California Vehicle Code § 22651(v) and 22651(w), a peace officer, or any regularly employed and salaried employee of the City, who is authorized to engage and is engaged in directing traffic or enforcing parking laws and regulations may remove, or cause to be removed, the mobile billboard, or anything that the mobile billboard is attached to including a motor vehicle, located within the territorial limits of the City when the mobile billboard is found upon any public street or any public lands, if all of the following requirements are satisfied:
 - a. When a mobile billboard either standing alone or attached to a motor vehicle, is parked, or left standing in violation of the Code, and the registered owner of the vehicle or display was previously issued a warning notice or citation for the same offense;
 - b. A warning notice or citation was issued to a first-time offender at least 24 hours prior to the removal of the vehicle or display. The City is not required pursuant to California Vehicle Code § 22651(v)(2) and 22651(w)(2) to provide further notice for a subsequent violation prior to enforcement; and
 - c. The warning notice or citation advised the registered owner of the vehicle or display that he or she may be subject to penalties upon a subsequent violation of this Code that may include removal of the vehicle or display.
2. **Permanent Advertising Signs Excepted.** Pursuant to California Vehicle Code § 21100(p)(2) and (p)(3), this Section does not apply to advertising signs that are permanently affixed in a manner that is painted directly upon the body of a motor vehicle, applied as a decal on the body of a motor vehicle, or placed in a location on the body of a motor vehicle that was specifically designed by a vehicle manufacturer

for the express purpose of containing an advertising sign, such that they are an integral part of, or fixture of a motor vehicle for permanent decoration, identification, or display and that do not extend beyond the overall length, width, or height of the vehicle.

3. **Post Storage Impound Hearing.** California Vehicle Code § 22852 of the California Vehicle Code applies to this Section with respect to the removal of any mobile billboard advertising display vehicle. California Vehicle Code § 22852 is incorporated by reference as if set forth in full by this Code and provides, in summary, that whenever an authorized employee of the City directs the storage of a vehicle, the City shall direct the storage operator to provide the vehicle's registered and legal owner(s) of record, or their agent(s), with the opportunity for a post-storage hearing to determine the validity of the storage. Notice of the storage shall be mailed or personally delivered to the registered and legal owner(s) within 48 hours, excluding weekends, as specifically provided for under California Vehicle Code § 22852. To receive a post-storage hearing, the owner(s) of record, or their agent(s), must request a hearing in person, in writing, or by telephone within 10 days of the date appearing on the notice. The City may authorize its own officer or employee to conduct the hearing as long as the hearing officer is not the same person who directed the storage of the vehicle.
 4. **Violations and Penalties.** A violation of this Section is a misdemeanor, punishable upon conviction by a fine of not less than \$250, nor more than \$1,000, or by imprisonment in the County jail for not more than six months, or by both fine and imprisonment. At the discretion of any person authorized by the Chief of Police to issue a citation for any violation of this Section, or the City Attorney's Office, a violation of this Section may be an infraction enforced through the parking penalty process set forth in California Vehicle Code § 40200 et seq.
- D. **Display Standards.** This Subsection regulates the manner in which signs convey their messages by specifying prohibited display features that create distractions to the traveling public and create visual clutter that mar the natural and architectural aesthetics of the City. Signs with the following display features are prohibited:
1. **Devices Affected by Movement.** Any sign animated by any means, including fixed aerial displays, balloons, pennants, spinners, including strings of flags, streamers, tubes, or other devices affected by the movement of the air or other atmospheric or mechanical means;
 2. **Exposed Light Source.** Any sign with an exposed light source, except for neon LED strip lights incorporated into the design of the sign;
 3. **Flashing Lights.** Any sign or lighting device, whether on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel, or from any public right-of-way, with intermittent, flashing, rotating, blinking, or strobe light illumination, including search lights;
 4. **Florescent Colors.** Any sign which uses florescent colors;
 5. **Rotating Signs and Barber Poles.** Any sign in which the sign body or any portion of the sign rotates, moves up and down, or any other type of action involving a change in

position of the sign body or any portion of the sign, whether by mechanical or any other means. Barber poles no larger than three feet high and 10 inches in diameter, and clocks, are excepted from this restriction;

6. ***String of Lights.*** Strings of lights arranged in the shape of a product, arrow, or any commercial message; and
7. ***Visible Matter and Motion Picture Projection.*** Any sign which emits sound, odor, smoke, laser or hologram lights, or other visible matter, including any sign that uses motion picture projection.

E. **Signs that Create a Traffic Hazard or Affecting Pedestrian Safety.** All signs may not be placed in locations or manner that constitute a safety hazard or to impede the public use of the public right of way, except where specifically authorized in this Chapter:

1. ***Conflict with Traffic Signs.*** Any location that obstructs the view of any authorized traffic sign, signal, or other traffic control device or which by reason of shape, color, or position interferes with or could be confused with any authorized traffic signal or device;
2. ***Exits and Entrances.*** Any sign which is placed in a manner that would prevent or inhibit free ingress to or egress from any door, window, vent, or any exit way required by the Building Code or by Fire Department regulations;
3. ***Intersections.*** Any sign erected or maintained at or near any street intersection that will obstruct the free and clear vision of drivers and pedestrians.
4. ***Sidewalks.*** Any sign mounted or displayed in such a manner that it blocks or impedes the normal pedestrian use of public sidewalks. A minimum width of four feet must be maintained on sidewalks at all times; and
5. ***Site Visibility Triangle.*** Within the site visibility triangle as defined in Section 17.64.110, Visibility at Intersections, that must be observed at all street intersections and the intersections of dedicated alleys or driveways with streets.

F. **Prohibited Sign Types.**

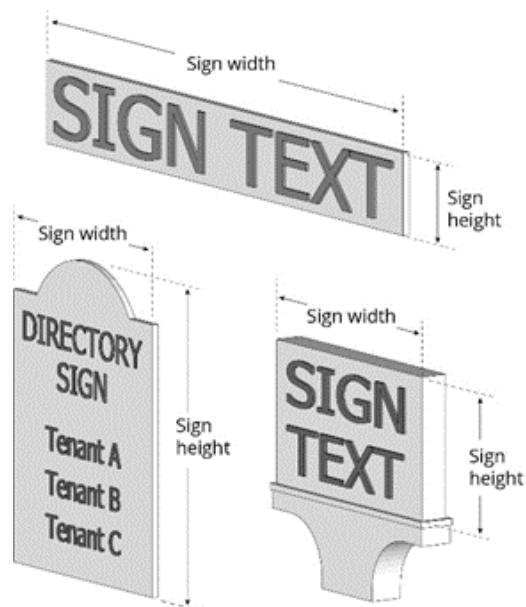
1. Any sign which advertises a business that is a prohibited use or no longer in existence or a product or service no longer being sold;
2. Bandit signs;
3. Cabinet signs;
4. Feather banner signs;
5. Electronic message signs, except gas price display on service station monument signage, and except as allowed in Subsection 17.72.050.D.2, Digital Billboard Signs;
6. Non-digital billboards;
7. Pole signs;
8. Signs installed on the roof of a building or structure, except as allowed in Subsection 17.72.050.C.9, Roof-Mounted Signs;

9. Signs which bear or contain statements, words, or pictures of an obscene nature;
10. Sign walkers;
11. Statutory signs; and
12. Stuffed or inflated animals or characters used as signs.

G. **Rules of Measurement.**

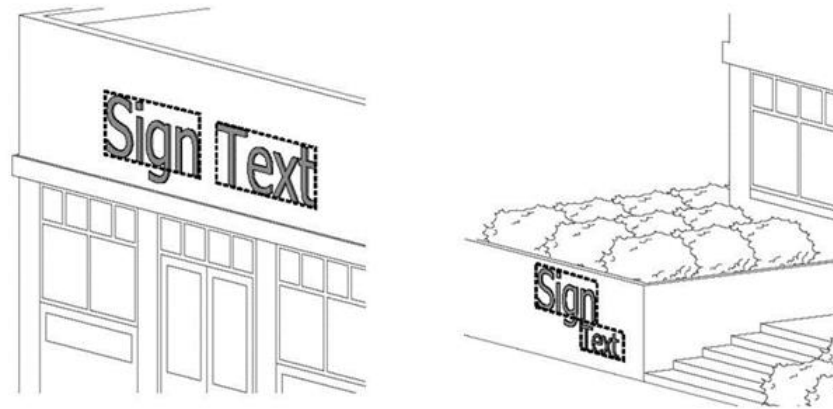
1. **Sign Area Measurement.** Sign area is measured as follows:
 - a. *Signs on Background Panel.* Where the sign copy is mounted, affixed, or painted on a background panel or distinctively painted, textured, or constructed surface, the sign area is measured as the sum of the smallest rectangle(s) that will enclose both the sign copy and the background, as shown in Figure 17.72.040-G.1: Signs on Background Panel.

FIGURE 17.72.040.G-1: SIGNS ON BACKGROUND PANEL



- b. *Signs with Individual Letters.* Where the sign has individual letters or graphics mounted against a wall, fascia, mansard, parapet, or other building surface that has not been distinctively painted, textured or constructed as a background panel, the sign area is measured as a sum of the smallest rectangle(s) that will enclose each word and each graphic in the total sign except for the descending elements of lower case letters, as shown in Figure 17.72.040.G-2: Signs with Individual Letters. Sign area for individual letters or graphics shall be counted as 75 percent of the area enclosing the sign copy.

FIGURE 17.72.040.G-2: SIGNS WITH INDIVIDUAL LETTERS



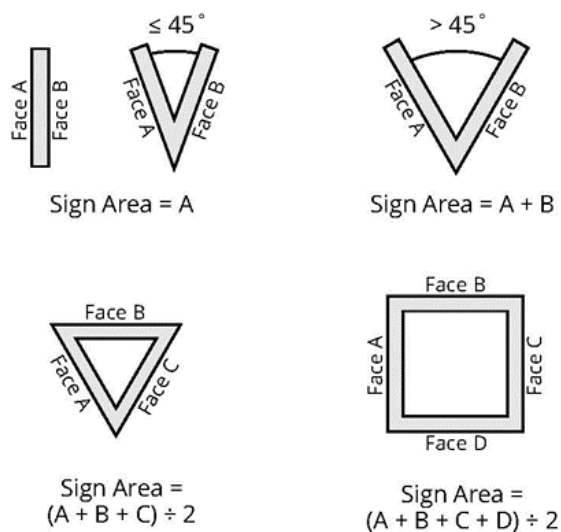
- c. *Irregular Shaped Signs.* Sign area for irregular shaped signs is determined by dividing the sign into the smallest squares, rectangles, triangles, circles, or arcs that enclose each word or graphic in the sign, as shown in Figure 17.72.040-G.3: Irregular Shaped Signs.

FIGURE 17.72.040.G-3: IRREGULAR SHAPED SIGNS



- d. *Multi-Face Signs.* The sign area for multi-face signs, as shown in Figure 17.72.04-G.4: Multi-Face Signs, are measured as follows:
- i. *Two-Face Signs.* Where the interior angle between the two sign faces is 45 degrees or less and the sign faces are less than 42 inches apart, the sign area is measured as the area of one sign face only. Where the angle between the two sign faces is greater than 45 degrees, the sign area is the sum of the areas of the two sign faces.
 - ii. *Three- or Four-Face Signs.* The allowable sign area is measured as 50 percent of the sum of the areas of all sign faces.

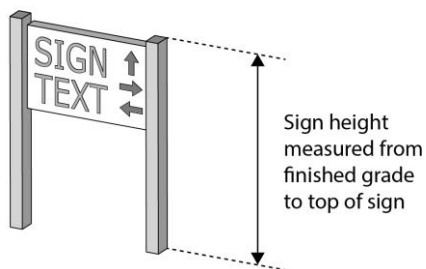
FIGURE 17.72.040.G-4: MULTI-FACE SIGNS



2. **Sign Height Measurement.**

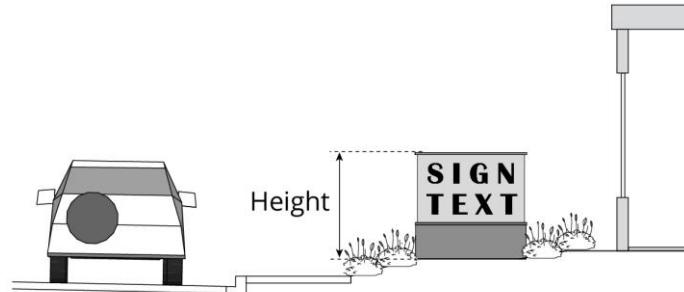
- a. *Freestanding Signs.* Sign height for freestanding signs is measured as the vertical distance from the finished grade to the top of the sign.

FIGURE 17.72.040.G-5: FREE-STANDING SIGN HEIGHT



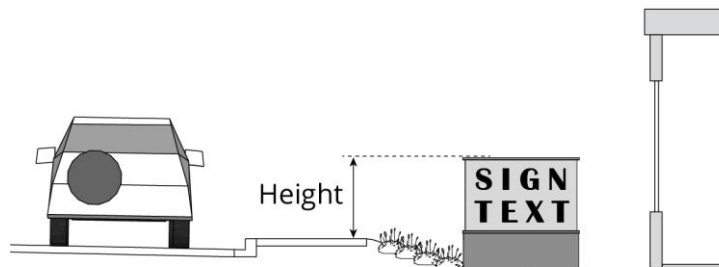
- i. *Higher Than Adjacent Grade.* Where the grade at the base of a sign is higher than the grade of the adjacent road right-of-way, sign height is measured from the base of the sign, as shown in Figure 17.72.040-G.6: Freestanding Sign Height, Higher Than Adjacent Grade.

FIGURE 17.72.040.G-6: FREESTANDING SIGN HEIGHT, HIGHER THAN ADJACENT GRADE



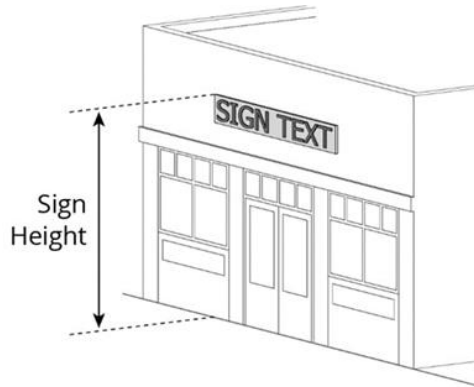
- ii. *Lower Than Adjacent Grade.* Where the grade at the base of a sign is lower than the grade of an adjacent road right-of-way, the height of the sign is measured from the top of curb elevation, as shown in Figure 17.72.040-G.7: Freestanding Sign Height, Higher Than Adjacent Grade (the portion of the sign below the grade at the edge of the right of way shall not be included in determining the sign's overall height).

FIGURE 17.72.040.G-7: FREE-STANDING SIGN HEIGHT, LOWER THAN ADJACENT GRADE



- b. *Wall Signs.* The height of building-mounted signs is the vertical distance measured from the base of the wall on which the sign is located to the top of the sign or sign structure, as shown in Figure 17.72.040.G-8: Wall Sign Height.

FIGURE 17.72.040.G-8: WALL SIGN HEIGHT

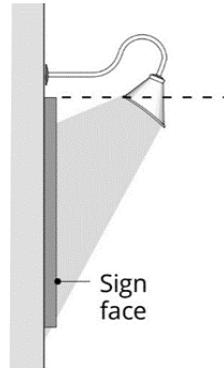


3. ***Building Frontage.***

- a. The wall length and sign area shall be calculated separately for buildings with two or more frontages.
- b. Projections and recesses on a building wall may not exceed 10 feet for a continuous building frontage.

H. **Sign Illumination**

1. ***Internal Illumination.*** Internally illuminated signs include single- or two-color LED signs, signs constructed with pan channel letters, or indirect halo illuminated channel letters (e.g., a reverse panel channel letter sign) are on an unlit or otherwise indistinguishable background on a freestanding sign or building wall.
2. ***External Illumination.***
 - a. Externally illuminated signs shall be illuminated only with steady, stationary, fully shielded light sources directed solely onto the sign without causing glare.
 - b. The light source for externally illuminated signs shall be arranged and shielded to substantially confine all direct light rays to the sign face and away from streets and adjacent properties as illustrated in Figure 17.72.040-H.1: External Illumination.

FIGURE 17.72.040.H-1: EXTERNAL ILLUMINATION

3. ***Direct Illumination.***
 - a. Direct illumination may not be used in Residential zones and is limited to letters, numbers, symbols, and accents on a marquee sign.
 - b. Exposed lamps must not exceed an output of 25 watts and must only have a steady light output.
4. ***Neon.***
 - a. Exposed neon sign lighting is only allowed on permanent monument and wall signs in the non-residential zones.
 - b. Each business is only allowed one neon sign and it must be placed on the primary frontage of the building.
 - c. Neon is allowed on no more than 25 percent of the total sign area of a permanent building mounted sign
 - d. Neon signs placed in a window are exempt from the total sign area limitations for all window signs (Refer to Table 17.72.050.C-12: Standards for Window Signs).
 - e. Neon signs must be turned off daily at the close of business or 10:00 pm, whichever occurs last.
5. ***Single-Color or Two-Color LED Signs.***
 - a. Single-color or two-color LED signs are exempt from the sign area limitations for wall signs and window signs established in Table 17.72.050.C-11: Standards for Wall Signs and Table 17.72.050.C-12: Standards for Window Signs.
 - b. Any individual single-color or two-color LED sign must not exceed four square feet in area.
 - c. Single color or two-color LED signs are not allowed in Residential zones.
 - d. Single-color or two-color LED signs must be turned daily at the close of business or 10:00 pm, whichever occurs last.

I. **Sign Structure and Installation**

1. The installation of signs shall be enforced and administered by the Building Inspector. All signs and sign structures must be designed to comply with the provisions of this Chapter, the applicable provisions of the Building and Electrical Codes, and constructed to withstand wind loads, dead loads, and lateral forces.
 - a. Any angle iron, bracing, guy wires, or similar features used to support a sign shall not be visible to the extent technically feasible.
 - b. Where electrical service is provided to freestanding signs or landscape wall signs, the electrical service shall be placed underground and concealed. Electrical service to building mounted signs, including conduit, housings, and wire, shall be concealed or, when necessary, painted to match the surface of the structure upon which they are mounted. A Building Permit shall be issued prior to installation of any new signs requiring electrical service.
 - c. All permanent signs allowed by this Chapter shall be constructed of durable materials capable of withstanding continuous exposure to the elements and the conditions of a built-up environment, and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
2. Raceway, as illustrated in Figure 17.72.040.I-1: Raceway, shall only be used in building mounted signs when access to the wall behind the sign is not feasible, or when the Zoning Administrator determines that a benefit exists to preserve a historic or architectural feature of a building. In such cases, the raceway shall not extend in width and height beyond the area of the sign and shall match the color of the building to which it is attached.

FIGURE 17.72.040.I-1: RACEWAY



3. Signs shall be designed so that all frameworks for the support of the sign are an integral part of the design of the sign or within the structure of the building to which it is attached so as to not be visible.
- J. **Signage Design and Materials in the DX-1 and DX-2 Zones.** Appropriate sign materials for the Downtown area are dependent on the style, age, and materials used in the building. Materials may include the following:

1. **Wood.** Carved, etched, and painted or stained;
2. **Metal.** Formed, etched, cast, engraved, and painted; and
3. High-density preformed foam or similar material.

K. **Sign Maintenance.**

1. All signs shall be maintained by any property owner, lessor, lessee, manager, agent, or other person having lawful possession or control over a sign, building, structure, or parcel of land, in a condition or state of equivalent quality to which was approved or required by the City.
2. All signs together with their supports and appurtenances shall be maintained in good structural condition, in compliance with applicable Building and Electrical Codes, and in conformance with this Chapter. Maintenance of a sign includes periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements and contents of the Sign Permit issued for its installation and provisions of this Chapter.
3. All signs and supporting structures shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted and clean. The immediate surrounding premises shall be maintained free of weeds and rubbish. The Zoning Administrator is authorized to order the painting, cleaning or repair of signs which become dilapidated and the cleaning of the immediate premises. Such maintenance shall be completed within 30 days of receiving written notice.
4. **Landscape Maintenance.** Required landscaped areas contained by a fixed border, curbed area, wall, or other perimeter structure shall receive regular repair and maintenance. Plant materials that do not survive after installation in required landscape areas are required to be replaced within three months.
5. The Building Inspector has the authority to order the repair, maintenance, or removal of any sign or sign structure that has not been maintained and is dangerous or in disrepair, or which is erected or maintained contrary to the requirements of this Section.
6. Failure to maintain a sign constitutes a violation of this Chapter and will be subject to enforcement action, in which case the Building Inspector may order the removal of any sign that is determined to be in disrepair or dangerous.
7. Any owner of a sign victimized by graffiti shall remove, repair, or repaint sign(s) within 10 days of the graffiti being applied or within 10 days of notification by the Director, whichever event comes first, or the sign shall be subject to removal by the City at the owner's expense.

17.72.050 Standards for Permanent Signs

A. Applicability.

1. This Section establishes the standards for permanent building mounted and freestanding signs that are applicable in all zones. Standards for each allowed sign type are provided in Tables 17.72.050.C-1 through Table 17.72.050.C-12 and Tables 17.72.050.D-1 through 17.721.050.D-4, respectively. These tables are organized as permanent building-mounted and freestanding signs for each sign type. All permanent signs must comply with the standards for sign area, height, number, type, and other requirements provided in these tables.
2. A sign type not specifically included in this Section may be allowed by the Director provided the sign meets the intent of the zone in which it is proposed.

Table 17.72.050.A-1: Allowed Sign Types by Zones

Sign Type	R-1, N-P	R-LM	R-M, R-H	CMU-E, CMU-K, CMU-F, CMU-A, CMU-G	DX-2, DX-3, CCMU	DX-1, DX-4, CMU- WM	RC	RC-F	IF, IG, BP	OS, PF, FSA
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"•" = Permitted

Building-Mounted Signs

Awning Sign	• ¹	•	•	•	•	•	•			
Blade Sign	• ¹		•	•	•	•	•			
Canopy Sign			•	•	•	•	•			
Directional Sign	•	•	•	•	•	•	•	•	•	•
Directory Sign	•	•	•	•	•	•	•	•	•	•
Hanging Sign	• ¹			•	•	•	•			
Marquee Sign					•	•				
Projecting Sign			•		•	•	•			
Roof-Mounted Sign					•	•		•	•	
Service Island Canopy Sign					•	•		•	•	
Wall Sign	• ¹		•		•	•	•	•	•	
Window Sign	• ¹		•		•	•	•	•	•	

Freestanding Signs

Table 17.72.050.A-1: Allowed Sign Types by Zones

Sign Type	R-1, N-P	R-LM	R-M, R-H	CMU-E, CMU-K, CMU-F, CMU-A, CMU-G	DX-2, DX-3, CCMU	DX-1, DX-4, CMU- WM	RC	RC-F	IF, IG, BP	OS, PF, FSA
Digital Billboard Sign							•	•	•	•
Directory Sign	•	•	•	•	•	•	•	•	•	•
Directional Sign	•	•	•	•	•	•	•	•	•	•
Freeway Oriented Sign							•	•	•	
Monument Sign			•	•	•	•	•	•	•	•

Notes:

1. Limited to residential limited retail uses only.

B. Standards for Permanent Building-Mounted and Freestanding Signs.

1. Businesses with frontage and primary vehicle access on a through lot may consider each frontage separately when determining maximum sign area. The area for each frontage is not transferable to the opposite frontage.
2. Businesses with direct alley access are permitted an additional one square foot of sign area per linear foot of building facade facing the alley. The sign area for the alley frontage is not transferable to the main street frontage.
3. If a business frontage is only on the alley, then the total permitted sign area is allowed for the business, and all sign(s) shall be located on the alley frontage.
4. Where several businesses are developed as a unit, such as a shopping center, one sign which identifies the development is allowed. The area of this sign shall not exceed the maximum allowable area for the largest business sign permitted in the development but in no case shall it exceed 100 square feet. Where the development identification is placed on a monument sign, Subsection 17.72.050.D.6, Monument Signs is applicable.
5. The maximum total area for all building-mounted and freestanding signs is established in Table 17.72.050.B-1, Standards for All Permanent Signs, including additional regulations for sign area, height, and setback from a property line.
6. The area of all building-mounted signs is included in the maximum total sign area, except when specifically exempted.
7. All permanent building-mounted and freestanding signs must comply with the corresponding sign type standards provided in Tables 17.72.050.C-1 to Table 17.72.050.D-4.

Table 17.72.050.B-1: Standards for All Permanent Signs				
Zone(s)	Max. Sign Height, Building-Mounted	Max. Sign Height, Freestanding	Total Sign Area per Business or Development	Min. Distance from Property Line
R-1, N-P, R-LM	10 ft	5 ft	4 sf per residential business; 24 sf per residential limited retail use ¹	R-1, R-LM: 15 ft N-P: 5 ft Residential limited retail use: 0 ft.
RM, RH	20 ft	8 ft	20 sf for residential uses; 24 sf per residential limited retail use	5 ft
CMU-E, CMU-K, CMU-F, CMU-A, CMU-G, DX-2, DX-3	30 ft	8 ft	2.0 sf per linear foot of building frontage; not to exceed 175 sf	CMU zones: 5 ft DX-2 and DX-3: 0 ft
DX-1, DX-4, CMU-WM	30 ft	8 ft	2.0 sf per linear foot of building frontage; not to exceed 175 sf	0 ft
CCMU	20 ft	8 ft	1.5 sf per linear foot of building frontage; not to exceed 125 sf	5 ft
RC, RC-F	40 ft	8 ft plus 1 ft for every 5 feet of setback from property line, not to exceed 15 ft ²	2.0 sf per linear foot of street frontage; not to exceed 200 sf	5 ft
IL, IG, BP	40 ft	8 ft plus 1 ft for every 5 feet of setback from property line, not to exceed 15 ft	2.0 sf per linear foot of street frontage; not to exceed 200 sf	10 ft
OS, PF	20 ft	8 ft	20 sf ¹	OS and PF: 25 ft FSA: 15 ft

Notes:

1. The Zoning Administrator may grant by Zoning Administrator Permit an increase in the maximum total sign area for all permanent signs in these zones for public parks and recreation facilities, public schools, governmental facilities, public cultural facilities, and nonprofit hospitals. See Section 17.100.090, Zoning Administrator Permit.

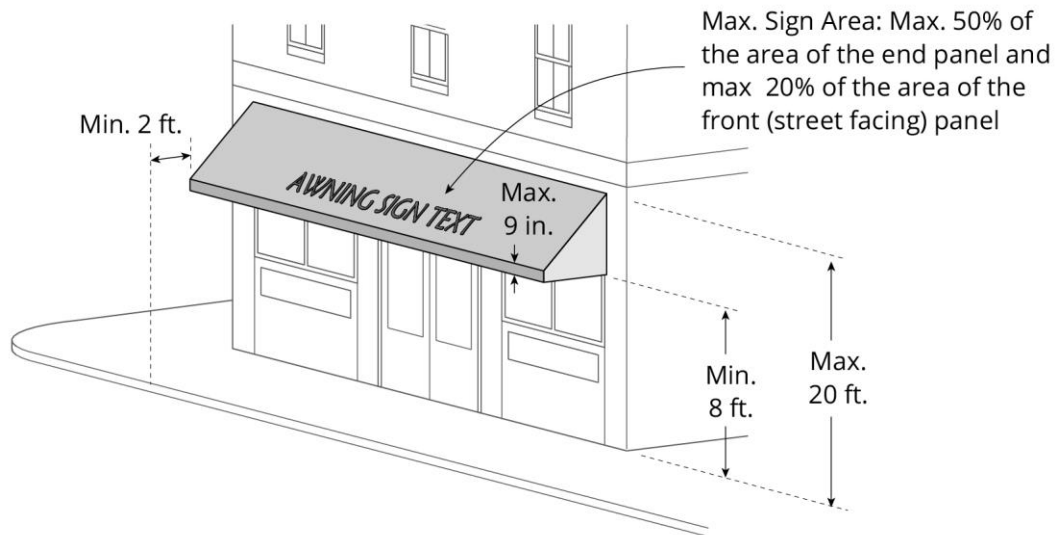
2. Refer to Section 17.72.050.D.5, Freeway-Oriented Signs.

C. **Standards for Permanent Building-Mounted Signs**

1. **Awning Sign.** Awning signs must comply with the standards provided in the table below.

Table 17.72.050.C-1: Standards for Awning Signs

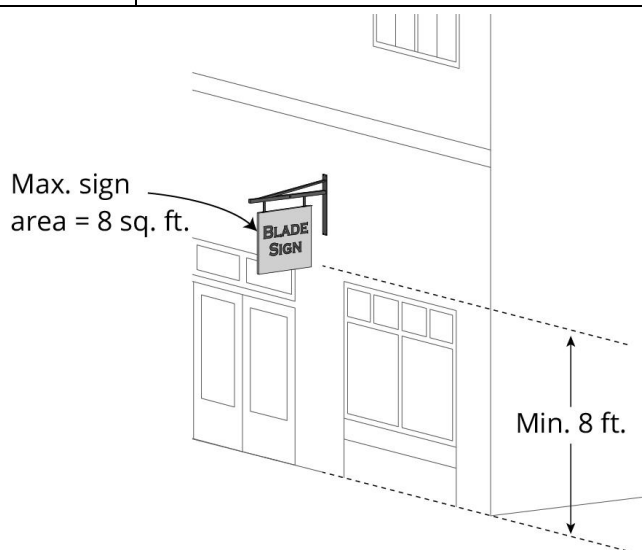
Standards	Requirements
<i>"sf" = square feet ; "lf" = linear feet</i>	
Sign Area	Sign area is max. 50% of the area of the end panel and max 20% of the area of the front (street facing) panel of the awning or valance. Included in the total allowable sign area for all building-mounted signs (see Table 17.72.050.B-1: Standards for All Permanent Signs).
Mounting Height	Max. 8 ft from the bottom of the awning to the nearest grade or sidewalk. Max. 20 ft.
Sign Placement	Must only be placed above the doors and windows of the ground floor. May project into public right-of-way with approval of an Encroachment Permit.
Valance Height	Max. 9 in.
Horizontal Distance from Back of Curb	Min. 2 ft.
Illumination	Non-illuminated or illumination allowed under the awning.



2. **Blade Sign.** Blade signs must comply with the standards provided in the table below.

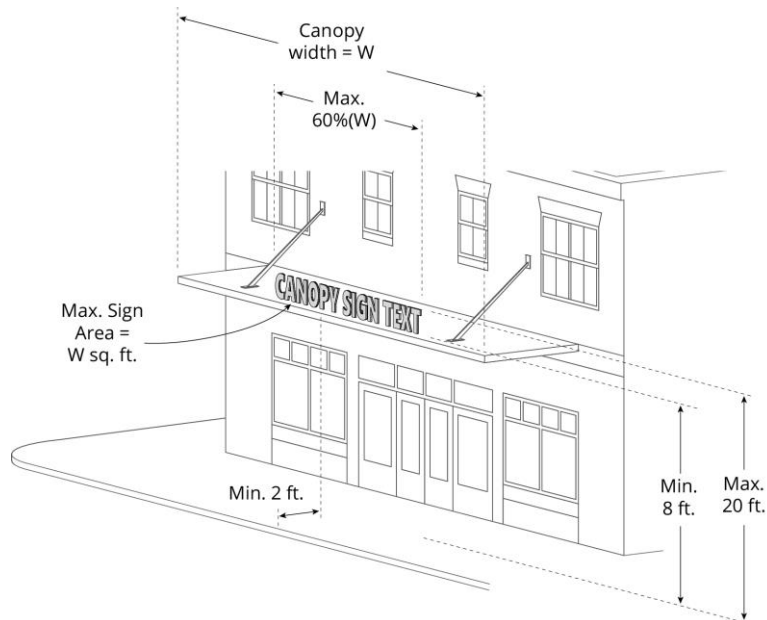
Table 17.72.050.C-2: Standards for Blade Signs

Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	Max. 8 sf. Included in the total allowable sign area for all building-mounted signs (see Table 17.72.050.B-1: Standards for All Permanent Signs).
Mounting Height	Min. 8 feet from the bottom of the sign to the nearest grade or sidewalk. Must be mounted perpendicular to the building face or at the corner of the building.
Number of Signs	Max. 1 per frontage, except on a corner where two signs are allowed, i.e., 1 per frontage.
Sign Placement	Sign must not extend beyond the edge of the structure on which it is located if mounted below the walkway or overhead structure. May project into public right-of-way with approval of an Encroachment Permit.
Horizontal Distance from Back of Curb	Min. 2 ft.
Illumination	Non-illuminated or internal illumination.



3. **Canopy Signs.** Canopy signs must comply with the standards provided in the table below.

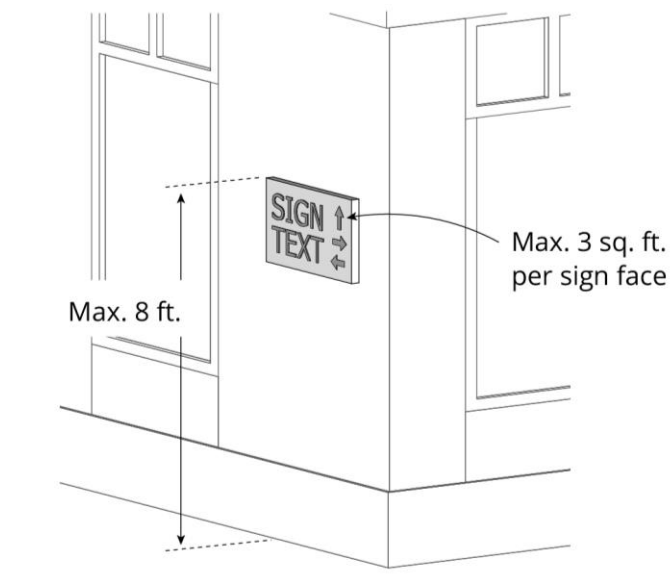
Table 17.72.050.C-3: Standards for Canopy Signs	
Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	Max. 1 sf per 1 lf of canopy width.
Mounting Height	Min. 8 ft from the bottom of the canopy to the nearest grade or sidewalk. Max. 20 ft. Included in the total allowable sign area for all building-mounted signs (see Table 17.72.050.B-1: Standards for All Permanent Signs).
Sign Placement	Must be placed above the doors and windows of the ground floor of a building. Sign area is max. 60% of the store width or tenant space per business when canopy is placed on multiple store fronts. May project into public right-of-way with approval of an Encroachment Permit.
Horizontal Distance from Back of Curb	Min. 2 ft.
Illumination	Non-illuminated or internal illumination.
Other Requirements	Max. height of sign letters is 2 ft measured from the top of the canopy.



4. **Directional Signs (Building-Mounted).** Directional signs must comply with the standards provided in the table below.

Table 17.72.050.C-4: Standards for Directional Signs

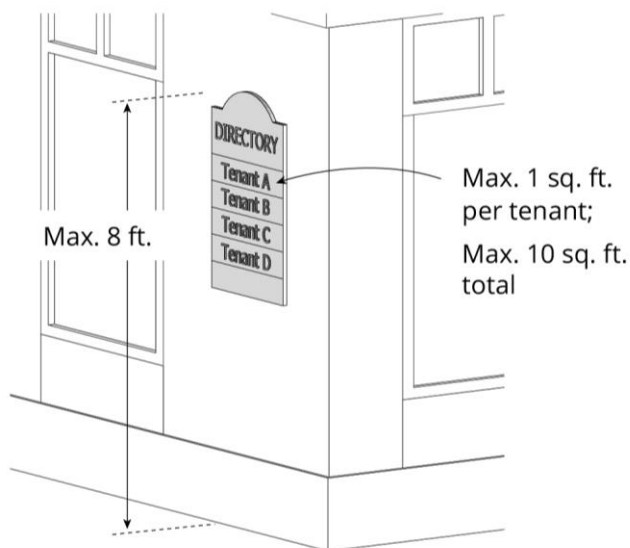
Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	Max. 3 sf. Excluded from the total number of allowed signs for all building-mounted signs.
Mounting Height	Max. 8 ft.
Sign Placement	Max. 1 per driveway entrance.
Illumination	Non-illuminated or external illumination.



5. **Directory Signs (Building-Mounted).** Directory signs must comply with the standards provided in the table below.

Table 17.72.050.C-5: Standards for Directory Signs (Building-Mounted)

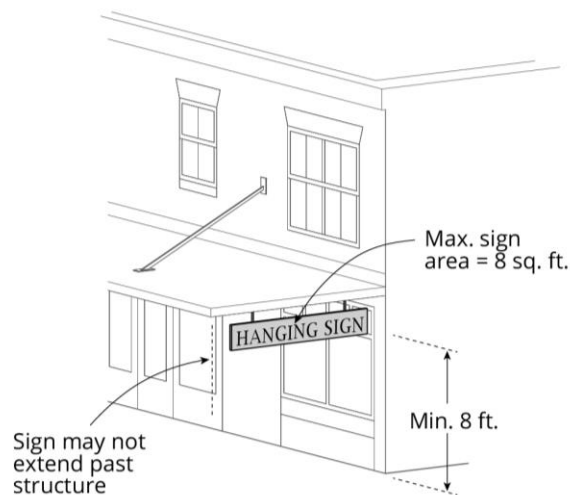
Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	Max. 1 sf per tenant space; Max. 10 sf total sign area. Excluded from the total number of allowed signs for all building-mounted signs.
Mounting Height	Max. 8 ft from nearest grade.
Number of Signs	Max. 1 per primary building entrance.
Illumination	Non-illuminated, internal illumination, or external illumination.



6. **Hanging Signs.** Hanging signs must comply with the standards provided in the table below.

Table 17.72.050.C-6: Standards for Hanging Signs

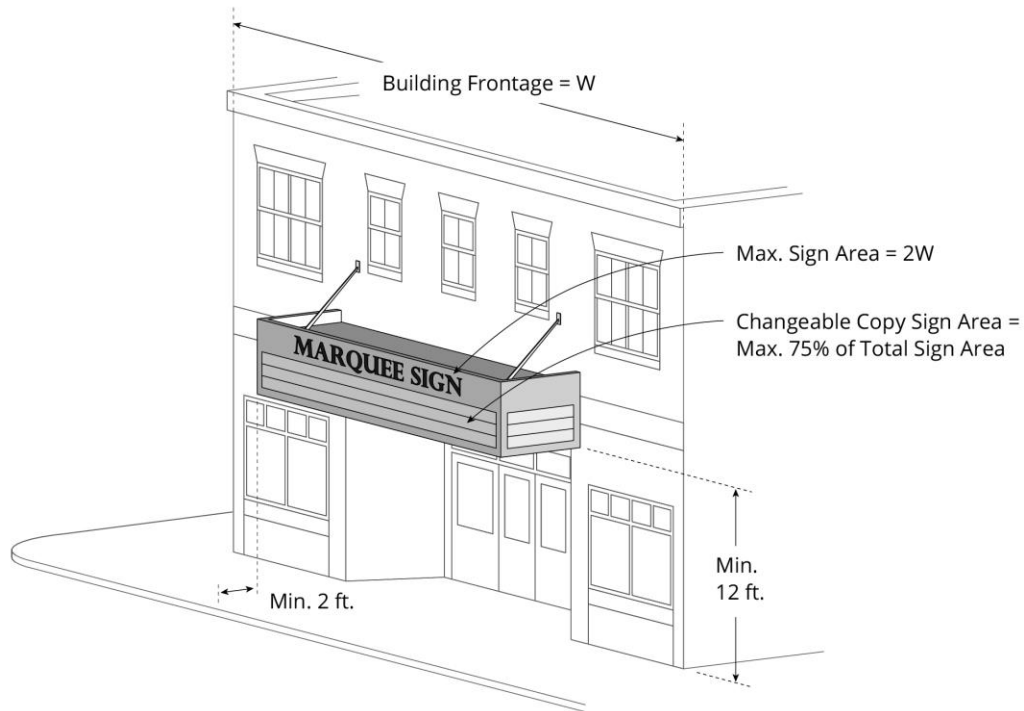
Standards	Requirement
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	Max. 6 sf in area on each sign face. Included in the total allowable sign area for all building-mounted signs (see Table 17.72.050.B-1: Standards for All Permanent Signs).
Mounting Height	Max. 8 feet from the ground level (as measured directly under the sign).
Sign Placement	Hanging signs shall not be permitted closer than 20 feet from each other. May not extend past the structure to which they are mounted. May project into public right-of-way with approval of an Encroachment Permit. Awnings, canopies, and marquees may have a hanging sign suspended beneath.
Horizontal Distance from Back of Curb	Min. 2 ft.
Number of Signs	Max. 1 sign per business per street face.
Illumination	Non-illuminated, internal illumination, or external illumination.



7. **Marquee Signs.** Marquee signs must comply with the standards provided in the table below.

Table 17.72.050.C-7: Standards for Marquee Signs

Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	Max. 2 sf per 1 lf of building frontage. Included in the total allowable sign area for all building-mounted signs (see Table 17.72.050.B-1: Standards for All Permanent Signs). Max. 75% of the total sign area is allowed for the changeable copy.
Mounting Height	Min. 12 ft from the bottom of the marquee to the nearest grade or sidewalk.
Number of Signs	Max. 1 per business.
Sign Placement	May project into public right-of-way with approval of an Encroachment Permit.
Horizontal Distance from Back of Curb	Min. 2 ft.
Illumination	Direct Illumination or internal illumination.
Other Requirements	No projecting sign (Table 17.72.050.C-8: Standards for Projecting Signs) shall be permitted when signage is placed directly on a marquee.



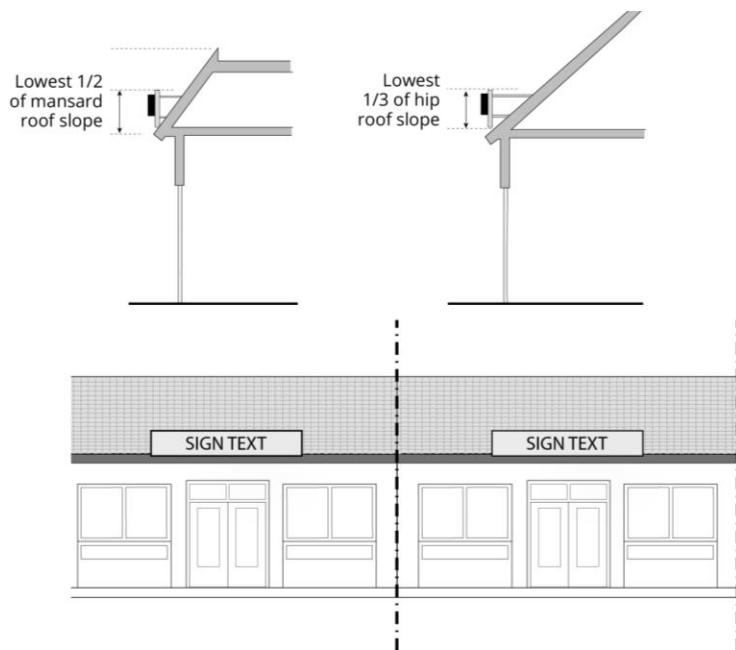
8. **Projecting Signs.** Projecting signs must comply with the standards provided in the table below.

Table 17.72.050.C-8: Standards for Projecting Signs			
Standards	All Other Zones	DX-2, DX-3, CCMU	DX-1, DX-4, CMU-WM
"sf" = square feet; "lf" = linear feet			
Sign Area	Max. 36 sf	Max. 24 sf.	
	Included in the total allowable sign area for all building-mounted signs (see Table 17.72.050.B-1: Standards for All Permanent Signs).		
Mounting Height	Min. 8 ft from the bottom of the sign to the nearest grade or sidewalk.		
Sign Placement	Projecting signs shall not be permitted closer than 20 feet from each other. May project into public right-of-way (but not public alleys) with approval of an Encroachment Permit. May not extend vertically above the second floor window sill or when there is no second floor, may not extend above the parapet, eaves, or roof line. Must be placed so that the sign causes no harm to street trees.		
Horizontal Distance from Back of the Curb	Signs may not project within two feet of the curb line. Max. 6 ft from the building wall to the outer edge of the sign.		
Number of Signs	1 per business when neither a monument sign nor a roof sign is present in the development.		
Illumination	Non-illuminated, internal illumination, or external illumination.		



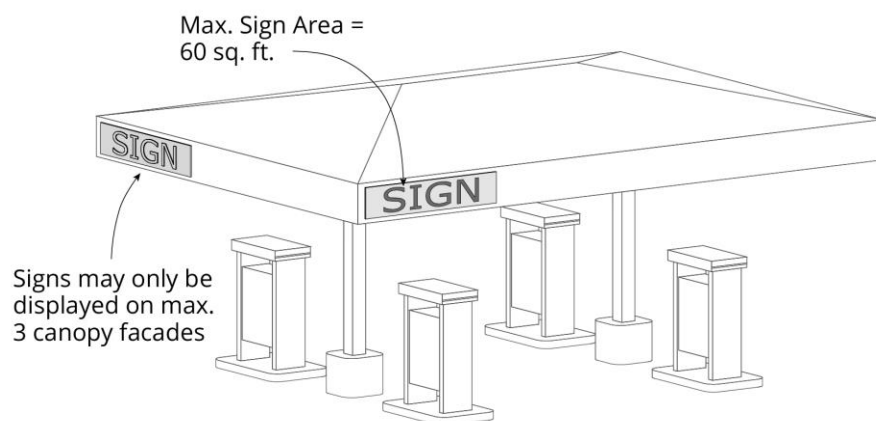
9. **Roof-Mounted Signs.** Roof-mounted signs must comply with the standards provided in the table below.

Table 17.72.050.C-9: Standards for Roof-mounted Signs	
Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	As provided in Table 17.72.050.B-1: Standards for All Permanent Signs. Included in the total allowable sign area for all building-mounted signs (see Table 17.72.050.B-1: Standards for All Permanent Signs).
Sign Height	As provided in Table 17.72.050.B-1: Standards for All Permanent Signs.
Number of Signs	Max. 1 per business.
Sign Placement	Roof-mounted signs shall be placed below the roof peak and must comply with the maximum height allowed for the zone. Hip roof: Only placed on the lowest 1/3 of the slope of the roof. Mansard roof: Only placed on the lowest 1/2 of the slope of the roof. Sign lettering shall have a minimum depth of 6 inches to convey a three-dimensional appearance. Signs for individual tenants in multi-tenant centers shall be centered above the tenant space and only mounted on a mansard roof.
Illumination	Non-illuminated, internal illumination, or external illumination.
Other Requirements	The bottom of roof signs shall be mounted flush with the surface of the roof and shall not interrupt roof lines or other major architectural features.



10. **Service Island Canopy Signs.** Service Island Canopy signs must comply with the standards provided in the table below.

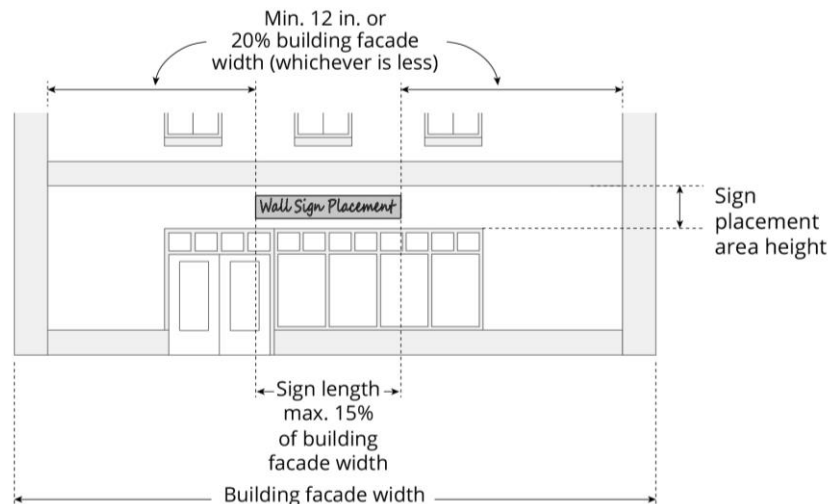
Table 17.72.050.C-10: Standards for Service Island Canopy Signs	
Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	Max. 60 sf for the total area of all signs on the canopy. Included in the total allowable sign area for all building-mounted signs (see Table 17.72.050.B-1: Standards for All Permanent Signs).
Number of Signs	Signs may only be displayed on max. 3 canopy facades.
Illumination	Non-illuminated or internal illumination.



11. **Wall Signs.** Wall signs must comply with the standards provided in the table below.

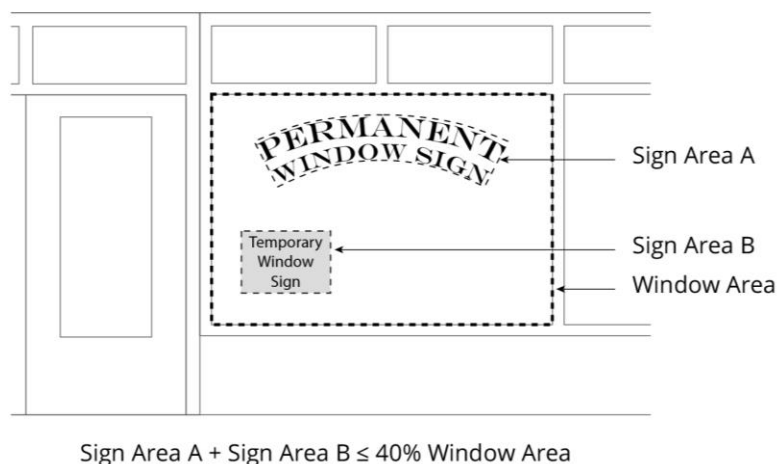
Table 17.72.050.C-11: Standards for Wall Signs

Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	As provided in Table 17.72.050.B-1: Standards for All Permanent Signs. Included in the total allowable sign area for all building-mounted signs (see Table 17.72.050.B-1: Standards for All Permanent Signs).
Number of Signs	Unlimited, provided the maximum area allowed for wall signs is not exceeded.
Sign Placement	Refer to the illustration below for applicable standards. Wall signs shall be placed to establish a facade rhythm, scale, and proportion between buildings. The sign's length shall not exceed the width of the framed portion of the storefront and shall not exceed 15% of the building facade. Wall signs shall not face an adjacent Residential zone.
Sign Depth	Max depth 12 inches measured from the wall on which the sign is placed.
Illumination	Non-illuminated, internal illumination, or external illumination.
Special Provisions	Requirements
Painted Wall Signs	Painted wall signs are allowed on any exterior building wall of an individual tenant space or building. Painted wall signs must be professionally painted. The allowable area for painted wall signs will be increased by 10% over the normal allowable sign dimensions for the zone.
Changeable Copy Signs	Max. sign area 30% of the total allowable sign area for the building.



12. **Window Signs.** Window signs must comply with the standards provided in the table below.

Table 17.72.050.C-12: Standards for Window Signs	
Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	Permanent window signs shall be limited to 20% of the ground floor frontage window area occupied by a given business. The combined area of temporary and permanent window signs must not exceed 40% of the area of the window on which they are displayed. Neon or Single-color or two-color LED signs are excluded from the total allowed sign area for all building-mounted signs. Refer to Subsection 17.72.040.H.4, Neon; and Subsection 17.72.040.H.5, Single-Color or Two-Color LED Signs. Adhesive vinyl, gild-leaf, or screen printing is preferred over hand-painted window signs.
Sign Placement	Must be mounted or displayed on the interior of the window. If the business is on the first floor, signs shall not be placed above the upper window frame or the second floor. If the business is conducted above the first floor, signs shall not be placed above the max. height allowed in the zone or above the window frame of the third floor.
Illumination	Non-illuminated. Neon or single- or two-color LED signs are allowed.



D. **Standards for Permanent Freestanding Signs.**

1. Standards for each allowed permanent freestanding sign type are provided in tables with a supporting illustration of each sign type. All permanent signs must comply with the standards for sign area, height, number, type, and other requirements provided in these tables.
2. **Digital Billboard Signs.** Digital billboard signs are permitted only as billboard relocations or as conversions of an existing billboard. Digital billboard signs must meet all location and development standards established in this Section. Digital billboard signs shall be subject to approval of a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit), site plan, and design review by the Planning Commission, as set forth in Chapter 17.100, Planning Permits and Approvals.
 - a. *Location.*
 - i. Digital billboard signs are only permitted along two specific segments of the Interstate 5 (I-5) corridor as described below:
 - a) *Segment One.* This segment begins where the City boundary bisects the I-5 corridor to the north and runs south along I-5 to the East Main Street freeway underpass, excluding the Section of frontage on the north side of I-5 between the East Beamer Street underpass and the East Kentucky Avenue overpass. A maximum of two digital billboard signs are permitted within this segment. The signs may be located on the same side of the freeway or one on each side of the freeway.
 - b) *Segment Two.* This segment begins at County Road 102 and runs east along I-5 to the eastern boundary of the City. A maximum of one digital billboard is permitted within this segment.
 - ii. Digital billboard signs shall be located within 500 feet of the freeway right-of-way. No digital billboard sign shall be located within 2,500 feet of another digital billboard sign on the same or opposite side of the freeway and no closer than 250 feet to any other freeway-oriented sign over 30 feet in height on the same side of the freeway.
 - iii. The location of digital billboard signs shall be verified by the City Engineer to ensure no conflict exists between the location of the proposed sign and the Interstate 5/State Route 113 direct connect interchange project as identified in the Cal Trans Project Report dated April 6, 2000, or as otherwise amended or updated by Cal Trans or the City. Updates shall include the development of project plans. When reviewing for conflicts, the City Engineer will review for physical and visual conflicts.
 - iv. *Proximity to Residential Uses.* No digital billboard signs shall be located between East Main Street and East Beamer Street or within 1,200 feet of any existing residential property in existence at the time of adoption of the digital billboard signs standards, unless it can be demonstrated

by the applicant, that the proposed sign installation cannot be viewed from the residential property. A “balloon test” (or similar) may be required and shall be paid for by the applicant to determine visual impacts of a proposed digital billboard sign and to demonstrate that the proposed sign cannot be viewed from a residential property.

- b. *Standards.* Any new digital billboard sign or a legally existing billboard refurbished to become a digital billboard sign shall be subject to the development standards below.
 - i. *Number of Faces.* A digital billboard sign may consist of no more than two digital display areas, each positioned to be visible only by opposing directions of traffic. Double-faced signs shall not have an interior angle between the face of the panels greater than 20 degrees, unless a visibility study is provided showing that a greater angle is necessary to achieve reasonable sign visibility, up to a maximum of 45 degrees.
 - ii. *Height.* Heights of digital billboard signs shall be established relative to topography and setting to provide the best balance between the sign’s purpose of effectively communicating a visual message, the setting (including topography and surrounding architecture), and freeway traffic safety. However, in no case shall the digital billboard sign (including structure) exceed a maximum height of 68 feet as measured from the finished grade of the center line of the nearest freeway to the top of the digital billboard sign face or structure, as applicable. Applicants shall provide to the City supporting documentation from a licensed engineer or surveyor demonstrating compliance with this provision.
 - iii. *Area.* The maximum area of each digital display area shall not exceed 672 square feet per sign face.
 - iv. No more than one digital billboard sign and one freeway-oriented sign each over 30 feet in height shall be permitted on a single parcel or multiple parcels developed as a single retail, office, or industrial center. One sign shall not directly or substantially impede the view of another sign for any prolonged length of travel time of a passing driver on Interstate 5.
 - v. *Illumination.* Digital billboard signs must be limited in brightness to a maximum lighting intensity of 0.3 candela (i.e., foot-candles) over ambient light levels, as measured using a foot-candle meter at 250 feet from the sign face.
 - a) Each digital display area must have a light sensing device that will adjust the brightness of the sign as ambient light conditions change throughout the day.
 - b) Digital billboard signs must create minimal glare, maintain contrast between the sign face and the surrounding area, have

minimal impact on driver distraction, and create minimal light trespass into residential areas.

- c) The applicant must demonstrate through field testing compliance with a 0.3 candela increase, or less, over ambient light at a distance of 250 feet during nighttime conditions upon initial start-up, again at six months of operation and at the request of the City for the life of the sign.
- d) The applicant must fund field testing by a qualified independent contractor or City staff trained in the use of a handheld photometer to demonstrate continued compliance. If increases in ambient light are found to be above the 0.3 candela level, the dimming level shall be adjusted until this level can be demonstrated. This must be completed and demonstrated through follow-up field testing within 24 hours or the billboard shall not be operated until the lighting levels can be brought into compliance.
- vi. *Pole Cladding.* High-quality decorative pole covering is required for newly constructed digital billboard signs as well as any existing non-digital billboard that is converted to a digital billboard sign.
- vii. *Message Display.* Digital billboard signs shall display static messages only, and shall not have animation, movement, or the appearance or optical illusion of movement in or on any part of the sign structure, design, or pictorial segment of the sign, except that static images may be displayed for a minimum of eight seconds with a transition or blank screen time no longer than one second in duration. No static message shall include flashing or scintillating lighting, or varying light intensity. Digital billboard signs shall be operated with systems and monitoring in place to either turn the display off or show a "full black" image on the display in the event of a malfunction.
- viii. *Community Messaging.* The City shall be provided with access to a minimum of five percent of the total available display time to allow the City to present messages of community interest. This access shall also include access for other appropriate agencies for the purpose of displaying public safety messages such as "Amber Alert" messages and emergency-disaster communications. The City shall retain sole discretion regarding the content and prioritization of messages displayed on the City's behalf, subject to specific standards of individual sign companies for displayed material.
- ix. *Traffic Safety.* The digital billboard sign shall not create a visibility hazard to traffic on adjacent streets, freeways, or parking areas. The sign shall not reduce required on-site parking availability and shall not interfere with on-site vehicular circulation.

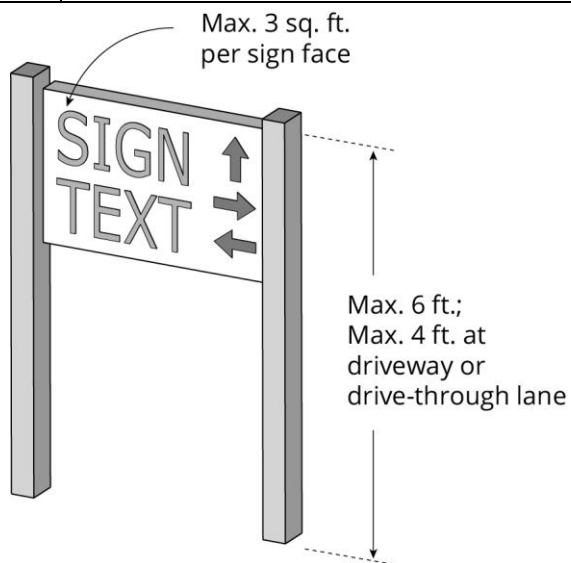
- x. *Future Technologies.* There may be alternate, preferred, or superior technology available in the future to illuminate digital freeway signs. These alternate technologies may be incorporated into existing legally permitted digital freeway signs in the future without additional permissions from the Planning Commission or City Council provided:
 - a) The required maximum brightness standards are met; and
 - b) No substantial exterior physical change to the digital display area will occur. The owner shall be responsible for obtaining any required ministerial permits for technology improvements as required by applicable code standards. The City shall expedite any required approvals for technology that is superior in energy efficiency over previous generations or types.
- xi. *Quality and Maintenance Plan.* The applicant shall demonstrate that the proposed digital billboard sign provides high resolution, clear graphic display, and consistent reliability and durability. The applicant must establish a quality and maintenance plan to ensure implementation of all above-listed development standards and to assure the proper maintenance and repair of the digital billboard sign as needed.
- c. *Billboard Removal.* For every one square foot of digital message display area installed, the applicant must permanently remove at least two square feet of existing legal conforming or nonconforming billboard display area within the City limits prior to operation of the digital billboard sign. An existing billboard display area being converted to a digital billboard sign may count toward the required permanent removals.
- d. *Operating Agreement.* The City and applicant shall enter into an operating agreement, subject to City Council approval, in conjunction with the issuance of a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) for a digital billboard sign. The City and applicant may use the operating agreement, on a case-by-case basis, to deviate from the development standards in Section 17.72.050.D.2, Digital Billboard Signs or reduce the required billboard removals under Section 17.72.050.D.2, Digital Billboard Signs. The City Council will only approve an operating agreement if it determines that the operating agreement achieves community benefits that are equivalent or greater to those that would be achieved through strict compliance with Section 17.72.050.D.2, Digital Billboard Signs. If deviation from the foregoing development standards is requested, the City Council shall also serve as the final review and approval authority for the Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) and Development Review application.
- e. *Compliance with Applicable Laws and Regulations.* The owner of the digital billboard sign shall comply with all applicable federal, State, or local laws, including the Highway Beautification Act of 1965 (23 U.S.C. Section 131), the Outdoor Advertising Act (California Business and Professions Code § 5200 et

seq.), and this Section, when constructing, operating, improving, maintaining, repairing, and removing the digital billboard.

3. **Directional Signs (Freestanding).** Directional signs must comply with the standards provided in the table below.

Table 17.72.050.D-1: Standards for Directional Signs

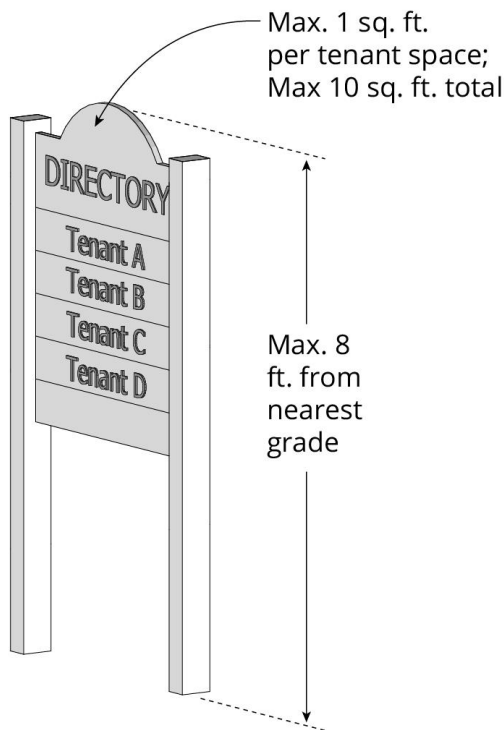
Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	2 sided allowed; Max. 3 sf per sign face. Excluded from the total number of allowed signs for all freestanding signs.
Sign Height	Max. 4 ft
Number of Signs	Max. 1 per driveway entrance.
Illumination	Non-illuminated, internal illumination, or external illumination.



4. **Directory Signs (Freestanding).** Directory signs must comply with the standards provided in the table below.

Table 17.72.050.D-2: Standards for Directory Signs

Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	Max. 10 sf; Max. 1 sf per tenant space. Excluded from the total number of allowed signs for all freestanding signs.
Sign Height	Max. 8 ft from nearest grade.
Number of Signs	Max. 1 per building. A directory sign that displays multiple individual tenants, nameplates, etc. shall be considered one sign.
Illumination	Non-illuminated, internal illumination, or external illumination.



5. **Freeway-Oriented Signs.** Freeway-oriented signs must comply with the standards provided in the table below.

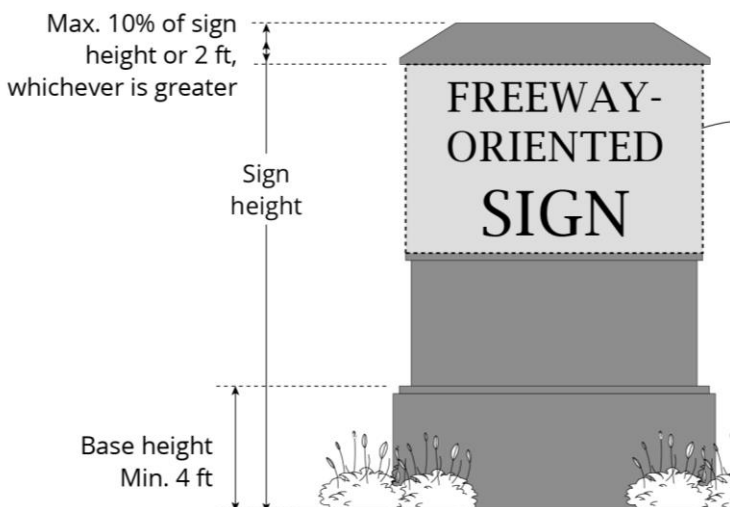
Table 17.72.050.D-3: Standards for Freeway-Oriented Signs

Standards	Requirements
<i>"sf" = square feet; "ft" = feet; "lf" = linear feet</i>	
Sign Area	Max. 200 sf
Sign Height ¹	Max height 60 ft. Elements to enhance the design of a sign structure may extend above the sign to a max. 20% of the sign's allowed height or 12 inches, whichever is greater.
Base Width	The sign base must be at least 60% of the width of the sign.
Number of Signs	Max. 1 freeway-oriented sign in areas adjoining interchanges or for groups of adjoining parcels. 1 additional freeway-oriented sign is allowed for a single parcel or a group of parcels greater than 20 acres provided the two signs are separated by min. 300 linear ft.
Sign Placement	Only located along a site frontage facing a freeway and within 500 linear ft of a freeway interchange.
Illumination	Non-illuminated or internal illumination.
Special Provisions	Requirements
Sign Design	The major architectural elements or details of the primary building(s) shall be integrated into the design of the support structure for the freeway oriented sign.
Sign Panels for Vacant Businesses	The sign panel on a freeway-oriented sign for a business that goes out of business shall be replaced within 30 days with a blank sign panel. Also refer to Section 17.72.080, Enforcement.
Changeable Copy Signs and Electronic Message Centers	Changeable copy and digital/electronic messages are not permitted.

Notes:

1. The overall height of freeway signs and their support structures shall be determined on a case-by-case basis utilizing a line of site study and visibility modeling analysis techniques which shall include an evaluation of the presence of visual obstructions, the number of anchor tenants proposed, etc. The Planning Commission will review the analysis presented by the applicant and render a judgement as to whether the proposed sign height and area is appropriate. Signs shall be no higher than necessary for effective visibility.

Table 17.72.050.D-3: Standards for Freeway-Oriented Signs

Standards	Requirements
	 Max. 10% of sign height or 2 ft, whichever is greater Sign height Base height Min. 4 ft FREEWAY-ORIENTED SIGN

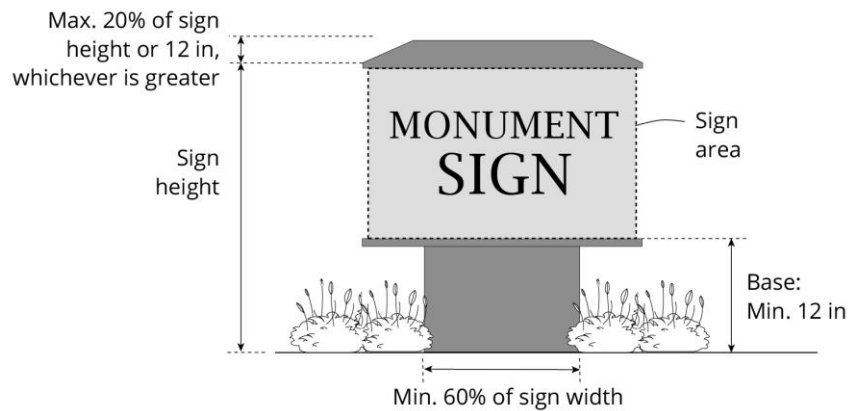
6. **Monument Signs.** Monument signs must comply with the standards provided in the table below.

Table 17.72.050.D-4: Standards for Monument Signs

Standards	Requirements
<i>"sf" = square feet; "lf" = linear feet</i>	
Sign Area	As provided in Table 17.72.050.B-1: Standards for All Permanent Signs.
Sign Height	As provided in Table 17.72.050.B-1: Standards for All Permanent Signs. Elements to enhance the design of a sign structure may extend above the sign to a max. 20% of the sign's allowed height or 12 inches, whichever is greater.
Sign Base Standards	The sign base must be at least 60% of the width of the sign. The base shall be min 12 inches in height from finish grade. The sign based shall be constructed of solid permanent materials such as concrete block, stone, brick, metal, stucco, or similar veneer extending the full height of the sign or to the base.
Number of Signs	Only one monument sign is allowed per building per frontage.
Sign Placement	Only located along a site frontage facing a public street.
Illumination	Non-illuminated, internal illumination, or external illumination.
Special Provisions	Requirements
Changeable Copy Signs	Max. sign area 40% of the total allowable sign area.

Table 17.72.050.D-4: Standards for Monument Signs

Standards	Requirements
Other Requirement	Signs shall integrate major architectural elements or details of the primary building(s) into the design of the support structure for the monument sign. Signage must be compatible with the building and site design relative to colors, materials, and placement and will respect established architectural and/or historical character as appropriate.



17.72.060 Standards for Temporary Signs

- A. **Purpose.** The City Council finds that the proliferation of temporary signs is a distraction to the traveling public and creates aesthetic blight and litter that threatens the public's health, safety, and welfare. In addition to the purpose provisions of Section 17.72.010, Purpose, these regulations ensure that temporary signs do not create a distraction to the traveling public by eliminating the aesthetic blight and litter caused by temporary signs. These standards and requirements ensure that temporary signs do not create aesthetic clutter or a distraction to the traveling public.
- B. **General to All Temporary Signs.** Temporary signs are allowed only in compliance with the provisions of this Section.
 1. **Information Required for Display.** All temporary signs are required to display the name and address of the entity placing the sign and the date the sign was erected.
 2. **Permits.** No permits are required for the installation and placement of any temporary signs .
 3. **Not Included in Permanent Sign Allowances.** Temporary signs are not counted toward the maximum total sign area established in Section 17.72.050, Standards for Permanent Signs.
 4. **General Time, Place, and Manner Restrictions.**

- a. *Location Standards.* Temporary signs must be placed in compliance with Subsection 17.72.040.B, Location Standards, unless specifically exempted by this Section.
- b. *Period of Use.* There is no limit on the length of time that a temporary sign may be displayed, except for wall banner signs (See Table 17.72.060.C-2: Standards for Specific Temporary Signs).
- c. *Display Standards.* Temporary signs must be placed in compliance with Subsection 17.72.040.D, Display Standards unless specifically exempted by this Section.
- d. *Design and Construction.* Temporary signs must be of sufficient weight and durability to withstand wind gusts, storms, etc. and must be professionally crafted.

C. **Additional Standards for Temporary Signs.**

1. Temporary signs are allowed in compliance with provisions in Table 17.72.060.C-1: Standards for Temporary Signs.

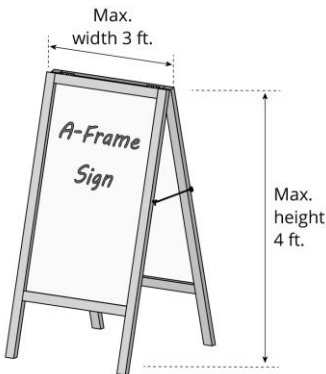
Table 17.72.060.C-1: Standards for Temporary Signs	
Standard	Requirement
<i>"sf" = square feet; "lf" = linear feet</i>	
All Residential and Public and Open Space Zones	
Total Area of all Temporary Signs at Any One Time	Max. 16 sf ¹
Number of Signs	Unlimited except that the total sign area must not exceed 16 sf.
All Downtown and Mixed-Use Zones	
Total Area of All Temporary Signs at Any One Time	Max. 32 sf per business, with a total of max. 72 sf per lot. Excludes the area of temporary window signs and wall banner signs.
Number of Signs	Unlimited except that the total sign area of all temporary signs (excludes the area of temporary window signs and wall banner signs) must not exceed 32 sf per business. Exception: Multi-tenant centers or offices – Max. 2 temporary wall banner signs per 150 lf of property frontage not to exceed 64 sf combined.
All Commercial and Employment Zones	
Total Area of All Temporary Signs at Any One Time	Max. 40 sf

Standard	Requirement
Number of Signs	Unlimited except that the total sign area of all temporary signs (excludes the area of temporary window signs and wall banner signs) must not exceed 40 sf per business. Exception: Multi-tenant centers or offices – Max. 2 temporary wall banner signs per 150 linear feet of property frontage not to exceed 64 sf combined.

Notes:

1. The Zoning Administrator may grant, by Zoning Administrator Permit, an increase in the maximum total sign area for all temporary signs in these zones for public parks and recreation facilities, governmental facilities, public cultural facilities, and non-profit hospitals. See Section 17.100.090, Zoning Administrator Permit.
2. ***Standards for Specific Temporary Signs.*** Temporary signs must comply with the standards provided in Table 17.72.060.C-2: Standards for Specific Temporary Sign Types.

Table 17.72.060.C-2: Standards for Specific Temporary Signs

Temporary Sign Type ¹	Standards			Other Requirements
	Height (Max.)	Width (Max.)	Area (Max.)	
A-Frame Sign	4 ft	3 ft	6 sf	Only allowed in the Downtown zones. Max. 1 A-frame sign per business. Must be located within 15 feet of the building in which the business is located. May be located on a sidewalk provided a minimum width of at least four feet allows for unimpeded pedestrian movement. Prohibited in Residential zones. Only permitted during regular business hours. Must be professionally crafted and not constructed of molded vinyl or plastic.
				
Wall Banner	25 ft to top of banner	—	32 sf	Prohibited in Residential zones. Must be mounted on a building wall or on T-posts or stakes installed ≤ 6" from a wall on which the wall banner would be hung.
Window Sign	—	—	See End Note 2	Must be placed no higher than first story windows. Inside mounting required. Not included in the total sign area for all temporary signs.
Yard Sign Type	—	4 ft	3 sf	All yard signs must be installed securely in the ground.
Yard Sign Type 2	—	6 ft	4 sf	
Yard Sign Type 3	—	6 ft	32 sf	

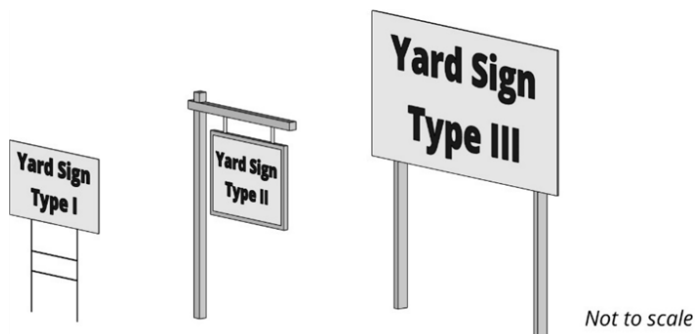


Table 17.72.060.C-2: Standards for Specific Temporary Signs

Temporary Sign Type ¹	Standards			Other Requirements
	Height (Max.)	Width (Max.)	Area (Max.)	

Notes:

1. Other temporary sign types may be allowed (e.g., fuel pump topper signs, wraps around waste receptacles, or balloon bobbers) provided the max. area limitation for all temporary signs is not exceeded.
2. The area of temporary and permanent window signs combined (including signs constructed of perforated vinyl or painted on the window) is established in Table 17.72.050.C-12: Standards for Window Signs.
3. All temporary signs associated with a model sales office for new subdivision or multi-family residential developments for sale or rent require approval of a Zoning Administrator Permit approval (see Section 17.100.090, Zoning Administrator Permit).

17.72.070 Standards for Nonconforming Signs

Section 17.80.090, Nonconforming Signs, provides the standards and regulations for nonconforming signs.

17.72.080 Enforcement

- A. **Inspection.** Construction of all signs, and their attachment, is governed by the regulations of the Uniform Building Code, the Uniform Sign Code, and this Chapter, as adopted by the City of Woodland and shall be inspected and approved by the Building Inspector.
- B. **Sign Removal.**
 1. **Unlawful Signs.** The Zoning Administrator may order the removal of any sign erected, altered, or maintained in violation of this Chapter, the Uniform Building Code, or the Uniform Sign Code, in which case 30-day written notice shall be provided to the owner of the building, structure, or lot on which the sign is located requiring the removal of the sign or to bring it into compliance.
 2. **Dangerous or Defective Signs.** The Zoning Administrator may order the immediate removal of a sign without notification if, in his or her opinion, the condition of the sign presents an immediate threat to the safety of the public.
 3. **Abandoned Signs.** Any sign which no longer advertises the original business conducted, product sold, or activity conducted shall be deemed to have been abandoned. The Zoning Administrator shall give 30 days' written notice to the owner of the building, structure, or lot on which the sign is located to remove the sign.
- C. The provisions in this Chapter shall be enforced by the City of Woodland Police Department when applicable.

- D. Any Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) or Variance (see Section 17.100.120, Variance) granted for a sign or signs shall become void if the sign is altered or relocated in any way which makes the sign in violation of the requirements of this Chapter.
- E. **Penalties.** Failure to comply with the provisions of this Chapter shall subject the owner to the penalties provided for in Chapter 17.128, Enforcement of this Title.
- F. **Appeals.** Any person aggrieved by any decision or order of the Zoning Administrator may appeal to the Planning Commission unless such denial is based on violations of the Uniform Building Code, the Uniform Sign Code, or the National Electrical Code. Denial for these reasons must be appealed to the Board of Building Appeals. Appeals shall be in writing and must be filed in the with the Zoning Administrator 10 days of the date of the decision or order which is being appealed. See Section 17.96.160, Appeals.

17.72.090 Severability

If any section, sentence, clause, phrase, word, portion, or provision of the Chapter is held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this Chapter which can be given effect without the invalid provision. The invalidation of the application of any section, sentence, clause, phrase, word, portion, or provision of this Chapter to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction shall not affect the application of such section, sentence, clause, phrase, word, portion or provision to any other property or structure not specifically included in said invalidation.

Chapter 17.76 Performance Standards

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17.76.010 Purpose and Applicability

- A. The purposes of this Chapter are to:
 1. Ensure that uses and activities are conducted in a manner that protects the public health and safety and do not produce adverse impacts on surrounding properties or the community at large.
 2. Establish permissible limits and permit objective measurement of nuisances, hazards, and objectionable conditions;
 3. Protect industry from arbitrary exclusion from areas of the City.
- B. The standards of this Chapter shall apply to all uses and properties existing in the City at the time of adoption of this Title. The standards established by this Chapter are minimum requirements and shall not be construed to prevent the City Council, the Planning Commission, or the Director from imposing, as part of a project approval, specific conditions which may be more restrictive, in order to meet the intent of these regulations.

17.76.020 Measurement of Impacts

Measurements necessary for determining compliance with the performance standards of this Chapter shall be taken at the property line of the establishment or use that is the source of a potentially objectionable condition, hazard, or nuisance.

17.76.030 General Standards

Land or buildings shall be used or occupied in a manner that does not create any dangerous, injurious, or noxious fire, explosive, or other hazard that would adversely affect the surrounding area.

17.76.040 Electromagnetic Interference

No use, activity, or process shall cause electromagnetic interference with normal radio and television reception in any residential zone, or with the function of other electronic equipment beyond the lot line of the site in which it is situated. All uses, activities, and processes shall comply with applicable Federal Communications Commission's regulations.

17.76.050 Fire and Explosive Hazards

All activities, processes, or uses involving the storage, use of, transportation, or production of products which, in the raw or finished state, constitute a flammable or explosive material (for example, flour milling or nut shell processing), or volatile extraction, shall be subject to approval by the Fire Department. All incineration is prohibited with the exception of those substances such as, but not limited to, chemicals, insecticides, hospital materials and waste products required by law to be disposed of by burning, and in those instances where the Fire Department deems it a practical necessity.

17.76.060 Hazardous and Extremely Hazardous Materials

The use, handling, storage, and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations and the California Fire and Building Codes, as well as the laws and regulations of the California Department of Toxic Substances Control and the County Environmental Health Agency. Activities, processes, and uses shall not generate or emit any fissionable or radioactive materials into the atmosphere, sewage system, or onto the ground.

17.76.070 Heat and Humidity

Uses, activities, and processes shall not produce any emissions of heat or humidity that cause distress, physical discomfort, or injury to a reasonable person, or interfere with the ability to perform work tasks or conduct other customary activities. In no case shall heat emitted by a use cause a temperature increase of more than five degrees Fahrenheit on another property.

17.76.080 Light and Glare

- A. **Glare.** All lighting, reflective surfaces, mechanical or chemical processes, or any other sources of illumination shall be designed and located in a manner that produces no glare visible on public streets or on any other parcel. Glare or heat reflected from building materials shall be mitigated so as to not disrupt surrounding properties.

- B. **Lighting.** Lights shall be of the minimum illumination necessary for a given application and shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Lights shall be directed downward and shielded at lot lines so as to confine all direct rays to the premises on which it is located. Exterior lighting shall be fully shielded.
1. Except for public street lights or stadium lights, no light or combination of lights or activity shall cast light onto a residentially zoned property, or any property containing residential uses, exceeding one-half foot candle.

17.76.090 **Liquid or Solid Waste**

The use, handling, storage, and transportation of waste materials, including hazardous wastes, shall comply with the provisions of the California Hazardous Materials Regulations, the State Water Resources Control Board, and any other applicable laws.

- A. **Discharges to Water or Sewers.** Discharge at any point into a public or private sewage disposal system, stream, or the ground, of any material that could contaminate any water supply, or otherwise cause the emission of dangerous or offensive elements is prohibited. No exceptions are allowed unless in accordance with regulations, licenses or approvals of the various local and state agencies having jurisdiction over such activities. Liquids or solids of any kind shall not be discharged, either directly or indirectly, into a public or private body of water, sewage system, watercourse, or into the ground. No exceptions are allowed unless in accordance with applicable regulations of the various local and state agencies having jurisdiction over such activities.
- B. **Solid Wastes.** Solid wastes shall be handled and stored so as to prevent nuisances, health, safety, and fire hazards; and to facilitate recycling.
- C. **Containment.** Waste shall be handled and stored to prevent nuisances, health, safety, and fire hazards, and to facilitate recycling. Material, including, but not limited to, paper products, plastic, dirt, sand, lime, seed, bran, chaff, wood refuse, and other readily transportable compounds, shall be contained in a way it cannot be tracked or carried by wind off-site or dissolved into a water system. Closed containers shall be provided and used for storage of any materials which by their nature are combustible, volatile, dust, or odor producing or edible or attractive to rodents, vermin, or insects.
- D. **Incineration.** There shall be no refuse incineration on the premises.

17.76.100 **Odors, Particulate Matter, and Air Contaminants**

- A. **Odors.** No continuous, frequent, or repetitive odors are permitted that are perceptible on or beyond adjacent lot lines or in the public right-of-way. An odor detected no more than a total of 15 minutes in any one day shall not be deemed to be continuous, frequent, or repetitive as used in this Subsection.
- B. **Dust or Particulates.** Uses, activities, and processes shall not operate in a manner that emits excessive dust, fumes, smoke, or particulate matter. No dust or particulate matter shall be emitted that is detectable at zone boundary lines or property lines by a reasonable person

without instruments. Exhaust air ducts shall be located or directed away from abutting properties zoned R-1, N-P, R-LM, R-M, or R-H.

- C. **Sources of Air Emissions.** Sources of air emissions shall comply with regulations established by the Environmental Protection Agency (Code of Federal Regulations, Title 40), the California Air Resources Board, and the Yolo-Solano Air Quality Management Control District (YSAQMD). The City shall consult with YSAQMD to determine which uses shall be equipped with emission-control devices or measures to preclude fugitive dust and particulate emissions from the site. Such devices or measures shall be approved by YSAQMD prior to issuance of a Building Permit or other approval authorizing construction activities. All devices shall be maintained by the owner.

17.76.110 Noise

Applicants for proposed projects may be required to provide evidence that all applicable requirements relating to noise may be satisfied by the project prior to approval. Provisions contained in Chapter 8 of the 2035 General Plan shall apply in addition to other applicable Sections of the Municipal Code that relate to noise and nuisance considerations. Standards deemed “normally acceptable” are established in in Table 8-5: Land Use Noise Compatibility Standards of the General Plan.

A. **Standards.**

1. **Sources.** Table 8-6: Noise Level Performance Standards for New Projects and Existing Non-Transportation Sources of the General Plan provides noise level performance standards that apply to the noise sources themselves for new projects and existing non-transportation sources.
2. **Exposure.** Table 8-7: Maximum Allowable Noise Exposure from Transportation Sources of the General Plan provides the maximum allowable noise exposure from transportation related (i.e., non-aircraft) noise sources.

- B. **Acoustic Study.** An acoustic study shall be required for any proposed project which could create or be subject to noise exposure that exceed the levels established in General Plan Table 8-6: Noise Level Performance Standards for New Projects and Existing Non-Transportation Sources and Table 8.7: Maximum Allowable Noise Exposure from Transportation Sources.

- C. **Noise Attenuation Measures.** Any project subject to the acoustic study requirements of Subsection 17.76.110.B, Acoustic Study, may be required to incorporate noise attenuation measures deemed necessary to ensure compliance with established noise standards.

1. New noise sensitive uses (e.g., schools, hospitals, churches, and residences) shall incorporate noise attenuation measures to achieve and maintain an interior noise level within those established in Table 8-7: Maximum Allowable Noise Exposure from Transportation Sources of the General Plan.
2. Noise attenuation measures identified in an acoustic study shall be incorporated into the project to reduce noise impacts to satisfactory levels.

3. Emphasis shall be placed upon site planning and project design measures. The use of noise barriers may be required only after all feasible design-related noise measures have been incorporated into the project.

17.76.120 Vibration

No vibration shall be produced that is transmitted through the ground and is discernible without the aid of instruments by a reasonable person at the lot lines of the site. Machinery used for manufacturing and industrial processes, including oil and gas collection, processing, and distribution must be designed and housed to ensure that vibration will be reduced to a minimum amount discernible without the aid of instruments by a reasonable person at the lot lines of the site.

- A. **Development Near Railroads.** A vibration study shall be required for any proposed development within 200 feet of a railroad track. Measures may be required to ensure that vibration impacts remain below acceptable levels.
- B. **Exemptions.** Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.

Chapter 17.80 Nonconforming Provisions

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17.80.010 Purpose

- A. This Section provides regulations for nonconforming land uses, structures, signs, and lots that were lawfully established before the adoption or amendment of this Code, but which would be prohibited, regulated, or restricted differently under the current terms of this Code, or future amendments.
- B. This Chapter is intended to permit continued utility and economic viability of uses and continued occupancy and maintenance of structures that were legally established but do not comply with all of the standards and requirements of this Code in a manner that promotes the public health, safety, and general welfare and does not conflict with the goals and objectives of the General Plan.
- C. More specifically, the purpose of these regulations is to distinguish between nonconforming uses that are detrimental to public health, safety, and general welfare and those uses that are economically productive and compatible with surrounding development despite being inconsistent with applicable regulations and requirements.

17.80.020 Applicability

The provisions of this Chapter apply to structures and uses that have become nonconforming by adoption of this Code as well as structures and uses that become nonconforming due to subsequent amendment to its text or to the Zoning Map (see Chapter 17.108, Amendments to the Zoning Map and Text). Nonconforming structures and uses include:

- A. Those made nonconforming by the addition of a standard or requirement previously not required for such use or structure; and

- B. Uses and structures reclassified from permitted to being subject to a discretionary permit, or no longer permitted.

17.80.030 Determination of Nonconforming Uses, Structures, and Lots

Any lawfully established use, structure, or lot that is in existence on the effective date of this Code or any subsequent amendment but does not comply with all of the standards and requirements of this Code shall be considered nonconforming. Nonconforming uses and structures may only be continued subject to the requirements of this Chapter.

- A. **Legal Nonconforming Status.** A use, structure, or site feature shall be designated as having legal nonconforming status if it was lawfully established under the regulations of the jurisdiction in which it was located at the time of its establishment and remains in compliance with terms and conditions imposed at the time of its establishment, if any, based on evidence provided by the property owner, tenant, or applicant. Legal nonconforming status shall also be assigned if nonconformities were created by a public improvement, such as a street widening project.
- B. **Nonconformities.** A nonconformity may result from any inconsistency with the requirements of this Code including, but not limited to, location, density, floor area, height, yard, usable open space, buffering, performance standards, or the lack of an approved use permit or other required authorization.

A use or structure shall not be deemed nonconforming solely because it does not conform with certain design, site, or development standards including parking dimension standards, overnight vehicle parking limitations, shade requirements, fence and wall placement, loading, landscape area, or screening regulations of the district in which it is located. Additionally, a use or structure shall not be deemed nonconforming solely for lack of conformance with standards for types of building features such as cornices, eaves, and other ornamental features that exceed maximum projections into required yards; or bay windows, balconies, and terraces above the second floor that exceed maximum projections into required yards.

A use or structure's lack of conformance with similar design, site, development standards or other minor features not listed above may not rise to the level of Nonconforming Status as define in this section. Such a determination may be made at the discretion of the Director.

- C. **Nonconforming Uses and Structures—Right to Continue.** Any use or structure that was lawfully established prior to the effective date of this Code or of any subsequent amendments to its text or to the Official Zoning Map (see Chapter 17.108, Amendments to the Zoning Map and Text) may only be continued and maintained provided there is no alteration, enlargement, or addition to any building or structure; nor any enlargement of the area, space, or volume occupied by or devoted to such use, except as otherwise provided in this Chapter. The right to continue a nonconforming use or structure shall attach to the land and shall not be affected by a change in ownership. No substitution, expansion, or other change in use and no alteration or other change in structures is permitted, except as otherwise provided in this Chapter.
- D. **Nonconforming Lots.** Any lot that is smaller than the minimum lot size required by this Code or does not meet any of the applicable dimensional requirements shall be considered a lawful

nonconforming lot if it is described in the official records on file in the office of the Yolo County Recorder as a lot of record under one ownership. A nonconforming lot may be used as a building site subject to compliance with all applicable requirements, unless a Variance (see Section 17.100.120, Variance) or other modification or exception is approved as provided for in this Code.

17.80.040 Nonconforming Uses

- A. **Continuance.** An existing use that lawfully existed on the Effective Date and that remains nonconforming and any nonconformity that is created as a result of the adoption or amendment of this Code may be continued or maintained as a nonconformity only in accordance with the terms of this Section.
- B. **Extension of Use.** A nonconforming use may not be extended to other parts of a building or site where the use has not traditionally operated (based on aerial photography, business license data, or other verifying documentation) unless authorized by the Director and subject to a finding that the extension will not increase or create negative impacts on surrounding properties including but not limited to increased traffic, noise, vibration, dust, or odor.
- C. **Changes and Substitutions of Nonconforming Uses.**
 - 1. No lawful nonconforming use shall be changed to a different use type or use classification unless the new use is a permitted or conditional use approved in conformance with the requirements of this Zoning Code, or the Director finds that the use is of a similar nature to the existing lawful nonconforming use and does not increase the intensity of use as defined below. The Director's decision as to whether or not the use is of a similar nature and does not increase the intensity of use is appealable to the Planning Commission pursuant to Section 17.96.160. Additionally, the Director may elevate the application to the Planning Commission if the Director finds that the change in use will have a substantial effect that warrants public review.
 - 2. This requirement shall not apply to a change of ownership, tenancy, or management where the new use is of the same use type and use classification, if applicable, as the previous use, as defined in Chapter 17.144, Definitions of Uses, and the use is not expanded or intensified.
 - 3. For purposes of this Section, an increase in the intensity includes the following:
 - a. Expanded or longer hours of operation;
 - b. An increase in the number of employees on a site;
 - c. An increase in the number of required parking spaces;
 - d. An increase in the number of vehicles or trips to the proposed use as determined by the City's Traffic Engineer or by a Traffic Impact Analysis prepared by a licensed traffic engineer;
 - e. An increase in noise, odors, dust, glare, vibrations, or other operational or performance standards, that will be injurious to property and improvements of adjacent properties or the surrounding area, or will be detrimental to the

- health, safety, peace, comfort, or general welfare of persons residing or working in the surrounding area; and
- f. Any other metric that is determined to result in an increase in the intensity of use of the building, structure, or site.
4. When a legal nonconforming use has been changed to a conforming use, the nonconforming use shall not be reestablished, except that within multi-family residential, mixed use, or commercial districts, buildings or structures which are determined to have been lawfully constructed as a single-family dwelling may be returned to the single-family use at any time. The Director shall base the determination on evidence including Building Permits, county assessor data, building design and appearance, or other records that demonstrate the building was originally constructed as a single-family residence.

17.80.050 Continuation and Maintenance of Nonconforming Structures

- A. **Continuance.** An existing building or structure (including walls and fences) that lawfully existed on the Effective Date and that remains nonconforming and any nonconformity that is created as a result of the adoption or amendment of this Code, may be continued, or maintained as a nonconformity in accordance with the terms of this Section.
- B. **Maintenance and Repair.** Maintenance, repairs, and structural interior alterations to a nonconforming structure are permitted if the changes and improvements do not enlarge or extend the structure except as provided in Section 17.80.060, Alterations and Enlargements to Nonconforming Structures.
- C. **Expansion of Area Occupied by Nonconforming Use.** The physical improvement of a nonconforming building or structure containing a nonconforming use shall not increase the area occupied by a nonconforming use except as provided for in Section 17.80.040.

17.80.060 Alterations and Enlargements to Nonconforming Structures

- A. Nonconforming structures may be enlarged, extended, structurally altered, or repaired in compliance with all applicable laws subject to the following provisions:
 1. Additions to and/or enlargements of nonconforming structures are allowed, subject to the appropriate Design Review if the addition or enlargement complies with all applicable laws and if the existing use of the property is conforming except as provided for in this Chapter (see Section 17.80.040, Nonconforming Uses) and subject to the following requirements in Section 17.80.060.B, Improvements to Existing Nonconforming Property Conditions.
- B. **Improvements to Existing Nonconforming Property Conditions.**
 1. Existing nonconforming property conditions occur when the existing development does not comply with standards and regulations of this Code, including fencing, screening, landscaping, lighting, surfacing, signage, and other similar site improvements as may be determined by the Director.

2. In conjunction with the expansion, enlargement, or alteration of existing buildings and structures, or the construction of new buildings on a partially developed site, nonconforming property improvements shall be brought into compliance based on the following requirements or equivalent as determined by Director:
 - a. *10 Percent or Greater Increase in Gross Floor Area.*
 - i. Screening of outdoor storage areas consistent with Chapter 17.70, Screening Standards. New fencing must observe required setbacks from the street; and
 - ii. Installation of landscaping equal to five percent of the parcel area, and/or replacement of dead or dying landscaping. This landscaping shall be installed along street and building frontages wherever possible.
 - iii. Repair and painting of the portion of existing structures in public view that are in disrepair.
 - b. *20 Percent or Greater Increase in Gross Floor Area.*
 - i. Installation of street canopy landscaping as described in the Section 17.64.040, Landscaping; and
 - ii. Inclusion of requirements contained in Subsection 17.80.060.B.2.a, 10 percent or greater increase in gross floor area.
 - c. *30 Percent or Greater Increase in Gross Floor Area.*
 - i. Paving of existing required auto parking lot areas and installation of full parking lot canopy landscaping as described in Section 17.64.040, Landscaping;
 - ii. Provision of recycling areas in accordance with Section 17.64.080, Refuse and Recycling Enclosures;
 - iii. Removal of existing nonconforming signs, or replacement of signs that are in disrepair; and
 - iv. Inclusive of requirements contained in Subsections 17.80.060.B.2.a, 10 Percent or Greater Increase in Gross Floor Area, and 17.80.060.B.2.b, 20 Percent or Greater Increase in Gross Floor Area.
 - d. *50 Percent or Greater Increase in Gross Floor Area.*
 - i. Full compliance with all site improvement standards is required.
 - e. All building additions completed within a five-year period beginning after the Effective Date shall be considered cumulatively for the purposes of determining the need for compliance with this Section.

**17.80.070 Repair and Replacement of Damaged or Destroyed
Nonconforming Buildings**

- A. A lawful nonconforming building or structure that is damaged or partially destroyed by fire, explosion, earthquake, or other unintentional act may be restored or rebuilt subject to the following provisions.
- B. If the cost of repair or reconstruction does not exceed 50 percent of the appraised value of the building or structure replacement of the damaged portions of the building is allowed by right provided that the replaced portions are the same size, extent, and configuration as previously existed. The structure may be restored and the occupancy or use of such building or structure may be continued or resumed, provided such restoration is started within a period of one year and is diligently prosecuted to completion. The determination of the appraised value shall be the higher of:
 - 1. The records of the Assessor of Yolo County for the fiscal year during which the application is received; or
 - 2. An appraisal performed by a certified appraiser.
- C. If the cost of repair or reconstruction exceeds 50 percent of the appraised value of the building or structure replacement determined pursuant to Subsection 17.80.070.A, the land and building shall be subject to all of the requirements of this Code. In the event such damage or destruction exceeds 50 percent of the market value of the building or structure, no repairs or reconstruction shall be made unless every portion of such building or structure is made to conform to all regulations for new buildings in the zone in which it is located, except that if a residential use is fully destroyed but the foundation of the structure remains intact as determined by the Building Official, the residential building may be rebuilt on the existing nonconforming building foundations.

17.80.080 Abandonment or Discontinuance of Nonconforming Uses

- A. If the nonconforming use of a building or structure, or a portion of a building or structure ceases to operate, whether with the intent to abandon the use or not, for a continuous period of six months, it shall be considered abandoned and shall thereafter be used only in accordance with the regulations for the district in which it is located, except as provided in this Section. It is the responsibility of the applicant to provide evidence demonstrating to the satisfaction of the Director that the use was legally established and has not been abandoned.

No nonconforming use may be resumed, reestablished, or reopened, or replaced by any other nonconforming use after it has been ceased for a period of six months subject to the following exceptions: No lawful residential use can lapse regardless of the length of time of non-use.
- B. The time period established in Subsection 17.80.080.A shall commence when the use ceases to operate, whether with the intent to abandon the use or not, and any one of the following occurs:
 - 1. The site, building, or structure is vacated (Remaining materials or equipment left behind, after a use or structure is abandoned, vacated, or no longer in operation does not constitute continued occupancy);
 - 2. The business license expires or is revoked;
 - 3. Utilities are terminated; or

4. The applicable lease is terminated.
- C. The Director may approve an additional six-month time period during which the use will not be considered abandoned; provided that the Director finds that economic conditions warrant the additional time. If the additional time period is approved, the total period during which the use will not be considered abandoned shall not exceed one year from the date the use was determined to have ceased to operate.

17.80.090 Nonconforming Signs

- A. **Continuance and Maintenance.** Any sign legally existing prior to the Effective Date but which does not comply with the provisions of this Chapter shall be deemed a nonconforming sign and may be continued or maintained as a nonconforming sign provided there is no expansion of any nonconformity on the sign.
- B. **Expansion, Enlargement, and Modification.** No nonconforming sign shall be moved, altered, re-erected, relocated or replaced unless it is brought into compliance with the requirements of this Code. This will not prevent the repair or restoration of a nonconforming sign or sign structure to a safe condition or normal maintenance operations performed on a sign or sign structure.
- C. **Loss of Nonconforming Status.** Whenever a nonconforming sign has been abandoned, or the use of the property has been discontinued for a continuous period of 90 days, the nonconforming sign must be removed. The sign shall be removed within 30 days of notification of the property owner, owner, or manager of the property on which the nonconforming sign is located.

Chapter 17.84 Standards for Specific Uses and Activities

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17.84.010 Purpose and Applicability

- A. **Purpose.** The purpose of this Chapter is to establish standards for specific uses and activities that are permitted or conditionally permitted in some or all zones. These provisions are supplemental standards and requirements to minimize the impacts of these uses and activities on surrounding properties and to protect the health, safety, and welfare of their occupants and of the public.
- B. **Applicability.** Each land use and activity covered by this Chapter shall comply with the requirements of the Section applicable to the specific use or activity, in addition to any applicable standard this Code requires in the zone where the use or activity is proposed and all other applicable provisions of this Code.
1. Uses that are subject to the standards in this Chapter are allowed only when authorized by the base district regulations, except where this Chapter establishes a different planning permit requirement for a specific use.
 2. When there is a conflict between the provisions of this Chapter and a Use Permit which was granted prior to the effective date of this Code, the Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) shall prevail.

17.84.020 Accessory Uses

Accessory uses shall be those customarily appurtenant to a permitted use and shall be clearly incidental to and in support of the permitted use. Accessory uses are typically not greater than 20 percent of the floor area of the primary structure or use (See “Accessory Use” in Section 17.136, Definition of Terms). Unless otherwise noted in Tables 17.28.020-1, Use Regulations – Downtown Zones through 17.44.020-1, Use Regulations – Public and Open Space Zones or in other sections of this Chapter, accessory uses are permitted if the principal use is permitted and require a permit if the principal use requires a permit.

17.84.030 Accessory Dwelling Units

- A. **Purpose.** The purpose of this Section is to provide reasonable regulations for the development of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in certain areas and on lots developed or proposed to be developed with single-family residential dwellings, duplexes, and multiple-family units. Such accessory dwelling units contribute needed housing to the community's housing stock and promote housing opportunities for the persons wishing to reside in the City. In addition, the regulations in this Section are intended to promote the goals and policies of the City's General Plan and comply with requirements codified in the State Planning and Zoning Law related to accessory dwelling units in residential areas, including California Government Code § 65852.2 and § 65852.22.
- B. **Effect of Conforming Accessory Dwelling Unit.** An accessory dwelling unit that conforms to this Section shall:
1. Be deemed an accessory use and shall not be considered to exceed the allowable density for the lot upon which it is located;
 2. Be deemed a residential use that is consistent with the General Plan and the zoning designations for the lot on which the ADU or JADU is located;
 3. Not be considered in the application of any local ordinance, policy, or program to limit residential growth;
 4. Not be considered a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service; and
 5. Not be required to correct a nonconforming zoning condition, as defined in Subsection 17.84.030.C.6, Definitions, below. This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code § 17980.12.
- C. **Definitions.**
1. "Accessory dwelling unit (ADU)" means a residential dwelling unit that is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages and that provides independent living facilities for one or more persons. An accessory dwelling unit also includes:
 - a. An efficiency unit, as defined in California Health and Safety Code § 17958.1; and
 - b. A manufactured home, as defined in California Health and Safety Code § 18007.
 2. "Complete independent living facilities" means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
 3. "Efficiency kitchen" means a kitchen that includes each of the following:

- a. A cooking facility with appliances.
 - i. A food preparation counter or counters that are of reasonable size in relation to the size of the junior accessory dwelling unit; and
 - ii. Food storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
 - 4. "Junior accessory dwelling unit" or "JADU" means a residential unit that satisfies all of the following:
 - a. Is no more than 500 square feet in size;
 - b. Is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure;
 - c. Includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure;
 - d. If the unit does not include its own separate bathroom, then it shall contain an interior entrance to the main living area of the existing or proposed single-family structure to allow bathroom access from the main house, in addition to an exterior entrance that is separate from the main entrance to the primary dwelling; and
 - e. Includes an efficiency kitchen, as defined in Subsection 17.84.030.C.3, Definitions.
 - 5. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
 - 6. "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
 - 7. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
 - 8. "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
 - 9. "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
 - 10. "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.
- D. **Locations Permitted.** Accessory dwelling units and junior accessory dwelling units are permitted in all zones that allow for any single-family or multifamily residential use, including the corridor mixed use districts if they allow for any residential use.

- E. **Approvals.** Before constructing an ADU or converting an existing structure or portion of an existing structure or residence to an ADU or JADU, the applicant shall obtain permits in accordance with the requirements of this Section.
1. All ADUs and JADUs shall satisfy the requirements of the California Building Standards Code, as amended by the City, and any other applicable laws.
 2. **Building Permit Only Approval.** An applicant shall not be required to submit an application for an ADU Permit under Subsection 17.84.030.E.3, ADU Permit Review, and may instead seek Building Permit (see Section 17.100.130, Building Permit) only approval for an ADU or JADU, or both, where the proposal satisfies the requirements of California Government Code § 65852.2, as the same may be amended from time to time, the California Building Standards Code, as amended by the City, and any other applicable laws. The following are categories of ADUs and JADUs that shall be approved under this Subsection 17.84.030.E.2, Building Permit Only Approval:
 - a. *Converted Space or Structure on Single-Family Lot.* Only one ADU as described in this Subsection 17.84.030.E.2.a, Converted Space or Structure on Single-Family Lot, and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - i. Is either within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress;
 - ii. Has exterior access that is independent of that for the single-family dwelling;
 - iii. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes; and
 - iv. The JADU complies with the requirements of California Government Code § 65852.22.
 - b. *Limited Detached on Single-Family Lot.* One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under Subsection 17.84.030.E.2.a, Converted Space or Structure on Single-Family Lot, above, if the detached ADU satisfies the following limitations):
 - i. The side- and rear-yard setbacks are at least four feet.
 - ii. The total floor area is 800 square feet or smaller.
 - iii. The peak height above grade does not exceed the applicable height limit provided in Subsection 17.84.030.F.2, Height, below.
 - c. *Converted on Multifamily Lot.* One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including,

but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages:

- i. If each converted, ADU complies with state building standards for dwellings.
 - ii. At least one converted ADU is allowed within an existing multifamily dwelling structure, but the number of ADUs created under this Subsection 17.84.030.E.2.c, Converted on Multifamily Lot, may not exceed 25 percent of the existing multifamily dwelling units.
- d. *Limited Detached on Multifamily Lot.* No more than two detached ADUs on a lot that has an existing multifamily dwelling if each detached ADU satisfies the following limitations:
- i. The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the City will not require any modification to the multifamily dwelling as a condition of approving the ADU.
 - ii. The total floor area is 800 square feet or smaller.
 - iii. The peak height above grade does not exceed the applicable height limit provided in Subsection 17.84.030.F.2, Height.

3. ***ADU Permit Review.***

- a. The Director or designee shall administratively (ministerially) review and approve an ADU permit application filed pursuant to Subsection 17.84.030.E.5, Application Requirements and shall not require a public hearing, provided that the submitted application is complete and that the ADU complies with the requirements contained in that Section and any other applicable law.
- b. Except as allowed under Subsection 17.84.030.E.2, Building Permit Only Approval, no ADU may be created without a Building Permit (see Section 17.100.130, Building Permit) and an ADU permit in compliance with the standards set forth in Subsections 17.84.030.F, General ADU and JADU Requirements, and 17.84.030.G, Specific ADU and JADU Requirements.
- c. Discretionary review for an ADU permit application is required as a result of non-compliance with standards set forth in Subsections 17.84.030.F, General ADU and JADU Requirements, and 17.84.030.G, Specific ADU and JADU Requirements, shall be subject to the review requirements in Subsection 17.84.030.E.7, Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

4. ***ADU Permit Application Process and Timing.***

- a. The City must approve or deny an application to create an ADU or JADU within 60 days from the date that the City receives a completed application. If the City has not acted upon the completed application within 60 days, the application shall be deemed approved unless the following:

- i. The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay; or
- ii. If the permit application to create an ADU or JADU is submitted with an application to create a new single-family or multifamily dwelling on the lot, the City may delay acting on the permit application for the ADU or JADU until the City acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.
- b. If the City denies an application to create an ADU or JADU, the City must provide the applicant with comments that include, among other things, a list of all defective or deficient items and a description of how the application may be remedied by the applicant. Notice of denial and corresponding comments must be provided to the applicant within the 60-day time period established by Subsection 17.84.030.E.4.a.
- c. A permit to demolish a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

5. ***Application Requirements.***

- a. Applications for an accessory dwelling unit permit shall be made in writing by the property owner or his or her authorized agent, on forms provided by the Community Development Department, and accompanied by such data and information as may be necessary to fully describe the request including:
 - i. Name and address of the applicant.
 - ii. Owner-Builder Acknowledgment and Information Verification Form.
 - iii. Assessor's parcel number(s) of the property.
 - iv. Plot Plan (drawn to scale) in sufficient detail to clearly describe:
 - a. Physical dimensions of the property.
 - b. Location and dimensions of all existing and proposed structures, walls, and fences.
 - c. Location and dimensions of all existing and proposed easements, drainage structures, and utilities.
 - d. Location, dimensions, and names of all adjacent roads, whether public or private.
 - e. Setbacks.
 - f. Existing and proposed methods of circulation, including ingress and egress, driveways, parking areas, and parking structures.
 - g. A narrative description of architectural treatments proposed for the ADU.

- v. *Floor Plans.* Complete floor plans of both existing and proposed conditions shall be provided. Each room shall be dimensioned and resulting floor area calculation included. The use of each room shall be labeled. The size and location of all doors, closets, walls, and cooking facilities shall be clearly depicted. For an attached ADU, the plans must include the primary dwelling as well.
- vi. Elevations of all sides of the exterior structure and show all exterior structures, all architectural projections, and all openings for both the primary residence and the proposed ADU including building dimensions, and material call outs.
- vii. A color and materials sample board as requested by the Director.
- viii. Color photographs of the exterior of the primary residence as requested by the Director.
- ix. *Construction Management Plan.* Construction hours and staging to minimize impacts on surrounding residential properties, as requested by the Director.
- b. The filing and review fee shall be as prescribed by City Council resolution or ordinance. The City may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the City's ADU ordinance.

6. ***ADUs and Discretionary Approval.***

- a. Any proposed ADU or JADU that does not conform to the objective standards set forth in Subsections 17.84.030.F, General ADU and JADU Requirements, and 17.84.030.G, Specific ADU and JADU Requirements, may be allowed by the City with a Zoning Administrator Permit in accordance with Section 17.100.090, Zoning Administrator Permit and Subsection 17.92.020.D, Zoning Administrator. If required, a noticed public hearing shall be held in accordance with Section 17.96.080, Public Notice and Section 17.96.090, Conduct of Public Hearing.
 - i. Applies to ADUs over 1,000 square feet and/or three bedrooms.
 - ii. The maximum size of an ADU subject to this Subsection 17.84.030.E.6, ADUs and Discretionary Approval is 1,200 square feet, or three bedrooms.
- b. *Findings.* Before approval of the Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit) granting the exception, the Zoning Administrator shall find that:
 - i. The exterior design of the accessory dwelling unit is in harmony with, and maintains the scale of, the neighborhood;
 - ii. If an exception to parking requirements is requested, the exception will not result in excessive parking congestion;

- iii. The site plan provides adequate open space usable and useful for both the accessory dwelling unit and the primary residence;
- iv. Where applicable, open space and landscaping provides for privacy and screening of adjacent properties;
- v. The location and design of the accessory unit maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, noise, light air, solar access, or parking of adjacent properties; and
- vi. Windows that impact the privacy of the neighboring side or rear yard have been minimized. Major windows, access stairs, entry doors and decks are generally limited to the walls facing the primary residence or the alley, if applicable.

7. ***Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.***

- a. The City will not deny an ADU or JADU application due to a nonconforming zoning condition, Building Code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.
- b. *Unpermitted ADUs Constructed Before 2018.*
 - i. *Permit to Legalize.* As required by state law, the City may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:
 - a) The ADU violates applicable building standards; or
 - b) The ADU does not comply with the state ADU law (California Government Code § 65852.2) or this Section.
 - ii. *Exceptions.*
 - a) Notwithstanding Subsection 17.84.030.E.7.b.i, Permit to Legalize, the City may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the City makes a finding that correcting a violation is necessary to protect the health and safety of the public or of occupants of the structure.
 - b) Subsection 17.84.030.E.7.b.i, Permit to Legalize does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code § 17920.3.

F. **General ADU and JADU Requirements.** The following requirements apply to all ADUs and JADUs that are approved under Subsection 17.84.030.E.2, Building Permit Only Approval, or Subsection 17.84.030.E.3, ADU Permit Review:

1. **Zoning.**

- a. An ADU or JADU subject only to a Building Permit under Subsection 17.84.030.E.2, Building Permit Only Approval may be created on a lot in a Residential or Mixed-Use zone.
- b. An ADU or JADU subject to an ADU permit under Subsection 17.84.030.E.3, Height may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

2. **Height.**

- a. Except as otherwise provided by Subsection 17.84.030.F.2.b, a detached ADU created on a lot with an existing or proposed single-family or multifamily dwelling unit may not exceed 16 feet in height.
- b. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.
- c. An ADU that is attached to the primary dwelling may occupy any level of the primary dwelling unit if it is designed as an integral part of the primary dwelling and a separate ingress and egress is provided. A height of 25 feet or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower shall apply to an ADU attached to a primary dwelling. Notwithstanding the foregoing, ADUs subject to this Subsection 17.84.030.F.2.c, may not exceed two stories.
- d. An ADU above a detached structure located contiguous to an alley may be up to 25 feet in height.
- e. For purposes of this Subsection 17.84.030.F.2, Height, height is measured above existing legal grade to the peak of the structure.

3. **Fire Sprinklers.**

- a. Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- b. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

4. **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.

5. **No Separate Conveyance.** An ADU or JADU may be rented, except as otherwise provided in Government Code § 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

6. **Owner Occupancy.**

- a. ADUs are not subject to owner occupancy requirements.

- b. As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this paragraph does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
7. ***Building and Construction.***
 - a. All ADUs and JADUs must comply with all local Building Code requirements.
 - b. No passageway shall be required in conjunction with the construction of an accessory dwelling unit.
 - c. *No Change of Occupancy.* Construction of an ADU does not constitute a Group R occupancy change under the local Building Code, as described in the California Building Code § 310, unless the Building Official or Code Enforcement Division makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this Subsection prevents the City from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this Section.
8. ***Deed Restriction.*** Prior to issuance of a Building Permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City and must provide that:
 - a. Except as otherwise provided in Government Code § 65852.26, the ADU or JADU may not be sold separately from the primary dwelling.
 - b. The ADU or JADU is restricted to the approved size and to other attributes and applicable ADU and JADU requirements and standards.
 - c. The deed restriction runs with the land and may be enforced against future property owners.
 - d. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the ADU or JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

- e. The deed restriction is enforceable by the Director or designee for the benefit of the City. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the City is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.
- 9. **Income Reporting.** In order to facilitate the City's obligation to identify adequate sites for housing in accordance with Government Code § 65583.1 and § 65852.2, the following requirements must be satisfied:
 - a. With the Building Permit application, the applicant must provide the City with an estimate of the projected annualized rent that will be charged for the ADU or JADU. See Section 17.100.130, Building Permit.
 - b. By January 30 of each year after initial Building Permit issuance, the owner shall report the actual rent charged for the ADU or JADU during the prior year. If the City does not receive the report within the 90-day period, the City shall send a request for information to the owner.
- G. **Specific ADU and JADU Requirements.** The following requirements apply only to ADUs that require an ADU permit under Subsection 17.84.030.E.3, ADU Permit Review.
 - 1. **Maximum Size.**
 - a. The maximum size of a detached or attached ADU subject to this Subsection 17.84.030.G.1, Maximum Size is 1,000 square feet. No more than two bedrooms are allowed.
 - i. An ADU over 1000 square feet or three bedrooms shall be subject to Zoning Administrator review as provided in Subsection 17.84.030.E.6, ADUs and Discretionary Approval.
 - ii. No ADU shall exceed 1,200 square feet per Subsection 17.84.030.E.6.a.ii.
 - b. An attached ADU that is created on a lot with an existing primary dwelling shall not exceed 50 percent of the existing floor area of the primary dwelling.
 - c. Exception. Application of other development standards such as size based on a percentage of the proposed or existing primary dwelling, FAR, lot coverage, front setbacks, minimum lot size, or open-space requirements for an attached or detached ADU may not require the ADU to be less than 800 square feet.
 - 2. **Parking—General Requirement.** Accessory dwelling units must meet the following parking standards.
 - a. One off-street parking space is required for an ADU that is approved under Subsection 17.84.030.E.3, ADU Permit Review.
 - b. Parking configuration, if required:

- i. The required parking spaces may be located in setback areas or tandem parking on an existing driveway unless specific findings are made under Subsection 17.84.030.G.2.b.ii.
 - ii. Parking arrangements in Subsection 17.84.030.G.2.b.i, are not permitted if the Director (or designee) makes specific findings that such parking arrangements are not feasible based upon specific site or regional topographical or fire or life safety conditions.
- c. *Exceptions.* Parking standards shall not be imposed on an ADU in any of the following circumstances:
 - i. The ADU is located within one-half mile walking distance of public transit, including a public bus stop, bus station or transit station that charge set fares, run on fixed routes, and are available to the public.
 - ii. The ADU is located within an architecturally and historically significant historic district.
 - iii. The ADU is part of the existing primary residence or an existing accessory structure under Subsection 17.84.030.E.2.a, Converted Space or Structure on Single-Family Lots.
 - iv. When on-street parking permits are required but not offered to the occupant of the ADU.
 - v. When there is an established car share vehicle stop located within one block of the ADU.
 - vi. When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided the ADU or the lot satisfies any other criteria listed in parking exception Subsections 17.84.030.G.2.c.i through v.
- d. *No Replacement.* When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

3. ***Setbacks.***

- a. An ADU that is subject to this Section must conform to a 20-foot front yard setback, or the front setback imposed by the underlying zone, whichever is greater.
- b. An ADU that is subject to this Subsections 17.84.030.G, Specific ADU and JADU Requirements must conform to four-foot side- and rear-yard setbacks.
- c. *Alley Adjacent ADUs and ADUs Adjacent to Non-residentially Zoned Property.* Side or rear yard setbacks adjacent to an alley or non-residentially zoned property may be zero feet. Parking provided off the alley shall maintain a 24-foot back-out, which includes the alley.
- d. *Garage and Accessory Building Conversion.* No setback shall be required for a legally established, existing garage or accessory building that is converted to

an ADU, provided the structure is not expanded under Subsection 17.84.030.E.2.a.i. Any expansion of the structure under Subsection 17.84.030.E.2.a.i is subject to side and rear setbacks of four feet.

- e. *Addition Over a Garage.* The four-foot minimum side and rear setback requirement of Subsection 17.84.030.G.3.b shall apply to the newly constructed portion of an ADU constructed above a legally established existing garage.
- f. *Roof Decks.* All roof decks along the project perimeter and abutting residential uses shall be stepped back a minimum of five feet from the roof edge and a minimum of eight feet from the property line and shall include a minimum 42-inch solid rail or parapet, so that they are oriented away from and screened to prevent direct views of abutting residential neighbors. Roof decks facing/adjacent to a right-of-way or alley are not required to be stepped back.

4. ***Lot Coverage.***

- a. No ADU subject to this Subsection 17.84.030.G, Specific ADU and JADU Requirements may cause the total lot coverage of the single-family lot to exceed 50 percent, except that an ADU that is 800 square feet or less, not more than 16 feet in height, and compliant with a minimum four-foot side and rear setback, shall be considered consistent with all City development standards, irrespective of any other Municipal Code limitations governing lot coverage, floor area ratio, and open space.
- b. *Rear Yard Coverage.* An ADU shall not result in more than 30 percent rear yard coverage as measured from the rear wall of the primary residence to the rear property line (or as measured from the average distance of the rear wall from the rear property boundary if the rear wall does not follow a straight line). Except that an ADU that is 800 square feet or less, not more than 16 feet in height, and compliant with a minimum four-foot side and rear setback, shall be considered consistent with all City development standards, irrespective of any other Municipal Code limitations governing lot coverage, floor area ratio, and open space.

5. ***Architectural Requirements.***

- a. The materials and colors of the exterior walls, roof, and windows and doors must match or be harmonious with the appearance and architectural design of the primary dwelling.
- b. The exterior lighting must be limited to down-lights or as otherwise required by the Building or Fire Code.
- c. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.
- d. The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.

- e. Windows and doors of the ADU may not have a direct line of sight to an adjoining residential property. Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.
- f. All second-story windows and doors in a second unit that are less than 30 feet from a property line that is not a right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.
- g. Access stairs, entry doors and decks must face the primary residence or the alley, if applicable.
- h. A garage converted to an accessory dwelling unit shall include removal of garage door(s) which shall be replaced with architectural features, including walls, doors, windows, trim and accent details.
- i. The architectural treatment of an ADU to be constructed on a lot that has an identified historical resource listed on the federal, State, or local register of historic places must comply with all applicable ministerial requirements imposed by the Secretary of Interior.

6. ***Landscape and Screening Requirements.***

- a. Evergreen landscape screening must be planted and maintained between the ADU and adjacent parcels when there is direct adjacency of the ADU to an existing primary dwelling on an adjacent parcel in which there is no screening as follows:
 - i. At least one five-gallon size plant shall be provided for every five linear feet of exterior wall.
 - ii. As an alternative, a solid fence of at least six feet in height may be installed along a side or rear yard in compliance with fencing standards.
- b. All landscaping must be drought-tolerant.

7. ***Other.***

- a. The ADU and primary dwelling must use the same driveway to access the street, unless otherwise required for fire-apparatus access, as determined by the fire authority.
- b. Each unclosed parking space shall be at least eight and one-half feet wide and 18 feet long.
- c. Each parking space that is provided in an enclosed garage shall be at least 10 feet wide and 20 feet long and have at least seven and one-half feet vertical clearance.

H. **Fees.** The following requirements apply to all ADUs that are approved under Subsections 17.84.030.E.2, Building Permit Only Approval and 17.84.030.E.3, ADU Permit Review.

1. ***Impact Fees.***

- a. For purposes of this Subsection, “impact fee” means a “fee” under the Mitigation Fee Act (California Government Code § 66000(b)) and a fee under the Quimby Act, California Government Code § 66477. “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.
- b. No impact fee is required for an ADU or JADU that is less than 750 square feet in size.
- c. Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit (e.g., the floor area of the primary dwelling, divided by the floor area of the ADU, times the typical fee amount charged for a new dwelling).

2. ***Utility Fees and Connection.***

- a. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required pursuant to Government Code § 65852.2(f)(4) and (f)(5).
- b. Except as described in Subsection 17.84.030.H.2.a, converted ADUs on a single-family lot that are created under Subsection 17.84.030.E.2.a, Converted Space or Structure on Single-Family Lot are not required to have a new or separate utility connection directly between the ADU and the utility, nor is a connection fee or capacity charge required.
- c. Except as described in Subsection 17.84.030.H.2.a, all ADUs that are not covered by Subsection 17.84.030.H.2.b, require a new, separate utility connection directly between the ADU and the utility.
 - i. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
 - ii. The portion of the fee or charge that is charged by the City may not exceed the reasonable cost of providing this service.

17.84.040 Adult Businesses

- A. **Definitions.** For the purposes of this Section, unless otherwise apparent from the context, certain words and phrases used in this Section are defined as follows:

1. ***“Adult business”*** means and includes all of the following types of establishments:

- a. ***“Adult bookstore”*** means a business which as a regular and substantial course of conduct offers for sale or rent books, magazines, periodicals or other printed matter or photographs, films, motion pictures, video cassettes, discs,

slides, or other visual representations whose dominant or predominant character and theme is the depiction or description of specified sexual activity or specified anatomical areas, as defined in this Section.

- b. As defined in this Subsection, “regular and substantial course of conduct” shall be construed with reference to all relevant factors, including, but not limited to, the following:
 - i. The proportion of the business’ merchandise which depicts or describes specified sexual activity, specified anatomical areas or is a nonprescription, non-contraceptive sex-incitement device; and
 - ii. The percentage of the business’ revenues which are attributable to the sale or rental of merchandise which depicts or specifies sexual activity, specified anatomical areas or is a nonprescription, non-contraceptive sex-incitement device.
- c. “Adult entertainment business” is a business where any of the following conditions exist:
 - i. The business devotes or intends to devote more than 25 percent of its retail inventory (not as measured by the number of items but rather by the cost to the business owner of the inventory) to merchandise whose dominant or predominant character and theme is specified sexual activities or specified anatomical areas, hereafter referred to as “sexually explicit.”
 - ii. The business devotes or intends to devote more than 25 percent of the retail floor area to sexually explicit merchandise.
 - iii. The business has not segregated or intends not to segregate in one location in the store all sexually explicit merchandise offered for sale, rental and/or viewing from the nonsexual explicit merchandise.
 - iv. The retail value of sexually explicit inventory offered for sale in each category: (i) books; (ii) magazines; (iii) Beta video tapes for sale; (iv) VHS video tapes for sale; (v) Beta videos for rental; (vi) VHS videos for rental; (vii) novelties; (viii) on-premises viewing of images, films and/or videos; exceeds or is expected to exceed 25 percent of the total retail value of inventory offered for sale in each category.
 - v. Gross revenue derived from sexually explicit inventory in any particular category (see Subsection 17.84.040.A.2.d) of inventory exceeds or is expected to exceed 25 percent of the total gross revenue from that category. Any invoice or other sale entry which does not thoroughly and completely identify the title and/or name of each item of viewing, sale and/or rental shall be conclusively presumed to be sexually explicit merchandise for revenue percentage determination purposes.

- vi. The business advertises (either free or paid for advertisements in a manner that identifies the business as having sexually explicit merchandise for sale, rental and/or viewing.
 - vii. Any business which offers or advertises sexually explicit merchandise in any of the above categories (see Subsection 17.84.040.A.2.d), and which fails to make available to the City for inspection and copying all records of revenue on request after reasonable notice not less than 24 hours.
 - viii. Any business that is an adult entertainment use based on any of the above conditions may make an application for an exception. Such an application shall be made to the Zoning Administrator and shall specify all facts supporting the exception and shall have attached to it all supporting documentation.
- d. “Adult hotel” means any hotel or motel which as a regular and substantial course of conduct provides, through closed-circuit television or other media, material which is distinguished or characterizes by an emphasis on matter depicting or describing specified sexual activity or specified anatomical areas, as defined in this Section.
- e. “Adult motion picture theater” means an enclosed building and/or drive-in motion picture theater which is open to the public and which, as a regular and substantial course of conduct, is used for presenting filmed or videotaped materials whose dominant or predominant character and theme are the depiction or display of specified sexual activity or specified anatomical areas, as defined in this Section for observation by six or more patrons of such use at any one time.
- f. As defined in this Subsection, “regular and substantial course of conduct” shall be construed with reference to all relevant factors, including, but not limited to, the following:
- i. The proportion of the theater’s films which depict specified sexual activity or specified anatomical areas;
 - ii. The number of films depicting or displaying specified sexual activity or specified anatomical areas which are shown at the theater each week, each weekend, or each month;
 - iii. The nature of the films which receive top billing on the theater’s marquee or in its advertising; and
 - iv. The proportion of the theater’s revenue which is attributable to the showing of films depicting or displaying specified sexual activity or specified anatomical areas.
- g. “Adult picture arcade” means any business where, as a regular and substantial course of conduct, coin- or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, television

- sets or other image-producing devices are used to display images to five or fewer persons per machine at any one time, and which images have as a dominant or predominant character and theme the display or depiction of specified sexual activity or specified anatomical areas.
- h. As defined in this Subsection, “regular and substantial course of conduct” is construed with reference to a number of factors, including, but not limited to, the following:
 - i. The proportion of the business’ movies, shows, pictures and images which have as their predominant theme the display or depiction of specified sexual activity or specified anatomical areas; and
 - ii. The proportion of the business’ revenue which is attributable to the showing of pictures depicting or displaying specified sexual activity or specified anatomical areas.
 - i. “Bathhouse” means an establishment which as a regular and substantial course of conduct provides, for a fee or other consideration, access to any kind of bath facility, including showers, saunas, and hot tubs. This definition does not include a bona fide athletic club, health club, school, gymnasium, reducing salon or similar establishment where baths or hydrotherapy are offered as incidental or accessory services.
 - j. “Modeling studio” means a business which provides as a regular and substantial course of conduct, for a fee or other consideration, figure models who display specified anatomical areas to be observed, sketched, photographed, painted, sculptured, or otherwise depicted by persons paying such consideration. “Modeling studio” does not include schools maintained pursuant to the standards set by the State Board of Education.
 - k. “Nude dancing theater” means any building or structure which as a regular and substantial course of conduct is used for the presentation of live dancing or modeling, the dominant or predominant character and theme of which are the display of specified sexual activity or specified anatomical areas, as defined in this Section, and to which the public is permitted or invited.
 - l. “Sexual encounter center” means a business which as a regular and substantial course of conduct provides two or more persons, for pecuniary compensation, consideration, hire or reward, with a place to assemble for the purpose of engaging in specified sexual activity or displaying specified anatomical areas. “Sexual encounter center” does not include hotels or motels.
- 2. “Establishment of an adult entertainment use” means and includes the opening of such a business as a new business, the relocation of such a business or the conversion of an existing use to any adult entertainment use.
 - 3. “Specified anatomical areas” means and includes, and is limited to, the following:
 - a. Less than completely and opaquely covered human genitalia, pubic region, buttocks, and female breasts below the top of the areola; and/or

- b. Human male genitalia in a discernibly turgid state, even if completely or opaquely covered.
- 4. "Specified sexual activity" means and includes, and is limited to, the following:
 - a. Actual or simulated genital or anal sexual intercourse;
 - b. Oral copulation;
 - c. Bestiality;
 - d. Direct physical stimulation of unclothed genitals;
 - e. Masochism;
 - f. Erotic or sexually oriented torture, beating or the infliction of pain; or
 - g. The use of excretory functions in the context of a sexual relationship.
- 5. "Applicant" means any person who applies for a permit as required by this Section.
- 6. "Chief of Police" means the City of Woodland Chief of Police or designee.
- 7. "Clerk" means the City Clerk.
- 8. "Nude dancer" means any person whose live performance in an establishment to which the public is permitted or invited includes the presentation of live dancing or modeling, the dominant or predominant character and theme of which are the display of specified sexual activity or specified anatomical areas, as defined in this Section.
- 9. "Permittee" means any person operating or maintaining an adult entertainment business under a permit issued pursuant to this Section.
- 10. "Person" means any individual, co-partnership, firm, association, joint stock company, corporation, or combination of individuals of whatever form or character.

B. Location.

- 1. Adult entertainment establishments are permitted only on the rear half of a lot.
- 2. No adult entertainment establishment may be permitted:
 - a. Within 500 feet of all of the following uses:
 - i. Any religious institutions;
 - ii. Schools;
 - iii. Park and recreation facilities;
 - iv. Community centers;
 - v. Libraries;
 - vi. Youth organizations; and
 - vii. Day care centers.
 - b. Within 750 feet of a Residential zone, a Downtown zone, a Mixed-Use zone, or a Public or Open Space zone.

- c. Within 1,000 feet from any other adult book store or adult motion picture theater.
 3. The distance restrictions set forth in this Subsection are cumulative, not separate; therefore, adult entertainment uses may be established only on parcels which meet all of the spacing requirements set forth in this Subsection.
- C. **Establishment Permit—Required.**
 1. It is unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted, or carried on, in or upon any premises in the City the operation of an adult entertainment business without first having obtained the appropriate permit as provided in this Section.
 2. Any person wishing to operate an adult entertainment business must also apply for and obtain a valid business license pursuant to Woodland Municipal Code Section 5.04.040, License Requirements and Exemptions. Any such business license shall be conditioned upon the issuance and maintenance of all permits required by this Section for the operation of an adult entertainment business.
- D. **Establishment Permit—Application.** The application for a permit to operate an adult entertainment business shall set forth the exact nature of the business to be administered, the proposed place of business, and the facilities therefor. A form for the application required by this Section shall be obtained from the Chief of Police. The completed application form shall be submitted to the Chief of Police and shall also contain the following information:
 1. The full true name and any other names used by the applicant;
 2. The two previous residential addresses and business addresses, if any, immediately prior to the present address of the applicant;
 3. The applicant's height, weight, color of eyes, and hair;
 4. The business, occupation, or employment of the applicant for the 10 years immediately preceding the date of the application;
 5. The adult entertainment or similar business license history of the applicant; whether such person, in previously operating in this City or another City, County, or state under a license or permit, has had such license or permit revoked or suspended; the reasons therefor and the business activity or occupation subsequent to such action of suspension or revocation;
 6. All criminal convictions, except minor traffic violations;
 7. The applicant shall be fingerprinted and have his or her photograph taken by the City Police Chief and shall pay such fees therefor as are charged by the Police Chief for such services generally;
 8. Such other identification and information as determined by the Police Chief, any other City department of jurisdiction, or any fire protection district or jurisdiction to be necessary to verify the truth of the matters required by this Section; and
 9. If the applicant is a corporation or partnership, the name of the corporation or partnership shall be set forth exactly as shown in its articles of incorporation or

partnership agreement, and the information required by this Subsection shall be furnished for the managing director or managing employee, any general partner, and any stockholder owning 20 percent or more of the stock of an applicant corporation.

E. Establishment Permit—Issuance.

1. Within 60 days after the submission of a complete application with the Chief of Police for an adult entertainment permit, the Chief of Police shall, based on input from other departments/officials, approve or deny the permit. No permit shall be transferable to any other person.
 - a. Prior to the expiration of such 60-day period, information received as part of the business license application review shall be forwarded to the Chief of Police.
 - b. The Chief of Police may extend the 60-day period if information sufficient to make a determination has not yet been made available to him or her.
2. The Chief of Police shall issue a nontransferable adult entertainment business permit if the applicant has proven that all the requirements for an adult entertainment business described in Subsection 17.84.040.A, Definitions, Subsection 17.84.040.C, Establishment Permit – Required, Subsection 17.84.040.S, Violation -- Penalty, and Subsection 17.84.040.T, Establishment – Allowed Zones are met, unless the Chief of Police finds:
 - a. That the operation as proposed by the applicant will not comply with all the applicable laws, including, but not limited to, the building, health, planning, housing, and fire laws of, or applicable to, the City; or
 - b. That the personnel, or the owners and operators of the adult entertainment business have engaged in unlawful activity, or been convicted of any of the following offenses or convicted of an offense outside the state that would have constituted any of the following offenses if committed within the State:
 - i. Penal Code § 266i, § 314, § 315, § 316, § 318 or § 647(b) or any offense requiring the personnel or the owners of an adult entertainment establishment to register under Penal Code § 290.
 - ii. Any felony offense involving the sale of a controlled substance specified in the California Health and Safety Code Section § 11054, § 11055, § 11056, § 11057 or § 11058.
 - iii. Any crime or unlawful activity, on the basis of which the Chief of Police reasonably concludes that by reason of the nature of the crime or activity, the applicant's operation of an adult entertainment business would pose a risk of harm to the public.

- F. Nude Dancer Permit—Required.** It is unlawful for any person to be employed or to act as a nude dancer without having a valid permit issued pursuant to the provisions of this Section, and it is unlawful for any owner, operator, responsible managing employee, manager or permittee in charge of or in control of an adult entertainment business to employ or permit

any person to act as a nude dancer who is not in possession of a valid, unrevoked nude dancer permit.

- G. **Nude Dancer Permit—Application.** The form for a nude dancer application shall be obtained from the Chief of Police. The completed form shall be submitted to the Chief of Police and shall set forth the place of business and facilities where the nude dancing shall take place. The application shall also contain the information required by Subsection 17.84.040.C, Establishment Permit—Required.
- H. **Nude Dancer Permit—Issuance.**
 - 1. Within 60 days after the submission of a complete application for a nude dancer permit, the Chief of Police shall act to approve or deny the permit. The Chief of Police may extend the 60-day period if information sufficient to make a determination has not yet been made available to him or her.
 - 2. The Chief of Police shall issue a nontransferable nude dancer permit if the applicant has proven that all the requirements for a nude dancer permit described in subsection F of this Section have been met, unless the Chief of Police finds that the applicant has been convicted of any offenses as set forth in Subsection 17.84.040.E.2.b.
- I. **Establishment Permit and Nude Dancer Permit—Deadline.** The provisions of this Section shall be applicable to persons engaged in the businesses regulated by this Section prior to the effective date of the ordinance codified in this Section, and to persons employed as nude dancers prior to the effective date of the ordinance codified in this Section. Notwithstanding any other provision of this Subsection, such persons shall file for the permits required by this Section within 180 days from the effective date of the ordinance codified in this Section. Failure to do so shall make the continued operation of such businesses or the continued employment as a nude dancer a violation of Subsection 17.84.040.B, Location, and Subsection 17.84.040.E, Establishment Permit—Issuance.
- J. **Permit Renewal—Application.** If a permittee wishes to renew his or her permit, the permittee shall complete an application form, as required by this Section, and submit it to the City no earlier than June 1, nor later than June 15, prior to the expiration of the existing permit. Applications for renewal of establishment permits shall include, where applicable, a list of nude dancers employed by such establishment as of the renewal date. Failure to submit the renewal application during the time specified shall cause the permit to automatically expire on the next succeeding June 30.
- K. **Permit Renewal—Requirements.** The Chief of Police shall renew permits applied for under this Section if the permittee has proven that he or she still meets all of the requirements for an adult entertainment business or a nude dancer permit contained in this Section, unless the Chief of Police finds that the permittee no longer complies with the provisions of Subsection 17.84.040.D.2, concerning an adult entertainment business or Subsection 17.84.040.G, Nude Dancer Permit—Application, concerning a nude dancer.
- L. **Permit Renewal—Procedure.** The procedure for the renewal of a permit shall be the same as set forth in this Section for original permit applications; however, no additional background investigation or fingerprinting shall be required.

M. **Permit Revocation or Suspension.**

1. ***Grounds for Revocation or Suspension.*** Any permit issued pursuant to this Section may be revoked or suspended by the Chief of Police upon a finding that any of the following grounds exist:
 - a. A violation of any of the provisions of this Section; or
 - b. The conviction of any offense described in Subsection 17.84.040.D, Establishment Permit—Application.
2. ***Procedure.***
 - a. Any City department of jurisdiction, including, but not limited to, the Community Development Department, the Building Inspection Department, the Planning Department, or any fire protection district of jurisdiction, may notify the Chief of Police that grounds exist for the revocation of an adult entertainment business or a nude dancer permit.
 - b. The Chief of Police shall then give the permit holder written notice of the grounds for revocation or suspension. The notice also shall specify a time and place of hearing and shall be given at least 10 calendar days before the time of the hearing. At such hearing, the permit holder shall show cause why his or her permit should not be revoked or suspended.
 - c. The permit holder may appeal the decision of the Chief of Police to the City Council. If the permit holder does not appeal, the decision of the Chief of Police is final and conclusive on expiration of the time fixed for appeal.
 - d. Appeal from a decision to revoke a permit issued pursuant to this Section shall be made within 10 calendar days after written or oral notice of the decision of the Chief of Police.
 - e. If the permit holder requests a hearing within the time set forth in Subsection 17.84.040.L, Permit Renewal—Procedure the Clerk shall set the matter for a hearing. The permit holder shall be given written notice of the time, date, and place of such hearing by the Clerk at least 10 days prior to the date of the hearing. Such notice either shall be personally delivered to the permit holder or shall be sent by registered or certified mail.
 - f. If notice is by registered or certified mail, it shall be deemed delivered on the day following the deposit of the notice in the United States Postal Service.
 - g. If a hearing has been requested, the council shall receive evidence on the charges contained in the notice to the permit holder. Upon the conclusion of the presentation of the evidence on the charges, the permit holder may present evidence to refute the charges.
 - h. Upon the conclusion of the presentation of evidence and any closing statements, the City Council may take any of the following actions, which shall be final:

- i. If the City Council finds that there has been a violation of any of the provisions of this Section or finds that the permit holder has been convicted of any offense described in Subsection 17.84.040.D, Establishment Renewal—Application, the City Council may:
 - i. Order the revocation of the permit (see Section 17.96.150, Revocation of Permit);
 - ii. Order the suspension of the permit for such time as the City Council deems proper; or
 - iii. Order the suspension of the permit for such time as the City Council deems proper, with reinstatement of the permit subject to such conditions as may be ordered by the City Council.
 - j. If the City Council finds that the evidence does not support any of the charges, the City Council shall order that the charges be dismissed.
- N. **Compliance with Section.** It is unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted, or carried on, in or upon any premises in the City, the operation of an adult entertainment business in violation of the terms and conditions of this Section.
- O. **Operation with Revoked Permit.** It is unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted, or carried on, in or upon any premises in the City, the operation of an adult entertainment business if such person's permit has been revoked.
- P. **Nude Dancer Compliance with Section.** It is unlawful for any person to act as a nude dancer in violation of the terms and conditions of this Section.
- Q. **Inspections.** The various City departments of jurisdiction, including, but not limited to, the City Police Chief, the Building Inspection Department, and the Community Development Department, and any fire protection district of jurisdiction, may, at any time, inspect the subject premises and investigate the manner of the operation of the adult entertainment business to ensure that it is operating in compliance with this Section.
- R. **Change of Business Name or Location.** No person granted a permit pursuant to this Section shall operate under any name or conduct his or her business at any location not specified in his or her permit. If the business facilities and/or location is changed, a new permit shall be obtained.
- S. **Violation—Penalty.**
 - 1. Any violation of any of the provisions of this Section is an infraction, and upon conviction thereof shall be punished by a fine not to exceed \$50.00 for a first violation, \$100.00 for a second violation within one year, and \$250.00 for each additional violation within one year.
 - 2. Every day that any such violation continues shall constitute a separate offense.
- T. **Establishment—Allowed Zones.** The establishment of adult entertainment allowed as indicated in the use tables of Chapters 17.24 through 17.48; provided, however, no adult

entertainment use may be established in any such zone unless the entire parcel upon which such use is located is outside all of the specified distance requirements set forth in Subsection 17.84.040.A, Definitions and unless the adult entertainment use complies with all the other regulations imposed within the zone by this Title.

U. **Conditional Use Permit Required.** No person shall operate an adult entertainment use without first obtaining a Conditional Use Permit as provided in Section 17.100.100, Conditional Use Permit. Such permit shall be issued by the Planning Commission if the applicant meets the criteria listed below. No other land use permit is required to operate an adult entertainment use, and only the following criteria may be required as conditions to the issuance of this use permit:

1. An application for a Conditional Use Permit has been made in accordance with the procedure set forth in Chapter 17.100.100, Conditional Use Permit.
2. All building height, building site, minimum yard, and off-street parking requirements for uses subject to a use permit have been met. These requirements are set forth in the base zone regulations (Chapters 17.24, Residential Zones through 17.48, Planned Development).

The issuance of the adult entertainment use permit may be conditioned upon the erection of a fence of the type and design which meets the approval of the Planning Commission.

3. The building and lot on which such business is located comply with local and state law concerning signs, building security, design review, occupancy, structure, safety, and landscaping, and that all applicable building, plumbing and fire codes have been met.
4. Hours of operation may be designated by the Planning Commission as additional to the issuance of the use permit if the Planning Commission finds, based on substantial evidence presented to it, that there is a need for regulation of hours due to a specifically identified significant problem linked to the adult entertainment use. When regulating the hours of operation of an adult entertainment use, the Planning Commission shall, whenever possible, designate hours which are consistent with the hours of operation of nearby businesses which are similar in nature. If shorter hours than those of nearby businesses of a similar nature are imposed, the Planning Commission shall:
 - a. Identify in writing the need for such shorter hours;
 - b. Make a specific finding, that a less restrictive condition or requirement would not alleviate the problems imposed by the longer hours of operation of such use; and
 - c. Set forth the period of time after which the permit holder could seek review of the Planning Commission's designation of the hours of operation of said use.
5. All other regulations and provisions of this Section have been complied with.

17.84.050 Agricultural Production, Light

- A. **Accessory Use Only.** Agricultural production is allowed as an accessory use only.
- B. **Location.** Active agricultural uses may not be located within 500 feet of sensitive uses including residential, food production, clean tech, schools, day cares, and other places of assembly.
- C. **On-site Retail Sales.** Retail sales of agricultural products grown on the premises may be considered with a Zoning Administrator Permit. Review of any temporary structures, access, and parking related to on-site retail sales will be considered in the Zoning Administrator Permit review. See Section 17.100.090, Zoning Administrator Permit.
- D. **Permanent Structures.** Any on-site permanent structure must be related to the primary use. Permanent structures associated with this use are not permitted.
- E. **Pesticide Use.**
 - 1. Application of all pesticides and chemicals shall follow the State of California guidelines and the County of Yolo Agricultural Weights and Measures permit requirements.
 - 2. Pesticide use is subject to the Agricultural Commissioner of the California Department of Pesticide Regulation.
 - 3. Pesticide use requires a minimum quarter-mile buffer from any school and 50-foot buffer from any other use.

17.84.060 Alcoholic Beverage Sales (Updated)

- A. **Purpose.** Establishments which serve alcoholic beverages receive special attention from the City because of their potential to create problems, such as littering, loitering, public intoxication, and disturbances. All establishments selling alcoholic beverages are reviewed by the City. The following provisions provide minimum development standards for alcoholic beverage sales. These standards are designed to provide for the appropriate development of alcoholic beverage sales and to protect the health, safety, and welfare of residents by further awareness of laws relative to drinking.
- B. **Public Convenience and Necessity.**
 - 1. Any person whose application for an on-sale or off-sale alcohol license is required by the Alcoholic Beverage Control Board of the State of California (ABC) to be subject to a determination of public convenience or necessity (PCN determination) by the City, shall apply to the City for a determination of whether public convenience or necessity would be served by the granting of such license. Refer to the PCN review requirements below in Subsection 17.84.060.B.3, Requirements for On-Sale Liquor Establishments.
 - 2. Such application shall be on forms provided by the City and contain such information as required by the City and shall be accompanied by payment of a fee.
 - 3. The PCN application shall include a written statement from the applicant demonstrating, by substantial evidence, that the public convenience or necessity

would be served by the issuance of the license from the ABC. See Subsection 17.84.060.G, Review of PCN Applications.

C. **Requirements for On-Sale Liquor Establishments.**

1. **Permit Required.** Unless otherwise specified, restaurants with alcohol sales, bars, nightclubs, and lounges, and alcoholic beverage retail sales establishments, shall not be established without first securing a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) as required in the applicable base zone.
 - a. **Exceptions.** The following uses do not require a Conditional Use Permit:
 - i. Veterans' clubs and fraternal organizations.
 - ii. Full-service restaurants, defined as having gross receipts for food constituting 51 percent of all sales, that do not sell alcohol past 10:00 p.m.
 - iii. Membership organizations and clubs that are restricted to members and guests only.
 - iv. Non-profit temporary licenses.
 - v. One-day on-sale licenses pursuant to California Business and Professions Code § 24045.1.
 - vi. Hotels or motels that offer complimentary drinks to their guests.
2. **Operational Statement Required.** Applicants shall submit an operational statement which shall include, but not be limited to the following:
 - a. Information as to persons doing business under fictitious names, members of partnerships, and officers of corporations or associations.
 - b. Exhibits that include a site plan and floor plan.
 - c. An evacuation plan in case of emergency (bars and nightclubs).
 - d. Hours of operation.
 - e. Security Plan (including efforts to ensure that the parking area is monitored to prohibit loitering and crowding and line control).
3. **Development Standards.** The following standards apply to all on-sale liquor establishments.
 - a. **Parking Areas.** The designated parking area shall be oriented away from residences as much as possible and shall be clearly shown on the site plan.
 - b. **Noise.** Noise levels shall be monitored to ensure compliance with all applicable noise standards.
 - c. **Security.** The Police department shall review security measures for each application, and measures shall be based upon the function of the establishment as described in the operational statement. Additional and/or security measures such as reduced hours of operation, security guards, door

monitors, alarm systems, may be required if nuisance or related problems are demonstrated to occur as a result of business practices or operations.

- d. *Loitering.* The owner and/or proprietor and/or operator of the establishment is responsible to provide supervision to prevent loitering in the immediate vicinity of the establishment.
- e. *Tasting Rooms.*
 - i. The tasting room use will be accessory to a restaurant or retail sales facility.
 - ii. Outdoor dining and seating may be conducted as an accessory use located on the same parcel, on a contiguous adjacent parcel, or on a public right-of-way immediately adjacent to the tenant space subject to a City-issued encroachment permit.
 - iii. Outdoor dining and seating shall comply with all applicable adopted City design standards. See Section 17.84.270, Outdoor Display, Sales, and Dining.
 - iv. No structure or enclosure to accommodate the storage of trash or garbage shall be erected or placed on, adjacent to, or separate from the public sidewalk or right-of-way. Outdoor dining shall remain clear of litter at all times.
 - v. The hours of operation of the outdoor dining and seating shall be limited to the hours of 8:00 AM and 10:00 PM. If open later than 10:00 pm and/or within 500-feet of a residential use, a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit) is required, in compliance with Table 17.84.060.C-1: Separation of Use and Time Standards for On-Sale Liquor Establishments Outside of the Downtown.
 - vi. Products offered for tasting and sale may include wine, beer, olive oil, cheese, and or other specialty retail products.
 - vii. Outdoor events would be subject to a City-issued Special Event Permit.

- 4. ***Separation of Use and Time Standards Outside of the Downtown.*** Table 17.84.060.C-1: Separation of Use and Time Standards for On-Sale Liquor Establishments Outside of the Downtown identifies the separation from residential uses and serving time requirements for all on-sale liquor establishments outside of the Downtown zones.

Table 17.84.060.C-1: Separation of Use and Time Standards for On-Sale Liquor Establishments Outside of the Downtown

Use ¹	Time to Stop Sales or Service of Alcohol	Separation From Residential ²
Restaurant, Indoor Dining (Should a restaurant seek to stay open after 10:00 pm, it shall require additional	10:00 PM	N/A

Table 17.84.060.C-1: Separation of Use and Time Standards for On-Sale Liquor Establishments Outside of the Downtown

Use ¹	Time to Stop Sales or Service of Alcohol	Separation From Residential ²
use permit review and be subject to separation standards for a Bar) ³		
Outdoor Dining (Should the outdoor dining be proposed to be open after 10:00 pm or be within 500-ft of a residential use or zone, a Zoning Administrator Permit is required)	10:00 PM	N/A if closed by 10:00 pm; 500 feet if open after 10:00 pm
Tasting Room (Should a tasting room seek to stay open after 10:00 pm, or serve alcoholic beverages other than beer and wine, it shall require additional use permit review and be subject to separation standards for a Bar)	10:00 PM	N/A
Bar	2:00 AM	500 feet
Nightclub (whether or not they serve alcoholic beverages)	2:00 AM	500 feet

Notes:

¹ Subject to base zone requirements and performance standards.

² Minimum horizontal distance measured between the building, or portion of the building, occupied by the alcohol use, and the closed property line of the planned or zoned residential use, not including a residential portion of a vertical missed-use development or project.

³ Multiple uses on site, as example, a restaurant that becomes a nightclub after a set time, may have separate permit for the specific uses.

D. Requirements for Off-Sale Liquor Establishments.

1. Applicability.

a. New or Expanded Use.

- i. Any proposed new establishment or existing establishment that requests to expand their alcohol or business license type(s), reinstate their alcohol or business license(s) after an expiration or revocation, extend their hours of operation, or expand their floor area, shall obtain a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit) or Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) as provided for in the zone-specific Use Regulations issued in compliance with the standards of this Section.
- ii. A modification to an existing establishment shall not be approved when a condition exists that has caused or resulted in repeated activities that are harmful to the health, peace, or safety of persons residing or working in the surrounding area.

2. **Development Standards.**

- a. *Concurrent Sale of Fuels and Off-sale Liquor Establishments.* The following additional standards shall apply to the concurrent sale of motor vehicle fuels and beer and wine for off-premises consumption:
 - i. Only beer and wine may be sold;
 - ii. The owner of each location and the management at each location shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violation of these laws. In addition, the owner shall provide health warnings about the consumption of alcoholic beverages. This educational requirement may be met by posting prominent signs, decals, or brochures at points of purchase. In addition, the owner and management shall provide adequate training for all employees at the location as to these matters;
 - iii. No displays related to alcoholic beverages shall be located within five feet of any building entrance or checkout counter;
 - iv. Cold beer or wine shall be sold or displayed in the main, permanently affixed electrical coolers only;
 - v. No advertising related to alcoholic beverages shall be located on gasoline islands; and no lighted advertising for beer, wine, or other alcoholic beverages shall be located on the exterior of buildings or within window areas;
 - vi. Employees selling beer and wine between the hours of 10:00 PM and 2:00 AM shall be at least 21 years of age; and
 - vii. No sale of alcoholic beverages shall be made from a drive-in window.
- b. *General Standards for Off-sale Facilities.*
 - i. *Lighting.* The exterior of the premise, including adjacent public sidewalks and all parking lots under the control of the establishment, shall be illuminated during all hours of darkness during which the premises are open for business in a manner so that persons standing in those areas at night are identifiable by law enforcement personnel. Exterior lighting of the parking lot shall be kept at an intensity of at least one foot-candle. However, required illumination shall be placed and/or shielded in a way that minimizes light and glare on adjacent residences or sensitive uses.
 - ii. *Litter and Graffiti.*
 - a) Trash and recycling receptacles, that meet City design standards, shall be provided by public entrances and exits from the building.

- b) The owner or operator shall provide for daily removal of trash, litter, and debris from the premises and on all abutting sidewalks within 20 feet of the premises.
 - c) The owners or operator shall remove graffiti within 48 hours.
 - iii. *Location.*
 - a) No off-sale liquor establishment outside of the Downtown shall be maintained within 500 feet of any other establishment where alcoholic beverages are sold for both off-site and on-site consumption or such consideration points as schools (public and private), established churches or other place of worship, hospitals, convalescent homes, public parks, and playgrounds and/or other similar uses. The distance of 500 feet shall be measured between the nearest entrances used by patrons of such establishments along the shortest route to other establishments, or to the nearest property line of any of the above referenced consideration points.
 - b) No off-sale liquor establishment may lead to a grouping of more than four establishments within a 1,000 foot radius.
 - c) Establishments shall not be located in areas of undue concentration, or areas of high crime, as defined by the California Business and Professions Code § 23958.4(a)(1) and (2), and as determined by the Department of Alcoholic Beverage Control, unless a determination of public convenience or necessity (PCN) is approved.
 - iv. *Adult Printed Matter.* Adult magazines and all printed matter coming within the definition of the California Penal Code § 313 shall be located for sale only behind the counter and shall be stored in racks covered by modest panels.
 - v. *Noise.* Noise levels shall not exceed required noise standards.
 - vi. *Display.* No beer or wine shall be displayed within five feet of the front door unless it is in a permanently affixed cooler.
 - vii. *Plastic Cup Sales.* Paper or plastic cups shall not be sold in quantities less than their usual and customary packaging.
- 3. *Staff Requirements for Off-sale Liquor Establishments.* It shall be the responsibility of the applicant licensee to provide all staff with the knowledge and skills that will enable them to comply with their responsibilities under law. The knowledge and skills deemed necessary for responsible alcoholic beverage service shall include, but not be limited to, the following topics and skills development:
 - a. State laws relating to alcoholic beverages, particularly ABC and penal provisions concerning sales to minors and intoxicated persons, driving under the influence, hours of legal operation, and penalties for violations of these laws.

- b. The effects of alcohol on the body, and behavior, including how the effects of alcohol affect the ability to operate a motor vehicle.
- c. Methods for dealing with intoxicated customers and recognizing underage customers.

E. Nonconforming Liquor Establishments and Improvements to Nonconforming Liquor Establishments.

1. Existing Uses.

- a. *Nonconforming.* Existing establishments that have been legally established under previous regulations, but do not conform to current law, may continue to operate as a recognized use pursuant to Chapter 17.80, Nonconforming Provisions.
- b. *Loss of Nonconforming Status.* Changes to an existing use that could cause the loss of nonconforming status are, but not limited to the following:
 - i. When a business closes for six continuous months;
 - ii. Change of use (e.g., from restaurant to nightclub), or is a single use would like to establish multiple uses;
 - iii. An increase of floor area (including patio area) for existing use; and
 - iv. Request to modify manner of operation, change in type of business, or character of operation.
- c. When a nonconforming status is lost, any subsequent use must be consistent with current zoning and land use regulations and a new permit is required.
- d. Any use wishing to expand that previously did not have a use permit shall obtain a use permit issued in compliance with the standards of this Section.

2. Non-Operation. Whenever all of the rights granted by a use permit are discontinued, the following rules to reestablish the use shall apply:

- a. *One Year or Less.* The same or different operator may reestablish the use pursuant to the preexisting use permit and all conditions applicable thereto.
- b. *More Than One Year.* A new permit is required.

F. Existing Establishments Selling Alcoholic Beverages (On-Sale and Off-Sale). Any establishment which becomes lawfully established on or after the effective date of the ordinance codified in this Section and licensed by the State of California for the retail sale of alcoholic beverages of on-site and/or off-site consumption, shall obtain a modification of its Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) or Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit) when:

- 1. The establishment changes its type of liquor license within a license classification; and/or
- 2. There is a substantial change in the mode or character of operations.

G. Review of PCN Applications. (New)

1. Upon receipt of an application for a PCN determination, the application shall be reviewed by the Police Department, Code Compliance staff, Building Division, and any other City departments that the Director believes appropriate for review and comment. The Director may request from the applicant any additional pertinent information regarding the applicant, the proposed license, or the applicant premises.
2. The police chief or designee shall determine whether there are existing problems regarding criminal activity at the applicant premises or in the area surrounding the applicant premises. Also, the police department shall comment on whether issuance of the license would tend to create a law enforcement problem. If the department determines that law enforcement problems exist, or that such problems would be created in the event an alcoholic beverage license is issued, a written report of the problems and a recommendation shall be given to the Director.
3. The Director shall determine whether the applicant premises are located in the appropriate land use designations and have received all required entitlements to permit the type of alcoholic beverages sales described in the application. No PCN shall be approved if the applicant premises are not within the appropriate land use designation or do not have all necessary land use entitlements.
4. The Director, in conjunction with the Code compliance coordinator, shall determine whether there are pending Code enforcement actions regarding the applicant premises. If it is determined that there is a pending or ongoing Code enforcement action involving the applicant premises, no PCN determination may be made by the department until the investigation is completed and all Code issues are resolved.
5. Any other City department that has received a request from the Director to review the application shall file its comments and, if appropriate, its recommendation on the application with the department.
6. The Director shall contact the ABC to determine whether any protests were lodged with the ABC in relation to the applicant's request for a license from the ABC.
7. Based on an evaluation of all timely submitted written findings, comments, and the factors that may be considered, as set forth in Section 17.84.060, Alcoholic Beverage Sales, the Director shall make a determination on whether public convenience or necessity will be served by the ABC's issuance of an alcoholic beverage license for the applicant premises and whether to issue or deny a letter of public convenience or necessity.

H. Issuance of a PCN Determination.

1. In all cases in which an applicant applies for a PCN determination, the Director may exercise their discretion to issue or deny issuance of a letter of public convenience or necessity. In exercising their discretion, the Director shall consider the following factors:
 - a. The type of proposed use by the applicant;

- b. Whether the proposed use will be detrimental to the health, safety, and welfare of the community;
 - c. Whether the use would enhance the economic viability of the area in which it is proposed to be located;
 - d. The extent of support or opposition to the proposed license from members of the community;
 - e. The number of licenses within a one-mile radius of the proposed licensed location;
 - f. The type of licensed premises within a one-mile radius of the proposed licensed location and the extent to which the proposed license would cause a further overconcentration of that particular type of premises in the area;
 - g. The background and the history of the applicant's operations, including the nature and extent of problems on any premises where he or she has operated a licensed premises in the past;
 - h. Whether the applicant has ever been convicted of any offense involving moral turpitude or any offense related to the sale or use of alcoholic beverages;
 - i. How close the proposed establishment will be to a residential neighborhood, place of worship, or school;
 - j. Whether there is a history of police or crime-related problems in the area proposed for a license; and
 - k. Whether the proposed license would enhance recreational or entertainment opportunities in the area.
- 2. The Director may determine that the PCN will be met and the health, safety or welfare of the community will be promoted only if certain conditions are imposed upon the operations of the licensee. The conditions may cover any matter relating to the privileges to be exercised under the license. If a letter is issued with conditions applied, it shall specifically set forth that the public convenience or necessity is served only if the conditions set forth in the letter are met by the applicant.
 - 3. The Director shall provide a comment period of no less than ten calendar days prior to final approval of a letter of public convenience and necessity, beginning on the date the public notices are mailed. The purpose of the comment period is to enable the public to bring comments or questions to the attention of the department. If the department receives substantive comments or information which establishes that the application should not be approved administratively, the department shall either deny the application or, if requested by the applicant and upon submittal of the applicable fee, schedule a public hearing before the Planning Commission to consider the application.
 - 4. The final PCN determination shall be issued in writing by the Director who will author a PCN determination stating whether the Director finds public convenience and necessity will or will not be served by the issuance of a license from the ABC. The

written determination shall be served by mail upon the applicant and the ABC within fifteen business days of the decision of the Director.

5. No letter of public convenience or necessity shall be issued by the Director pursuant to this article unless the applicant agrees, in writing, that if the ABC issues a license to sell alcoholic beverages, the license will be subject to all conditions imposed as part of the PCN determination at all times the license is in use and in effect.

I. **Expiration—No Transfer of a PCN Determination.**

1. A PCN determination in support of the issuance of a license from the ABC is only valid for one year from the date of the Director's action and the PCN determination shall so state. If no license to sell alcoholic beverages has been issued to the applicant for the applicant premises, within one year of issuance of a favorable PCN determination, the City's PCN determination shall be deemed withdrawn without the need for further action by the Director or the applicant, and the applicant must reapply if he or she seeks another PCN determination.
2. Except as provided in California Business and Professions Code § 23958.4, the PCN determination is not transferable to any other applicant or proposed licensee. Unless permitted by California Business and Professions Code § 23958.4, any proposed licensee for the same premises must submit a new application and follow the procedures for issuance of a PCN determination in this article. Nothing in this article precludes the City from protesting the issuance of a license from the ABC pursuant to other sections of the Alcoholic Beverage Control Act, including, but not limited to, § 23958.

- J. **Revocation.** In the event of a violation of any of the conditions imposed on an applicant or the applicant premises in accordance with this article, the Planning Commission may, after public notice and hearing, revoke any letter of public convenience or necessity issued regarding the applicant or applicant premises. Upon revocation, the applicant shall not continue to sell alcoholic beverages at the applicant premises. The determination of the Planning Commission shall become final ten days after the date of decision unless appealed to the City Council. The revocation shall be reported to the ABC.

17.84.070 **Alternate Energy Sources**

- A. **Purpose.** To encourage and promote the use of alternate energy sources by providing solar and wind access protection.

B. **Solar Energy Collection Systems.**

1. When a solar energy collection system is installed on a lot, any accessory structure or vegetation on an abutting lot shall not be located so as to block the solar collector's access to solar energy. The portion of the solar collector that is protected is that portion which:
 - a. Is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by any hypothetical 12-foot obstruction located on the lot line; and

- b. Has an area of not greater than one-half of the heated floor area of the structure, or the largest of the structures, served.
 2. This Section does not apply to accessory structures or vegetation existing on an abutting lot at the time of the installation of the solar energy collection system, or on the effective date, whichever is later. This Section controls any accessory structure erected on, or vegetation planted on, abutting lots after the installation of the solar energy collection system.
 3. A copy of the Building Permit for the solar energy collection system shall be kept on file in the Community Development Department and the date the Building Permit is issued shall be the effective date. The solar facility must be completed and have a final inspection, approved by the Building Inspector, within one calendar year from the date the Building Permit is issued. See Section 17.100.130, Building Permit.
 4. Ground mounted solar energy collections systems shall be screened from public view and, unless in the Industrial zone, shall be located on the rear half of the property and shall meet applicable setback standards.
- C. **Clotheslines.** It is unlawful to establish any private covenant or restriction which prohibits the installation and/or use of a clothesline in any Residential zone.
- D. **Wind Energy Conversion Systems (WECS).** Wind energy conversion systems shall be permitted in all zones subject to the following requirements:
 1. ***Building Permit Application for A WECS.*** Building permit applications (see Section 17.100.130, Building Permit) for a wind energy conversion system shall be accompanied by a plot plan drawn in sufficient detail to clearly describe the following:
 - a. Property line and physical dimensions of the site;
 - b. Locations, dimensions, and types of existing structures, and uses on site;
 - c. Location of the proposed WECS;
 - d. Location of all above-ground utility lines on-site or within one radius of the total height of the WECS; and
 - e. Location and size of the largest structure taller than 35 feet or tree which may potentially grow taller than 35 feet during the lifetime of the WECS within a 500-foot radius of the proposed WECS.
 2. ***General Provisions.*** Installation of all wind energy conversion systems shall comply with the following requirements:
 - a. *Size.* This Section covers those WECS whose swept area is 500 square feet or less. For conventional propeller WECS, this would be approximately 25 feet in diameter.
 - b. *Compliance with Uniform Building Code.* Building permit applications (see Section 17.100.130, Building Permit) shall be accompanied by standard drawings of the structural components of the wind energy conversion system and support structures, including base and footings. The application shall also include engineering data and calculations to demonstrate compliance of the

support structure with seismic and structural design provisions of the Uniform Building Code. Drawing and engineering calculations shall be certified in writing by a California-registered structural engineer. This certification can be supplied by the manufacturer. Where the structural components of an installation vary from the standard design or specification, the proposed modifications shall be certified by a California-registered structural engineer for compliance with the seismic and structural design provisions of the Uniform Building Code.

All equipment and materials shall be used or installed in accordance with such drawings. The above certifications by a California-registered structural engineer shall be deemed to satisfy all applicable requirements of the Uniform Building Code.

- c. *Compliance with National Electrical Code.* Building permit applications (see Section 17.100.130, Building Permit) shall be accompanied by a drawing identifying the location of metering, protection and control devices, and transformer equipment in sufficient detail to allow for a determination that the manner of installation will conform to Articles 250 (Grounding), 280 (Lightning Arrestors), 300 (Wiring Methods), 310 (Conductors for General Wiring), 430 (Motors), 445 (Generators), and 450 (Transformers and Transformer Vaults) of the National Electrical Code. The application shall include a statement from a California-registered electrical engineer indicating that the electrical system conforms with good engineering practices and complies with the above articles of the National Electrical Code. All equipment and materials shall be used or installed in accordance with such drawings and diagrams. This certification can be supplied by the manufacturer.

Where the electrical components of an installation vary from the standard design or specifications, the proposed modifications shall be reviewed and certified by a California-registered electrical engineer for compliance with the requirements of the national electrical code and good engineering practices. The above certification by a California-registered electrical engineer shall be deemed to satisfy all applicable requirements of the national electrical code.

- d. *Rotor Safety.* Each wind energy conversion system must be equipped with both manual and automatic controls to limit the rotational speed of the blade below the design limits of the rotor. The application must include a statement by a California-registered engineer certifying that the rotor and over-speed controls have been designed and fabricated for the proposed use in accordance with good engineering practices. The engineer should also certify the compatibility of possible towers with available rotors. The certification can be supplied by the manufacturer.
- e. *Guy Wires.* Anchor points for guy wires shall be located within property lines and not on or across any above-ground electric transmission or distribution line. Guy wires shall be enclosed by a fence six feet high or the WECS shall be set back from the property line the total height of the WECS.

- f. *Tower Access.* Lattice towers capable of being climbed shall be enclosed by a locked, protective fence at least six feet high located not closer than eight feet from the ground. Other towers should have either:
 - i. Tower-climbing apparatus located not closer than 12 feet from the ground;
 - ii. A locked anti-climb device installed on the tower; or
 - iii. The tower shall be completely enclosed by a locked, protective fence at least six feet high.
- g. *Noise.* The WECS shall meet the requirements of the Noise Element of the General Plan.
- h. *Electromagnetic Interference.* A wind energy conversion system shall comply with the provisions of 47 C.F.R., Parts 15 and 18. The wind energy conversion system shall be operated such that no harmful interference is caused. When notified by the City Building Inspector that a wind energy conversion system is causing harmful interference, the operator shall promptly take steps to eliminate the harmful interference.
- i. *Signs.* At least one sign shall be posted at the base of the tower warning of high voltage. The sign shall also include emergency phone number and emergency shutdown procedures.
- j. *Utility Notification.* No wind turbine shall be interconnected with a utility company's grid until said company has been notified in accordance with procedures established by the California Public Utilities Commission.
- k. *Height.* The minimum height of the lowest part of the WECS shall be either 30 feet above the highest structure allowed under the local zoning requirement or potential tree height, whichever is higher, if it is within a 200-foot radius. If an obstruction is within a 201- to 500-foot radius, the lowest part of the WECS shall be 10 feet above it.
- l. *Setbacks.* The WECS shall be located such that the furthest extension of the apparatus does not cross any property lines, except as provided for under Subsection 17.84.080.D.2.e, Name.
- m. *Abatement.* If a wind energy conversion system or systems are not maintained in operational condition and pose a potential safety hazard, the owner or operator shall take expeditious action to remedy the situation. The City reserves the authority to abate any hazardous situation and to pass the cost of such abatement on to the owner or operator of the system. If the City determines that the WECS has been abandoned, the system shall be removed within 30 days of written notice to the owner or operator of the system.
- n. *Liability Insurance.* The applicant, owner, lessee, or assignee shall maintain a current insurance policy which will cover installation and operation of the wind energy conversion system at all times. Said policy shall provide a minimum \$300,000.00 property and personal liability coverage.

17.84.080 **Animal Keeping**

- A. **Purpose.** The purpose of this Section is to provide development standards for animal keeping and to minimize potential adverse effects related to the keeping of animals on adjoining property.
- B. **Additional Regulations Related to Animal Keeping.** All regulations established in Woodland Municipal Code Chapter 6.08, Domestic Animal Keeping apply to the keeping of animals in the City and should be consulted together with this Section.
- C. **Non-Commercial Animal Keeping.**
1. ***Livestock and Domestic Fowl Prohibited Generally.*** It is unlawful for any person to maintain within the City, or permit to be kept or maintained upon land belonging to such person, any cattle, horses, swine, sheep, goats, geese, ducks, turkeys, roosters, and other poultry and fowl birds, except as specifically permitted under provisions of Woodland Municipal Code Section 6.08, Domestic Animal Keeping.
 2. ***Miniature Pigs.*** The noncommercial raising of miniature pigs (Vietnamese pot-bellied pigs) shall comply with the standards of Woodland Municipal Code Section 6.08.040.C and the following standards:
 - a. *In the R-1 Zone.*
 - i. Not more than three miniature pigs on lots of not less than 20,000 square feet.
 - b. *In the N-P, RL-M, and R-M Zones.*
 - i. Not more than one miniature pig on a lot between 7,200 and 19,999 square feet.
 - ii. Not more than two miniature pigs on lots not less than 20,000 square feet.
 - c. Any person having charge, care, custody, or control of any miniature pig shall keep such pig exclusively upon his or her own premises.
 - d. The miniature pig must be kept in an enclosure that is no closer than 30 feet from the front property line, 15 feet from any side or rear property line, and no closer than 35 feet from any dwelling unit other than on the subject lot.
- D. **Poultry.** Crowing fowl are not permitted. Refer to Woodland Municipal Code Section 6.08.030, Keeping of chickens, pigeons, or rabbits.
- E. **Small Animals.** Rabbits, frogs, guinea pigs, parakeets, chinchillas, dogs, cats, or other similar small animals. The raising or breeding shall comply with the following Woodland Municipal Code Section 6.08, Domestic Animal Keeping and the standards below:
1. A total of not more than four small animals, or a combination thereof, may be kept and maintained in a clean and sanitary pen or structure.
 2. Animals must be kept and maintained in an enclosed area.
 3. The keeping of such animals shall not create a health or nuisance problem.

F. **Kennels and Stables.**

1. Kennels for dogs and cats, shall be located no closer than two hundred feet from any property line, shall provide automobile and truck ingress and egress, and shall provide parking and loading spaces so designed to minimize traffic hazard and congestion.
2. Kennels and stables are subject to all other standards for accessory structures.
3. Proponents shall show that odor, dust, noise, and drainage shall not constitute a nuisance or hazard to adjoining property or uses.

G. **Animal Hospital, Commercial Animal Boarding, Kennels, Pet Day Care.** Animal hospitals and veterinarian hospitals, and commercial animal boarding and/or pet day care shall be located no closer than 150 feet from any residential district, restaurant, hotel, or motel, in any district and shall show adequate measures and controls are taken to prevent offensive noise and odor. No incineration of refuse shall be permitted on the premises.H. **Wild, Dangerous, Exotic and Prohibited Animals.** The keeping of roosters, peacocks, geese, and any animal which requires a permit from the Department of Fish and Wildlife pursuant to the Fish and Game Code § 2118 is prohibited.**17.84.090 Automobile/Vehicle Sales and Services Uses (New)**A. **Automobile/Vehicle Service and Repair, Minor and Major.** In addition to other applicable standards of this Section, major and minor Automobile/Vehicle service and repair uses, as well as another other uses, such as auto dealerships or service stations, that perform auto servicing as an accessory activity, regardless of ministerial or discretionary entitlement, are subject to the following standards:

1. **Noise.** All body and fender work or similar noise-generating activity shall be conducted within an enclosed masonry or similar building with sound-attenuating construction to absorb noise. Air compressors and other service equipment shall be located inside a building. See also Section 17.76.110, Noise.
2. **Work Areas.** All work shall be conducted within an enclosed building, with the exception of pumping motor vehicle fluids, mechanical inspections and adjustments not involving any disassembly.
3. **Vehicle Storage.** Vehicles being worked on, awaiting service, or pick up shall be stored within an enclosed building or in a parking lot on the property that is screened in compliance with Chapter 17.70, Screening Standards. Unattended vehicles, or vehicle parts, shall not be parked or stored in the street, or any portion of the public right of way within the City.
4. **Design.**
 - a. Service bay openings are designed to minimize the visual intrusion on surrounding streets and properties
 - b. Incorporate half screen walls in combination with landscaping to screen vehicles while allowing eye level visibility into a site.

- c. A masonry wall at least 6 feet in height shall be provided along all lot lines adjacent to a Residential zone or a residential use.
- d. Additional screening and landscaping may be required where necessary to prevent visual impacts on adjacent properties.
- e. The site design, including the location and number of driveways, will promote safe and efficient on-site and off-site traffic circulation.
- f. Lighting is designed to be low profile, indirect, or diffused and to avoid adverse impacts on surrounding uses.
- g. Any washing area will not have an adverse impact on water supply and quality.
- h. Electric vehicle charging stations shall be added to each site consistent with Section 17.68.060, Electric Vehicle Charging Stations.

B. Auto/Vehicle Sales New and Used.

- 1. Auto sales in an open lot may only be considered as an accessory use to a retail showroom or as part of a dealership complex.
- 2. No surface parking lot or outdoor display area solely intended for the sale of autos and/or vehicles, that is not accessory to an indoor showroom, is allowed as a primary use on a lot.
- 3. The Director may approve, with conditions, the temporary overflow storage of autos and/or vehicles associated with a new car dealership as a primary use on a lot if the lot is located within 0.25 miles of the dealership.
- 4. Used car sales must be associated with a new car dealership, except for large format used car dealerships. A single-use used car lot is not permitted.
- 5. Automotive servicing or repair is permitted as an accessory use for automobile/vehicle sales and leasing establishments that offer maintenance and servicing of the type of vehicles sold on site.

C. Service Stations. In addition to other applicable standards of this Section, service stations and any other commercial use that included fuel pumps for retail sales of gasoline are subject to the following standards.

- 1. **Pump Islands.** Pump islands shall be located a minimum of 20 feet from any property line to the nearest edge of the pump island. A canopy or roof structure over a pump island may encroach up to 10 feet within this distance.
- 2. **Work Areas.**
 - a. All work shall be conducted within an enclosed building except pumping motor vehicle fluids, checking and supplementing various fluids, and mechanical inspection and adjustments not involving any disassembly.
 - b. Outdoor work activities are not allowed adjacent to an R-L or N-P zone or a residential use.

3. **Abandonment.** In the case of abandonment or non-operation of a service station, the primary use must be dismantled and the site cleared within 12 months of the close of the last business day.

D. **Automobile/Vehicle Washing.**

1. **Design.**
 - a. Buildings shall incorporate similar design features as the main building and shall comply with the design standards of the underlying district.
 - b. Buildings, or structures, including vacuum stations, shall not be located within 30 feet of any public street or within 20 feet of any interior property line of a residential use or residential district. Customer waiting areas and /or carwash offices may be excepted should the Review Authority determine that they will not disrupt the residential area.
 - c. Vehicle lanes for car wash openings shall be screened from public streets to a height of 40 inches. Screening devices shall consist of building placement, walls and/or berms with landscaping.
 - d. Vacuum stations shall be screened from view to the extent possible where feasible and be located behind buildings or otherwise screened from view and shall not be located along a street front.
 - e. Noise generating uses, such as service bays, car wash openings, vacuum stations, outdoor loading areas, garbage storage, and stacking lanes shall be located away from sensitive uses such as residential, day care, or schools.
 - f. A masonry wall at least six feet in height shall be provided along all lot lines adjacent to a residential district.
 - g. Additional screening and landscaping may be required where necessary to prevent visual impacts on adjacent properties.
 - h. The location and number of driveways will promote safe and efficient on-site and off-site traffic circulation.
 - i. Lighting is designed to be low profile, indirect, or diffused and to avoid adverse impacts on surrounding uses.
 - j. The washing facility will not have an adverse impact on water supply and quality.
2. **Self Service Drive Through.** Self-service car washes are not permitted, unless accessory to a fueling station or car sales, as provided for in the use table. Requirements of Subsection 17.84.090.E.1, Discretionary Application Review shall apply.

- E. **Discretionary Application Review.** All uses that fall under the Automobile/Vehicle Sales and Services land use category and that require a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit) or Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) are subject to the following requirements.

1. **Findings for Approval.** The Review Authority shall only approve a use permit upon making the following findings:
 - a. The project is designed so that form and scale are harmonious and consistent with the character of the specific site, the adjacent uses and structures, and the surrounding neighborhood.
 - b. The site design, including the location and number of driveways, will promote safe and efficient on-site and off-site traffic circulation.
 - c. Service bay openings are designed to minimize the visual intrusion on surrounding streets and properties.
 - d. Lighting is designed to be low-profile, indirect, or diffused and to avoid adverse impacts on surrounding uses.
 - e. The washing facility, if proposed, will not have an adverse impact on water supply and quality.
2. **Conditions of Approval.** Conditions of approval may include limitations on operational characteristics of the use; restrictions on outdoor storage and display, location of pump islands, canopies, and service bay openings; and/or requirements for buffering, screening, lighting, planting areas, parking, or other site elements, to avoid adverse impacts on adjacent lots or the surrounding area.

17.84.100 **Bed and Breakfast Lodging (New)**

- A. **Purpose.** This purpose of this Section is to establish standards for the location, design, and operation of Bed and Breakfast Lodging uses ("bed and breakfasts").
- B. **Limitation of Services Provided.**
 1. A bed and breakfast must include no more than three guest rooms.
 2. Provisions for meals and rental of bedrooms shall be limited to registered guests. Separate or additional kitchen for guests are prohibited.
- C. **Location and Design.**
 1. Bed and breakfasts establishments shall be located, developed, and operated within a single unit dwelling.
 2. In all Residential and Mixed-Use Districts, the exterior appearance of a structure housing a bed and breakfast establishment shall not be altered from its single-family character.
 3. No exterior evidence of the use may be visible except that a sign in compliance with standards provided in Section 17.72.050, Standards for Permanent Signs may be installed.
 4. Required parking for the principal residence and for all required
 5. Guest parking must be provided on-site. On-site parking must be designed and located so as not to detract from the residential character of the neighborhood.

D. Operations and Maintenance.

1. Bed and breakfasts must be rented for periods of less than 30 days;
2. The bed and breakfast must be conducted only by the property owner or manager living on the site of the bed and breakfast;
3. The owner shall maintain liability insurance on the property which covers the homestay and guests. The owner shall pay any applicable taxes including occupancy and sales taxes and shall obtain a business license.
4. Management shall be present while guests are on site.
5. The site shall be well maintained and kept free from litter and debris.
6. No exterior noise or activity shall occur outside the normal range of residential uses. All guest events must occur indoors between the hours of 10:00 PM and 8:00 AM.
7. A special event permit is required for any group gathering or event.

17.84.110 Beekeeping (New)

A. **Purpose.** The purpose of these regulations is to allow beekeeping in a manner that is respectful of the safety of persons that may be in close proximity to the apiary. Beekeeping can contribute to pollination and better harvests in gardens. By contributing to pollination, urban beekeeping is an important complement to urban food production and to the City's sustainability goals stated in the General Plan.

B. Standards.

1. It shall be the duty of every person on whose property bees are kept to adhere to good management practices and maintain bees in a condition that will reasonably prevent swarming and aggressive behavior.
2. It shall be the responsibility of the person on whose property the bees are kept to provide adequate water for the bees to prevent bees from seeking water in neighboring swimming pools, birdbaths, ponds, or other community bodies of water.
3. A maximum of two beehives per lot on a parcel of land less than 10,000 square feet.
4. A maximum of four beehives per lot on a parcel of land with an area over 10,000 square feet.
5. Beehives are restricted to rear yards.
6. In order to ensure the appropriate height of the honeybee flight path:
 - a. The beehive entrance will be directed away from the neighboring property and situated behind a solid fence or hedge that is six feet in height running parallel to the property line; or
 - b. A beehive will be located a minimum of 25 feet away from the neighboring property line.

- C. **Beekeeping Registration.** Beekeeping registration is required prior to establishment of an apiary, as follows:
1. The applicant must submit and the Planning Director must review plans demonstrating compliance with the standards of this Section.
 2. The applicant must register the apiary with the County of Yolo Agricultural Commissioner to receive notification of pesticide applications, pursuant to Section 29101 of the California Food and Agricultural Code.
 3. The applicant must submit plans and a signed statement showing and agreeing to compliance with all obligations imposed by this Section and holding the City harmless if the owner does not comply.
- D. **Nuisance.** Bees or hives shall be considered a public nuisance and subject to Chapter 17.128, Enforcement, when any of the following occurs:
1. Colonies of bees exhibit defensive or objectionable behavior or interfere with the normal use of neighboring properties;
 2. Colonies of bee's swarm;
 3. Bees or hives do not conform to this Section; or
 4. Hives become abandoned by resident bees or by the owner.

17.84.120 Commercial Cannabis Businesses

- A. **Purpose.** The purpose of this Section is to impose zoning restrictions on commercial cannabis businesses in the City as authorized and/or licensed by the State of California pursuant to state law. This Section is not intended to, and does not, give any person or entity independent legal authority to operate a cannabis business. Rather, it is intended to impose zoning restrictions regarding cannabis businesses that may operate in the City pursuant to this Code and state law. This Section is in addition to any other business license and regulatory requirements imposed on cannabis businesses by this Code or other applicable law.
- B. **Applicability.** No part of this Chapter shall be deemed to conflict with federal law, as contained in the Controlled Substances Act, nor to otherwise permit any activity that is prohibited under that Act or any other local, state, or federal law, statute, rule, or regulation. Nothing in this Chapter shall be construed to allow any conduct or activity relating to cultivation, distribution, dispensing, sale, or consumption of cannabis that is otherwise illegal under local or state law. No provision of this Chapter shall be deemed a defense or immunity to any action brought against any person by the Yolo County District Attorney's office, the Attorney General of the State of California, or of the United States of America.
- C. **Planning Commission and City Council Review.**
1. The Planning Commission shall review all Conditional Use Permit applications (see Section 17.100.100, Conditional Use Permit) submitted pursuant to this Chapter and provide a recommendation regarding approval to City Council.

2. The City Council is authorized to approve up to a maximum of six total Conditional Use Permits for cannabis businesses pursuant to this Section.
3. In evaluating whether to recommend approval or approve a Conditional Use Permit application (see Section 17.100.100, Conditional Use Permit) for a commercial cannabis business, the Planning Commission and City Council shall consider the following factors, in addition to all other requirements provided this Section:
 - a. The type of proposed use by the applicant;
 - b. Whether the proposed use will be detrimental to the health, safety, and welfare of the community;
 - c. Whether the use would enhance the economic viability of the area in which it is proposed to be located, including adjacent and surrounding properties;
 - d. Whether the applicant has adequately addressed potential community benefits of the use to offset potential adverse impacts;
 - e. The extent of support or opposition to the proposed use and location from members of the community, and applicant's plans to ensure strong community relations and compatibility with the surrounding neighborhood;
 - f. The number of cannabis uses located or proposed to be located within 1,000 feet of the proposed location;
 - g. The extent to which the proposed use would cause a further overconcentration of that particular type of use in the area;
 - h. The background and the history of the applicant, including the experience and qualifications of the applicant and those persons involved in the management, oversight and day to day operations of the proposed use, the professional training and certifications of the applicant and/or persons involved in the management, oversight and day to day operations of the proposed use, and the nature and extent of problems on any premises where the applicant has operated a cannabis business in the past;
 - i. Whether there is a history of police or crime-related problems in the area of the proposed location which may be exacerbated by establishment of the proposed cannabis use; and
 - j. Whether the proposed license would enhance recreational or entertainment opportunities in the area.
4. The City Council is authorized to approve up to a maximum of six total conditional use permits for commercial cannabis manufacturing, distribution and/or testing businesses pursuant to this Chapter. The City Council is authorized to approve up to a maximum of four total conditional use permits for cannabis retailers pursuant to this Chapter.
5. The Director is authorized to administer reasonable guidelines and policies, including appropriate application periods for accepting requests for zoning approvals and use permits for cannabis retailers, consistent with this Section, and evaluation and scoring

criteria that may be used for the selection of cannabis retailers, in the event that the City receives more applications than the number of available conditional use permits. The Director may use such evaluation and scoring criteria for making recommendations to the Planning Commission and City Council on the proposed uses.

6. The Director or City Council may address additional development and operational standards through conditions on the conditional use permit (see Section 17.100.100, Conditional Use Permit) as it determines necessary or appropriate for the cannabis retailer conditional use permit under consideration, provided that any such conditions shall not conflict with operating requirements that may be applicable pursuant to other provisions of this Code.

D. **General Conditions.**

1. No cannabis business may operate in any zone in the City except as expressly permitted by and in conformance with the provisions of this Section. No cannabis business may engage in the retail sales of cannabis unless expressly permitted or conditionally permitted pursuant to this Section. No temporary cannabis events shall be permitted or conditionally permitted.
2. Any cannabis business permitted by this Section must, prior to operating a cannabis business, obtain and maintain at all times a valid license issued by the State of California, as may be applicable, and any other local or regulatory licenses required by this Code. Any cannabis business operating without a valid license from the State of California shall cease operations until a valid state license is obtained, in addition to any other state and local requirements that may apply.
3. Pursuant to California Business and Professions Code § 26054(b), as may be amended, no cannabis business may be located within a 600-foot radius of a school providing K-12 instruction, a day care center or a youth center in existence at the time the license is issued. Additionally, no cannabis business may be located within a 600-foot radius of a public park.
 - a. The City Council may make an exception if there is clear evidence based on considerations such as the separation of sensitive uses by a significant physical barrier, no expressed evidence of public concern, and the potential revitalization of an existing blighted condition, that there will be no public health, safety, or nuisance issues due to closer proximity of cannabis retail uses to an identified sensitive use.

- E. **Cannabis Manufacturing.** Cannabis manufacturing may be permitted, subject to the requirements of this Code, including all applicable performance standards, and the granting of a Conditional Use Permit as provided for in the use tables of Chapters 17.24 through 17.48 and in Section 17.100.100, Conditional Use Permits.

- F. **Cannabis Laboratories and Research.** Cannabis laboratories and research facilities may be permitted, subject to the requirements of this Code, including all applicable performance standards, and the granting of a Conditional Use Permit as provided for as provided for in the use tables of Chapters 17.24 through 17.48 and in Section 17.100.100, Conditional Use

Permits. Cannabis laboratories and research facilities are prohibited from engaging in commercial cultivation, manufacturing, distribution, and sales of cannabis.

- G. **Cannabis Distribution Facilities.** Cannabis distribution facilities may be permitted, subject to the requirements of this Code, including all applicable performance standards, and the granting of a Conditional Use Permit as provided for in the use tables of Chapters 17.24 through 17.48 and in Section 17.100.100, Conditional Use Permits.
- H. **Cannabis Cultivation.** Cannabis cultivation is prohibited.
- I. **Cannabis Retailers.** Cannabis retailers are prohibited.
 - 1. Cannabis retailers may be permitted, subject to the requirements of this Code including all applicable performance standards, and granting of a Conditional Use Permit as provided in Section 17.100.100, Conditional Use Permit, and Section 17.84.120.C, Planning Commission and City Council Review, in the Corridor Mixed Use-West Main (CMU-WM), Corridor Mixed Use-East (CMU-E), Corridor Mixed Use-Kentucky (CMU-K), Corridor Mixed Use-Armfield (CMU-A), Corridor Mixed Use-Gateway (CMU-G); Corridor Mixed Use-Flex (CMU-F), Community Commercial Mixed Use (CCMU), Neighborhood Mixed Use (NMU), and Regional Commercial-Flex (RC-F), and Cannabis retailers are prohibited in all other zones of the City.
 - 2. Cannabis retailers that will not be open to the public and that perform sales exclusively by delivery are prohibited.
 - 3. Cannabis retailers may include a cannabis distribution facility as an accessory use to serve the on-site business pursuant to this Chapter and shall be subject to the following:
 - a. The distribution facility shall be appurtenant and incidental to the retail use, both in terms of size and use and shall only be used to support the retail facility that is the primary use on site and, if applicable, other retail facilities owned and operated by the applicant. The distribution facility shall not be used for distribution of cannabis or cannabis products to other cannabis retailers.
 - b. The distribution facility shall not be predominantly visible to the public from the street frontage adjacent to the cannabis retailer or if the distribution facility is located within a commercial center, the distribution facility shall not be a specific and identifiable use apart from the cannabis retailer.
 - c. There shall be adequate parking and loading on site to serve both the cannabis retailer and the distribution facility, and spaces for loading associated with the distribution facility shall be located in the rear of the applicable property, outside of view from the street frontage or frontage of the commercial center. Only smaller vehicles, vans, or sprinter vans shall be used for delivery vehicles. Larger trucks, such as CA legal "Semi-trucks" or "18-wheelers", and any trucks over five-tons are prohibited from delivering cannabis product on site. The location and storage of all vehicles used for the cannabis business shall be provided in a safe and secure manner and meet all security requirements of the City Police Chief and applicable state requirements.

- d. Accessory distribution facilities shall comply with all provisions applicable to cannabis distribution facilities as a primary land use.
 - 4. Public notice of a commercial cannabis retail Conditional Use Permit application (see Section 17.100.100, Conditional Use Permit) shall be provided to all properties within a minimum 600-foot radius 10 days prior to any scheduled public hearing date, and the site shall be posted with a highly visible notice.
 - a. The highly visible notice shall be a minimum of four-feet wide by eight-feet deep in size mounted on a freestanding sign or posted on the building frontage.
 - b. The applicant shall be responsible for posting the site consistent with a format provided by the City and shall provide verification of the posting.
 - 5. Cannabis retailers shall be no closer than 500-feet to each other, and no more than two cannabis retailers shall be located within a 1,000 foot radius, except that the City Council may make an exception to this Subsection if there is clear evidence based on considerations such as the separation of cannabis retail uses by a significant physical barrier, no expressed evidence of public concern, and potential economic revitalization to the proximate area, that there will be no public health, safety, or nuisance issues resulting from the closer proximity of one cannabis retail use to another.
- J. **Additional Regulatory Requirements.** In addition to complying with all applicable requirements in this Section and obtaining a state license for commercial cannabis activities, no commercial cannabis use may operate in the City without first obtaining a cannabis business permit.

17.84.130 Community Gardens (New)

Community gardens shall be located, developed, and operated in compliance with the following. Community gardens do not include cannabis, which is separately regulated pursuant to Section 17.84.120, Commercial Cannabis Businesses.

- A. **Management.** A manager shall be designated for each garden who shall serve as liaison between gardeners and property owner(s) and the City.
- B. **Hours of Operation.** Gardens shall only be tended between dawn and dusk.
- C. **Buildings and Structures.** Accessory buildings, such as sheds, greenhouses, hoop houses, or farm stands are allowed and shall comply with the property development standards of the zone.
- D. **Equipment.** Only household garden tools and equipment, applicators, and products may be used. This includes but is not limited to, soil preparation, cultivation, planting, application of chemicals, dust control, and harvesting. Pull-behind equipment is prohibited.
- E. **Operational Plan.** The applicant shall submit an operational plan that identifies roles and responsibilities, contact information, and operations.

F. **Maintenance.**

1. The operator shall be responsible for the overall maintenance of the site and shall remove weeds, debris, and other similar materials in a timely manner.
2. Soil amendments, composting, and waste material shall be managed and shall not attract nuisance flies or support growth of flies.

G. **Sale of Produce.** Incidental sales of items grown on-site are permitted.

H. **Composting.** Composting is limited to materials generated on-site and shall be used on-site.

I. **Utilities.** The land shall be served by a water supply sufficient to support the cultivation practices used on the site.

J. **Restrooms.** If proposed, restrooms shall be connected to public utilities. Portable restrooms are not permitted.

17.84.140 Crematorium

A crematorium shall provide adequate analysis to verify that the use meets all standards of the air quality management district, meets the City's Climate Action Plan goals and policies, and will not create harmful odor, particulate, or other environmental impacts to adjacent uses.

17.84.150 Day Care Centers, Family Day Cares and Residential Care Facilities

Day care centers, family day cares and residential care facilities shall be located, developed, and operated in compliance with the following standards:

- A. **License.** The Operator shall secure and maintain a license from the State of California Department of Social Services.
- B. **Location.** Day care centers, family day cares, or residential care facilities shall be located at least 300 feet from any other day care center, family day care, or residential care facility, unless specifically allowed pursuant to a use permit.
- C. **Pick-up and Drop-off Plan.** A plan and schedule for the pick-up and drop-off of children or clients shall be provided for approval by the Director, for day care centers, large family day cares and large residential care facilities. The plan shall demonstrate that adequate parking and loading are provided to minimize congestion and conflict points on travel aisles and public streets. The plan shall address:
 1. Scheduled pick up and drop off times with allowances for emergencies; and
 2. Prohibitions of double parking, blocking driveways of neighboring properties, or using driveways of neighboring properties.

D. **Additional Requirements for Child Day Care Centers.**

1. **Outdoor Space.**

- a. Child day care centers for children shall provide a minimum of 75 square feet of outdoor space for each child over two years old. This area must be either owned or leased by the applicant and cannot be shared with other property owners unless written permission is granted by the other property owners.
- b. Outdoor use area and play equipment and structures shall not be located in any required front or street side setback.

2. **Hours of Operation.** Drop off and pick up shall only be within the hours of 6:00 AM and 8:00 PM, Monday through Friday. Additional hours may be allowed subject to approval of a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit).

3. **Noise.** Outdoor activities shall not occur before 9:00 AM and 6:00 PM. Review of activities outside the specified time period may be allowed subject to approval of a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit).

E. **Screening and Landscaping.** A minimum six-foot-high solid wall or fence shall be provided for purposes of screening and securing outdoor recreational areas. Chain metal fencing and barbed wire are prohibited. All other provisions of Chapter 18.18, Landscaping, shall apply.

F. **No Drug or Alcohol Use.** Residents and staff shall sign an agreement affirming that use of drugs or alcohol on the premises is prohibited and acknowledging that drug or alcohol use will result in termination or eviction.

17.84.160 Drive-Through Establishments (New)

A. **Purpose.** The purpose of this Section is to ensure that establishments with drive-through facilities provide adequate on-site maneuvering and circulation, that vehicles do not impede traffic on abutting streets, and that stacking lanes will not have nuisance impacts.

B. **Applicability.** This Section applies to:

1. All new uses that include drive-through facilities; and
2. The addition of, or relocation of, drive-through facilities in existing developments.

C. **Location.**

1. Any new drive-through fast food/restaurant in a Mixed-Use zone must be located within 600 feet of a highway or interstate off-ramp.
2. A new drive-through may not be located within 500 feet of any existing drive-through facility.
3. Drive through windows may not front directly onto Main Street. Drive-through windows shall be located to the side or rear of the building.

4. Drive in and drive-through entrances and exits shall be a minimum of one hundred (100) feet from any intersection of public rights of way, measured at the closest intersecting curbs, and at least 25 feet from the nearest curb cut on an adjacent property. Shorter distances from road intersections may be approved if the City Engineer determines that public safety and/or the efficiency of traffic circulation are not being compromised.
5. Drive-through stacking lanes shall be a minimum 100 feet from any residential lot. The Review Authority may modify or waive this requirement if the property is located in a mixed use zone and if it determines that the impacts to nearby residences will be minimal.

D. **Drive-Through Lane Design and Stacking Requirements.**

1. **Parts of a Drive-Through Facility.** A drive-through facility includes the following parts:
 - a. Stacking lanes, which are the spaces occupied by vehicles queuing for the service to be provided; and
 - b. Service areas, which are areas where the point of service occurs. These include menu boards, service windows, gas pumps, and air compressors.
2. **Circulation Plan.** A pedestrian and vehicular circulation plan shall indicate how drive-through, pedestrian, and vehicular circulation will be designed to allow safe, unimpeded movement of vehicles at street access points and within the travel aisles and parking space areas and provide for pedestrian safety. The plan shall also indicate how vehicles will circulate to and through the drive-through or use drive-up facilities in a manner that will not impede traffic flow on any public right-of-way.
3. **Stacking Lane Design and Layout.**
 - a. Stacking lanes must be designed so they do not interfere with on-site parking and vehicle circulation.
 - b. Stacking spaces must be 11 feet wide by 22 feet long.
 - c. Stacking lanes must be clearly identified through such means as striping, landscaping, pavement design.
 - d. Drive through aisles shall not exit directly into a public right-of-way. Aisles shall be integrated with the on-site circulation and shall merge with the driveway.
 - e. Overflow from a stacking lane shall not spill out onto public streets or major aisles of any parking lot.
 - f. Drive through lanes shall not be located adjacent to patios and other pedestrian use areas, other than walkways to minimize emissions impact.
 - g. Drive through aisles shall not intersect pedestrian walkways unless no alternative exists. In such cases, pedestrian walkways shall have clear visibility, emphasized by enhanced paving or markings.
 - h. The following are minimum required stacking spaces for -uses:

- i. Drive-in bank: five spaces.
 - ii. Drive-in beverage, food sales: 12 spaces with a minimum of 6 spaces behind the menu board.
 - iii. Pharmacies: five spaces.
 - iv. Automatic car wash: three spaces per service position.
 - v. Gate (house) residential: Under 50 units, one space per 10 units; greater than 50 units, five spaces.
 - vi. Exceptions or variations may be evaluated based on a drive-through queue analysis, or if requested by the Director to evaluate potential stacking concerns, including multiple lanes.
- i. A minimum nine-foot wide escape lane must be designed as part of the drive-through.
- 4. Speakers for drive-through lanes shall not be audible from adjacent residential uses. Sound attenuation walls, landscaping, or other mitigation measures may be required, as necessary.
- 5. Entrances to an aisle and the direction of flow shall be clearly designated by signs or pavement markings or raised curbs outside of the public right of way.
- E. **Landscaping and Screening.**
 - 1. Each drive-through aisle shall be screened with a combination of decorative walls, trellis structures, or other similar features, and landscape to a height of 36 inches to prevent headlight glare and direct visibility of vehicles from adjacent streets and parking lots.
 - 2. Drive through lanes and wash stall areas shall be screened from public view.

17.84.170 Emergency Shelters, Daytime Service Facilities, and Low Barrier Navigation Centers (Updated)

- A. **Purpose.** This Section establishes use and development regulations for emergency shelter facilities in accordance with state law and the City's adopted housing element. In accordance with state law, local communities have a responsibility to provide adequate sites for emergency shelters that serve homeless individuals and families. The goal of emergency shelters is to address acute needs of individuals and families by providing basic residential facilities and may include programs that help residents find available social services. Consistent with the findings of the State Legislature, the City recognizes the need for, and the benefit of, temporary housing and services for homeless persons and families. This Section is intended to allow for the development of emergency shelter facilities in specific zones, subject to development and operational standards that minimize potential adverse impacts on nearby properties and the community as a whole.
- B. **Definitions.** For the purposes of this Section, the following words and phrases shall have the meaning respectively ascribed to them in this Section:

1. "Daytime Service Facility" means a place or building in which less than 24-hour per day non-medical care and supervision are provided including the provision of services to meet basic needs and connection to services to assist with housing, counseling, medical care, and other needs.
 2. "Emergency shelter" means any facility whose primary purpose is to provide temporary shelter with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. Emergency shelter shall include other interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative facilities. Emergency shelters do not include evacuation shelters during emergencies.
 3. "Homeless person" means:
 - a. People who are living in a place not meant for human habitation, in emergency shelter, in transitional housing, or are exiting an institution where they temporarily resided if they were in shelter or a place not meant for human habitation before entering the institution.
 - b. People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled up situation, within 14 days and lack resources or support networks to remain in housing.
 - c. Families with children or unaccompanied youth who are unstably housed and likely to continue in that state.
 - d. People who are fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening situations related to violence; have no other residence; and lack the resources or support networks to obtain other permanent housing.
 4. "Low Barrier Navigation Center" means a Housing First, low-barrier, service-enriched shelter focused on moving homeless individuals and families into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.
- C. **Location of Emergency Shelters.** Emergency shelters shall be located a minimum of 300 feet apart from one another. Programs may have multiple buildings on the same parcel.
- D. **Standards.** Emergency shelters, daytime service facilities, and low barrier navigation centers shall comply with the standards of this Section.
1. **Property Development Standards.** Emergency shelters shall conform to all property development standards of the zone in which it is located except as modified by these development standards.
 - a. The design of the shelter shall comply with the design standards of the base district.

- b. Shelter facilities shall comply with all other state and local laws, rules, and regulations that apply including building and fire codes and shall be subject to inspection prior to commencement of operation.
2. **Maximum Number of Persons/Beds.** The maximum number of beds permitted shall be based on the carrying capacity of the property, up to a maximum of 30 pursuant to Fire/Building Code capacity. Facilities over 30 beds or clients may be considered with a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit). New emergency shelters in the Industrial (I) zone may be considered with a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit). Any pre-existing emergency shelter that was approved and or constructed prior to the adoption of this Code (date), shall be considered an allowed use. However, should the existing shelter propose a modification or expansion, a Conditional Use Permit will be required.
3. **Minimum Off-Street Parking Requirements.** Parking shall be sufficient to accommodate all staff working at the emergency shelter, provided the standards do not require more parking than for other residential or commercial uses within the zone. At minimum, parking shall be provided in the ratio of one space for each staff member. Staff member may include paid employees, volunteers, and needed service providers. Parking shall be off-street and on-site.
4. **Bicycle Parking.** The shelter shall provide bicycle parking per Section 17.68.070, Bicycle Parking.
5. **Size and Location of Exterior and Interior On-Site Waiting and Client Intake Areas.** Emergency shelters shall provide 10 square feet of interior waiting and client intake space per bed. In addition, there shall be two offices or cubicles for shelters with fewer than 20 beds. For every additional bed, there shall be an additional 0.1 office, rounded up. At least 25 percent of the offices, rounded up, shall be private. Waiting and intake areas may be used for other purposes as needed during operations of the shelter.
 - a. At least one enclosed or screened waiting area must be provided within the premises for clients and prospective clients to ensure that public sidewalks or private walkways are not blocked or used as queuing or waiting area.
 - b. Any exterior waiting area shall provide consideration for shade, seating, and cover for rain.
6. **Provisions of On-Site Management and Safety.**
 - a. On-site management shall be present at all times that the emergency shelter is in operation.
 - b. The Facility shall have on-site security during all hours when the shelter is in operation.
 - c. Facilities shall provide secure areas for personal property, which shall be screened from public view.
 - d. Service providers shall establish standards for responding to emergencies and incidents expelling clients from the facility. Re-admittance policies for clients who have previously been expelled from the facility shall also be established.

- e. Service providers shall maintain up-to-date information and referral sheets to give clients and other persons who cannot be served by the establishment.
 - f. Service providers shall establish affirmative measures to discourage loitering at the facility and surrounding properties.
 - g. Service providers shall provide the City with 24/7 contact information for an individual with the authority to address operational or emergency issues. Staff must be on hand and clearly identifiable in the event that response is needed by Public Safety personnel.
 - h. Staff members shall be clearly identifiable to the public, clients, and emergency personnel through the use of badges, uniforms, or other identifying measures.
 - i. Prior to the operation of the emergency shelter and annually thereafter, the shelter shall prepare and file a management plan with the Community Development Department that discusses operational rules and standards, including, but not limited to, standards governing client supervision, client services, food services, and maintenance of surrounding property, and outline all security measures to be taken on site. The plan shall also include a floor plan that demonstrates compliance with the physical standards required by this Section.
7. **Length of Client Stay.** Temporary shelter shall be available to residents for no more than six months (180 days) in any consecutive 12-month period.
8. **Lighting.** Adequate external lighting shall be provided on pedestrian pathways and parking lot areas for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible with the neighborhood.
9. **Overnight Service Facilities.** In addition to the standards in Subsections D.1 through 8 above, all emergency shelters and facilities that provide overnight service are also subject to the following:
- a. **Hours of Operation.** A curfew no later than 10:00 pm shall be established and strictly enforced. Clients shall not be admitted after curfew, with exceptions allowed for client work schedules, special event attendance, and after hours' admittance of clients by organizations or public officials.
 - b. **Screening.** Any outdoor storage, including, but not limited to, items brought on-site by clients for overnight stays, shall be screened from public view in accordance with the requirements of the zone in which the facility is located. All structures and fences shall be consistent with the standards of this Code.
 - c. **On-Site Management.** The following are considerations for overnight emergency shelter management:
 - i. A minimum of one staff member shall be awake and on-duty, plus one additional staff or volunteer, on-premises when the facility is open. Facility staff shall be trained in operating procedures and safety plans.

The facility shall not employ persons who are required to register as a sex registrant under California Penal Code § 290.

- ii. Service providers will continuously monitor waiting areas to inform prospective clients whether they can be served within a reasonable time. If they cannot be served by the provider because of time or resource constraints, staff shall make information available to the client of alternative programs and locations where they may seek similar service.
 - iii. Service providers shall address when, where, and how often food services, laundry facilities, and access to transportation will be provided to clients.
10. **Optional Common Facilities.** The shelter may provide one or more of the following specific common facilities for the exclusive use of the residents and staff:
- a. Recreation room.
 - b. Counseling center.
 - c. Child care facilities.
 - d. Other support services.
11. **Low Barrier Navigation Centers.** A Low Barrier Navigation Center (LBNC) is a use allowed by right in areas zoned for mixed use and non-residential zones permitting multi-family uses if it meets the following requirements. Applicants applying for consideration as a LBNC shall provide documentation verifying qualification for the designation.
- a. *Connected Services.* It offers services to connect people to permanent housing through a services plan that identifies services staffing.
 - b. *Coordinated Entry System.* It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Federal Regulations § 576.400(d) or § 578.7(a)(8), as applicable, of Title 24 as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
 - c. *Code Compliant.* It complies with Welfare and Institutions Code Chapter 6.5 (commencing with § 8255) of Division 8.
 - d. *Homeless Management Information System.* It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Title 24 of the Federal Regulations Code § 578.3.
 - e. In addition to the standards in Subsections 17.84.170.A, Purpose, and Subsections 17.84.170.D, Standards, that apply to all emergency shelters,

facilities that are qualified as Low Barrier Navigation Centers are also subject to the following:

- i. In accordance with California Government Code § 65943, action on an application shall be taken within 60 days of a complete application being filed.
- ii. As a low barrier facility, the following shall not present barriers to entry to a facility:
 - a) The presence of partners if it is not a population specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
 - (1) Pets. Applies to small animals (dog/cat) that are manageable and do not pose a public safety hazard to clients, staff, or other public.
 - (2) The storage of possessions.
 - (3) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

- 12. The design of the shelter shall comply with the City's community design standards.

17.84.180 Firearms Sales (New)

- A. **Applicability.** This Section applies to all uses that conduct retail sale, manufacture, or repair of firearms.
- B. **Location.** All uses that conduct retail sales, manufacture or repair of firearms shall be:
 - 1. Located a minimum of 1,000 feet from another firearm sales use.
 - 2. Located a minimum of 500 feet from all of the following uses:
 - a. Schools;
 - b. Parks and recreation facilities;
 - c. Community centers;
 - d. Libraries;
 - e. Youth organizations; and
 - f. Day care centers.
- C. **Design Standards.**
 - 1. Exterior areas shall be well lit and include video surveillance;
 - 2. Bars on windows are prohibited; and
 - 3. Advertising and signage on clear windows and doors shall be placed so that law enforcement personnel have clear and unobstructed view of the interior.

D. **Operational Requirements.**

1. All establishments shall hold and maintain all applicable licenses and permits with the State Department of Justice; and
2. A security plan shall be provided for review and approval by the Director and Chief of Police.

17.84.190 Hazardous Waste Management Facilities (New)

All hazardous waste management facilities, except household hazardous waste collection centers authorized by the City and the Yolo County Health Department, shall be located, developed, and operated in compliance with applicable federal and state laws and regulations, as well as the following:

A. **Application Content.** Applications for hazardous waste management facilities shall include the following:

1. **Site Plan.** A detailed site plan depicting all buildings, land uses, storage areas, parking areas, driveways, internal and surrounding traffic circulation. Occupancy type and rating for each building or structure shall be identified.
2. **Best Management Practices.** Demonstrate and certify that they are minimizing the generation of hazardous waste through the use of the best available technology within their manufacturing, and/or product development processes. Applicants shall also demonstrate and certify that facilities will be using the best available control technology in minimizing air emissions and processing hazardous waste. Such demonstration and certification shall be provided prior to the issuance of any Building Permit (see Section 17.100.130, Building Permit) or other land use entitlement.
3. **Waste Characteristics and Capacity.** Identify the amounts (in tons) and types of hazardous waste to be treated and stored; the duration of stored waste on the facility site and the ultimate destination of the waste. The owner-operator shall make this information available on a yearly basis to the City of Woodland. If the application is for a transfer station the applicant shall identify the capacity of the facility to store each type of waste stream, service area(s) of the facility and ultimate disposition of the waste.
4. **Air Quality Analysis.** An analysis of all anticipated air quality impacts and proposed mitigation measures. The hazardous waste facility shall comply with all applicable state and federal laws as well as all rules and regulations of the Yolo-Solano Air Quality Management District.
5. **Risk Assessment.** A risk assessment which analyzes in detail all probabilities of accidents or spills at the site, including transportation related, or accidents from the point of origin to the facility, and any other risk assessment requested by either the City Manager, Director, Fire Chief, or the City Council. Such analyses shall identify mitigation measures to reduce the identified risks. The risk assessment shall identify the most probable routes for transporting hazardous wastes to and from the facility.
6. **Emergency Response Plan.** An Emergency Response Plan that indicates at a minimum:

- a. That the proposed plan is consistent with any and all applicable County and regional Emergency Response Plans and all City, county, state, and federal regulatory requirements regarding Emergency Response Procedure.
 - b. Detailed procedures to be employed at the time of emergency for each type of chemical substances utilized including contingency procedures.
 - c. Anticipated impacts on local fire, police, and medical services.
 - d. Names, home, and business addresses, and home and business telephone numbers of all management personnel at the facility, if known, and a detailed description of uncontrolled release and emergency situation reporting procedures.
- B. **Flooding Information.** An analysis of the potential of flooding on the site. Note residual repositories are prohibited in areas of special flood hazards as depicted by FEMA Flood Hazard Maps.
- C. **Traffic Analysis.** Applicants shall submit a traffic analysis which addresses, at a minimum, vehicle-truck trips, effects on nearby intersections, and any special characteristics of the project site. Applicants shall also identify the most likely transportation routes within the City and the county.
- D. **Closure Plan.** The owner or operator of a hazardous waste facility shall, prior to any local land use decision, submit a written Closure Plan to the Yolo County Health Department. The Closure Plan shall be approved the Yolo County Health Department. All revisions to such Closure Plans shall also be submitted to the Yolo County Health Department.
- E. **Safety.** The owner/operator shall demonstrate that the separation between the hazardous waste facility and residential areas is adequate to protect the health, safety, welfare, and property values of residents.
- F. **Monitoring.** At minimum, hazardous waste facilities are subject to the following monitoring requirements:
 - 1. Upon reasonable notice, and for the purpose of ensuring compliance with all standards, conditions, and other requirements which the City is authorized to enforce under its police power, City Officials or their designated representatives may enter the premises on which a hazardous waste facility permit has been granted.
 - 2. The owner or operator of a facility shall report yearly to the Yolo County Department of Health, Environmental Division the amount, type, and disposition of all wastes processed by the facility. Included in the report shall be copies of all manifests showing the delivery and types of hazardous wastes and include a map showing the exact location (coordinates and elevation) of quantities and types of materials placed in repositories or otherwise stored or disposed of on-site.
 - 3. The owner or operator of a hazardous waste facility shall immediately send copies of all complaints as to facility operations and copies of all inspection reports made by other local, state, or federal agencies to the Fire Chief and City Engineer.

4. Owners/Operators of all facilities shall prepare and submit an Annual Emergency Response Preparedness Report to the Fire Department and all other local emergency response agencies. Such report shall be signed by all management personnel at the facility and each person at the facility who has emergency response responsibilities.
 5. Owners/Operators of all facilities shall submit an annual Air, Soil, and Groundwater Monitoring Report to the City Engineer.
- G. **Modifications.** Any modifications of the types and quantities of hazardous waste to be managed at the facility which were not included in the approved application for a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) shall be approved by the Fire Chief and City Engineer before such modifications occur at the facility.
- H. **Contingency Plan.** Every hazardous waste facility shall have a contingency operation plan approved by the California Department of Health Services. A copy of the contingency plan shall be maintained at the facility and sent to the Police Department, Fire Department, Engineering Division, and the County Department of Environmental Health.
- I. **Financial Assurance.** Prior to issuance of an "Occupancy Permit" to begin the use of a hazardous waste facility, the applicant shall show proof that it has met all of the financial responsibility requirements imposed by the California Department of Health Services and any other federal or state agency.
- J. **Indemnification.** The applicant agrees to indemnify, defend, and render harmless the City, and its City Council and all officers, employees, and agents of the City against and from all claims, actions, and liabilities relating to the land use decision or arising out of the operation of the facility.
- K. **Enforcement.** All costs of compliance with this Code shall be borne by the facility owner/operator. The City shall employ any and all methods permitted by law to enforce this Code.
- L. **Maintenance.** The owner/operator shall keep all equipment and buildings in good repair and shall employ technological advances as may be required by the California Department of Health Services, Yolo-Solano Air Quality Management District, or U.S. Environmental Protection Agency.
- M. **Findings.** The following findings shall be made in writing prior to making a land use decision which will allow the siting of a hazardous waste facility project:
1. The project is consistent with the General Plan;
 2. The project will not be detrimental to the health, safety, general welfare, or property values of the community or nearby residents;
 3. The project will not significantly reduce incentives for waste minimization by hazardous waste generators;
 4. There are adequate City services available to service the project;
 5. The project has met or exceeded each requirement of this Code; and
 6. Any potential impacts identified in the CEQA analysis may be adequately mitigated.

17.84.200 Home Occupations and Cottage Food Operations

- A. **Purpose.** Home occupations and cottage food operations (CFOs) provide the following benefits:
1. Permit home occupations as an accessory use in a dwelling unit;
 2. Allow residents to operate small businesses in their homes, under certain specified standards, conditions, and criteria;
 3. Act as “incubators” for small business, which leads to increased commercial activity as businesses grow;
 4. Encourage telecommuting, and reduced vehicle use;
 5. Ensure that occupations are compatible with, and do not have an adverse effect on, adjacent and nearby residential properties and uses; and
 6. Ensure the livability of residential areas and the general welfare of the community.
- B. **Applicability.** This Section applies to all residential units and properties in the City regardless of their zoning designation. It does not apply to Family Day Cares, which are regulated separately in Section 17.84.150, Day Care Centers, Family Day Cares and Residential Care Facilities.
- C. **Zoning Clearance Required, Not Transferable.** A Zoning Clearance is required for each home occupation, pursuant to Section 17.100.030, Zoning Clearance. A Zoning Clearance to conduct a home occupation at a particular address is not transferable from one party to another, nor may the type of business be modified. A new Zoning Clearance must be obtained for each new home occupation.
- D. **Operational and Performance Standards.**
1. **Deviation from Standards.** Requested deviation from Operational and/or Performance Standards requires a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit) and/or a Development Review Tier 3 Permit (see Section 17.100.070, Development Review Tier 3).
 2. **Accessory Use Only.** The use of the dwelling for home occupation shall be clearly incidental and subordinate to its use for residential purposes.
 3. **Residential Appearance.** There shall be no outward appearance of the home occupation. The residential appearance of the unit within which the home occupation is conducted shall be maintained.
 4. **Location.** All home occupation activities shall be conducted entirely within the residential unit, or within a garage that is reserved for the residential unit. When conducted within a garage, the doors thereof shall be closed, and the area occupied shall not preclude the use of required parking spaces.
 5. **Maximum Size Per Residence.** The home occupation may be conducted in the principal dwelling or accessory structures on the subject property; provided, that the area does not exceed 25 percent of the total livable area or 500 square feet (including inside storage areas), whichever is less.

6. **Structural or Design Modifications.** There shall be no external alteration of appearance to the dwelling or accessory structure in which a home occupation is conducted which would indicate a business use. Garage conversions for purposes of the home occupation are prohibited.
7. **Number of Home Occupations.** In no case shall more than two home occupations be conducted on a single site, and where there are two permitted, the standards of this Section apply to each residence and not separately to each home occupation (e.g., only one vehicle related to the home occupations will be permitted on site and the maximum size per residence shall not be increased).
8. **Owner Approval.** Renters must obtain written approval of the property owner prior to operating a home occupation. This written approval shall be submitted with the business license application. The home occupation business shall terminate upon withdrawal of said approval by the property owner.
9. **Employees.** A home occupation may employ one full-time equivalent employee other than the residents of the dwelling. All work conducted by employees shall be conducted completely within the home or garage.
10. **Clients/Patrons.** No customer or client visits are permitted except for personal instruction services (e.g., musical instruction or training, art lessons, academic tutoring). The combined number of clients/patrons that can attend the residence is limited to no more than one per hour, with a maximum of eight per day. There may be no more than three clients/students at any one time. Clients/students' hours of arrival and/or departure shall be staggered so as to not disrupt the surrounding properties.
11. **Hours of Operation.** Home occupation businesses may only be conducted between the hours of 8:00 a.m. to 8:00 p.m., seven days per week. No patrons shall be received outside of these hours.
12. **Number of Vehicles.** Only one vehicle, owned by the operator of the home occupation, and not to exceed one ton in capacity, may be used by the operator in conjunction with the home occupation.
13. **Commercial Vehicles and Attachments.** One commercial vehicle (one ton or less) may be parked on site. No attachments of equipment, machinery, or trailers used for business purposes shall be permitted either on the vehicle or on the site is within public view from the public right-of-way of neighboring properties.
14. **Direct Sales Prohibition.** Home occupations involving the display or sale of products or merchandise are not permitted from the site except by mail, telephone, Internet, or other mode of electronic communication, unless permitted per Cottage Food Preparation as provided in Subsection 17.84.200.F, Cottage Food Operations.
15. **Advertising on Vehicles.** Not more than one vehicle advertising a home occupation shall be permitted.
16. **Deliveries.** Deliveries other than standard parcel services are prohibited.

17. **Signs.** Signs association with home occupations are prohibited, as established in Chapter 17.72, Signs.
18. **Storage.** Storage of materials, goods, supplies, or equipment related to the operation of a home occupation shall not be visible. Storage must be enclosed within a building. Storage must comply with the current edition of the Uniform Building Code and Uniform Fire Code.
19. **Showrooms.** Showrooms or other display arrangements shall be prohibited.
20. **Equipment.** No mechanical equipment shall be used that creates visible or audible interference outside the dwelling unit or that creates noise, odor, glare, smoke, dust, or hazardous conditions not normally associated with residential uses.
21. **Health Hazards.** No home occupation shall be detrimental to the public health, safety, or welfare. Such prohibited uses include those which involve the use of hazardous materials and uses which entail the harboring, training, or raising of animals beyond the standards of Section 17.84.080, Animal Keeping.
22. **Nuisances.** No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, odor, electrical interference, or visual blight, and/or which constitutes a nuisance as defined by the City's nuisance ordinance.
23. **Access for Inspection Purposes.** The City may, at all reasonable times during regular business hours, enter the premises for the purpose of inspection to determine whether the home occupation is in compliance with the conditions of this Section.
24. **Other Applicable Regulations.** Home occupations shall comply with provisions of health code requirements, relevant Uniform Building Codes, applicable regulations of the Alcohol, Tobacco, and Firearms Division of the Federal Department of Treasury, and all other applicable federal, State, or local regulations.

E. **Prohibited Uses.** A home shall not be used for the following:

1. The use of hazardous materials of a type or quantity not normally associated with residential uses;
2. Automobile related activities, including auto repair except for personal vehicles;
3. Small engine repair, including lawn mowers and chainsaws. Woodworking and other similar uses shall be confined to noncommercial, hobby-type related activities;
4. Adult businesses;
5. Animal boarding, care, training, breeding, raising, or grooming, or veterinary services;
6. Automotive/vehicle sales with any on-site storage or sale of vehicles;
7. Barber, beauty, nail salon, with multiple stations, with the exception that a single station is permitted with visits made by appointment for a technician who is certified by the State of California and meets all applicable licensing requirements;
8. Commercial food preparation, food handling, processing, or packaging, other than cottage food preparation;

9. Contractors' storage yards;
10. Firearms manufacture, sales, or repair;
11. Carpentry and cabinet making business;
12. Hotel/motel;
13. Junkyards;
14. Marijuana distribution;
15. Massage establishments, except for a massage technician who is certified by the State of California and meets all other applicable requirements and holds a valid permit issued under Woodland Municipal Code Chapter 5.20, Massage Establishments.
16. Medical and dental offices, clinic, and laboratories;
17. Mini-storage;
18. Mortuaries;
19. Pharmacies;
20. Print shops/Copy centers;
21. Restaurant;
22. Retail Sales;
23. Tanning Salon;
24. Tattoo studios;
25. Towing Service;
26. Welding, metal working and machining businesses;
27. Yoga/spa retreat center; and
28. Other uses the Director determines to be similar to those listed above, or which by operation or nature are not incidental to or compatible with residential activities.

F. **Cottage Food Operations.** A cottage food operation shall obtain an annual registration or annual permit to operate through Yolo County Environmental Health Services prior to commencing operations. Yolo County Environmental Health Services shall review for compliance with the provision of state law related to cottage food operations as described below and as subject to periodic amendment by the State:

1. A "Class A" cottage food operation is a cottage food operation that may engage only in direct sales of cottage food products from the cottage food operation or other direct sales venues described in paragraph below.
2. A "Class B" cottage food operation, which is a cottage food operation that may engage in both direct sales and indirect sales of cottage food products from the cottage food operation, from direct sales venues (see Direct Sale in Chapter 17.136, Definitions of Terms), from offsite events, or from a third-party retail food facility described as an indirect sale (see Indirect Sale in Chapter 17.136, Definitions of Terms).

- G. **Exemptions.** Day care facilities for 12 or fewer persons shall be exempt from this Section.
- H. **Fees.** Applicants for new or renewed home occupations/business licenses shall pay all appropriate fees pursuant to the City fee schedule.
- I. **Penalties.** Any violation of the provisions of this Section shall be subject to enforcement under the applicable provisions of the City's nuisance ordinance.

17.84.210 Hookah Lounges (New)

Hookah Lounges shall be located a minimum 1,000 feet from any other such establishment, public park, child day care, or school and a minimum 500 feet from any Residential zone.

17.84.220 Indoor Warehousing, Distribution

- A. **Purpose.** Warehousing functions to allow the safe storage of goods within a building. The primary function is storage rather than the delivery or distribution of materials, except on a limited basis.
- B. **Establishment.** Indoor warehousing shall be allowed as accessory to a primary use such as manufacturing or to allow storage of pre-packaged agricultural products.

17.84.230 Live/Work (New)

- A. **Establishment.** Live/work units may be established through the conversion of existing buildings or by new construction, as allowed in the base zone district.
- B. **Design.** Live/work units are flexible in their use and configuration. Four typical models of live/work units are described below:
 1. The Live-Within Type has a workplace and living area completely overlapping, such that the demarcation line can be adjusted continuously and on a daily cycle. This is suitable as a business incubator, with double functioning spaces.
 2. The Live-Above Type has the workplace below the residential quarters. The separation between the two functions is complete, allowing the commercial section to be independently leased out for limited use.
 3. The Live-Behind Type has the workplace in front of the residential quarters, thereby liberating the rear part of the lot for a conventional house. The demarcation between the two uses is complete, allowing the workspace to be leased to a separate entity for limited use.
 4. The Live-in-Front Type is a single-family house where the workplace is typically behind the living quarters, along a rear alley. The house is intended to be fully compatible with a conventional house, with freestanding work quarters suitable for restricted uses. The demarcation between the two uses is adjustable to changes in the family life.
- C. **Uses.**

1. The commercial component of live/work units are intended for use by the following, or similar, occupations: accountants, architects, artists and artisans, attorneys, computer software and multimedia related professionals, consultants, engineers, fashion, hair stylists, home-based office, one-on-one instructions. The Director may authorize other uses that may be permitted or conditionally permitted in the base district, using reasonable discretion, as long as such other uses are not precluded by law.
2. In order to protect the health and safety of persons who reside in a live/work unit or in a building which contains one or more live/work units, no work activity shall be permitted nor shall any live/work unit be established on any site that contains those uses which the Director finds would, by virtue of size, intensity, hours of operation, number of employees or the nature of the operation, have the potential to adversely affect others living or working in or nearby the live/work development by reason of dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration or other impacts, or would be hazardous by way of materials, process, product or wastes.
3. The uses as designated and approved on a floor plan shall remain and may not be converted (commercial may not be converted to residential and residential may not be converted to commercial).
4. All work must be conducted inside the building, and the commercial activity may not be conducted in the yard with the exception of meetings or other low intensity uses that do not negatively impact adjacent residential properties.
5. Signage intended to promote on-site commercial uses shall be restricted to two square foot signs permanently affixed to door or wall of the business component.
6. Signage shall be developed in accordance with a master sign plan for the overall development site.

D. Location and Size.

1. A live work unit is typically a single unit, (e.g., studio, loft, one bedroom) consisting of both a commercial/ office and residential component. Adequate and clearly defined working space constituting no less than 40 percent of the gross floor area of the live/work unit is required.
 - a. The working space must be reserved for and regularly used by one or more live/work unit residents.
 - b. At least 40 square feet of usable open space shall be provided for each live/work unit. With the exception of in the Downtown zones, where none is required.
2. Residential units are permitted above the commercial component, to the side or in back of the business component, provided that there is internal access between the residential and commercial space.
3. For sites that are designated or developed as high density residential, non-residential uses may occupy up to one-third of the square footage of the building or buildings as long as residential use occupies two thirds or more of the site.

E. **Performance Considerations.**

1. The commercial use shall not generate vehicular traffic, in excess of normal residential traffic, which will interfere with residential traffic circulation or shall not cause more than three vehicles including vehicles used by customers, vendors, or delivery services to visit the premises per day.
2. The live/work unit shall be required to provide parking in accordance with Chapter 17.76, Performance Standards.
3. No more than one employee (excluding residents of the dwelling unit) shall work or report to work on the premises, and the employment of any persons who do not reside in the live/work unit shall comply with all applicable Building Code requirements.
4. The commercial use shall not generate external noise, odor, glare, vibration, or electrical interference detectable to the normal sensory perception by adjacent neighbors.
5. No explosive, toxic, combustible, or flammable materials in excess of what would be allowed incidental to normal residential use shall be stored or used on the premises.
6. The commercial component shall not detract from, or otherwise be a nuisance to, the residential character or appearance of the dwelling units.

F. **Business License.** At least one resident in each live/work unit shall maintain at all times a valid City Business License and Zoning Clearance (see Section 17.100.030, Zoning Clearance) for a business on the premises.

G. **Unit Sale.** No portion of a live/work unit may be separately sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.

17.84.240 **Manufactured Home Parks, RV/Trailer Parks, and Manufactured Buildings (Updated)**

A. **Manufactured Home Parks.** Manufactured (mobile) home parks shall be located, developed, and operated in compliance with the following standards, in addition to the requirements of Title 25 California Code of Regulations, Division 1 Housing and Community Development, Chapter 2, Mobile Home Parks and Installations:

1. **Permit Required.** A Conditional Use Permit is required. See Section 17.100.100, Conditional Use Permit.
2. **Site Size.** The minimum size area for a manufactured home park shall be five acres.
3. **Density.** The minimum number of manufactured homes within a manufactured home park shall be 50. The maximum density of a manufactured home park is established by zone regulations.

4. **Minimum Setbacks.** All manufactured homes within a manufactured home park development shall be setback from perimeter property lines consistent with the required setbacks of the underlying base zone.
5. **Landscaping.** Landscaping pursuant to Section 17.64.040, Landscaping, shall be provided.
6. **Fencing and Perimeter Walls.** A manufactured home park shall be enclosed by a solid decorative masonry wall, erected, and maintained in the following areas:
 - a. Along the property side of the streetscape setback;
 - b. Along all interior property lines, except the area within the required street side setback and any area used for pedestrian or vehicle access; and
 - c. Along all property lines adjoining another private property.
7. **Pedestrian and Bicycle Internal Circulation.** A manufactured home park shall be designed such that there is an internal pedestrian walkway from the homes to any open space, club house, and project entry and exits. Safe bicycle access shall be provided throughout the site.
8. **Internal Roadways.** A manufactured home park shall be designed such that access to public roads is provided to the satisfaction of the Community Development Department, and consistent with applicable standards in Chapter 17.68, Parking and Loading.
 - a. **Minimum Width.** All roadways shall have a minimum width of 24 feet from curb to curb.
 - b. **Paving.** All access roads, defined here as all roadways between points of ingress and egress to and from the manufactured home park to public roads, shall be paved.
 - c. **Design.** Roadways shall be designed so that each living unit lot shall front upon a roadway within the development and provide convenient and reasonable traffic circulation. All circulation roads within a manufactured home park shall comply with the following standards.
 - i. Roads shall be suitable for all utility, fire, and service vehicles;
 - ii. Roads shall be graded so there will be no depressions in which surface water will accumulate and remain;
 - iii. Roads shall be sloped to provide proper storm drainage run-off by means of surface or subsurface drainage facility; and
 - iv. Roads shall be maintained to avoid excessive dust.
9. **Off Street Parking.**
 - a. **One-Way, One Lane Roadways.**

- i. Parking shall be prohibited on one-way, one-lane roadways less than 24 feet in width.
 - ii. Where parking is permitted on one side of the roadway, the roadway shall be a minimum of 24 feet in width.
 - iii. Where parking is permitted on both sides of the roadway, the roadway shall be at least 34 feet in width.
 - b. **Two-Way, Two Lane Roadways.**
 - i. Parking shall be prohibited on two-way, two-lane roadways less than 34 feet in width.
 - ii. Where parking is permitted on one side of the roadway, the roadway shall be a minimum of 34 feet in width.
 - iii. Where parking is permitted on both sides of the roadway, the roadway shall be at least 44 feet in width.
 - 10. **Improvement of Existing Manufactured Home Parks.** Upon the receipt of an application for the enlargement or extension of a manufacture home park in existence prior to adoption of this Code, the Planning Commission may modify the requirements of this Section to the extent otherwise consistent with applicable law provided that doing so will result in an overall improvement in the design standards of the existing park.
- B. **RV/Travel Trailer Parks.**
- 1. **Minimum Setbacks.** All parking or camp spaces shall be setback from perimeter property lines consistent with the required setbacks of the underlying base zone.
 - 2. **Landscaping.** Landscaping pursuant to Section 17.64.040, Landscaping, shall be provided.
 - 3. **Fencing and Perimeter Walls.** An RV/travel trailer park shall be enclosed by a solid decorative masonry wall, erected and maintained in the following areas:
 - a. Along the property side of the streetscape setback;
 - b. Along all interior property lines, except the area within the required street side setback and any area used for pedestrian or vehicle access; and
 - c. Along all property lines adjoining another private property.
 - 4. **Pedestrian and Bicycle Internal Circulation.** An RV/travel trailer park shall be designed such that there is an internal pedestrian walkway from the homes to any open space, club house, and project entry and exits. Safe bicycle access shall be provided throughout the site.
 - 5. **Internal Roadways.** An RV/travel trailer park shall be designed such that access to public roads is provided to the satisfaction of the Community Development Department, and consistent with applicable standards in Chapter 17.68, Parking and Loading. The requirements provided in Subsection 17.84.240.A.8, Internal Roadways shall apply.

6. **Parking.** The requirements provided in Subsection 17.84.240.A.9, Off Street Parking shall apply.
7. Toilets and lavatories for the exclusive use of the occupants shall be provided on the basis of one toilet for each sex, for each 15 spaces or fraction thereof.
8. A recreational vehicle shall not be located closer than three feet from a property line or lot line.
9. Each space in a travel trailer park shall have direct access to a roadway.
10. All travel trailer parks shall conform to the provisions of the Manufactured Home Parks Act, Title 25, California Administrative Code.
11. A Conditional Use Permit is required. See Section 17.100.100, Conditional Use Permit.

C. **Manufactured or Modular Homes in Residential Zones.**

1. **Standards.** A manufactured or modular home shall be allowed provided it:
 - a. Is to be occupied only for residential purposes;
 - b. Conforms to all of the residential use development standards for single-family structures applicable to the zone including, but not limited to, building height, access, setbacks, open space, and parking; and
 - c. Is certified under the National Manufactured Housing Constructed and Safety Standards Act of 1974 and has been constructed after June 15, 1976.
2. **Compatibility.** A manufactured or modular home shall be compatible in design and appearance with residential structures in the vicinity and shall meet the following standards:
 - a. A manufactured or modular home shall be built on a permanent foundation system approved by the Building Official.
 - b. Each manufactured home shall have been manufactured within 10 years of the date of issuance of a permit to install the manufactured home and shall be certified under the National Manufactured Home Construction Safety Act of 1974.
 - c. It is a double-wide or larger multi-sectional unit with a minimum width of 20 feet.
 - d. It is covered with an exterior material commonly found on new conventionally-built residential structures in the surrounding area such as stucco, wood, brick, or stone. Metal siding if used, shall be non-reflective and horizontally lapping.
 - e. The exterior covering material shall extend to the ground. If a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
 - f. The roofing material is composition shingles or other materials commonly found on conventionally-built residential structures in the surrounding area.

- g. The roof has a pitch of not less than two inches of vertical rise for each 12 inches of horizontal run or what is commonly found on conventionally-built residential structures in the surrounding area.
- h. The roof has eaves and gable overhangs of not less than one foot measured from the vertical side of the mobile home or what is commonly found on conventionally built residential structures in the surrounding area. The overhang requirement may be waived at the point of connection where an accessory structure is attached to the manufactured home.
- i. It has an enclosed garage or a carport if either is commonly found with new conventionally-built structures in the surrounding area. Otherwise a minimum of two paved off-street parking spaces located behind the building setback line is required.
- j. The finish floor is a maximum of 24 inches above the exterior finish grade of the lot measured at the foundation.
- k. Residential fire sprinklers shall be designed and installed per NFPA 13D, as described in the Woodland Municipal Code, Chapter 8.20.040, Amendments.

D. Commercial Modular Buildings.

1. **General Requirements.** Commercial modular buildings generally fall under two categories: permanent modular or temporary modular:
 - a. Permanent modular buildings are usually considered real property, built to the same codes as conventional buildings.
 - b. Temporary modular buildings are commonly considered personal property or equipment and are not permanently affixed to real estate. Temporary modular buildings are often used as sales offices, classrooms, or for healthcare services.
2. **Government Owned Property.** City-owned sites (e.g., parks) and buildings used during construction as either offices or to temporarily house offices are excepted from this Section.
3. **Underlying Zones.** The underlying base zone standards shall apply to modular buildings, including, but not limited to, building height, access, setbacks, open space, parking requirements, etc., or operative plan if applicable.
4. **Location.**
 - a. Buildings may be installed on industrial, commercial, and residential districts that are developed with non-residential districts.
 - b. Buildings shall not be the primary building on the site.
 - c. Buildings may not be visible from arterial streets.
5. **Design Criteria.**

- a. Permanent modular buildings shall be reviewed similar to buildings that employ conventional building techniques.
- b. Temporary modular buildings shall be compatible in design and appearance with structures in the vicinity and shall meet the following standards:
 - i. *Foundation.* A building shall be built on a permanent foundation system approved by the Building Official.
 - ii. *Date of Construction.* Temporary modular buildings shall have been manufactured within 10 years of the date of issuance of a permit to install the building on the site.
 - iii. *Roof Overhang.* The roof overhang shall not be less than 12 inches around the entire perimeter of the Temporary Modular building as measured from the vertical side of the home. The overhang requirement may be waived at the point of connection where an accessory structure is attached to the building.
 - iv. *Roof Material.* Roof material shall consist of material customarily used for conventional buildings, such as tile or composition shingles. If shingles are used, the pitch of the roof shall be not less than three inches vertical to 12 inches horizontal.
 - v. *Siding Material.* Siding material shall consist of exterior material customarily used for conventional buildings, such as stucco, wood, brick, stone, or decorative concrete. Metal siding, if utilized, shall be non-reflective and horizontally lapping. Siding material utilized as skirting shall be the same as the material used on the exterior wall surface of the building.
 - vi. *Skirting.* The unit's skirting shall extend to the finished grade.
 - vii. *Building Orientation.* The building, including the primary entrance, shall face the street.
 - viii. *Landscape and Screening.* Commercial modular buildings are subject to the standards of Chapter 17.68, Parking and Loading, and Chapter 17.70, Screening Standards.

17.84.250 Mobile Vendors (New)

- A. **Location.**
 - 1. All activities must be conducted entirely on private property and wholly within an approved vehicle.
 - 2. Mobile vendors may only operate in non-residential zones.
- B. **Alteration of Site Prohibited.** Mobile vendors shall not permanently alter the character or physical facilities of the property where they occur.

- C. **Number.** The maximum number of Mobile Vendor Vehicle permits that may be issued shall be subject to Woodland Municipal Code Section 10.20.060.D. No more than one mobile vendor per lot shall be permitted and shall be at least 1,000 feet from any other mobile vendor.
- D. **Parking.** Mobile vendors shall not:
1. Park or be located within 20 feet of a fire hydrant or public safety alarm box.
 2. Obstruct any walkways, drive aisles, sidewalks, or path of travel.
 3. Park on any unimproved (unpaved) surface.
 4. Displace more than three non-residential parking spaces for a maximum of four hours per day per parking lot, provided that no more than 10 percent of the total number of parking spaces on site are displaced.
- E. **Duration of Stay.**
1. Mobile vendors that are present fewer than 14 days in a calendar year, or which never stop in one location for longer than 30 minutes shall not be required to obtain a Mobile Vendor Permit (see Woodland Municipal Code, Section 10.20.040, Mobile vendor permit required).
 2. Mobile vendors that are present 14 days in a calendar year or more, or that remain in one location must obtain a Mobile Vendor Vehicle Permit and be subject to Zoning Administrator review.
 3. Mobile vendors that present for a special event of limited duration shall be approved through a Special Events Permit. See Woodland Municipal Code Section 10.20.020, Parking of peddlers and vendors on public rights-of-way).
- F. **Allowed Vehicles.** Operations shall only be conducted from a motor vehicle, or vehicle with a trailer consistent with state law and County Health Department approvals.
- G. **Permit Requirements.** Mobile vendors that require a Mobile Vendor Vehicle Permit shall be subject to the application requirements of Woodland Municipal Code, Chapter 10.20, Mobile Vendors and Peddlers, and the following findings:
1. The Mobile Vendor Vehicle permit is in conformance with the General Plan and Zoning Code.
 2. The Mobile Vendor Vehicle will locate on property that is improved and will be accessory to the primary permitted use that has a valid business license, and shall not be located on vacant, unimproved property.
 3. Adequate utilities, access, drainage, sanitation, and other necessary facilities are provided on the proposed site in a safe and secure manner. The City's Traffic Engineer and Fire Marshall shall review and must approve a location prior to installation/operation.
 4. The Mobile Vendor Vehicle has obtained all permits and authorization and approval from all applicable county and state agencies to operate as proposed and shall have an approved Bathroom Location agreement and an approved commissary location

- and agreement, subject to Zoning Clearance (see Section 17.100.030, Zoning Clearance).
5. The Mobile Vendor Vehicle and use will not be detrimental to the public health, safety, and welfare or create a nuisance.
- H. **Annual Renewal.** Mobile Vendor Vehicle Permit is valid for one year from the date of approval and must be renewed annually. A permittee may apply for a Mobile Vendor Vehicle Permit renewal by submitting to the Director at least 30 calendar days before the expiration of the permit, a renewal application, and a non-refundable renewal fee. Failure to timely submit a renewal application prior to expiration shall result in permit expiration, and an application for a new permit shall be required.
1. The Director shall either approve or deny the renewal of the permit within 30 calendar days of receipt of the complete application.
 2. The renewal application shall be on a form approved by the Director. The Director is authorized to establish procedures and guidelines to process Mobile Vendor Vehicle Permit renewal applications.
 3. The Director shall approve the renewal of a permit if he or she finds that the circumstances existing during the term of the permit and during the review period of the application for renewal are consistent with all of the findings required for approval of a new permit specified in Section 17.84.250.G, Permit Requirements and that no permittee or interested party of the Mobile Vendor Vehicle has committed, permitted, or failed to prevent violations of the Woodland Municipal Code, or any license or permit condition, during the preceding permit term.
- I. **Nuisance.** Mobile vendors shall be responsible for keeping the area clean of any litter or debris and shall provide trash receptacles for customer use on site. No vendor shall ring bells, play chimes, play an amplified musical system, or make any other notice to attract attention to its business while operating within City limits. The use of prohibited or unpermitted signs for mobile food vendors is not allowed.
- J. **Automobile/Vehicle Services.** Automobile/vehicle services are prohibited as mobile vendors except car washing and windshield repair conducted in compliance with applicable stormwater control requirements.
- K. **Other.** Any reasonable conditions the Director or Zoning Administrator deems necessary to ensure compliance with the purposes of the zone and to make the findings required based on the permit required, the information contained in the application, public records, and/or recommendations from departmental staff.

17.84.260 Non-Traditional Financial Institutions (New)

- A. **Purpose and Applicability.** The purpose of this Section is to establish specific site planning, development, and/or operating standards for nontraditional financial institutions such as loan shops and check cashing businesses. The development standards of this Section shall apply to all non-traditional financial institutions in the City, unless specified otherwise.

- B. **Location Standards.** All new nontraditional financial institutions shall be located on an arterial or higher classification of right-of-way.
- C. **Standards.** In addition to the development standards of the underlying zone, the following special standards apply to all nontraditional financial institutions (existing and new):
 - 1. Operation of nontraditional financial institutions shall be limited from 7:00 a.m. to 7:00 p.m., daily.
- D. **Security.** A security plan shall be provided for review and approval by the Director and Chief of Police. The plan shall provide for adequate security including partitions, surveillance, and building access considerations. Bars on windows are prohibited.

17.84.270 Outdoor Display, Sales, and Dining (New)

- A. **Temporary Outdoor Display and Sales.** The temporary outdoor display and sale of merchandise shall comply with Section 17.84.370, Temporary Uses, and Section 17.100.080, Temporary Use Permit.
- B. **Produce Displays.** The outdoor display of fresh produce associated with an existing Food and Beverage Retail Sales establishment on the same site is allowed, subject to the following standards.
 - 1. The display shall not disrupt the normal function of the site or its circulation and shall not encroach upon parking spaces, driveways, or required landscaped areas or block pedestrian walkways.
 - 2. All produce shall be removed or enclosed at the close of each business day.
- C. **Permanent or Ongoing Outdoor Display and Sales.** The permanent or ongoing outdoor display of merchandise, except for automobile/vehicle sales and leasing requires Zoning Administrator Permit approval (see Section 17.100.090, Zoning Administrator Permit) and shall comply with the following standards:
 - 1. **Relationship to Main Use.** The outdoor display and sales area shall be directly related to a business occupying a primary structure on the subject parcel.
 - 2. **Allowable Merchandise.** Only merchandise sold at the business is permitted to be displayed outdoors.
 - 3. **Display Locations.** The displayed merchandise shall occupy a fixed, specifically approved, and defined location and shall not disrupt the normal function of the site or its circulation and shall not encroach upon parking spaces, driveways, or required landscaped areas or block pedestrian walkways.
 - 4. **Display Appearance.** Merchandise displayed outdoors shall be kept in an orderly manner, on racks or shelves intended for the purpose of display and managed throughout the day to ensure displayed items remain neat and orderly. Clothing or other displayed items may not hang haphazardly off window trim or other storefront elements no intended for the purpose of displaying such items. Attention getting signage, not otherwise permitted, and posters are not permitted outdoors.

- D. **Outdoor Vending Machines Prohibited.** Outdoor vending machines other than those for the sale of newspapers are prohibited. Director may grant exceptions for specific vending machines such as those that dispense movies/DVDs, water, and/or online purchase pick up stations.
- E. **Outdoor Dining.** Outdoor dining and seating shall be located, developed, and operated in compliance with the following standards:
1. **Parking.** Where an outdoor dining and seating area occupies less than 500 square feet, additional parking spaces for the associated eating and drinking establishment are not required. Parking shall be provided according to the required ratio in Chapter 17.68, Parking and Loading, for any outdoor dining and seating area exceeding 500 square feet as determined by Director.
 2. **Pedestrian Pathway.** A four-foot pedestrian pathway shall be maintained and unobstructed. If there is more than a four-foot-wide pathway provided, outdoor dining may be located outside of the required four feet.
 3. **Accessory Use.** Outdoor dining and seating may be conducted as an accessory use located on the same parcel, on a contiguous adjacent parcel, or on a public right-of-way immediately adjacent to the tenant space subject to a City-issued encroachment permit.
 4. **Design Standards.** Outdoor dining and seating shall comply with all applicable adopted City design standards.
 5. **Litter.** No structure or enclosure to accommodate the storage of trash or garbage shall be erected or placed on, adjacent to, or separate from the public sidewalk or right-of-way. Outdoor dining shall remain clear of litter at all times.
 6. **Hours of Operation.** The hours of operation of the outdoor dining and seating shall be limited to the hours of 8:00 a.m. and 10:00 p.m. If open later than 10:00 p.m. and/or within 500-feet of a residential use, a Zoning Administrator Permit is required. See Section 17.100.090, Zoning Administrator Permit.
 7. **Special Event Permit.** Outdoor events would be subject to a City-issued Special Event Permit.

17.84.280 Personal Cultivation of Cannabis

- A. **Purpose.** The purpose and intent of this Section is to regulate the personal cultivation of cannabis in a manner that protects the health, safety, and welfare of the community. This Section is not intended to interfere with a patient's right to medical cannabis, as provided for in California Health and Safety Code § 11362.5, as it may be amended, nor does it criminalize medical cannabis possession or cultivation by specifically defined classifications of persons, pursuant to state law. This Section is not intended to give any person independent legal authority to grow cannabis; it is intended simply to impose zoning restrictions on the cultivation of cannabis when it is authorized by California law for medical or other purposes.

B. Prohibited Locations.

1. Personal cultivation of cannabis, including by a qualified patient or primary caregiver, is prohibited outdoors.
2. No person shall cultivate cannabis indoors in the City, except within a detached, fully-enclosed, and secure secondary structure or primary residential structure that meets the requirements set forth in Subsection 17.84.280.C, Indoor Cultivation.

C. Indoor Cultivation.

1. Any person within the City may cultivate cannabis inside of any residence or enclosed and secure secondary structure that meets certain requirements specified in this Code, consistent with state law that permits indoor cultivation of cannabis for medical and non-medical purposes.
2. All indoor personal cultivation of cannabis shall conform to the following minimum standards:
 - a. The cannabis is cultivated by either:
 - i. A qualified patient exclusively for their own personal medical use;
 - ii. A primary caregiver who cultivates, possesses, stores, manufactures, transports, donates, or provides medical cannabis exclusively for the personal medical purposes of no more than five specified qualified patients for whom they are the primary caregiver, but who does not receive remuneration for these activities except for compensation in full compliance with California Health and Safety Code § 11362.765(c); or
 - iii. A person 21 years of age or older for that person's personal use, possession, processing, transporting, or giving away without any compensation whatsoever in accordance with this Section and state law, as applicable.
 - b. Indoor grow lights in any structure shall not exceed an aggregate of 1,200 Watts and shall comply with all applicable Building Code regulations. Gas products (including, without limitation, CO₂, butane, propane, and natural gas) or generators shall not be used within any structure used for the cultivation of cannabis.
 - c. Any detached, fully-enclosed, and secure secondary structure or residential structure used for the personal cultivation of cannabis must have a ventilation and filtration system installed that shall mitigate cannabis plant odors from exiting the interior of the structure and that shall comply with all applicable Building Code regulations, including obtaining all required permits and approvals. The ventilation and filtration system must be approved by the City and installed prior to commencing cultivation within the detached, fully-enclosed, and secure structure or residential structure.

- d. A detached, fully-enclosed and secure secondary structure used for the personal cultivation of cannabis shall be located in the rear yard area of a parcel, maintain a minimum 10-foot setback from the rear yard property line and a side yard setback that is equal to the same side yard setback required for the residential lot on which the home sits, and the area surrounding the structure or yard must be enclosed by a solid fence at least six feet in height.
 - e. Cannabis cultivation occurring within a residence and/or detached structure shall not exceed more than a cumulative total of six living plants at one time and shall occur in a cumulative area totaling no larger than 50 square feet, regardless of how many persons are residing at the premises.
 - f. Personal cultivation of cannabis shall not inhibit the occupancy of the residence or take place in the kitchen or bathrooms of any structure.
 - g. Personal cultivation of cannabis shall not take place on any carpeted surface.
 - h. Cannabis cultivation areas, whether in a detached structure or inside a residence, shall not be readily accessible to persons under 21 years of age.
 - i. No exterior evidence of cannabis cultivation occurring at the property shall be visible from the public right-of-way.
- D. **Public Nuisance.** Any violation of this Section is declared to be a public nuisance and may be abated by the City pursuant to Woodland Municipal Code, Chapter 9.04, Nuisances.
- E. **Penalty.** A violation of this Section shall either be a misdemeanor or an infraction at the discretion of the prosecuting attorney. However, notwithstanding anything in this Code to the contrary, persons violating this Section shall not be subject to criminal liability under this Code solely to the extent such conduct or condition is immune from criminal liability pursuant to the Compassionate Use Act of 1996 (Health and Safety Code § 11362.5) and/or the Medical Marijuana Program (Health and Safety Code § 11362.7 et seq.) as they may be amended. This Section does not prohibit the City from abating violations of this Section by any administrative, civil, or other non-criminal means. In such cases, a violation of this Section may be considered the civil or administrative equivalent of an infraction or misdemeanor as applicable.

17.84.290 Personal Services

Personal service establishments shall be located, developed, and operated in compliance with the following standards:

- A. **Hours of Operation.** Hours of operation shall be limited to 6:00 AM to 10:00 PM unless otherwise specified in a use permit.
- B. **Massage Establishments.**
 - 1. Massage establishments shall comply with Woodland Municipal Code Chapter 5.20, Massage Establishments.
 - 2. Noncompliant establishments that offer massage in exchange for compensation, including sole proprietorships, shall be prohibited.

3. No exterior window shall be tinted, covered, or obstructed such that visibility into the business is reduced or eliminated.

17.84.300 Personal Storage Facilities

- A. **Prohibition on New Personal Storage Facilities.** New personal storage (mini-storage) facilities are not permitted.

17.84.310 Recycling Facilities (New)

- A. **General Requirements.** All recycling facilities, including reverse vending machines, recycling collection facilities, and recycling processing facilities, shall be located, developed, and operated in compliance with the California Beverage Container Recycling and Litter Reduction Act of 1986 (Public Resources Code § 14500) and the following standards:
 1. **Security.** Recycling facilities shall be secured from unauthorized entry or removal of material and have enough capacity to accommodate materials collected and collection schedule.
 2. **Maintenance.** Recycling facilities, including donation areas, shall be maintained in a clean, sanitary, and free of litter and any other undesirable materials.
- B. **Reverse Vending Machines.** In addition to the requirements Subsection 17.84.310.A, Recycling Facilities, reverse vending machines shall be located, developed, and operated in compliance with the following standards.
 1. **Accessory Use.** Reverse vending machines may be installed as an accessory use to a permitted or conditionally permitted commercial or public use.
 2. **Location.**
 - a. Reverse vending machines shall be located within the same building as the permitted or conditionally permitted commercial or public use.
 - b. Machines shall not be located within 50 feet of a Residential zone or within 1,000 feet of any business that sells alcohol.
 - c. Machines shall not be located outdoors.
 3. **Identification.** Machines shall be clearly marked to identify the type of material to be deposited, operating instructions, the identity and phone number of the operator or person responsible to call if the machine is inoperative, and a notice stating that no material shall be left outside of the reverse vending machine.
 4. **Signs.** The maximum sign area on a reverse vending machine is four square feet per machine, not including operating instructions.
 5. **Trash Receptacle.** Operators shall provide a 40-gallon garbage can for nonrecyclable materials adjacent to the reverse vending machine.

6. **Maximum Size.** Reverse vending machines shall occupy no more than 50 square feet of floor space per installation, including any protective enclosure, and shall be no more than eight feet in height.
 7. **Hours of Operation.** Operating hours shall be at least the operating hours of the primary use.
 8. **Lighting.** Reverse vending machines shall be illuminated to ensure comfortable and safe operations if operating hours are between dusk and dawn.
 9. **Material.** Reverse vending machines shall be constructed and maintained with durable waterproof and rustproof material.
- C. **Recycling Collection Facilities.** In addition to the requirements Subsection 17.84.310.A, Recycling Facilities, recycling collection facilities shall be located, developed, and operated in compliance with the following standards.
1. **Equipment.** No power-driven processing equipment may be used.
 2. **Items Accepted.** Recycling collection facilities shall accept only glass, metals, plastic containers, papers, and reusable items. Used motor oil may be accepted with the permission of the County Health Official. Recycling facilities for tires, concrete, and hazardous chemicals and other industrial materials are not permitted.
 3. **Location.**
 - a. Recycling collection facilities shall only be established in conjunction with a commercial or community service host facility in compliance with applicable building and fire codes.
 - b. Facilities shall not be located within 100 feet of a Residential zone or within 1,000 feet of any business that sells alcohol.
 - a. Facilities shall comply with the setback requirements of the zone, be at least 200 feet from the edge of any four-way intersection, and not obstruct pedestrian or vehicular circulation.
 - b. Attended recycling collection facilities located within 200 feet of a property zoned or occupied for Residential zone shall operate only during the hours between 9:00 AM and 7:00 PM.
 - c. Containers for the 24-hour donation of materials shall all be at least 100 feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between the containers and the residential use.
 - d. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present.
 4. **Containers.** Containers shall be constructed of durable waterproof and rustproof material and secured from unauthorized removal of material and maintained in good condition. Capacity sufficient to accommodate materials collected in the collection schedule.

5. ***Signs and Identification.*** Signs shall comply with the requirements of Chapter 17.72, Signs, in addition to the following standards:
 - a. The maximum sign area shall be 20 percent of the area of the side of facility or container or 16 square feet, whichever is larger. In the case of a wheeled facility, the side is measured from the pavement to the top of the container. The Director may authorize increases in the number, size, and nature of additional signs for necessary directional or identification purposes but not for outdoor advertising.
 - b. Containers shall be clearly marked to identify the type of accepted material, hours of operation, the identity and phone number of the operator or responsible person to call if the machine is inoperative, and a notice stating that no material shall be left outside the recycling enclosure or containers.
2. ***Storage.***
 - a. Materials shall not be left outside of containers when attendant is not present.
 - b. All exterior storage shall be in sturdy containers which are covered, secured, and maintained in good condition.
 - c. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the Fire Chief.
 - d. No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing.
 - e. Containers shall be constructed of durable waterproof and rustproof material, shall have enough capacity to accommodate materials.
3. ***Design and Screening.***
 - a. The Recycling collection facility shall comply with the design standards for the zone, shall not exceed 250 square feet or include more than three parking spaces.
 - b. Screening shall be in compliance with Chapter 17.70, Screening Standards, in addition to the following:
 - i. In all Commercial zones and the IF zone, all collection and storage of material shall take place within a completely enclosed building.
 - ii. In the Industrial zone, all collection and storage shall be screened from the public row by operating in an enclosed building, or:
 - (1) Within an area enclosed by an opaque fence at least six feet in height with landscaping;
 - (2) Located at least 200 feet from a Residential zone or a property occupied by a residential use.

D. **Recycling Processing Facilities.** In addition to the requirements subsection A above, recycling processing facilities shall be located, developed, and operated in compliance with the following standards.

1. **Minimum Lot Size.** The minimum lot size for recycling processing facilities is three acres.
2. **Location.** Facilities shall not be located within 200 feet of a Residential zone or within 1,000 feet of any business that sells alcohol.
3. **Screening.** The facility shall be screened from public rights-of-way by a screening wall or be within an enclosed structure.
4. **Pavement.** The area used for recycling, parking, and/or storage shall be paved.
5. **Outdoor Storage.**
 - a. Exterior storage of material shall be in sturdy containers or enclosures that are secured and maintained in good condition. Storage shall not be visible above the height of the required screen wall.
 - b. Exterior storage of materials, other than baled material, shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition.
 - c. Outdoor storage shall comply with the Fire Code for pile size, fire apparatus access, and fire hydrant protection.
6. **Processing.** Processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source-separated recyclable and reusable materials.
7. **Fluids.** A processing facility may accept used motor oil and/or used oil filters for recycling from the generator in accordance with California Health and Safety Code § 25250.11. All storage of used motor oil and/or used oil filters must be within a containment apparatus capable of containing all stored oil in the event of a spill or leak. No containment apparatus shall exceed a capacity greater than 55 gallons. All used motor oil and/or used oil filter storage containers shall be located on an approved surface.
8. **Batteries.** A processing facility may accept used lead-acid batteries in accordance with the California Health and Safety Code § 25215.1. All batteries must be stored inside an enclosed building.
9. **Hours of Operation.** If the facility is within 500 feet of a Residential District, or an existing home, it may not operate between the hours of 7:00 PM and 7:00 AM.
10. **Personnel.** The facility shall be administered by on-site personnel during the hours the facility is open.

E. **Enforcement.**

1. All uses or changes in the use of the land, and the establishment, installation, operation, and maintenance of any improvement of the land, shall comply with the

provisions of this Code and the applicable regulations of all agencies and departments having jurisdiction.

2. This Section applies to the establishment and continued use of all recycling facilities. All facilities in existence prior to the effective date of this Code shall comply with the terms of this Code within 120 days from its effective date. Any such use not in conformance after this 120-day period shall be deemed to be a violation of this Code and subject to enforcement in accordance with Chapter 17.128, Enforcement.
3. Should the actual construction deviate from the plan as approved, the Certificate of Occupancy shall be withheld until the construction is in conformance with the approved plan.

17.84.320 Residential Limited Retail (New)

- A. **Purpose.** The purpose of this Section is to allow for the development of small-scale, neighborhood-serving commercial establishments that can provide convenient, walkable access to important amenities and that can increase the sense of community and value to the surrounding neighborhood. Limited residential use allows for the sensitive conversion of residential space to a compatible non-residential use.
- B. **Permitted Types.** As provided in the use table in the R-L, R-LM, NP, and R-M Residential districts, limited retail uses include counter-service cafes and coffee shops; delicatessens; bakeries; flower shops; and bike shops and bike repair services, and other similar uses as determined by the Director.
- C. **Location.** Residential limited retail is allowed only on corner lots where facing rights of way that are classified as collectors.
- D. **Permit Required.** A Zoning Administrator Permit is required in all Residential zones. See Section 17.100.090, Zoning Administrator Permit.
- E. **Design Standards.** Limited retail uses are subject to the following standards in addition to those of the underlying base zone:
 1. The commercial use must be easily recognizable from the front façade through the use of large windows or an active outdoor use such as produce stands or café seating.
 2. Outdoor seating is allowed, but, where abutting an existing residential use, must meet the rear setback and be minimum 10 feet from interior side setbacks.
 - a. Any outdoor use shall be oriented to minimize impacts on adjacent residences.
 - b. Noise attenuation shall be provided in the form of fountains or other features that mask or block noise.
 - c. In a rear or side yard landscaping or architectural landscape features shall be used when needed to screen outdoor areas from adjacent residential uses.
 3. Fencing adequate to screen views into adjacent residential properties shall be provided on the subject property.

4. Landscaping shall be installed in addition to fencing to screen and soften impacts on adjacent residential properties.
5. Window coverings or obscured glass shall be provided where a window is visible from an adjacent residential use.
6. The commercial area shall be limited to the ground floor of a residential unit.
7. Drive-throughs are prohibited.

F. Operational Standards.

1. Alcohol sales may be considered through a Conditional Use Permit review process (see Section 17.100.100, Conditional Use Permit).
2. Hours of operation shall be limited to 6:00 AM to 9:00 PM.
3. Amplified music is not permitted outdoors.
4. Lighting shall be shielded to reduce impact to adjacent residential uses.
5. Any outdoor storage of materials or refuse must be enclosed and fully screened from public view.
6. No off-street parking spaces required, in compliance with Table 17.68.030.B-1: Required Parking in the Downtown and Mixed-Use Zones.
7. Large delivery trucks are prohibited and no double parking.

G. Findings. The following findings shall be met prior to issuance of the permit required by the base zone:

1. The use must be oriented to serve the immediate neighborhood, promoting health, and facilitating a sense of community between neighbors.
2. The use must complement the residential character of the neighborhood and will not adversely impact adjacent properties.

17.84.330 Short-Term Rental (New)

- A. **Purpose.** The City Council finds that unregulated transient occupancy uses in residential zones present a threat to the public welfare. The purposes of this Section are to:
1. Provide a visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the City;
 2. Ensure the collection and payment of transient occupancy taxes;
 3. Minimize the negative secondary effects of short-term rental use on surrounding residential neighborhoods;
 4. Retain the character of the neighborhoods in which short-term rentals occur;
 5. This Section is not intended to regulate hotels and bed and breakfast inns that do not qualify as short-term rentals; and
 6. This Section is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants, and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term rental purposes as defined in this Section.
- B. **Permit Required.** A Zoning Administrative Permit is required.
- C. **Permitted Locations.** Short-term rentals must be permitted in accordance with the provisions established in each zone and as provided in this Section.
- D. **Restrictions and Standards.** Short-term rentals are subject to the following restrictions and standards:
1. The short-term rental use is permitted in no more than one single-family dwelling per lot.
 2. The Zoning Administrative Permit authorizing the short-term rental use must be in the name of the owner-applicant, who must be an owner of the real property upon which the short-term rental use is to be permitted. One person may hold no more than one short-term rental permit. The permit is not transferable.
 3. Short-term rental uses are limited to single-family dwellings existing and constructed as of the date of application for the short-term rental permit.
 4. The maximum number of bedrooms used for short-term rental use in the short-term rental dwelling must be no greater than three. The total number of guests staying in the short-term rental dwelling at any one time must be no greater than the number of bedrooms plus two persons, up to a maximum of five persons.
 5. Short-term rental dwellings must meet all applicable building, health, fire, and related safety Codes at all times and shall be inspected by the Fire Department before any short-term rental activity can occur.
 6. A minimum of two on-site parking spaces must be provided for use by the short-term rental occupants.

7. The owner-applicant must keep on file with the City the name, telephone number, cell phone number, and e-mail address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the short-term rental. This information must be posted in a conspicuous location within the short-term rental dwelling. The local contact person shall be available 24 hours a day to accept telephone calls and respond physically to the short-term rental within a reasonable amount of time when the short-term rental is rented and occupied. The City shall post the name and contact information of the local contact person associated with each short-term rental on the City's webpage.
8. The owner-applicant must post "house policies" within each guest bedroom. The house policies must be included in the rental agreement, which must be signed by the renter and must be enforced by the owner-applicant or the owner-applicant's designated contact person. The house policies at a minimum must include the following provisions:
 - a. Quiet hours must be maintained from 10:00 PM to 7:00 AM, during which noise within or outside the short-term rental dwelling must not disturb anyone on a neighboring property.
 - b. Outdoor amplified sound is prohibited.
 - c. Vehicles must be parked in designated on-site parking spaces and must not be parked on the street overnight.
 - d. Parties or group gatherings which exceed the maximum number of allowed guests and/or which have the potential to cause traffic, parking, noise, or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.
 - e. Guests must not leave any waste or trash outside the house. All trash containers shall be stored behind a fence and shall not be visible.
9. Weddings, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise, or other problems in the neighborhood are prohibited.
10. The owner-applicant must ensure that the occupants and/or guests of the short-term rental use do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any state law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs or be subject to fines and penalties levied by the City up to and including revocation of the Zoning Administrative Permit (see Section 17.96.150, Revocation of Permit) for the short-term rental use.
11. The owner-applicant, upon notification that occupants and/or guests of his or her short-term rental use have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this Code or state law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, must prevent a recurrence of such conduct by those occupants or guests or be subject to fines and penalties levied by the City up to and including revocation of the Zoning

Administrative Permit (see Section 17.96.150, Revocation of Permit) for the short-term rental use.

12. All advertising for any short-term rental, including electronic advertising on short-term rental websites, must include the number of the Zoning Administrative Permit for the short-term rental use granted to the owner-applicant.
13. The owner-applicant must maintain City business licenses and pay all transient occupancy taxes in accordance with Woodland Municipal Code Chapter 3.12, Transient Occupancy Tax as required.
14. Preference for the review and issuance of a new Zoning Administrative Permit for a short-term rental must be given to current residents of Woodland over nonresident applicants. Applicants whose primary residence is within the City must be reviewed and acted on ahead of other nonresident applications to implement the local preference policy for the Zoning Administrative Permit for short-term rental uses.
15. Applicants for short-term rental permits are required to have owned their homes for a minimum of two years prior to applying for and being issued a Zoning Administrative Permit for a short-term rental use.

17.84.340 Single Room Occupancy Units (New)

Single room occupancy (SRO) units shall be located, developed, and operated in compliance with the following standards:

- A. **Maximum Occupancy.** Each SRO living unit shall be designed to accommodate a maximum of two persons.
- B. **Minimum Size.** An SRO living unit shall have at least 150 square feet of floor area, excluding closet and bathroom. No individual unit may exceed 400 square feet.
- C. **Minimum Width.** An SRO of one room shall not be less than 12 feet in width.
- D. **Entrances.** All SRO units shall be independently accessible from a single main entry, excluding emergency and other service support exits.
- E. **Cooking Facilities.** Cooking facilities shall be provided either in individual units or in a community kitchen. Where cooking is in individual SRO units, SRO units shall have a sink with hot and cold water; a counter with dedicated electrical outlets and a microwave oven or properly engineered cook top unit pursuant to Building Code requirements; a small refrigerator; and cabinets for storage.
- F. **Bathroom.** An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink and bathtub, shower, or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the Building Code for congregate residences with at least one full bathroom per floor.
- G. **Closet.** Each SRO unit shall have a separate closet.

- H. **Common Area.** Common area in an amount equal to 10 square feet per living unit shall be provided, excluding janitorial storage, laundry facilities and common hallways. At least 200 square feet in area of interior common space shall be provided as a ground floor entry area that provides a central focus for tenant social interaction and meetings.
- I. **Tenancy.** Tenancy of SRO units shall be limited to 30 or more days.
- J. **Facility Management.** An SRO Facility with 10 or more units shall provide full-time on-site management. An SRO Facility with less than 10 units shall provide a management office on-site.
- K. **Management Plan.** A management plan shall be submitted with the permit application for all SRO projects. At minimum, the management plan shall include the following:
 - 1. *Security/Safety.* Proposed security and safety features such as lighting, security cameras, defensible space, central access, and user surveillance;
 - 2. *Management Policies.* Management policies including desk service, visitation rights, occupancy restrictions, and use of cooking appliance;
 - 3. *Rental Procedures.* All rental procedures, including weekly and monthly tenancy requirements;
 - 4. *Staffing and Services.* Information regarding all support services, such as job referral and social programs; and
 - 5. *Maintenance.* Maintenance provisions, including sidewalk cleaning and litter control, recycling programs, general upkeep, and the use of durable materials.

17.84.350 **Smoke Shops (New)**

- A. **Purpose.** The purpose of this Section is to establish specific standards for smoke shops, to ensure that smoke shops are appropriately located and operated so as not to pose a significant threat to the public health, safety, and welfare, and to limit potential adverse impacts on sensitive uses located in surrounding neighborhoods.
- B. **Location.** All new smoke shops shall be located consistent with the following standards:
 - 1. Located a minimum of 1,000 feet from another smoke shop.
 - 2. Located a minimum of 500 feet from all of the following uses:
 - a. Schools;
 - b. City Facilities:
 - i. Parks and recreation facilities;
 - ii. Community centers;
 - iii. Libraries;
 - c. Youth organizations or facilities used primarily for youth events; and
 - d. Day care centers.

3. Located a minimum of 250 feet from any business involving an on-premises sale of liquor or alcoholic beverages, excluding restaurants and grocery stores/supermarkets.
 4. Located a minimum of 500 feet (250 feet if separated by a major street or arterial) from any Residential zone.
- C. **Advertising and Display of Tobacco Products.** Tobacco retailers shall comply with local, state and/or federal laws regarding sales, advertising, or display of tobacco products, including posting a sign prominently near the cash register or other point of sale, the legal age to buy tobacco products and checking the identification of all purchasers to ensure they are of legal age.
- D. **Access to Merchandise.** Products shall be secured so that only store employees have immediate access to the tobacco products and/or tobacco paraphernalia. Self-service displays are prohibited.
- E. **Exchange of Tobacco Products.**
1. No minor person may sell or exchange tobacco products.
 2. No minor person shall be given or sold tobacco products.
- F. **Standards.** In addition to any conditions imposed by the Review Authority, retail sales of tobacco products, smoking products, and vaping supplies that require a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) shall comply with the following development standards:
1. All smoke shops shall be consistent with Woodland Municipal Code Section 9.28.230, Smoking and Woodland Municipal Code 9.28.240, Limitations to tobacco products and e-cigarettes, Woodland Municipal Code Section 9.28.250, Tobacco-free and e-cigarette-free zones at City parks and recreation facilities, and Woodland Municipal Code Section 9.28.260, Adoption of the Yolo County Code relating to tobacco retail permits, of the Woodland Municipal Code.
 2. Smoke shops shall comply with all applicable local, state, and federal laws regarding the advertising, display, or sales of tobacco products, smoking products, and vaping supplies. This includes but is not limited to the requirements of Woodland Municipal Code Section 9.28.240, Limitations to access to tobacco products and e-cigarettes, and Section 9.28.260 Adoption of Yolo County Code relating to tobacco retail permits.
 3. Only store employees shall have immediate access to the tobacco products, smoking products, vaping supplies, and tobacco/smoking paraphernalia. It is unlawful for any person, business, or smoke shop to sell, permit to be sold, offer for sale, or display for sale any tobacco product, smoking product, or vaping supply by means of self-service display or by means other than vendor-assisted sales.
 4. Smoke shops shall not sell or transfer a tobacco product, smoking product, vaping supply, or tobacco/smoking paraphernalia to another person who appears to be under the age of 27 years, without first examining the identification of the recipient to confirm that the recipient is at least the minimum age under state law, to purchase and possess the tobacco product, smoking product, vaping supply, or tobacco/smoking paraphernalia.

5. Smoke shops shall not permit any person who is younger than the minimum age established by state law for the purchase or possession of tobacco products, smoking products, vaping supplies, or tobacco/smoking paraphernalia, and to engage or participate in the sale of tobacco products, smoking products, vaping supplies, or tobacco/smoking paraphernalia.
6. No person, business, smoke shop, or other establishment shall sell or offer for sale cigarettes, vaping supplies, or other tobacco or smoking products not in the original packaging provided by the manufacturer and with all required health warnings.
7. No permit may be issued to authorize tobacco retailing at a location that is licensed under state law to serve alcoholic beverages for consumption on the premises (e.g., an “on sale” license issued by the California Department of Alcoholic Beverage Control) and no license may be issued to authorize tobacco retailing at any location offering food for sale for consumption by guests on the premises.
8. Litter and trash receptacles shall be conveniently located inside and outside the establishment, and trash and debris shall be removed from the receptacles on a daily basis.
9. The exterior of the establishment, including all signs, accessory buildings and structures, shall be maintained free of litter and graffiti at all times. Graffiti shall be removed within 24 hours of written notice from the City.
10. Loitering in the public right-of-way, parking area, and in front of the property and adjacent properties shall be prohibited.
11. The establishment shall conspicuously post the following interior sign stating: “We ID everyone under 27 years of age for tobacco sales.” The dimensions of this sign shall be at least eight inches by 11 inches. If the predominant language of the establishment’s clientele is not English, then a sign shall also be posted in that language.

G. Training Requirements.

1. Each person who sells tobacco products, smoking products, vaping supplies, or tobacco/smoking paraphernalia shall successfully complete a responsible tobacco retailing training. The program shall be completed within 60 days of assuming the position that involves sale of tobacco products, smoking products, vaping supplies, and/or tobacco/smoking paraphernalia and shall be periodically completed again not less than once every three years.
2. Records of successful completion of responsible tobacco retailing training shall be maintained on the premises and shall be presented to City and Yolo County Sheriff’s Department representatives upon request.

H. Existing Tobacco/Smoking/Vaping Product Retailers. Any smoke shop legally established prior to the effective date of this Code shall not be required to obtain a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit) and shall not be considered a legal nonconforming use subject to abatement, unless a modification of the approval for the use is sought and the modification is not considered minor subject to Section 17.100.110, Minor

Modification. Any existing smoke shop that has been discontinued for a period of 180 days or more shall require a Conditional Use Permit, prior to reestablishing retailing of tobacco/smoking products. See Section 17.100.100, Conditional Use Permit.

17.84.360 Telecommunication Facilities

- A. **Overview.** The following outlines the development permitting process as it applies to facilities described in this Code. Wireless telecommunications facilities which are generally considered to have minimal impacts or which are exempt from local review by state or federal statutes have been classified as exempt under this Section and are not regulated when in compliance with the development standards set forth in this Code. Other wireless telecommunications facilities which have the potential to create impacts have been categorized to allow for additional review. Unless listed below as exempt or prohibited, no wireless telecommunications facility shall be constructed without first undergoing the specific review process and obtaining the prescribed approval as set forth below.
1. ***Prohibited Telecommunications Facilities.*** The following telecommunications facilities shall be prohibited:
 - a. Public carrier telecommunications facilities located within designated habitat areas and habitat restoration areas. The City shall make available for public review a map identifying any such areas.
 - b. More than one monopole or tower within 1,000 feet of any other existing monopole or lattice tower(s), unless visual impacts are negligible and the applicant can demonstrate that the site is a technical necessity to meet demands of the geographic service area and the applicant's Citywide network.
 - c. Telecommunications facilities where the combined electromagnetic frequency radiation (EMF) exceeds the state or federal standard.
 - d. Telecommunication facilities within urban reserve areas or undesignated planning areas or within areas zoned or designated on the General Plan land use map for residential uses or on sites containing existing or planned public or private school facilities; or within 500 feet of areas so designated or zoned, except as follows:
 - i. Areas zoned commercial, subject to Conditional Use Permit review procedures (see Section 17.100.100, Conditional Use Permit) and a determination that all aspects of the proposed facility, including support facilities, are completely concealed (i.e., completely incorporated into the site architecture or designed in a manner that is not identifiable as a wireless facility by the casual observer; this exception does not provide for mono-pines or similarly "stealth" facilities) from view and remain at least 100 feet from areas zoned or designated on the General Plan land use map for residential uses or on sites containing existing or planned public or private school facilities.

- ii. Telecommunications facilities located on public or private school sites, supported and/or initiated by the applicable school district or governing entity, subject to the review procedures as set forth in Subsection 17.84.360.A.3, Director Review, or Subsection 17.84.360.A.5, Conditional Use Permit, are satisfied and provided the facilities meet the location and design standards set forth in this Section, except historic properties and sensitive habitat areas.
 - iii. Telecommunications facilities within the public right-of-way (PROW) or on City-owned property (including parks), provided the applicant procedures set forth in Subsection 17.84.360.A.3, Director Review, or Subsection 17.84.360.A.5, Conditional Use Permit, are satisfied and provided the facilities meet the location and design standards set forth in this Section, except historic properties and sensitive habitat areas.
- 2. **Compliance Review.** The following facilities are exempt from discretionary review under this Section, subject to minor design review to ensure compliance with development requirements set forth below:
 - a. Interior and exterior facilities accessory to the residential use of the site including television antennas, satellite dishes, and amateur radio facilities meeting all requirements set forth below:
 - i. No more than one satellite dish exceeding 36 inches in diameter per parcel.
 - ii. Satellite dishes shall not extend above the peak of the roof or parapet.
 - iii. Antennas shall meet applicable height requirements.
 - iv. Antennas and dishes shall meet applicable setback requirements.
 - b. Flush-mounted panel antennas in Employment zones which meet the following standards:
 - i. The lowest part of the panel shall be at least 20 feet above grade.
 - ii. The panel and connections shall not project out more than 18 inches from the building surface it is mounted to.
 - iii. Panels, connections, and supports shall be treated to match the color scheme of the building.
 - iv. Panels and connections shall not project above the mounting façade.
 - v. The structure is not a historic site or a potentially historic resource.
 - vi. Ground-mounted support equipment cabinets or buildings shall be screened. The specific design is subject to City review based on a visual analysis of the particular site and may require fencing, walls, landscaping, or both.
 - vii. Exterior electrical lines serving the equipment cabinet or building shall be undergrounded.

- viii. The project site (the parcel on which the facility or lease area is located) is operating in compliance with all prior approvals including approved landscape plans, site plan and design review approvals, and/or conditions of existing use permit.
- c. Telecommunications facilities, including support facilities, concealed from public view (i.e., not visible) or fully integrated into the site architecture of nonresidential structures to be constructed or renovated.
 - i. The structure is not a historic site or a potentially historic resource.
 - ii. The project site (the parcel on which the facility or lease area is located) is operating in compliance with all prior approvals including approved landscape plans, site plan and design review approvals, and/or conditions of existing use permit.
- d. Public safety facilities include transmitters, repeaters, and remote cameras. Public safety facilities are to be located, preferably, on existing public structures such as buildings, towers, bridges, and light poles and shall be treated to match the supporting structure.
- e. Telecommunications facilities accessory to other public equipment for data acquisition such as irrigation controls, well monitoring, and traffic signal controls.
- f. Facilities erected and operated for emergency situations. Emergency facilities shall be removed at the conclusion of the emergency or shall be replaced by public safety facilities.
- g. Mobile facilities when placed on a site for less than 24 consecutive hours.
- h. Facilities specifically exempted under federal or state law including work subject to Pub. L. No. 112-96 § 6409, as follows:
 - i. The modification of an existing wireless tower or base station for the co-location of new transmission equipment or removal or replacement of existing transmission equipment, provided that such modification does not substantially change the physical dimensions of such tower or base station from the dimensions approved as part of the existing use permit for such tower or base station.
 - ii. For purposes of this Subsection, “substantially change the physical dimensions” means any of the following, and refers to a single change, or a series of changes over time (whether made by the same or different entities) viewed against the initial approval for the tower or base station that cumulatively have any of the effects described below:
 - a) Changing any physical dimension of the wireless tower or base station in a manner that creates a safety hazard, whether from wind loading, stress on the wireless tower, or in any other manner.

- b) Changing the physical dimension of a stealth wireless tower, where the changes would be inconsistent with the design of the stealth wireless tower, or make the wireless tower more visible.
 - c) Changing the physical dimensions would require work that would intrude upon the public right-of-way, or any environmentally sensitive area.
 - d) Increasing by more than 10 percent any of the following: the height or width in any direction of the wireless tower, or the area required for structures required to support the wireless tower, such as guy wires as approved and constructed through the discretionary permit process; provided that in no event shall the height exceed the maximum height permitted under the City's regulations.
 - e) Increasing by more than 10 percent any of: the height or area encompassed within any structure or object enclosing the wireless tower, such as a fence or line of bushes.
 - f) Increasing any of an existing antenna array's depth, circumference, or horizontal radius from the wireless tower in any direction by more than 10 percent.
 - g) Adding more than two antenna arrays to an existing wireless tower, or adding antenna arrays that, if the array were an existing array, would be of such depth, circumference, or radius as to fall outside of Subsection 17.84.360.F, unless such arrays were approved under Subsection 17.84.360.A.3.a or Subsection 17.84.360.A.3.e.
 - h) The mounting of the new or replacement transmission equipment would involve installing new equipment cabinet(s) not permitted under the initial approval and that will not fit within the existing enclosure for the wireless tower or base station or would require installation of a new cabinet or enclosure, excluding new equipment and cabinets that will be installed underground.
- iii. Additional application information. Any application for a wireless telecommunications facility under this Subsection 17.84.360.A.2.h shall include:
 - a) A signed statement by a certified engineer, licensed and qualified in California, attesting that the work that will be performed will not trigger discretionary review under this Subsection. Such statement shall be submitted in addition to all other application information required under this Section.
 - b) A detailed description of the proposed modifications to the existing facility.
 - c) A photograph or description of the wireless tower or base station as originally constructed, if available, and a photograph of the

existing wireless tower or base station, and a graphic depiction of the wireless tower or base station after modification, showing all relevant dimensions.

- d) A description of all construction that will be performed in connection with the proposed modification.

Nothing in this Section prevents the City from imposing such other conditions on the grant of the permit consistent with obligations imposed with respect to the initial installation or with respect to facilities similar to those proposed by application. Any facility installed under this Subsection shall require a development permit.

3. **Director Review.** The following telecommunications facilities shall be subject to review by the Director, including design and site plan review, provided they meet the development requirements set forth below and meet the location and design standards set forth in Subsection 17.84.360.B, Location and Design Standards for Non-Exempt Facilities. Facilities that fail to meet the development requirements as set forth below shall be elevated to the review procedures as set forth in Subsection 17.84.360.A.4, Zoning Administrator Review, or, at the discretion of the Director, may be elevated to the review procedures as set forth in Subsection 17.84.360.A.5, Conditional Use Permit.

- a. Modification of an existing wireless tower or base station for the co-location of new transmission equipment or removal or replacement of existing transmission equipment provided the following standards are complied with:
 - i. The telecommunications facility has been constructed and is operating in accordance with all prior approvals including approved landscape plans, site plan and design review approvals, and/or conditions of existing use permit.
 - ii. The project site (the parcel on which the facility or lease area is located) is operating in compliance with all prior approvals including approved landscape plans, site plan and design review approvals, and/or conditions of existing use permit.
 - iii. The new array does not increase, by more than 15 percent any of the following: height or width in any direction of the wireless tower, or the area required for structures required to support the wireless tower, such as guy wires as approved and constructed through the discretionary permit process; provided that in no event shall the height exceed the maximum height permitted under the City's regulations.
 - iv. The new array does not increase, by more than 15 percent any of the following: the height or area encompassed within any structure or object enclosing the wireless tower, such as a fence or line of bushes.
 - v. The new array does not increase, by more than 15 percent, the existing antenna array's depth, circumference, or horizontal radius from the wireless tower in any direction.

- vi. The panel array is the second or third grouping on the structure containing the existing telecommunications facility.
 - vii. A microwave dish greater than 36 inches in diameter is not being proposed as part of the array.
 - viii. The combined EMF for all arrays does not exceed applicable state or federal standards.
 - ix. The new array will meet the conditions of any existing use permit.
 - x. The new array does not require major modifications to the structure containing the existing telecommunications facility.
 - xi. Ground-mounted equipment shall be screened from public view. The specific design is subject to City review based on a visual analysis of the particular site and may require fencing, landscaping, or both.
 - xii. The telecommunications facility is not subject to Pub. L. No. 112-96, § 6409.
- b. Any mobile antenna when placed on a site for more than 24 hours but less than 30 days, which meets the following standards:
- i. Antenna vehicle/trailer shall be located only on an improved surface.
 - ii. Parking and access for support personnel shall be on an improved surface.
 - iii. Day and night safety marking shall be provided.
 - iv. The antenna vehicle/trailer and support parking shall not be located within a public right-of-way.
- c. Roof mounted facilities on nonresidential structures that are not entirely concealed from public view, which meet the following standards:
- i. The facility and related equipment shall be screened from view or architecturally integrated into the building design so that only support brackets and panels are visible from the opposite side of the right-of-way in front of the building.
 - ii. Panels shall match the color scheme of the building façade.
 - iii. Ground-mounted equipment cabinets/buildings shall be screened from public view. The specific design is subject to City review based on a visual analysis of the particular site and may require fencing, landscaping, or both.
 - iv. Shall not exceed the allowable height limit for the zone.
 - v. The structure is not a designated historic site or a potentially historic resource.
 - vi. The project site (the parcel on which the facility or lease area is located) is operating in compliance with all prior approvals including approved

- landscape plans, site plan and design review approvals, and/or conditions of existing use permit.
- d. Flush-mounted antennas in Commercial zones, which meet the following standards:
 - i. Placement of the panel shall not interfere with or encroach upon vehicular or pedestrian accessways.
 - ii. The panel and connections shall not project out more than eighteen inches from the building surface it is mounted to.
 - iii. Panels, connections, and supports shall be treated to match the color scheme of the building.
 - iv. The structure is not a designated historic site or a potentially historic resource.
 - v. Ground-mounted support equipment cabinets or buildings shall be adequately screened. The specific design is subject to City review based on a visual analysis of the particular site and may require fencing, landscaping, or both.
 - vi. Exterior electrical lines serving the equipment cabinet or building shall be undergrounded.
 - vii. Panels shall not protrude above the roofline.
 - viii. The project site (the parcel on which the facility or lease area is located) is operating in compliance with all prior approvals including approved landscape plans, site plan and design review approvals, and/or conditions of existing use permit.
 - e. Antenna arrays mounted on existing billboards, water towers and other similarly scaled structures.
 - i. Placement of the new array shall not exceed applicable height requirements.
 - ii. The proposed array fits within the three dimensional envelope of the existing structure to which the array will be attached.
 - iii. The new array does not require substantial modifications to the existing structure to which the array will be attached.
 - iv. The original structure was erected and is operated in accordance with the conditions of the original use permit.
 - v. The co-location request does not include microwave transmitters exceeding 36 inches in diameter.
 - vi. The combined EMR for all arrays does not exceed state or federal standards.
 - vii. May be subject to annual review as provided for in this Code.

- f. Telecommunications facilities, excluding towers, on publicly owned or publicly utilized lands (including City-owned land such as parks, general facilities, and utility apparatus) or on existing utility, signal or lighting structures within the public right-of-way, easement, or City-owned land which meet the following standards:
 - i. Facilities shall meet the requirements of subsection B, Location and Design Standards for Non-Exempt Facilities except as follows:
 - a) Low power facilities to meet the needs of the immediate neighborhood may be proposed on existing light towers in public parks.
 - ii. Antennas placed on signal or street light poles shall not exceed two feet in length or six inches in diameter.
 - iii. Permits for telecommunication facilities proposed in the PROW shall be issued in a manner consistent with applicable law regarding the physical use and occupation of the PROW and only to applicants who have met all the conditions and requirements of this Section and who establish a right to enter the PROW. The applicant must state the basis for its claimed right to enter the PROW, subject to independent confirmation by the City. If the applicant has a certificate of public convenience and necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN. If the applicant is asserting a right to enter the PROW to close a significant gap in coverage, it shall provide evidence of the coverage gap and evidence that the site selected is the least intrusive means of closing that gap.
 - iv. Antennas and all support equipment shall be treated to match the supporting structure.
 - v. Telecommunication facility installations located above the surface grade in the PROW, including, but not limited to, those on streetlights, traffic signal standards, or joint utility poles, shall consist of small equipment components that are compatible in scale and proportion to the structures they are mounted on and compatible with the neighborhood in which they are located. Antennas should generally be located on existing structures, such as street light poles or joint utility poles, and be visually compatible with the existing structure and surroundings. All equipment, including antennas, shall be the smallest and least visually intrusive equipment feasible. Equipment shall be painted or otherwise coated to be visually compatible with the support structure and shall be subject to the issuance of a license or other special form or written agreement with the City.
 - vi. Proposals for telecommunication facilities shall not exceed 40 feet in height. This standard may be modified upon finding that cumulative visual impacts are not significant and that the telecommunication facility is necessary to provide services not possible with location on

an existing tower or structure in the service area. Independent review of the request, at the applicant's cost, may be required by the Director.

- vii. Accessory equipment, excluding required electrical meters, shall be placed in an underground vault or entirely within the proposed pole. However, applications proposing to place accessory equipment within the pole, instead of underground vaults, shall be subject to design review and approval. If it is determined that the proposed telecommunication facility with accessory equipment in the pole is not acceptable, accessory equipment shall be placed in an underground vault. Factors that may be considered in evaluating whether to permit placement of accessory equipment within the pole instead of in an underground vault are aesthetics, such as whether placing equipment in the pole would result in a larger, more visually obtrusive telecommunication facility, and public safety, such as whether the proposed facility would visually obstruct pedestrian, bicycle, or vehicular traffic. An applicant contesting undergrounding bears the burden of establishing that undergrounding is not feasible. If it is determined that undergrounding is not feasible, such accessory equipment shall comply with all applicable laws and regulations and shall be visually screened or camouflaged. All wall and landscaping materials shall be selected so that the resulting screening will be visually integrated with the architecture and landscape architecture of the surroundings.
- viii. Telecommunication facilities in the PROW or on City-owned property in or within 500 feet of residential, school, or Mixed-Use zones shall be subject to the review procedures as set forth in 17.84.360.A.5, Conditional Use Permit.
- ix. The City retains the right to deny an application for this type of telecommunication facility based on aesthetic or land use impacts.

- 4. **Zoning Administrator Review.** The following telecommunications facilities shall be reviewed in accordance with Subsection 17.92.020.D, Zoning Administrator, provided they meet the development requirements set forth below and meet the location and design standards set forth in Subsection 17.84.360.B, Location and Design Standards for Non-Exempt Facilities. Facilities that fail to meet the development requirements as set forth below shall be elevated to the review procedures as set forth in Subsection 17.84.360.A.5, Conditional Use Permit.

- a. Replacement of previously approved towers not authorized under the provisions of the existing permit, provided that such modification does not substantially change (by more than 10 percent) the physical dimensions of such tower or base station from the dimensions approved as part of the existing use permit for such tower or base station consistent with Subsection 17.84.360.A.2.h.ii definition of "substantial change" (unless otherwise exempt from discretionary review pursuant to Subsection 17.84.360.A.2.h, Work subject to Pub. L. No. 112-96 § 6409.

- i. The project site (the parcel on which the facility or lease area is located) is operating in compliance with all prior approvals including approved landscape plans, site plan and design review approvals, and/or conditions of existing use permit.
 - b. Additions and/or expansions of legal nonconforming uses, including co-locations, which do not meet the criteria for exempt facilities under Subsection 17.84.360.A.2.h, Work subject to Pub. L. No. 112-96 § 6409. At the discretion of the Zoning Administrator, such applications may be elevated to the Planning Commission for review and approval.
 - i. The project site (the parcel on which the facility or lease area is located) is operating in compliance with all prior approvals including approved landscape plans, site plan and design review approvals, and/or conditions of existing use permit.
- 5. **Conditional Use Permit.** The following telecommunications facilities shall be reviewed in accordance with Section 17.100.100, Conditional Use Permit, provided they meet the development requirements set forth below and meet the location and design standards set forth in Subsection 17.84.360.B, Location and Design Standards for Non-Exempt Facilities.
 - a. Telecommunications facilities within historic districts, on sites or buildings designated historic or potentially historic resources.
 - i. A site specific historic evaluation may be required by the City and shall be paid for by the applicant if the proposed project site or building is over 50 years old.
 - ii. The facility must comply with the applicable development regulations of the land use zone and all other applicable regulations pertaining to the preservation of historical sites.
 - iii. Construction of the facility must not result in a reduction in required parking provided on the site.
 - iv. The facility must be concealed from public view or integrated into the site architecture so as not to be noticed or identified as a telecommunication facility by the casual observer.
 - v. Must be reviewed by applicable historical preservation commission prior to final action by City.
 - vi. Limited to building mounted facilities.
 - b. Wireless telecommunications facilities on publicly owned lands not otherwise subject to local land use zoning, but lying within the local jurisdiction, when the wireless telecommunications facility is not solely maintained or operated for the primary public use of the site.
 - c. Monopole facilities, single carrier wireless towers, and lattice tower in any non-residentially zoned area, subject to the following standards:

- i. Shall be subject to periodic review as identified in this Code.
- ii. Monopoles and lattice towers shall be located and designed to minimize visual impacts. Towers located in high visibility locations shall incorporate “stealth” design techniques to camouflage the tower to the maximum extent feasible as art/sculpture, clock tower, flag pole, tree or any other appropriate and compatible visual form.
- iii. Monopoles and lattice towers shall be located on the rear half of the parcel, unless aesthetic benefit is achieved through an alternative location, as determined by the Planning Commission.
- iv. New private monopoles and lattice towers shall not be located in any land developed or zoned for any residential and/or school zone/use, pursuant to Subsection A.1, Prohibited Telecommunication Facilities.
- v. Monopoles and lattice towers shall generally not be permitted within 1,000 feet of an existing tower or facility. This standard may be modified upon finding by the Planning Commission that cumulative visual impacts are not significant and that the tower is necessary to provide services not possible with co-location on an existing tower or structure in the service area. Independent review of the request, at the applicant’s cost, may be required by the Planning Commission.
- vi. Monopoles and lattice towers shall be designed at the minimum functional height. Tower height shall generally not exceed the maximum height for buildings in the zone in which it is located by more than 12 feet. This standard may be modified upon a finding by the Planning Commission that cumulative visual impacts are not significant and that the height is necessary to provide services not possible with a tower meeting the height standard. Independent review of the request, at the applicant’s cost, may be required by the Director. If no maximum building height is established in this Title, the height of the tower shall be reviewed for the visual impact on the surrounding land uses and the community.
- vii. As a condition of approval for all monopoles and lattice towers, the applicant shall provide the City with a written commitment that it will allow other service providers to co-locate antennas on towers where technically and economically feasible. Support structures and site area for telecommunication facilities shall be designed and of adequate size to allow at least one additional service provider to co-locate on the structure, including sufficient area available for ground mounted equipment.
- viii. Ground-mounted equipment shall be under ground or screened from public view, including, but not limited to, decorative fencing and/or landscaping. If the Planning Commission determines that screening is not adequate, it may require that equipment be placed underground.

- ix. Parking and access shall be on an improved surface, subject to review and approval by the Planning Commission.
- x. The project site (the parcel on which the facility or lease area is located) is operating in compliance with all prior approvals including approved landscape plans, site plan and design review approvals, and/or conditions of existing use permit.
- d. Towers located on property owned, leased, or otherwise controlled by the City (or wireless facilities on publicly/City-owned property or PROW within 500 feet of residential/school buffer) provided prior written acknowledgement and pre-authorization for such antenna or tower is approved by the City.
 - i. Shall be subject to development requirements as set forth in Subsection 17.84.360.A.3.f, Facilities, excluding towers, on publicly owned or publicly utilized lands, and subject to Subsection 17.84.360.A.5.c, Monopole facilities, single carrier wireless towers, and lattice tower in any non-residentially zoned area.
- e. Other telecommunications facilities not listed as exempt, permitted, or prohibited shall comply with the following minimum physical standards and other requirements as deemed appropriate by the Planning Commission:
 - i. Adequate access shall be provided.
 - ii. Facility shall be concealed or designed as a stealth facility to the satisfaction of the Planning Commission.
 - iii. No reduction in parking below that required by this Code.
 - iv. Concurrent review and approval by the City and the County.

B. Location and Design Standards for Non-Exempt Facilities.

- 1. The following standards are applicable to all telecommunication facilities except exempt facilities identified in Subsection A.2.h:
 - a. If technological improvements or developments occur that allow the use of materially smaller or less visually obtrusive equipment, the service provider may be required to replace or upgrade an approved telecommunication facility upon application for a new permit in order to minimize the facility's adverse impacts on land use compatibility and aesthetics. This provision would only apply to the specific site where the application for modification is requested.
 - b. All telecommunication facilities shall be installed and maintained in compliance with the requirements of the California Building Standards Code, the Americans with Disabilities Act, as well as other restrictions specified in this Section and other applicable provisions of this Code.
 - c. *Design Standards.* All telecommunication facilities shall:
 - i. Utilize state of the art stealth technology as appropriate to the site and type of facility. Specifically, all telecommunication facilities shall

- employ and maintain camouflage design techniques to minimize visual impacts and provide appropriate screening. Such techniques shall be employed to make the installation, operation, and appearance of the facility as visually inconspicuous as possible and to hide the installation from predominant views from surrounding properties. Where no stealth technology is proposed for the site, a detailed analysis as to why stealth technology is physically and technically infeasible for the project shall be submitted with the application.
- ii. Antennae and support structures, where utilized, must be monopole type. Monopole support structures shall not exceed four feet in diameter unless technical evidence is provided showing that a larger diameter is necessary to attain the proposed tower height and that the proposed tower height is necessary.
 - iii. In the case of existing structures, telecommunication facilities shall be located in a manner so as to minimize visual impacts from surrounding properties and public rights-of-way.
 - iv. All flush-mounted antenna(s) and support structures shall be painted to be architecturally compatible with the building on which it is located or painted to minimize the visual impacts where the structures extend above the roof line and minimize visual impacts from surrounding properties. The specific color is subject to City review based on a visual analysis of the particular site.
 - v. Accessory equipment must be designed and screened from public view. The specific design is subject to City review based on a visual analysis of the particular site and may include decorative fencing and/or landscaping. If landscaping is required, landscape plans shall be prepared by a licensed landscape architect.
 - vi. Support structures and site area for telecommunication facilities shall be designed and of adequate size to allow at least one additional service provider to co-locate on the structure, including sufficient area available for ground mounted equipment, subject to the specific design standards and aesthetic considerations of the specific telecommunication facility location and Conditional Use Permit requirements in Subsection 17.84.360.A.5, Conditional Use Permit.
 - vii. All proposed fencing shall be decorative and compatible with the adjacent buildings and properties within the surrounding area and shall be designed to limit and/or allow for removal of graffiti.
 - viii. Placement of ground mounted equipment shall not substantially hinder the future development potential of any property.
- d. *Height.* All telecommunication facilities shall be designed to meet the minimum functional height required.

- i. Unless this Section imposes a more restrictive height limitation on a specific type of facility, facility height shall not extend more than 12 feet beyond the maximum allowable building height for the zone, except as otherwise allowed in this Section. If a maximum building height has not been established in this Title, the height of the facility shall be reviewed for the visual impact on the surrounding land uses and the community.
 - ii. If the facility is not attached to a building, the height of the facility shall be reviewed for the visual impact on the surrounding land uses and the community.
 - iii. The height of a telecommunication tower shall be measured from the natural, undisturbed ground surface below the center of the base of said tower to the top of the tower itself or, if higher, the tip of the highest antenna or piece of equipment attached thereto.
- e. *Setbacks.* The following setback requirements shall apply to all telecommunication facilities except facilities in the public right-of-way and on City-owned property:
 - i. All facilities shall comply with the required building setbacks for the zone in which the site is located. However, in no instance shall the facility (including antenna equipment) be located closer than five feet of any property line. Additional setback requirements may be established in conjunction with a Conditional Use Permit for those antennae exceeding the height limit for the zone.
 - ii. Facilities shall not be located within the required front yard area of any parcel, unless specifically approved by the Planning Commission.
 - iii. The Planning Commission may reduce setbacks through the Conditional Use Permit process (see Section 17.100.100, Conditional Use Permit) upon determination that aesthetic impacts would be reduced and/or open space improved.
- f. *Landscaping.*
 - i. Landscaping, wherever appropriate, shall be used as screening to reduce visual impacts of telecommunication facilities. Any proposed landscaping shall be visually compatible with existing vegetation in the vicinity.
 - ii. Existing landscaping in the vicinity of a proposed telecommunication facility shall be protected from damage during and after construction. Submission of a tree protection plan may be required to ensure compliance with this requirement.
 - iii. Off-site landscaping may be required to mitigate off-site impacts, subject to willing property owners. Additional landscaping may also be

required in public rights-of-way to obscure visibility of facilities from passing motorists, bicyclists, and pedestrians.

- iv. When required, a landscape and irrigation plan prepared by a licensed landscape architect shall be submitted at the Building Permit stage for review and approval by the Community Development Department.
- g. *Signage.* A permanent, weather-proof identification sign must be placed on the gate of the fence surrounding the telecommunication facility or base shelter or, if there is no fence, on the facility itself. The sign must identify the facility operator(s), type of use, provide the operator's address, and specify a 24-hour telephone number at which the operator can be reached so as to facilitate emergency services.
- h. *Access.* Parking and access to and for the maintenance of telecommunication facilities shall be on an improved surface and no required parking for the primary use shall be lost due to placement of the pole and support facilities unless otherwise permitted by the Planning Commission. A minimum of one parking space shall be provided and calculated separately from the required parking for the primary use, for maintenance of the telecommunication facility. Required fire access shall be maintained.
- i. *Lighting and Placement.* Facility lighting shall comply with the local requirements of the City. Towers shall not be artificially lighted, unless required by the FAA or other applicable public safety authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
- j. *Noise.* In general, noise levels shall comply with the applicable state and local guidelines. In no instance shall noise levels produced by the facility or appurtenant equipment exceed 65 dBA as measured at the site property line. Back-up generators shall only be operated during power outages and for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between 8:30 a.m. and 4:30 p.m.

2. **Management.**

- a. *Periodic Review.* The City may conduct a periodic review of the telecommunications facility to consider whether or not the facility is conforming with the (including the co-location) conditions of its discretionary approval or appropriate permits. The City shall consider whether or not the facility is conflicting with emerging land uses approved under the applicable master or Specific Plan. If the City concludes that adverse impacts to emerging land uses can be reduced through the use of new technology, or through the retirement of the current facility, the carriers shall work with the City to develop a plan for achieving these mitigating goals. The City may impose a condition limiting the duration of any permit for a telecommunications facility located on property zoned other than industrial only after making findings of fact that such a condition is warranted. As part of such condition, the City shall

specify the development threshold which could trigger termination of the permit following a duly noticed public hearing.

- b. *Abandonment.* If any telecommunications facility is not operated for a continuous period of six months, the service provider shall notify the Zoning Administrator. A telecommunications facility shall be considered abandoned and shall be removed by the facility owner within the next six months and the site restored back to its original setting. The City may, at its discretion, require the posting of a performance surety to cover the cost of the removal of abandoned facilities.
- c. *Public Health and Safety (EMF and RF).* No telecommunications facility or combination of facilities shall generate, at any time, EMF, or radio frequency radiation (RF) in excess of the FCC adopted standards for human exposure, as amended over time.

All telecommunications facilities must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate such facilities. If such standards and regulations are changed, the property owner or responsible party shall bring such facilities into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling agency. Any violation of this Subsection shall constitute grounds for revocation of any permits and/or approvals granted under this Section (see Section 17.96.150, Revocation of Permit). Such violations shall also constitute grounds for abatement and removal of the telecommunications facility by the City at the property owner's expense.

If it is found that wireless telecommunications facilities are or will be detrimental to the health, safety, or welfare of persons working or residing near such facilities, then the service provider(s) shall be solely responsible for the removal, adjustment, or replacement of the facilities. In no case shall the facility remain in operation if it is found to create a hazard to health, safety, or welfare. A facility shall not be found to create a hazard to health, safety, or welfare as a result of EMF or RF emissions from the facility so long as it meets all then current standards established by the FCC, or other federal agency having jurisdiction.

C. Findings for Approval for Telecommunications Facility Applications.

- 1. The proposal meets or exceeds the criteria of this Code and is consistent with the General Plan and applicable land use designations.
- 2. That the site for the intended use is adequate in size, shape, topography, accessibility, and other physical characteristics to accommodate the use and required provisions of this Title.
- 3. The proposal for the telecommunications facility is in its design and appearance is consistent or compatible with the development and design of the surrounding structures and neighborhood.

4. That the proposed use will be organized, designed, constructed, operated, and maintained so as to be compatible with the character of the area as intended in the General Plan or any Specific Plan.
 5. That adequate streets and highways exist to carry the type and quantity of traffic anticipated to accommodate access for maintenance and/or service vehicles.
- D. **Appeals.** Any person dissatisfied with the decision to either approve or deny a development permit for the construction or modification of a wireless telecommunications permit, excluding exempt facilities, may file an appeal in accordance with the procedures set forth in Division II: Administration and Procedures, as applicable. Staff decisions regarding exempt facilities may be appealed in the same manner as a decision of the Zoning Administrator as set forth in Subsection 17.92.020.D, Zoning Administrator.

17.84.370 Temporary Uses (Updated)

This Section establishes standards for uses that are intended to be of limited duration of time and that will not permanently alter the character or physical facilities of the site where they occur.

- A. **Temporary Uses Not Requiring a Temporary Use Permit.** The following types of temporary uses may be conducted without a Temporary Use Permit (see Section 17.100.080, Temporary Use Permit). Other permits, such as Building Permits, may be required (see Section 17.100.130, Building Permit)
1. **Yard Sales.** Sales of personal property conducted by a resident of the premises may be conducted in accordance with the following standards.
 - a. No more than two garage/yard sales shall be conducted on a site in any calendar year.
 - b. No single sale event shall be conducted for more than two consecutive weekends. Each weekend that sales are conducted constitutes a single sale event.
 - c. Yard sales shall be conducted between the hours of 8:00 AM to 7:00 PM.
 - d. Personal property sold at a sale must not include secondhand goods obtained for purposes of resale.
 - e. Only temporary signs conforming to the standards in Chapter 17.72, Signs are permitted. The temporary signs shall not be posted earlier than one day prior to the sale event.
 - f. The display of property for sale shall be located at least five feet from the property line.
 2. **Non-Profit Fund Raising.** Fund raising sales for up to three days per event is permitted on a site by a non-profit organization, not to be conducted more frequently than three times per year per site.
 3. **Temporary Construction Office Trailers.** On-site temporary construction offices during the period of construction. Screening may be required by the Director.

4. **Sales Office and Model Homes.** Model homes with sales offices and temporary information/sales offices in new residential developments are subject to the following requirements.
 - a. *Time Limits.*
 - i. *Temporary Sales Office.* A temporary information/sales trailer may be used during the construction of the model homes for a maximum period of six months or completion of the first phase of development, whichever occurs first.
 - ii. *Model Homes.* Model homes established and operation for a term period of four years or until completion of the sale of the lots or units, whichever comes first.
 - b. *Return to Residential Use.* Prior to the sale of any of the model homes as a residence, any portion used for commercial purposes shall be converted to its intended residential purpose.
 5. **Live Music.** Temporary live music performances that do not require a Temporary Use Permit (see Section 17.100.080, Temporary Use Permit) include:
 - a. Non-amplified music performances, indoor or outdoor.
 - b. Indoor amplified music performances accessory to a commercial use, provided the temporary use complies with the Performance Standards of Section 17.76, Performance Standards.
 6. **Mobile Vendor Services.** Mobile vendor services as described in Section 17.84.240, Manufactured Home Parks, RV/Trailer Parks, and Manufactured Buildings are exempt from the requirements of this Section.
 7. **Special Events Exempt.** Special events, as defined and regulated by Woodland Municipal Code Chapter 12.40.010, Special Events, are exempt from the requirements of this Section.
- B. **Temporary Uses Requiring a Temporary Use Permit.** The following temporary uses may be permitted pursuant to Section 17.100.080, Temporary Use Permit, subject to the following standards. Additional or more stringent requirements may be established through the Temporary Use Permit process.
1. **Seasonal Sales.** The annual sales of holiday related items such as Christmas trees, pumpkins, and similar items may be permitted in accordance with the following standards:
 - a. *Time Period.* Seasonal sales associated with holidays are allowed up to a month preceding and one week following the holiday. Christmas tree sales are allowed from Thanksgiving Day through December 31.
 - b. *Goods, Signs and Temporary Structures.* All items for sale, as well as signs and temporary structures, shall be removed within 10 days after the end of sales, and the appearance of the site shall be returned to its original state.

- c. The property shall not be used in such a manner as to create a nuisance due to noise, dust, litter, or other factors.
 - d. The City reserves the right to shut down a temporary seasonal sales operation if the operation is posing safety concerns, has become a nuisance, or has violated any requirements of this Subsection. All costs associated with the removal and/or abatement shall be paid for by the property owner.
- 2. **Construction Uses.** Temporary structures and uses incidental to the construction of a building or a group of buildings, including, but not limited to, construction staging of materials and equipment that is not located on the approved development site.
- 3. **Promotional Sales and Other Events.** These are events that do not qualify as a Special Event requiring review by the Special Events Committee pursuant to Woodland Municipal Code Chapter 12.40, Special Events. Temporary short term special events shall not exceed a total of seven days in any one calendar year may be permitted in accordance with the following standards:
 - a. *Location.* Events are limited to non-residential zones.
 - b. *Number of Events.* No more than four events at one site shall be allowed within any 12-month period.
 - c. *Parking.* The available parking shall not be reduced to less than 66 percent of the minimum number of spaces required by Chapter 17.68, Parking and Loading.
 - d. *Time Limit.* When located adjacent to a Residential zone, the hours of operation shall be limited to 9:00 AM to 8:00 PM.
 - e. *Temporary Outdoor Sales.* Temporary outdoor sales, including, but not limited to, grand opening events, and other special sales events, are also subject to the following standards:
 - i. Temporary outdoor sales shall be part of an existing business on the same site.
 - ii. Outdoor display and sales shall be located on a paved or other approved hard surfaced area on the same lot as the structure(s) containing the business with which the temporary sale is associated.
 - iii. Location of the displayed merchandise shall not disrupt the normal circulation of the site, nor encroach upon driveways, pedestrian walkways, or required landscaped areas, or obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.
- 4. **Temporary Prefabricated Storage, Shipping or Cargo Containers.** Containers may be allowed on a temporary basis in non-residential areas for longer than 96 hours, but no longer than 90 days, for construction related purposes subject to Development Review Tier 1 (see Section 17.100.050, Development Review Tier 1: Minor), for review

of placement, and a Temporary Use Permit (see Section 17.100.080, Temporary Use Permit), subject to the following provisions.

- a. Containers must be removed upon the project completion.
 - b. Anticipated time frame for removal of the containers must be provided and approved by Director. An extension of duration may be permitted by the Director subject to conditions of approval.
 - c. No stacking of containers is allowed.
 - d. Containers must be placed on private property and shall in no way obstruct the public right of way or visibility.
 - e. Containers shall be accessible for periodic fire/life safety inspection. Each container requires additional ground area in the parcel, adjacent to the container, equal or greater than one-half the area of corresponding container.
 - f. Containers must comply with the Building Code.
5. ***Temporary Uses Related to Recycling.*** In Commercial and Mixed-Use zones, temporary uses related to recycling, including donation boxes, require approval of the Director. Recycling uses are also subject to the requirements of Section 17.84.310, Recycling Facilities.
6. ***Temporary and Transitional Container Uses.***
- Uses such as coffee kiosks, shipping container eateries/ beer gardens, and other low barrier entry, transitional and temporary uses may be considered subject to a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit) and a Development Review Tier 3 Permit (see Section 17.100.070, Development Review Tier 3). The Director may elevate the application to the Planning Commission if the Director finds the proposal warrants public review.
- a. Such uses are intended to activate underutilized parcels as more permanent projects are completed over time.
 - b. Such uses are subject to the standards of Subsection 17.84.240.D, Commercial Modular Buildings.
 - c. Transitional temporary uses must adhere to all development and design standards of the base zone and all Building, Fire and Health Code requirements.
7. ***Temporary Uses Requiring a Zoning Administrator Permit.*** The Zoning Administrator may consider uses on a temporary basis that are not specifically listed in the use table. Other temporary uses may be allowed with the approval of a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit) provided they are not intended to extend longer than six months and they are determined to not impact neighboring uses or otherwise create significant impact. The Director may elevate any temporary use application to the Planning Commission if the Director finds the proposal warrants public review.

- C. **Performance and Review Standards.** The following apply to all temporary uses:

1. Approval of a business license, Zoning Clearance (see Section 17.100.030, Zoning Clearance), and any permits as required by this or any other Section of this Code.
2. Written permission of the owner and/or operator of the property.
3. Time frame for the temporary use, event start, hours of operation, and event end.
4. Submittal of a site plan to identify the location of the proposed temporary use and any activities or storage or display of goods, parking, access.
5. Signage proposed in compliance with Chapter 17.72, Signs.
6. The temporary use shall not interfere with driveways, corner sight requirements or sidewalk access.
7. Goods shall be displayed in a neat and orderly fashion.
8. Temporary uses shall not create a nuisance, excessive noise, glare, odor, particulates, or impacts to public health and safety that would negatively affect adjacent properties and uses.
9. Evidence of the temporary use shall be cleaned and removed by close of business on the last day the approved license is valid.
10. Conditions of Approval as necessary related to size, location, hours of operation, etc., to ensure that a temporary use will not conflict with General Plan policies.

17.84.380 Two-Unit Projects

- A. **Purpose.** The purpose of this Section is to allow and appropriately regulate two-unit projects in accordance with California Government Code § 65852.21.
- B. **Definition.** A “two-unit project” means the development of two primary dwelling units or, if there is already a primary dwelling unit on the lot, the development of a second primary dwelling unit on a legally subdivided lot in accordance with the requirements of this Section.
- C. **Application.**
 1. Only individual property owners may apply for a two-unit project. “Individual property owner” means a natural person holding fee title individually or jointly in the person’s own name or a beneficiary of a trust that holds fee title. “Individual property owner” does not include any corporation or corporate person of any kind (partnership, LP, LLC, C Corp, S Corp, etc.) except for a community land trust (as defined by Revenue and Taxation Code § 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by § 214.15).
 2. An application for a two-unit project must be submitted on the City’s approved form. Only a complete application will be considered. The City will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.
 3. The City may establish a fee to recover its costs for adopting, implementing, and enforcing this Section of the Code, in accordance with applicable law. The City Council

may establish and change the fee by resolution. The fee must be paid with the application.

D. **Approval.**

1. An application for a two-unit project is approved or denied ministerially, by the Director, without discretionary review.
2. The ministerial approval of a two-unit project does not take effect until the City has confirmed that the required documents have been recorded, such as the deed restriction and easements.

E. **Requirements.** A two-unit project must satisfy each of the following requirements:

1. **Map Act Compliance.** The lot must have been legally subdivided.
2. **Zone.** The lot is in a single-family residential zone which includes:
 - a. R-L, N-P and R-LM zones; the R-3, R-4, and R-5 single-family residential zones in the Spring Lake Specific Plan; and the R-4 and R-5 single-family zones in the Southeast Area Specific Plan.
3. **Lot Location.**
 - a. Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters.
 - b. A wetland.
 - c. Within a very high fire hazard severity zone, unless the site complies with all fire-hazard mitigation measures required by existing building standards.
 - d. A hazardous waste site that has not been cleared for residential use.
 - e. Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection Building Code standards.
 - f. Within a 100-year flood hazard area, unless the site has either:
 - i. Been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction; or
 - ii. Meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.
 - g. Within a regulatory floodway, unless all development on the site has received a no-rise certification.
 - h. Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.
 - i. Habitat for protected species.
 - j. Land under conservation easement.

4. **Not Historic.** The lot must not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a City or County landmark or as a historic property or district.
5. **No Impact on Protected Housing.** The two-unit project must not require or include the demolition or alteration of any of the following types of housing:
 - a. Housing that is income-restricted for households of moderate, low, or very low income.
 - b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its policy power.
 - c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (California Government Code § 7060-7060.7) at any time in the 15 years prior to submission of the urban lot split application.
 - d. Housing that has been occupied by a tenant in the last three years. The applicant and the owner of a property for which a two-unit project is sought must provide a notarized statement as to this fact with the application for the parcel map.
6. **Quantity.**
 - a. No more than two dwelling units of any kind may be built on a lot that results from an urban lot split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created under this Section of the Code, an ADU, or a JADU.
 - b. A lot that is not created by an urban lot split may have a two-unit project under this Section, plus any ADU or JADU that must be allowed under state law and the City's ADU ordinance.
 - c. In no case shall there be more than four total units of any kind in total provided as a result of an urban lot split or on a lot that is not created by an urban lot split.
7. **Unit Size.**
 - a. Each primary dwelling built that is developed under this Section is limited to 800 square feet of floor area.
 - b. A primary dwelling that was legally established on the lot prior to the two-unit project and that is larger than 800 square feet is limited to the lawful floor area at the time of the two-unit project.
 - c. A primary dwelling that was legally established prior to the two-unit project and that is smaller than 800 square feet may be expanded to 800 square feet after or as part of the two-unit project.
 - d. *Exception.* One or both primary dwelling units may be expanded if able to meet lot coverage and setback requirements as established in Chapter 17.24,

Residential Zones, inclusive of all units and accessory structures on the property.

8. **Height Restrictions.**

- a. On a lot that is larger than 2,000 square feet, a new primary dwelling may be 30 feet in height if the rear setback is 20 feet or the side setback is five feet, otherwise, no new primary dwelling unit may exceed 16 feet in height, measured from grade to peak, or tallest point, of the structure.
- b. On a lot that is smaller than 2,000 square feet, no new primary dwelling unit may exceed two stories or 22 feet in height, measured from grade to peak of the structure. Any portion of a new primary dwelling that exceeds 16 feet in height as measured from grade to peak or tallest point, must be stepped back by an additional seven feet; no balcony deck or other portion of the second story may project into the step-back.
- c. No rooftop deck is permitted on any new or remodeled dwelling or structure on a lot with a two-unit project.

9. **Demolition Cap.** The two-unit project may not involve the demolition of more than 25 percent of the existing exterior walls of an existing dwelling unless the site has not been occupied by a tenant in the last three years.

10. **Lot Coverage.** Structures shall not cover more than 50 percent of the total lot area. This lot coverage standard is only enforced to the extent that it does not prevent two primary dwelling units on the lot at 800 square feet each.

11. **Open Space.** A minimum of 30 percent of the required rear yard shall be open space. This open space standard is only enforced to the extent that it does not prevent two primary dwelling units on the lot at 800 square feet each.

12. **Setbacks.**

- a. No setback is required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.
- b. Dwellings must be at least four feet from the interior side and rear property lines.
- c. Dwellings must be at least 15 feet from a corner street side setback.
- d. A front yard setback of at least 25 feet shall be maintained from the front of a new or existing dwelling unit to the required rear yard area of another dwelling unit.
- e. Dwellings must be at least 25 feet from the front property lines. Exceptions are as follows:
 - i. Front yard setbacks of 20 feet are permitted for houses where garages or carports are set back 25 feet. Front yard setbacks of 20 feet are allowed for garages equipped with roll up doors or carports.

- f. The front setback area must:
 - i. Provide adequate line of sight visibility from driveways, corners, and intersections;
 - ii. Be at least 50 percent landscaped with drought-tolerant plants, with vegetation and irrigation plans approved by a licensed landscape architect; and
 - iii. Allow for vehicular and fire-safety access to the front structure.
- 13. **Parking.** Each new primary dwelling unit must have at least one off-street parking space per unit unless one of the following applies:
 - a. The lot is located within one-half mile walking distance of either:
 - i. A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours;
 - ii. The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods; or
 - iii. A site that contains:
 - a) An existing rail or bus rapid transit station, or
 - b) A ferry terminal served by either a bus or rail transit service.
 - b. The site is located within one block of a permanent car-share pick up or drop off vehicle location.
- 14. **Accessibility.** All dwellings and structures built or substantially remodeled on the lot must be ADA accessible. "Substantially remodeled" means that more than 10 percent of the existing floor area is the subject of a Building Permit (see Section 17.100.130, Building Permit) or that the existing floor area, including non-livable space, increases by more than 10 percent. Pedestrians shall have a clear path of travel a minimum of four feet wide and ADA compliant from the principal building entrances to the street.
- 15. **Architecture.** See Section 17.56.020, Single-Family and Duplex Design Standards,
- 16. **Landscaping.**
 - a. All required street front and street-facing side setbacks, except areas used for parking, exit and entry, shall be landscaped.
 - i. Required landscape areas shall be planted with a combination of ground covers, shrubs, vines, and trees. No more than 25 percent of the required landscaped area may be turf and shall not be used in areas less than 10 feet wide.
 - ii. Required landscape areas may include paved, gravel, or bark surfaces, provided they do not cover more than 30 percent of the required landscape area.

- iii. Garden area and other areas dedicated to edible plants are considered landscaped areas and count toward required landscaping.
- b. To the extent possible, existing mature trees on the site shall be preserved whenever it is possible and practical to do so. The project shall comply with the City's Tree Preservation Ordinance.
- c. A landscape plan shall be provided with each submittal and shall at minimum include:
 - i. Property lines and public utility easements; structures, streetlights, transformers, trash enclosures, utilities.
 - ii. Grading, including finished planter elevations, grade differentials with adjacent properties, retaining walls, on-site drainage features.
 - iii. Proposed planting list including: botanical and common names, quantities of each species, container sizes, spread and height of plant at maturity, rate of growth (fast, moderate, slow).
 - iv. Distance of trees to all structures. Large trees (40-90 feet in height at maturity) shall not be planted closer than 15-feet to any structure. Medium sized trees (30-40 feet in height at maturity) shall not be planted closer than 10 feet to any structure.
- d. All landscaping must be drought-tolerant tolerant and shall be suitable for the local climate. All new landscaping shall comply with the City's Water Conservation Ordinance, California Model Water Efficient Landscape Ordinance, and the CalGreen Code.
- e. Automated irrigation system shall be installed to provide coverage of all irrigated landscaped areas and shall have automatic rain shut-off valves.
- f. Deciduous shade trees are permitted around the east, west, and south sides of residences to help reduce cooling loads during summer and allow solar gain during the winter months.
- g. Landscaping and/or architectural treatments shall be provided to screen views of service elements that include storage areas, trash enclosures, mechanical equipment transformers, HVAC, and other similar elements. Screening shall either be landscaping a minimum of three feet high or architectural screens designed to match building features.
- h. Pedestrian walkways and paths of travel shall not be combined with, or be part of driveways unless textures, patterns, and colors are provided to designate separate pedestrian paths.
- i. There shall be a clear transition between the City sidewalk or public property, and the development property. This is to be achieved through changes in pavement textures, landscaping, and front fencing.
 - i. Fencing in the required front setback, or five feet from the corner side yard setback, shall not exceed three feet six inches, in compliance with

Section 17.64.030, Fences, Walls, and Hedges. Chain link fencing is prohibited.

- j. When next to a side or rear property line of an adjacent property, a solid six-foot high wood or masonry fence shall be provided on the property line as a buffer.
 - k. Landscaping that is required to help achieve screening of views into an adjacent property shall be planted along the rear or side property line to achieve a 75 percent summer opacity and 60 percent winter opacity within three years of planting. At minimum, four medium to large size shrubs at maturity shall be planted per 50 linear feet of buffer. Shrubs shall be a minimum five gallon in size.
 - l. All landscaping shall be installed prior to issuance of a Certificate of Occupancy.
17. **Nonconforming Conditions.** A two-unit project may only be approved if all nonconforming zoning conditions are corrected, consistent with Section 17.80.040, Nonconforming Uses.
 18. **Utilities.** Each primary dwelling unit on the lot must have its own direct utility connection to the utility service provider.
 19. **Building and Safety.** All structures built on the lot must comply with all local Building Code requirements.
 20. **Separate Conveyance.**
 - a. Primary dwelling units on the lot may not be owned or conveyed separately from each other.
 - b. Condominium airspace divisions and common interest developments are not permitted within the lot.
 - c. All fee interest in the lot and all the dwellings must be held equally and undivided by all individual property owners.
 21. **Regulation of Uses.**
 - a. *Residential Only.* No nonresidential use is permitted on the lot.
 - b. *No Short Term Rentals.* No dwelling unit on the lot may be rented for a period of less than 30 days.
 22. **Owner Occupancy.** Unless the lot was formed by an urban lot split, the individual property owners of a lot with a two-unit project must occupy one of the dwellings on the lot as the owners' principal residence and legal domicile.
 23. **Notice of Construction.**
 - a. At least 30 business days before starting any construction of a two-unit project, the property owner must give written notice to all the owners of record of each of the adjacent residential parcels, which notice must include the following information:

- i. Notice that construction has been authorized;
 - ii. The anticipated start and end dates for construction;
 - iii. The hours of construction;
 - iv. Contact information for the project manager (for construction-related complaints); and
 - v. Contact information for the Building and Safety Department.
 - b. This notice requirement does not confer a right on the noticed persons or on anyone else to comment on the project before permits are issued. Approval is ministerial. Under state law, the City has no discretion in approving or denying a particular project under this Section. This notice requirement is purely to promote neighborhood awareness and expectation.
24. **Deed Restriction.** The owner must record a deed restriction, acceptable to the City, that does each of the following:
- a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.
 - b. Expressly prohibits any nonresidential use of the lot.
 - c. Expressly requires the individual property owners to state that they intend to live in one of the dwelling units on the lot as the owners' primary residence and legal domicile for at least three years from the date of approval by the City.
25. **Specific Adverse Impacts.**
- a. Notwithstanding anything else in this Section, the City may deny an application for a two-unit project if the building official makes a written finding, based on a preponderance of the evidence, that the project would have a "specific, adverse impact" on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
 - b. "Specific adverse impact" has the same meaning as in Government Code § 65589.5(d)(2): "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" and does not include: (a) inconsistency with this Code or General Plan land use designation; or (b) the eligibility to claim a welfare exemption under Revenue and Taxation Code § 214(g).
 - c. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.

Chapter 17.88 Flood Management

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17.88.010 Purpose

The purpose of this Section is to provide protection against flood damage for uses and service facilities in designated flood prone areas by requiring proper design at the time of initial construction.

17.88.020 Floodplain Area Map

The Floodplain Area Map, provided in Chapter 17.16, Maps, identifies areas of the City subject to flooding.

17.88.030 Flood Protection

The flood protection required by this Section is based on sound engineering principles. The floodplain hazard areas are subject to flooding (one percent chance in any one year) which may result in flood losses by uses which are inadequately elevated or otherwise protected from flood damage. The regulatory provisions that follow reflect a reasonable attempt to analyze the flood hazard for specific lands. This does not imply, however, that all areas outside those designated as “FP” floodplain overlay zones will be free from flooding or flood damage.

17.88.040 Requirements

The following requirements shall apply in the Floodplain Area:

- A. No Building Permit (see Section 17.100.130, Building Permit) or other entitlement shall be issued nor shall any structure be erected unless certification is provided to the Director from a registered professional engineer that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood zone more than one foot at any point within the community.
- B. Residential structures shall have the lowest floor, including a basement, elevated to or above the base flood elevation as specified on the FIRM and Flood Insurance Study for the City.
- C. Nonresidential structures shall meet the requirements set forth in Subsection 17.88.040.B or be adequately flood proofed below the base flood elevation. If flood proofing is proposed, a

professional engineer shall provide to the Director calculations certifying that the hydrostatic forces, velocities, uplift, and the like, have been designed for.

- D. No Building Permit (see Section 17.100.130, Building Permit) shall be issued unless satisfactory evidence has been provided to the City Engineer that new or replacement public and on-site utilities and facilities are located and constructed to minimize or eliminate flood damage and infiltration.
- E. No Building Permit (see Section 17.100.130, Building Permit) shall be issued unless satisfactory evidence is provided to the Director that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law.

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DIVISION IV: ADMINISTRATION AND PROCEDURES

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Chapter 17.92 Planning Authorities

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17.92.010 Purpose

This Chapter identifies the bodies, officials, and administrators (i.e., Review Authorities) with designated responsibilities under various Chapters of the Zoning Code. Subsequent Chapters provide detailed information on procedures, application and permits. When carrying out their assigned duties and responsibilities, all bodies, officials, and administrators shall interpret and apply the provisions of this Code as minimum requirements adopted to implement the policies, and achieve the objectives, of the General Plan.

17.92.020 Review Authorities (Updated)

- A. **City Council.** The City Council is established in accordance with the Woodland Municipal Code Chapter 2.04, City Council. The powers and duties of the City Council under this Zoning Code include, but are not limited to, the following:
1. Consider and adopt, reject, or modify amendments to the General Plan map and text pursuant to provisions of Chapter 17.104, Amendments to the General Plan, and of the California Government Code, following a public hearing and recommended action by the Planning Commission.
 2. Consider and adopt, reject, or modify amendments to the Zoning Map and text of this Code pursuant to the provisions of Chapter 17.108, Amendments to the Zoning Map and Text, and the California Government Code, following a public hearing and a recommendation from the Planning Commission.
 3. Hear and decide applications for Development Agreements, pursuant to Section 17.100.180, Development Agreements.
 4. Hear and decide on proposals to revoke permits, pursuant to Chapter 17.96.150, Revocation of Permits.
 5. Make environmental determinations on any approvals for which it has authority to grant that are subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to state law.
 6. Hear and decide appeals from decisions of the Planning Commission pursuant to Section 17.96.160, Appeals.
 7. Establish by resolution, a Planning Application Fee Schedule listing fees, charges, and deposits for various applications and services provided, pursuant to this Code.

- B. **Planning Commission.** The powers and duties of the Planning Commission are established in the Woodland Municipal Code Section 2.28.020, Planning Commission. The Planning Commission shall be the approval authority for planning permits identified in Table 17.100.020-1: Planning/Processes Permits and Review Authority. All discretionary decisions of the Planning Commission may be appealed to the City Council, in compliance Section 17.96.160, Appeals. The Planning Commission shall make recommendations on all legislative entitlement requests to the City Council. The powers and duties of the Planning Commission under this Code include, but are not limited to the following:
1. Conduct hearings and make recommendations to the City Council on proposed amendments to the General Plan map and text, pursuant to Chapter 17.104, Amendments to General Plan.
 2. Conduct hearings and make recommendations to the City Council on proposed amendments to the Zoning Map and text of this Code, pursuant to Chapter 17.108, Amendments to Zoning Map and Text, and the California Government Code.
 3. Conduct hearings and make recommendations to the City Council on proposed Development Agreements, pursuant to Section 17.100.180, Development Agreements.
 4. Approve, conditionally approve, modify, or deny Conditional Use Permits and Variances, pursuant to Section 17.100.100, Conditional Use Permit and Section 17.100.120, Variance.
 5. Hear and decide on modifications to approved Conditional Use Permits and Variances, pursuant to Section 17.96.140, Modifications to An Approved Permit.
 6. Hear and decide on proposals to revoke permits, pursuant to Section 17.96.150, Revocation of Permits.
 7. Hear and decide appeals from decisions of the Director or Zoning Administrator on decisions, determinations, or interpretations made in the enforcement of this Code and any other decisions that are subject to appeal, pursuant to Section 17.96.160, Appeals.
 8. Make environmental determinations on any approvals it grants that are subject to environmental review under CEQA pursuant to state Law.
 9. Review of the annual capital improvement program budget for conformity with the General Plan in compliance with California Government Code § 65401.
 10. Conduct development review on any approvals it grants that are subject to development review pursuant to Section 17.100.040, The Development Review Process.
 11. Undertake a comprehensive historic resources inventory and maintain a historic register.
 12. Establish various criteria, guidelines, and standards to carry out the intent of the Woodland Municipal Code Chapter 15.24, Historical Landmarks, Districts and Resources.

13. Recommend to the City Council the designation of historical landmarks and historical districts.
14. Participate in administering regulations pertaining to historical landmarks and historical districts.
15. Recommend to the City Council ways to fund and to otherwise make financially feasible the protection of historical landmarks and historical districts in the City.
16. Recommend to the City Council the means to implement the historic preservation element of the General Plan and the Woodland Municipal Code Chapter 15.24, Historical Landmarks, Districts and Resources by developing information and programs to increase awareness of, preservation of, and use of historical landmarks and historical districts in the City.
17. Other duties and powers as assigned or directed by the City Council.

C. **Community Development Director.** The powers and duties of the Community Development Director (the “Director”) under this Code include, but are not limited to, the following:

1. Prepare the annual report related to the implementation of the General Plan in compliance with California Government Code § 65400.
2. Maintain and administer the Zoning Code, including processing of applications, abatements, and other enforcement actions.
3. Interpret the Zoning Code to members of the public and other City Departments.
4. Prepare and effect rules and procedures necessary or convenient for the conduct of the Director’s business (e.g., scheduling, rules of procedure, and recordkeeping).
5. Issue administrative regulations for the submission and review of applications subject to the requirements of this Code and California Government Code § 65950, time periods for effective approval or disapproval of a project.
6. Review applications for permits and licenses for conformance with this Code and issue a Zoning Clearance when the proposed use, activity, or building is allowed by right and conforms to all applicable development and use standards pursuant to Section 17.100.030, Zoning Clearance.
7. Review applications for administrative/ministerial permits and approvals to ensure compliance with all applicable development and use standards established in this Code.
8. Review applications for discretionary permits and approvals to determine whether the application is subject to review under the CEQA and notify the applicant if any additional information is necessary to conduct the review.
9. Make recommendations to the Planning Commission and City Council on all applications, amendments, appeals, and other matters upon which the Planning Commission and City Council have the authority and duty to act under this Code.
10. Conduct development review pursuant to Section 17.100.040, The Development Review Process.

11. Approve, modify, or deny requests for Reasonable Accommodation for land use projects, pursuant to Section 17.100.160, Reasonable Accommodation for Persons with Disabilities.
12. Serve as Staff to the Planning Commission.
13. Investigate and report to the Planning Commission on permit violations when the City has initiated revocation procedures.
14. Delegate administrative and discretionary functions to members of the Planning Division as deemed necessary.
15. Provide required notice of public hearings.
16. Serve as or designate a member of the Planning Division staff to serve as Zoning Administrator pursuant to Section 17.100.090, Zoning Administrator Permit.
17. Review and make determinations regarding nonconforming uses.
18. Decide requests for Minor Modifications to approved permits, pursuant to Section 17.96.140, Modification to An Approved Permit.
19. Make determinations on lot line adjustments and Certificates of Compliance.
20. Refer items to the Planning Commission where, in the Director's opinion, the public interest would be better served by a Planning Commission public hearing and action.
21. Other duties and powers as assigned by the City Council or established by legislation.

D. **Zoning Administrator.** The Zoning Administrator is a City staff member appointed by the Director with the following powers and duties.

1. Approve, modify, or deny applications for Zoning Administrator Permits and Variances, pursuant to Section 17.100.090, Zoning Administrator Permit and Section 17.100.120, Variance, including holding administrative public hearings.
2. Decide requests for modifications to an approved permit, pursuant to Section 17.96.140, Modifications to An Approved Permit.
3. Approve, modify, or deny requests for extensions for land use projects, pursuant to Section 17.96.130, Expiration and Extension.
4. Refer items to the Planning Commission where in the Zoning Administrator's opinion, the public interest would be better served by a Planning Commission public hearing or action.
5. Provide required notice and conduct public hearings.
6. Other duties and powers as assigned by the Director.

Chapter 17.96 Common Procedures

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17.96.010 Purpose

This Chapter establishes procedures that are common to the processing of all permits and approvals provided for in this Code, unless superseded by specific requirement of this Code or state law.

17.96.020 Application Forms and Fees

A. Applicant.

1. A development application may be submitted by the owner of the property or the owner’s authorized agent. If an application is submitted by someone other than the owner or the owner’s agent, written proof, satisfactory to the Director, of the right to act as the owner’s agent or to use and possess the property as applied for, shall accompany the application.

2. Written proof of authorization (Letter of Agency) must be signed, dated, and notarized by the property owner and expressly state what the agent is authorized to do on behalf of the owner.

B. Planning Application Forms and Materials.

1. **Planning Application Forms.** The Director shall prepare and have on file with the Department the planning application forms and checklists that specify the information required to be submitted with all planning applications.
2. **Supporting Materials and Information.** The Director may require the submission of supporting materials and information as part of a planning application submittal, including, but not limited to, statements, photographs, plans, drawings, renderings, models, material samples, special studies, and other items necessary to describe existing conditions and the proposed project, to determine the level of environmental review pursuant to CEQA, and clearance as required pursuant to the Yolo Habitat Conservation/Natural Community Conservation Plan.
3. **Availability of Application Materials.** All application materials submitted to the City shall become the property of the City, may be distributed to the public, and shall be made available for public inspection. At any time upon reasonable request, and during normal business hours, any person may examine a planning application and materials submitted in support of, or in opposition to, an application in the Planning Division offices. Unless prohibited by law, copies of such materials shall be made available at a reasonable cost.

C. Multiple Applications.

1. **Concurrent Filing.** Unless otherwise approved by the Director, an applicant for a project which requires more than one planning permit (e.g., a Conditional Use Permit and Development Review) and/or legislative entitlement (e.g., a General Plan amendment or an amendment to the Zoning Map or Code text) shall file all related applications concurrently together with all application fees.
2. **Concurrent Processing.** Multiple planning permits and or legislative entitlements for the same project shall be processed concurrently and shall be approved by the highest Review Authority for any of the permits or legislative entitlements, with the lower Review Authority making a recommendation.

D. Application Fees.

1. **Fee Schedule.** The City Council shall establish by resolution a Planning Application Permit Fee Schedule that establishes fees for planning permits, informational materials, penalties, copying, and other customary services. The City shall also establish the ability for payment of fees through an advanced funding deposit cost recovery method for those projects that may be more complex, involve outside consultant work, or require additional staff or City attorney time. The initial deposit and minimum balance will be based upon anticipated work and/or estimated consultant costs.

2. **Fee Payment.** No application or covenant shall be accepted as complete and processed without payment in full of the required application fees or deposits.
3. **Multiple Applications.** The City's processing fees are cumulative. For example, if an application for a Conditional Use Permit also includes a Development Review, both fees shall be charged. Cost savings may be incurred due to similar documents being prepared for a single project, such as CEQA review, should applications be filed simultaneously.
4. **Refund of Fees.** Application fees are non-refundable unless otherwise provided for in the Woodland Municipal Code, per funding agreement, or as determined by the Director with good cause. Once an application has been accepted and a review initiated, a partial refund may be considered, and is dependent upon the amount of staff time or work on the application.

17.96.030 Pre-Application Review

Preapplication review is an optional review process to be conducted prior to submittal of a planning application that is intended to provide information on relevant policies, zoning regulations, and procedures.

- A. **Exemption from Permit Streamlining Act.** Pre-application review shall not be considered completeness review and is not subject to the requirements of the California Permit Streamlining Act § 65920.
- B. **Review Procedures.** A prospective applicant may submit a pre-application submittal, including a preliminary project description, preliminary plans, and designs to the department. The department shall conduct pre-application review and inform the applicant of applicable City requirements, provide a preliminary list of issues for consideration, and may suggest possible alternatives or modifications to the project prior to formal application submittal. The Director may consult with or request review by other City departments or agencies that may have interest in the application. The initial review is a courtesy review; however, the Director may charge for additional iterations or reviews.
- C. **Recommendations are Advisory.** Neither the pre-application review nor the provision of information and/or pertinent policies shall be construed as being either a recommendation for approval or denial of the application or project by City staff. Any recommendations that result from pre-application review are considered advisory only and shall not be binding on either the applicant or the City.

17.96.040 Determination of Similar Use

Each zone establishes a list of primary uses and accessory uses which are permitted, permitted with a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit), or permitted with a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit). Occasionally, uses may be proposed which are not specifically listed in the Use Tables of Division II, Zone Regulations. This Section provides procedures that shall be observed when an unlisted use is proposed in a zone. A use determined to be similar shall apply to the zone uniformly regardless of location.

- A. **Director.** The Director may administratively determine that the proposed uses are similar to those of the appropriate use category where the uses are clearly similar in character to those uses listed and consistent with the purposes of the zone and General Plan. The Director's determination of similar use may be appealed to the Planning Commission pursuant to the provisions of Section 17.96.160, Appeals.
- B. **Planning Commission.** The Planning Commission's determination of similar use may be appealed to the City Council pursuant to the provisions of Section 17.96.160, Appeals.

17.96.050 Review of Planning Applications

- A. **Initial Completeness Review.** The Director shall determine whether an application is complete within 30 days of the date the application is filed and required fee received. The requirements below shall apply unless otherwise required by law.
- B. **Incomplete Application.**
 - 1. If an application is deemed incomplete, the Director shall provide a written notification to the applicant with a listing of information necessary to complete the application. The listing shall be exhaustive and based upon a City check list.
 - 2. Upon submittal of additional requested materials, the Director shall make a new determination and notify the applicant in writing as to whether the application is complete within 30 days of the date the additional materials are received by the City.
 - 3. The applicant shall provide the requested information within 180 days of the letter of notification stating that an application is determined to be incomplete. The Director may, upon written request, and for good cause, grant one extension of up to 90 calendar days for review of applications imposed by this Code.
- C. **Zoning Code Violations.** An application shall not be found complete if conditions exist on the site in violation of this Code or any permit or other approval granted in compliance with this Code, unless the proposed project includes the correction of the violations or the violation is a legal nonconformity as described in Chapter 17.80, Nonconforming Provisions.
- D. **Submittal of Additional Information.** The applicant shall provide the additional information within the time limit specified by the Director.
- E. **Appeal of Application Completeness Determination.** Determinations of incompleteness are subject to the provisions of Section 17.96.160, Appeals, except there shall be a final written determination on the appeal no later than 60 days after receipt of the appeal.
- F. **Expiration of Application.** If an applicant fails to correct the specified deficiencies and/or submit the information identified on the written notification of an application that is determined to be incomplete within the specified time limit, the application shall expire and be deemed withdrawn. After the expiration of an application, review shall require the submittal of a new, complete application, along with all required fees. Partial refund of fees may be allowed based on the extent of the work conducted as described in Subsection 17.96.020.D.4, Refund of Fees.

- G. **Complete Application.** In compliance with the California Permit Streamlining Act § 65920, when a planning application is deemed complete, the Director shall make a record of that date and proceed with processing the application.
1. Once an application has been accepted as complete, the City may request that the applicant clarify, amplify, correct, or otherwise supplement the information required for the application.
 2. This shall not limit the City's ability to request and obtain information which may be needed in order to comply with the California Public Resources Code pertaining to the CEQA.
- H. **Referral of Application.** At the discretion of the Director, or where otherwise required by this Title, state or federal law, any application filed in compliance with this Code may be referred to any City department, public agency, or interest group that may be affected by, or have an interest in, the proposed land use project for review and comment on the application.

17.96.060 Environmental Review

All projects must be reviewed for compliance with the CEQA. Environmental review will be conducted pursuant to the California Code of Regulations, Title 14, Division 6, Guidelines for the Implementation of the California Environmental Quality Act. If Title 14 of the California Code of Regulations is amended, the amendments will govern City procedures.

17.96.070 Neighborhood Meeting

- A. **Purpose.** The purpose of the neighborhood meeting is to acquaint the neighborhood with the proposed project application and to receive public comments and is particularly helpful when there may be potential controversy.
- B. **Timing.** The Director may require the applicant to hold a neighborhood meeting after submittal of an application if it is determined during the course of project review that there may be issues or considerations that would be best discussed with the neighborhood.
- C. **Notice.** Notice of the meeting shall be mailed by first class mail, a minimum of 10 days prior to the meeting date, to every owner whose name and address appears on the last equalized County Assessment Roll for any property within 300 feet of the exterior boundaries of the subject property. The Director may increase the notice radius requirement depending on the nature and type of project proposal.
- D. **Posting.** Depending on the nature and type of the project, the Director may require the applicant to post notice of the neighborhood meeting on the site. The notice shall be at least 11 inches wide by 17 inches high in size, in a form acceptable to the City.
- E. **Meeting Location, Date and Time.** The meeting shall be held at a location acceptable to the Director. The meeting shall not be held on a Friday or Sunday or on any holiday, or other days of celebration as determined by the Director. The meeting time shall be at a generally acceptable time when the majority of neighbors are able to attend, typically in the evening after 6:00 PM.

17.96.080 Public Notice

Unless otherwise specified, whenever public notice is required, the City shall provide notice in compliance with state law.

- A. **Mailed Notice.** At least 10 days before the date of a scheduled public hearing the Director (or the City Clerk for City Council meetings) shall provide notice by First Class mail delivery to the following:
1. The applicant, the owner, and any occupant of the subject property;
 2. All property owners of record within a minimum 300-foot radius of the subject property as shown on the latest available assessment role, or a larger radius if deemed necessary by the Director in order to provide adequate public notification;
 3. All neighborhood groups and community organizations that have previously filed a written request for public hearing notices for projects in the area where the site is located; and
 4. Any person or group who has filed a written request for notice regarding the specific application.
- B. **Alternative Method for Large Mailings.** If the number of owners to whom public hearing notice would be mailed or delivered is greater than 1,000, instead of a mailed notice, the Director (or City Clerk for City Council hearings) may provide public notice by placing a display advertisement of at least one-eighth of a page in at least one newspaper of general circulation in the City, at least 10 days prior to the hearing.
- C. **Posted Notice.**
1. At the discretion of the Director, or as otherwise may be required in this Code or state law, a notice shall be posted in a format approved by the Department. The applicant shall post a public notice on the subject property in compliance with the following requirements:
 - a. The public notice shall be posted at least 10 days prior to the public hearing or action;
 - b. At least one notice per street frontage shall be posted or affixed to the property in question in a visible location;
 - c. The City shall prepare the notice;
 - d. The applicant shall submit a signed letter stating that they posted or caused the notice to be posted along with photographic verification;
 - e. The notice shall contain the information as required in Subsection 17.96.080.F, Failure to Notify Individual Properties; and
 - f. The notice shall be a minimum of 11 inches wide by 17 inches high and laminated (or another size as may be required for a specific permit or by the Director).

- D. **Newspaper Public Notice.** At least 10 days before the date of the public hearing the Director (or the City Clerk for City Council meetings) shall publish a notice in at least one newspaper of general circulation in the City.
- E. **Contents of Public Notice.** Public hearing notices shall include the following information:
1. Project location, when the application is proposed on real property;
 2. A general description of the proposed project or action;
 3. The date, time, location, and purpose of the public hearing, or the date of when action will occur if a public hearing is not required;
 4. The Review Authority;
 5. The name(s) of the project applicant and the property owner;
 6. The location and availability of the project application and materials for review by the public;
 7. A statement that any interested person or authorized agent may appear at the hearing and be heard;
 8. A statement describing how to submit written comments; and
 9. For City Council hearings, the Planning Commission's recommendation.
- F. **Failure to Notify Individual Properties.** The validity of the proceedings will not be affected by the failure of any property owner, resident, or community organization to receive a mailed notice.
- G. **Optional Notice Methods.** The Director may require additional noticing of public hearings. Projects that may be considered for optional public noticing methods include those that may result in major policy changes, affect large neighborhoods or districts, or that may have strong public interest.
1. **Internet Postings.** Social media platforms available on the Internet may be used to augment traditional forms of public noticing.
 2. **Supplemental Large Sign Notice.** A supplemental large sign may be used to notice neighbors in the affected area and the community early in the review process. If determined appropriate by the Director, the applicant shall install the sign as directed.
 - a. The sign must be at least four feet by eight feet in size.
 - b. The location for the sign shall be determined by the Director.
 - c. All signs shall be kept adequately maintained and remain in place until the final determination on the application has been made, or the application is withdrawn.

17.96.090 Conduct of Public Hearing

Whenever the provisions of this Code require a public hearing, the hearing must be conducted in compliance with the requirements of state law, and as follows.

- A. **Generally.** Public hearings must be conducted pursuant to procedures adopted by the hearing body. Hearings are not required to be conducted according to technical rules relating to evidence and witnesses.
- B. **Scheduling.** Public hearings before the City Council must be scheduled by the City Clerk. All other hearings shall be scheduled by the Director.
- C. **Presentation.** An applicant or an applicant's representative may make a presentation on a proposed project.
- D. **Public Hearing Testimony.** Any person may appear at a public hearing and submit oral and/or written testimony, either individually or as a representative of a person or an organization. Each person who appears at a public hearing representing an organization shall identify the organization being represented.
- E. **Time Limits.** The presiding officer may establish time limits for individual testimony and require that individuals with shared concerns select one or more spokespersons to present testimony on behalf of those individuals.
- F. **Continuance of Public Hearing.** The hearing body may by motion continue the public hearing to a fixed date, time, and place, or may continue the item to an undetermined date.
- G. **Investigations.** The hearing body may cause such investigations to be made as it deems necessary and in the public interest in any matter to be heard by it. Such investigation may be made by a committee of one or more members of the hearing body or by City staff. The facts established by such investigation shall be submitted to the hearing body either in writing, to be filed with the records of the matter, or in testimony before the hearing body, and may be considered by the Review Authority.
- H. **Decision.** The public hearing shall be closed before a decision is made by the hearing body.

17.96.100 Findings and Decision

When deciding to approve, approve with conditions, modify, revoke, or deny any discretionary permit under this Code, the Review Authority shall issue a Notice of Action and make findings of fact as required in this Code.

- A. **Notice of Action.** After a final decision is made by the Review Authority, to approve, modify, or deny an application, the Director shall issue a Notice of Action or Resolution. The Notice shall describe the action taken, including any applicable conditions, and shall list the findings that were the basis for the decision. The Notice shall be documented in writing and sent to the applicant within 10 days at the mailing or email address stated in the application and to any other person or entity requesting the notification in writing. The notification shall describe the action taken, including any applicable conditions, and shall list the findings that were the basis for the decision.
- B. **Findings.** Findings, when required by state law or this Code, shall be based upon consideration of the application, plans, testimony, reports, and other materials that constitute the administrative record and shall be stated in writing in the resolution or record of the action on the permit.

17.96.110 Scope of Approvals

- A. **Scope.** An approval permits only those uses and activities actually proposed in the application and excludes other uses and activities. Unless otherwise specified, the approval of a new use shall terminate all rights and approvals for previous uses no longer occupying the same site or location.
- B. **Conditions of Approval.** The site plan, floor plans, building elevations and/or any additional information or representations, whether oral or written, indicating the proposed structure or manner of operation submitted with an application or submitted during the approval process shall be deemed to be conditions of approval. Any approval may be subject to requirements that the applicant guarantees, warranties, or ensures compliance with permit's plans and conditions in all respects.
- C. **Actions Voiding Approval.** If the construction of a building or structure or the use established is contrary to the description or illustration in the application, so as to either violate any provision of this Code or require additional permits, then resubmittal of a new application is required.
- D. **Periodic Review.** All approvals may be subject to periodic review to determine compliance with the permit and applicable conditions. If a condition specifies that activities or uses allowed under the permit are subject to periodic reporting, monitoring, or assessments, it shall be the responsibility of the permit holder, the property owner or successor property owners to comply with such conditions.

17.96.120 Authority to Apply Conditions of Approval

In considering an application for a permit or other discretionary approval authorized by this Code, final Review Authorities may require changes to applications and impose conditions of approval in order to effect the policies of the General Plan and the purpose of this Code. Conditions of approval, which may include dedication of land, installation of specific improvements, size, design and placement of buildings or structures, landscaping, and limitations on use and hours of operation, shall be reasonably related to the type of impacts caused by the use of the property for which the permit or other discretionary approval is requested.

17.96.130 Expiration and Extension

- A. **Expiration.** A final decision on an application for any approval subject to appeal will become effective after the expiration of the appeal period as stipulated in Section 17.96.160, Appeals following the date of action, unless an appeal is filed in compliance with Section 17.96.160, Appeals. Permits and project approvals will lapse and become void one year after the approval date unless the entitlement/permit is exercised or a greater time period is granted by the Review Authority, or unless any of the following occurs:
 - 1. **Extension for a Permit with no Tentative Map.** A time extension of one year beyond the initial approval period may be requested by applying to the Director at least 30 days prior to the expiration date of the permit. In no case shall the expiration date

extend more than four years from the date of final approval. After that time, a new application shall be required. In order to grant the extension the Director shall find that:

- a. The permit holder has clearly documented that they have made a good faith effort to commence work upon the use;
- b. It is in the best interests of the City to extend the permit; and
- c. There are no substantial changes to the project, no substantial changes to the circumstances under which the project is undertaken, and no new information of substantial importance that would require any further environmental review pursuant to the CEQA.

2. ***Extension for a Permit Granted in Conjunction with a Tentative Map.*** The time limits for any permit granted in conjunction with an approved Tentative Map shall be automatically extended to be the same as the term of the map.

- B. **Exercise of a Use Permit.** A permit for the use of a building or a property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the site in accordance with applicable conditions of approval.
- C. **Exercise of a Building Permit.** A Building Permit is exercised when a valid City grading or Building Permit is secured and physical construction lawfully commenced, in accordance with applicable conditions of approval and all required habitat or biological requirements have been met. See Section 17.100.130, Building Permit.
- D. **Expiration of Grading or Building Permit.** If, upon expiration of the permit or approval, construction is not diligently pursued to completion, the permits and approvals will expire. A time extension based on circumstances beyond the applicant's control may be considered. Should a Grading Permit or Building Permit expire, a new entitlement shall be required. See Section 17.100.130, Building Permit.

17.96.140 Modifications to An Approved Permit

No modifications in the use or structure for which a permit or other approval has been issued is permitted unless the permit is revised in compliance with this Chapter.

- A. **Minor Revisions.** The Director may approve minor revisions to approved plans, permits, and conditions of approval if the requested changes will not substantially expand the approved floor area, and/or intensify any potentially detrimental effects of the project and the resulting revisions are substantially consistent with the original findings and intent of the approved design, use or permit.
- B. **Major Revisions.** A request for revisions to approved plans, conditions of approval of a discretionary permit, and/or revisions to an approved site plan or building plan that would intensify a use or potential negative impact of the project, must be treated as a new application, and shall be decided on by the same Review Authority as the original approved permit.

17.96.150 Revocation of Permits

Any permit granted under this Chapter may be revoked or revised for cause if any of the conditions or terms of the permit are violated or if any law or ordinance is violated.

- A. **Initiation of Proceeding.** Revocation proceedings may be initiated by the City Council, Planning Commission, Director, or Zoning Administrator.
- B. **Public Hearing Notice, Hearings, and Action.** A public hearing notice of a revocation preceding shall be noticed in accordance with Section 17.96.080, Public Notice. After conducting a public hearing, the Planning Commission, or City Council where they were the original approval authority, must act on the proposed revocation.
- C. **Required Findings.** The Planning Commission or City Council may revoke or modify the permit if it makes any of the following findings:
 - a. The approval was obtained by means of fraud or misrepresentation of a material fact;
 - b. The use, building, or structure has been substantially altered or expanded beyond what is set forth in the permit or substantially changed in character;
 - c. The use has ceased to exist or has been suspended for one year;
 - d. There is or has been a violation of or failure to observe the terms or conditions of approval, or the use has been conducted in violation of the provisions of this Chapter, or any applicable local or state law or regulation; or
 - e. The use has been conducted in a manner detrimental to the public safety, health, and welfare, and/or is a nuisance.
2. **Notice of Action Regarding Revocation.** Following a decision by the Review Authority to revoke or modify a permit, the Director must issue a Notice of Action within 10 days. The Notice of Action must describe the Planning Commission's or City Council's action and findings. The Director must mail notice to the permit holder and to any person or entity who requested the revocation proceeding.

17.96.160 Appeals

- A. **Applicability.** This Section allows for appeal of discretionary actions by the Planning Commission, Zoning Administrator, or Director in the administration or enforcement of the provisions of the Zoning Code.
- B. **Decisions of the Director.** The Planning Commission is the appeal body for decisions of the Director.
- C. **Decisions of the Zoning Administrator.** The Planning Commission is the appeal body for decisions of the Zoning Administrator.
- D. **Decisions of the Planning Commission.** The City Council is the appeal body for decisions of the Planning Commission.

- E. **Rights of Appeal.** Appeals may be filed by an applicant, the owner of the subject property, or any other person aggrieved by a decision that is subject to appeal under the provisions of this Chapter.
- F. **Time Limits.** Unless otherwise specified in state or federal law, all appeals shall be filed in writing within 10 calendar days of the date when the action was taken. In the event an appeal period ends on a Saturday, Sunday, or any other day the City is closed, the appeal period shall end at the close of business on the next consecutive business day.
- G. **Standards of Review.** When reviewing any decision on appeal, the appeal body shall consider the appeal de novo and must use the same standards for decision-making required for the original decision. The appeal body may adopt the same decision and findings as were originally approved; it also may request or require changes to the application as a condition of approval.
- H. **Procedures.** The appeal filing must identify the decision being appealed and must clearly and concisely state the reasons for the appeal. The appeal must be accompanied by the required fee. The Director may waive fees for appeals filed by members of the City Council and the Planning Commission, the City Manager.
- I. **Proceedings Stayed by Appeal.** The timely filing of an appeal stays all proceedings in the matter appealed, including the issuance of City Building Permits (see Section 17.100.130, Building Permit) and business licenses.
- J. **Transmission of Record.**
 - 1. **Decisions of the Director and of the Zoning Administrator.** The Director must schedule the appeal for consideration by the Planning Commission within 45 days of the date the appeal is filed. The Director must make available the appeal, the Notice of Decision, and all other documents that constitute the record to the Planning Commission. The Director must also prepare a staff report that responds to the issues raised by the appeal and may include a recommendation for action.
 - 2. **Decisions of the Planning Commission.** The City Clerk must schedule the appeal for consideration by the City Council within 45 days of the date the appeal is filed. The City Clerk must make available the appeal, the Notice of Decision, and all other documents that constitute the record to the City Council. The Director must also prepare a staff report with a Continuation of Appeal section that responds to the issues raised by the appeal and may include a recommendation for action.
 - 3. **Public Hearing Notice and Hearing.** A public hearing notice must be provided pursuant to Section 17.96.080, Public Notice, and a public hearing must be conducted pursuant to Section 17.96.090, Conduct of Public Hearing. Notice of the hearing must also be given to the applicant, the party filing the appeal, and any other interested party who has filed with the City a written request for such notice.
 - 4. **Action.** An action to grant an appeal requires a majority vote of the members of the appeal. A tie vote will have the effect of denying the appeal.

17.96.170 Certificates of Occupancy

- A. **Purpose.** This Section establishes procedures for issuing a Certificate of Occupancy to verify that buildings and the proposed use of land complies with all applicable building and health laws and ordinances and with the requirements of this Code.
- B. **Certificate of Occupancy Required.** No structure erected, moved, altered, or enlarged after the effective date of this Code shall be occupied or used, and no site shall be occupied or used until a Certificate of Occupancy has been issued by the Building Official.
- C. **Application.** Application for a Certificate of Occupancy shall be filed with the Building Official prior to the erection, moving, alteration or enlargement of any structure and prior to the commencement of a new use or a change in use of any structure or site.
- D. **Issuance.** The Building Official shall issue a Certificate of Occupancy upon receipt of written notice that the structure or site is ready for occupancy or use and after inspection; provided, that the structure or site and the intended use conform with all applicable building and health laws and ordinances and with the requirements of this Code.

Chapter 17.100 Planning Permits and Approvals

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17.100.010 Purpose

This Chapter establishes the procedures for the preparation, filing, and processing of applications for planning permits and other entitlements regulated by this Code.

17.100.020 Planning Permits and Approvals

The Director shall coordinate the review for all planning permit applications for new uses and development. Table 17.100.020-1: Planning Processes/Permits and Review Authority, identifies the types of planning permits authorized by this Code, and the Review Authority responsible for reviewing and making decisions on each type of planning application. For an appeal, public noticing is required if public noticing was required for the initial review. If public noticing was not required for the initial review, public review may be required for the appeal at the discretion of the Director.

Table 17.100.020-1: Planning Processes/Permits and Review Authority

Permit Type	Advisory Body	Review Authority	Hearing	Public Notice	Appeal Authority
Administrative (Ministerial) Actions					
Determination of Public Convenience or Necessity (PCN) (See Section 17.84.060, Alcoholic Beverage Sales)	Staff	Director ¹	No	No	Planning Commission
Zoning Clearance	Staff	Director	No	No	Planning Commission
Interpretations/Zoning inquiry/ Determinations	Staff	Director	No	No	Planning Commission
Pre-Application Review	Staff	n/a	No	No	n/a
Temporary Use Permit	Staff	Director	If CEQA required or referral	If CEQA required or referral	Planning Commission
Development Review Tier 1: Minor	Staff	Director	No	No	Planning Commission
Development Review Tier 2: Major	Staff	Director	No	No	Planning Commission
Sign Permit, Permanent Sign	Staff	Director	No	No	Planning Commission
Modification to an Approved Discretionary or Administrative Permit, Minor	Staff	Director	No	No	Planning Commission
Minor Modification	Staff	Director	No	No	Planning Commission
Discretionary Actions					
Appeals	Director	Planning Commission	Yes	Yes	Planning Commission
Conditional Use Permit	Director	Planning Commission	Yes	Yes	Planning Commission
Development Review Tier 3	Director	Zoning Administrator or Planning Commission	If requested	Yes	Zoning Administrator or Planning Commission
Zoning Administrator Permit	Staff	Zoning Administrator	If requested	Yes	Zoning Administrator

Table 17.100.020-1: Planning Processes/Permits and Review Authority

Permit Type	Advisory Body	Review Authority	Hearing	Public Notice	Appeal Authority
Modification to an Approved Discretionary Permit, Major	Director	Review Authority of original permit	Same as original permit	Same as original permit	Review Authority of original permit
Variance	Director	Zoning Administrator	Yes	Yes	Zoning Administrator
Revocation of Permit	Director	Review Authority of Original Permit	Yes	Yes	Review Authority of Original Permit
General Plan Text and Map Amendments	Planning Commission	City Council	Yes	Yes	City Council
Zoning Text and Map Amendments	Planning Commission	City Council	Yes	Yes	City Council
Planned Development	Planning Commission	City Council	Yes	Yes	City Council
Development Agreements	Planning Commission	City Council	Yes	Yes	City Council
Reasonable Accommodation for Persons with Disabilities	Staff	Director	No	No	Director
Master Sign Program	Staff	Director	No	No	Director
Public Art (See Section 17.64.040, Public Art)	Director	Review Authority of original permit	Same as original permit	No	Review Authority of original permit
Demolition Permit Subject to Woodland Municipal Code Chapter 15.24, Historical Landmarks, Districts and Resources	Director	Planning Commission	Yes	Yes	Planning Commission

End Note:

¹ Unless a CUP is required, in which case refer to Conditional Use Permit in this table.

17.100.030 Zoning Clearance

- A. **Purpose.** This Section establishes procedures for conducting a zoning or use clearance to verify that each new, modified or expanded use, activity, building, or structure complies with any applicable policies or standards of the General Plan, all of the applicable provisions of this Code, and any operative plans or conditions of approval the City has granted previously.
- B. **Applicability.** A Zoning Clearance is required for buildings or structures erected, constructed, altered, repaired, or moved, the use of vacant land, changes in the character of the use of land or a building or structure, or for substantial expansions in the use. Zoning Clearance is

conducted as part of the Building Permit (see Section 17.100.130, Building Permit) or other City application review and is required to confirm that the establishment of a new use is permitted as a matter of right and that no other entitlements are required prior to securing a tax certificate; issuance of a Grading Permit, Building Permit, or Sign Permit; and commencing operations. Zoning Clearance is required for the following actions:

1. All buildings or structures that require a Building Permit;
 2. Signs;
 3. Business licenses;
 4. All planning entitlement and permit approvals to ensure compliance with applicable conditions of approval; and
 5. All other City applications that may be subject to the provisions of this Code, including, but not limited to, tree removal, encroachment, and grading and improvement plans.
- C. **Zoning Clearance Application.** No separate application form is necessary for Zoning Clearance.
- D. **Review Authority.** The Director shall be the designated approving authority for Zoning Clearance.
- E. **Clearance Determination Requirements.** The Director may request that the Zoning Clearance determination request be accompanied by a written narrative, operational statement, plans, and other related materials necessary to show that the proposed use, development, or alteration of the site complies with all applicable provisions of this Code. The Director may require attachments of other written or graphic information, including a site plan.
- F. **Determination.** Zoning Clearance shall be granted if the Director determines that the proposed use, building, or structure is allowed as a matter of right by this Code and conforms to all the applicable development and use standards of this Code, Development Review, Use Permit, or other discretionary land use approval and that all conditions of such permits and approvals have been satisfied. An approved Zoning Clearance may include attachments or other written or graphic information, including but not limited to, statements, numeric data, site plans, floor plans, building elevations and sections, as a record of the proposal's conformity with the applicable regulations of this Title.

17.100.040 The Development Review Process

- A. **Purpose.** The Development Review procedure is established to ensure that new development supports the goals and objectives of the General Plan and other adopted plans and guidelines and is in compliance with applicable provisions of the Zoning Code. The specific purposes of development review are to:
1. Promote excellence in site planning and design and the harmonious appearance of buildings and sites;
 2. Ensure that new and modified uses and development will be compatible with the existing and potential development in the area;

3. Ensure the preservation of natural landforms and existing vegetation;
 4. Protect historic resources and ensure compatibility with historic districts or adjacent resources; and
 5. Supplement other City regulations and standards in order to ensure control of aspects of design that are not otherwise addressed.
- B. **Applicability.** Development Review is required for all projects that require a permit for new construction, reconstruction, rehabilitation, alteration, or other improvements to the exterior of a structure, site, or landscaping or parking area except for:
1. Projects where there is no exterior building or site modifications, including openings, or where replacement of exterior materials are with the same materials;
 2. Additions, construction, reconstruction, alterations, improvements, and landscaping that are consistent with previously approved entitlement and development review approval; and/or
 3. Single family and duplex landscaping unless part of a residential subdivision approval. (See also the Woodland Municipal Code Section 12.48.130, Tree preservation of established trees, heritage oak trees, specimen trees and landmark trees as part of development projects or on vacant/undeveloped commercial and residential property.)
- C. **Assignment of Development Review Responsibilities.**
1. The Director is the Review Authority for Development Review Tiers 1 (see Section 17.100.050, Development Review Tier 1: Minor) and 2 (see Section 17.100.060, Development Review Tier 2: Major).
 2. The Director may refer Tier 2 applications directly to the Planning Commission when it is determined the public interest would be better served by the Planning Commission conducting the development review.
 3. Either the Zoning Administrator or Planning Commission shall have development review authority for those Tier 3 Development Review applications that are combined with projects requiring discretionary entitlement approval by the Zoning Administrator (such as Zoning Administrator Permit or Minor Exception) or Planning Commission (such as Conditional Use Permit, Variance, Planned Development, or projects where Development Review is referred to the Planning Commission for review).
- D. **Procedures.**
1. **Application.** A qualified applicant shall submit an application for Development Review on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees.
 2. **Design Standards.** All projects shall be consistent with the applicable design standards and guidelines, which are intended to promote high-quality design, well-crafted and maintained buildings and landscaping, the use of high-quality building materials, and

attention to the design and execution of building details and amenities in both public and private projects.

- E. **Development Review Considerations.** Development review shall be based on application of the requirements of this Code applied to the design of the site plan, structures, landscaping, and other physical features of a proposed project, including, but not limited to:

1. Building proportions, massing, and architectural details;
2. Site design, orientation, location, and architectural design of buildings relative to the public way, existing structures on or adjacent to the property, topography, and other physical features of the natural and built environment;
3. Size, location, design, development, and arrangement of on-site parking and other paved areas;
4. Pedestrian, bike, and transit connections and facilities;
5. Exterior materials and, except in the case of the review of a single family residence, color as they relate to each other, to the overall appearance of the project, and to surrounding development;
6. Height, materials, design, fences, walls, and screen plantings;
7. Location and type of landscaping including selection and size of plant materials, and design of hardscape;
8. Size, location, design, color, lighting, and materials of all signs; and
9. Sustainable design, heat resilience, and consistency with the City's Climate Action Plan goals and policies.

- F. **Findings.** The Review Authority must make the following findings in order to approve Development Review for a project subject to administrative or discretionary approval:

1. The project is in conformance with the General Plan and Zoning Code;
2. The project is in conformance with applicable design and development standards;
3. If discretionary, the project is categorically exempt under or consistent with CEQA or other applicable Environmental Documents have been certified as complete and adequate;
4. Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be in place;
5. The project is consistent with or enhances the surrounding neighborhood, existing site improvements, quality, and safety;
6. The project design is appropriate to the function of the project and the project's operating characteristics minimize potential negative impacts and land use conflicts; and
7. The project will not be detrimental to the public health, safety, and general welfare.

17.100.050 Development Review Tier 1

- A. **Purpose.** Development Review Tier 1 provides a staff-level administrative review process. Development Review Tier 1 is intended to promote attractive, compatible architectural design, protect views, and preserve natural landforms and existing vegetation as identified below.
- B. **Applicability.**
1. Development Review Tier 1 applies to the following uses and improvements; similar uses and improvements; and uses and improvements indicated throughout this Title as requiring Development Review Tier 1:
 - a. New single-unit or duplex residential project.
 - b. Small additions, gates installed in driveways, expanded, or updated landscape areas, remodels, and accessory structures less than 1,200 gross square feet in Mixed-Use, Commercial, or Employment zones.
 - c. Accessory Dwelling Units over 800 square feet gross floor area up to 1,000 square feet, subject to Section 17.84.030.E.3, ADU Permit Review.
 - d. Accessory structures (not dwelling units) larger than 120 square feet but less than 800 square feet gross floor area or over 12 feet in height in Residential zones.
 - e. Façade improvements or site alterations that are not visible from the right-of-way or that are up to 500 square feet in gross floor area. This includes exterior materials and, except in the case of development review of a single-family residence, color as they relate to each other, to the overall appearance of the project, and to surrounding development.
 - f. Exceptions to fence standards as provided in Subsection 17.64.030.D, Fence, Wall and Hedge Height and Placement.
 - g. Modifications to existing landscaping or parking lots for existing commercial, multi-family, mixed-use, or employment projects that do not disturb existing trees.
 - h. Other development improvements presenting similar impacts as determined by the Director.
 - i. Non-structural modifications (e.g., paint, in-kind window replacement, awnings) to buildings within the National Register Historic Downtown District or to designated historical resources outside of the Historic District.
 2. The Director may waive the requirement for projects subject to Development Review Tier 1 when the project does not involve exterior building or site modifications, and/or when it can be determined that the modifications would be consistent with the previously approved entitlement for the site or use.

17.100.060 Development Review Tier 2

- A. **Purpose.** Development Review Tier 2 provides a staff level administrative review process for projects that are permitted but are more complex or larger in scope and scale than Tier 1 projects, that are visible from public view, or that may significantly change the design of the original structure or landscaping.
- B. **Applicability.**
 - 1. Development Review Tier 2 applies to projects that possess locational, structural, historic, traffic, or operating characteristics requiring special consideration in order to ensure compatibility with neighboring properties. This includes the following projects; similar projects; and projects indicated throughout this Title as requiring Development Review Tier 2:
 - a. New non-residential buildings;
 - b. Exterior modifications or site alterations for non-residential buildings and structures, visible from the right-of-way and/or over 500 square feet in gross floor area;
 - c. New residential projects over two units, including Small Lot Subdivisions;
 - d. The exterior remodel of multi-family residential buildings or structures;
 - e. New landscaping, or significantly revised (greater than 60 percent) existing commercial, industrial, or multi-family landscaping, including the potential removal of existing trees;
 - f. Accessory structures (not dwelling units) over 800 gross square feet in floor area or over 12 feet in height in Residential zones and accessory structures over 1,200 gross square feet in floor area in Mixed-Use, Commercial, or Employment zones; and
 - g. Projects previously reviewed under an entitlement process that requires staff level review of the site and architectural design.
 - 2. The Director may refer a Tier 2 Development Review application to the Planning Commission to act as the approval body (no public notice as required by Section 17.96.080, Public Notice) when in their opinion the public interest would be better served by having the Planning Commission conduct the Development Review.

17.100.070 Development Review Tier 3

- A. **Purpose.** Development Review Tier 3 provides a discretionary review process for those projects that are complex in nature, or that may have a concurrent discretionary entitlement review or impact a potentially significant historic resource. Development Review Tier 3 is also intended to promote attractive, compatible architectural design, protect views, and preserve natural landforms, historic resources, and existing vegetation.
- B. **Applicability.** Development Review Tier 3 applies to those projects that are complex in nature and that may have a concurrent discretionary entitlement review or which impact a potentially

significant historic resource as well as projects that possess locational, structural, traffic, or operating characteristics requiring special consideration in order to ensure compatibility with neighboring properties. This includes the following projects; similar projects; and projects indicated throughout this Title as requiring Development Review Tier 3:

1. Projects referred from the Director which will be reviewed administratively by the Review Authority and not as a discretionary entitlement review;
 2. Projects where conditions of approval require the Zoning Administrator or Planning Commission to be the Review Authority;
 3. Concurrent processing of projects that require a Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit), Conditional Use Permit (see Section 17.100.100, Conditional Use Permit), Variance (see Section 17.100.120, Variance), or any other discretionary approval;
 4. Accessory Dwelling Units between 1,000 and 1,200 square feet, subject to Section 17.84.030.E.6, ADUs and Discretionary Approval.
 5. New buildings, demolitions, or structural modifications to buildings in the National Register Historic District, or modification, alteration, or demolition of a designated historic resource outside of a Historic District.
- C. **Conditions of Approval.** The Approval Authority may approve, approve with conditions, or deny an application for a Development Review Tier 3 Permit.

17.100.080 Temporary Use Permit

- A. **Purpose.** A Temporary Use Permit (TUP) provides a process for the review and approval of certain uses that are intended to be of limited duration of time and that will not permanently alter the character or physical facilities of the site where they occur, nor prevent development of future uses.
- B. **Applicability.**
1. A Temporary Use Permit is required for any temporary uses that are not otherwise permitted in the base zone regulations.
 2. A Temporary Use Permit is required for temporary uses as described in Section 17.84.370, Temporary Uses.
 3. If the Director determines that a temporary use is likely to result in significant environmental impacts the Temporary Use Permit shall be processed as a Zoning Administrator Permit application pursuant to Section 17.100.090, Zoning Administrator Permit or a Conditional Use Permit application, pursuant to Section 17.100.100, Conditional Use Permit.
- C. **Review Authority.** The Director shall approve, conditionally approve, or deny applications for Temporary Use Permits. The Director may refer a Temporary Use Permit to the Planning Commission if the Director finds that the temporary use may have substantial potential effects that warrant additional public notification and review.

- D. **Temporary Use Permit Application Requirements.** A qualified applicant shall submit an application for a Temporary Use Permit on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees. An application must be submitted at least 30 days before the temporary use is intended to begin.
- E. **Duration of Temporary Use Permit.**
1. Time limits for temporary uses are prescribed in Section 17.84.370, Temporary Uses.
 2. Unless otherwise stipulated in this Code, the Director shall determine the duration of the temporary use.
- F. **Findings.** The Director may approve an application for a Temporary Use Permit upon making the following findings.
1. The proposed temporary use will not unreasonably affect adjacent properties, their owners and occupants, or the surrounding neighborhood, and will not in any other way constitute a nuisance or be detrimental to the health, safety, peace, comfort, or general welfare of persons residing or working in the area of such use or to the general welfare of the City;
 2. The proposed temporary use will not unreasonably interfere with pedestrian or vehicular traffic or circulation in the area surrounding the proposed use; and
 3. The proposed temporary use will not create a demand for additional parking that cannot be safely and efficiently accommodated by existing parking areas or a parking management plan.
- G. **Operating Requirements.** The Director may approve, approve with operating requirements, or deny an application for a Temporary Use Permit.

17.100.090 Zoning Administrator Permit

- A. **Purpose.** A Zoning Administrator Permit (ZAP) provides a process for the review of uses that generally meet the purposes of the applicable district but which require special consideration in their design or operation to ensure compatibility with surrounding uses. The Zoning Administrator Permit review is a discretionary action that may require CEQA review and/or other mitigation, habitat mitigation, and the application of critical conditions of approval. The purpose of a Zoning Administrator Permit is also to:
1. Consider the relationship of the use or project to the neighborhood and community as a whole;
 2. Determine if the project's use and location is compatible with the types of uses that are normally permitted in the surrounding area;
 3. Consider the compatibility of the proposed use with the site's characteristics;
 4. Evaluate the adequacy of services and facilities for the proposed use;
 5. Provide an opportunity for public review and comment on the proposed use when appropriate;

6. Allow for consideration of requested exceptions from required design standards;
 7. Ensure state CEQA, biological, cultural, and other critical reviews are conducted as needed; and
 8. Identify and apply conditions and requirements necessary to comply with the basic purposes of this Code, the General Plan, and any applicable plans or regulations.
- B. **Applicability.** A Zoning Administrator Permit applies to the uses and activities identified in Division II, Zone Regulations.
- C. **Zoning Administrator Permit Application Requirements.** A qualified applicant shall submit an application for a Zoning Administrator Permit on a form prescribed by the Director as prescribed in Section 17.96.020 (Application Forms and Fees).
- D. **Public Notice and Hearings.**
1. A public notice shall be mailed in compliance with Section 17.96.080, Public Notice, and/or the Director may require the site to be posted with a notice consistent with the requirements provided in Section 17.96.080.C, Posted Notice.

If no significant comments or concerns are received the item will be acted on by the Zoning Administrator. If public comment, concerns, or issues are received, a public hearing shall be scheduled, the Director shall prepare a staff report, and the Zoning Administrator shall hold a public hearing with appropriate public notice, prior to final action on the application.
- E. **Conditions of Approval.** The Zoning Administrator may apply reasonable conditions of approval to assure compliance with applicable regulations and standards.
- F. **Approval Applies to Land.** Any Zoning Administrator Permit approval shall run with the land and shall continue to be valid for the time period specified, whether or not there is a change of ownership of the site or structure to which it applies. Zoning Administrator Permit approval cannot be transferred to another site.
- G. **Referral to Planning Commission.** The Zoning Administrator may refer a Zoning Administrator Permit application to the Planning Commission. Such referral shall be at the discretion of the Zoning Administrator and shall be dependent upon policy implications, unique or unusual circumstances, adjacency to sensitive uses, the magnitude of the project, the need for certification of an environmental document, or other factors determined by the Zoning Administrator to warrant Planning Commission review.
- H. **Findings.** The Zoning Administrator may approve or conditionally approve a Zoning Administrator Permit if the following findings can be made:
1. The proposed use is consistent with the General Plan;
 2. The proposed use is consistent with the purposes of the Zoning Code, and the purposes of the applicable zone;
 3. The site is physically suitable for the type, density, intensity of the use being proposed, including access, utilities, and the absence of physical constraints;

4. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity including transportation and service facilities;
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located; and
6. The proposed project has been reviewed in compliance with CEQA.

17.100.100 Conditional Use Permit

- A. **Purpose.** A Conditional Use Permit (CUP) provides a public review process for discretionary review of proposed uses and activities that require special consideration by the Planning Commission to ensure that their effects are compatible with locational, use, structural, traffic, and/or the characteristics of neighboring properties and the community. This discretionary review process is intended to ensure land use compatibility and mitigate potential impacts or conflicts that could otherwise result from the proposed use. A Conditional Use Permit also serves the following purposes:
1. To consider the relationship of the use or project to the neighborhood and community as a whole;
 2. To determine if the project's use and location is compatible with the types of uses that are normally permitted in the surrounding area;
 3. To consider the compatibility of the proposed use with the site's characteristics;
 4. To evaluate the adequacy of services and facilities for the proposed use;
 5. To provide an opportunity for public review and comment on the proposed use; and
 6. To identify conditions and requirements necessary to comply with the basic purposes of this Code, the General Plan, and any applicable plans or regulations.
- B. **Applicability.** A Conditional Use Permit applies to the uses and activities identified in Division II, Zone Regulations.
- C. **Conditional Use Permit Application Requirements.** A qualified applicant shall submit an application for a Conditional Use Permit on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees.
- D. **Public Notice and Hearing.** A public hearing notice shall be mailed in compliance with Section 17.96.080, Public Notices. The applicant shall be responsible for posting the site consistent with a format provided by the City and shall provide verification of such posting. A public hearing will be scheduled prior to final action on the application.
- E. **Conditions of Approval.** The Planning Commission may apply reasonable conditions of approval to assure compliance with applicable regulations and standards.

- F. **Approval applies to land.** Any Conditional Use Permit approval shall run with the land and be valid, whether or not there is a change of ownership of the site or structure to which it applies. Conditional Use Permit approval cannot be transferred to another site.
- G. **Modification.** A requested modification to an approved Conditional Use Permit may be considered by the Director or final Review Authority consistent with Section 17.96.140, Modifications to An Approved Permit.
- H. **Findings.** The Planning Commission may approve or conditionally approve a Conditional Use Permit if the following findings can be made:
 - 1. The proposed use is consistent with the General Plan;
 - 2. The proposed use is consistent with the purposes of the Zoning Code, and the purposes of the applicable zone;
 - 3. The site is physically suitable for the type, density, intensity of the use being proposed, including access, utilities, and the absence of physical constraints;
 - 4. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity including transportation and service facilities;
 - 5. Granting the Conditional Use Permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located; and
 - 6. The proposed project has been reviewed in compliance with CEQA.

17.100.110 Minor Modification

- A. **Purpose.** The purpose for a Minor Modification is to establish a means of granting relief from the requirements of this Code when doing so would be consistent with the purposes of the Code. It allows the Director, or appropriate Review Authority if combined with other permit requests, to grant minor modifications to the development standards provided in Table 17.100.110-1: Types of Minor Modifications.
- B. **Applicability.** A Minor Modification applies only to the modifications identified in Table 17.100.110-1: Types of Minor Modifications from the requirements of this Code.

Table 17.100.110-1: Types of Minor Modifications	
Types of Minor Modifications	Maximum Modification
An increase in lot coverage.	10%
Lot area, width, or depth.	10% (applicable on an individual lot, or to an overall subdivision)
A reduction of a designated setback.	15%
An increase in allowable building height.	15%
Reduction in required open space on a lot.	10%
An increase of the allowed maximum height of a fence or wall located within a designated setback area.	10%
Where a majority of lots are developed with single-family residences with nonconforming setbacks, new buildings or structures may conform to the pattern established by the majority of the existing buildings or structures in the same block. This is most likely to occur in older historic neighborhoods.	Determined on a case-by-case basis
To encourage the development of housing units for disabled persons with limited mobility, the Director may allow deviation from the prescribed standards of this Title and where necessary to install features that facilitate access and mobility for disabled persons.	Determined on a case-by-case basis
Deviation from Building and Site Design Standards for those situations where a project is requesting exception from objective standards.	Determined on a case-by-case basis.

- C. **Calculation of Modification.** As an example, assume that the standard will be modified by 10 percent. If a site is 5,000 square feet in total area, and 20 percent open space of a lot area is required, a total of 1,000 square feet of open space must be provided. A 10 percent modification of the base standards would equate to a reduction of 100 square feet of open space (e.g., $1,000 \times 10 \text{ percent} = 100$). As a result, only 900 square feet of open space would be required.
- D. **Minor Modification Application Requirements.** A qualified applicant shall submit an application for a Minor Modification on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees.
- E. **Precedents.** Each Minor Modification application shall be reviewed on an individual case-by-case basis. The approval of a Minor Modification in one situation is not relevant to the City's consideration of the approval of a Minor Modification in a new situation.
- F. **Procedure.** The Director or Review Authority shall make the final determination on the Minor Modification application. The Director may choose to refer any application to the Planning Commission for hearing and decision.

- G. **Findings.** The Director shall approve, with or without conditions, a Minor Modification application only after the following findings are made:
1. The deviation is necessary due to the physical characteristics of the property and the proposed use or structure or other circumstances; or
 2. The Minor Modification is the minimum departure from the requirements of this Code necessary to grant relief to the applicant, and would not be detrimental to the public welfare or injurious to the property or improvements in the vicinity or the zone in which the subject property is located; and
 3. Granting the requested deviation will not detract from the overall appearance of the neighborhood or immediate vicinity and will not impair the provision of adequate light, air, circulation, or visual openness; and
 4. The deviation, as proposed and conditioned, will achieve the general purposes of this Title or the specific purposes of the zone in which the project is located.

17.100.120 Variance

- A. **Purpose.** A Variance provides a mechanism for the Zoning Administrator to provide relief from the strict application of this Code where this will deprive the owner of privileges enjoyed by similar properties because of the subject property's unique and special conditions.
- B. **Applicability.** A Variance may be granted to vary or modify dimensional and performance standards. A Variance may not be granted to allow new uses or a modification to the density or intensity requirements of this Code, or activities that this Code does not authorize for a specific lot or site.
- C. **Referral.** The Zoning Administrator may refer applications directly to the Planning Commission when in their opinion, the public interest would be better served.
- D. **Variance Application Requirements.** A qualified applicant shall submit an application for a Variance on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees. In addition to other application requirements, the application for a Variance shall include data or other evidence showing that the requested Variance conforms to the required findings set forth in Subsection 17.100.120.G, Findings.
- E. **Precedents.** Each Variance application shall be reviewed on an individual case-by-case basis and the approval of a prior Variance is not relevant to the City's consideration of the approval of a new Variance.
- F. **Public Notice and Hearing.** Noticing for a Variance shall be provided in compliance with Section 17.96.080, Public Notice. The Zoning Administrator shall conduct a public hearing on an application for a Variance. Public hearings shall be conducted in compliance with Section 17.96.090, Conduct of Public Hearings.
- G. **Findings.** The Zoning Administrator shall approve, with or without conditions, a Variance application only after the following findings are made:
1. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, such that the strict application of this Code

- deprives the property of privileges enjoyed by other property in the vicinity and under the identical zone;
2. The special circumstances applicable to the property identified in Subsection 17.100.120.G.1, was not created by any act of the property owner (i.e., a Variance shall not be granted for a self-imposed hardship);
 3. Granting the Variance would not authorize a use or activity which is not otherwise expressly authorized by the zone governing the property for which the application is made;
 4. Granting the Variance will not be materially detrimental to the public health, safety, or welfare and will not impair an adequate supply of light and air to adjacent property;
 5. The Variance is consistent with the General Plan and any applicable Specific Plan or the potentially adverse effects of the Variance in relation to the General Plan are exceeded by the individual hardship which would be relieved by granting the Variance; and
 6. The Variance is the minimum departure from the requirements of this Code necessary to grant relief to the applicant and would not be detrimental to the public welfare or injurious to the property or improvements in the vicinity or the zone in which the subject property is located.

17.100.130 Building Permit

- A. **Purpose.** Before commencing any work pertaining to the erection, construction, reconstruction, moving, conversion, or alteration of any structure or any addition to any structure, including the grading of land and the demolition of a structure, a Building Permit shall be issued by the Department.
- B. **Conformance with Associated Planning Entitlements.** Prior to issuance of a Building Permit, site plans, elevations, construction documents, and other information provided with a Building Permit application shall be determined to substantially conform to the project plans which were approved with a Development Permit, Conditional Use Permit (see Section 17.100.100, Conditional Use Permit), Zoning Administrator Permit (see Section 17.100.090, Zoning Administrator Permit), or other entitlement for the project by the Director. Substantial inconsistencies between the Building Permit application information and approved plans, as determined by the Director, may be subject to revocation of planning permits (see Section 17.96.150, Revocation of Permit) or rejection of the Building Permit application.
- C. **Timing.**
 1. No application for a Building Permit shall be accepted within 30 days of approval of the second reading of an ordinance approving a change of zone, planned land use designation, or Code regulations that would be affected by the proposed changes.
 2. Building Permits shall not be considered concurrently with entitlements unless the project has been scheduled for public hearing final action and written authorization is provided by the Director. In such instances, the applicant shall affirm in writing that the concurrent review is being done at the applicant's risk, and if the entitlement is

rejected for the project, the Building Permit review shall be halted and shall not resume until all necessary entitlements are granted and new, corresponding building plans are submitted.

- D. **Demolition.** Before any structure is demolished, the City's Historic Preservation Officer shall review the request for potential historic significance.

17.100.140 Sign Permit – Permanent Signs

- A. **Purpose.** This Section establishes the permitting requirements for permanent sign structures described in Chapter 17.72, Signs to ensure that all permanent signs are in compliance with applicable Code standards.

B. **Sign Permit Requirement.**

1. It shall be unlawful for any person to erect, place, display, alter, repair, or relocate a permanent sign or sign structure without first obtaining approval for a Sign Permit from the Director.
2. Section 17.72.030, Sign Permits describes the types of signs and modifications to signs for which a Sign Permit is not required.

C. **Review and Approval.**

1. **Review and Determination.**

- a. A qualified applicant shall submit an application for a Sign Permit on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees.
- b. The Director shall review the Sign Permit application and supporting documentation for compliance with the standards of Chapter 17.72, Signs. The Director shall determine whether the Sign Permit may be issued or if additional information is required from the applicant to complete the permit application. If the Sign Permit application is denied, the reason shall be stated in writing.
- c. Where required in Chapter 17.72, Signs, an Encroachment Permit must be submitted for review and approval by the State Department of Transportation or the City Public Works Director (City Engineer) and must be obtained prior to issuance of a Sign Permit.

2. **Method of Review.** After receipt of a complete Sign Permit application, the Zoning Administrator shall render a decision to approve, approve with modifications, or deny the Sign Permit. This review will ensure that any sign proposal is in conformance with the requirements of Chapter 17.72, Signs, and is consistent with the City's objectives. The Director may grant slight deviations from the designated sign area or location or distance between signs, not to exceed 10 percent, when it is determined no other reasonable method of providing signage is functional.

3. **Substitution.** Any time after a Sign Permit is issued, a new owner, tenant, or lessee of record may be substituted for the original applicant if a record of the new interest is

made with the City and the new interest assumes all obligations they would have had consistent with the original permit.

4. **Expiration.** A Sign Permit shall expire and become null and void if the work authorized in compliance with the permit is not commenced within 180 days from the date of issuance of the Sign Permit, or if work is suspended or abandoned for a period of 90 days or more at any time after the work has commenced. If a Sign Permit has not been obtained within 180 days after the Sign Permit has been approved and issued, the application shall be considered withdrawn.
5. **Inspections.**
 - a. All signs for which a Sign Permit is required are subject to inspection to establish compliance with the provisions of Chapter 17.72, Signs, as well as the following additional inspections, unless waived in writing by the Building Official:
 - i. Footing inspections on all freestanding signs, including the addition of additional sign area to existing signs;
 - ii. Electrical inspections for all sign structure(s) prior to placement; and,
 - iii. Final inspection to establish compliance with provisions of this Code and other applicable City Codes.
 - b. **Violations.** Any work commenced without a Sign Permit, or any work beyond the authorized scope of a Sign Permit constitutes a violation of this Chapter and is grounds for the Director to issue a correction notice and/or to stop all work on the sign until appropriate permits are obtained (see Section 17.72.080, Enforcement).

17.100.150 Sign Permit – Master Sign Program

- A. **Purpose.** A Master Sign Program provides mixed-use, non-residential, and multi-family residential uses with flexibility to develop innovative, creative, and effective signage and to improve the aesthetics of the City.
- B. **Applicability.** A Master Sign Program applies to proposed or existing mixed-use, non-residential, and multi-family residential uses as follows:
 1. A Master Sign Program is required for:
 - a. Projects with five or more non-residential tenants;
 - b. Multi-unit developments of 50 or more units;
 - c. Whenever five or more signs are proposed for a building or site;
 - d. To erect a freeway-oriented sign (refer to Table 17.72.050.D-3: Standards for Freeway-Oriented Signs);
 - e. Projects in which flexibility in sign design is sought so that high quality signs may be provided which contribute to the attractiveness and economic viability

of their surroundings, but which may not meet the standards otherwise required for the subject location or zone; and

- f. Any project proposed as a Planned Development (see Chapter 17.112, Planned Development (PD)).

C. Review.

1. A qualified applicant shall submit an application for a Master Sign Program on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees.
2. At a minimum, all Master Sign Programs shall include the type, number, size, location/placement, and general design parameters of all permanent building mounted and freestanding signs. Modifications to any previously approved Master Sign Program shall be made in the same manner as the original approval.
3. All Master Sign Program submittals shall be reviewed for compliance with the requirements of Chapter 17.72, Signs, and the Zoning Administrator shall either approve, conditionally approve, or deny the proposed Master Sign Program. Following approval by the Zoning Administrator, a copy of the approved Master Sign Program will be made available to the applicant.
4. Individual signs authorized by an approved Master Sign Program require the issuance of separate Sign Permits as described in Section 17.100.140, Sign Permit – Permanent Signs provided:
 - a. The signs comply with all applicable conditions of the approved Master Sign Program;
 - b. Sign Permit applications are submitted within a time period specified as part of the conditions of the content or review of the Master Sign Program, where applicable; and
 - c. Sign Permit applications are submitted prior to any subsequent amendment to this Chapter which is more restrictive than provisions existing when the Master Sign Program was approved.
5. The Planning Commission shall review all Master Sign Programs which include a request for an increase in allowable sign height and area beyond the limits established in Section 17.72.050, Standards for Permanent Signs, for freestanding and building mounted signs for multi-tenant buildings and shopping centers.

D. Supplemental Provisions.

1. Modifications to an approved Master Sign Program shall be reviewed by the Zoning Administrator.
2. No sign identified in this Section may be placed upon real property without the consent of the real property owner(s), who shall either sign and submit the application for a Master Sign Program or designate in writing an authorized representative.
3. A Master Sign Program may be implemented in phases.

17.100.160 Reasonable Accommodation for Persons with Disabilities

- A. **Purpose.** This Section provides a formal procedure for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) to request Reasonable Accommodation in the application of the City's land use regulations and to establish relevant criteria to be used when considering such requests.
- B. **Applicability.**
 1. A request for Reasonable Accommodation may be made by any person with a disability, their representative, or any entity, when the application of a zoning law or other land use regulation, policy, or practice acts as a barrier to fair housing opportunities.
 2. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has record of such impairment. This Section is intended to apply to those persons who are defined as disabled under the Acts.
 3. A request for Reasonable Accommodation may include a modification or exception to the rules, standards, and practices for the site, development, and use of housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. This Section allows for minor structural modifications and/or regulatory exceptions. Nothing in this Section shall be interpreted to require the City to waive or reduce development or building fees associated with the granting of a Reasonable Accommodation request. Requests for Reasonable Accommodation shall be made in the manner prescribed within this Section.
- C. **Review Authority and Procedure.**
 1. Requests for Reasonable Accommodation shall be reviewed by the Director if no discretionary approval is sought other than the request for Reasonable Accommodation. The Director shall make a written determination within 45 days and either grant, grant with modifications, or deny a request for Reasonable Accommodation in accordance with Subsection 17.100.160.E, Criteria for Findings and Decision.
 2. Requests for Reasonable Accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the Review Authority responsible for reviewing the discretionary land use application. The written determination on whether to grant or deny the request for Reasonable Accommodation shall be made by the Review Authority in compliance with the applicable review procedure for the discretionary review. The written determination to grant or deny the request for reasonable modification shall be made in accordance with Subsection 17.100.160.E, Criteria for Findings and Decision.

- D. **Application Requirements.** A qualified applicant shall submit an application for a Reasonable Accommodation on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees. No noticing or public hearings are required for a Reasonable Accommodation request.
- E. **Criteria for Findings and Decision.** The Director must consider all of the following factors in order to approve or deny a request for Reasonable Accommodation;
1. Whether the housing, which is the subject of the request, will be used by a person with a disability as defined under the Acts;
 2. Whether the request for Reasonable Accommodation is necessary to make specific housing available to a person with a disability as defined under the Acts;
 3. Whether the requested Reasonable Accommodation would impose an undue financial or administrative burden on the City; and
 4. Whether the requested Reasonable Accommodation would require a fundamental alteration in the nature of a City program or law, including, but not limited to, land use and zoning.
- F. **Conditions of Approval.** In granting a request for Reasonable Accommodation, the Review Authority may impose any conditions approval deemed reasonable and necessary to ensure that the Reasonable Accommodation would comply with the findings required by Subsection 17.100.160.E, Criteria for Findings and Decision. Conditions shall also state that the accommodation granted shall terminate if the recipient of the accommodation requested no longer resides on the property as stated in Subsection 17.100.160.G.2.
- G. **Appeals, Expiration, Extensions, and Revisions.**
1. **Appeals.** A decision on Reasonable Accommodation request may be appealed as provided for in Section 17.96.160, Appeals.
 2. **Expiration, Extensions, and Revisions.** A Reasonable Accommodation approval may only be expired, extended, or revised as provided for in Chapter 17.96, Common Procedures. A Reasonable Accommodation approval shall terminate if the accommodation is no longer required, or if the recipient of the accommodation no longer resides at the property.

17.100.170 Pre-zoning for Annexation

- A. **Purpose.** The purpose of pre-zoning property is to determine the zoning that will apply to property upon subsequent annexation to the City.
- B. **Applicability.** The pre-zoning process applies to unincorporated property adjoining the City within the urban limit line that is subject to a pending annexation.
- C. **Initiation.** Pre-zoning shall be initiated by a resolution of intention by the Planning Commission or the City Council.

- D. **Procedure.** Pre-zoning applications shall be processed following the procedures established in Chapter 17.108, Amendments to the Zoning Map and Text. Pre-zoning shall become effective at the same time as an annexation becomes effective.
- E. **Zoning of annexed areas.** Upon the annexation of property to the City which has not been pre-zoned, the Planning Commission shall initiate proceedings to zone the annexed property to a zoning classification in conformity with the General Plan following the procedures established in Chapter 17.108, Amendments to the Zoning Map and Text.

17.100.180 Development Agreements

- A. **Purpose.** This Chapter establishes procedures and requirements for considering and entering into legally binding agreements with applicants for development projects, as provided for in state law. Such agreements provide a greater degree of certainty than the normal permit approval process by granting assurance that an applicant may proceed with development in accord with policies, rules, and regulations in effect at the time of approval subject to conditions to promote the orderly planning of public improvements and services, allocate costs to achieve maximum utilization of public and private resources in the development process, and ensure that appropriate measures to enhance and protect the environment are achieved.
- B. **Applicability.**
 - 1. The City incorporates by reference the provisions of California Government Code § 65864 to § 65869.5. In the event of any conflict between the statutory provisions and this Chapter, the statutes shall control.
 - 2. A Development Agreement may be considered for a proposed development that will require a developer to make a substantial investment at the early stages of the project for planning and engineering for the entire project and for public facilities and services.
- C. **Initiation.** An application for a Development Agreement may be initiated by any qualified applicant identified in Section 17.96.020, Application Forms and Fees, or by a motion of the City Council or Planning Commission.
- D. **Review Authority.**
 - 1. The Director shall negotiate the specific components and provisions of the Development Agreement on behalf of the City. The Director may request input from other affected Departments, as needed.
 - 2. The City Council has the exclusive authority to approve a Development Agreement. After receiving recommendations from the Planning Commission, the City Council may adopt, reject, or modify a Development Agreement based on consideration of the requirements of this Chapter.
- E. **Procedure.**
 - 1. **Application Requirements.** Applications for Development Agreements shall be filed with the Director in accordance with the following procedures. In addition to any other

application requirements, the application for a Development Agreement shall include data or other evidence in support of the applicable findings required by Subsection 17.100.180.H, Required Findings.

2. **Concurrent Processing.** An application for a Development Agreement will be made and considered simultaneously with the review of other applications, including, but not limited to rezoning, Planned Development (see Chapter 17.112, Planned Development (PD)), and a Conditional Use Permit (see Section 17.100.100, Conditional Use Permit). A Development Agreement is not a substitute for, nor an alternative to, any other required permit or approval, and the qualified applicant must comply with all other required procedures for development approval.
3. **Contents of Development Agreements.**
 - a. *Required Contents.* A Development Agreement shall specify its duration, the permitted uses of the subject property, the general location and density or intensity of uses, the maximum height and size of proposed buildings, provisions for reservation or dedication of land for public purposes, and provisions concerning its transferability (assignment).
 - b. *Additional Contents.* Development Agreements may also include the following:
 - i. *Improvements and Fees.* Requirements for construction and maintenance of onsite and offsite improvements or payment of fees in lieu of such dedications or improvements.
 - ii. *Conditions.* Conditions, terms, restrictions, and requirements for subsequent discretionary actions, except that the applicant's responsibility to obtain all required land use approvals is retained.
 - iii. *Environmental Mitigation.* Conditions and restrictions imposed by the City with respect to the project, including those conditions, restrictions and mitigation measures proposed in any associated environmental document.
 - iv. *Phasing.* Provisions that the project must be constructed in specified phases, that construction shall commence within a specified time, and that the project or any phase be completed within a specified time.
 - v. *Financing.* If the Development Agreement requires applicant financing of necessary public facilities, it may include terms relating to subsequent reimbursement over time for such financing.
 - vi. *Indemnity.* An indemnity clause requiring the applicant to indemnify and hold the City harmless against claims arising out of or in any way related to the actions of the applicant in connection with the application or the development process, including all legal fees and costs.
 - vii. *Performance Obligation.* Provisions to guarantee performance of obligations stated in the agreement.

- viii. *Other Items.* Other components and provisions as negotiated by the City and the applicant.

F. **Planning Commission Hearing and Recommendation.**

1. **Notice.** Public notice of hearings by the Planning Commission for a Development Agreement shall be given as specified in Section 17.96.080, Public Notice. Notice of the hearing shall also be mailed or delivered to any other local agency expected to provide essential facilities or services to the property that is the subject of the Development Agreement.
2. **Hearing.** The Planning Commission shall conduct a public hearing and make recommendations to the City Council in conformance with the provisions of Section 17.96.090, Conduct of Public Hearing.
3. **Recommendation to Council.** Following the public hearing, the Planning Commission shall make a recommendation on the proposed Development Agreement. The Director shall transmit the Planning Commission's written recommendation and complete record of the application to the City Council.

G. **City Council Review and Recommendation.**

1. **Notice.** Public notice of hearings by the City Council for a Development Agreement shall be given as specified in Section 17.96.080, Public Notice. Notice of the hearing shall also be mailed or delivered to any other local agency expected to provide essential facilities or services to the property that is the subject of the Development Agreement.
2. **Hearing.** After receiving the report with the Planning Commission recommendation, the City Council shall hold a public hearing in accordance with Section 17.96.090, Conduct of Public Hearing. The public hearing notice for the hearing shall include a summary of the Planning Commission recommendation.
3. **Decision.** At the conclusion of the hearing, the City Council may approve, modify, or deny the Development Agreement. Approval of a Development Agreement shall be by ordinance. The ordinance shall refer to and incorporate by reference the text of the Development Agreement. If the Council proposes any substantial modification to the Development Agreement, the proposed modification shall first be referred back to the Planning Commission for report and recommendation, but the Planning Commission shall not be required to hold a public hearing. The failure of the Planning Commission to report within 40 days after the referral shall be deemed a recommendation to approve and the amendment to the Development Agreement and shall be returned to the City Council for approval.

- H. **Required Findings.** The Planning Commission when making its recommendation on a Development Agreement, and the City Council, must make the finding to approve a Development Agreement that the proposed Development Agreement and its provisions are consistent with the General Plan and any applicable Specific Plan. This requirement may be satisfied by a finding that the provisions of the Development Agreement are consistent with proposed General Plan or Specific Plan provisions to be adopted concurrently with the approval of the proposed Development Agreement.

- I. **Execution and Recordation.** Within 10 days after the ordinance approving the Development Agreement takes effect, the Mayor or their designee shall execute the Development Agreement on behalf of the City, and the City shall record the Development Agreement with the County Recorder.
- J. **Periodic Review.** The applicant shall be required to demonstrate compliance with the provisions of the Development Agreement at least once a year, at which time the Director shall review each approved Development Agreement.
 - 1. **Finding of Compliance.** If the Director, based on substantial evidence, determines that the applicant is in compliance with the provisions of the Development Agreement, then no action is required.
 - 2. **Finding of Non-compliance.** If the Director finds the applicant has not complied with the provisions of the Development Agreement, the Director may issue a finding of noncompliance. The Director shall specify in writing to the applicant the respects in which the applicant has failed to comply and shall set forth terms of compliance and specify a reasonable time for the applicant to meet the terms of compliance. If the applicant does not comply with any terms of compliance within the prescribed time limits, the Development Agreement shall be subject to termination or modification pursuant to this Chapter.
 - 3. **Appeal of Determination.** Within 10 days after issuance of a finding of noncompliance, any interested person may file a written appeal of the finding with the City Council as described in Section 17.96.160, Appeals. The appellant shall specify the reasons for the appeal. The issuance of a finding of compliance or finding of noncompliance by the Director and the expiration of the appeal period without appeal, or the confirmation by the City Council of the issuance of the finding on such appeal, shall conclude the review for the applicable period and such determination shall be final.
- K. **Amendment or Cancellation.**
 - 1. **Mutual Agreement.** Any Development Agreement may be canceled or amended by mutual consent of the parties following compliance with the procedures specified in this Section.
 - a. *Director Approval.* Any amendment to a Development Agreement which is not specific to the duration of the agreement, permitted uses of the property, density or intensity of use, timing of development, height or size of proposed buildings, provisions for reservation or dedication of land, or to any conditions, terms, restrictions and requirements relating to subsequent discretionary actions related to design or improvements or construction standards and specifications, may be made by the Director without noticed public hearing. A Development Agreement may also specify procedures for additional administrative approval of minor amendments by mutual consent of the applicant and Director.
 - b. *City Council Approval.* The procedure for proposing and adopting an amendment to, or the cancellation in whole or in part, of a Development

Agreement, shall be the same as the procedure for originally entering into a Development Agreement.

2. ***After Finding of Non-Compliance.*** If a finding of noncompliance does not include terms of compliance, or if applicant does not comply with the terms of compliance within the prescribed time limits, the Director may refer the Development Agreement to the City Council for termination or modification. The City shall first give written notice to the party executing the agreement of its intention to initiate such proceedings. Such notice shall be given not less than 30 days in advance of public notice of the City Council hearing to consider an amendment or cancellation. After the public hearing, the City Council may terminate the Development Agreement, modify the finding of noncompliance, or rescind the finding of noncompliance, and issue a finding of compliance.
3. ***Recordation.*** If the parties to the agreement or their successors in interest amend or cancel the Development Agreement, or if the City terminates or modifies the Development Agreement for failure of the applicant to fully comply with the provisions of the Development Agreement, the City Clerk shall record notice of such action with the County Recorder.
4. ***Rights of the Parties After Cancellation or Termination.*** In the event that a Development Agreement is cancelled or terminated, all rights of the applicant, property owner or successors in interest under the Development Agreement shall terminate. If a Development Agreement is terminated following a finding of noncompliance, the City may, in its sole discretion, determine to return any and all benefits, including reservations or dedications of land, and payments of fees, received by the City.

L. **Effect of Approved Agreement.**

1. ***Existing Rules and Regulations.*** Unless otherwise specified in the Development Agreement, the City's rules, regulations, and official policies governing permitted uses of the property, density and design, and improvement standards and specifications applicable to development of the property shall be those City rules, regulations, and official policies in force on the effective date of the Development Agreement.
2. ***Future Rules and Regulations.*** A Development Agreement shall not prevent the City, in subsequent actions applicable to the property, from applying new rules, regulations and policies that do not conflict with those rules, regulations and policies applicable to the property as set forth in the Development Agreement. A Development Agreement shall not prevent the City from denying or conditionally approving any subsequent land use project or authorization for the project on the basis of such rules, regulations, and policies. A Development Agreement shall not exempt the applicant from obtaining future discretionary land use approvals, unless otherwise specified in the Development Agreement.
3. ***State and Federal Rules and Regulations.*** In the event that any regulation or law of the State of California or the United States, enacted or interpreted after a Development Agreement has been entered into prevents or precludes compliance with one or more provisions of the Development Agreement, then the Development

Agreement may be modified or suspended pursuant to the procedures specified in the Development Agreement, in order to comply with federal or state regulations.

M. **Enforcement.** The procedures for enforcement, revision, cancellation, or termination of a Development Agreement specified in this Section and in California Government Code § 65865.4 or any successor statute, are non-exclusive. A Development Agreement may be enforced, revised, cancelled, or terminated by any manner otherwise provided by law or by the provisions of the Development Agreement.

N. **Judicial Review.**

1. Any judicial review of the initial approval by the City of a Development Agreement shall be by writ of mandate pursuant to the Code of Civil Procedure Code § 1085. Any judicial review of any City action taken pursuant to this Chapter, other than the initial approval of a Development Agreement, shall be by writ of mandate pursuant to the Code of Civil Procedure Code § 1094.5. The use of the phrase "substantial evidence" in this Chapter with respect to the quantum of proof necessary in conjunction with a finding of noncompliance is not intended to limit nor impose a standard of review upon any court pursuant to a proceeding initiated for that purpose.
2. Any action or proceeding to attack, review, set aside, void, or annul any decision of the City taken pursuant to this Chapter shall not be maintained by any person unless the action or proceeding is commenced within 90 days after the date of decision.

Chapter 17.104 Amendments to the General Plan

Sections:

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17.104.010 Purpose and Applicability

- A. **Purpose.** This Chapter establishes procedures for making changes to the General Plan as provided for in state law when there are compelling reasons to do so. These circumstances include, but are not limited to, changes in state or federal law and changes in circumstances or opportunities that were unanticipated at the time of Plan adoption or the last amendment.
- B. **Applicability.** This Section applies to all proposals to change the text or of the General Plan, the land use map(s), and the diagrams that illustrate the application of its provisions.

17.104.020 Initiation of Amendments

- A. **Initiation.** An amendment to the General Plan may be initiated by any qualified applicant identified in Section 17.96.020, Application Forms and Fees, or by a motion of the City Council or Planning Commission.
- B. **Application.** A qualified applicant shall submit an application for a General Plan amendment on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees. The Planning Commission or City Council may direct that specific information be provided at the time the initial application is submitted.
- C. **Coordination with Other Applications.** Amendments to the General Plan and General Plan Land Use Map may be processed concurrently with other discretionary permits.

17.104.030 Review Procedures and Public Notice

- A. **Staff Report.** The Director shall prepare a report and recommendation to the Planning Commission on any application for a General Plan amendment. The report shall include, but is not limited to, a discussion of how the proposed amendment complies with the purposes of this Chapter, a determination as to whether the proposed amendment will require amendment to other plans that the City Council has adopted, and an environmental document prepared in compliance with the CEQA.
- B. **Neighborhood Meeting.** The Director, at their discretion, may require that the applicant conduct a neighborhood meeting prior to an application being submitted or during the review

of an application as put forth in Section 17.96.070, Neighborhood Meeting. The meeting may be required when in the opinion of the Director, the project for which the General Plan Amendment is requested may have an impact on a neighborhood, the project is unique, or the project is of such scale or scope that it is likely to generate community interest.

17.104.040 Planning Commission Hearing and Recommendation

- A. **Planning Commission Hearing.** The Planning Commission shall conduct at least one public hearing on any proposed amendment and make recommendations to the City Council in conformance with the provisions of Section 17.96.090, Conduct of Public Hearing.
- B. **Public Notice.** At least 10 days before the date of the public hearing, the Director shall provide notice as specified in Section 17.96.080, Public Notice. Notice of the hearing also shall be mailed or delivered to any local agencies expected to provide essential facilities or services to the property that is the subject of the proposed amendment.
- C. **Recommendation to Council.** Following the public hearing, the Planning Commission shall make a recommendation on the proposed General Plan amendment to the City Council. The recommendation shall include the reasons for the recommendation, findings related to the supporting the recommendation, and the relationship of the proposed amendment to applicable plans. The Director shall transmit the Planning Commission's written recommendation and complete record of the application to the City Council.

17.104.050 City Council Hearing and Action

- A. **City Council Hearing.** After receiving the report from the Planning Commission, the City Council shall hold a noticed public hearing in conformance with Chapter 17.96.090, Conduct of Public Hearing.
- B. **Public Notice.** At least 10 days before the date of the public hearing, the Director shall provide notice as specified in Section 17.96.080, Public Notice. The notice shall include a summary of the Planning Commission's recommendation. Notice of the hearing also shall be mailed or delivered to any local agencies expected to provide essential facilities or services to the property that is the subject of the proposed amendment.
- C. **City Council Action.** At the conclusion of the hearing, the City Council may approve, modify, or deny the proposed amendment application. If the Council proposes any substantial modification, such as introducing a new zone district or planned land use designation, not previously considered by the Planning Commission during its hearings, the proposed modification shall first be referred back to the Planning Commission for report and recommendation, but the Planning Commission shall not be required to hold a public hearing. The failure of the Planning Commission to report within 40 days after the referral shall be deemed a recommendation to approve and the amendment shall be returned to Council for adoption.
- D. **Frequency of Amendments.** Pursuant to California Government Code § 65358, no mandatory element of the General Plan may be amended more frequently than four times

during any calendar year. Subject to that limitation, an amendment may be made at any time and may include more than one change to the General Plan.

E. **Required Findings.** The City Council shall not approve an amendment to the General Plan unless the proposed amendment meets the following:

1. The proposed amendment is consistent with the goals, objectives, and policies of the General Plan;
2. That the proposed amendment will promote growth of the City in an orderly manner and will promote and protect the public health, safety, or welfare of the community;
3. That the anticipated land uses on the subject site will be compatible with existing and future surrounding uses;
4. That the City's inventory of residential lands for qualified housing sites has not been reduced; and
5. That the proposed amendment is consistent with any development related application that is processed and approved concurrently with the amendment application.

Chapter 17.108 Amendments to the Zoning Map and Text

Sections:

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17.108.010 Purpose and Applicability

- A. **Purpose.** This Chapter establishes the procedures to consider amendments to the Zoning Code text and to the City's official Zoning Map, which may be referred to as a "rezone" or "rezoning", whenever such amendment is in furtherance of public necessity, convenience, and general welfare, reflects changed conditions, and provides greater consistency with the goals and policies of the General Plan.
- B. Zoning Code and Zoning Map amendments (zoning amendments) shall not be used in lieu of other planning permit processes to achieve a similar result.
- C. **Applicability.** The procedures in this Chapter apply to all proposals to change the text of this Zoning Code or to revise a zone classification or zone boundary line, or add a new zone, shown on the Zoning Map.

17.108.020 Application Requirements

- A. **Initiation.** An amendment to the Zoning Code text or Zoning Map may be initiated by the any qualified applicant identified in Section 17.96.020, Application Forms and Fees, the Director, Planning Commission, or City Council.
- B. **Application.** A qualified applicant shall submit an application for a zoning amendment on a form prescribed by the Planning Division accompanied by the required fee as prescribed in Section 17.96.020, Application Forms and Fees. The Planning Division may require an applicant to submit such additional information and supporting data as considered necessary to process the application.
- C. **Coordination with Other Applications.** Proposed zoning amendments may be processed concurrently with other related entitlement application requests.

17.108.030 Review Procedures and Public Notice

- A. **Staff Report.** The Director shall prepare a report and recommendation to the Planning Commission on any application for a zoning amendment. The report shall include, but not be limited to, a discussion of how the proposed amendment satisfies the criteria and findings in Section 17.108.060, Required Findings, for approving a zoning amendment and an environmental document prepared in compliance with CEQA.
- B. **Neighborhood Meeting.** At the discretion of the Director, the applicant may be required to conduct a neighborhood meeting prior to an application being submitted or during the review of an application as set forth in Section 17.96.070, Neighborhood Meeting. The meeting may be required when in the opinion of the Director, the zoning amendment may have an impact on a neighborhood, the project is unique, or the project is of such scale or scope that it is likely to generate community interest.

17.108.040 Planning Commission Hearing and Recommendation

- A. **Planning Commission Hearing.** The Planning Commission shall conduct at least one public hearing on any proposed zoning amendment and make recommendations to the City Council in conformance with the provisions of Section 17.96.090, Conduct of Public Hearing.
- B. **Public Notice.** At least 10 days before the date of public hearing, the Director shall provide notice as specified in Section 17.96.080, Public Notice. Notice of the hearing also shall be mailed or delivered to any local agencies expected to provide essential facilities or services to the property that is the subject of the proposed amendment.
- C. **Recommendation to City Council.** Following the public hearing, the Planning Commission shall make a recommendation on the proposed zoning amendment to the City Council. The recommendation shall include the reasons for the recommendation, findings related to the criteria for zoning amendments in Section 17.108.060, Required Findings, and the relationship of the proposed Code or amendment to other adopted documents and plans. The Director shall transmit the Planning Commission's written recommendation and complete record of the application to the City Council.

17.108.050 City Council Hearing and Action

- A. **City Council Hearing.** After receiving the report with the Planning Commission's recommendation, the City Council shall hold a public hearing in accordance with Section 17.96.090, Conduct of Public Hearings.
- B. **Public Notice.** At least 10 days before the date of public hearing, the Director shall provide notice as specified in Section 17.96.080, Public Notice. The public hearing notice for the hearing shall include a summary of the Planning Commission recommendation. Notice of the hearing also shall be mailed or delivered to any local agencies expected to provide essential facilities or services to the property that is the subject of the proposed amendment.
- C. **City Council Action.** After conclusion of the hearing, the City Council may approve, modify, or deny the proposed amendment. If the Council proposes a substantial modification not

previously considered by the Planning Commission during its hearings, the proposed modification shall first be referred back to the Planning Commission for report and recommendation, but the Planning Commission shall not be required to hold a public hearing. The failure of the Planning Commission to report within 40 days after the referral, or such longer period as may be designated by the legislative body, shall be deemed a recommendation to approve and the amendment shall be returned to the City Council for adoption.

17.108.060 Required Findings

The Planning Commission shall not recommend and the City Council shall not approve a zoning amendment unless the proposed amendment meets the following findings:

- A. The proposed amendment is consistent with the goals, objectives, and policies of the General Plan;
- B. That the proposed amendment will promote growth of the City in an orderly manner and will promote and protect the public health, safety, or welfare of the community;
- C. That the anticipated land uses on the subject site will be compatible with existing and future surrounding uses;
- D. That the City's inventory of residential lands for qualified housing sites has not been reduced; and
- E. That the proposed amendment is consistent with any development related application that is processed and approved concurrently with the amendment application.

Chapter 17.112 **Planned Development (PD) (Updated)**

Sections:

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17.112.020 Procedure IV-52

17.112.030 Findings..... IV-52

17.112.010 Purpose

Planned Developments (PD) afford maximum flexibility and diversity in site planning and building design and layout while protecting the integrity and character of the residential, commercial, and industrial areas of the City. The design, configuration and impact of the proposed Planned Development project shall be compared to the General Plan, the purpose and standards of the applicable zone and any other applicable standards and design guidelines. The Planned Development zone provides for comprehensive analysis of project-related impacts while allowing for non-traditional or unique site plan design.

17.112.020 Procedure

Applications for a Planned Development shall be processed following the procedures established in Chapter 17.108, Amendments to the Zoning Map and Text.

17.112.030 Findings

In addition to the findings for approval of a zone change established in Section 17.108.060, Required Findings, each Planned Development application shall be analyzed to ensure that it is consistent with the purpose and intent of this Chapter. The City Council may impose specific development conditions relating to both on- and off-site improvements that are necessary to mitigate project-related adverse impacts and to carry out the purpose and requirements of the Planned Development. The City Council may approve a Planned Development if all of the following findings are made:

- A. The site is physically suitable for the type and intensity of the land use being proposed;
- B. The proposed project would be harmonious and compatible with existing and future developments within the zone and surrounding area;
- C. In the case of a proposed residential project, the development will constitute a residential environment of sustained desirability and stability and will result in an intensity of land utilization no higher than, and standards of open space no less than, permitted for a similar development within the zone district;
- D. The approval of the Planned Development for the proposed project complies with CEQA;
- E. The proposed project is consistent with the General Plan;

- F. The location, size, design, and operating characteristics of the proposed project are not detrimental to the public interest, health, safety, convenience, or welfare of the community; and
- G. The proposed project, subject to the proposed integrated Planned Development design, will be superior to development otherwise allowed in the underlying zone and, therefore, justifies the exceptions to the requirements of this Chapter.

Chapter 17.116 Precise Plans

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17.116.010 Purpose

- A. **Purpose.** A Precise Plan allows for a coordinated comprehensive framework of development objectives, standards, and design guidelines to fit unique opportunities and challenges, but does not typically include a financing or capital improvement program. A Precise Plan;
1. Provides unique and creative planning opportunities that may encompass a single or multiple properties;
 2. Provides a tool for coordinating future public and private improvements on specific properties where special conditions of size, shape, land ownership, or existing or desired development require particular attention;
 3. Facilitates the development of an exceptional project design that cannot be built under an existing zone or due to constraints of existing development standards;
 4. Furtheres the implementation of specific goals and policies of the City as provided in the General Plan;
 5. Looks beyond the limits of a particular property to solve circulation, drainage, utility, and/or other neighborhood compatibility concerns; and
 6. Develops a long-term plan to guide future development that specifies allowed uses, intensity of use, relationship to neighboring properties, parking and circulation, open space, special design standards, public improvements, and procedures for development review that may differ from underlying zoning.

17.116.020 Initiation of Precise Plan

- A. **Initiation.** A Precise Plan may be initiated for any reason beneficial to the City by motion of the Planning Commission or the City Council, or by any qualified applicant identified in Section 17.96.020, Application Forms and Fees, or by application of property owner(s) of parcel(s) to be affected by the Precise Plan.

- B. **Application.** A qualified applicant shall submit an application for a Precise Plan on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees. The Planning Commission or City Council may direct that specific information be provided at the time initial application is submitted.

17.116.030 Review Procedures and Public Notice

- A. **Staff Report.** The Director shall prepare a report and recommendation to the Planning Commission on any application for a Precise Plan. The report shall include, but not be limited to, a discussion of how the proposed amendment satisfies the criteria and findings in Section 17.108.060, Required Findings, for approving a Precise Plan and an environmental document prepared in compliance with CEQA.
- B. **Neighborhood Meeting.** At the discretion of the Director, the applicant may be required to conduct a neighborhood meeting prior to an application being submitted or during the review of an application as put forth in Section 17.96.070, Neighborhood Meeting. The meeting may be required when in the opinion of the Director, the Precise Plan may have an impact on a neighborhood, the project is unique, or the project is of such scale or scope that it is likely to generate community interest.

17.116.040 Planning Commission Hearing and Recommendation

- A. **Planning Commission Hearing.** The Planning Commission shall conduct at least one public on any proposed Precise Plan and make recommendations to the City Council in conformance with the provisions of Section 17.96.090, Conduct of Public Hearing.
- B. **Public Notice.** At least 10 days before the date of public hearing, the Director shall provide notice as specified in Section 17.96.080, Public Notice. Notice of the hearing also shall be mailed or delivered to any local agencies expected to provide essential facilities or services to the property that is the subject of the proposed amendment.
- C. **Recommendation to Council.** Following the public hearing, the Planning Commission shall make a recommendation on the proposed Precise Plan to the City Council. The recommendation shall include the reasons for the recommendation, the relationship of the Precise Plan to the General Plan, findings related to the criteria for Precise Plans in Section 17.108.060, Required Findings, and the relationship of the proposed Code or amendment to other adopted documents and plans. The Director shall transmit the Planning Commission's written recommendation and complete record of the application to the City Council.

17.116.050 City Council Hearing and Action

- A. **City Council Hearing.** After receiving the report with the Planning Commission's recommendation, the City Council shall hold a public hearing in accordance with Section 17.96.090, Conduct of Public Hearings.
- B. **Public Notice.** At least 10 days before the date of public hearing, the Director shall provide notice as specified in Section 17.96.080, Public Notice. The public hearing notice for the hearing shall include a summary of the Planning Commission recommendation. Notice of the

hearing also shall be mailed or delivered to any local agencies expected to provide essential facilities or services to the property that is the subject of the proposed amendment.

- C. **City Council Action.** After conclusion of the hearing, the City Council may approve, modify, or deny the proposed Precise Plan by resolution in accordance with the requirements of this Code. If the Council proposes a substantial modification not previously considered by the Planning Commission during its hearings, the proposed modification shall first be referred back to the Planning Commission for report and recommendation, but the Planning Commission shall not be required to hold a public hearing. The failure of the Planning Commission to report within 40 days after the referral, or such longer period as may be designated by the legislative body, shall be deemed a recommendation to approve and the Precise Plan shall be returned to the City Council for adoption.

17.116.060 Required Findings.

A Precise Plan shall not be adopted unless the following findings are made:

- A. The proposed Precise Plan is consistent with the goals, policies, and objectives of the General Plan.
- B. The proposed Precise Plan meets the applicable requirements set forth in this Code.

Chapter 17.120 Specific Plans

Sections:

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17.120.010 Specific Plan Provisions

- A. **Authority for Specific Plans.** Pursuant to California Government Code § 65450 et seq., the City Council is authorized to prepare, adopt and implement Specific Plans for areas within the incorporated City boundary and/or the Woodland General Plan urban limit line.
- B. **Purpose of Specific Plans.** The Specific Plan process provides an opportunity for unique and imaginative planning standards and regulations not provided through the application of standard zones. The Specific Plan should encourage the creative and imaginative planning of integrated, mixed-use developments which provide for a balance of residential, commercial, industrial, open space, and support land uses. A Specific Plan prepared in accordance with the requirements in this Chapter is intended to serve as a policy and regulatory document, with policy direction and project development concepts consistent with the General Plan, and the development standards and zoning included to address the unique situations within the Specific Plan area to provide regulatory controls. Once approved, a Specific Plan will include the zoning standards for the properties within the Specific Plan boundaries. Thus, a Specific Plan must contain sufficient detail to allow implement provisions and to describe to developers how properties within the Plan area may be developed.
- C. **Intent.**
1. Pursuant to state law, after the City Council has adopted a General Plan, the Director may, or if so directed by the City Council shall, prepare Specific Plans for the systematic implementation of the General Plan for all or part of the area covered by the General Plan. Specific plans shall be utilized to implement the policy and intent of the General Plan and shall not be used to circumvent the General Plan process in which general development policy is determined. The preparation and processing of Specific Plans shall be a collaborative effort. As such, the City, applicant, and other agencies shall work collaboratively to create a plan that conforms to the General Plan goals and policies.
 2. This Section is intended to apply to areas designated “Specific Plan Areas” in the General Plan. As an integral part of the Specific Plan process described in this Chapter, applicants shall comply with all infrastructure master plans adopted or being considered by the City pursuant to the General Plan, including, but not limited to, water, sewer, storm drainage, traffic, and parks.

3. In the event there is a discrepancy between standards adopted within a Specific Plan and comparable regulations of the City Zoning Code, the standards and regulations made part of the Specific Plan shall prevail.
- D. **Fees.** All costs associated with review and processing of Specific Plans shall be the responsibility of the applicant. Upon the submittal of a formal Specific Plan application, the applicant shall be required to deposit and maintain an amount determined by staff to be sufficient to cover the estimated cost to process the application, including staff time, environmental review, consultant's and attorney's fees and other costs. All deposits shall be made pursuant to a written agreement in a form approved by the Director for advance of funds.

17.120.020 Mandatory Contents of the Specific Plan

A Specific Plan shall be established by ordinance, and each Specific Plan shall include at a minimum the requirements for a Specific Plan established in California Government Code § 65451. In addition, the Specific Plan shall include the information provided on the application form and checklist for a Specific Plan submittal. It is expressly intended that information for projects which are long-term in nature or for which detailed planning may occur at a later date may provide some information at a conceptual level. If required elements are not provided, or are provided at a conceptual level, the Specific Plan shall include a schedule or program for providing these items and may be conditioned to require the provision of these items prior to the approval of development projects within the Specific Plan.

17.120.030 Request for Specific Plan Process

- A. **Initiation Procedures.** A Specific Plan shall be initiated by the City Council by the adoption of a resolution of intention. Specific Plans may be initiated for any lands located within the urban limit line of the General Plan; however, the City will not process a Specific Plan located in an area impacted by flooding until such time that a flood solution design has been approved and funding has been allocated.
- B. **Request for Specific Plan Process.** A request for preparation of a Specific Plan may be made by a qualified applicant or by the City.
1. **City.** In the case of a City initiated and prepared Specific Plan, the City shall prepare a staff report to the City Council addressing the submittal requirements included in the "Request to Prepare a Specific Plan" for other applicants.
 2. **Applicants.** A qualified applicant identified in Section 17.96.020, Application Forms and Fees, wishing to use a Specific Plan to implement General Plan policy shall petition the City requesting permission to prepare a Specific Plan for their project. The applicant shall file a "Request to Prepare a Specific Plan" with the Director and shall pay the appropriate fees. The applicant is not required to own or otherwise control the majority of the property requested to be included within the Specific Plan area.

- C. **Pre-initiation Conference.** Upon receipt of the petition, the Director shall schedule a pre-initiation meeting with the applicant within 30 days to review the Specific Plan process. Upon review of the petition, the Director has the discretion to propose enlargements or modifications to the proposed Specific Plan boundaries and scope of the project in order to facilitate comprehensive planning.
- D. **Preparation of Staff Report Recommending Disposition of Petition.** The Director shall prepare a staff report, including a recommendation to accept or deny the petition.
- E. **Consideration by Planning Commission.** The petition and staff report shall be scheduled as an item on the agenda of a Planning Commission meeting. No noticing or public hearings are required for a petition for a Specific Plan. The Planning Commission shall make a recommendation to the City Council on whether the petition should be accepted or denied. Their recommendation should state whether they think the proposed boundaries of the Specific Plan area are appropriate and consistent with policies of the General Plan. The Director shall transmit the Planning Commission's written recommendation and complete record of the application to the City Council.
- F. **Consideration by City Council.** The petition and staff report shall be scheduled as an item on the agenda of a regularly scheduled City Council meeting. Upon scheduling the petition at a meeting of the City Council, the Director shall conduct an initial notification of the meeting. This notification shall be sent to all property owners within the Specific Plan area, as well as those within 300 feet of the Specific Plan boundaries. The City Council may act to deny the petition or accept the petition directing that the applicant and the City prepare a Specific Plan for the area as proposed by the applicant, or as recommended in the staff report prepared by the Director, or as the City Council may otherwise determine. If the City Council accepts the petition, the Council shall adopt a resolution initiating the Specific Plan process, may direct the formation of a Technical Advisory Committee (TAC), and may consider formation of a Citizens Advisory Committee.

17.120.040 Specific Plan Preparation Process

- A. **Application.** A qualified applicant shall submit an application for a Specific Plan on a form prescribed by the Director as prescribed in Section 17.96.020, Application Forms and Fees. The Planning Commission or City Council may direct that specific information be provided at the time initial application is submitted. The application for a Specific Plan shall include accompanying diagrams and other pertinent information regarding proposed amendments to appropriate plans or proposals to amend zoning regulations. These diagrams and other information may consist of conceptual land use diagrams and objectives describing the proposed intent of urbanization. At a minimum, the Specific Plan should contain text and diagrams as specified in California Government Code § 65451. Project applicants should seek guidance from the Director prior to submitting an application for a Specific Plan.
- B. **Environmental Review.** The City shall review the Specific Plan application and may identify information and technical studies necessary to complete an environmental review in compliance with CEQA.

- C. **Citizen's Advisory Committee.** The City Council may appoint a Citizen's Advisory Committee (CAC) to assist in the preparation and/or review of any Specific Plan proposal.
- D. **Technical Advisory Committee.** As directed by the City Council, the City may convene a Technical Advisory Committee (TAC) comprised of representatives of key City departments and other agencies to review and advise on technical matters of consequence to the Specific Plan. The TAC shall meet with the applicant as necessary to discuss key project issues and shall review technical matters as appropriate. The TAC shall provide the applicant with information regarding City policy, standards, and guidelines in response to the proposed Specific Plan. The City has the authority to determine the adequacy of documents pursuant to Subsection 17.120.040.E, Preparation.
- E. **Preparation.** Prior to the preparation of the plan or other technical studies, the applicant shall meet with appropriate City staff and/or the TAC to review assumptions, methodology, data and information resources, time frame and scope of work. These items shall be prepared to the satisfaction of the Director. The Specific Plan and accompanying technical documents and studies may be prepared by the applicant or applicant's representative. The Specific Plan, and related technical documents are subject to the review and approval of the City. The Director has the authority to require revisions to technical information deemed necessary. In the event that consensus between the applicant and the City is not reached, the Director may require that alternatives to the plan be prepared and submitted for review. These alternatives may be required in order to meet the policies of the General Plan.
- F. **Staff Review of Draft Documents.** In order to initiate the City's formal application review process, the applicant shall indicate in writing the submittal of a formal "request to initiate staff review" along with all appropriate draft documents, such as draft technical studies and the draft Specific Plan. During its review, City staff may find the documents incomplete and may request additional information. The project shall not proceed further until all additional information is deemed adequate and complete.
- G. **Public Review and Comment.** Following publication of the CEQA environmental document, the environmental document shall be circulated for public review and comment as provided by state law and the City's procedures for preparation and processing of environmental documents.
- H. **Planning Commission Consideration of Specific Plan.**
 - 1. The Planning Commission shall conduct at least one public hearing on a proposed Specific Plan and make recommendations to the City Council in conformance with the provisions of Section 17.96.090, Conduct of Public Hearing.
 - 2. **Public Notice.** At least 10 days before the date of public hearing, the Director shall provide notice as specified in Section 17.96.080, Public Notice. Notice of the hearing also shall be mailed or delivered to any local agencies expected to provide essential facilities or services to the property that is the subject of the Specific Plan.
 - 3. **Recommendation to Council.** Following the public hearing, the Planning Commission shall make a recommendation on the proposed Specific Plan to the City Council on whether to adopt, reject or modify the proposed Specific Plan or amendments. The recommendation shall include the reasons for the recommendation and findings

related to the supporting the recommendation. The Director shall transmit the Planning Commission's written recommendation and complete record of the application to the City Council.

I. City Council Consideration of Specific Plan.

1. **City Council Hearing.** After receiving the report from the Planning Commission, the City Council shall hold a noticed public hearing in conformance with Section 17.96.090, Conduct of Public Hearing.
2. **Public Notice.** At least 10 days before the date of public hearing, the Director shall provide notice as specified in Section 17.96.080, Public Notice. The notice shall include a summary of the Planning Commission's recommendation. Notice of the hearing also shall be mailed or delivered to any local agencies expected to provide essential facilities or services to the property that is the subject of the Specific Plan.
3. **City Council Action.** The City Council shall review the Planning Commission's recommendation. At the conclusion of the hearing, the City Council shall act by resolution to adopt, reject, or modify the Specific Plan or proposed amendment.
4. If the City Council, prior to approval of the Specific Plan, desires changes or modifies a major or significant portion of a proposed Specific Plan recommended by the Planning Commission, then the substantial changes and/or modifications must first be referred back to the Planning Commission for consideration, unless the Planning Commission considered similar changes and/or modifications as part of its deliberation.

J. Fees for Processing Specific Plans. The City Council may establish as a part of the resolution adopting a Specific Plan a fee or fees to be applied to a Specific Plan area in order to reimburse the City and/or the applicant for the costs of preparation, processing, and administration of the Specific Plan. Actual costs of said preparation and processing of the plan shall be assessed based on relative benefits to the affected property owners.

Chapter 17.124 Reserved

Chapter 17.128 Enforcement (Updated)

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17.128.010 Purpose

This Chapter establishes the responsibilities of various departments, officials, and public employees of the City to enforce the requirements of this Zoning Code and establishes uniform procedures the City will use to identify, abate, remove, and enjoin uses, buildings, or structures that are deemed to be in violation of this Code.

17.128.020 Enforcement

All departments, officials, and public employees of the City vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Code, and shall issue no permit or license for uses, buildings or purposes in conflict with the provisions of this Code, and any such permit or license issued in conflict with the provisions of this Code shall be null and void. It shall be the duty of the Building Inspector of the City to enforce the provisions of this Code pertaining to the erection, construction, reconstruction, moving, conversion, alteration, or addition to or of any building or structure and it shall be the duty of the Director and the Zoning Administrator to enforce all other provisions of this Code.

17.128.030 Violation

- A. In the event any person, firm, or corporation should erect, construct, move, or alter any building or structure in violation of the provisions of this title, or any use of any property conducted, operated, or maintained contrary to the provisions of this title shall be declared to be unlawful and a public nuisance. The City Attorney shall immediately commence action or proceedings for the abatement, removal, and enjoyment thereof in a manner provided by law.
- B. Any permit granted under the Zoning Code may be revoked in accordance with the provisions in Section 17.96.150, Revocation of Permits, if any of the conditions or terms of such permit

are violated or if any law or ordinance is violated, except that no lawful residential use can lapse regardless of the length of time of the vacancy.

17.128.040 Penalties

Any person, firm, or corporation, whether as principal, agent, employee or otherwise, violating or failing to comply with a mandatory requirement of this Title shall be guilty of a misdemeanor but may be cited or charged, at the election of the enforcing officer or City Attorney, as an infraction. Upon conviction, such person shall be punished as set forth in the Woodland Municipal Code Section 1.08.070, General penalty—Continuing violations—Aiding or abetting. A person, firm, or corporation shall be deemed guilty of a separate offense for each day during any portion of which any violation of this Title is committed, continued, or permitted by such person, firm, or corporation, and shall be punished accordingly.

17.128.050 Remedies

The remedies provided in this Chapter shall be cumulative and not exclusive. Upon a finding of nuisance pursuant to this Chapter, and after giving the property owner an opportunity to cure the nuisance and determining that the nuisance still exists, the Director, Planning Commission or City Council may impose any remedy available at law or in equity, which shall include, but is not limited to, any individual or combination of the following:

- A. Ordering the cessation of the use in whole or in part;
- B. Imposing reasonable conditions upon any continued operation of the use, including those uses that constitute existing nonconforming uses;
- C. Requiring continued compliance with any conditions so imposed;
- D. Requiring the user to guarantee that such conditions shall in all respects be complied with; or
- E. Imposing additional conditions or ordering the cessation of the use in whole or in part upon a failure of the user to comply with any conditions so imposed.

17.128.060 Abatement

Notices of violation shall be provided and recorded and nuisances abated, according to the following procedures.

- A. **Initiation.** Proceedings under this Section to terminate, modify or condition (i.e., “abate” or if the context requires, “abatement”) any use, structure or building may be initiated by resolution of the Planning Commission or the City Council on its own accord or following recommendation by the Director. In either case, the resolution shall identify the use, building, or structure being considered, identify the property involved, set forth the reason or reasons for the proposed abatement, and fix a time and place for a public hearing on the proposed abatement. In the case of proceedings initiated by the Council, the resolution shall refer the matter for a public hearing before the Commission. A resolution initiating abatement proceedings may be adopted without a public hearing.

- B. **Notice.** Upon initiation of abatement proceedings, the Director shall give notice of a public hearing before the Commission pursuant to the provisions in Chapter 17.96, Common Procedures. In addition, within the prescribed time period, the Director shall also mail the notice of the hearing to the person or persons whose use, structure or building is the subject of the abatement proceedings, any person who requested initiation of abatement proceedings, and to any other person who has filed a written request with the Director for such notice.
- C. **Public Hearing.** The Planning Commission shall conduct a noticed public hearing and shall provide for testimony by City staff and the owner of the use, structure, or property that is the subject of the proceeding. Any other interested person shall also be given an opportunity to provide testimony.
- D. **Action.** The Planning Commission shall consider the staff report and the evidence, testimony, and facts presented at the hearing before taking action. If the Commission finds that the use, building, or structure constitutes a nuisance, it may impose any remedy as provided for in this Chapter.
- E. **Decision and Notice.** After the Commission takes abatement action to modify a permit, the Director shall issue a Notice of Action describing the Commission's action, with its findings. The Director shall mail the notice to the permit holder and to any person who has requested such notification by filing a written request with the Director and shall file a copy of the Notice of Decision with the City Clerk. The Clerk shall present said copy to the Council at its next regular meeting.
- F. **Effective date; Appeal to Council.** A decision to abate a nuisance shall become effective immediately after the date of decision unless appealed to the Council within 15 days. If the Council finds, after a noticed public hearing, that the use, structure, or building constitutes a nuisance, it may impose any remedy provided for in this Chapter. If the Council finds that the use, structure, or building is not a nuisance, it shall reverse the decision of the Commission.
- G. **City Attorney Action.** The City Attorney shall, upon order of the City Council, or on his or her own motion, immediately commence action or proceedings for the abatement and removal and enjoinder of said public nuisance in the manner prescribed by law, and shall take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or structure, and restrain and enjoin any person, firm, or corporation from setting up, erecting, building, maintaining, or using any such building contrary to the provisions of this Code.

17.128.070 Recording a Notice of Violation

- A. If compliance is not had with an order of the Director or the Building Official to correct violations of this Code within the time specified, the City Manager may file in the Office of the Yolo County Recorder, a certified statement describing the property and certifying that:
 - 1. The property and/or structure is in violation of this Code; and
 - 2. The owner has been notified of the violation. The notice shall specifically describe the violations and a proof of service shall also be recorded with the Notice and Order.

- B. Whenever the corrections ordered have been completed, the Director shall file a new certified statement with the County Recorder certifying that all required corrections have been made so that the property and/or structure is no longer in violation of this Code.

Chapter 17.132 Reserved

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DIVISION V: DEFINITIONS

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Chapter 17.136 Definitions of Terms

This Chapter provides definitions for terms that are commonly used throughout this Title. Refer to Chapter 17.144, Definitions of Uses, for definitions of all uses established in the use tables on Division II, Zone Regulations.

Abandoned, Abandonment. When, for the period of time established in Chapter 17.80, Nonconforming Provisions, a nonconforming use is either vacated, the business license lapses, the lease is terminated, and/ or utilities are terminated.

Abutting, Adjoining, or Adjacent. Having a common property or district line.

Access. The place or way through which pedestrians and/ or vehicles shall have safe, adequate, and usable ingress and egress to a property or use as required by this Code.

Accessory Building. A detached building located on the same lot as the principal (main) building, the use of which is normally incidental, ancillary, and entirely secondary to that of the principal building.

Accessory Structure. A detached subordinate structure used only as incidental, or ancillary, to the main structure on the same site or lot. Accessory structures include but are not limited to detached parking garages, gazebos, sheds, flagpoles, pool houses, and patio covers/sunshades,

Accessory Use. A use that is customarily associated with, and incidental and subordinate to, the principal use of a building or land, is located on the same lot as the primary use. Accessory uses are typically not greater than 20 percent of the floor area of the primary structure or use.

Addition. Any construction which increases the size of a building or facility in terms of site coverage, height, length, width, or gross floor area.

Agent of Owner. Any person who can show written proof that they are acting for the property owner.

Alley. A public way permanently reserved for access to the rear or side of properties otherwise abutting on a street.

Alteration. Any change, addition, or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance, and repairs.

Ancillary. Subordinate, connected with something, but less important than the main feature. Providing necessary support to the primary activities or operation.

Antenna. Any system of wires, poles, rods, discs or other similar devices used for the transmission or reception of radio frequency electromagnetic waves when such system is external or attached to the exterior of a structure.

Appeal Board. The City Council shall act on appeals from the decisions of the Planning Commission.

Applicant. A person who requests in writing the approval of a permit, license, certificate, or other entitlement for use from one or more public agencies. An applicant includes the owner of property for which the application is submitted or the owner's authorized agent.

Application. The form and information submitted by an applicant. The form and information is to be used to determine whether to approve or deny permits or other entitlement for use.

Appurtenant. Secondary or incidental; auxiliary.

Arcade. A public way passageway or colonnade open along at least one side, except for structural supports, usually covered by a canopy or permanent roofing.

Area, Gross. The entire area within the boundaries of a project site, building, or lot, measured to the centerline of proposed bounding streets and to the edge of the right-of-way of existing or dedicated streets.

Area, Net. The developable area of a lot or parcel excluding streets or rights-of-way.

Artist. A person who has a reputation among his or her peers as a person of artistic excellence, through a record of exhibitions, public commissions, sale of works, or educational attainment, as judged by the Design Review Authority for the project. In determining whether an artist is qualified for a particular project, the Design Review Authority shall consider the following criteria:

- a. The artist has demonstrated successful, creative, innovative, and effective approach in comparable projects as that proposed;
- b. The artist has proven mastery or skill in at least one artistic medium;
- c. The artist's ability to complete the project within a reasonable timeframe as judged by the Design Review Authority for the project; and
- d. The artist's prior experience in producing public art. If an artist does not have prior experience in producing public art, the artist shall be considered qualified if they have significant experience working as a professional artist as evidenced by the artist's exhibit record, critical review, honors, and awards.

Automatic Irrigation System. An irrigation system that utilizes an automatic timing device (automatic controller) to remotely control valves for operation of water supply to landscapes.

Average Grade. A horizontal line approximating the ground elevation through each building on a site used for calculating the exterior volume of a building. Average grade is calculated separately for each building.

Awning. An architectural projection that provides weather protection, or decoration and is wholly supported by the building to which it is attached. An awning is typically constructed of non-rigid materials on a supporting framework, which projects from and is supported by the exterior wall of a building.

Balcony. A platform that projects from the wall of a building 30 inches or more above grade that is accessible from the building's interior, is not accessible from the ground and is not enclosed by walls on or more than two sides. See "Deck."

Basement. A story partly or wholly underground. See "Story."

Base Station. The power supplies, electronic equipment housed in cabinets and antennas at an existing wireless tower site that together comprise a wireless tower.

Bay Window. An angular or curved window that projects from the building surface.

Bedroom. Any habitable space in a dwelling unit or accessory structure other than a kitchen or living room that is intended for or capable of being used for sleeping and is at least 70 square feet in area.

Block. Property bounded on all sides by a public right-of-way.

Block Face. All property between two intersections that fronts upon a street or abuts a public right-of-way.

Buffer, Buffering. An area on a parcel that is designed to separate structures and uses from the general public and/ or adjacent properties to reduce negative impacts. It may include landscaping, fences, and walls.

Building. Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, or property.

Building Envelope. The aggregate of building mass and building bulk permitted on a parcel, which is defined by height regulations, setbacks, and other property development standards.

Building Face. The general outer surface of the structure or walls of a building, excluding stoops, bay windows, columns, balconies, or other projecting architectural features.

Building Frontage. The building façade that directly abuts a public street, private street, parking lot driveway, parking spaces, pedestrian mall, or walkway. The primary business frontage is one which contains a customer entrance or which includes a glass-enclosed showroom facing the street.

Building Height. The vertical distance measured from the average level of the highest and lowest point of that portion of the lot covered by the building to the topmost point of the roof excluding chimneys, elevators, ventilation and air conditioning equipment, and parapet walls.

Building Official. The City's Building Official or designee.

Building Site. A parcel or parcel of land occupied, or to be occupied, by a main building and accessory buildings together with such open spaces as are required by the terms of this title and having its primary frontage on a street, road, highway, or waterway.

California Department of Alcoholic Beverage Control (ABC). The California State agency that regulates the permitting of alcoholic beverage sales, including the sale of beer, wine, and distilled spirits.

California Environmental Quality Act (CEQA). California Public Resources Code § 21000 et seq. or any successor statute and associated guidelines (California Code of Regulations § 1500 et seq.) that require public agencies to document and consider the environmental effects of a proposed action before a decision.

California Model Water Efficient Landscape Ordinance (MWELO). See California Code of Regulations, Title 23. Waters, Divisions 2. Department of Water Resources, Chapter 2.7 Model Water Efficient Landscape Ordinance.

Cannabis. All or any parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. Cannabis also means the separated resin, whether crude or purified, obtained from cannabis, and cannabis as defined by the California Health and Safety Code § 11018, as it may be amended. For purposes of this Title, cannabis means and includes both cannabis for medical purposes and non-medical, adult-use purposes, unless otherwise specified, but does not include industrial hemp.

Cannabis Business. A business activity including, but not limited to, transporting, manufacturing, compounding, converting, processing, preparing, storing, packaging, distributing, researching, testing, providing, or selling wholesale and/or retail sales of cannabis. A cannabis business includes any facility, building structure, or location, expressly including dispensaries and deliveries, and shall expressly include those commercial cannabis activities authorized and/or licensed by State law.

Canopy. A roofed shelter projecting over a sidewalk, driveway, entry, window, or similar area that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extending from the ground.

Carport. A permanently roofed structure-providing space for parking or temporary storage of vehicles enclosed on not more than two sides.

Change of Occupancy. A discontinuance of an existing building use and substitution of a new use that changes the Building Code occupancy group classification and requires a Building Permit and new Certificate of Occupancy as determined by the Building Official.

Change of Use. A discontinuance of an existing use and the substitution therefore of a use such that the new use represents a different use group or is otherwise differently regulated by the zoning code compared to the prior use. A change of ownership alone does not constitute a change of use.

Chief of Police. The City of Woodland Chief of Police or designee.

City Council. The City Council of the City of Woodland.

City Manager. The manager of the City of Woodland or designee.

Cluster Housing. Housing that is configured as multiple units on one lot, typically as a group of detached individual units. Cluster housing typically includes shared vehicular access and open space. Cottage court and drive court developments are considered cluster housing.

Co-location. The practice of sharing support structures and buildings by wireless telecommunications providers (either public or private).

Concealed From View. A tower or support structure, ancillary facility, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site. Concealed facilities may be attached or freestanding. A concealed attached facility may include, but is not limited to, the following: faux windows, dormers or other architectural features that blend with an existing or proposed building or facility. Freestanding concealed antenna support facilities may have a secondary, function which may be, but is not limited to, the following: church steeple, windmill, bell tower or support structure, clock tower or support structure, light standard, or flagpole.

Conditionally Permitted. A use permitted subject to approval of a Conditional Use Permit.

Condominium. Real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a multi-unit building on the real property.

Construction. Construction, erection, enlargement, alteration, conversion, or movement of any building, structures, or land together with any scientific surveys associated therewith.

Construction Cost. The total cost of any development project. Calculations shall be based on all aspects of construction and improvement costs, not to include system and operational equipment costs, grading, or sidewalks as declared on all Building Permit applications. Building Permit

applications shall include, but not be limited to, all building, plumbing, mechanical and electrical permit applications for the project.

Cottage Court Development. A group of small, detached single unit structures, arranged to define a shared court that is typically oriented perpendicular to the street. Units are typically one-story and access to shared drive aisles or shared parking areas is typically provided from the side or rear of the lot. Cottage court development is a type of cluster housing. Also known as bungalow court development.

Cottage Food Employee. An individual, paid or volunteer, who is involved in the preparation, packaging, handling, and storage of a cottage food product, or otherwise works for the cottage food operation. An employee does not include an immediate family member or household member of the cottage food operator.

Cottage Food Operation. An enterprise that is accessory to a residential use and operated by a cottage food operator and not more than one full-time equivalent cottage food employee, not including a family member or household member of the cottage food operator, within the registered or permitted area of a private home where cottage food products are prepared or packaged for direct or indirect sale to consumers, as defined and may be amended by the California Department of Public Health, California Health and Safety Code § 113758. Gross annual sales are regulated by and subject to the provisions of California Health and Safety Code § 113758.

Cottage Food Operator. An individual who operates a cottage food operation in his or her private home and is the owner of the cottage food operation.

Cottage Food Products. Non-potentially hazardous foods, including foods that are limited to and described in the California Health and Safety Code § 114365.5 and that are prepared for sale in the kitchen of a cottage food operation.

Council. The City Council of the City of Woodland.

Court, or Courtyard. An open unoccupied space, on the same lot with a building or buildings and bounded on two or more sides by such building or buildings.

Cultivation. Any activity involving the planting, growing, harvesting, drying, curing, grading, trimming, or processing of cannabis or any part thereof.

Curb Cut. A break in a curb allowing vehicles access from the roadway to a legal parking area within the parcel.

Deck. A platform, either freestanding or attached to a building that is used for outdoor space. It typically extends from the façade of a building and is supported by pillars or posts but may be located on a flat portion of a building, such as a roof or setback. It is distinct from a patio. See “Balcony.”

Demolition. The destruction, dismantling, or removal of a building or structure, or substantial portion of a building or structure so that it constitutes demolition pursuant to the provisions of this Code.

Density. The ratio between dwelling units and land, expressed as the number of dwelling units per gross acre.

Density Bonus. A density increase granted in accordance with California Government Code § 65915 and Woodland Municipal Code Chapter 15.16, Affordable Housing.

Department. The Community Development Department.

Developer. The person or entity that is financially and legally responsible for the planning, development, and construction of any development project, who may, or may not, be the owner of the subject property.

Development. Any man-made change to improved real estate, including, but not limited to, the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, expansion, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

Development Agreement. An agreement between the City and any person having a legal or equitable interest in real property for the development of such property and that complies with the applicable provisions of the Government Code and local laws for such development agreements.

Director. The Community Development Director, or designee.

Direct Sale. A transaction between a cottage food operation operator and a consumer, where the consumer purchases the cottage food product directly from the cottage food operation. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales or food swaps, transactions at farm stands, certified farmers' markets, or through community-supported agriculture subscriptions, and transactions occurring in person in the cottage food operation.

Discretionary Permit. A Zoning Administrator Permit, Variance, Temporary Use Permit, Planned Development Permit, or Conditional Use permit or any other appealable permit that requires findings to be made.

Drip Irrigation. Any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

Drive Court Development. A group of detached single unit structures or duplexes arranged to face a central shared drive aisle. The shared drive aisle typically provides access to individually secured, attached garages. The drive aisle may extend partway into a lot, through to a rear alley, or between rights-of-way when located on a through lot. Drive Court development is a type of cluster housing.

Driveway. An access way that provides vehicular access between a street and the parking or loading facilities located on an adjacent property.

Drought-Tolerant Plant. A plant that is adapted to arid or drought conditions. The use of drought-tolerant plants is essential to a successful xeriscape, which ideally requires no supplemental irrigation.

Dwelling. Any building or portion thereof designed or used exclusively for residential occupancy.

Dwelling Unit. One or more rooms and a single kitchen area designed for occupancy by one family for living and sleeping purposes.

Easement. A portion of land created by grant or agreement for specific purpose; an easement is the right, privilege, or interest which one party has in the land of another.

Eave. The projecting lower edges of a roof overhanging the wall of a building.

Effective Date. The date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated. The Effective Date is also the date upon which this Zoning Code is in full force and effect from and after its adoption by the City Council.

Electronic Submittal. The submission of materials via electronic mail.

Emergency. A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

Enclosed. Surrounded by walls, including windows, doors, and similar opening or architectural features.

Entitlement. Formal permission from the Planning Division to use or develop land, including Zoning Clearances, Development Permits, and Conditional Use Permits, but not including legislative actions such as Rezones and Plan Amendments. An individual entitlement may be sufficient for a project to proceed or may need to be used in conjunction with another entitlement.

Entrance. An opening, such as door, passage, or gate, that allows access to a place.

Environmental Impact Report (EIR). An Environmental Impact Report as required under the California Environmental Quality Act.

Environmental Review. An evaluation process pursuant to CEQA to determine whether a proposed project may have a significant impact on the environment.

Erect. To build, construct, attach, hang, place, suspend, or affix to or upon any surface.

Excavation. The removal of soils or other materials below grade.

Existing Grade. The elevation of the ground at any point on a parcel as shown on the required survey submitted in conjunction with an application for a Building Permit or grading permit. Existing grade also may be referred to as natural grade.

Façade. Exterior, outer being on the outer side, situated or being outside; the outer surface. The face of the exterior wall of a building exposed to public view or that wall viewed by persons not within the building. The portion of any exterior elevation of a building extending vertically from the grade to the top of a parapet wall or eave, and horizontally across the entire width of the building elevation.

Façade, Street Facing. Any building façade whose exterior wall faces or is within 45 degrees of an adjacent street, right of way, or public park, plaza, or open space.

Family. One or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, or hotel, as defined by this Title.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Fee. A payment to the City for the processing of a permit, license, or appeal application by a City agency or department.

Fence. An artificially constructed barrier of any material or combination of materials erected to enclose or screen an area of land. Fences may also be walls, hedges, and screen planting.

Final Map. A map showing a subdivision of five or more lots, prepared for filing with the Yolo County Recorder in accordance with the provisions of the Subdivision Map Act and Part IV: Land Divisions, if deemed in substantial compliance with a previously approved tentative subdivision map and with any conditions to such approval.

Floor Area Ratio (FAR). The ratio of the total gross floor area of all buildings on a lot to the lot area. See Section 17.08.030, Rules of Measurement.

Floor Area, Gross. The total gross horizontal area of all the floors below the roof and within the outer surface of the walls of a building or structure, including basements, mezzanines, interior balconies, and upper stories or levels in a multi-story building unless otherwise stipulated.

Floor Area, Net. The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

Flush-mounted. Any antenna or wireless communication antenna array attached directly to the face of the support facility or building such that the antenna extends a minimal distance of eighteen inches beyond the width of the support facility or building. Where a maximum flush-mounting distance is given, that distance shall be measured from the outside edge of the support facility or building to the inside edge of the antenna.

Footprint. The horizontal area, as seen in plain view, of a building or structure, measured from the outside of exterior walls, and supporting columns, and excluding eaves.

Frontage, Lot or Parcel. The portion of property that abuts one side of a public street which allows primary access to the property. The public street frontage for residential lots fronting on a curved street, or on the curved portion of a cul-de-sac street, shall be measured along a chord located 20 feet from the edge of the street right-of-way.

Fully Shielded. Light fixture or luminous tube constructed and mounted such that all light emitted by the fixture or tube, either directly from the lamp, tube, or a diffusing element, or indirectly by reflection or refraction from any part of the light fixture, is projected below the horizontal. If the lamp or tube, any reflective surface, or lens cover (clear or prismatic) is visible when viewed from above or directly from the side, from any angle around the fixture or tube, the fixture or tube is not fully shielded.

Garage. A building or portion thereof, containing accessible and usable enclosed space designed, constructed, and maintained for the parking or storage of one or more motor vehicles.

General Plan. The City of Woodland 2035 General Plan adopted by City Council by Resolution 6836 on May 16, 2017, and as may be amended in the future.

General Plan Land Use Designations and General Plan Land Use Diagram. The designation depicted on Figure 2.5 of the General Plan entitled "Land Use Diagram" and the Land Use Diagram itself.

Glare. The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort, or loss of visual performance and ability, and which may also cause damage to property.

Grade. The location of the ground surface.

Graffiti. Marks, such as inscriptions, drawings, or design, which are placed, scratched, etched, painted, or sprayed on public or private property without owners' consent.

Ground Floor. The lowest floor of a building other than a basement that is closest to finished grade.

Ground Floor Street Frontage. The first level of a building, other than a basement that borders a public street.

Guest House. Living quarters within an accessory building for use by temporary guests of the occupants of the premises, having no kitchen or cooking facilities and not rented or otherwise used as a separate dwelling.

Habitable Space. As defined in the California Building Code § 202.

Habitation. Regular and exclusive use of a space or structure for shelter and other residential purposes in a manner that is private and separate from another residence on the same parcel.

Half-plex. See "Split Lot Duplex."

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

Hedge. Any group of shrubs planted in line or in groups so that the branches of any one plant are intermingled or form contact with the branches of any other plant in the line.

Height. The vertical distance from a point on the ground below a structure to a point directly above.

Hip Roof. A roof that slopes upward from all sides of a structure, having no vertical ends.

Historic Resource. A resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources and/or including the local register of historical resources. A "potentially historic resource" is a resource associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; is associated with the lives of persons important in our past; embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or has yielded, or may be likely to yield, information important in prehistory or history. A site specific historic evaluation may be necessary to determine historic significance.

Household. One or more persons living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food; who share living expenses, including rent or mortgage payments, food costs and utilities; and who maintain a single mortgage, lease, or rental agreement for all members of the household.

Hydrozone. A portion of the landscaped area that includes plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.

Illegal Nonconforming Use or Site Feature. A use, structure, site feature or lot shall be designated as having Illegal Nonconforming status if it was not lawfully established under the regulations of the jurisdiction in which it was located at the time of its establishment or has not continuously remained in compliance with all terms and conditions imposed upon the use, structure, or site feature upon its establishment or imposed upon it any time thereafter.

Impervious Surface. An artificial surface such as pavement that allows little to no water to pass through. Examples of impervious surfaces are roofs, asphalt, concrete, crushed gravel, compacted soil.

Indirect Sale. An interaction between a cottage food operation, a third-party retailer, and a consumer, where the consumer purchases cottage food products made by the cottage food operation from a third-party retailer that holds a valid permit issued pursuant to the California Health and Safety Code § 114381. Indirect sales include, but are not limited to, sales made to retail shops or to retail food facilities where food may be immediately consumed on the premises.

Intensity of Use. The extent to which a particular use or the use in combination with other uses affects the natural and built environment in which it is located, the demand for services, and persons who live, work, and visit the area. Measures of intensity include, but are not limited to, FAR, density, requirements for water, gas, electricity, or public services; number of automobile trips generated by a use; parking demand; number of employees on a site; hours of operation; the amount of noise, light, or glare generated; the number of persons attracted to the site, or, in eating establishments, the number of seats.

Interior. The inner or indoor part of something, especially a building; the inside; being within.

Kitchen. A room or space within a building with appliances used for cooking or preparing food.

Landscaping. The planting, configuration, and maintenance of trees, ground cover, shrubbery, and other plant material, decorative natural and structural features (e.g., walls, fences, hedges, trellises, fountains, sculptures), bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.

Lattice tower. A three or more legged structure designed and erected on the ground to support wireless telecommunication antennas and connecting appurtenances.

Legal Nonconforming Use, Structure, or Site Feature. A use, structure, or site feature shall be designated as having Legal Nonconforming status if it was lawfully established under the regulations of the jurisdiction in which it was located at the time of its establishment, and has continuously remained in compliance with all terms and conditions imposed upon the use, structure, or site feature upon its establishment or imposed upon it any time thereafter, based on evidence provided by the property owner, tenant, or applicant. Legal Nonconforming status shall also be assigned if nonconformities were created by a public improvement, such as a street widening project.

Light Fixture. The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirrors, and a refractor or lens.

Liquor Establishment.

Off-sale Liquor Establishment. Any establishment which is applying for or has obtained a liquor license from the California Department of Alcoholic Beverage Control, including Type 20 (off-sale beer and wine), Type 21 (off-sale general), for selling alcoholic beverages in an unopened container for the consumption off the premises. Off-sale liquor establishment shall not include food markets, supermarkets, drugstores, or any establishment in which sales of alcoholic beverages constitute less than 20 percent of total sales. The owner/operator shall submit evidence of total sales to the City Accounting Department, upon request by City officials, for the purpose of verifying compliance with this Title.

On-sale Liquor Establishments. Any establishment where alcoholic beverages are sold, served, or given away for consumption on the premises, including, but not limited to, any facility which has obtained a California Department of Alcoholic Beverage Control License.

Typical on-sale uses include, but are not limited to, the following establishments: ballrooms, dance bars, piano bars, billiard and/or game parlors, nightclubs, or other private clubs. This definition shall not include bona fide restaurants as defined herein, veterans' clubs, or the following fraternal organizations: Elks Club, Moose Club, or Eagle Club. Fraternal organizations not listed may be exempt if approved by the Planning Commission.

Loading Space. An off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley, or other appropriate means of access.

Local-serving or Neighborhood-serving. Having a market area generally not exceeding one mile in radius.

Lot. A parcel of land shown on a subdivision map, parcel map or record of survey map or described by metes and bounds and recorded in the office of the County Recorder of Yolo County, and/or a building site in one ownership having an area for a building or buildings, together with such yards, open spaces, or width, and lot areas as are required by this title, and have frontage upon a public street, road or highway (other than an alley), unless otherwise approved.

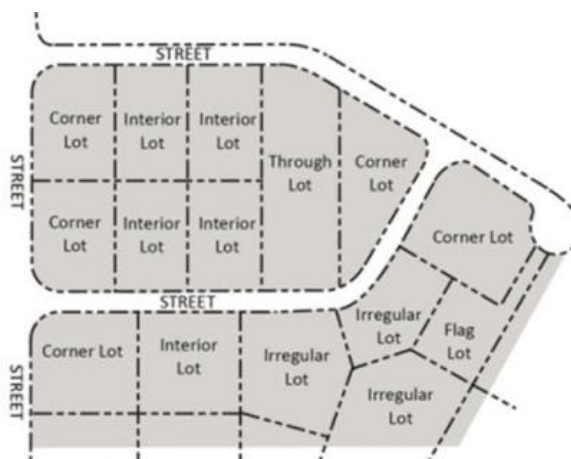
Lot, Corner. A lot situated at the intersection of two or more streets having an angle of intersection of not more than 135 degrees.

Lot, Flag. A lot so shaped and designed that the main building site area does not have street frontage but is connected to the street by a strip of land which is used for access purposes.

Lot, Interior. A lot other than a corner lot.

Lot, Through. A lot having frontage on two parallel or approximately parallel streets.

FIGURE 17.136-2: LOT TYPES



Lot Area. The total horizontal net area within the lot lines of a lot or parcel exclusive of streets, highways, roads, and alleys.

Lot Coverage. The area of a lot occupied by buildings. It shall not include fences, walls, hedges, swimming pools, or uncovered patios. See Section 17.08.030, Rules of Measurement.

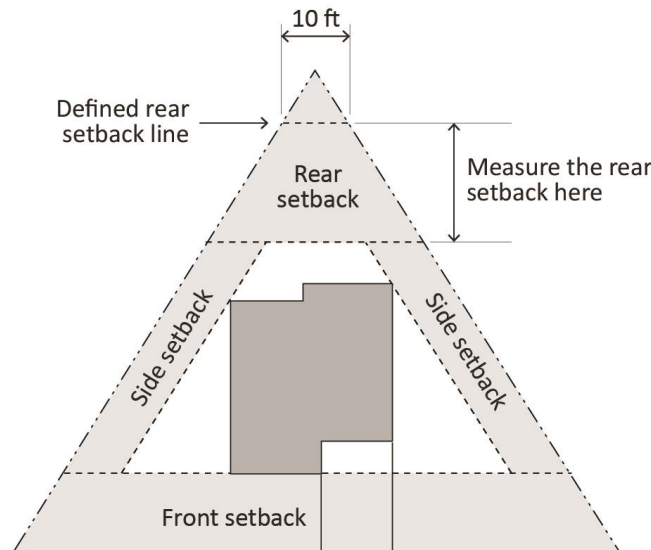
Lot Depth. The horizontal distance between the front and rear lot lines measured on the longitudinal centerline.

Lot Line Adjustment. A shift or rotation of an existing lot line or other adjustment where a greater or lesser number of parcels that originally existed is not created.

Lot Line, Front. In the case of an interior lot, a line separating the lot from the street right-of-way. In the case of a corner lot, the owner may choose which street they shall designate as the front of the lot. In the case of a flag lot, the interior lot line most parallel to and nearest the street or lane from which access is obtained. See “Determining Lot Frontage” in Section 17.08.030, Rules of Measurement.

Lot Line, Rear. A lot line that is opposite and most distant from the front lot line or, in the case of an irregular or triangular-shaped lot, a line 10 feet in length within the lot, parallel to and at the maximum distance from the front lot line.

FIGURE 17.136-1: REAR LOT LINE FOR PURPOSES OF DETERMINING SETBACKS



Lot Line, Side. Any lot boundary line not a front lot line or a rear lot line.

Lot Width. The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear property lines.

Maintenance and Repair. The repair or replacement of nonbearing walls, fixtures, wiring, roof, or plumbing that restores the character, scope, size, or design of a structure to its previously existing, authorized, and undamaged condition.

Mansard Roof. A roof having two slopes on all sides with the lower portion having a steeper slope than the upper portion. This definition shall apply to any roof having a flat upper portion and sloped sides.

Manufactured Home. A manufactured home is built in a factory or warehouse in accordance with building codes set forth by the U.S. Department of Housing and Urban Development (HUD). The homes are transported to the home site, either in sections or as a whole, and installed on either a temporary or permanent foundation. In most cases, they will be permanently affixed.

Merger. The joining of two or more contiguous parcels of land under one ownership into one parcel.

Mobile Home. As defined in the California Health and Safety Code § 18008 or manufactured home as defined in the California Health and Safety Code § 18007, a movable dwelling constructed on a chassis, designed for use without a permanent foundation, and designed to be connected to utilities. Excludes manufactured modular housing designed to be placed on a permanent foundation and recreational vehicles, recreational vehicles as defined in the California Civil Code § 799.24 and the California Health and Safety Code § 18010, commercial coaches, and or factory-built housing, as defined in the California Health and Safety Code § 19971.

Modular Building. A factory-fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure to be used for residential, commercial, educational, or industrial purposes. A modular unit will be built to comply with the Uniform Building Code.

Modular Home. A modular home is like a traditional home, placed on a permanent foundation. The house structure is partially constructed in a factory and shipped to the homeowner's lot. The construction of a modular home must comply with local building codes and standards in the area where the home will be placed.

Monopole. A structure of single pole (non-lattice) design and erected on the ground to support wireless telecommunications antennas and connecting appurtenances.

Mulch. Any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

Nonconforming Building. A building or structure or portion thereof lawfully existing at the time of the adoption of this title, and which does not conform to the applicable regulations of this title. Includes any building or structure or portion thereof lawfully existing in an area annexed to the City at the time of such annexation, and which does not conform to the applicable regulations of this Title.

Nonconforming Lot. A legally created lot of land having less area, frontage, or dimensions than the existing Code requires in the zone in which it is located.

Nonconforming Use. A use which lawfully occupies a building or land at the time of the adoption of this title, and which does not conform to the applicable regulations of this title. Includes any use which lawfully occupies any building or land in an area annexed to the City at the time of such annexation, and which does not conform to the applicable regulations of this title.

Occupancy Group. The Building Code use category for determining requirements for building construction elements and life safety system requirements.

Occupant Load. As defined and determined in the Woodland Municipal Code Chapter 15.04, Building Codes.

Off-site Use. An activity or accessory use that is related to a specific primary use but is not located on the same lot as the primary use.

Onsite. Located on the lot that is the subject of discussion.

Open Space, Common. Any outdoor area, not dedicated for public use, which is designed and intended for the common use and enjoyment of the residents and guests of more than one dwelling unit.

Open Space, Private. Open areas for outdoor living and recreation that are adjacent and directly accessible to a single dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guest.

Open Space, Usable. Outdoor areas that provide outdoor living and/ or recreation for the use of residents.

Overlay District or Overlay Zone. A zoning designation specifically delineated on the Zoning Map establishing land use requirements that govern in addition to the standards set forth in the underlying zone.

Parapet. A low wall or railing extending above the roof and along its perimeter.

Parcel. A single unit of land separated from other units of land by legal description, the boundaries of which are shown on a parcel map or final map, described in a deed, or for which a certificate of compliance has been issued pursuant to the Subdivision Map Act. Parcel shall also include two or more parcels where the owner(s) have recorded a covenant with the office of the County Recorder that states the intention of the owner(s) to combine and use the parcels as a single unit of land in compliance with City regulations. Also referred to as "lot."

Parcel Map. A map prepared in accordance with the provisions of this Subdivision Title, designed to be placed on record in the office of Yolo County Recorder, and providing for the division of land, which meets the exceptions, set forth in the Subdivision Map Act § 66426.

Parking Area. A permanently surfaced open area, other than a street or alley, used for the parking of motor vehicles, either free, for compensation, or as an accommodation for resident, clients, or customers. See Chapter 17.68, Parking and Loading.

Parking Facility. An area of a lot, parcel, structure, or any other area, including driveways, which is designed for and the primary purpose of which is to provide for the temporary storage of operable motor vehicles.

Parking Space. A permanently surfaced space, directly accessible to a driveway, street, or alley, exclusive of access, driveways, ramps, or maneuvering areas, designed or used for the parking of one motor vehicle. See Chapter 17.68, Parking and Loading.

Patio. An outdoor area, often paved, adjoining a building that is used for outdoor open space. It is not enclosed by walls and typically is located at grade or supported by minimal footings.

Patio Covers. Structures that are attached or detached from the primary residence, open on at least three sides and covered overhead. The term "patio covers" includes sunshades and similar structures.

Paving. A type of material used over areas of a parcel such as driveways, parking spaces and areas, pathways, patios, and front setbacks used for access by vehicles and pedestrians.

Performance Standards. A set of criteria or limits relating to nuisance elements, which a particular use of process may not exceed.

Permit. Any Conditional Use Permit, Temporary Use Permit, Building Permit, license, certificate, approval, or other entitlement for development and/ or use of property as required by any public agency.

Permitted Use. Any use or structure that is allowed in a Zone without a requirement for approval of a Use Permit, but subject to any restrictions applicable to that Zone.

Person with Disabilities. Under the Americans with Disabilities Act, an individual with a disability is a person who: (1) has a physical or mental impairment that substantially limits one or more major life activities; or (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

Personal Cultivation. Any activity involving the planting, growing, harvesting, drying, curing, grading, trimming, or processing of cannabis or any part thereof, conducted by an individual for personal use, and not intended or conducted for sale, resale, or other commercial activity.

Pervious Surface. A surface that releases as runoff a small portion of the precipitation that falls on it. Pervious surfaces include but are not limited to vegetated areas, bark, crushed open stone such as decomposed granite, and permeable pavers. See Low Impact Development Requirements in Section 5.3 of the City of Woodland Post-Construction Standards Plan.

Planning Commission. The Planning Commission of the City of Woodland.

Plaza. An outdoor space set aside for gathering or congregating and commercial activities, typically surrounded by building frontages.

Pocket Park. A park of one-half to two acres in size that intended to serve the needs of a smaller, specific neighborhood located within a half-mile radius of the pocket park.

Podium. A continuous raised platform supporting a building or a large block of two or three stories beneath a multi. story block of smaller area.

Porte-Cochère. A roofed structure through which a vehicle can pass, extending from the entrance of a building over an adjacent driveway, the purpose of which is to shelter persons entering and exiting a building.

Pre-Existing. In existence prior to the effective date of this Code.

Primary Caregiver. Shall have the same definition as set forth in California Health and Safety Code § 11362.7(d), as it may be amended.

Project. Any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure that is subject to the provisions of this Code. This term includes, but is not limited to, any action that qualifies as a “project” as defined by the California Environmental Quality Act.

Public Art. An original work of a permanent nature in any variety of media produced by an artist that may include sculpture, murals, photography, original works of graphic art, water features, neon, glass, mosaics, or any combination of forms of media, furnishing, or fixtures permanently affixed to the building or its grounds, or a combination thereof, and may include architectural features of the building such as decorative handrails, stained glass, and other functional features that have been enhanced to be visually appealing. Public art does not include the following:

- a. Art objects that are mass produced of standard design such as playground equipment, benches, statuary objects, or fountains;

- b. Decorative or functional elements or architectural details, which are designed solely by the building architect as opposed to an artist commissioned for this purpose working individually or in collaboration with the building architect (this shall not preclude the architect from being the artist if such individual meets the definition of “artist” as provided above);
- c. Landscape architecture and landscape gardening except where these elements are designed by the artist and are an integral part of the work of art by the artist;
- d. Directional elements such as super graphics, signage as defined in the City of Woodland Municipal Code, or color-coding except where these elements are integral parts of the original work of art or executed by artists in unique or limited editions;
- e. Interpretive programs;
- f. Reproductions, by mechanical or other means, of original works of art, except in cases of film, video, photography, printmaking, or other media arts, specifically commissioned by the City;
- g. Existing works of art offered for sale or donation to the City, which do not have an established and recognized significance as public art among arts professionals and art appraisers as determined by the Design Review Authority;
- h. Logos or corporate identity.

Public Art Fund. A fund established and maintained by the City of Woodland for the purpose of acquiring, commissioning, designing, installing, placing, improving, and/or maintaining public art.

Public Improvement. Street work, utilities, and other facilities proposed or required to be installed within the subdivision for the general use of all the subdivision lot owners and for local neighborhood or community needs.

Public Resource Code. The Public Resources Code of the State of California.

Public Works Director. The Director of the Department of Public Works, or designee.

Qualified Applicant. The property owner, the owner’s agent, or any person or other legal entity that has a legal or equitable title to land that is the subject of a development proposal or is the holder of an option or contract to purchase such land or otherwise has enforceable proprietary interest in such land.

Qualified Patient. A person identified in California Health and Safety Code § 11362.7(c) or (f), as they may be amended.

Ramp. An access driveway leading from one parking level to another, or an access driveway from an entrance leading to parking at a different level.

Recreational Vehicle. Any vehicle or trailer designed, or modified for use as a camp car, truck camper, motor home, travel trailer, trailer coach, camping trailer; with or without motive power; designed for human habitation or other occupancy. Truck-mounted, or permanently towable on the highways without a permit. They must contain less than 320 square feet of internal living room area (excluding built-in equipment and including, but not limited to wardrobe, closets, cabinets, kitchen units, fixtures, and bath or toilet rooms) and 400 square feet or less of gross area measured at maximum horizontal projections (see California Health and Safety Code § 18010).

Registered or Permitted Area. The portion of a private home that contains the private home's kitchen used for the preparation, packaging, storage, or handling of cottage food products and related ingredients or equipment, or both, and attached rooms within the home that are used exclusively for storage.

Remainder. That portion of an existing parcel, which is not designated on the required map as part of the subdivision. The remainder shall not be considered as part of the subdivision but shall be shown on the required map as part of the area surrounding the subdivision.

Restore. Return to a former condition or renovate or as to return to its original state.

Review Authority. The body or City staff person responsible for making decisions on zoning and related applications.

Right-of-Way. A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, or other similar use.

Roof. That portion of a building or structure above walls or columns that shelters the floor area or the structure below.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

Rowhouse. A single-family dwelling that shares a party wall with another of the same type placed side-by-side with dedicated private open space for each unit. Each unit has its own front access located at the ground floor. Also known as a townhouse or townhome.

Runs with the Land. A covenant restriction to the use of land contained in a deed and binding on the present and all future owners of the property.

Rustication. A type of decorative masonry that provides a purposefully rough or patterned surface for exterior masonry walls.

Screening. Screening refers to a wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street or public views.

Setback. The distance between the parcel line and a building, not including permitted projections that must be kept clear or open.

Sidewalk. A paved, surfaced, or leveled area, parallel and usually separated from the street, used as a pedestrian walkway.

Sidewalk Café. Any outdoor dining area located in or adjacent to any public sidewalk or right of way that is associated with a restaurant or other eating and drinking establishment on a contiguous adjacent parcel.

Signs. See Chapter 17.72, Signs, for all signs definitions.

Site. A parcel or group of contiguous parcels that is proposed for development in accordance with the provisions of this Code and is in a single ownership or under unified control.

Small Residential Rooftop Solar Energy System. A solar energy system that meets all of the following criteria:

- a. Is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal;
- b. Conforms to all applicable State fire, structural, electrical, and other building codes as adopted or amended by the City, and all state and City health and safety standards;
- c. Conforms to all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability;
- d. Is installed on a single- or duplex-family dwelling; and
- e. The panel or module array does not exceed the maximum legal building height as defined by the City.

Solar Energy System. A solar energy system as defined in California Civil Code § 801.5(a)(1) and (2), as such Section or subdivision may be amended, renumbered, or redesignated from time to time.

Specific, Adverse Impact. A significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

Split Lot Duplex. A dwelling unit designed exclusively for occupancy by one family and attached to one other similar unit located on separate parcels of land. Also referred to as “half-plex” or “single-family attached” (see Chapter 17.144, Definitions of Uses).

Stable. A detached accessory building for the shelter of houses or other hooved animals.

Standard Specifications. The Standard Specifications of the Department of Public Works of the City as may be amended from time to time.

Stealth. Improvements or treatments added to an improvement which mask or blend the proposed improvement into the existing structure or visual backdrop in such a manner as to render the improvement minimally visible to the casual observer.

Story. That portion of a building included between the surface of any floor and the surface of any floor next above it, or if there is no floor above it, then the space between such floor and ceiling next above it.

Street. A public thoroughfare 30 feet or more in width, other than an alley, which affords the principal means of access to abutting property.

Street Tree. A tree fronting private property within the street right-of-way.

Structural Alterations. Any change in the supporting members of a building or structure such as bearing walls, columns, beams, girders, or rafters.

Structure. Anything constructed or erected which requires location on the ground or attached to something having location on the ground, including swimming pools, but not including fences or walls used as fences 72 inches in height or lower.

Swimming Pool. A pool, pond, or open tank capable of containing a large and deep enough body of water for people to use to swim.

Target Population. Adults with low-income having one or more disabilities including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act, and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.

Temporary Use. A use that is intended to be of a limited duration of time and that will not permanently alter the character or physical facilities of the property where it occurs.

Tenant. A person who rents, leases, or subleases, through either a written or an oral agreement, real property from another.

Tentative Map. A map made for the purpose of showing the design and improvements of a proposed parcel map or subdivision and the existing conditions in and around it.

Townhouse. See "Rowhouse."

Travel Trailer. See "Recreational vehicle."

Tripartite Design. Building façade design in which architectural elements such as cornices, eaves, step-backs, or change of material are employed to create a distinct base, middle and top.

Use. The purpose for which a lot or structure is or may be leased, occupied, maintained, arranged, designed, intended, constructed, erected, moved, altered, or enlarged. All uses are listed in Chapter 17.144, Definitions of Uses.

Use Classification. A system of classifying uses into a limited number of use types based on common functional product, or compatibility characteristics. All use types are grouped into the following categories: residential, commercial, public/institutional, industrial, transportation, communication, and utilities, and temporary.

Use Permit. A permit approved by the Planning Commission for any use listed as a conditional use in that zone.

Use Type. A category, which classifies similar uses based on common functional, product, or compatibility characteristics.

Use, Conditional. A use that may be suitable only in specific locations in a zone or only if such use is designed or laid out on the site in a particular manner. Also referred to as a "conditionally permitted use."

Use, Permitted. A permitted use not requiring a conditional use permit in that zone.

Utilities. Equipment and associated features related to the mechanical functions of a building(s) and services such as water, electrical, telecommunications, and waste.

Visible. Capable of being seen (whether or not legible) by a person of normal height and visual acuity walking or driving on a public road.

Wall. Any exterior surface of building or any part thereof, including windows.

Window. An opening in a wall of a building that is filled with glass in a frame. They typically allow light and air into the interior of a building, but also serve as mediums for viewing merchandise in commercial properties.

Wireless Telecommunication Facility, or Telecommunications Facility. Any structure, antenna, pole, equipment and related improvements which support the wireless telecommunications industry in the transmission and/or reception of electromagnetic signals.

Wireless Tower. Any structure built for the sole or primary purpose of supporting antennas and their associated facilities used to provide services licensed by the FCC, including a lattice tower and monopole. A water tower, utility tower, street light, or other structure built primarily for a purpose other than supporting services licensed by the FCC, including any structure installed pursuant to California Public Utilities Code Section 7901, is not a wireless tower for purposes of this definition.

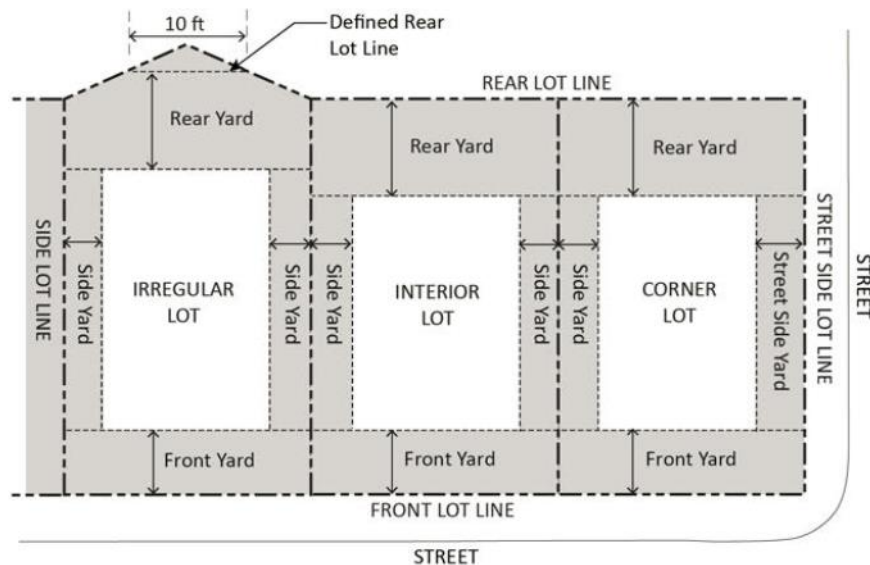
Yard. An open space other than a court on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided in this title.

Yard, Front. A yard extending across the full width of the lot measured between the front property line and the nearest vertical support or wall of the main building.

Yard, Rear. A yard extending across the full width of the lot measured between the rear property line and the nearest vertical support or wall of the main building.

Yard, Side. A yard extending from the front yard to the rear yard measured between the side lot line and the nearest vertical support or wall of the main building.

FIGURE 17.136-3: YARD TYPES



Zone. A specifically delineated area in the City within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

Zoning Administrator. The officer designated to perform the duties and exercise the powers of the Zoning Administrator as set forth in this title or the designated representative of such officer.

Zoning Administrator Permit. A Minor Conditional Use Permit approved by the Zoning Administrator.

Zoning Map. A map or maps that were adopted to implement the Zoning Code and delineate the boundaries of zones within the City.

Zoning Code. The Code codified as Title 17 of the Woodland Municipal Code.

Chapter 17.140 Definitions of Sign Terms

Balloon. A brightly colored bag made of flexible material, inflated with air or other gas, and sealed, often to make it rise in the air.

Balloon Bobber. A reusable pre-formed balloon with regular air made of a durable PVC vinyl that does not need to be inflated, and typically attached to a short pole.

Building Element. The maximum lineal dimension of an exterior wall, excluding canopies and projections, measured on a straight line parallel to the site's street frontage.

Candela. A measure of luminous intensity. It is a measure of radiant power, rather than energy, and it is weighted in terms of the eye sensitivity curve.

Commercial Message. A message conveyed by any sign that is solely intended to interest, entice, or solicit any person to participate in commercial transactions with a business, including offers of goods, cash, discounts on products or services, or other items, including the offering of free goods or services made in exchange for or with the intent to induce the recipient's willingness to receive information relating to a possible commercial transaction.

Conformance. A sign shall be said to conform when it meets all the standards and regulations established by this Title and the Uniform Building Code, as adopted by the City of Woodland.

Digital Display Areas. Any characteristic or portion of a sign that appears to have movement or that appears to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays.

Electronic Message Display Technology. A sign or portion of a sign that utilizes computer-generated messages or some other electronic means of changing its characters, letters, numbers, illustrations, display, color, and/or light intensity, including animated graphics and video, by electronic or automatic means. A sign utilizing electronic message display technology is not a Single- or Two-Color LED Sign.

Flag. A fabric sheet of square, rectangular, or triangular shape that is typically mounted on a pole.

Historical Plaque. A sign that memorializes a person, event, building, former use of a place, or something else of historical significance.

Illumination, Direct. Illumination resulting from light emitted directly from a light bulb or light fixture, and not light diffused through translucent signs or reflected from other surfaces such as the ground or a building face.

Illumination, External. Illumination on the face of the sign reflecting light from an external light source intentionally directed upon it.

Illumination, Halo. A form of sign illumination in which neon tubing, LED, or similar lights are mounted within the letter to illuminate the mounting surface causing a halo of light around the letter.

Illumination, Internal. A form of internal sign illumination that includes cabinet signs, single-color LED signs, signs constructed with pan channel letters, or indirect halo illuminated channel letters on an unlit or otherwise indistinguishable background on a freestanding sign or building wall.

Landscape Area. For purposes of sign regulation, an area surrounding the base of a freestanding sign, and containing living plant materials with or without a fixed border.

Laser Light Display. A display that emits light through the use of a laser beam(s).

LED (Light Emitting Diode). A semiconductor diode that emits light when a voltage is applied to it.

Logo. See "Sign, Logo."

Maintenance. The upkeep of signs, and their support structures, in a condition of good repair. This includes the replacement or repainting of sign faces which have been damaged or have otherwise lost their ability to convey the message intended. Maintenance does not include the changing of location, orientation, size, or height of a sign.

Major Architectural Feature. Ornamentation or decorative features attached to or protruding from an exterior wall. Architectural features of a building shall include cornices, eaves, gutters, belt courses, sills, lintels and dentils, windows, chimneys, and decorative ornaments.

Neon. An illumination source created when a glass tube filled with neon or other similar gas emits light when energized. The tube can be bent to form letters, symbols, or other shapes.

Nonprofit. Any person(s), partnership, association, corporation, or other group whose activities are conducted for unselfish, civic, or humanitarian motives, or for the benefit of others, and not for the gain of any private individual or group and may include, patriotic, philanthropic, social service, welfare, benevolent, educational, civic, fraternal, cultural, charitable, scientific, historical, athletic, or medical activities.

Pan Channel Letter. A specific type of sign letter consisting of a metal pan enclosure fabricated in the shape of a letter. The metal pan enclosure is used to house the lighting and electrical components of the letter and can be mounted directly to wall of a building. The sign face is usually made of colored plastic attached to the metal pan to seal it off from pests and harsh weather.

Plate Line. The uppermost horizontal line of a building wall upon which the roof above rests.

Professionally Crafted or Painted Sign. A temporary or permanent sign that is made to a high standard by a competent individual(s) skilled in sign design, fabrication, and installation. Can be made of wood, metal, or other similar material.

Raceway. An enclosed conduit for electrical wiring.

Search Lights. Lights which disappear and reappear at periodic intervals, or are intermittently on and off, and which are placed so as to attract vehicular traffic with emphasis on the recurrence of lights.

Sign. A structure, device, figure, display, message placard or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended or used to advertise, provide information in the nature of advertising, provide historical, cultural, archeological, ideological, political, religious, or social information, or direct or attract attention to an object, person, institution, business, product, service, message, event or location by any means, including words, letters, figures, designs, symbols, pictures, colors, or illumination.

Sign Face. The exterior surface of a sign, exclusive of structural supports, on which is placed the sign copy.

Sign, Abandoned. Sign that identifies a business, lessor, owner, product, service, or activity that is no longer on the premises where the sign is displayed.

Sign, A-Frame. A pedestrian oriented sign that is not permanently affixed to a structure or the ground to advertise special goods, services, or products offered on the site (also known as a Sandwich Board Sign or an Upright Sign).

Sign, Awning. Any permanent sign that is part of or attached to an awning, canopy, or other fabric, plastic or structural protective cover located over a door, entrance, window, storefront, or outdoor service area.

Sign, Bandit. Any sign that is placed on public property or on private property without the consent of the property owner or as authorized in Chapter 17.72, Signs.

Sign, Banner. A temporary sign constructed of cloth, bunting, plastic, paper, or similar material and securely attached to a wall or support structure.

Sign, Billboard. A permanent structure for the display of a commercial or non-commercial message.

Sign, Blade. A permanent sign mounted to the wall of building by means of a bracket and which is typically hung perpendicular to the wall of the building.

Sign, Building Identification. A sign consisting of letters or numbers applied to a building wall, engraved into the building material or consisting of a sculptural relief which contains the name of the building or describes its function, but which does not advertise any individual tenant of the building or any products or services offered.

Sign, Building Mounted. Sign attached to, connected to, erected against the wall, parapet, or fascia of a building or structure with the exposed face of the sign in a plane parallel to the vertical face of the building or structure.

Sign, Cabinet. A permanent building-mounted or freestanding sign with its text and/or logo symbols and artwork on a translucent face panel that is mounted within a metal frame or cabinet either that contains the lighting fixtures which illuminate the sign face from behind.

Sign, Canopy. A permanent sign that is painted, or mounted to a canopy, typically used to accent building entries.

Sign, Changeable Copy. A sign that is designed so that characters, letters, numbers, or illustrations can be manually or mechanically changed or rearranged without altering the face or surface of the sign.

Sign, Channel Letter Sign. A sign made with three dimensional, individually manufactured letters, figures, or other symbols which may contain a light source that illuminates the front face of the sign's letters, figures, or other symbols.

Sign, Copy. Any graphic, word, numeral, symbol, insignia, text, sample, model, device, or combination thereof that is primarily intended to advertise, identify, or notify.

Sign, Digital Billboard Sign. An outdoor sign utilizing electronic message display technology, capable of changing the static message or copy on the sign electronically that has one or more dynamic digital display areas.

Sign, Directional. A freestanding or building-mounted sign erected to inform the viewer of the approximate route, direction, or location of a facility or tenant.

Sign, Directory. A freestanding or building-mounted sign on a multi-tenant site or building providing information including a list of tenants and occupants, addresses, and suite numbers or a map of the building or complex. These signs are typically internal to a center, oriented to pedestrians, or motorists circulating in a parking lot rather than vehicles travelling on an arterial street.

Sign, Electronic Message. A sign or portion of a sign that utilizes computer-generated messages or some other electronic means of changing its characters, letters, numbers, illustrations, display, color, and/or light intensity, including animated graphics and video, by electronic or automatic means. An Electronic Message Sign is not a Single- or Two-Color LED Sign.

Sign, Feather Banner. A sign that is taller than it is wide and made of a flexible material (typically cloth, nylon, or vinyl) and mounted to a pole.

Sign, Freestanding. A sign that is erected or mounted on its own self-supporting permanent structure or base detached from any supporting elements of a building.

Sign, Freeway Oriented. Signs in the freeway corridor, a zone measuring 1,320 feet from the center line of the freeway. The width of the storm channel shall not be included in determining this distance.

Sign, Fuel Pump Topper. A sign affixed to the top of an operable fuel dispensing pump used to advertise goods offered for sale on the same parcel on which the fuel pump is located.

Sign, Hanging. A sign that is suspended from the underside of a surface and is supported by such surface.

Sign, Incidental. A sign which provides incidental information, including security, credit card acceptance, business hours, directions to services and facilities, or menus.

Sign, Individual Letter. A cut-out or etched letter or logo which is individually mounted on a building wall, or freestanding sign

Sign, Landmark. A sign determined by the City to have attained a high degree of community, cultural, aesthetic, or historic significance.

Sign LED. A sign consisting of light emitting diodes (electronic components that let electricity pass in only one direction) that emit visible light when electricity is applied.

Sign, Logo. A stylized group of letters, words, numbers, or symbols used to represent and distinguish a business or product.

Sign, Marquee. A permanent sign structure placed over the entrance to a building and typically used for a theater or other entertainment use.

Sign, Monument. A freestanding sign, with a solid base that is equal to or larger than the width of the sign face.

Sign, Nonconforming. Any sign legally established prior to the Effective Date which does not fully comply with the standards imposed by the individual sections of this Code.

Sign, Painted Wall. A sign painted directly onto the exterior wall of a building and having no sign structure.

Sign, Pan or Reverse Channel Letters. A sign made with three dimensional, individually manufactured letters, figures or other symbols with an open back which may contain a light source to provide light onto the sign background against which the channel letters are silhouetted.

Sign, Pennant. A temporary sign made of flexible materials longer than it is wide, often triangular in shape, and frequently displayed with other pennants on a string.

Sign, Permanent. A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.

Sign, Prohibited. Any sign not in accordance with or authorized in Chapter 17.72, Sign Regulations.

Sign, Projecting. A sign that is perpendicular to the face of a building and projects outward from the building face.

Sign, Raised Letter. A sign containing copy, logo, and/or decorative embellishments in relief on the face.

Sign, Roof-Mounted. Any sign erected, painted, or attached to the sloped surface of a mansard or hip roof of a building. Excludes signs mounted on the top of a building's roof.

Sign, Single-Color or Two-Color LED. A permanent or temporary sign or portion of a sign composed of single-color or two-color LEDs that displays static or changeable sign messages using characters, letters, and numbers only. Examples of these signs include, "open" or "closed" signs", "time and temperature" signs or signs indicating the number of available spaces in a parking facility.

Sign, Spinner. A lightweight, durable, and colorful device designed to be affected by the movement of air so that it spins or rotates in a manner to capture attention.

Sign Structure. The supports, uprights, bracing, and/or framework of a sign.

Sign, Temporary. A sign constructed of paper, cloth, vinyl, fabric, or similar material, which is intended for a definite and limited period of display and which is not permanently affixed to a structure, sign area, or window.

Sign, Vehicle. Any sign on or affixed to a truck, van, automobile, trailer, or other vehicle.

Sign, Wall. A sign affixed to or erected against the wall or fascia of a building or structure, with the exposed face of the sign parallel to the plane of wall or fascia to which it is affixed or erected.

Sign, Walker. A person who wears, holds, or balances a sign.

Sign, Wall Banner. A temporary sign and constructed of cloth, bunting, plastic, paper, or similar nonrigid material, and securely attached to the wall or support structure for which it is advertising. Flags are not considered temporary wall banners.

Sign, Window. A sign posted, painted, placed, or affixed in, on, or within a window, or otherwise exposed to public view through a window.

Sign, Yard, Type I. A small temporary sign typically constructed of corrugated plastic and supported on an H-shaped wire frame used for example, for advertising by local businesses or by election campaigns. (Syn. Lawn Sign).

Sign, Yard, Type II. A sign mounted on a single post installed securely in the ground with a small sign hanging from a cross-bar mounted parallel to the ground.

Sign, Yard, Type III. A large typically wooden sign mounted on two posts installed securely in the ground.

Static Display. A sign face that does not change within a twenty-four hour period.

Valance. The vertical front face of an awning.

Chapter 17.144 Definitions of Uses

This Chapter provides definitions for all uses established in the use tables on Division II, District Regulations. Refer to Chapter 17.36, Definitions of Terms, for definitions of the terms commonly used throughout this Title.

Accessory Dwelling Unit. A residential dwelling unit that is accessory to and either detached from, attached to, or located within the living area of an existing primary dwelling unit, and that provides independent living facilities for one or more persons. An accessory dwelling unit also includes an efficiency unit, as defined in California Health and Safety Code § 17958.1, and a manufactured home, as defined in California Health and Safety Code § 18007.

Adult Businesses. Any commercial activity identified in Section 17.84.040, Adult Businesses as an "Adult Entertainment Use."

Agricultural Production, Light. Use of land for agricultural production, vine or tree farm, truck garden, apiary, horticulture, vineyard, hop yard, fruits, beekeeping, and associated crop preparation and harvesting activities on any other type of agriculture determined to be substantially similar to the above. Agricultural production may be ancillary to a primary use as a test or research facility. This use does not include nurseries, greenhouses, processing, or retail sales of agricultural products from the site.

Animal Care, Sales and Services.

Animal Boarding Kennel/Pet Day Care. A commercial, non-profit, or governmental establishment licensed to operate a facility providing shelter, breeding, and care for domestic animals on a commercial basis for a period in excess of 48 hours. This classification includes activities such as feeding, exercising, grooming, and incidental medical care for domestic animals.

Grooming. An establishment that provides day care, bathing and trimming services for domestic animals on a commercial basis.

Pet Store. Retail pet supply stores. May include the sale of small household pets (birds, fish, reptiles). This classification includes grooming if incidental to the retail use. Uses are conducted within an enclosed building.

Veterinary Services. Medical and health services for animals. Typical uses include veterinary offices, pet clinics, and animal hospitals. This classification allows 24-hour accommodation of animals receiving medical or grooming services. This use type excludes kennels.

Artisan/Small-Scale Manufacturing. An establishment primarily engaged in small-scale, on-site production of goods by hand manufacturing, which involves only the use of hand tools or domestic mechanical equipment not exceeding two horsepower or kilns not exceeding 25 kilowatts, and the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, glass, candle making shops, metal, and woodworking, manufacturers that typically occupy smaller spaces with a maximum floor area of 10,000 square feet.

Artist's Studio. Work space for an artist or artisan, including individuals practicing one of the fine arts, or an applied art or craft. This use may include incidental display and retail sales of items produced on the premises and instructional space for small groups of students. It does not include joint living

and working units (See "Live/Work). Small-scale art production that is generally of a low impact. Typical uses include painting, photography, jewelry, textile, and small-scale pottery studios. All work is indoors and may only have very limited artisan display.

Automobile/Vehicle Sales and Services. Retail or wholesale business that sell, rent, and/or repair automobiles, trucks, vans, trailers, motorcycles including the following:

Automobile Rental Office. Office for the rental of automobiles. Typical uses include one or more car rental agencies with no on-site storage of vehicles. Vehicle storage may be provided in a location where automobile storage is allowed.

Automobile/Vehicle Sales and Leasing, New. Sale or lease, retail or wholesale, of new automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated minor repair services and parts sales for vehicles sold or leased by the dealership. This classification includes on-site facilities for maintaining an inventory of vehicles for sale or lease but excludes buildings and property on a separate site that are used for storing vehicles. Used vehicle sales and leasing, provided it is not large-format, may be associated with this use.

Automobile/Vehicle Service and Repair, Major. General repair, rebuilding or reconditioning of engines, motor vehicles or trailers, collision service including body, frame or fender straightening or repair, overall painting or paint shops of automobiles, trucks, motorcycles, motor homes, boats, and recreational vehicles, including the incidental sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes auto repair shops, body and fender shops, transmission shops, vehicle painting, tire sales, and installation, but excludes vehicle dismantling or salvaging and tire retreading or recapping. Vehicles may be stored overnight. Excludes parking and service of large trucks (for large truck service, see Large Vehicle and Equipment Sales, Service and Rental).

Automobile/Vehicle Service and Repair, Minor. The service and repair of automobiles, light-duty trucks not exceeding one and one-half tons' capacity, boats, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, as well as smog check quick-service oil, tire sales and service, tune-up and brake and muffler shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight.

Farm/Agricultural Equipment Sales, Service and Rental. Sales, servicing, rental, fueling, and washing of tractors, and other equipment used for agricultural, or landscape gardening activities.

Fueling Station. Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing incidental food and retail services. Also known as a Service Station.

Large Vehicle and Equipment Sales, Service and Rental. Sales, servicing, rental, fueling, and washing of recreational vehicles (RVs), large trucks, trailers, heavy equipment used for construction, moving activities. Examples include cranes, earth moving equipment, heavy trucks, combines, and similar equipment. This use does not include semi-truck or semi-trailer parking, storage, service, or repair.

Tire Retreading and Capping. A business involved in the retreading, recapping, or rebuilding of tires using previously processed rubber or synthetic products.

Washing, Full Service. Washing, waxing, or cleaning of automobiles or similar light vehicles, with hands-on service by employees who may move, vacuum, wash, wax, and dry the vehicle. Includes an interior or exterior waiting facility for customers and may include ancillary retail and/or food and drink service for waiting customers.

Washing, Self-Serve. Includes self-serve washing facilities that are the principal use of a building, structure, or site, either self-wash facility or drive through automated wash with no or limited-employee assistance. No on-site waiting facility is provided for customers.

Banks and Financial Institutions.

Bail Bonds. A business which provides bond money, for a fee, to meet bail requirements for the release of a person arrested and awaiting a hearing or trial.

Bank and Savings and Loan. A financial institution, including a credit union office or check cashing service, that provides retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money.

Non-Traditional Financial Institution. An establishment engaged in short-term lending and buy-back activities in which customers typically take part in one-time or infrequent transactions and do not open long-term accounts or deposit funds. Typical uses include check cashing services, payday lenders (also known as deferred deposit originators), and similar activities.

Brewery. An independent regional brewery with a majority of volume in “traditional” or “innovative” beers. Typical annual production may be between 15,000 and 6,000,000 barrels.

Building Materials and Supply. Retail sales or rental of building supplies or equipment. This classification includes finished lumber for purchase, tool and equipment sales, or rental establishments.

Business and Communication Services.

General Business Services. An establishment primarily engaged in providing services to other businesses on a fee or contract basis, including advertising and mailing, legal document services, security services, janitorial services, model building, and taxi services or delivery services with two or fewer fleet vehicles on-site.

Printing and Copy Services. An establishment providing printed or copied materials from digital or hard copy format originals, including printing and distribution of envelopes, business cards, and similar business products.

Cannabis Uses.

Cannabis Distribution. Any facility engaged in the procurement, temporary storage, non-retail sales, and transport of cannabis or cannabis products between State-licensed cannabis business, including warehouses and similar structures.

Cannabis Manufacturing, Volatile and Non-Volatile. The compounding, blending, extracting, infusing, or otherwise making or preparing a cannabis product. For purposes of this Title, cannabis manufacturing expressly includes the production, preparation, propagation,

processing, or compounding of cannabis or cannabis products directly or indirectly, including through extraction and/or chemical synthesis methods. Cannabis manufacturing may include distribution of wholesale products from the premises but shall not include any retail sales of cannabis or cannabis products or other sales to consumers.

Indoor Personal Cannabis Cultivation. Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis licensed by the State and intended for commercial sale. For purposes of this Title, cannabis cultivation does not mean or include personal cultivation of cannabis regulated by Section 17.84.280, Personal Cultivation of Cannabis.

Cannabis Retail. A premises permanently located in the City licensed by the State of California pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act, California Business and Professions Code § 26000 et seq., as may be amended, where cannabis is provided for retail sale to consumers, including an establishment that delivers cannabis as part of a retail sale. Unless otherwise specified, “cannabis retailer” means both a retailer selling medical cannabis and medical cannabis products to patients with valid physician’s recommendations, and a retailer providing adult-use cannabis and cannabis products for adults 21 years of age and over, pursuant to State law.

Cannabis Testing, Research and Development. A laboratory, facility, or entity that offers or performs tests or testing of cannabis or cannabis products, including accredited testing laboratories licensed by the State and involved in commercial cannabis activity in the State. Cannabis laboratories and research also includes start-up or incubator research activities, which typically include, but are not limited to, research, design, analysis, development, and/or testing of a cannabis product, and laboratories or facilities engaged in scientific research studies, investigation, testing, or experimentation, but not including cannabis manufacturing or sales of cannabis.

Cemetery. An establishment engaged primarily in operating sites or structures reserved for the interment of human or animal remains, including mausoleums, burial places, and memorial gardens.

College and Trade School. Institutions of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes junior colleges, business and computer schools, management training, and technical and trade schools, but excludes personal instructional services such as music lessons.

Communications Facilities. Facilities for the provision of broadcasting and other information relay services through the use of electronic and telephonic mechanisms.

Antennas and Transmission Towers. Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structure designed to support reception or transmission systems. Typical uses include wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, and cellular telephone transmission/personal communications systems towers.

Equipment within Buildings. Indoor facilities containing primarily communication equipment and storage devices such as computer servers.

Community and Religious Assembly. A facility for public or private meetings including community centers, banquet centers, religious assembly facilities, dance halls, civic auditoriums, union halls, meeting halls for clubs and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as day care centers and schools that are separately classified and regulated.

Community Garden. An area of land managed and maintained by a public or non-profit organization or a group of individuals to grow and harvest food crops and/or ornamental crops, such as flowers, for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Community gardens may be accessory to public or institutional uses such as parks, schools, community centers, or religious assembly uses. This classification does not include gardens that are on a property in residential use when access is limited to those who reside on the property. Community Gardens do not include Medical Marijuana Collectives.

Construction Office. A temporary structure or trailer placed on or adjacent to a project site for the duration of construction. May include a construction materials yard. Also referred to as a Job Shack.

Crematorium. A place with a building or structure containing a furnace used for the reduction of human remains by way of incineration.

Cultural Facility. A facility engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This classification includes performing arts for theater, music, dance, and events as an accessory use; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; publicly owned art galleries; and zoos and botanical gardens. It does not include schools or institutions of higher education providing curricula of a general nature.

Day Care Center. Establishments providing non-medical care for persons on a less-than-24-hour basis other than Family Day Care (Small and Large). This classification includes non-home based commercial and nonprofit nursery schools, preschools, day care facilities for children or adults, and any other day care facility licensed by the State of California.

Drive-Through Facility. A motor vehicle drive-through facility which is a commercial building or structure portion thereof which is designed to be used to provide goods or services to the occupants of motor vehicles.

Drive-Through, Food Establishment. Includes drive-through for food establishments.

Drive-Through, Limited. Includes but is not limited to banks, pharmacies, or other similar uses. Does not include drive in movies, fueling stations, car-wash operations, or food establishments.

Duplex. A residential building containing two dwelling units, both of which are located on a single parcel (also referred to as a duplex or two-flat). The dwelling units are attached and may be located on separate floors or side by side. This use is distinguished from an accessory dwelling unit, which is considered a secondary residential unit, or incidental to a primary dwelling unit as defined by State law and this Chapter.

Eating and Drinking Establishments. Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.

Bar/Night Club/Lounge. A business serving beverages for consumption on the premises as a primary use and including on-sale service of alcohol including beer, wine, and mixed drinks. This use includes karaoke bars and micro-breweries where alcoholic beverages are sold and consumed on site and any food service is subordinate to the sale of alcoholic beverages.

Brewpub. A full-service or limited-service restaurant with a micro-brewery as an accessory use. A brewpub may sell other supplier's beer, including other hand-crafted or micro-brewed beers as well as wine to patrons for consumption on its premises.

Microbrewery. A brewery that produces up to 15,000 barrels of beer per year. Generally, no more than 75 percent of the total gross floor space is involved in brewing. Microbreweries sell to the public either as wholesale or retail capacity. Microbreweries do not include food service.

Micro-Distillery. A small, often boutique-style distillery established to produce beverage grade spirit alcohol in relatively small quantities, usually done in single batches (as opposed to larger distillers' continuous distilling process). Typically, no more than 15,000 U.S. gallons of spirits per year. May include a restaurant, bar, or tasting room.

Restaurant, Full Service. A restaurant providing food and beverage services to patrons who order and are served while seated and pay after eating. Takeout service may be provided.

Restaurant, Limited Counter Service/Fast Casual Food. An establishment where food and beverages are consumed on the premises, taken out, or delivered, but where limited table service is provided. Includes cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited-service pizza parlors, self-service restaurants, and snack bars with indoor or outdoor seating for customers. This classification includes bakeries that have tables for on-site consumption of products. Excludes drive-through establishments.

Tasting Room. A retail sales facility where customers may taste and purchase beverage and food products, grown or processed on site or locally. Products offered for tasting and sale may include wine, beer, olive oil, cheese, honey, and/or other food and beverage products.

Emergency Shelter. Any facility whose primary purpose is to provide temporary shelter housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. Emergency shelter shall include other interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative facilities. Emergency shelters do not include evacuation shelters during emergencies.

Emergency Services. Facilities for parking and the dispatch of emergency medical transport services, including ambulance, fire, police, and rescue. May include offices and facilities for cooking and sleeping of on-duty personnel.

Family Day Care. A day care facility licensed by the State of California, located in and accessory to a residential unit where the resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day. Family Day Care also includes adult in-home day care that is less than 24 hours a day.

Family Day Care, Small. A facility that provides care for children, including children who reside at the home and are under the age of 10, as set forth in California Health and Safety Code § 1597.44 and as defined in those regulations.

Family Day Care, Large. A facility that provides care for children, as defined in California Health and Safety Code § 1596.78, including children who reside at the home and are under the age of 10, as set forth in California Health and Safety Code § 1597.465 and as defined in those regulations.

Farmers Market. A location where the primary activity is the sale of agricultural products by producers and certified producers. Sales of ancillary products may occur at the location. Open-air farmers markets are operated by a local government agency only.

Food and Beverage Manufacturing. Establishments engaged in the production, processing, packaging, or manufacturing of food or beverage products and any instruction, direct sales, or on site consumption are incidental to the food or beverage production activity. These uses may have specific quality assurance and quality control to ensure that ingredients and finished products are tested and meet safety and quality specifications.

Small Scale. A small-scale food and beverage products manufacturing and distribution establishment located in facilities less than 10,000 square feet in size. Examples include small coffee roasters, micro-breweries (manufacturing less than 15,000 barrels per year or less), micro-distilleries (manufacturing 10,000 barrels per year or less), wine manufacturing, meat or fish products, small batch candy shops, cheese makers, wholesale bakeries, and brew-on-premises stores which provide ingredients and equipment for customers to manufacture their own product.

Large Scale. Large scale production, packaging, processing, preparation, or manufacturing of a food, beverage, or ingredient used or intended for use by human consumption in a facility over 10,000 square feet. This classification includes such uses as bottling of alcoholic or non-alcoholic beverages, milling of grain, canning, processing, extracting, fermenting, distilling, pickling, freezing, baking, drying, smoking, grinding, cutting, mixing, coating, stuffing, packing, bottling or packaging of food; coffee roasting; food products; brewing; and distillation of liquor and spirits. This use may include multiple food preparation and packaging/canning lines where processes are both interior and exterior to buildings. This use also involves warehousing and outdoor storage including, but not limited to, pallets, bins, trailers, crates, and process-related construction materials and equipment. Ancillary office space is also consistent with this use. The parking and storage of trucks, trailers, service vehicles, and other vehicles used in connection with the operation is also permitted in this use designation. This does not include slaughtering of animals, fowl, or direct retail sales.

Food Preparation. A business that prepares and/or packages food for off-site consumption, excluding those of an industrial character in terms of processes employed, waste produced, water used, and traffic generation. Typical uses include catering kitchens, bakeries with on-site retail sales, commercial kitchens, and small-scale specialty food production. This classification does not include businesses involved in the processing or manufacturing of wholesale food products.

Freight Storage Yard. A site or facility for the keeping of empty cargo containers and equipment. Includes the storage of container chassis and truck cabs, repair facilities, warehouses and other equipment associated with the movement or storage of cargo containers.

Freight/Trucking Facilities. Any property and improvements used for freight, courier, and postal services, freight transfer truck terminals; or the operations of a common carrier trucking company including the parking, servicing, repairing, storage of trucks, truck tractors, semi-trucks, and/or truck trailers. Allowed as an accessory use only.

Funeral and Interment Service. An establishment primarily engaged in services involving the care, preparation, or disposition of human dead other than in a cemetery. Does not include crematoriums.

Garage or Yard Sale. A sale conducted from any location on the premises of a residence in any kind of residential zone for the purpose of permitting occupants of that residence to dispose of their personal property accumulated during the course of ordinary residential living to sell the same to the public.

Government Buildings. Facilities providing administrative or public services, including public safety and emergency services, with incidental storage, training, and maintenance facilities. Review of such uses will be dependent upon the government agency and the proposed use. If an agency owns the land and the use is for the purpose of that agency, the City may not have review oversight. This use includes publicly-owned and operated surface parking lots and parking structures offering parking to the public with or without a fee.

Hazardous Waste Management Facilities. A facility, excluding vehicles, for collection, source separation, storage, processing, treatment, recovery or disposal of hazardous wastes, or a transfer station for hazardous waste, and may include a facility at which such activities occur and where waste has been generated. Storage of hazardous materials include, but are not limited to: bottled gas, chemicals, minerals and ores, petroleum or petroleum-based fuels, and fireworks (California Code of Regulations Title 22, Division 4.5, Chapter 10).

Heliport. Helicopter landing area used, designed, or intended to be used for the receiving or discharging of passengers and cargo and including appurtenant facilities for passengers, cargo, or for the servicing, repair, shelter, or storage of helicopters.

Home Occupations. Any accessory use conducted entirely within a dwelling, accessory building, or swimming pool, and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof or adversely affect the uses permitted in the residential zone of which it is part (see Section 17.84.200, Home Occupations and Cottage Food Operations).

Hookah Lounge. Any facility or location whose business operation includes the smoking of tobacco or other substances through one or more pipes (commonly known as a hookah, waterpipe, shisha, or narghile) designed with a tube passing through an urn of water that cools the smoke down as it is drawn through it.

Hospitals and Clinics.

Clinic. A facility providing medical, mental health, or surgical services for sick or injured persons exclusively on an out-patient basis, including emergency treatment, urgent care, cosmetic, diagnostic services, administration, and related services to patients who are not lodged overnight. Services may be provided without a prior appointment. Treatment is typically provided by more than two licensed physicians and their professional associates. May include the provision of medical testing and analysis services as an ancillary use. This classification includes licensed facilities offering substance abuse treatment, blood banks,

plasma, dialysis centers, and emergency medical services. It does not include private medical and dental offices that typically require appointments and are usually smaller scale.

Hospital. A facility providing medical, surgical, mental health, or services primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.

Skilled Nursing Facility. A range of facility types that provides bed care on a chronic basis or convalescent care for persons who by reason of illness, physical infirmity, or age are unable to properly care for themselves for a period of time. A patient's stay at a skilled nursing facility is usually temporary in nature and is focused on rehabilitation that is intended to prepare the resident to return to their independent living. Extended care provides for the prolonged care of individuals who require custodial or nursing care. Assisted living services typically provide assistance with bathing, dressing, grooming, medications, and meal preparation in a setting that is, by design, residential in nature and is intended not to be temporary.

Industrial, Heavy. Establishments engaged in the manufacturing of non-edible products that include processing, manufacturing, or compounding of materials, or energy, or any industrial activities that, due to the scale or method of operation, regularly produce noise, heat, glare, dust, smoke, fumes, odors, vibration, or other external impacts detectable beyond the lot lines of the property. Includes the use of raw materials to fabricate semi-finished products including metal fabricating facilities, open welding shops, lumber woodworking (milling) facilities, heavy machine shops, chemical storage and distributing, industrial fabrication facilities, concrete product manufacturing activities, and aggregate or asphalt yards. Includes structures outside of the primary structure such as cranes, conveyor systems, cooling towers or open-air storage of large quantities of raw, semi-refined, or finished products. Heavy industrial uses may regularly employ hazardous material or procedures or produce hazardous by-products, include outdoor storage areas, and may have activities that take place outdoors. There is no general public access.

Industrial, Light. Establishments engaged in the manufacturing of non-edible products and finished parts primarily from previously-prepared materials by means of physical assembly or reshaping. This classification includes uses where retail sales are clearly incidental to an industrial or manufacturing use. Production takes place primarily within enclosed buildings with limited impacts on nearby properties. Any heat, glare, dust, smoke, fumes, odors, or vibration are confined to the building. These uses typically have more employees per acre than other industrial uses and are more consumer-oriented. May include a showroom or ancillary sales of products related to the items manufactured on-site. Often includes buildings that are smaller scale, under 50,000 square feet, or in multi-tenant type configurations, with office and production area combined. Uses typically use vans and light duty box trucks rather than semi-trucks. Examples include the manufacturing of personal care and home care products, cosmetics, printing, engraving, publishing, clothes and shoes, furniture, art ware and crafts, consumer electronics, and sign manufacture shops. Limited outdoor processing and storage of materials may require a permit in some zones.

Industrial, Medium. Establishments engaged in the manufacturing of non-edible products that are larger in scale and size than light industrial uses and involve the manufacturing of products from processed or unprocessed raw materials, where the finished product is non-combustible and non-explosive. On-site manufacturing may produce noise, vibrations, illumination, or particulate that is perceptible to adjacent land uses, but is not offensive or obnoxious. May involve inter-plant transfers.

Uses are typically accesses by semi-trailer truck, tractor- trailer truck (18-wheeler, fifth-wheel, box-trailer) and include truck bays to accommodate semi-truck trips.

Examples include but are not limited to research, development, and manufacturing of finished or semi-finished products; the packaging of products manufactured on site; glass production made from manufactured glass, clay, and pottery products; wood truss assembly; computer hardware; products made from rubber, plastic, resin; converted paper and cardboard products; fabricated metal products made from semi-finished metals. Limited outdoor processing and storage of materials may require a permit in some zones.

Laundry and Dry-Cleaning Plants. A facility engaged in the cleaning of fabrics in an essentially non-aqueous solvent by means of one or more washes in solvent and extraction of excess solvent. Does not include drop-off and pick-up for dry cleaners.

Light Fleet Based Services. Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 lbs. This classification includes parking, dispatching, and offices for taxi cab, and limousine operations, ambulance services, non-emergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses.

Live/Work. A unit that combines a work space for commercial activities and incidental residential occupancy occupied and used by a single household in a structure that has been constructed or converted for such use and modified to accommodate residential and non-residential occupancies in compliance with the Building Code.

Lodging. An establishment providing overnight lodging to transient patrons.

Bed and Breakfast. A residential structure that is in residential use by the property owner or manager and within which bedrooms are rented for overnight lodging and where meals may be provided.

Boarding House. A dwelling unit, other than a hotel, bed and breakfast, or condominium hotel, used in whole or in part to provide short-term or long-term lodging for compensation under multiple separate written or oral agreements. Also known as Rooming House.

Hotel and Motel. An establishment providing temporary lodging to transient patrons. These establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the general public. This use classification includes motor lodges, motels, apartment hotels, and tourist courts.

RV Park Resort. A form of lodging designed to accommodate travelers with recreational vehicles for short-term overnight vacation stays, on a nightly or weekly basis, in allotted spaces, or for occupancy by tents or other movable temporary sleeping quarters. RV Park resorts are self-contained and provide amenities to the clients, including, but not limited to, barbecue areas, bathhouses, exercise equipment, tennis courts, gift store, laundry, and swimming pool.

Short-Term Rental. Rental of a dwelling unit for 30 or fewer consecutive days. Provides a room or rooms in a private home. A permanent resident must reside at the property and be present in the home during the time of the homestay.

Low Barrier Navigation Center. A housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. (See California Government Code § 65660.)

Maintenance and Repair Services. Establishments engaged in the maintenance or repair of small office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of vehicles or boats (see Automotive Sales and Services) and personal apparel (See Personal Services).

Manufactured Home Park. As defined in California Health and Safety Code § 18214, a manufactured home park is a mobile home development constructed according to the requirements of California Health and Safety Code §§ 18200 to 18700 and intended for use and sale as a mobile home condominium or cooperative park, or as a mobile home planned unit development.

Mobile Vendor. A self-contained truck or trailer or non-motorized push cart that is readily movable without disassembling, and is used to sell merchandise, prepare, and serve food and beverages, or provide other services that requires a permit as provided for in the Woodland Municipal Code Section 10.20.040, Mobile vendor permit required.

Multi-Unit Dwelling. Three or more units on a single lot. Accommodates a broad range of attached multi-unit housing types including triplex, fourplex, townhouses, and stacked apartments or condominiums. Units may be contained in single structures or in a collection of cohesive structures with common open spaces and amenities.

Office Uses. Offices of firms or organizations providing professional, executive, management, administrative or design services. This classification also includes offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, including medical/dental laboratories within medical office buildings, but excludes clinics or independent research laboratory facilities.

Business, Professional, and Technology. Offices of private firms or organizations or public or quasi-public organizations that are primarily used for the provision of professional, executive, management, or administrative services. Typical uses include administrative offices, tax preparation, legal offices, graphic design, legal, accounting, engineering or architectural firms, employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, and offices for elected officials. Excludes banks and savings and loan associations (see Banks and Financial Institutions) and any drive-up service.

Medical and Dental Offices. Uses primarily engaged in the provision of personal health services including consultation, diagnosis, therapeutic, preventative, or corrective personal treatment by physicians, dentists, nurses, chiropractors, optometrists, counselors, and other health personnel, including practitioners of medical and/or healing arts as licensed for such practice by the State. Provides for treatment by up to two licensed physicians, dentists, and their professional associates. Excludes clinics or independent research laboratory facilities and hospitals (see Hospitals and Clinics).

Outdoor Sales, Temporary and Seasonal. The sale or offering for sale to the general public of merchandise outside of a permanent structure on property owned or leased by the person, firm, or

corporation. These sales are of a limited duration and conducted on an occasional basis and are secondary or incidental to the principal permitted use or structure existing on the property.

Pallet Storage. A site or facility for the keeping of pallets and similar transport structures intended to support goods while being lifted by a forklift, front loader, jacking device, crane, or similar equipment.

Park and Recreation Facility, Public. Parks, playgrounds, recreation facilities, trails, wildlife preserves, and related open spaces, all of which are noncommercial. This classification also includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, tennis courts, and golf courses, botanical gardens, as well as related food concessions or community centers within the facilities.

Parking Facilities. Privately owned or operated surface lots and structures offering parking to the public with or without a fee. Commercial parking facilities provide parking that is not considered accessory parking to a specific use. Does not include truck storage or car rental storage. Private parking may be considered on a case-by-case basis as an accessory use to a primary use.

Personal Services.

Dry Cleaner/Self Service Laundry. A facility where coin-operated equipment for self-service laundering is open to the public. May include dry cleaning drop-off/pick-up. Excludes dry cleaning facilities and bulk cleaning plants.

General Personal Services. Services of a personal nature that are typically needed on a recurring basis. Services include but are not limited to barbershops and beauty salons, nail salons, personal trainers, day spas, clothing rental, seamstresses, tailors, dry cleaning drop-off/pick-up (excluding cleaning plants), shoe repair shops, photocopying, and photo finishing services. These uses also may include accessory retail sales of products related to the services provided.

Instructional Services. An establishment that offers specialized programs in personal growth and development such as music, martial arts, photography, vocal, fitness, yoga, dancing, and academic tutoring. Attendance is typically limited to hourly classes rather than full-day instruction. These establishments do not grant diplomas or degrees, though instruction could provide credits for diplomas or degrees granted by other institutions. Retail sales are permitted as an accessory use.

Massage Establishments. Any establishment having in whole or in part, a fixed place of business where individuals engage in, conduct or carry on, or permit to be engaged in, conducted or carried on, massages, baths, health treatments involving massages or baths as a primary or secondary function, provided that “massage establishment” does not include establishments where massage is administered in conjunction with the practice of a medical doctor, chiropractor, acupuncturist, physical therapist, or nurse.

Tattoo/Body Modification Parlor. An establishment whose principal business activity is one or more of the following: 1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin; or 2) piercing of the body of a person for the purpose of inserting jewelry or other decoration.

Public Services, Major. Services for the public that include water treatment facility, wastewater treatment facility, corporation yard, and other services that provide major public infrastructure services for urban development.

Public Services, Minor. Facilities necessary to support established uses involving only minor structures, such as substations, pumping stations, electrical distribution lines, and underground water and sewer lines.

Recreation, Fitness and Entertainment.

Cinema/Theater. An establishment intended to be used for the specific purposes of presenting or displaying motion pictures, slides, or television pictures before an assemblage of persons.

Indoor Entertainment Facility. Indoor entertainment establishments that occupy less than 5,000 square feet of building area, including billiard parlors, axe throwing, game arcades, pool halls, and amusement arcades. Does not include Cinema/Theater.

Indoor Sports and Recreation, Large-Scale. Facilities with more than 5,000 square feet in building area providing participant sports, indoor amusement and entertainment services conducted within an enclosed building. Includes coin-operated electronic amusement centers, ice or roller skating rinks, bowling alleys, indoor shooting ranges. Does not include Cinema/Theater.

Indoor Sports and Recreation, Small-Scale. Facilities that are generally located indoors and occupy less than 5,000 square feet of building area. Includes gyms, exercise clubs, and studios offering martial arts, physical exercise, yoga training, or similar types of instruction to classes and groups.

Outdoor Sports and Recreation Facility. Amusement or sports related facilities that are conducted in open or partially enclosed or screened facilities. Facilities such as amusement and theme parks, amphitheaters, golf courses, driving ranges, and golf courses. Also includes larger swimming or tennis club facilities, swimming or wave pools, miniature golf courses, archery range.

Recycling Facilities.

Collection. A drop-off/collection and sorting point for recyclable materials such as paper, metal, plastic, and glass. A Recycling Collection Facility is accessory to a primary use.

Processing. An industrial facility where recycled materials are processed into new materials or products.

Reverse Vending Machine. An automated mechanical device which accepts at least one or more types of empty beverage containers including, but not limited to, aluminum cans, glass, and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the State. A reverse vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine. A bulk reverse vending machine is a type of reverse vending machine that

is larger than 50 square feet; is designed to accept more than one container at a time; and will pay by weight instead of by container.

Research and Development. A facility for the scientific research and the design, development, and testing of agri-tech, electrical, electronic, magnetic, optical, pharmaceutical, chemical, biotechnology, plant breeding, seed research, and life science components and products in advance of product manufacturing. This classification includes assembly of related products from parts produced off site, where the manufacturing activity is secondary to the research and development activities, in addition to involving the production of experimental products. Excludes uses that produce odor, dust, noise, bright lights, vibration, or the storage of hazardous material, including biohazards, that threaten public safety.

Residential Care Facilities. A facility licensed by the State of California to provide living accommodations, 24-hour care for persons requiring personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are group homes or shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions.

Small. A facility that is licensed by the State of California to provide care for six or fewer persons. A Residential Care Facility, Small is considered a single-unit residential use.

Large. A facility that is licensed by the State of California to provide care for more than six persons. This category includes transitional residential, foster family homes and any facilities supervised by or under contract with the State Department of Corrections.

Retail.

Artisan Shop. A retail store selling art glass, ceramics, jewelry and other handcrafted items and supplies needed to create finished items, where the facility includes an area for the crafting of the items sold.

Convenience/Small Grocery Market. A small retail establishment (up to 10,000 square feet) that sells a range of everyday items, such as coffee, groceries, prepackaged food items, magazines, newspapers, and other household goods. The market may include a delicatessen or specialty food items and may cater to neighborhood or local clients or may be operated on the same parcel in conjunction with another use. Also known as a corner store or bodega. Liquor sales are considered separate from the market.

Firearm Sales and Servicing. A business whose primary use is the sale and servicing of firearms, ammunition, and related materials.

General Retail Sales. The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes retail establishments with 60,000 square feet or less of sales area; including bakeries, clothing stores, drug and discount stores, florists, gift shops, household stores, furniture stores, pharmacies, small hardware and garden supply/nurseries stores, sports stores, stationary and variety stores, and businesses retailing goods including, but not limited to, the following: art supplies, dry goods, toys, hobby materials, handcrafted items, jewelry, cameras, pet supplies, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, musical instruments, electronic equipment, sporting and camping equipment, kitchen

utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with accessory indoor repair services.

Grocery Store. An establishment between 5,000 and 60,000 square feet of sales area, primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments.

Large Format Retail Sales. Retail establishments with over 60,000 square feet of sales area that sell merchandise and bulk goods for individual consumption, including department stores and membership warehouse clubs, where sales of grocery items do not occupy more than 25 percent of the floor area. Retail sales may be combined with accessory indoor repair services.

Liquor Sales as Primary Use. Establishments primarily engaged in selling packaged alcoholic beverages for off-site consumption.

Liquor Sales as Accessory Use, Small. Establishments up to 5,000 gross square feet in size where liquor sales represent no more than 20 percent of the total inventory sold.

Liquor Sales as Accessory Use, Large. Establishments greater than 5,000 gross square feet in size where liquor sales represent no more than 20 percent of the inventory sold.

Nursery and Garden Center. Establishments primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod that are predominantly grown elsewhere. Fertilizer and soil products are stored and sold in packaged form only.

Residential Limited Retail. Small neighborhood-oriented retail establishments in residential districts. Limited uses provide convenient, walkable access to convenience and/or specialty goods and services. Appropriate uses include the following: counter-service cafes and coffee shops; delicatessens; bakeries; flower shops; and bike shops and bike repair services.

Pawn Shop. Establishments engaged in the buying, selling, trading, accepting for auctioning, or auctioning of new or secondhand merchandise and offering loans in exchange for personal property.

Secondhand/Consignment Store. A store where secondhand goods are for sale or goods are placed on consignment, which is the act of placing goods in the hands of another, while still retaining ownership, until the goods are sold. Unlike a pawn shop, secondhand/consignment stores do not offer loans in exchange for personal property.

Smoke Shop. Smoke shop shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia. Smoke shop includes tobacco stores and vape shops. Any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes or tobacco as an ancillary sale is not considered a smoke shop.

Roadside Stand. A temporary structure designed or used for the display or sale of agricultural products.

Salvage and Wrecking Yard. Storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage, exchange, or sale of goods including, but not limited to, any used building materials, used shipping containers or steel drums, used tires, and similar related articles or property.

SB 9 Project. See Section 17.84.380, Two-Unit Projects.

School. A facility for primary or secondary education, including public schools, charter schools, and private and parochial schools having curricula comparable to that required in the public schools of the State of California.

Single-Family. A dwelling unit that is designed for occupancy by one household with private yards on all sides and located on a separate lot from any other units (except an accessory dwelling unit) This classification includes individual manufactured housing units installed on a foundation system pursuant to the California Health and Safety Code § 18551.

Detached. A single-unit dwelling, on a single lot, within which all rooms are internally accessible and that is not attached to any other primary dwelling unit.

Attached. A dwelling unit that is designed for occupancy by one household located on a single parcel that does not contain any other unit (except an accessory dwelling unit) and is attached through common vertical walls to one other dwelling on an abutting parcel (also referred to as a half-plex).

Single-Room Occupancy. A residential facility where living accommodations are individual secure rooms, with or without separate kitchen or bathroom facilities for each room, rented to one- or two-person households on a weekly or monthly basis. This use classification is distinct from a Hotel or Motel, which is a commercial use.

Small Lot Subdivision. A residential subdivision in which there are attached or detached residential units, each owned fee-simple and located on lots less than the minimum lot size and less than the minimum lot dimensions otherwise established for the underlying residential zones. Single family, duplex and multi-unit building types may be permitted within a small lot subdivision subject to Section 17.56.040, Small Lot Subdivision Design Standards. Configurations for small lot subdivisions may include but are not limited to cluster housing, cottage courts, drive courts, and townhouses/rowhouses. A maintenance agreement or homeowners association may govern common areas like driveways or open space. Reduced interior setbacks are typical.

Social Service Centers/Daytime Service Facility. Facilities providing a variety of supportive services for disabled and homeless individuals and other targeted groups on a less-than-24-hour basis. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from licensed day care centers (See Day Care Center), clinics (see Clinic), and emergency shelters providing 24-hour or overnight care (See Emergency Shelter).

Storage Yard. The use of land to store material, equipment, or vehicles as an accessory to a primary use. The primary use must have an active business license within the City of Woodland. Does not include freight or truck trailer storage or impound lots.

Supportive Housing. Dwelling units with no limit on length of stay that are occupied by the target population as defined in the California Health and Safety Code § 53260(d) or individuals eligible for

services provided pursuant to the Lanterman Development Disabilities Act (Division 45 of the Welfare and Institutions Code), and that are linked to onsite or offsite services that assist supportive housing residents in retaining the housing, improving their health status, and maximizing their ability to live and, where possible, work in the community and where no onsite medical care is provided. Supportive housing as defined in the California Health and Safety Code § 50675.14(b) may be provided in a multiple-unit structure or group residential facility. Facilities may operate as licensed or unlicensed facilities subject to applicable State requirements.

Swap Market/Flea Market. An indoor or outdoor place, in an approved location, or for an approved activity where new or used goods or secondhand personal property is offered for sale or to exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces. The term Swap Meet or Flea Market is interchangeable with auctions, open-air markets, or other similarly labeled activities, but the term does not include supermarket or department store retail operations.

Temporary Tract Office. A temporary sales office located on the site of a new development, usually in a model home, and operated until sales are completed.

Tire or Concrete Recycling/Storage. A facility to recycle or store tires, concrete, hazardous chemicals, or other industrial materials. This use does not include the processing of recycled materials into new materials.

Transitional Housing. Dwelling units configured as rental housing but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time, that shall be not less than six months from the beginning of assistance. Transitional housing may be designated for homeless or recently homeless individuals or families transitioning to permanent housing as defined in the California Health and Safety Code § 50675.2(h). Facilities may be linked to onsite or offsite supportive services designed to help residents gain skills needed to live independently. Transitional housing may be provided in a variety of rental housing types (e.g., multiple-unit dwelling, single-room occupancy, group residential, single unit dwelling). This classification includes domestic violence shelters.

Transportation Passenger Facility. A facility for passenger transportation operations, including transit bus stops and bus terminals.

Vehicle Impound and Tow Yard. A lot, tow-yard, or in an interior space for the holding of equipment or vehicles legally impounded until they are placed back in control of the owner, recycled for their metal, stripped of their parts at a wrecking yard, or auctioned off for the benefit of the impounding agency. The impounding agency can be a police department/agency.

Warehousing, Storage, Logistics and Distribution. Storage and distribution facilities without sales to the public on-site or direct public access except for public storage in small individual space exclusively and directly accessible to a specific tenant.

Chemical or Mineral Storage. Storage of hazardous materials including, but not limited to bottled gas, chemicals, minerals and ores, petroleum or petroleum-based fuels, and fireworks.

Indoor Warehousing and Storage. The receiving, storing and distribution of goods, including cold storage. Includes maintaining inventory and providing safekeeping for a product before sale, resale, or use. A building where goods or raw materials are stored. Includes unloading, receiving, and checking inbound goods. Includes storage and sale of materials and supplies

used in production or operation, including janitorial and restaurant supplies. This use normally operates from a warehouse of office having little or no display of merchandise and is not designed to solicit walk-in-traffic. This classification does not include wholesale sale of building materials (see Building Material Sales and Services).

Logistics and Distribution. Includes the inbound and outbound flow of goods with a focus on freight-related transportation services that concentrate logistics and transportation activities. Logistics centers participate in all activities linked to the supply chain. Fulfillment and distribution centers that may serve designated by companies to store products, prepare orders, and distribute products. May be a transfer center, distribution center or process distribution center. Typically larger in size, with specialized handling equipment, loading and docks.

Personal Storage Facility. A storage facility that is characterized by individual separate spaces accessible by customers for the storing and retrieval of personal effects and household goods. This classification excludes workshops, warehousing, manufacturing, retail or wholesale selling, office or other business services with the spaces and human habitation.

Personal Storage Warehouse Facility. The indoor storage of large boats, RVs, and other large objects for customers for storage and retrieval. The items may be moved about within the facility by the business operator with goods and vehicles possibly arranged in racks for storage. This classification excludes workshops, commercial warehousing, manufacturing, retail or wholesale selling, office or other business services with the spaces and human habitation.

Wholesale Nursery. An establishment primarily engaged in the wholesale of nursery and garden products such as trees, shrubs, plants, seeds, bulbs, and sod that are predominantly grown elsewhere. Fertilizer and soil products are stored and sold in packaged form only.

City of Woodland Zoning Code Update

Addendum Evaluation
State Clearinghouse # 2013032015

prepared by

City of Woodland

Planning Division

300 First Street

Woodland, California 95695

Contact: Erika Bumgardner, Deputy Community Development Director

prepared with the assistance of

Rincon Consultants, Inc.

4825 J Street, Suite 200

Sacramento, California 95819

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Acronyms and Abbreviations

AMI	Area Median Income
BMP	best management practices
CAL FIRE	California Department of Forestry and Fire Protection
CEQA	California Environmental Quality Act
EIR	Environmental Impact Report
FAR	floor-area ratio
FHSZ	Fire Hazard Severity Zone
GHG	greenhouse gas
LOS	level of service
SB	Senate Bill
SOI	Sphere of Influence
VMT	vehicle miles traveled

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1 Introduction and Project Summary

1.1 Project Title

City of Woodland Zoning Code Update

1.2 Lead Agency/Project Sponsor Name and Address

City of Woodland
Planning Division
300 First Street
Woodland, California 95695

1.3 Contact Person and Phone Number

Erika Bumgardner, Deputy Community Development Director
530-661-5886

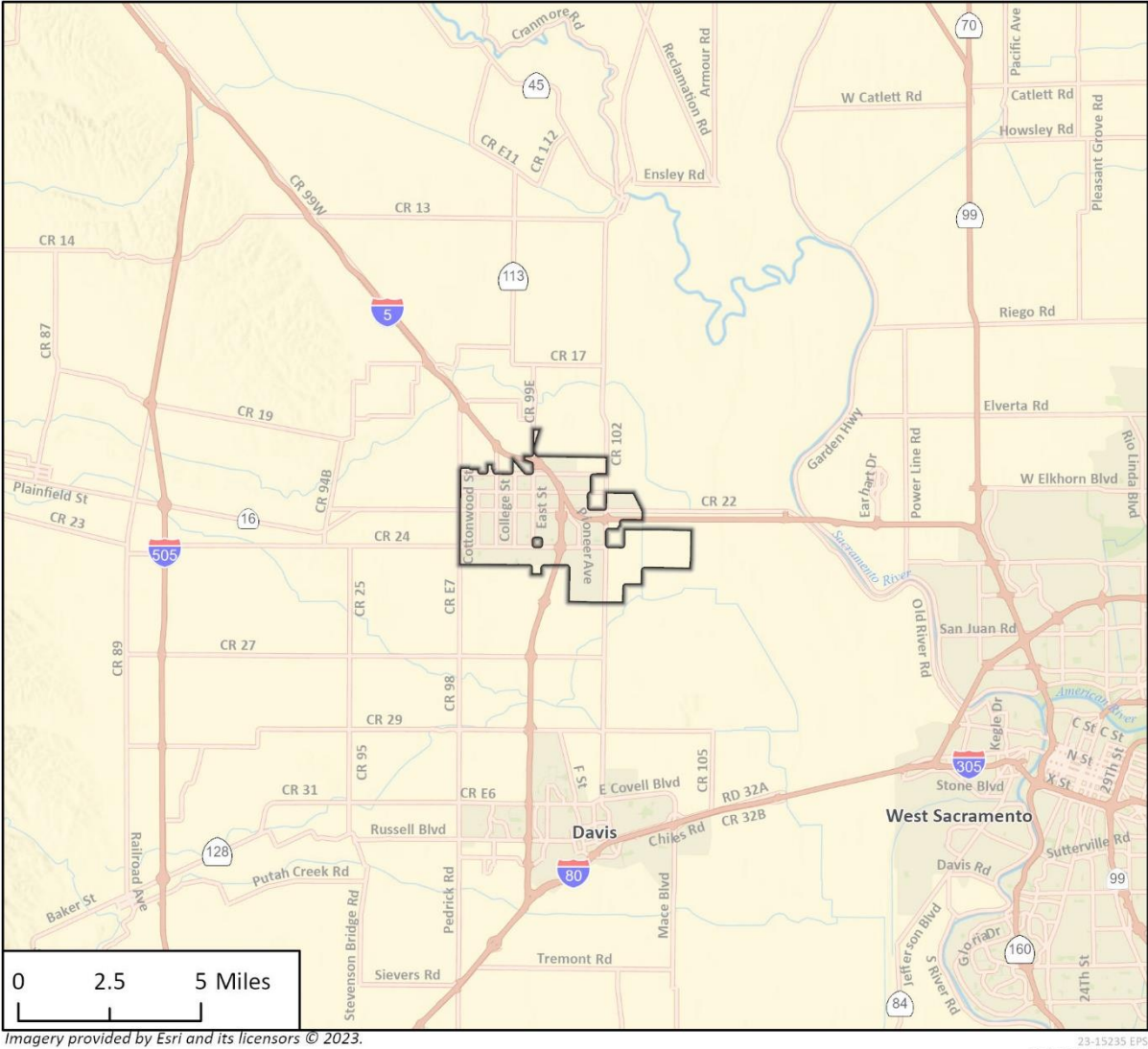
1.4 Project Location

The City of Woodland is located in central Yolo County, approximately 72 miles east of the Pacific Ocean. The city of Davis is approximately 7 miles to the south, and the city of Sacramento is approximately 20 miles to the southeast. Woodland is considered part of the Sacramento metropolitan area. The city encompasses 15.3 square miles (9,792 acres). Much of the city is situated along California State Route 113 (SR 113) and is traversed by Interstate 5 (I-5) (City of Woodland 2019). The Zoning Code Update planning boundaries include all land within the Woodland city limits, as shown in Figure 1.

1.5 Project Summary

The project consists of a comprehensive update to the City of Woodland Zoning Code (herein referred to as “Zoning Code Update” or “project”). The project would bring the City’s Zoning Code into compliance with California Government Code Section 65860(a), which requires that a jurisdiction’s zoning ordinance be consistent with its General Plan and subsequent updates to its General Plan, and aims to streamline residential development while also encouraging infill development in accordance with the City’s Regional Housing Needs Allocation and General Plan 2035. Therefore, the City is proposing to amend its existing Zoning Code to ensure compatibility with its adopted General Plan (adopted May 2017) and to bring the Zoning Code into consistency with the adopted land use policies of the General Plan, State, and federal law. The City’s Zoning Code Update would establish a consistent process, promote high quality design, promote infill, mixed-use, and transit-oriented development in transportation priority areas (TPAs) and mixed-use overlay areas, and standardize development review. Figure 2 depicts all sites throughout the city that would be rezoned as a part of the Zoning Code Update and/or where a General Plan Amendment (GPA) is proposed.

Figure 1 Regional Project Location



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Fig 1 Regional Location

Woodland City Limits

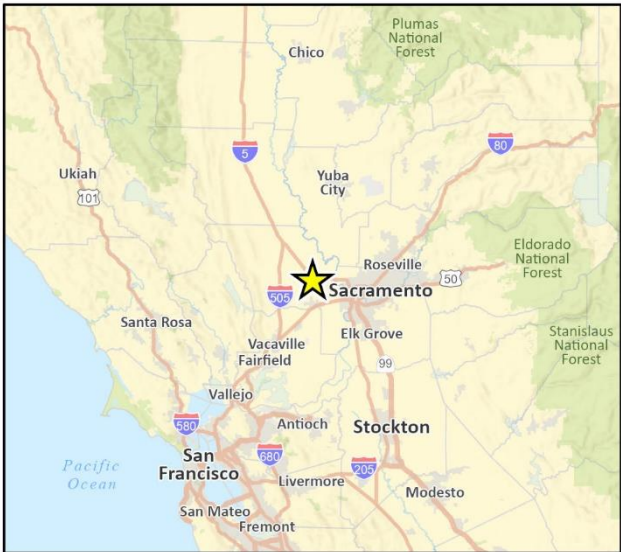
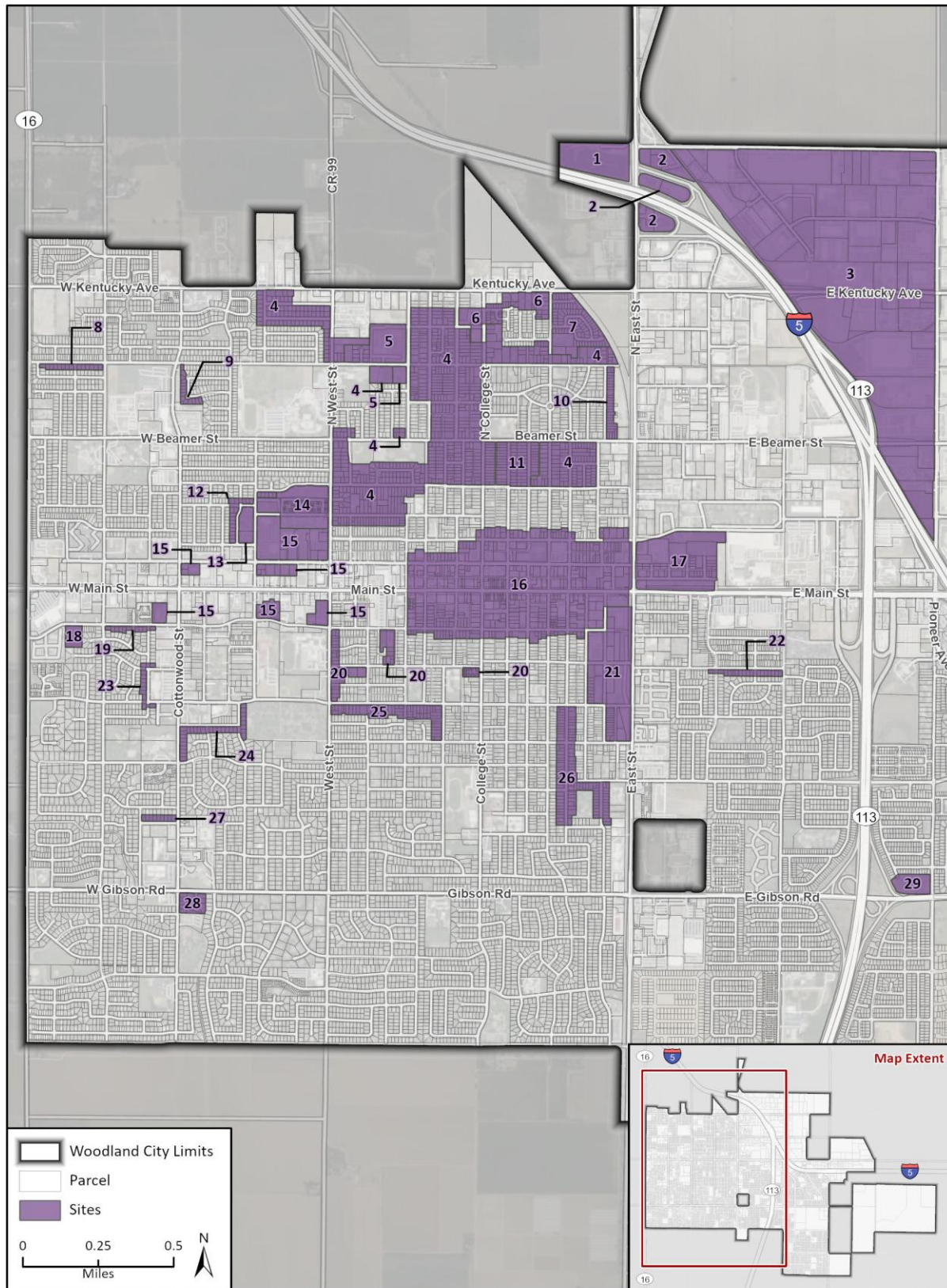


Figure 2 Proposed Site Rezones and/or General Plan Amendments



The City's current Zoning Code is included as Title 17 of the Woodland Municipal Code and includes 42 chapters covering general development provisions, definitions, zone specific permitted uses and development standards, city wide standards and administrative procedures. The proposed Zoning Code Update reorganizes elements of the current code to follow a more logical sequence of development regulations and procedures. The code update generally follows a flow from introductory provisions to zone standards, city-wide standards, and finally administrative procedures and definitions. It is comprised of 5 divisions and each division is divided into sections and subsections. Within the divisions, sections generally follow a logical pattern, moving from more general to more specific provisions. Details of the proposed updates to the Zoning Code under the proposed project are further discussed below in Section 2.3.

This Addendum, therefore, analyzes the changes and potential impacts related to the adoption of Zoning Code Update. This Addendum is intended to demonstrate the consistency of the Zoning Code Update with the existing General Plan to comply with CEQA. The City's 2035 General Plan underwent extensive environmental review in the form of an Environmental Impact Report (EIR), which was certified in 2017. The EIR for the Woodland General Plan is a comprehensive document and includes discussion of alternatives and growth-inducing impacts associated with urban development in the city at the time it was developed. This Addendum will compare the buildout of the proposed project with the Cumulative Scenario, or full-buildout scenario, presented in the General Plan EIR. In particular, and in line with Public Resources Code Section 21083.3, this Addendum assesses whether the Zoning Code Update, as a policy and programs document, includes impacts not addressed or previously analyzed in the General Plan EIR.

1.6 Discretionary Action

Implementation of the Zoning Code Update would require the following discretionary actions by the City of Woodland Planning Commission and/or City Council:

- Adoption of the updated Zoning Code (Title 17)
- Adoption of General Plan Amendments
- Adoption of this Addendum to the certified EIR

1.7 Prior Environmental Document(s)

City of Woodland, 2035 General Plan Environmental Impact Report (General Plan Update EIR). State Clearinghouse Number 2013032015, certified in May 2017.

1.8 Location of Prior Environmental Document(s)

City of Woodland, Planning Department Website:
<https://www.cityofwoodland.gov/1000/Documents>

2 Project Context

2.1 City of Woodland General Plan

State law mandates that each city and county in California adopt "a comprehensive, long-term general plan," for the physical development of its planning area. The Woodland General Plan planning area includes all lands within the city limits and Sphere of Influence (SOI). The purpose of the General Plan is to plan for important community issues such as new growth, housing needs, and environmental protection. Furthermore, the General Plan is used to project future demand for services such as sewer, water, roadways, parks, and emergency services.

The Woodland General Plan, adopted in May 2017, is a long-term document which identifies the community's vision for the future and provides a framework that will guide decisions on growth, development, and conservation of open space and resources in a manner that is consistent with the quality of life desired by the city's residents and businesses.

The General Plan policy document contains the goals and policies that will guide future decisions within the city and identifies action items (implementation measures) to ensure the vision and goals of the General Plan are carried out. The General Plan also contains a Land Use Map, which serves as a general guide to the distribution of land uses throughout the city.

State law requires that every General Plan, at a minimum, address certain subject categories (called "elements"), which include land use, circulation, housing, conservation, open space, noise, safety, and environmental justice. A General Plan may also address other subjects that are of importance to the community's future, such as sustainability, community design, and public art. Woodland's General Plan includes the following elements:

- Land Use, Community Design, and Historic Preservation
- Transportation and Circulation
- Economic Development
- Public Facilities and Services
- Healthy Community
- Sustainability, Conservation, and Open Space
- Safety
- Housing

2.2 Woodland General Plan EIR

The City of Woodland 2035 General Plan EIR (herein called the General Plan EIR) addressed the potential environmental effects of the planned buildout of Woodland through the approximately 20 year period between 2017 to 2035 and concluded that implementation of the General Plan would result in environmental impacts as detailed in Table 1.

Actions and policies were incorporated into the General Plan EIR to reduce potential impacts from project development under the General Plan.

Table 1 Summary of Areas of Potential Impact under the General Plan EIR

Issue Area	Level of Significance after Mitigation	Mitigation Proposed in the General Plan EIR
Aesthetics	Significant and Unavoidable	Mitigation Measure 4.1-4
Agricultural Resources	Significant and Unavoidable	Mitigation Measure 4.2-1 and 4.2-3
Air Quality	Significant and Unavoidable	Mitigation Measure 4.3-1a, 4.3-1b, 4.3-2, 4.3-3a, 4.3-3b, 4.3-3c, and 4.3-3d
Biological Resources	Less than Significant	Mitigation Measures 4.4-1a, 4.4-1b, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-3a, 4.4-3b, 4.4-3c, 4.4-3d, 4.4-4a, and 4.4-4b
Cultural Resources	Significant and Unavoidable	Mitigation Measures 4.6-1a, 4.6-1b, 4.6-1c, 4.6-1d, and 4.6-2
Energy	Less than Significant	Mitigation Measure 4.5-1a, 4.5-1b, 4.5-1c, and 4.5-2
Geology and Soils	Less than Significant	Mitigation Measures 4.7-3a and 4.7-4
Greenhouse Gas Emissions	Less than Significant	Mitigation Measure 4.5-1a, 4.5-1b, 4.5-1c, and 4.5-2
Hazards and Hazardous Materials	Less than Significant	None required
Hydrology and Water Quality	Less than Significant	Mitigation Measures 4.9-1, 4.9-2, and 4.9-3
Land Use and Planning	Significant and Unavoidable	No feasible mitigation.
Noise	Significant and Unavoidable	Mitigation Measures 4.11-1, 4.11-2a, 4.11-2b, 4.11-3a, and 4.11-3b
Population and Housing	Significant and Unavoidable	No feasible mitigation.
Public Services	Less than Significant	Mitigation Measure 4.12-5a
Transportation and Traffic	Less than Significant	Mitigation Measures 4.13-1a, 4.13-1b, 4.13-1c, 4.13-2, 4.13-3a, and 4.13-3b
Utilities and Service Systems	Less than Significant	None required
Tribal Cultural Resources	Significant and Unavoidable	Mitigation Measures 4.6-1a, 4.6-1b, 4.6-1c, 4.6-1d, and 4.6-2

Source: City of Woodland 2016

General Plan Assumptions

The General Plan buildout analysis assumes an 18-year horizon to the year 2035. The General Plan will accommodate future growth in Woodland, including new businesses, expansion of existing businesses, and new residential uses. The body of the General Plan EIR does not assume that full buildout of the General Plan will occur. However, the Cumulative Scenario analysis section of the EIR analyzes full buildout of the General Plan.

The General Plan EIR analyzes the impacts of the 2035 General Plan and 2035 Climate Action Plan that could result from implementation on a programmatic level. As discussed on page 2-8 of the General Plan EIR, the General Plan plans for a total population of approximately 75,000 residents, 27,000 dwelling units, 45,340 local jobs, and 37.2 million nonresidential square feet at buildout.

However, for the purpose of this Addendum, the proposed project will be compared to the impacts of the full buildout of the 2035 General Plan as presented in Section 6 of the General Plan EIR. This is due to the assumption that the proposed project could include development beyond what was previously analyzed, as full buildout was not analyzed in the body of the General Plan EIR but was

analyzed in Section 6, *Cumulative Impacts*. Thus, to capture the potential that all units under the proposed project would be built, the same assumption is prescribed to the buildout of the General Plan.

Under the Cumulative Scenario, or full buildout scenario utilizing mid-range values for the density and intensity of each land use, the General Plan would result in 15,290 new dwelling units, 40,220 new jobs, and would add on approximately 42,060 residents. Averaging the minimum and maximum values for non-residential development shown in Table 6-3 of the General Plan EIR, full buildout of the General Plan could result in approximately 55.0 million non-residential square feet.¹

As shown in Table 4, the buildout of the sites undergoing a change as a result of the proposed project under existing conditions would result in an increase of 4,597 residential dwelling units and 12.7 million non-residential square feet, which when compared to the overall General Plan buildout is within the development projections of 15,920 new residential units and 55.0 million non-residential square feet discussed in the Cumulative Scenario analyzed in the EIR. Refer to Section 2.3, *Zoning Code Update*, for more information.

2.3 Zoning Code Update

The Zoning Code Update includes the following revisions and whether those revisions would require a zone change, general plan amendment (GPA) or both, as shown in Table 2, Figure 3, Figure 4 and Figure 5 below.

Table 2 Current and Proposed Zoning Code Updates

Site Number	2035 General Plan	Current Zoning	Proposed General Plan Land Use	Proposed Zoning	Acreage	Zone Change or General Plan Amendment
1	Public/Quasi Public (PQ)	Open Space (OS)	Regional Commercial (RC)	Regional Commercial (RC)	15.01	GPA and Zone Change
2	Regional Commercial (RC)	Regional Commercial (RC)	Regional Commercial – Light Industrial Over (RC-IF)	Regional Commercial-Flex (RC-F)	16.33	GPA and Zone Change
3	Industrial – Light Industrial Flex Overlay (IN-IF)	Industrial – Light Industrial Flex Overlay (I-LIF)	Industrial (IN)	Industrial (IG)	328.14	GPA and Zone Change
4	Low Density Residential (LD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Low-Medium (R-LM)	175.92	GPA and Zone Change (In prior GP R-LM) multiple properties (studied as RM in the DEIR)
5	Low Density Residential (LD)	Multifamily Zone (RM)	Medium Density Residential (MD)	Residential Medium (RM)	14.57	GPA Only
6	Low Density Residential (LD)	Duplex Zone (R-2) Single Family Zone (R-1) Multifamily Zone (RM)	Medium Density Residential (MD)	Residential Medium (RM)	13.08	GPA and Zone Change (RM in the DEIR)
7	Low Density Residential (LD)	Multifamily Zone (RM)	Medium Density Residential (MD)	Residential Medium (RM)	16.74	GPA Only
8	Medium Density Residential (MD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Medium (RM)	2.52	Zone Change Only
9	Medium Density Residential (MD)	Single Family Zone (R-1)	Medium Density Residential (MD)	Residential Medium (RM) and Open Space (OS)	2.18	Zone Change Only
10	Medium Density Residential (MD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential		Zone Change Only
11	Low Density Residential (LD)	Duplex Zone (R-2)	Low Density Residential (LD)	Residential Low (RL)	12.50	Zone Change Only
12	Low Density Residential (LD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Low-Medium (R-LM)	3.70	GPA and Zone Change (Studied as RL in the DEIR)
13	Low Density Residential (LD)	Multifamily Zone (RM)	Medium Density Residential (MD)	Residential Medium (RM)	3.61	GPA Only
14	Low Density Residential (LD)	Multifamily Zone (RM)	Medium Density Residential (MD)	Residential Medium (RM)	16.76	GPA Change (Studied as RM in the DEIR)
15	Community Commercial (CC)	Community Commercial (CC)	Corridor Mixed Use (CMU)	Corridor Mixed Use – West Main (CMU-WM)	30.25	GPA and Zone Change – multiple parcels (Studied as CC in the DEIR)

Site Number	2035 General Plan	Current Zoning	Proposed General Plan Land Use	Proposed Zoning	Acreage	Zone Change or General Plan Amendment
16	Downtown Mixed Use (DMU)	DMU	Downtown Mixed Use (DMU)	Downtown Core (DX-1) Downtown Civic (DX-2) Downtown Transitional (DX-3) Downtown Gateway (DX-4)	151.04	Zone Change Only
17	Corridor Mixed Use (CMU)	CMU-East	Corridor Mixed Use (CMU)	CMU- Armfield	32.07	Zone Change Only
18	Low Density Residential (LD)	Multifamily Zone (RM)	Medium Density Residential (MD)	Residential Medium (RM)	2.51	GPA Only
19	Medium Density Residential (MD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Medium (RM)	1.79	Zone Change Only
20	Low Density Residential (LD)	Neighborhood Preservation (NP)	Medium Density Residential (MD)	Residential Medium (RM)	10.28	GPA and Zone Change (Studied as RL on north side of Cross and RM south of Cross in the DEIR)
21	Downtown Mixed Use (DMU)	DMU	Corridor Mixed Use (CMU)	Corridor Mixed Use – East (CMU-E)	32.98	GPA and Zone Change
22	Medium Density Residential (MD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Medium (RM)	3.07	Zone Change Only
23	Medium Density Residential (MD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Medium (RM)	2.25	Zone Change Only
24	Medium Density Residential (MD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Medium (RM)	5.64	Zone Change Only
25	Low Density Residential (LD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Low-Medium (R-LM)	10.93	GPA and Zone Change
26	Low Density Residential (LD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Low-Medium (R-LM)	21.33	GPA and Zone Change
27	Medium Density Residential (MD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Medium (RM)	1.56	Zone Change Only
28	Medium Density Residential (MD)	Duplex Zone (R-2)	Medium Density Residential (MD)	Residential Medium (RM)	3.71	Zone Change Only
29	Medium Density Residential (MD)	Single Family Zone (R-1)	Medium Density Residential (MD)	Residential Medium (RM)	4.93	Zone Change Only
Source: City of Woodland 2023						

Finally, Table 3 shows all updates to residential zone names and densities:

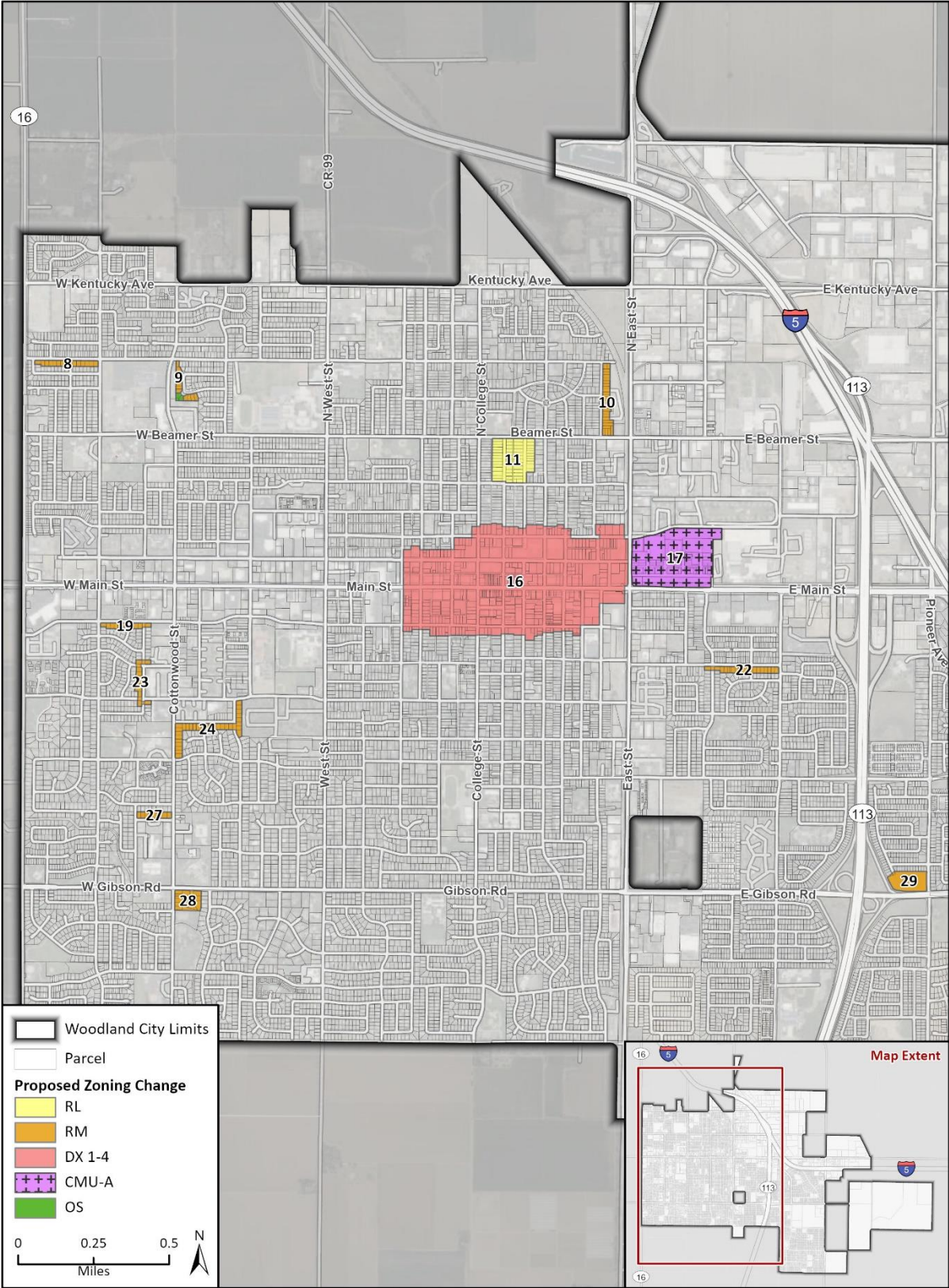
Table 3 Current and Proposed Residential Density Updates

Current Residential Zone Name	Current Residential Zone Density	Proposed Residential Zone Name	Proposed Residential Density
Single Family (R-1)	1-8 du/ac	Residential Low (R-L)	1-8 du/ac
Neighborhood Preservation (NP)	1-8 du/ac	Neighborhood Preservation (NP)	1-8 du/ac
Duplex Residential (R-2)	1-8 du/ac	Residential Low-Medium (R-LM)	5-15 du/ac
Multi-Family (RM)	8.1-19.9 du/ac	Residential Medium (R-M)	8.1-19.9 du/ac
High Density Residential (RH)	20-40 du/ac	Residential High (R-H)	20-40 du/ac
Corridor Mixed Use (CMU)	20-40 du/ac	Corridor Mixed Use – West Main (CMU-WM) Corridor Mixed Use – East (CMU-E) Corridor Mixed Use – Kentucky (CMU-K) Corridor Mixed Use – Armfield (CMU-A) Corridor Mixed Use – Flex (CMU-F)	20-40 du/ac
Community Commercial (CC)	–	Community Commercial Mixed Use (CCMU)	15-35 du/ac
Neighborhood Commercial (NC)	Unlimited – only allowed on upper floors	Neighborhood Mixed Use (NMU)	Unlimited – only allowed on upper floors
Downtown Mixed Use	Unlimited – 40 du/ac assumed average	Downtown Core (DX-1) Downtown Civic (DX-2) Downtown Transitional (DX-3) Downtown Gateway (DX-4)	Unlimited – 40 du/ac assumed average

Source: City of Woodland 2023

In addition to all residential modifications, the City proposes to add two new zones, Corridor Mixed-Use Gateway (CMU-G) and Business Park (BP). These two zones would generally align with the City’s 2035 General Plan land use categories of Corridor Mixed Use (CMU) and Business Park (BP). The Business Park land use designation and proposed zone allows for a residential density range of 25 to 45 dwelling units per acres. All subzones under the CMU zoning district have an allowed residential density of 20 to 40 dwelling units per acre, with the exception of the new CMU-G, which would have a density of 15 to 45 dwelling units per acre. Because this both decreases and increases the allowable density, it is assumed that this would result in the same average density as that assumed by the General Plan, and therefore would not change the buildout assumptions for the CMU land use designation. Both of these zones are currently “floating,” as they are included in the 2035 General Plan Land Use Map, but these land uses currently do not apply to any land in the city. Any proposed zone changes would undergo separate CEQA evaluation.

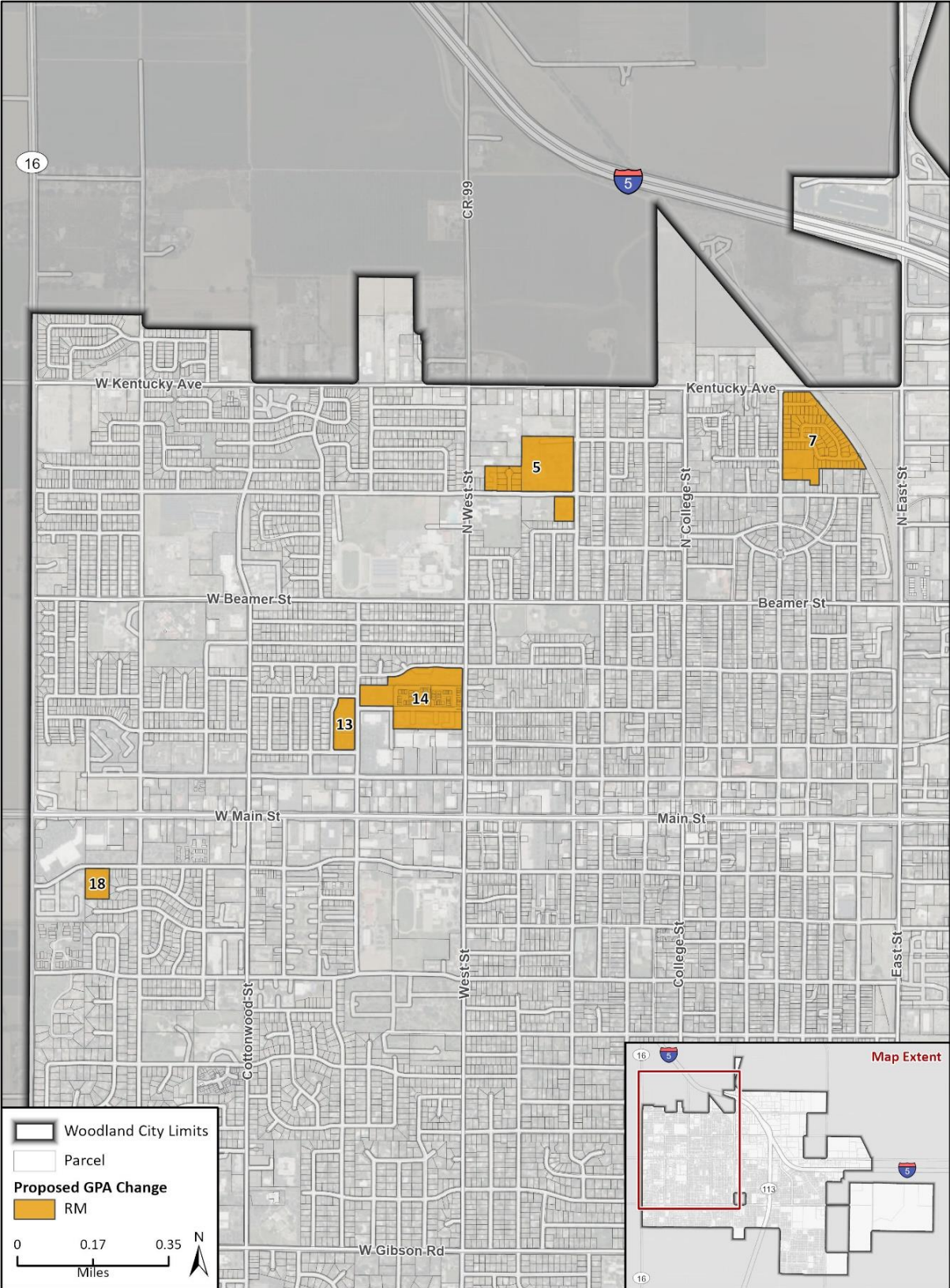
Figure 3 Sites with a Proposed Zoning Change Only



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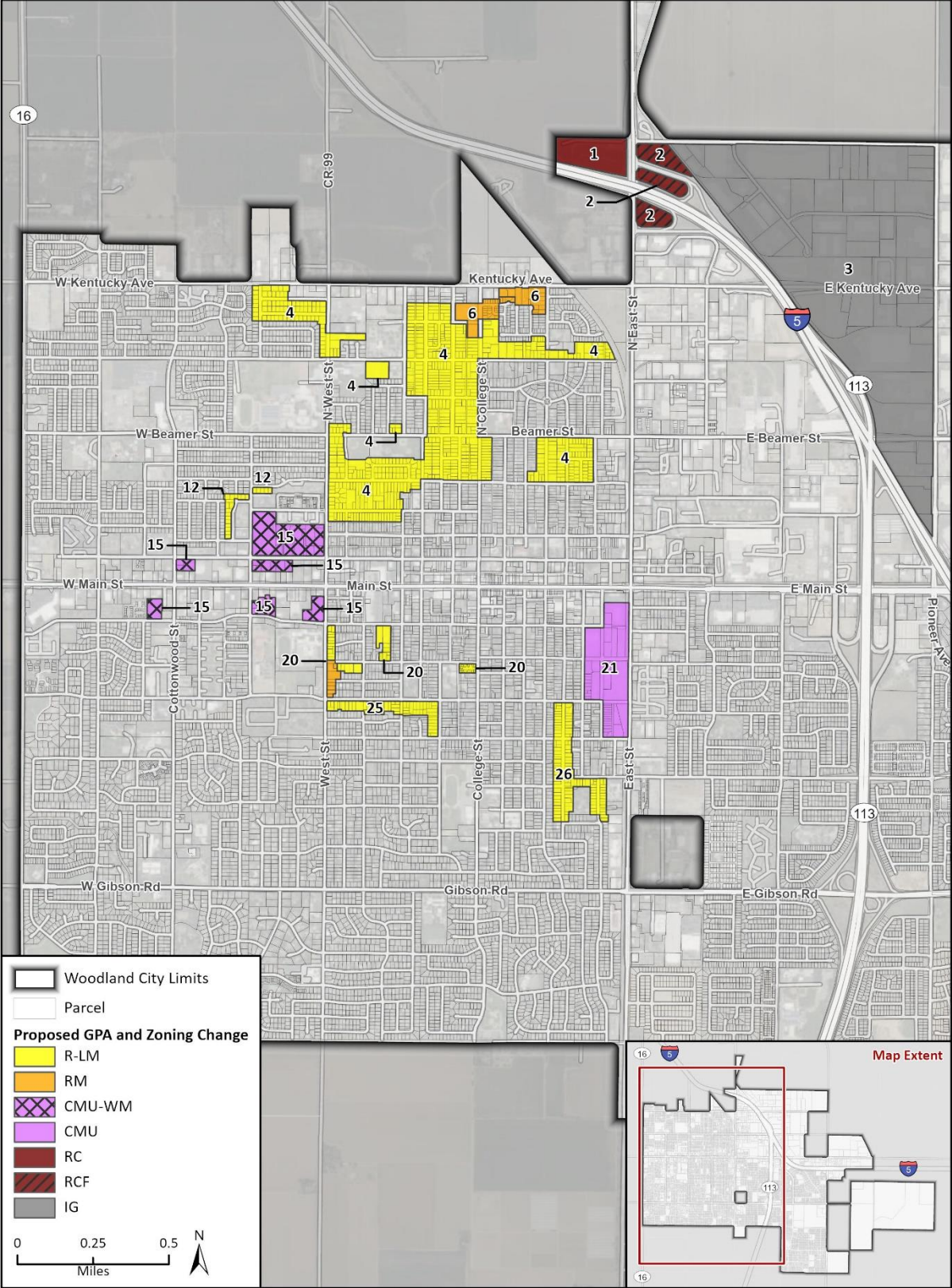
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Fig 4-1 Proposed Zoning Change

Figure 4 Sites with a Proposed General Plan Amendment Only



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Figure 5 Sites with a Proposed Zoning Change and General Plan Amendment



Additional modifications to the zoning code include:

- Revisions to the zone classifications table to match the General Plan, including zoning district names, symbols, minimum and maximum density and nonresidential intensity standards, and land use designations.
- The addition of new zoning districts including:
 - Residential Low-Medium (R-LM)
 - Downtown-Core (DX-1)
 - Downtown-Civic (DX-2)
 - Downtown-Transitional (DX-3)
 - Downtown-Gateway (DX-4)
 - Corridor Mixed Use – Armfield (CMU-A)
 - Corridor Mixed-Use Gateway (CMU-G)
 - Business Park (BP)
 - Public Facilities (PF)

As shown in Table 4 below, there would be a net increase of 4,597 dwelling units and 12.7 million non-residential square feet associated with the proposed project. This would bring the buildout of the 2035 General Plan with the proposed project on sites that would undergo a change associated with the proposed project to 12,447 residential dwelling units and 27.9 million non-residential square feet.

The General Plan EIR evaluated new growth areas and assumed a total of 7,000 new residential units within the city. This assumption includes development throughout the city. The net increase in residential units associated with the proposed project (4,597 units) and the new units assumed across all other sites in the city (7,000 units) would result in 11,610 new residential units. This would not exceed the Cumulative Scenario buildout previously analyzed in the General Plan EIR (15,290 units).

Additionally, the General Plan evaluated non-residential growth through two scenarios in the General Plan EIR throughout the City. The net increase in non-residential square footage associated with the proposed project (12,691,423 sf) and the non-residential square footage associated General Plan buildout within the city as analyzed in the General Plan EIR (17,386,000 square feet under the East Alternative, which has the highest non-residential square footage assumptions) would result in 30,077,423 square feet. This would not exceed the Cumulative Scenario buildout analyzed in the General Plan EIR (35,129,000 square feet).

Therefore, the proposed project would fall within the buildout numbers (i.e., 15,290 new dwelling units and 55 million non-residential square feet) previously analyzed in the General Plan EIR.

Table 4 Current and Proposed Buildout

Site Number	2035 General Plan Residential Units (Cumulative Assumption)	2035 General Plan Non-Residential FAR (sq. ft.) (Cumulative Assumption)	Proposed Residential Units Resulting from Zoning and/or General Plan Amendments	Proposed Non-Residential FAR (sq. ft.) Resulting from Zoning and/or General Plan Amendments	Buildout Residential Units Difference	Buildout Non-Residential FAR (sq. ft.) Difference
1	0	163,350	0	457,815.6	0	294,465.6
2	0	249,163.2	0	497,890.8	0	248,727.6
3	0	5,717,685.6	0	11,434,935.6	0	5,717,250
4	879.6	0	2,638.8	0	1,759	0
5	72.85	0	72.85	0	0	0
6	65.40	0	260.29	0	195	0
7	83.70	0	333.13	0	249	0
8	35.28	0	35.28	0	0	0
9	30.52	0	30.52	0	0	0
10	56.84	0	56.84	0	0	0
11	62.50	0	62.50	0	0	0
12	18.50	0	55.50	0	37	0
13	18.05	0	71.84	0	54	0
14	83.80	0	333.52	0	250	0
15	0	395,307	1,210.00	3,953,070	1,210	3,557,763
16	4,531.20	6,579,302.40	4,531.20	6,579,302.4	0	0
17	448.98	698,484.60	448.98	698,484.6	0	0
18	12.55	0	49.95	0	37	0
19	25.06	0	25.06	0	0	0
20	51.4	0	204.58	0	153	0
21	989.40	1,436,608.80	1,319.20	4,309,826.40	330	2,873,217.60
22	42.98	0	42.98	0	0	0
23	31.50	0	31.50	0	0	0
24	78.96	0	78.96	0	0	0
25	54.65	0	163.95	0	109	0
26	106.65	0	319.95	0	213	0
27	21.84	0	21.84	0	0	0
28	51.94	0	51.94	0	0	0
29	69.02	0	69.02	0	0	0

City of Woodland
City of Woodland Zoning Code Update

Site Number	2035 General Plan Residential Units (Cumulative Assumption)	2035 General Plan Non-Residential FAR (sq. ft.) (Cumulative Assumption)	Proposed Residential Units Resulting from Zoning and/or General Plan Amendments	Proposed Non-Residential FAR (sq. ft.) Resulting from Zoning and/or General Plan Amendments	Buildout Residential Units Difference	Buildout Non-Residential FAR (sq. ft.) Difference
Total	7,923.17	15,239,902	12,447	27,931,325.4	4,597	12,691,423.80

Note: These numbers were calculated using the existing mid-range densities for each site (consistent with the calculation methodology in the 2035 General Plan EIR for the Cumulative Scenario) and the acreages on the sites being analyzed.

Calculations are based on sites with General Plan land use designation changes, as sites undergoing a zone change to bring them into alignment with their land use designation (and therefore not undergoing a change from the General Plan designation) are assumed to have no change from the General Plan 2035 assumptions.

Source: City of Woodland 2023

3 Overview of CEQA Guidelines Section 15162 and Section 15164

CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when a project has a previously certified EIR.

CEQA Guidelines Section 15164 states that a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. *CEQA Guidelines* Section 15162(a) states that no Subsequent or Supplemental EIR shall be prepared for a project with a certified EIR unless the lead agency determines, based on substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR.
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR.
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.
 - D. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The analysis pursuant to *CEQA Guidelines* Section 15162 demonstrates whether the lead agency can approve the activity as being within the scope of the existing certified EIR, that an addendum to the existing EIR would be appropriate, and no new environmental document, such as a new EIR, would be required. The addendum need not be circulated for public review but can be included in or attached to the Final EIR, and the decision-making body shall consider the addendum with the Final EIR prior to deciding on the project.

The City has prepared this Addendum Evaluation, pursuant to *CEQA Guidelines* Sections 15162 and 15164, to evaluate whether the project's environmental impacts are covered by and within the scope of the City of Woodland 2035 General Plan Final EIR (certified May 2017, State Clearinghouse Number 2013032015). The following Addendum Evaluation details any changes in the project,

changes in circumstances under which the project is undertaken, and/or "new information of substantial importance" that may cause one or more effects to environmental resources.

The responses herein substantiate and support the City's determination that the proposed Zoning Code Update and associated policies and programs are within the scope of the General Plan EIR, do not require subsequent action under *CEQA Guidelines* Section 15162 and, in conjunction with the EIR, adequately analyze potential environmental impacts.

4 Environmental Effects and Determination

4.1 Environmental Areas Determined to Have New or Substantially More Severe Significant Effects Compared to Those Identified in the Previous EIR

The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances, or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

■ NONE

- | | | |
|--|---|---|
| ☐ Aesthetics | ☐ Agriculture and Forestry Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Energy |
| ☐ Geology and Soils | ☐ Greenhouse Gas Emissions | ☐ Hazards and Hazardous Materials |
| ☐ Hydrology and Water Quality | ☐ Land Use and Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population and Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☐ Tribal Cultural Resources |
| ☐ Utilities and Service Systems | ☐ Wildfire | ☐ Mandatory Findings of Significance |

4.2 Determination

Based on this analysis:

- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in *CEQA Guidelines* Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL EIR is required.
- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in *CEQA Guidelines* Section 15162(a)(3). Therefore, the previously certified EIR is adequate and this evaluation serves as an ADDENDUM to the 2035 General Plan Final Environmental Impact Report (General Plan FEIR). State Clearinghouse Number 2013032015 dated May 2017.

Signature

Date

Printed Name

Title

5 Addendum Evaluation Methodology

5.1 General Plan Consistency

To promote a uniform and compatible vision for the development of the community, California law requires the General Plan be internally consistent in its goals and policies. A jurisdiction's zoning ordinance must be consistent with its General Plan and subsequent updates to its General Plan.

General Plan elements and policies that may affect land use are summarized below:

- The **Land Use, Community Design, and Historic Preservation Element** directs the location and form of future development, shaping where people will live, work, play, and shop in Woodland. It presents the desirable pattern for the ultimate development of the city for the General Plan horizon (year 2035) and seeks to ensure that land use planning reflects the community's evolution and changing demographics, while promoting sustainability. Goals and policies related to urban form and design will inform development decisions by providing a common understanding of the characteristics the community wishes to achieve and preserve.
- The **Transportation and Circulation Element** emphasizes the development of new and modified infrastructure that promotes increased transportation choices to serve existing and new development. Specifically, it promotes an integrated, multimodal transportation system to reduce air pollution and greenhouse gas (GHG) emissions, reduce the need for costly roadway improvements, and allow residents and business the opportunity to operate, recreate and move through the city efficiently without an automobile whenever possible. In addition, streets, roads, and other thoroughfares represent the public face of the city and provide an opportunity to improve its beauty, convenience, and safety.
- The **Economic Development Element** of the General Plan contains goals and policies that will enable the City to direct local resources to retain, relocate, expand, and assist local businesses and attract new industries that will increase the City's tax base and economic diversity. This Element provides policy direction for fostering development and revitalization to support a vibrant downtown; promoting growth in key target areas; providing jobs for the growing population; creating opportunities for supply of retail goods and services that will be needed by the community and patronized by regional travelers as well as business to business opportunities; and enhancing the City's ability to provide public services for current and future residents.
- The purpose of the **Public Facilities and Services Element** is to provide a policy framework for the City to manage infrastructure and services, identify areas for improvement, and ensure that public utilities and services meet the needs of the community as the city grows. More specifically, the Public Facilities and Services Element addresses the planning, provision, and maintenance of police and fire services; parks and recreational facilities and programs; schools; water, recycled water, wastewater, drainage/stormwater, solid waste systems; and other public facilities.
- The **Healthy Community Element** is centered on the concept that the health of the community is a direct reflection of the health of the residents living within the community. The Element reviews current health conditions in Woodland and sets forth goals and policies to promote the individual and collective health of those living in Woodland, particularly pertaining to access to medical and health services and facilities, active lifestyles, healthy food, community services, and arts and culture.

- The **Sustainability, Conservation, and Open Space Element** establishes goals and policies for the conservation of natural resources in Woodland. Woodland's natural resources – water, natural habitats, wildlife, vegetation, agricultural soils, minerals, and air – contribute to the city's economy and the quality of life of Woodland residents.
- The purpose of the **Safety Element** is to identify the natural and manmade public safety hazards that exist within the city and to establish preventative and responsive policies and programs to mitigate their potential impacts.
- The goals of the **Housing Element** are to identify the community's housing needs; to state the community's goals and objectives with regard to housing production, rehabilitation, and conservation to meet those needs; and to define the policies and programs that the community will implement to achieve the stated goals and objectives.

5.2 Preliminary Environmental Constraints

The Zoning Code Update, in and of itself, does not propose specific development projects, but rather codifies zoning rules, processes, and procedures that guide future growth in Woodland. Each future development project would be subject to separate review to determine potential impacts on the environment related to each project as potential impacts are location-specific and cannot be assessed in a meaningful way until a project site and development proposal are identified. When a specific development proposal is considered for approval, that project would be subject to adopted development guidelines and standards outlined in the Zoning Code and be required to incorporate applicable mitigation measures, alternatives and/or uniformly applied policies developed in the 2035 General Plan EIR certified in 2017 (in accordance with *CEQA Guidelines* Section 15168[c][3]). If a subsequent activity (in this case a specific development proposal that requires discretionary approval) would have effects not identified in the program EIR (the 2035 General Plan EIR and this Addendum), the lead agency must prepare additional CEQA documentation.

This Addendum evaluation includes the analysis of the changes and potential impacts related to the adoption of the Zoning Code Update. This Addendum evaluation is intended to demonstrate the project's consistency with the existing Woodland 2035 General Plan and Final EIR to satisfy the requirements of CEQA. In particular, and pursuant to Public Resources Code Section 21083.3, this Addendum Evaluation assesses whether the updated Zoning Code, as a policy and programs document, includes impacts not addressed or analyzed as significant effects in the certified EIR.

6 Addendum Evaluation

6.1 Aesthetics

General Plan EIR Findings

The General Plan EIR determined the Cumulative Scenario would result in a less than significant impact to scenic vistas. There are no State scenic highways in close proximity to the City. Therefore, impacts to State scenic highways would be less than significant. Future development would be required to be consistent with existing adopted General Plan policies that protect the scenic resources of the City of Woodland. Implementation of the Cumulative Scenario would add uses and density; new investment in urban infill areas typically improves visual quality by developing vacant or underutilized properties and improving maintenance of existing structures and yards. Nonetheless, the Cumulative Scenario would change the visual character of the city, which would be perceived within the city, as well as from adjacent areas. Therefore, implementation of the General Plan Cumulative Scenario would result in significant and unavoidable impacts to visual character. The General Plan EIR determined that the Cumulative Scenario would also contribute to an increase in nighttime light and glare. Mitigation Measure 4.1-4 recommends two additional policies, Policies 2.F.4 and 2.F.5, that require light sources to be aimed downward and shielded, as necessary, to prevent glare or reflection or any nuisance or hazardous interference of any kind on adjoining streets or property and to avoid glare by using exclusively low-reflectance, non-polished finishes, or other equally effective mechanisms. Mitigation Measure 4.1-4 will reduce light and glare from urban development, but these impacts cannot be avoided altogether. This impact would be significant and unavoidable.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards and use regulations. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR, Policy 2.E.5 in the General Plan which protects view corridors, as well as Mitigation Measure 4.1-4, would reduce impacts to the greatest extent possible. These policies and actions would continue to be required with implementation of the Zoning Code Update.

Furthermore, development and design standards within the updated Zoning Code, including new objective design standards (Zoning Code Division II, Chapter 17.56 – *Building and Site Design Standards*) and development regulations pertaining to building height, setbacks and lot coverage (Zoning Code Division II – *Zone Regulations*) further implement General Plan goals and policies that speak to the preservation of view corridors, attractive building street facades and preservation of existing neighborhood character (General Plan Goal 2.G and Policies 2.E.5-6, and 2.G1-3). In line with General Plan EIR Mitigation Measure 4.1-4, Zoning Code Section 17.76.080, regulates Light and Glare associated with new development proposals, specifically stating that, “Lights shall be of the minimum illumination

necessary for a given application and shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Lights shall be directed downward and shielded at lot lines so as to confine all direct rays to the premises on which it is located. Exterior lighting shall be fully shielded;” and, “All lighting, reflective surfaces, mechanical or chemical processes, or any other sources of illumination shall be designed and located in a manner that produces no glare visible on public streets or on any other parcel. Glare or heat reflected from building materials shall be mitigated so as to not disrupt surrounding properties.”

While the proposed project would be updating both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same visual impacts from new development, including potential light sources, as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the 2035 General Plan Cumulative Scenario.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to scenic vistas, scenic resources, or visual character, and would not create new sources of substantial light or glare which adversely affects views.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations, including standards that govern visual quality and community design.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of aesthetics is required.

6.2 Agriculture and Forestry

General Plan EIR Findings

The General Plan EIR determined that implementation of the Cumulative Scenario would convert all of the farmland in the city to nonagricultural uses. Multiple policies are identified in the 2035 General Plan to manage agricultural land conversion, including an urban limit line that is designed to protect agricultural land surrounding the city limits, which would reduce the potential impact associated with conversion of agricultural land. The 2035 General Plan also requires mitigation for lost farmland within the Urban Limit Line (ULL) at a rate of one acre of permanently conserved farmland for every acre converted to urban development or nonagricultural uses. There would be no feasible mitigation that would allow the City to implement the 2035 General Plan according to the City’s Vision and Guiding Principles, while also avoiding the conversion of farmland. The loss of farmland associated with the Cumulative Scenario would result in a significant and unavoidable impact. The City has no farmland under Williamson Act contract. Therefore, the impacts of the Cumulative Scenario on existing zoning and Williamson Act contracts would be less than significant.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR would reduce impacts to the greatest extent possible. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would be updating both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same agricultural and forestry impacts from new development, including farmland conversion, as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan. Furthermore, the proposed project would be consistent with General Plan Goal 7.C. and Policies 7.C.5, 2.A.1, and 2.A.3 which preserves farmland, existing agricultural land uses, and implements an urban limit line to limit development on agricultural land within Woodland. The project would also comply with the Woodland Municipal Code Chapter 15.33 which implements mitigation measures to preserve agricultural land within the city. Woodland's Right to Farm Ordinance (WMC Chapter 9.52) would also be applicable and the project would comply with this ordinance to reduce impacts to agricultural lands.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to Farmland, Williamson Act contracts, or existing zoning for forest land or timberland.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards including those listed in WMC Section 15.33 which generally requires that for every acre converted to urban development, one acre of mitigation shall be required (1:1 ratio) whenever the City Council approves a General Plan amendment and/or rezone for urban development on agricultural land or farmland.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of agriculture and forestry is required.

6.3 Air Quality

General Plan EIR Findings

The General Plan EIR determined that construction-related criteria pollutant and precursor emissions from the 2035 General Plan would exceed YSAQMD's thresholds of significance for ROG, NOX, and PM10. The Cumulative Scenario of the 2035 General Plan would involve more construction activities and would also generate construction-related criteria air pollutant and precursor emissions that exceed YSAQMD's thresholds of significance. Implementation of Mitigation Measure 4.3-1a and Mitigation Measure 4.3-1b would aid in reducing construction emissions, but impacts would be significant and unavoidable. The General Plan EIR also determined that the Cumulative Scenario would exceed YSAQMD's operational thresholds and would result in a significant and unavoidable impact after implementation of Mitigation Measure 4.3-1b and Mitigation Measure 4.3-2.

Implementation of the Cumulative Scenario of the 2035 General Plan could result in the creation of toxic air contaminants (TACs). However, 2035 General Plan policies aim to reduce impacts to air quality. Compliance with all applicable air quality policies in the 2035 General Plan and regulations set by the Air Resources Board (ARB) would result in a less than significant impact from TACs with incorporation of Mitigation Measures 4.3-3a and 4.3-3b. Odor impacts are generally localized and do not combine with odor impacts in nearby jurisdictions to increase the severity of impacts. Because odor emissions from various land uses differ in nature, these emissions would not cumulatively contribute to each other to expose residents. The primary source of odor in the city is the Water Pollution Control Facility (WPCF). Policy 7.F.6 of the 2035 General Plan requires odors associated with the wastewater treatment plant to be mitigated to acceptable levels in conjunction with planning and development for any land within an odor buffer. A study conducted by Nexgen (2015) found that outside of this buffer zone, there would be no substantial odor emissions. This impact would be less than significant without mitigation incorporated.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR, as well as Mitigation Measures 4.3-1a, 4.3-1b, and 4.3-2, would reduce impacts to the greatest extent possible. Additionally, development facilitated by the project would be required to comply with Zoning Code Section 17.76.100 which includes requirements for the reduction of odors, particulate matter, and contaminants and requires compliance with Federal Environmental Protection Agency (EPA) and California Air Resources Board, and the Yolo Solano Air Quality Management Control District (YSAQMD) for sources of air emissions. These policies, actions, and mitigation measures would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same air quality impacts from new development, including exposure

to criteria pollutants, as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the 2035 General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to air quality thresholds such as net increase of criteria pollutants, exposure of sensitive receptors to pollutant concentrations, and the creation of objectionable odors.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of air quality is required.

6.4 Biological Resources

General Plan EIR Findings

The General Plan EIR determined that there would be a less than significant impact to biological resources with mitigation incorporated. Implementation of the Cumulative Scenario of the 2035 General Plan would result in conversion of habitat for special-status plant species, which could result in loss of special-status plants either through direct removal or through habitat degradation. However, the 2035 General Plan also includes policies to protect and reduce impacts to biological resources. Mitigation Measure 4.4-1a and Mitigation Measure 4.4-1b would be incorporated to reduce impacts to special-status plants and special-status plant habitats to a less than significant level. Similarly, the General Plan EIR determined that implementation of the 2035 General Plan would result in loss and degradation of suitable habitat for several special-status wildlife species and could result in take of State and Federally-listed wildlife species and loss or displacement of special-status wildlife populations. However, incorporation of Mitigation Measures 4.4-2a, 4.4-2b, and 4.4-2c would reduce impacts to a less than significant level.

The General Plan EIR also determined that impacts to riparian habitats and wetlands would be less than significant with incorporation of Mitigation Measures 4.4-3a, 4.4-3b, 4.4-3c, 4.4-3d, 4.4-4a, 4.4-4b, and 4.4-4c. The Cumulative Scenario of the 2035 General Plan plans for development within the Pacific flyway, a major bird migration route. However, buildout of the 2035 General Plan would not create a barrier to movement of migratory species or alter the character of existing habitat available to migrating birds such that it would no longer function as a migratory corridor. Therefore, impacts would be less than significant. The General Plan EIR determined that compliance with the 2035 General Plan policies and compliance with the City ordinance would reduce potential impacts to trees to a less than significant level.

The General Plan Land Use Diagram and 2035 General Plan policies and implementation programs have been designed to provide consistency with the proposed Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). Impacts related to compliance would be less than significant with Mitigation Measures 4.4-7a, 4.4-7b, and 4.4-7c. Implementing the 2035 General Plan would not

substantially reduce the habitat of a fish or wildlife species, eliminate a plant or animal community, or substantially reduce the number or restrict the range of any endangered, rare, or threatened species because the majority of known occurrences of special-status species and their habitat would be preserved. Therefore, impacts to fish and wildlife would be less than significant.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR, along with all Mitigation Measures in the Section 4.4, *Biological Resources*, would reduce impacts to the greatest extent possible. These policies and actions would continue to be required with implementation of the Zoning Code Update. Additionally, development facilitated by the project would be required to be consistent with General Plan Goal 7.B and Policies 7.B.1 through 7. B. 11, which protects biological resources including special status species, sensitive habitats, and open space within the city. Development facilitated by the project would also be required to comply with WMC Section 12.48 which is the City's Tree Preservation Ordinance, Section 15.32 which implements the Yolo Habitat Conservation Plan/Natural Communities Conservation Plan, and Zoning Code Section 17.64.040, *Landscaping*, which sets requirements for tree planting areas associated with new development and major site renovations with the stated purpose of preserving existing established tree canopy.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same biological resources impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not increase density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to biological resources such as special status species, riparian or sensitive habitats, protected wetlands, wildlife corridors, or conflict with local policies, ordinances, or conservation plans.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of biological resources is required.

6.5 Cultural Resources

General Plan EIR Findings

The General Plan EIR determined that implementation of the Cumulative Scenario of the 2035 General Plan would result in significant and unavoidable impacts, even with the incorporation of mitigation measures. The 2035 General Plan plans for the construction of new buildings and structures. Modification of existing buildings and structures could also occur in the city. Although there are no previously recorded archaeological resources within the city, future projects involving intensive grading, trenching, excavation, soil stockpiling, and other earthmoving activities could impact previously unrecorded cultural resources. Implementation of the 2035 General Plan Cumulative Scenario has the potential to damage or destroy archaeological and historic architectural resources that qualify as historical resources or unique archaeological resources under CEQA. Similarly, implementation of the 2035 General Plan Cumulative Scenario has the potential for discovery of human remains during ground-moving activities. The significance of such resources could be materially impaired because their ability to convey significance could be destroyed or diminished. Therefore, impacts would be significant and unavoidable even with the incorporation of Mitigation Measures 4.6-1a, 4.6-1b, 4.6-1c, 4.6-1d, and 4.6-2, all of which are aimed at reducing impacts to cultural resources.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR, in addition to Mitigation Measures 4.6-1a, 4.6-1b, 4.6-1c, 4.6-1d, and 4.6-2, would reduce impacts to the greatest extent possible. General Plan Goal 7.E, and Policies 7.E.1 through 7.E.3, require the preservation of prehistoric, cultural, and archaeological resources within the city. Development facilitated by the project would also comply with WMC Section 15.24 which preserves historical landmarks, districts, and resources, including historic structures, within Woodland. Further, Zoning Code Section 17.56.050, *Preservation/Restoration of and Additions to Historic Structures*, provides design regulations pertaining to the improvement or re-use of historic structures and discourages the demolition of historic and potentially historic structures. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same cultural resources impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan because the proposed project buildout would not exceed the full buildout analyzed in the Cumulative Impacts section of the General Plan EIR.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to cultural resources such as historical or archaeological resources, or human remains.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations. The proposed project would implement the 2035 General Plan, thereby resulting in the same cultural resources impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the General Plan. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to cultural resources such as historical or archaeological resources, or human remains.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of cultural resources is required.

6.6 Energy

General Plan EIR Findings

The General Plan EIR determined that during construction and following buildout of the Cumulative Scenario of the 2035 General Plan, energy would be consumed in the forms of fossil fuels and electricity. Projects facilitated under the Cumulative Scenario are required to meet currently applicable energy efficiency standards at the time of construction. Buildings would generally be more energy efficient than existing similar use buildings in the City, which were constructed according to existing or previous less stringent energy efficiency standards. In addition, older buildings tend to decrease in energy efficiency as infrastructure begins to degrade with time. Land uses developed in infill, mixed-use, and/or transit accessible areas would reduce vehicle miles traveled by allowing residents to use alternative modes of transportation rather than motor vehicles or reducing trip distances to access amenities. The Cumulative Scenario includes developments that would improve overall energy efficiency and result in a less than significant impact.

Implementation of the Cumulative Scenario of the 2035 General Plan would increase energy demand and would result in the need to extend services and infrastructure to new users in the city. Policies and implementation programs in the 2035 General Plan, as well as existing regulations would reduce potential impacts. Construction of facilities would occur within the assumed development footprint of the 2035 and impacts are considered throughout the General Plan EIR. Therefore, impacts resulting from the need for new or expanded energy production would be less than significant.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the

General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR would reduce impacts to the greatest extent possible. Additionally, General Plan Policy 7.F.5, which requires electric equipment to be used during construction, would be applicable to future development facilitated by the proposed project. Development facilitated by the project would be required to comply with Zoning Code Section 17.56.101.B., *Shade, Cooling and Energy Conservation Requirements*, which regulates and promotes the use of alternate energy sources such as solar facilities and heat recovery ventilation, and through design elements such as cool roofs, structural shade features, and building orientation. Zoning Code Section 17.56.010.D. *Electrification*, requires all new buildings be all-electric ready. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the similar energy resource impacts from new development as under the 2035 General Plan Cumulative Scenario. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to energy such as resulting in wasteful or inefficient consumption of energy resources or conflict with a state or local energy plan.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of energy is required.

6.7 Geology and Soils

General Plan EIR Findings

The General Plan EIR determined the 2035 General Plan Cumulative Scenario would result in construction with potential exposure to geologic hazards. All applicable projects would be required to comply with the California Building Code, which includes engineering practices that mandate special design and construction methods to reduce or eliminate hazards from seismic ground shaking and construction in expansive soil. In addition, the California Building Code also contains drainage-related requirements to reduce seasonal fluctuations in soil moisture content. In addition, incorporation of Mitigation Measure 4.7-3a would reduce hazards from unstable or expansive soils. Therefore, the effects related to seismic ground shaking; liquefaction; and geologic hazards related to unstable soils, expansive soils, and soil unsuitable for septic systems would be less than significant with mitigation. In addition, construction of the Cumulative Scenario would result in substantial grading, excavation, and earth-moving activities. All applicable projects are required to comply with the City of Woodland Stormwater Management Program and National Pollutant Discharge Elimination System (NPDES)

regulations, including construction site storm water pollution prevention plans (SWPPPs) and best management practices (BMPs), which would control soil erosion at each construction site. Therefore, the effects from construction erosion would be less than significant.

Development forecast under 2035 General Plan Cumulative Scenario would involve development in areas with geologic and soils constraints, in areas that could have paleontological resources sensitivity. Sensitive geologic units considered for paleontological resources are widespread in the Sacramento region. Mitigation Measure 4.7-4 would create a new implementation program that contains additional resource disturbance prevention activities and a cease-work requirement upon paleontological resource discovery, and impacts to paleontological resources would be reduced to a less than significant level.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR, in addition to Mitigation Measure 4.7-3a and 4.7-4, would reduce impacts to the greatest extent possible. Further WMC Title 15 and 16 speak to soils investigation requirements as part of future subdivision maps and development proposals. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same geology and soils resources impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to geology and soils such as causing potential adverse effects involving fault rupture, ground shaking, liquefaction, and landslides. Nor would the update result in loss of topsoil, cause a geologic unit to become unstable, be located on soils incapable of supporting septic tank use, or destroy a unique paleontological resource.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of geology and soils is required.

6.8 Greenhouse Gas Emissions

General Plan EIR Findings

The General Plan EIR determined that implementation of the Cumulative Scenario would implement planned land uses that would involve greenhouse gas (GHG) emissions associated with short-term construction and infrastructure, along with long-term operational emissions. Incorporation of Mitigation Measures 4.5-1a, 4.5-1b, and 4.5-1c would reduce impacts to a less than cumulatively considerable impact. The 2035 General Plan policies and implementation programs and the 2035 CAP ensure that GHG emissions within the city occur at a rate that is consistent with goals set for the State government to reduce GHG emissions. Projects that seek to use streamlining identified under SB 375 would need to determine consistency with Sacramento Area Council of Government's (SACOG) Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). Incorporation of Mitigation Measure 4.5-2 would reduce impacts to a less than significant level.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR, in addition to Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, and 4.5-2, would reduce impacts to the greatest extent possible. Additionally, future development facilitated by the project would comply with General Plan Policies 7.F.7 through 7.F.11, which aim to reduce greenhouse gas emissions within the city, and Zoning Code Sections 17.56.010.B. *Shade, Cooling and Energy Conservation Requirements*, C. *Sustainable Materials and Construction Practices*, and D. *Electrification*, establish sustainable design guidelines and conservation requirements to reduce energy use and GHG emissions. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would be updating both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same greenhouse gas emissions impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to greenhouse gas emissions such as resulting in a significant environmental impact or conflicting with an applicable greenhouse gas emission reduction plan.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development regulations.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of greenhouse gas emissions is required.

6.9 Hazards and Hazardous Materials

General Plan EIR Findings

The General Plan EIR determined that implementation of the 2035 General Plan Cumulative Scenario will likely result in an increase in routine use, transportation, and disposal of hazardous materials, as well as handling of hazardous materials near existing and proposed schools. However, existing federal, State, and local regulations create and enforce standards for these activities. Upset or accident conditions, emissions of hazardous materials, and development on a site listed as containing hazardous materials usually occur on a project-by-project basis, rather than in a cumulative manner.

Implementation of the 2035 General Plan Cumulative Scenario would allow for a wide variety of uses that could result in upset or accident conditions involving the release of hazardous materials. However, compliance with policies contained in the 2035 General Plan that enforce safety standards, require detailed planning for uses that generate hazardous materials, require buffers between hazardous sites and sensitive receptors, and require the tracking of data on hazardous materials would reduce this impact to a less than significant level. Individual projects in Yolo County and nearby cities would be required to comply with federal, State, and local regulations. There are 14 airports in the Sacramento region. SACOG serves as the Airport Land Use Commission (ALUC) and has developed Airport Land Use Compatibility Plans (ALUCP) for almost all of the airports. Compliance with the ALUCPs and existing federal, State, and local laws protect the safety of people near airports and private airstrips. Threats of wildfires on non-federal lands in unincorporated areas are the responsibility of CAL FIRE and addressed through compliance with Title 14 of the California Code of Regulations, Division 1.5. Federal lands fall under Federal Responsibility Areas, and all incorporated areas and other unincorporated lands are classified as Local Responsibility Areas. Therefore, there would be no impact on wildfire hazards.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR would reduce impacts to the greatest extent possible. Additionally, development facilitated by the proposed project would comply with General Plan Goal 8.E and Policies 8.E.1 through 8.E.6, which are intended to minimize the risk of loss of life, injury, serious illness, damage to property, and negative economic and social impacts resulting from the use, transport, treatment, and disposal of hazardous materials and hazardous materials waste. Development facilitated by the project would also be required to comply with Zoning Code Section 17.76.050 and 17.76.060 which regulates hazardous materials including fire and explosive hazards. These code sections require compliance with the California Hazardous Materials Regulations, the California Fire and

Building Codes, the California Department of Toxic Substances Control, and the County Environmental Health Agency with regard to the use, handling storage and transportation of hazardous materials. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same hazards and hazardous materials impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in hazards and hazardous materials impacts such as hazardous material accidental release during transport or spill, hazardous emissions near schools, located on a site which is listed as a hazardous materials site, noise or safety concerns near airport, impair an emergency response plan, or expose people or structures to significant risk of wildland fires.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of hazards and hazardous materials is required.

6.10 Hydrology and Water Quality

General Plan EIR Findings

The General Plan EIR determined that implementation of the 2035 General Plan Cumulative Scenario would result in no impact to long-term water quality. Implementation of the 2035 General Plan Cumulative would convert large areas of undeveloped land to residential, commercial, industrial, and mix-uses, as well as intensify land uses as infill in existing downtown and major corridor areas, resulting in impacts related to additional discharges of pollutants to receiving water bodies. Such pollutants would result in adverse changes to the water quality of local water bodies. However, with adoption and implementation of the proposed policies in the Proposed Project, combined with current land use, stormwater, grading, and erosion control regulations, this impact would be less than significant with Mitigation Measure 4.9-1 incorporated. Construction and grading activities during development consistent with the Proposed Project could result in excess runoff, soil erosion, and stormwater discharges of suspended solids and increased turbidity. Such activities could mobilize other pollutants from project construction sites as contaminated runoff to on-site and ultimately off-site drainage channels. Many construction-related wastes have the potential to degrade existing water quality. Construction activities that are implemented without mitigation could violate water quality standards or cause direct harm to aquatic organisms. However, with implementation of existing regulations and water quality policies contained in the 2035 General Plan, this impact would be less than significant with incorporation of Mitigation Measure 4.9-2.

Development and land use change consistent with the 2035 General Plan would increase the amount of impervious surfaces, thereby increasing surface runoff. This increase in surface runoff would result in an increase in both the total volume and the peak discharge rate of stormwater runoff, and therefore could result in greater potential for erosion, sedimentation, hydromodification, and on- and offsite flooding. However, with adoption and implementation of the proposed policies and actions in the 2035 General Plan, combined with current grading, erosion, and flood control regulations, this impact would be less than significant with incorporation of Mitigation Measure 4.9-3. An increase in water demands and associated depletion of groundwater supplies could also result from the land use changes under the 2035 General Plan Cumulative Scenario; however, access to new surface water supplies and opportunities for conjunctive use through aquifer storage and recovery would result in a reduced reliance on groundwater supplies. With compliance with existing regulations and implementation 2035 General Plan policies, this impact would be less than significant.

Implementation of the 2035 General Plan Cumulative Scenario would place housing in new growth areas within a current 200-year flood hazard area only if a funded, comprehensive flood solution is secured. Additional policies in the General Plan limit the flooding risks of infill development. Implementation of the 2035 General Plan Cumulative Scenario would place structures within a 200-year flood hazard area; however, policies in the 2035 General Plan prohibit diversion of flood flows onto adjacent properties. The 2035 General Plan Cumulative Scenario plans for infill and new growth development in areas within the levee and dam inundation areas. Policies within the 2035 General Plan would aid in limiting the flooding risk of infill developments and prohibit diversion of flood flows to adjacent properties. In addition, all new developments in dam inundation areas resulting from implementation of the 2035 General Plan Cumulative Scenario would be required to comply with all federal, State, and regional policies. Therefore, all impacts related to potential flooding or inundation of the project area would be considered less than significant.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR, in addition to Mitigation Measures 4.9-1, 4.9-2, and 4.9-3, would reduce impacts to the greatest extent possible. Additionally, development facilitated by the proposed project would comply with General Plan Goal 7.A and Policies 7.A.4 and 7.A.5, which protect water quality within the city. Regarding flooding impacts, General Plan policies 8.B.1 through 8.B.3, which set requirements for floodplain zoning and flood hazard evaluation, would be applicable to future development facilitated by the project. Zoning Code Sections 17.56.010, 17.64.040 and 17.88 include requirements for water conservation to be included in building design, would implement the Water Conservation in Landscaping Act, and includes flood management requirements, respectively. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously

analyzed, thereby resulting in the same hydrology and water quality impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to hydrology and water quality such as resulting in a violation of water quality standards, decreased groundwater supplies or groundwater recharge, altered drainage patterns resulting in increased flooding, tsunami, or seiche hazard risks, or conflict with a water quality control plan.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of hydrology and water quality is required.

6.11 Land Use and Planning

General Plan EIR Findings

The General Plan EIR determined that implementation of the 2035 General Plan Cumulative Scenario would not physically divide an established community, as the entire city would undergo changes as part of Implementation of the Cumulative Scenario. In addition, the 2035 General Plan includes several policies that encourage development to be done in a manner that does not isolate or lead to the division of communities. Therefore, this impact would be less than significant. The 2035 General Plan proposes land use designations of unincorporated county land that differ from the land use designations in the Yolo County 2030 General Plan. Until the unincorporated land in the Planning Area is annexed, the County's general plan and land use regulations apply. The Cumulative Scenario would not conflict with an applicable land use plans, policies, or regulations and therefore result in a less than significant level.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan, including consistency with the land use and growth strategies identified in the General Plan. The zone changes would not exceed the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR would reduce impacts to the greatest extent possible. Additionally, General Plan Policies 2.A.1, 2.A.5 and 2.E.1 through 2.E.3, which promote high quality development and transition areas within the city, would be applicable to future development facilitated by the project.

These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same land use impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code is the primary tool used to implement the policies of the city's General Plan, in particular those related to land use, site planning and building design. The Zoning code provides permitted use and development standards that directly and indirectly relate to the quality of life, health, sustainability and safety goals of the city, establish by the General Plan. In addition to bringing the citywide zoning code into compliance with the 2035 General Plan, the code update ensures city compliance with numerous statewide legislative updates that have occurred over the past several years, particularly those related to streamlining the production of new housing and removing barriers to housing development. The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to land use such as physically dividing an established community or conflicting with a land use plan or policy.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of land use and planning is required.

6.12 Mineral Resources

General Plan EIR Findings

The General Plan EIR determined that the 2035 General Plan Cumulative Scenario would not result in the loss of availability of a known mineral resource or of a locally important mineral resource recovery site, as the City does not contain any known areas of mineral resources. Therefore, implementation of the land use changes consistent with the 2035 General Plan Cumulative Scenario would have no impact related to the loss of availability of mineral resources.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations

and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR would reduce impacts to the greatest extent possible. Additionally, General Plan Goal 7.D and Policies 7.D.1 and 7.D.2, which protect mineral resources within the city, would be applicable to future development facilitated by the project. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same mineral resources impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the General Plan. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to mineral resources such as loss of availability of a known mineral resource for the region, or loss of a locally important mineral resource recovery site.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of mineral resources is required.

6.13 Noise

General Plan EIR Findings

The General Plan EIR determined that future development and implementation of the policies in the 2035 General Plan and Cumulative Scenario would result in exposure of existing and proposed noise sensitive land uses to noticeable increases from construction activities. Therefore, Mitigation Measure 4.11-1 is required in order to reduce impacts from construction noise. However, for construction sites that are adjacent to noise-sensitive uses, there still could be a substantial temporary increase in noise levels that could lead to adverse noise-related impacts and impacts would be significant and unavoidable. Future development of new noise-sensitive land uses would occur under the Proposed Project within areas that either are currently exposed to noise from both transportation and non-transportation noise sources, or will be in the future. Uses allowed under the 2035 General Plan could potentially expose existing or planned noise-sensitive uses to noise levels that exceed local standards. For that reason, Mitigation Measures 4.11-2a and 4.11-2b would be incorporated in order to reduce transportation and operational noise. However, impacts would remain significant and unavoidable. Construction of projects under the Cumulative Scenario could cause temporary, short-term disruptive vibration for locations near sensitive receptors. Under the Cumulative Scenario, new vibration-sensitive uses could locate in areas exposed to vibration. Mitigation Measure 4.11-3a and 4.11-3b would be incorporated in order to reduce vibration, but impacts would be significant and unavoidable. The City of Woodland is outside of the 60 dB CNEL contours of all nearby airports. Therefore, there would be a less than significant impact resulting from airport noise.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR, as well as all applicable mitigation measures required in the General Plan EIR, would reduce impacts to the greatest extent possible. Additionally, General Plan Goal 8.G and Policies 8.G.1 through 8.G.15, which set noise compatibility standards, and Zoning Code Section 17.76.110 and 17.76.120, which set noise and vibration standards consistent with the General Plan, would be applicable to future development facilitated by the project. These policies, actions, and mitigation measures would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same noise impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to noise such as increased ambient noise levels, excess groundborne vibration, or noise exposure near an airport or private airstrip.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards and the standard conditions of approval required by the General Plan EIR noise mitigation measures.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of noise is required.

6.14 Population and Housing

General Plan EIR Findings

The General Plan EIR determined that implementation of the 2035 General Plan Cumulative Scenario would result in significant and unavoidable impacts related to population and housing. Implementation of Cumulative Scenario would induce population growth substantially higher than that projected in the SACOG regional population projections. Therefore, this impact would be significant and unavoidable. In addition, the General Plan EIR determined that policies in the 2035 General Plan would reduce impacts

related to displacement resulting from the Cumulative Scenario, and the Cumulative Scenario would lead to an increase in housing throughout the city. Therefore, this impact would be less than significant.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs, and is intended to streamline housing and encourage infill development, consistent with the Regional Housing Needs Allocation (RHNA) for the city. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR would reduce impacts to the greatest extent possible. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same population and housing impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to population and housing such as inducing substantial unplanned population growth or displacing existing housing or people.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of population and housing is required.

6.15 Public Services

General Plan EIR Findings

The General Plan EIR states growth resulting from the 2035 General Plan Cumulative Scenario would create demand for new public services in the city. The 2035 General Plan includes Policy 5.B.4 and 5.A.3 to ensure that sufficient facilities and services are provided to serve additional growth. These policies and programs apply to any level of development, and therefore would mitigate the Cumulative Scenario. For this reason, impacts to fire and police protection services would be less than significant under the Cumulative Scenario. Implementation of the 2035 General Plan will reduce the impacts related to school services. Specifically, Goal 5.E and Policy 5.E.2 encourage coordination with the Woodland Joint Unified

School District and other educational institutions regarding future school sites. Therefore, impacts to schools would be less than significant. Parks and Recreation was also covered in Section 6.1.3.12 of the General Plan EIR, and the results have been summarized in Section 6.16, below.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would not exceed the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR would reduce impacts to the greatest extent possible. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same public services impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to public services such as lowered service capabilities for fire and police protection, schools, parks, and other public facilities such that new facilities would be required.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of public services is required.

6.16 Recreation

General Plan EIR Findings

The General Plan EIR states that several agencies provide park and recreation services in the region, including counties, cities, and special districts. An increase in population within the city under the Cumulative Scenario may increase demand for parks and recreation facilities and services. However, these local jurisdictions have authority over land use, set and implement level of service standards, and determine the siting and timing of public service projects. For this reason, impacts to parks and recreation would be less than significant.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR would reduce impacts to the greatest extent possible. Additionally, General Plan Policies 5.C.3 through 5.C.10, which set requirements for parkland and encourage accessible park amenities, would be applicable to future development facilitated by the project, as would Zoning Code Sections 17.56.030, 17.56.040, and 17.56.070, set minimum private and shared open space requirements for multi-family, small lot, and mixed-use development types through site planning and design requirements. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same recreation impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to recreation such as increasing park and public facilities usage requiring construction or expansion of new facilities.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of recreation is required.

6.17 Transportation

General Plan EIR Findings

The General Plan EIR determined that the daily VMT per capita is expected to increase above baseline levels of 32.7 to 34.8 while VMT per service population is projected to decline from 20.5 to 19.2 under the Cumulative Scenario. In addition, policies 3.A.5, 3.A.10, and 3.A.11 and Implementation Program 3.3 of the 2035 General Plan require actions on the part of new development and the City that will reduce vehicle trips. Due to the decrease in per capita VMT and compliance with programs and policies in the 2035 General Plan, impacts would be less than significant. The Cumulative Scenario is expected to result in 33 roadway segments with LOS D, one with LOS E, and one with LOS F. The only unacceptable LOS

condition would occur on East Gum Avenue from Bourn Drive to Pioneer Avenue. This segment is projected to operate at LOS F under the Cumulative Scenario, while the acceptable LOS threshold is LOS C. While LOS is no longer applicable as a significant impact under CEQA, the 2035 General Plan EIR Cumulative Scenario would implement Mitigation Measure 4.13-1a, 4.13-1b, 4.13-1c, and 4.13-2 in order to reduce this impact to a less than significant impact. The Cumulative Scenario is not expected to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness for the performance. In addition, the Cumulative Scenario's contribution to air traffic patterns; hazards due to a design feature; emergency access; and transit, bicycle or pedestrian facilities is expected to be less than significant.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR, in addition to Mitigation Measure 4.13-1a, would reduce impacts to the greatest extent possible. Additionally, General Plan Policies 3.A.4, 3.A.12, and 3.B.5, which aim to reduce VMT within the city, requires evaluation of project impacts to traffic, and requires new development to include interconnected streets, would be applicable to future development facilitated by the proposed project. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed thereby resulting in the same transportation impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan. Therefore, the Zoning Code Update would not result in increased transportation impacts from LOS or VMT.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to transportation such as conflicting with a current transportation plan or policy, increasing roadway design hazards, or inadequate emergency access.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of transportation is required.

6.18 Tribal Cultural Resources

General Plan EIR Findings

The General Plan EIR does not analyze tribal cultural resources pursuant to AB 52 (passed in 2015) as the 2035 General Plan was initiated in 2013, prior to the enactment of AB 52. However, as a condition of Mitigation Measure 4.6-1b in Section 4.6, *Cultural Resources*, in the General Plan EIR requires that the 2035 General Plan be amended to include implementation programs to address the unanticipated discovery of a tribal cultural resource.

Addendum Analysis

As part of the outreach efforts associated with the Zoning Code Update, letters were sent to the following tribes and tribal contacts, in compliance with Senate Bill 18 (SB 18), to request information regarding the Zoning Code Update on March 29 and April 8, 2024:

- Torres Martinez Desert Cahuilla Indians
- Cortina Rancheria Band of Wintun Indians of California
- Lone Band of Miwok Indians
- United Auburn Indian Community of the Auburn Rancheria
- Wilton Rancheria
- Yocha Dehe Wintun Nation
- Cachil Dehe Band of Wintun Indians
- Grindstone Rancheria of Wintun-Wailaki Indians of California

The City is not required to send out notification to tribes pursuant to Assembly Bill 52 (AB 52), as AB 52 applies only to projects that have submitted a Notice of Preparation (NOP) or Notice of Determination (NOD) filed after July 1, 2016. Since the General Plan was initiated in 2013, no AB 52 outreach was required.

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR, as well as Mitigation Measure 4.6-1b, would reduce impacts to the greatest extent possible. Additionally, General Plan Policy 7.E.3, which requires tribal consultation, would be applicable to future development facilitated by the project. These policies, actions, and mitigation measures would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same tribal cultural resources impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to tribal cultural resources such as causing a substantial adverse change in the significance of a tribal cultural resource.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of tribal cultural resources is required.

6.19 Utilities

General Plan EIR Findings

The General Plan EIR determined that implementation of the 2035 General Plan Cumulative Scenario would not exceed wastewater treatment requirements of the Central Valley Regional Water Quality Control Board and result in a less than significant impact. In addition, the Cumulative Scenario would not result in the need for the construction of or expansion of water or wastewater facilities and stormwater drainage facilities. Therefore, impacts to these facilities would be less than significant without the incorporation of mitigation. Implementation of the Cumulative Scenario would not result in having insufficient water supplies available to serve the project from existing entitlements and resources, nor are new or expanded entitlements needed. The General Plan EIR determined that the Cumulative Scenario would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. There would be a less than significant impact.

Implementation of the Cumulative Scenario would be served by existing landfills with sufficient permitted capacity to serve the project's solid waste disposal needs, and the Cumulative Scenario would be compliant with federal, State and local statutes and regulations related to solid waste. Therefore, impacts on solid waste and solid waste facilities would be less than significant.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR would reduce impacts to the greatest extent possible. These policies and actions would continue to be required with implementation of the Zoning Code Update.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same utilities impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the 2035 General Plan and proposed GPAs. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to utilities such as requiring water or wastewater treatment expansion, impacts to water supply for development, and solid waste capacity.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of utilities is required.

6.20 Wildfire

General Plan EIR Findings

The General Plan EIR did not analyze wildfire in a standalone section. Instead, impacts of the Cumulative Scenario were studied under “Hazards and Hazardous Waste.” Threats of wildfires on non-federal lands in unincorporated areas are the responsibility of CAL FIRE and addressed through compliance with Title 14 of the California Code of Regulations, Division 1.5. Federal lands fall under Federal Responsibility Areas, and all incorporated areas and other unincorporated lands are classified as Local Responsibility Areas. Therefore, the General Plan EIR determined there would be no impacts from wildfire.

Addendum Analysis

The proposed project would update the Zoning Code for consistency with the 2035 General Plan in addition to implementing several GPAs. The zone changes would have no impact on the total residential or non-residential buildout analyzed in the Cumulative Impacts section of the General Plan EIR, as they are intended to bring the zone changes in line with the General Plan. However, the various GPAs would lead to an increase in the total number of residential units and non-residential square footage in the city. This total would still be within the Cumulative Buildout totals that were previously analyzed in the General Plan EIR. The proposed project would update but not eliminate the fundamental regulations and requirements of the Zoning Code, such as meeting design standards. Policies and actions in the 2035 General Plan that were referenced in the General Plan EIR would reduce impacts to the greatest extent possible. Additionally, General Plan Goal 8.C and Policies 8.C.1 through 8.C.5, which aim to minimize the risk of loss of life, injury, and damage to property and watershed resources resulting from fire hazards, would be applicable to future development facilitated by the project. These policies and actions would continue to be required with implementation of the Zoning Code Update. In addition, the most recent CAL FIRE maps indicate no substantive change from the General Plan EIR to FHSZ areas in or adjacent to

the town of Woodland (CAL FIRE 2024). The nearest VHFSZ in a State Responsibility Area (SRA) is located approximately 12.6 miles west of the City of Woodland.

While the proposed project would update both the Zoning Code and the 2035 General Plan, the new buildout of all sites undergoing a change would fall within the buildout numbers that were previously analyzed, thereby resulting in the same wildfire impacts from new development as evaluated in the certified EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the General Plan.

The Zoning Code Update, in and of itself, does not propose specific projects but aligns the zoning code to match the General Plan. Because it is a regulatory update, the Zoning Code Update would not, in and of itself, result in impacts to wildfire such as impairing an adopted emergency plan, exacerbate wildfire risks, expose people or structures to significant risk.

Future development facilitated by the Zoning Code Update would undergo project-specific developmental review, including design review, and would be subject to adopted development standards.

Conclusion

The Zoning Code Update would not result in impacts beyond those addressed or analyzed in the General Plan EIR nor present new information that shows impacts would be more significant than those described in the General Plan EIR. Therefore, the General Plan EIR applies to the Zoning Code Update and no additional environmental assessment of wildfire is required.

7 Conclusion

The City of Woodland, acting as the lead agency, has determined that an addendum to the certified EIR is the appropriate environmental document under CEQA because the proposed project would not require revisions to the certified General Plan EIR due to the involvement of new significant environmental effects or substantial increases in the severity of significant effects previously identified in the General Plan EIR.

There are no changed circumstances or new information that meet the standards requiring further environmental review under *CEQA Guidelines* Section 15162. Thus, these circumstances and information would not result in new or more severe impacts beyond what were addressed in the General Plan EIR and would not meet any other standards under *CEQA Guidelines* Section 15162(a)(3). No additional analysis is required based on the discussions throughout this addendum. The proposed Zoning Code Update would not involve development in areas not assumed for development in the General Plan EIR, nor would it result in population growth and density beyond what was analyzed in the General Plan EIR. The project would not result in significant or substantially more severe impacts that were not discussed in the General Plan EIR. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, would be substantially more severe than discussed in the General Plan EIR. Accordingly, no additional CEQA review is required.

CEQA Guidelines Section 15164 states that “[t]he lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in *CEQA Guidelines* Section 15162 calling for preparation of a subsequent EIR have occurred.” An addendum is therefore appropriate because, as explained above, none of the conditions calling for preparation of a subsequent EIR have occurred.

8 References

8.1 Bibliography

California Department of Forestry and Fire Protection (CAL FIRE). 2024. Fire Hazard Severity Zone Viewer. <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008> (accessed April 2024).

Woodland, City of. 2016. 2035 General Plan and Climate Action Plan Public Review Draft Environmental Impact Report. <https://www.cityofwoodland.gov/DocumentCenter/View/1184/Public-Review-Draft-Environmental-Impact-Report-PDF> (accessed April 2024).

_____. 2017. City of Woodland 2035 General Plan. May 16, 2017. <https://www.cityofwoodland.gov/DocumentCenter/View/1180/Final-General-Plan-May-16-2017-PDF> (accessed April 2024).

8.2 List of Preparers

Rincon Consultants, Inc. prepared this Addendum under contract to the City of Woodland. Persons involved in data gathering analysis, project management, and quality control are listed below.

Rincon Consultants, Inc.

Matt Maddox, AICP, Principal-in-Charge
Katherine Green, AICP, Senior Planner/Project Manager
Antonia Davetas, Environmental Planner



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: G.7
SUBJECT: Appoint Members to various Boards and Commissions

Recommendation for Action: Staff recommends that the City Council appoint members to the various Boards and Commissions for specified terms, consistent with the recommendations of the Mayor and Mayor Pro Tempore.

Staff Contact:

Ana B. Gonzalez, MMC, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.gov

Background

As has been customary, earlier this spring, the City conducted its annual Board and Commission recruitment, with appointments to be made by the City Council prior to July 1st of this year.

Staff kicked-off the recruitment for 2024 appointments in March, with the application period for candidates open from March through May 24th. Applications were received to fill current and prospective vacancies.

Once all applications were received, the Mayor and Mayor Pro Tempore were tasked with reviewing the applications and advancing nominations for consideration by the full Council for 2024 appointments.

Discussion

After a review of the applications received from individuals interested in serving on city Boards and Commissions, Mayor Garcia-Cadena and Mayor Pro Tempore Lansburgh are recommending appointments as contained in the attachment to this staff report. It is also recommended that those candidates who are not appointed by the Council to vacant seats be retained as a pool of candidates for appointment for any vacancies that remain or may arise prior to next year's Board and Commission recruitment period.

Conclusion:

Staff recommends that the City Council appoint members to the various Boards and Commissions, for specified terms, consistent with the recommendations of the Mayor and Mayor Pro Tempore.

Prepared by: Ana B. Gonzalez, MMC, City Clerk



Ken Hiatt
City Manager

Attachments:

1. Recommended Appointments effective July 1, 2024

**BOARDS AND COMMISSIONS
RECOMMENDED APPOINTMENTS
EFFECTIVE JULY 1, 2024**

MEMBER	RECOMMENDED APPOINTMENT	TERM EXPIRES
Commission on Aging Dan Rubin	New 4-yr term	6/30/2028
Manufactured Home Fair Practices Commission Dick Cronin	Re-appoint 3-yr term	6/30/2027
Parks & Recreation Commission Adam Kirchgessner	New 4-yr term	6/30/2028
Planning Commission Marco Lizarraga Lucy Roberts	Re-appoint 4-yr term New 4-yr term	6/30/2028 6/30/2028
Sustainability Advisory Committee Rolf Frankenbach Craig Perrin	Re-appoint 4-yr term New 4-yr term	6/30/2028 6/30/2028



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: G.8
SUBJECT: Letter Agreement to Amend Franchise Agreement with USA Waste of California, Inc. dba Waste Management of Woodland (WM)

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____, authorizing the City Manager to execute a Letter Agreement to Amend Franchise Agreement with USA Waste of California, Inc. dba Waste Management of Woodland (WM).

Staff Contact:

Rosie Ledesma, Environmental Resources Program Manager, (530) 661-2059,
rosie.ledesma@cityofwoodland.gov

Fiscal Impact:

The City of Woodland will receive a one-time payment of \$1,350,000 within 60 days of executing the Letter Agreement with an additional \$1,350,000 if a Replacement Agreement is executed. WM will also provide payment of \$250,000 to cover City costs associated with negotiations.

Background:

The City of Woodland and USA Waste of California, Inc. dba Waste Management of Woodland (WM) previously entered into a Franchise Agreement dated July 1, 2011, which was last amended and restated on October 18, 2017, and set to expire on December 31, 2025. The Franchise Agreement permits WM to provide exclusive waste, recycling, organics, and street sweeping services to the Woodland community at structured rates accepted by City Council. The Franchise Agreement also provides franchise fee payments to the City to support waste reduction and recycling programs mandated by AB 939 and SB 1383 as well as payments to the general fund to support infrastructure maintenance and stormwater mitigation associated with the services provided by WM.

In February 2024, the City engaged a third-party consultant, R3, to conduct an audit of WM's performance under the Franchise Agreement. The audit identified certain issues and areas of concern regarding WM's service under the Franchise Agreement and recommended the City assess fines or liquidated damages for past occurrences relating to missed services and work order response times. It also identified recent improvements and a strong operational structure that should provide the City with a safe, effective, and efficient collection system.

Discussion:

The City of Woodland presented WM with the findings of the performance audit in March 2024. In response, WM developed a plan to remediate past issues and address the areas of concern. WM has also begun taking action on certain operations effective immediately.

After several discussions with WM, the City of Woodland and WM wish to further amend the Franchise Agreement set forth in a Letter Agreement that stipulates the following actions:

- Extend the current Franchise Agreement twelve months to December 31, 2026
- Allow the City and WM to exclusively negotiate a Replacement Agreement by or before June 30, 2025.

- WM will provide the City with \$250,000 to cover City costs associated with the negotiation of the Replacement Agreement with any unspent funds to be used at the City's discretion.
- In exchange for assessing fines or liquidated damages, WM will make a one-time payment of \$1,350,000 within 60 days of executing the Letter Agreement and an additional payment of \$1,350,000 if a Replacement Agreement is executed.
- WM will establish a customer service center in Lodi, CA with service representatives specifically assigned and trained to support Woodland residents and businesses. WM agrees to place a service representative at the Woodland office if at any time the City finds WM's customer service to be inadequate.
- WM will commit to implementing improvements to services, outreach, and reporting in accordance to the Public Outreach Plan defined in Attachment A of the Letter Agreement, as well as ensure that street sweeping meets the City's expectations. WM will also conduct additional informal performance reviews during the extension and incorporate expanded formal performance reviews within the Replacement Agreement.

Conclusion:

Staff recommends that the City Council adopt Resolution No. _____, authorizing the City Manager to execute a Letter Agreement to Amend Franchise Agreement USA Waste of California, Inc. dba Waste Management of Woodland (WM).

Prepared by: Rosie Ledesma, Environmental Resources Program Manager

A handwritten signature in black ink, appearing to read 'Ken Hiatt', with a long horizontal flourish extending to the right.

Ken Hiatt
City Manager

Attachments:

1. Final Letter Agreement (WM 6-10-24)
2. Resolution - WM Letter Agreement

LETTER AGREEMENT TO AMEND FRANCHISE AGREEMENT

This Letter Agreement is entered between the City of Woodland (City) and USA Waste of California, Inc. dba WM of Woodland (WM). The City and WM previously entered into that certain Amended and Restated Agreement Between the City of Woodland and USA Waste of California, Inc. dba Waste Management of Woodland, for Solid Waste, Recyclables, Green Waste, and Street Sweeping Services, dated July 1, 2011 as amended (“Franchise Agreement”). The parties agree that the copy of the Franchise Agreement and amendments currently on file with the City Clerk is the controlling version of the Franchise Agreement which expires on December 31, 2025. The parties wish to further amend the Franchise Agreement as set forth in this Letter Agreement and outlined below:

A. From the date of this Letter Agreement through June 30, 2025, WM and City shall exclusively negotiate regarding a new franchise agreement or an extension of the Franchise Agreement (in either case, the “Replacement Agreement”). The City shall not issue a request for proposals during such time period. If a Replacement Agreement has not been executed by June 30, 2025, the City may unilaterally extend the Franchise Agreement until December 31, 2026 with written notice to WM. Within 30 days of the full execution of this Letter Agreement, WM shall pay the City \$250,000 to support its costs associated with the negotiation of a Replacement Agreement. In the event that the City spends less than the \$250,000, the City may use any excess funds for their own discretion. If the costs associated with negotiation exceed \$250,000, the City will be responsible for any additional costs.

B. In February 2024, the City engaged a third-party consultant, R3, to conduct a performance audit of WM’s performance under the Franchise Agreement. Following the performance audit the City issued a March 14, 2024 letter to WM identifying certain issues and areas of concern regarding WM’s service under the Franchise Agreement (“City Letter”). In order to resolve the issues identified in the City Letter efficiently and without the need for the City to assess fines or liquidated damages, WM shall make a one-time payment of \$1,350,000 to City within sixty (60) days of fully executing this Letter Agreement. Additionally, if, and only if, the City and WM execute a Replacement Agreement, WM shall pay the City an additional \$1,350,000 within sixty (60) days of fully executing the Replacement Agreement.

C. In addition to the requirements of Section 5.1.10 of the Franchise Agreement, WM shall provide service personnel dedicated to servicing Woodland customers at WM’s customer service center located in Lodi, California. Such service personnel shall be assigned and trained to answer questions from Woodland residents and businesses and be familiar with the terms of WM’s service in the City. If at any time during the term of the Franchise Agreement City finds WM’s customer service to be inadequate, WM shall agree to place a service representative at WM’s Woodland office.

D. Without limiting its obligation in Section 4.5 of the Franchise Agreement, WM shall ensure that street sweeping meets the City’s expectations, and WM shall provide such services through a subcontractor approved by the City Manager.

E. WM shall commit to implementing improvements to services, outreach, and reporting in accordance to the Outreach Plan as defined in Attachment A. Reasonable adjustments

to the Outreach Plan may be made as needed and accepted by City staff. Any failure to comply with the Outreach Plan shall be deemed a breach of the Franchise Agreement.

F. WM shall cooperate with City in conducting informal annual performance reviews during the extended term of this Franchise Agreement as set forth in paragraph A. Any findings in such audits shall be subject to the applicable terms of the Franchise Agreement. WM and City agree to incorporate an expanded formal performance review process within the Replacement Agreement.

G. Except as set forth in this Letter Agreement, the Franchise Agreement remains in full force and effect.

AGREED AND ACCEPTED:

USA WASTE OF CALIFORNIA, INC.

CITY OF WOODLAND

ATTACHMENT A



USA WASTE of CALIFORNIA, INC.
WM of Woodland
1324 Paddock Place
Woodland, CA 95776

Public Outreach Plan

1. SB1383 Compliance

- Each month, new Commercial accounts will audited ensure customers are set up correctly with all three mandatory services.
 - i. Site visits will be conducted to all new C&D accounts, with roll-off Route Manager also in attendance to go over what is allowed in C&D container.
 - ii. All site visits conducted will ensure the correct labeling is on the bins/carts.
- Non-compliant customers will be contacted to get into compliance. If they do not agree to add mandatory services, accounts will be discussed with the City for assistance with enforcement.
- WM will purchase 300 Food Waste pails and distribute them to MFD customers during a 1 day drive up event.

2. Contamination and Overage - SmartTruck Commercial

- WM will conduct 15-20 site visits per month for contamination and overage (recycling and organics).
 - i. Will work with Rosie and Emily from the City to start with High or Low offenders.
 - ii. Targeted outreach will be sent for the top 20 repeat offenders monthly. I will be working with communications on this.
- All site visits conducted will ensure the correct labeling is on the bins/carts.
- Will conduct 6-8 MF visits per month to ensure services are correct and to also review with the PM bulky information for their tenants. The goal will be to reach all MFD properties in a 1-year span. I will start with apartments with the most units.

3. Contamination and Overage – SmartTruck Residential

- WM and the City will develop, together, a SmartTruck program for Woodland residential customers utilizing best practices from other WM jurisdictions, including a 90-day outreach program prior to a go-live date. The program will include weekly and monthly updates, continuous monitoring of effectiveness of the program, and the flexibility to amend the program if needed.

4. Communications

- C&D brochure will be created as a one-time courtesy.
 - i. A list of the current C&D customers will be pulled to mail a one-time copy.
- Public events attended will be at least 4 per year to include, Chamber events, and Honey Festival, Holiday Parade, etc.
- Large sorting guides will be created for breakroom signage in the sizing of 8x11
 - i. Communications will translate into English and Spanish.

- Bulky flyer will be created by communications department for PM to hand out at site visits on Bulky RO Information.

5. Monthly Reporting

- All account reports will be sent monthly.
- Non-compliant customers for CM will be sent monthly.
- Overage and contamination reports will be sent monthly.
- RO Rejections and Low Quality will still be sent monthly.
- All reports will be sent before the meetings so questions can be answered and discussed at our monthly Franchise meetings.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
AUTHORIZING CITY MANAGER TO EXECUTE A LETTER AGREEMENT TO AMEND
FRANCHISE AGREEMENT WITH USA WASTE OF CALIFORNIA, INC
DBA WM OF WOODLAND**

WHEREAS, the City of Woodland (“City”) and USA Waste of California, Inc. dba WM of Woodland (“WM”) previously entered into a Franchise Agreement dated July 1, 2011 that is set to expire on December 31, 2025; and

WHEREAS, the City engaged a third-party consultant to conduct a performance audit of WM’s performance under the Franchise Agreement identifying certain issues and areas of concern; and

WHEREAS, WM has committed to making improvements to its operations and services by making changes to its customer service operations, street sweeping management, and by adhering to a public outreach plan outlined in the Letter Agreement; and

WHEREAS, the City and WM wish to amend the Franchise Agreement through a Letter Agreement to exclusively negotiate a Replacement Agreement by June 30, 2025 with the option to extend the Franchise Agreement until December 31, 2026; and

WHEREAS, in lieu of applying liquidated damages or fines recommended in the performance audit, WM will provide the City a one-time payment of \$1,350,000 upon execution of the Letter Agreement, \$250,000 to support costs associated with negotiations, and an additional \$1,350,000 when and if a Replacement Agreement is executed.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Woodland hereby authorizes the City Manager to execute a Letter Agreement to Amend Franchise Agreement with WM.

PASSED AND ADOPTED by the City Council of the City of Woodland at a regular meeting of the City Council held on the 18th day of June 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tania Garcia-Cadena, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: G.9
SUBJECT: Approval of Memorandum of Understanding - MMPA and PMMA

Recommendation for Action: Staff recommends that the City Council (1) Adopt Resolution No. _____, ratifying a two-year, Memorandum of Understanding with the Woodland Mid-Management Professional Association (MMPA) covering the period from July 1, 2024, through June 30, 2026, and (2) adopt Resolution No. _____, ratifying a two-year Memorandum of Understanding with the Woodland Police Mid-Management Association (PMMA) covering the period of July 1, 2024, through June 30, 2026.

Staff Contact:

Kim McKinney, Administrative Services Director, (530) 661-5849, kim.mckinney@cityofwoodland.gov

Fiscal Impact:

The current labor agreement with the Woodland Mid-Management Professional Association (MMPA) covers salary and benefits for 47 full-time equivalent positions at an annual cost of approximately \$9.2 million. The terms of the proposed new two-year agreement are expected to result in an average annual increase of approximately 3% of total compensation. This increase will add \$1.4 million in total employee compensation costs over the two-year period and is within the expenditure levels assumed in the development of the FY2024/25 budget and forecast. About 30% of this bargaining group is funded by the General Fund, with the balance funded by various enterprise and special revenue funds.

The current labor agreement with the Woodland Police Mid-Management Association (PMMA) covers salary and benefits for 4 full-time equivalent positions at an annual cost of approximately \$1.4 million. The terms of the proposed new two-year agreement are expected to result in an average annual increase of approximately 3% of total compensation. This increase will add \$190,000 in total employee compensation costs over the two-year period and is also within the expenditure levels assumed in the development of the FY2024/25 budget and forecast. All employees in this bargaining group are funded by the General Fund.

Background:

The current labor agreements between the City and MMPA and between the City and PMMA expire on June 30, 2024. In anticipation of this, the City began negotiating with both groups on a successor labor agreement in February 2024, and reached tentative agreements in May. The tentative agreements were presented to and ratified by each respective group's membership, and tonight's recommended Council action would formally ratify the terms of both of the new two (2) year agreements with MMPA and with PMMA.

Discussion:

Mid-Management Professional Association

The proposed agreement provides for increases in salaries and costs of certain other benefits for employees while maintaining structural changes to the overall benefit package negotiated in prior agreements. The new contract provides changes reflecting anticipated cost of living adjustments and promoting retention and recruitment of employees.

The major terms of the new contract are as follows:

Cost of Living Adjustments:

- January 1, 2025 4%
- January 1, 2026 4%

Longevity Pay Changes:

Effective June 30, 2026, rather than paying a flat amount, longevity pay will be calculated on a monthly basis and paid biweekly, based on a percentage of base pay, as follows:

- 10 years of service 1.0% of base pay
- 15 years of service 1.5% of base pay
- 20 years of service 2.0% of base pay

Medical Health Insurance:

No adjustment to the City's contribution towards health insurance over the two-year term.

Police Mid-Management Association

The proposed agreement provides for increases in salaries and costs of certain other benefits for employees while maintaining structural changes to the overall benefit package negotiated in prior agreements. The new contract also provides for ongoing stability in medical insurance rates, while at the same time providing adjustments reflecting anticipated cost of living adjustments and promoting retention and recruitment of employees.

The major terms of the new contract are as follows:

Cost of Living Adjustments:

- July 1, 2024 2%
- July 1, 2025 1%
- January 1, 2026 2%

Certificate Pay Changes:

Effective July 2024, certificate pay allowable for members of the PMMA will be adjusted, and overall available certificate pay will increase from the current maximum of 10% to a new maximum of 11.5% of base pay. The adjustments to certificate pay are as follows:

POST Supervisory Certificate: ~~2.5%~~ 5%
POST Adv/Management Cert: ~~2.5%~~ 4%
FBI/POST Command/Masters: 5% ~~2.5%~~

Medical Health Insurance:

The City's contribution to medical insurance premiums will increase by 3% in each year of the two-year contract.

Conclusion:

Staff recommends that the City Council (1) Adopt Resolution No. _____, ratifying a two-year, Memorandum of Understanding with the Woodland Mid-Management Professional Association (MMPA) covering the period from July 1, 2024, through June 30, 2026, and (2) adopt Resolution No. _____, ratifying a two-year Memorandum of Understanding with the Woodland Police Mid-Management Association (PMMA) covering the period of July 1, 2024, through June 30, 2026.

Prepared by: Kim McKinney, Administrative Services Director

A handwritten signature in black ink, appearing to read 'Ken Hiatt', with a long horizontal flourish extending to the right.

Ken Hiatt
City Manager

Attachments:

1. MMPA MOU 2024 to 2026
2. PMMA MOU 2024-2026

**MEMORANDUM OF
UNDERSTANDING**

between the

City of Woodland

and the

Woodland

**Mid-Management/
Professional Association**

July 1, 2024 to June 30, 2026

RESOLUTION NO.

MEMORANDUM OF UNDERSTANDING
BETWEEN THE WOODLAND MID-MANAGEMENT PROFESSIONAL ASSOCIATION
AND THE CITY OF WOODLAND

The City of Woodland and the Woodland Mid-Management/Professional Association, representing employees employed by the City of Woodland in the classifications designated herein in Article I, Section I under the title “Application,” by and through their authorized representatives hereby ratify as and for a memorandum of understanding the attached Resolution entitled “A Resolution of the City Council of the City of Woodland Approving Certain Terms and Conditions for Mid-Management Unit Employees” including the exhibits appended hereto, and recommend that the Resolution shall be incorporated into the City’s adopted Personnel Rules and Regulations and thereafter the attached Resolution shall be used merely for purposes of interpreting the specific rules and regulations addressed. In resolving questions of interpretation, the Resolution shall be the primary source in all cases.

DATED: June 18, 2024

Representative of the
Woodland Mid-Management/Professional
Association

Representative of the City of
Woodland

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WOODLAND APPROVING CERTAIN TERMS AND CONDITIONS FOR
MID MANAGEMENT UNIT EMPLOYEES

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ARTICLE I

GENERAL PROVISIONS

1.1 Application

1.1.1 This Resolution applies to employees in the following classifications and ranges:

Accountant I	116
Accountant II	120
Assistant Engineer	125
Assistant Planner	118
Associate Civil Engineer	131
Associate Engineer	127
Associate Planner	124
Building Inspection Services Manager	132
Business Engagement/Resource Conservation Program Manager	124
Chief Building Official	140
Chief Collection Systems Operator	132
Chief Information Officer	142
Chief Plant Operator	132
Chief Project Engineer	145
Chief Water Systems Operator	132
Children's Librarian II	118
City Engineer	145
Communications and Strategic Policy Manager	134
Community Services Program Manager	125
Construction Project Manager	129
Data Services Manager	136
Economic Development Manager	136
Electrical / Signs & Markings Supervisor	134
Environmental Resources Analyst	127
Environmental Sustainability Manager	131
Finance Officer	141
Financial Services Manager	136
Fleet & Facilities Manager	131
GIS Coordinator	132
Housing Analyst I	120
Housing Analyst II	124
Human Resources Analyst I	121
Human Resources Analyst II	126
Human Resources Manager	140

Infrastructure O & M Superintendent	132
Junior Engineer	121
Junior Planner	113
Laboratory & Environmental Compliance Mgr.	129
Laboratory Supervisor	127
Library Program Manager I	122
Library Program Manager II	125
Management Analyst I	120
Management Analyst II	125
Marketing & Business Rel Spec	118
Office Manager	115
Operations and Maintenance Superintendent	137
Park Planner	132
Park Superintendent	132
Planning Manager	140
Principal Civil Engineer	141
Principal Planner	136
Principal Utilities Civil Engineer	141
Public Works O&M Infrastructure Admin	141
Purchasing Manager	123
Recreation Superintendent	131
Redevelopment Manager	136
Senior Accountant	125
Senior Associate Civil Engineer	134
Senior Center Manager	120
Senior Civil Engineer	138
Senior Construction Project Manager	131
Senior Environmental Resources Analyst	131
Senior Human Resources Analyst	132
Senior Management Analyst	131
Senior Planner	132
Social Services Manager	132
Sports Manager	125
Technical Services Manager	136
Transportation Engineer	134
Treatment Plant Superintendent	137
Utilities Administrator	141
Wastewater Systems Administrator	141
Water Pollution Control Facility Superintendent	141
Water Systems Administrator	141

1.2 Term and Compensation Study

- 1.2.1 Except where the context otherwise determines or otherwise provides, the provisions of this Resolution shall apply from the first full pay period after Association ratification and adoption of the agreement by the City Council on its regular agenda consistent with the Brown Act through June 30, 2026.
- 1.2.2 The City and the Association will meet to discuss the need to conduct an analysis of benchmark city selection and a compensation study prior to the start of negotiations.

ARTICLE II COMPENSATION

2.1 Salary (Modified July 2024)

- 2.1.1 Salary schedules for unit classifications shall be increased by as follows:

- January 1, 2025: 4.0%
- January 1, 2026: 4.0%

2.2 Uniforms

- 2.2.1 Represented employees required by their Department Director to wear a uniform shall, at the Department's Director's discretion, be provided with the uniform and corresponding laundry service for the uniform. Employees required by their Department Director to wear safety boots shall be entitled to up to a maximum of \$100.00 per fiscal year to purchase a replacement pair upon written evidence of purchase of acceptable safety boot determined by the Department.

2.3 Longevity Pay (Modified July 2024)

- 2.3.1 The City shall pay longevity pay according to the following schedule on a monthly basis.

<u>Length of Service</u>	<u>Annual Amount</u>	<u>Monthly Amount</u>
10 years	\$ 600	\$ 50.00
15 years	\$ 900	\$ 75.00
20 years	\$1,200	\$100.00

Effective June 30, 2026, the City shall pay longevity pay according to the following schedule, on a biweekly basis:

<u>Length of Service</u>	<u>Percentage of Pay</u>
10 years	1.0% of base pay
15 years	1.5% of base pay
20 years	2.0% of base pay

2.4 Promotional Pay

- 2.4.1 The City agrees that all promotions within the unit shall result in a minimum five percent (5%) increase in pay for the affected employee.

2.5 Out of Class Work

- 2.5.1 Assignment to perform work of a higher-level classification Employees assigned by their supervisor to perform the essential duties of a higher-level classification shall receive an additional five percent (5%) of base pay as out of class compensation. In the case of assignment, the minimum period of time to be eligible for out of class work pay must be twenty-four (24) consecutive work hours (3 days). Payment shall continue for the term of the assignment to the higher-level classification duties. Assignments shall be limited to six (6) months, which may be extended on approval of the City Manager.
- 2.5.2 Assignment as Acting Department Head In the case of assignment as an acting department head, the minimum period of time to be eligible for acting pay must be twenty-four (24) consecutive work hours (3 days). The compensation shall be an additional ten percent (10%) of the base pay. Payment shall continue for the term of the assignment to the higher-level classification duties. Acting assignments shall be limited to six (6) months, which may be extended on approval of the City Manager.
- 2.5.3 Assignment of duties beyond the scope of employee's classification: Employees assigned to perform significant and additional duties outside the scope of their job description shall receive an additional five percent (5%) of base pay as special assignment pay. In the case of assignment, the minimum period of time to be eligible for out of class work pay must be twenty-four (24) consecutive work hours (3 days).
- 2.5.4 No simultaneous pay: Employees may not receive more than one out of class pay under this provision at a time.

2.6 Administrative Leave

- 2.6.1 Each represented employee shall receive an annual bank of ninety-six (96) hours administrative leave on July 1 of each year. This administrative leave shall be in addition to accrued vacation leave and other leaves provided by the City.

Administrative leave shall be subject to the same rules for usage and accounting as vacation leave with the following exceptions:

- Each employee may, at his/her request, have up to forty (40) unused hours of the bank paid directly to him/her at their hourly rate of pay in effect at the time of the request.
 - No employee may carry over any balance past June 30 each year.
- 2.6.4 It is recognized that in some instances unit employees may be required to work extraordinarily long hours on special projects or unique circumstances. Should such an extraordinary occasion arise, the Department Director may recommend to the City

Manager that the employee be granted additional Administrative Leave in addition to the 96 hours already provided subject to the following provisions:

- 2.6.4.1 Additional Administrative Leave hours granted cannot exceed 24 hours in any Fiscal Year.
 - 2.6.4.2 Additional Administrative Leave hours must be approved by the Personnel Officer and specifically authorized by the City Manager.
 - 2.6.4.3 Additional Administrative Leave shall not be construed to constitute overtime compensation nor be applied on an hour for hour basis.
- 2.6.5 Employees terminating prior to January 1 of any fiscal year shall be responsible for repaying a prorated share of Administrative Leave credited to them on July 1. For example, an employee working 25% of the year would owe the City 60 hours of Administrative Leave. If more than 20 hours of Administrative Leave had already been taken in time off or cash, at the time of termination, the employee would be responsible for payment of the balance of the hours due in either vacation leave or in cash. Cash payment would be made at the current rate of pay.

2.7 Bilingual Pay

- 2.7.1 Designated bilingual employees shall receive additional compensation above their regular salary at a rate equal to Two Hundred Dollars (\$200) per month, paid biweekly.

2.8 Jury Duty

- 2.8.1 Employees shall be entitled to receive full pay in addition to any compensation received for serving as a member of a jury. This does not include Grand Jury duty.

2.9 Library Sunday Hours

- 2.9.1 Tenured Librarians shall not be required to work on Sundays more frequently than one Sunday in four.
- 2.9.2 If the Librarian scheduled to work on a Sunday is unable to work (illness or approved absence), then no other Librarian shall be required to change his/her schedule to cover that absence unless (1) approved by the Library Services Director and (2) the Librarian is agreeable to work that Sunday.

2.10 Deferred Compensation

The City of Woodland will match an individual's deferred compensation contribution up to three percent (3%) of the individual's base salary as reflected in Appendix A. Only plans approved by the City in its deferred compensation program will be eligible for City contribution. At the time of this contract ratification, the City offers three deferred compensation providers from which employees may select. Individual employees will be responsible to ensure their contribution and the City's matching contribution meet Internal Revenue Code Section 457 deferred compensation program requirements. In addition, as their salary is adjusted, individual employees will be responsible to make periodic changes to the amounts of compensation deferred.

ARTICLE III EDUCATION INCENTIVE

3.1 Professional Growth Incentive)

- 3.1.1 Employees covered by this Resolution are eligible to participate in the Professional Growth Incentive Program. Employees may receive a reimbursement for professional memberships (including licenses, applications and renewal fees), subscriptions, professional training, attainment of academic degrees and related fees, and equipment limited to desktop computers or components (memory, hard drives, video cards, power supplies, mother boards), keyboards, monitors (maximum 32 inches), computer mouse(s)/pointing devices, laptop/notebook/tablet computers, printers, City standard suite of office productivity software (currently Microsoft Office Suite), security software, videoconferencing cameras and microphones, and cellular phones and related charging accessories, unless considered used mostly for personal entertainment. Smart watches and wireless earbuds are not eligible for reimbursement under this section. All such requests require advance approval by the City. Reimbursement per fiscal year per employee shall be \$625.00. In the event that the full reimbursement amount is not used in any fiscal year, the amount will carry over to the next fiscal year. Under no circumstances will an employee be eligible to carry over more than \$625.
- 3.1.2 Employees terminating prior to January 1 of any fiscal year shall be responsible for repaying a prorated share of Professional Reimbursement they have spent. For example, an employee working 25% of the year would be entitled to a Professional Reimbursement not to exceed, \$156.25. If employee received a reimbursement of greater than \$156.25, at the time of termination, the employee would be responsible for payment of the difference. This will be taken out of the employee's final check. If there is not enough funds to cover this amount, the City will invoice the employee for the difference. Funds carried over from a previous fiscal year are not subject to proration.

ARTICLE IV

MEDICAL AND RELATED BENEFITS

4.1 Medical Insurance

- 4.1.1 The City shall make available to all unit employees, the CalPERS medical insurance program. Employees shall have the option of enrolling in any of the plans provided by CalPERS.
- 4.1.2 For Employees hired before October 26, 2006, the City provides a two tier medical benefits program:
- Tier One: Employee Only and Employee plus One
 - Tier Two: Employee plus Family

- 4.1.2.1 Employees hired before October 26, 2006 who provide proof of dual coverage under PERS or other medical insurance programs may decline to accept medical coverage. These employees shall be eligible for a payment of \$ 405 per month.

January 1	Employee plus One	Employee plus Family
2025	\$1,689.07	\$2,195.79
2026	\$1,689.07	\$2,195.79

- 4.1.3 The City shall make available to all unit employees, a medical insurance program through CalPERS or a program which offers a quality and variety of plans at least equivalent to the medical insurance program offered by CalPERS. Employees shall have the option of enrolling in any of the plans.
- 4.1.4 For all benefited Employees, the City provides a three tier medical benefits program:
- Tier One: Employee Only
 - Tier Two: Employee plus One
 - Tier Three: Employee plus Family
- 4.1.5 Employees who provide proof of dual coverage under PERS or other medical insurance programs may decline to accept medical coverage. These employees shall be eligible for a payment of \$405 per month.
- 4.1.6 The City shall contribute up to the following amounts towards employee medical insurance coverage and cafeteria plan benefit:

January 1	Employee Only	Employee plus One	Employee plus Family
2025	\$844.54	\$1,689.07	\$2,195.79
2026	\$844.54	\$1,689.07	\$2,195.79

4.2 Medical Insurance Upon Retirement

- 4.2.1 Employees who retire from the City may be eligible for Medical Insurance in accordance with the CalPERS Medical Plan. Dental, Vision and Long-Term Disability Insurance is not provided to retirees.
- 4.2.2 For employees who were **hired before July 1, 2006**, with ten (10) or more years of service with the City of Woodland, who either retire and are eligible to receive benefits under the City's PERS plan or retire for disability under PERS shall be eligible for continued health and life insurance coverage subject to the following terms and conditions:
- 4.2.2.1 Employees 50 years old or older who separate from City service but postpone application to receive PERS retirement benefits must pay the premiums for any continued insurance coverage until the application for benefits is approved;
- 4.2.2.2 Retirees who are eligible for Medicare must enroll in Medicare or lose City Benefits as allowed by PEMHCA.

- 4.2.2.3 The parties agree that upon written notification by the City to the Association, the City and the Association agree to meet and confer through the impasse process to negotiate the City's contribution related to Medicare eligible retirees.
 - 4.2.2.3.1 Retirees who were hired prior to July 1, 2006, have a vested right to receive full medical insurance benefits in retirement equal to the total medical benefit provided to active employees. In the immediate case, such retirees shall receive the combined value of the medical benefit and the cafeteria plan benefit to equal the total benefit. In future cases, should the City again restructure its health care benefits, such retirees shall continue to receive the full value provided to active employees for health benefits irrespective of how they may subsequently be structured.
- 4.2.2.4 Life Insurance will be continued with the same benefit level and conditions as active employees except as adjusted according to the schedule outlined in the City's "Life Insurance Outline of Benefits" or in any modifications or other plans that replace the current plan.
- 4.2.2.5 Health Insurance coverage will be coordinated with Medicare when retirees become eligible. and
- 4.2.2.6 Dental, Vision and Long-Term Disability Benefits will not be offered or provided to retirees.
- 4.2.3 Employees who were **hired on or after July 1, 2006**, and have ten (10) or more years of service with the City of Woodland who either retire and are eligible to receive benefits under the City's PERS plan or retire for disability under PERS shall be eligible for continued health and life insurance coverage subject to the following terms and conditions will receive medical insurance benefits in retirement as follows:
 - 4.2.3.1 Insurance benefits levels to retirees who were hired after July 1, 2006, will receive a benefit equal only to the Public Employees' Medical and Hospital Care Act (PEMHCA) Medical Benefit.
 - 4.2.3.2 Retirement Health Savings Plan. The City of Woodland has established a program in which employees participate to save, on a tax deferred basis, money to help pay the cost of healthcare once an individual retires. The Retirement Health Savings Plan (RHSP) may be used for medical, dental and vision care as well as other healthcare expenses.
 - 4.2.3.2.1 For employees hired on or after July 1, 2006, participation in the City's RHSP is mandatory.
 - 4.2.3.2.2 Contributions: The City shall contribute \$100 per month to the employee's RHSP account; the employee shall contribute \$50 per month to their RHSP account. These contributions shall start after an employee has successfully completed their initial probationary period. However, upon successful completion of probation, the City shall contribute a lump sum of \$100 per month for each month served in the employee's initial probation.

- 4.2.3.2.3 Initial Probationary Period. During an employee's initial probationary period with the City, neither the employee nor the City shall contribute to the employee's RHSP account. The initial probationary period is that probationary period when an employee is first hired. A probationary period is also in effect when an individual changes classification or is promoted to a higher classification; City and employee contributions to RHSP accounts will continue during such promotional probationary periods.
- 4.2.3.2.4 Conversion of Sick Leave. Once an employee has accrued 500 hours of sick leave, the City shall convert 50% of additional sick leave earned to a cash contribution to an employee's RHSP account. This results in all sick leave earned above 500 hours being changed to 4 hours per month (versus 8 hours) with the value of 4 hours of salary being contributed to the employee's RHSP account. If accrued sick leave balance falls below 500 hours, the employee will once again accrue 8 hours of sick leave, until the sick leave accrued balance exceeds 500, then sick leave will be changed to 4 hours per month with the value of 4 hours of salary being contributed to the employee's RHSP.
- 4.2.3.2.5 Employees hired prior to July 1, 2006, were provided, on a one-time, irrevocable basis, the opportunity to opt out of the City's retiree medical plan (paragraph 4.2.2). Employees who selected this option shall continue to participate in the City's retiree health savings plan under the terms set forth above in paragraph 4.2.3. For these employees, the City's contribution is \$250 per month and the employee's contribution is \$50 per month. At the employee's option, any portion of this \$250 City contribution may be paid into an approved deferred compensation plan.

4.3 Dental Insurance

- 4.3.1 The City shall maintain in effect the Dental Insurance Program for the term of this agreement.

4.4 Long Term Disability Insurance

- 4.4.1 The City shall continue to provide a long-term disability insurance plan for all represented employees with benefits equivalent to that provided by the current plan.

4.5 Vision Insurance

- 4.5.1 The City shall continue to provide employees covered by this Resolution with vision insurance benefits equivalent to that provided in the current plan.

4.6 Life Insurance

- 4.6.1 The City shall maintain in effect life insurance for represented employees in the amount of Fifty Thousand Dollars (\$50,000.00).

4.7 Flexible Spending Account

- 4.7.1 The City will maintain in effect a qualified plan under Internal Revenue Code Section 125. Such account shall provide for pre-tax treatment of employee obligations for medical and dependent care costs.

4.8 Reopener on Medical Insurance Upon Retirement

- 4.8.1 The parties agree to meet and discuss for the purpose of discussing options for reducing the City's costs associated with funding of the current retiree medical benefits, with the shared goal of ensuring that full funding of retiree medical benefits is sustainable within the City's long term financial plan. Any changes shall be by mutual agreement.

ARTICLE V LEAVES

5.1 Holidays

- 5.1.1 City holidays to be observed by represented employees shall be:

January 1st
Third Monday in January (Martin Luther King's Birthday)
Third Monday in February (Presidents Day)
Fourth Monday in May (Memorial Day)
July 4th
First Monday in September (Labor Day)
November 11th (Veteran's Day)
Thanksgiving Day

The Day after Thanksgiving Day
Christmas Eve – ½ day (observed last workday before Christmas)
December 25th (Christmas Day)

- 5.1.2 In addition, each represented employee shall have 16 hours added to his/her vacation leave total as of July 1 each year.

An employee must work or be paid for all or part of both the employee's regularly scheduled workday before and after a holiday to be eligible for that holiday.

- 5.1.3 Represented employees in permanent part-time positions shall receive pay for City holidays on a pro-rata basis regardless of whether they are scheduled to work holiday or not. The pro-rata holiday benefit to be received shall be equal to the employee's average daily work hours, regardless of the time they would have otherwise been scheduled to work.

5.2 Vacation Leave

- 5.2.1 The vacation leave earning rate for each employee shall be as follows:

<u>Years of Service</u>	<u>Vacation Earned Per Month</u>
0 through 3 years	7.0 hours
4 through 5 years	9.0 hours
6 through 10 years	11.3 hours
11 through 15 years	13.3 hours
16 through 20 years	15.3 hours
Over 20 years	16.6 hours

- 5.2.2 Employees with less than ten (10) years of service with the City may carry an unused balance of vacation leave of no more than thirty-four (34) days (272 hours) past January 1 of each year. Employees with ten (10) years of service or more may carry an unused balance of vacation leave of no more than forty-four (44) days (352 hours) past January 1 of each year. Employees with fifteen (15) years of service or more may carry an unused balance of vacation leave of no more than fifty (50) days (400 hours) past January 1 of each year.

- 5.2.3 No employee may buy out more than ninety-six (96) hours of vacation per calendar year. Employees may cash out accrued vacation leave once they have three or more years of service. Each calendar year an employee may, at employee's request, cash out up to ninety-six (96) accrued hours of vacation based on the chart below.

<u>Years of Service</u>	<u>Annual Maximum Vacation Leave</u>
	Cash out
0 to 3 years	0 hours
3 to 5 years	40 hours
5 to 8 years	80 hours

8 + years

96 hours

Vacation leave hours are paid directly to employee at their regular hourly rate of pay at the time of the request in lieu of time off providing the employee is taking at least a cumulative total of 40 hours of vacation leave per calendar year. Payment will be made at the straight time rate.

5.3 Sick Leave

- 5.3.1 Represented full-time employees shall accrue sick leave at the rate of one (1) day per month.

5.4 Catastrophic Illness or Injury

- 5.4.1 Represented employees may donate portions of their Vacation or Administrative Leave accumulations to the Catastrophic leave bank to benefit employees who have suffered catastrophic illness or injury. Employees receiving donations of time from the bank must first exhaust all available vacation, administrative time and sick leave.

ARTICLE VI RETIREMENT

6.1 Retirement

- 6.1.1 The City will continue its participation in the Public Employee's Retirement System during the term of this agreement.

- 6.1.2 Permanent Employees of the City of Woodland fall under one of the three CalPERS Pension formulas as follows:

- Tier 1: Employees hired by the City of Woodland on or before December 4, 2012 or who are legacy/classic members as defined by CalPERS are eligible for the 2.7% @ 55 CalPERS retirement pension program calculated at the single highest year pensionable compensation formula.
- Tier 2: Employees hired by the City of Woodland on or after December 5, 2012 and before January 1, 2013 or who are new hires to the city of Woodland but are legacy/classic members determined by CalPERS are eligible for the 2% @ 60 CalPERS retirement pension program calculated at the three-year average pensionable compensation formula.
- Tier 3: Public Employees' Pension Reform Act (PEPRA) Employees hired on or after January 1, 2013 and who are not CalPERS legacy/classic members are eligible for the 2% @ 62 CalPERS retirement pension program calculated at the three-year average pensionable compensation formula.

- 6.1.3 PERS Employee Contribution towards Employee's Share of Retirement cost.

- Tier 1 employees shall continue to pay the full 8% of pensionable salary of the employee share towards the 2.7% @ 55 CalPERS retirement pension program.

- Tier 2 employees shall continue to pay the full 7% of pensionable salary of the employee share towards the 2%@60 CalPERS retirement pension program.
- Tier 3 (PEPRA) employees shall continue to pay 50% of the normal cost as determined by CalPERS towards the 2%@62 CalPERS retirement pension program.

6.1.4 Employee Cost Sharing towards Employers Cost of CalPERS Retirement Pension Program

6.1.4.1 Pursuant to Public Employees Retirement Law § 20516 employees in Tier 1 & Tier 2 will pay three percent (3%) of pensionable compensation towards the employers share of CalPERS retirement in addition to the contribution towards the employee share of retirement as described in the section above. Employees in Tier 3 (PEPRA) will not contribute an additional percentage of pensionable compensation towards the employer's share of CalPERS in addition to the 50% of normal cost as determined by CalPERS for Tier 3 (PEPRA) employees. The City adopted a resolution pursuant to IRS Code §4.14(h)(2) to allow this payment on a pre-tax basis.

6.1.5 The City provides the 1959 Survivor's Security Benefit as specified in the Government Code, Section 20862.8. This benefit provides a monthly allowance to certain eligible survivors of an employee who dies prior to retirement.

6.1.6 The City provides the sick leave conversion benefit as specified in the Government Code, Section 20965.

ARTICLE VII WORKING CONDITIONS

7.1 Work Hours

7.1.1 Work hours for represented employees shall be those agreed to between the employee and his/her Department Director.

7.2 Contracting Out

7.2.1 City shall notify the Association of any formal consideration made by the City Council for the contracting of services presently performed by represented employees. Whenever the City contemplates contracting such services, the City shall endeavor to have the new contractor give first consideration for employment opportunities to represented employees who would be displaced from their job as a result of the contract.

7.2.2 The City retains the right to decide to contract out prior to beginning negotiations. However, the City shall negotiate the effect of contracting out with the Association prior to taking any further action to contract out.

7.3 Introduction of New Technology

- 7.3.1 The City agrees to confer with representatives of Association on the impacts of the City's decision to introduce new technology into work performed by classes represented by the Association.

7.4 Association Leave

- 7.4.1 Each month, elected officers of the Association shall be entitled to take leave with pay from work in order to perform Association business, but such leave shall be limited to an aggregate total of eight (8) hours per calendar month. Each employee taking such leave shall arrange a convenient time approved in advance by his/her immediate supervisor. Unused time shall not accumulate for use in future months, without prior written approval by the City's Personnel Officer.
- 7.4.2 Association employees authorized by the Association president shall be entitled to use work time in order to prepare and distribute an Association Newsletter. Such time off shall be taken only with advance approval by the employee's immediate supervisor and the maximum time off allowed in the aggregate, shall be (10) hours per month. Unused time shall not accumulate for use in future months without prior written approval by the City's Personnel Officer.

7.5 Other Working Conditions Not Set Forth Herein

- 7.5.1 Other working conditions not set forth herein for employees covered by this Resolution shall continue as applicable on December 7, 2011, unless determined otherwise by the Woodland City Council in accordance with law or required otherwise by law.

**ARTICLE VIII.
OTHER COMPENSABLE ITEMS NOT SET FORTH HEREIN**

8.1 Other Compensable Items not set Forth Herein

- 8.1.1 Other items not set forth herein which are compensable as terms and conditions of employment of the employees covered by this Resolution shall continue to be compensated by the City of Woodland at the rate applicable on Exhibit A, unless determined otherwise by the Woodland City Council in accordance with law or required otherwise by law.

APPENDIX A)
SALARY SCHEDULE EFFECTIVE JULY 1, 2024

Pending

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE CITY OF WOODLAND

AND THE

WOODLAND POLICE MID-MANAGEMENT

UNIT

July 1, 2024 to June 30, 2026

MEMORANDUM OF UNDERSTANDING
CONCERNING POLICE MID-MANAGEMENT UNIT EMPLOYEES OF THE
CITY OF WOODLAND

The City of Woodland and the Woodland Police Mid-Management employees by and through their authorized representatives, hereby ratify as and for a Memorandum of Understanding the attached Resolution entitled "A Resolution of the City Council of the City of Woodland Approving Certain Terms and Conditions for Police Mid-Management Employees" and the exhibits appended hereto, and recommend that the same be adopted by the City Council of the City of Woodland.

DATED: _____

Deputy Chief Dallas Hyde

Police Mid-Management Employees

Ken Hiatt
Representative of the
City of Woodland

The foregoing Resolution and exhibits appended thereto hereby are approved by the City Council of the City of Woodland on this 18th of June 2024.

I

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING CERTAIN TERMS AND CONDITIONS FOR
POLICE MID-MANAGEMENT EMPLOYEES

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ARTICLE I GENERAL PROVISIONS

1.0 Application

This Resolution applies to the employees employed by the City of Woodland in the following classifications:

Deputy Chief
Police Lieutenant

1.1 Term

The term of this agreement is July 1, 2024 to June 30, 2026

ARTICLE II COMPENSATION

2.1 Salary

2.1.1 During the term of this agreement, represented employees shall receive the following adjustments to salary:

- Effective July 1, 2024 2.00%
- Effective July 1, 2025 1.00%
- Effective January 1, 2026 2.00%

2.2 Uniform Allowance

2.2.1 Bi-Annual Payments. Employees covered by this Resolution required by the Police Chief to wear a uniform shall receive Nine Hundred (\$900) Dollars annually. Payments will be made on a bimonthly basis.

2.2.2 Body Armor. The City will replace soft body armor within six (6) months of the expiration of the manufacturer's warranty.

2.3 Longevity Pay

2.3.1 Longevity Pay shall be earned as follows:

- a. Employees with twelve (12) years completed service will receive an additional two- and one-half percent (2.5%) of base pay as a retention incentive; and

- b. Employees with seventeen (17) years completed service will receive an additional five (5%) percent of base pay as a retention incentive; and
- c. Increases are not cumulative.

2.4 Out of Class Work

2.4.1 Assignment to perform work of a higher-level classification: Employees assigned by their supervisors to perform the essential duties of a higher-level classification shall receive an additional five percent (5%) of base pay as out of class compensation. Payment shall continue for the term of the assignment to the higher-level classification duties. Assignments shall be limited to six (6) months, which may be extended on approval of the City Manager.

2.4.2 Assignment as Acting Department Head: In the case of assignment as an acting department head, the compensation shall be an additional ten percent (10%) of the base pay. Payment shall continue for the term of the assignment to the higher-level classification duties. Acting assignments shall be limited to six (6) months, which may be extended on approval of the City Manager.

2.4.3 Assignment of duties beyond the scope of employee's classification: Employees assigned to perform significant and additional duties outside the scope of their job description shall receive an additional five percent (5%) of base pay as special assignment pay.

2.5 Professional Growth Incentive

2.5.1 Employees covered by this Resolution are eligible to participate in the Professional Growth Incentive Program. Employees may receive a reimbursement for professional memberships, subscriptions, professional training (including travel, lodging and parking fees), and attainment of academic degrees. All such requests require advance approval by the City. Maximum reimbursement per fiscal year per employee shall be \$800.00.

2.6 Bilingual Pay

2.6.1 Employees covered by this resolution shall be eligible for the City's Bilingual Policy. Employees meeting the policy's designation criteria shall receive additional compensation above their regular salary at a rate of \$200 per month, paid biweekly, per the City's bilingual policy (City Policy 16-302).

2.7 Certificate Pay

2.7.1 Employees shall receive an additional five (5%) percent of base pay for holding a POST Supervisory Certificate.

2.7.2 Employees shall receive an additional four percent (4%) percent of base pay for holding a POST Management Certificate.

2.7.3 For up to two (2) years after promotion to Lieutenant, employees shall continue to receive an additional four (4%) percent of base pay for holding a POST Advanced Certificate. Additional pay for holding a POST Advanced Certificate shall terminate upon receipt of the POST Management Certificate or two (2) years, whichever comes first.

2.7.4 Employees shall receive an additional two and a half (2.5%) percent of base pay for holding a Master's Degree, for having completed POST Command College, or for having completed the Federal Bureau of Investigation (FBI) National Academy. Maximum of 2.5% can be earned under this section.

2.7.5 Total Certificate Pay shall not exceed eleven- and one-half percent (11.5%) of base pay.

ARTICLE III - PERS RETIREMENT

3.1 PERS Retirement

3.1.1 The City will continue its participation in the Public Employee's Retirement System (CALPERS).

3.2 Tier-1 Police Safety Members.

3.2.1 Police Safety Members hired on or before June 1, 2012, shall receive the 3% @ 50 formula. highest twelve (12) months for final compensation determination, the Fourth Level of the 1959 Survivor's Benefit, Unused Sick Leave Option and Military Service Credit as Public Service.

3.2.2 These Police Safety Members shall pay the employees share of nine percent (9%) plus four point eight-eight-seven percent (4.887%) of the employer contribution via PERS contract amendment and another three (3%) percent of the employer share for a total of sixteen point eight-eight-seven percent (16.887%), on a pre-tax basis.

3.3 Tier-2 Police Safety Members.

3.3.1 Police Safety Members hired after June 1, 2012, and before January 1, 2013 or Classic members as defined by CalPERS, shall receive the 3% @ 55 formula, highest thirty-six (36) months for final compensation determination, the Fourth Level of the 1959 Survivor's Benefit, Unused Sick Leave Credit option and Military Service Credit as Public Service.

3.3.2 These Police Safety Members shall pay the employees share of nine percent (9%) plus four point eight-eight-seven percent (4.887%) of the employer contribution via PERS contract amendment and another three (3%) percent of the employer share for a total of sixteen point eight-eight-seven percent (16.887%), on a pre-tax basis.

3.4 Tier-3 Police Safety PEPRA Members

3.4.1 New Police Safety Members, as defined by CalPERS, hired on or after January 1, 2013, shall receive the 2.7% @ 57 formula, thirty-six (36) months for final compensation determination the Fourth Level of the 1959 Survivor's Benefit Unused Sick Leave Credit option and Military Service as Public Service..

3.4.2 These Police Safety Members will pay half the total normal cost as determined annually CalPERS on a pre-tax basis.

ARTICLE VI MEDICAL AND RELATED BENEFITS

4.1 Medical Insurance

4.1.1 The City shall make available to all unit employees, the CalPERS medical insurance program. Employees shall have the option of enrolling in any of the plans provided by CalPERS. The city has the right to explore other options outside of CalPERS for Health Insurance. The Association reserves the right to meet and confer over any options.

4.1.2 For Employees hired before July 1, 2006, the City provides a two-tier medical benefits program:

- Tier One: Employee Only and Employee plus One
- Tier Two: Employee plus Family

Employees hired before July 1, 2006 who provide proof of dual coverage under PERS or another medical insurance program may decline to accept medical coverage. These employees shall be eligible for a payment equal to \$405 per month, paid biweekly.

For Employees hired on or after July 1, 2006, the City provides a three-tier medical benefits program:

- Tier One: Employee Only
- Tier Two: Employee plus One
- Tier Three: Employee plus Family

Employees hired after July 1, 2006 who provide proof of dual coverage under PERS or other medical insurance programs may decline to accept medical coverage. These employees shall be eligible for a payment equal to \$405 per month, paid biweekly.

The City shall contribute up to the following monthly amounts towards employee medical insurance coverage and cafeteria plan benefit:

Effective Date	Employee Only	Employee plus One	Family
January 1, 2025	\$1,005.96	\$2,112.48	\$2,615.46
January 1, 2026	\$1,036.14	\$2,175.85	\$2,693.92

4.1.3 Effective January 1, 2022 through December 31, 2022, the City shall contribute the following amounts towards employee medical insurance coverage and cafeteria plan benefit:

Tier	Medical Benefit	Cafeteria Plan Benefit	Total Benefit
Employee only	Note 2	Note 3	Note 4
Employee plus one	Note 2	Note 3	Note 4
Employee plus family	Note 2	Note 3	Note 4

Note 1: Per paragraph 4.1.2 above, employees hired before July 1, 2006 who qualify for the “Employee only” tier shall receive medical insurance coverage and cafeteria plan benefit equal to the “Employee plus one” tier.

Note 2: The Medical Benefit will be equal to the minimum established annually by the CalPERS Board (currently \$157 from the January 2024 table). It is anticipated that this amount will be adjusted annually based on changes to the medical component of the CPI.

Note 3: Cafeteria Plan benefit will be equal to the difference between the Medical Benefit and the Total Benefit.

Note 4: The Total Benefits amounts are identified in paragraph 4.1.2 above.

4.2 Medical Insurance Upon Retirement

4.2.1 Employees who retire from the City may be eligible for Medical Insurance in accordance with the CalPERS Medical Plan. Dental, Vision and Long-Term Disability Insurance is not provided to retirees.

4.2.2 For employees who were hired before July 1, 2006, with five (5) or more years of continuous City service who either retire and are eligible to receive benefits under the City's PERS plan or retire for disability under PERS shall be eligible for continued health and life insurance coverage subject to the following terms and conditions:

4.2.2.1 Employees 50 years old or older who separate from City service but postpone application to receive PERS retirement benefits must pay the premiums for any continued insurance coverage until the application for benefits is approved;

4.2.2.2 Insurance benefits levels to retirees will be equal to the schedule reflected in paragraph 4.2.1 above. Retirees who were hired before July 1, 2006, will receive a benefit equal to the "Total Benefit" reflected in 4.1 .4 above; however, provisions of paragraphs 4.12.1 and 4.12.2 do not apply to retired employees;

4.2.2.2.1 Retirees who were hired prior to July 1, 2006 have a vested right to receive full medical insurance benefits in retirement equal to the total medical benefit provided to active employees. In the immediate case, such retirees shall receive the combined value of the medical benefit and the cafeteria plan benefit to equal the total benefit. In future cases, should the City again restructure its health care benefits, such retirees shall continue to receive the full value provided to active employees for health benefits irrespective of how they may subsequently be structured.

4.2.2.3 Life Insurance will be continued with the same benefit level and conditions as active employees except as adjusted according to the schedule outlined in the City's "Life Insurance Outline of Benefits" or in any modifications or other plans that replace the current plan;

4.2.2.4 Health Insurance coverage will be coordinated with Medicare when retirees become eligible; and

4.2.2.5 Dental, Vision and Long-Term Disability Benefits will not be offered or provided to retirees.

4.2.3 Employees who were hired on or after July 1, 2006, will receive medical insurance benefits in retirement as follows:

4.2.3.1 Insurance benefits levels to retirees who were hired after July 1, 2006, will receive a benefit equal only to the "Medical Benefit" reflected in 4.1.3 above.

4.2.3.2 Retirement Health Savings Plan. The City of Woodland established a program in which employees participate to save, on a tax-deferred basis, money to help pay the cost of healthcare once an individual retires. The Retirement Health Savings Plan (RHSP) may be used for medical, dental and vision care as well as other healthcare expenses.

4.2.3.3 For employees hired on or after July 1, 2006, participation in the City's RHSP is mandatory.

4.2.3.4 Contributions: The City shall contribute one hundred dollars (\$100) per month to the employee's RHSP account the employee shall contribute fifty dollars (\$50) per month to their RHSP account. These contributions shall start after an employee has successfully completed their initial probationary period. However, upon successful completion of probation, the City shall contribute a lump sum of one hundred dollars (\$100) per month for each month served in the employee's initial probation.

4.2.3.5 Initial Probationary Period. During an employee's initial probationary period with the City, neither the employee nor the City shall contribute to the employee's RHSP account. The initial probationary period is that probationary period when an employee is first hired. A probationary period is also in effect when an individual changes classification or is promoted to a higher classification;

City and employee contributions to RHSP accounts will continue during such promotional probationary periods.

4.2.3.6 Conversion of Sick Leave. Once an employee has accrued 500 hours of sick leave, the City shall convert 50% of additional sick leave earned to a cash contribution to an employee's RHSP account. This results in all sick leave earned above 500 hours being changed to five (5) hours per month (versus ten hours) with the value of five (5) hours of salary being contributed to the employee's RHSP account.

4.3 Life Insurance

4.3.1 Active Employees: The City shall continue to provide life insurance coverage in the amount of Fifty Thousand Dollars (\$50,000).

4.3.2 Retirees shall be eligible for continued life insurance coverage subject to the following terms and conditions:

4.3.2.1 Employees 50 years old or older who "retire" from City Service but postpone application to receive PERS retirement benefits must pay the premiums for any continued life insurance coverage until the application for benefits is approved;

4.3.2.2 The City shall pay the premiums for eligible retired employees who have maintained the applicable life insurance coverage and whose application for PERS retirement benefits has been approved.

4.3.2.3 Life Insurance will be continued with the same benefit level and conditions as active employees except as adjusted according to the schedule outlined in the City's "Life Insurance Outline of Benefits" or in any modifications or other plans that replace the current plan.\

4.4 Dental Insurance

4.4.1 City shall continue to provide employees identified in Section 1.0 of this Resolution and, at the employee's request, any eligible dependents, coverage in the City's dental insurance plan provided to other employees. This benefit shall be paid by the City except where the plan requires the employee to pay a deductible or copayment.

4.5 Long Term Disability Insurance

4.5.1 All represented members will have \$68.57 added to their monthly salary payment.

4.5.2 The City provides a monthly disbursement to the Police Mid-Management Association of \$68.57 per member deducted from each employee's net pay (or such other amount as determined by the Association).

4.5.3 Police Mid-Management assumes responsibility of making long-term disability payments and any other related benefits from the City provided payment.

4.5.4 The City's sole responsibility in the operation of the long-term disability insurance program shall be to deduct the designated amount. Police Mid-Management shall hold harmless and indemnify the City for any liability as a result of implementation of long-term disability insurance program.

4.6 Vision/Optical Insurance

4.6.1 The City shall provide employees covered by this Resolution with vision insurance.

4.7 Flexible Spending Account

4.7.1 The City agrees to establish a provision allowed by Section 125 of the Internal Revenue Code. Such account shall provide for pre-tax treatment of employee obligations for medical and dependent care costs.

4.8 Use of Tobacco Products

4.8.1 Employees hired after July 1, 2006 shall refrain from the use of all tobacco products during the term of their employment with the City. This section also applies to smokeless tobacco products.

ARTICLE V LEAVES

5.1 Vacation Leave

5.1 .1 The vacation leave earning rate shall be as follows:

<u>Years of Service</u>	<u>Vacation Earned Per Month</u>
0 to 3 years	6.7 hours (10 days/year)
4 to 5 years	8.7 hours (13 days/year)
6 to 10 years	10 hours (15 days/year)
11 to 15 years	12 hours (18 days/year)
16 years and over	14 hours (21 days/year)

5.1.2 Employees with less than ten (10) years of service may carry over a vacation leave balance of no more than three hundred twenty (320) hours past January 1 of each year. Employees with ten (10) years of service or more may carry a vacation leave balance of no more than three hundred eighty-four (384) hours past January 1 of each year.

5.1.3 Employees who have sufficient accrued vacation shall have the option of receiving pay in lieu of time off for eighty (80) hours of the accrued time, provided that the employee is taking at least one (1) consecutive week vacation time off. Payment will be made at the straight time rate. No employee may buy-out more than eighty (80) hours of vacation per fiscal year.

5.1.4 The City has amended the Retiree Health Savings Plan to allow the Woodland Police Mid-Management Unit employees to convert up to 40 hours of vacation on November 30th of each year to a cash contribution into a in an employee's RHSP Account. Eligible employees are employees who have at least 392 hours of accrued vacation on November 30 and have cashed out the maximum of hours allowed per the MOU.

5.2 Holidays

5.2. Each employee shall receive an additional 8.3 hours per month of vacation leave in lieu of holiday time off. The use and limitations of this additional leave are subject to the same rules and regulations pertaining to vacation leave.

5.3 Administrative Leave

5.3.1 Represented employees in the classifications in Section 1.0 above will receive sixty-four (64) hours of administrative leave. This administrative leave shall be in addition to accrued vacation leave and other leaves provided by the City.

5.3.2 Unused administrative leave may not be carried over past June 30 each year.

5.3.3 Employee may, at his/her request, have up to sixty-four (64) unused hours of the administrative leave bank paid directly to him/her at their hourly rate of pay in effect at the time of the request.

5.3.4 In the Memorandum of Understanding that expired on June 30, 2006, ninety-six (96) hours of administrative leave was provided to each represented employee; however, effective with the start of the MOU that commenced on July 1, 2007, forty (40) of the ninety-six (96) hours were removed from Administrative Leave and the value added to base salary.

5.3.5 Employees terminating prior to January 1 of any fiscal year shall be responsible for repaying a prorated share of Administrative leave.

5.4 Sick Leave

5.4.1 Sick Leave Accumulation

Employees earn and accumulate sick leave at the rate of ten (10) hours per month. An employee continues to earn sick leave while on any paid leave. There shall be no limit to the amount of sick leave credit an employee may accrue.

5.5 Use of Sick Leave

5.5.1 An employee eligible for sick leave is granted such leave for the following reasons:

Non-service-related illness or injury to the employee or physical or mental incapacity of the employee due to non-service-related illness or injury.

Medical, dental office or hospital visits for examination, diagnosis, or treatment.

Up to 48 hours sick leave off with pay may be granted in the event of illness or disability or birth or adoption of a child of the employee's immediate family.

5.6 Catastrophic Illness or Injury

5.6.1 Represented employees may donate portions of their vacation or administrative leave accumulations to other employees who have suffered catastrophic illness or injury. Employees receiving donation of time from other employees must first exhaust all available vacation, compensatory time, administrative leave and sick leave.

ARTICLE VI WORKING CONDITIONS

6.1 Work Hours

6.1.1 Work hours for represented employees shall be those agreed to between the employee and the Police Chief,

6.2 Probationary Period

6.2.1 The probationary period for employees hired or promoted into positions covered by this Resolution shall be one (1) year.

6.3 Re-Opener Clause

6.3.1 Should any other represented Woodland Police Department employee group or association, under successor agreements to those MOU's or agreements accept fewer economic concessions and/or receive new and better economic provisions than those provided to the WPMMA under this agreement, WPMMA shall have the right to reopen this MOU to discuss possibly receiving the equivalent economic benefit(s) provided to the other Woodland Police Department employee group or association on a prospective basis. The determination of fewer economic concessions or better economic provisions shall be measured on total contract compensation, and not based on any one specific contract provision.

ARTICLE VII

7.1 Other Compensable Items Not Set Forth Herein

7.1.1 Other items not set forth herein which are compensable as terms and conditions of employment of the employees covered by this Resolution shall continue to be compensated by the City of Woodland at the rate applicable unless determined otherwise by the Woodland City Council in accordance with law or required otherwise by law.

PASSED AND ADOPTED by the City Council this 18th day of June 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tania Garcia Cadena, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

Exhibit A - Salary Schedule

Woodland Police Mid-Management Employees
July 1, 2024

For Future Schedules please see the City of Woodland Published Salary Schedule.

CLASSIFICATION	A STEP	B STEP	C STEP	D STEP	E STEP	F STEP	G STEP	H STEP
Deputy Police Chief	\$12,147.51	\$12,754.90	\$13,392.64	\$14,062.29	\$14,765.39	\$15,503.67	\$16,278.85	\$17,092.80
Police Lieutenant	\$11,052.29	\$11,604.91	\$12,185.15	\$12,794.42	\$13,434.15	\$14,105.86	\$14,811.15	\$15,551.71



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: H.10
SUBJECT: Introduce and waive the first reading of an Ordinance revising Sections within Chapter 13.24, "Cross-Connection Control and Backflow Prevention," to Title 13 of the Woodland Municipal Code

Recommendation for Action: Staff recommends that the City Council introduce and waive the first reading of an ordinance of the City Council of the City of Woodland, California revising sections within Chapter 13.24, "Cross-Connection Control and Backflow Prevention" to Title 13 of the Woodland Municipal Code.

Staff Contact:

Celia Taylor, Water Quality Specialist II, (530) 661-5915, celia.taylor@cityofwoodland.gov

Fiscal Impact:

There is no immediate fiscal impact to the Water Enterprise Fund. Over the next three (3) years, the City will need to hire additional staff dedicated to performing hazard assessments, annual surveys, and inspecting required backflow devices to bring the City of Woodland into compliance.

There is no impact to the general fund.

Background:

The purpose of this agenda item is to present proposed changes and revisions to Chapter 13.24 of the City Ordinance to reflect updated requirements adopted in the State Water Resources Control Board (SWRCB) Cross Connection Control Policy Handbook or "Handbook" adopted December 19th, 2023. The Handbook takes effect July 1, 2024 with a repeal of previous regulations 90 days thereafter. All public water systems are required to comply with the Handbook.

Discussion:

The current Ordinance includes some, but not all, of the provisions required by the Cross Connection Control Policy Handbook or "Handbook" adopted by the State Water Resources Control Board. The Handbook mandates the use of certified backflow prevention assembly testers and cross-connection control specialists to implement the program. A public water system must implement a cross-connection control and backflow prevention program and that program must now include sections for backflow incident response, reporting and notification, public outreach and education, and local public entity coordination, along with updated requirements for backflow device installation, maintenance, and testing. Additionally, the City will outline how and when compliance with new regulations will be achieved.

The state's Handbook policies will replace previous cross-connection control regulations detailed in Title 17 of the California Code of Regulations of 1987 with minor revisions in 2000. The City's revised Ordinance will reflect the new requirements of the Handbook; it will protect the Woodland potable water system from potential contamination or pollution and strengthen protection to public health.

Conclusion:

Staff recommends that the City Council introduce and waive the first reading of an ordinance of the City Council of the City of Woodland, California revising section within Chapter 13.24, "Cross-Connection Control and Backflow Prevention," to Title 13 of the Woodland Municipal Code.

Prepared by: Celia Taylor, Water Quality Specialist II

Reviewed by: Tim Busch, Principal Utilities Civil Engineer
Brent Meyer, Community Development Director / City Engineer



Ken Hiatt
City Manager

Attachments:

1. ORDINANCE

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND
AMENDING CHAPTER 13.24 OF TITLE 13 OF THE WOODLAND MUNICIPAL
CODE RELATING TO CROSS-CONNECTION CONTROL AND BACKFLOW
PREVENTION**

WHEREAS, the City of Woodland, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, the City’s Community Development Department (“Department”), Utilities Engineering Division desires to amend Chapter 13.24 of the Woodland Municipal Code relating to “Cross-Connection Control and Backflow Prevention”; and

WHEREAS, the California State Water Resources Control Board adopted standards for backflow protection and cross-connection control through the “Cross-Connection Control Policy Handbook – Standards and Principles for California’s Public Water Systems” (CCCPH); and

WHEREAS, the CCCPH was adopted by the State Water Resources Control Board on December 19, 2023, and becomes effective July 1, 2024; and

WHEREAS, all California public water systems must comply with the CCCPH and this Ordinance contains the amendatory actions needed to update the City’s Municipal Code in order to comply with state regulatory policy; and

WHEREAS, the City is dedicated to the protection of the potable water supply from contamination, pollution, cross-connection, and backflow.

NOW, THEREFORE, the City Council of the City of Woodland does ordain as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Ordinance.

Section 2. Amendments to Chapter 13.24. Chapter 13.24 of Title 13 of the Woodland Municipal Code is hereby amended and restated in its entirety as provided in Exhibit “A”, attached hereto and incorporated herein by this reference. The amendments are summarized as follows:

- i. Insert under §13.24.010 the federal and state regulations which require protection of water sources.
- ii. Insert under §13.24.020 the applicability for provisions.
- iii. Amend the definitions in §13.24.020 to include several key terms and remove unused terms.
- iv. Amend section §13.24.040 to include regulations required by the State Water Resources Control Board. The new text includes a list of facilities where an RP or AG is required and defines specific examples where backflow protection and cross-connection control is required. References to specific standards are updated.
- v. Section §13.24.050 Hazard Assessments was added.

- vi. Section §13.24.060 Inspections & Backflow Prevention Assembly Testing was added. This was previously listed as part “F” under §13.24.030 Regulations.
- vii. Section §13.24.070 Cross-Connection Control Program Coordinator was added to reflect the requirement by the state policy.
- viii. Section §13.24.080 Certified Backflow Prevention Assembly Tester and Certified Cross-Connection Control Specialists was added to reflect the requirement by the state policy.
- ix. Section §13.24.090 Backflow Incident Response was added to define the Public Work Department role in responding to actual and potential backflow events.
- x. Section §13.24.100 was added replace prior code Section §13.24.040 “Notice, compliance schedules” to organize the code and separate notification from corrective actions. The section outlines a timeline for compliance and notification.
- xi. Section §13.24.110 Corrective Actions was added to state the ramifications of failure to comply.
- xii. Section §13.24.120 Record Retention was added to disclose the City policy regarding record keeping as required by the State Water Resources Control Board CCCPH.

Section 3. California Environmental Quality Act (CEQA). The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Ordinance is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 4. Severability. If any provision, clause, sentence or paragraph of this chapter or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

Section 5. Certification; Publication. The City Clerk shall certify to the adoption of this Ordinance and shall cause a summary thereof to be published in the Daily Democrat, a newspaper of general circulation, printed and published in the City of Woodland and County of Yolo, at least five (5) days prior to the meeting at which the proposed ordinance is to be adopted and shall post a certified copy of the proposed ordinance in the office of the City Clerk, and within fifteen (15) days of its adoption, shall cause a summary of it to be published and shall post a certified copy of the adopted ordinance in the office of the City Clerk, in accordance with California Government Code section §36933. This ordinance shall take effect thirty (30) days following its adoption.

INTRODUCED by the City Council of the City of Woodland at a regular meeting held on the 18th day of June 2024, and PASSED, APPROVED AND ADOPTED by the City Council of the City of Woodland at a regular meeting held on the ____ day of ____ 2024 by the following vote:

AYES:

NOES:

ABSENT:
ABSTAIN:

Tanya Garcia-Cadena, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Ethan Walsh, City Attorney

Exhibit “A”

Amendments to Municipal Code (Separate attachment to the report)

CHAPTER 13.24

CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION

§ 13.24.010 Purpose.

- A. Under the Federal Safe Drinking Water Act of 1974 with amendments in 1986 and 1996 and the California Code of Regulations—Title 17, Sections 7583 through 7605, the City has the primary responsibility of preventing unapproved water sources or other contaminants from entering the public potable water system. The City shall require that any unprotected cross connection be eliminated or that the water system be protected with an approved backflow prevention assembly.
- B. The purpose of this chapter is to:
 - 1. Protect the public potable water supply of the City from the possibility of contamination or pollution by isolating within a user’s internal distribution system or a user’s private water system, contaminants or pollutants which could backflow or back-siphon into the City water supply system;
 - 2. Promote the elimination or control of existing cross-connections, actual or potential, between a user’s potable water system and that user’s nonpotable water system, plumbing of fixtures and/or industrial piping system;
 - 3. Provide for the maintenance of a continuing program of cross-connection control which systematically and effectively prevents the contamination or pollution of the potable water system.

§ 13.24.020 Applicability

- A. All water users must comply with the requirements of the City of Woodland municipal code and federal and state regulations.

§ 13.24.030 Definitions.

For the purposes of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“Air gap separation or “AG” means a physical vertical separation of at least two (2) times the effective pipe diameter between the free-flowing discharge end of a potable water supply pipeline and the flood level of an open or non-pressurized receiving vessel; air gaps cannot be less than one (1) inch.

“Approved water supply” means a water source that has been approved by the State Water Board for domestic use in a public water system and designated as such in a domestic water supply permit issued pursuant to section 11625 of the California Health and Safety Code.

“Auxiliary water supply” means any water supply on or available to the premises other than the purveyor's approved public potable water supply. These auxiliary waters may include water from another well, or "used waters" or "industrial fluids." It is located on the premises of, or available to, a water user.

“Backflow” means the undesired reversal of flow of a liquid, gas, or other substance into a public water system’s distribution system or approved water supply.

“Backflow prevention assembly” or “BPA” means a mechanical device designed and constructed to prevent backflow, such that while in-line it can be maintained and its ability to prevent backflow, as designed, can be field tested, inspected and evaluated.

“Backflow prevention assembly tester” means a person who is certified as a backflow prevention assembly tester by a certifying organization recognized by the State Water Board.

“Backsiphonage” means a type of backflow where the upstream pressure in a piping system is reduced to a sub-atmospheric pressure.

“City” means the City of Woodland.

“Cross-connection” means any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other non-approved source which contains liquid, gas, or other substances, through which, or because of which, backflow or back-siphonage may occur into the potable water system.

“Distribution system” means, as defined in section 63750.50 of the California Code of Regulations (CCR), any combination of pipes, tanks, pumps, etc. which delivers drinking water from a source or treatment facility to the consumer and includes: (a) disinfection facilities for which no Giardia or virus reduction is required pursuant to CCR 64654(a) and (b) the composite of all distribution systems of a public water system.

“Double check detector backflow prevention assembly” or “DCDA” means a double check valve backflow prevention assembly that includes a bypass with a water meter and double check backflow prevention assembly, with the bypass’s water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow. This type of assembly may only be used to isolate low hazard cross-connections.

“Double check valve backflow prevention assembly” or “DC” means an assembly consisting of two independently-acting internally-loaded check valves, with tightly closing shut-off valves located at each end of the assembly (upstream and downstream of the two check valves) and fitted with test cocks that enable accurate field testing of the assembly. This type of assembly may only be used to isolate low hazard cross-connections.

“Hazard assessment” means an evaluation of a user premises designed to evaluate the types and degrees of hazard at a user’s premises.

“High hazard cross-connection” means a cross-connection that poses a threat to the potability or safety of the public water supply. Materials that enter or can potentially enter the public water supply are contaminants or health hazards.

“Low hazard cross-connection” means a cross-connection that has been found to not pose a threat to the potability or safety of the public water supply but may adversely affect the aesthetic quality of the potable water supply. Materials entering the public water supply through a low hazard cross-connection are pollutants or non-health hazards.

“Nonpotable water” means water which is not safe for human consumption or which is of questionable potability.

“Pollution” means the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade its quality, so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such waters for domestic use.

“Potable water” means any water which, according to recognized standards, is safe for human consumption.

“Premises containment” means protection of a public water system’s distribution system from backflow from a user’s premises through the installation of one or more air gaps or BPAs, installed as close as practical to the user’s service connection, in a manner that isolates the water user’s water supply from the public water system’s distribution system.

“Public water system” or “PWS,” as defined in the California Health and Safety Code section 116275(h), means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

1. Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system.
2. Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system.
3. Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

“Recycled water” means a wastewater which as a result of treatment is suitable for uses other than potable use.

“Reduced pressure principle backflow prevention assembly” or “RP” means an assembly with two independently acting internally-loaded check valves, with a hydraulically operating mechanically independent differential-pressure relief valve located between the check valves and below the upstream check valve. The assembly shall have shut-off valves located upstream and downstream of the two check-valves, and test cocks to enable accurate field testing of the assembly.

“Reduced pressure principle detector backflow prevention assembly” or “RPDA” means a reduced pressure principle backflow prevention assembly that includes a bypass with a water meter and reduced pressure principle backflow prevention assembly, with the bypass’s water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow.

“Reduced pressure principle detector backflow prevention assembly – type II” or “RPDA-II” means a reduced pressure principle backflow prevention assembly that includes a bypass around the second check, with the bypass having a single check valve and a water meter accurately registering flow rates up to two gallons per minute and visually showing a registration for all rates of flow.

“User premises” means the property under the ownership or control of a water user and is served, or is readily capable of being served, with water via a service connection with a public water system.

“User’s service connection” means either the point where a water user’s piping is connected to a water system or the point in a water system where the approved water supply can be protected from backflow using an air gap or backflow prevention assembly

“Water supplier” means a person who owns or operates a public water system.

“Water user” means a person or entity who is authorized by the PWS to receive water.

“Water service connection” means the terminal end of a service connection from the public potable water system, i.e., where the City loses jurisdiction and sanitary control over the water at its point of delivery to the user’s water system. If a meter is installed at the end of the service connection, then the service connection means the downstream end of the meter. The water service connection shall also include connection from a fire hydrant and all other temporary or emergency water service connections from the City’s potable water system.

“Water system” consists of two parts, the City system and the user system:

1. The "City system" means the source facilities and the distribution system, including storage and delivery systems under the complete control of the City, up to the point where the user's system begins.
2. The "user system" means all facilities beyond the termination of the City system which are utilized in conveying City delivered domestic water to points of use.

§ 13.24.040 Regulations

A. Cross Connection Control Program

The City shall protect the public water supply from contamination by implementation of a Cross-Connection Control Program. The City's Cross-Connection Control Program shall include the requirements of the State Water Resources Control Board Cross-Connection Control Policy Handbook (CCCPH).

B. Backflow protection required

The type of protective device required shall depend upon the degree of hazard which exists as follows:

1. In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the water system, the City water system shall be protected by an approved AG or an approved RP device. Examples of premises where these conditions will exist include, but are not limited to:
 - a. mortuaries
 - b. cemeteries
 - c. medical facilities
 - d. kidney dialysis facilities
 - e. dental facilities
 - f. veterinary facilities
 - g. pet groomers
 - h. chemical manufacturing plants
 - i. laboratories
 - j. biotech facilities
 - k. electronics manufacturers
 - l. dry cleaner facilities
 - m. industrial or commercial laundry facilities
 - n. metal plating facilities
 - o. solid waste disposal facilities
 - p. marine port facilities
 - q. car wash facilities
 - r. mobile home park
 - s. RV park or campgrounds with RV hookups
 - t. hotels or motels
 - u. gas stations
 - v. fire stations
 - w. agricultural premises
 - x. railroad maintenance facilities
 - y. incarceration facilities
 - z. airports
2. In the case of commercial, institutional, and industrial buildings, the City water system shall be protected by, at a minimum, an approved double check valve assembly on each service

- connection. An approved AG or RP will be required if, in the opinion of the Cross-Connection Control Specialist, the degree of hazard so requires.
3. In the case of sewage handling facilities, wastewater lift stations and pumping stations, wastewater treatment processes, handling, or pumping equipment that is interconnected to a piping system connected to a PWS, an RP or isolation by an AG is required.
 4. In the case of processing plants or facilities with radioactive materials or storage, an RP is required.
 5. In the case of recycled water or graywater systems interconnected to piping that contains water received from a PWS, the PWS shall be protected by an approved AG or an RP.
 6. In the case of drinking water storage tank overflow connected to a sump pump or storm drain, the premise shall be isolated by an AG only, except as indicated in the most recently adopted CCCPH.
 7. In the case of business parks with a single meter serving multiple businesses, an AG or RP is required.
 8. In the case of more than one connection to the PWS, all connections must receive the same level of protection excluding fire protection when connected to the PWS distribution system. (e.g., if one connection requires an RP then all connections must have RPs installed).
 9. In the case of any premises where hazard assessment access is denied or restricted, due to security requirements or other prohibitions, or where it is impossible or impractical to make a complete in-plant cross-connection survey, the City water system shall be protected against backflow or back-siphonage from the premises by the installation of a backflow prevention device in the service line. In this case, maximum protection will be required; that is, an approved air-gap separation or an RP shall be installed in each service line to the premises.
 10. In the case of any premises where there are "uncontrolled" cross-connections, either actual or potential, the City water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device at the service connection.
 11. In the case where the water supply to a user cannot be interrupted for inspection, repairs or maintenance, the user shall be required to supply two backflow prevention devices of the same design and type, in parallel.
 12. In the case of any premises where there is an auxiliary water supply, either interconnected to or not interconnected to the PWS, the public water supply shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device.
 13. In the case of private water distribution mains, an RP shall be required.
 14. In the case of temporary connections to fire hydrants for miscellaneous uses, including construction, an RP shall be required.
 15. In the case of Tanker and Spray Tanks of 49 gallons or more, air-gap separation or an approved reduced pressure principle backflow prevention device is required.
 16. In the case of premises with a fire suppression system:
 - a. Multipurpose and passive purge fire sprinklers for residential systems require no other protection than the protection required for a domestic water supply line.
 - b. Fire systems deemed "Low Hazard," for chemicals and additives requires a double check detector assembly (DCDA)
 - c. Fire systems deemed "High Hazard" require a reduced pressure detector assembly (RPDA), a reduced pressure backflow prevention assembly (RP), or an air gap (AG).
 17. In the case of any premises where there is water or substance that would be objectionable but not hazardous to health if introduced into the PWS, the PWS shall be protected by an approved double check valve assembly.

C. Internal Premises Plumbing

It shall be the responsibility of the property owner to control for cross-connections located on the residential plumbing system and to complying with plumbing codes.

D. Backflow Prevention Assembly Standards

A water service required to install backflow protection shall install an "approved backflow prevention device." This means a device which has been manufactured in full conformance with the latest standards established by the American Water Works Association (AWWA) entitled: AWWA C510 Double Check-Valve Backflow Prevention Assembly and C511 Reduced-Pressure Principle Backflow Prevention Assembly, approved by the American National Standards Institute, and which has met completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research (FCCC & HR) of the University of Southern California. Final approval shall be evidenced by a "Certificate of Approval" issued by an approved testing laboratory certifying full compliance with said AWWA standards and FCCC & HR specifications.

E. Backflow Assembly Location

Installation of each device shall be installed according to the manufacturer's instructions. When an approved backflow prevention assembly or air gap separation device is required, it shall be installed on each service line to a user's water system at or near the property line before the first branch line leading off the service line.

Backflows should be installed in a horizontal direction, unless explicitly approved by the manufacturer for vertical flow up or flow down installation. The devices shall not be installed in locations containing corrosive, toxic, or poisonous gases or in hazardous areas which could pose a safety threat to backflow testers or repairers. Volatile fumes and gases or corrosive materials could render the device inoperable.

Devices should not be installed in areas prone to flooding, where freezing could cause mechanical damage, or where temperatures rise above the manufacture's specifications for the unit. A hot-water type backflow is required in areas where temperatures exceed 140 degrees Fahrenheit.

Devices shall be installed so as to not require ladders or lifts for access. As a general guideline, the bottom side of an RP should be at a maximum of 36 inches above grade. Side clearance from the device to the building should allow for access and maintenance and should be no less than 12 inches from the building.

§ 13.24.050 Hazard Assessments

- A. The City surveys the service area and conducts hazard assessments to identify actual or potential cross-connection hazards, the degree of hazard, and any backflow protection needed. The timeline for performing initial and subsequent hazard assessments must be documented in the City's Cross-Connection Control and Backflow Prevention Program.
- B. To evaluate the potential for backflow into the PWS, an initial hazard assessment must be conducted of the user premises within the service area. The assessment must consider:
 - 1. The existence of cross connections;
 - 2. The type and use of materials handled and present or likely to be on the user premises;
 - 3. The degree of piping system complexity and accessibility;
 - 4. Access to auxiliary water supplies, pumping systems, or pressure systems;
 - 5. Distribution system conditions that increase the likelihood of a backflow event (e.g., main breaks and high demand situations);

6. User premises accessibility;
 7. Any previous backflow incidents on the user premises; and
 8. The requirements and information provided in the CCCPH.
- C. Each hazard assessment must be categorized by the degree of hazard as having a low hazard cross connection, a high hazard cross connection, or as having no hazard (see Appendix D of the CCCPH for examples).
- D. The hazard assessment must determine whether an existing BPA, if any, provides adequate protection based on the degree of hazard.
- E. Subsequent to the initial hazard assessment described in subsection (A), the City must perform a hazard assessment if any of the following occurs:
1. If there is a change in a premises' user account holder, excluding single-family residences or residential attached units;
 2. Backflow from a user's premises occurs;
 3. If a user premises is reconnected or newly connected to the PWS;
 4. If there is evidence that a user on a non-residential premises created changes in the activities or materials of the premises;
 5. If the State Water Board requests a hazard assessment of a user's premises; and
 6. If the City concludes an existing hazard assessment may no longer accurately represent the degree of hazard.

13.24.060. Inspections & Backflow Prevention Assembly Testing

- A. The City of Woodland PWS must develop and implement a procedure for ensuring all BPAs are field tested, inspected, and maintained and AGs are inspected and maintained in accordance with the latest version of the State Water Resources Control Board Cross Connection Control Policy Handbook.
- B. The user's system should be open for inspection at all reasonable times to authorized representatives of the City to determine whether cross-connections or other structural or sanitary hazards, including violations of this code and State laws and regulations, exist. When a hazardous condition becomes known, the Public Works Director or the Chief Water Systems Operator may deny or immediately discontinue service to the premises by providing for a physical break in the service line until the user has corrected the condition(s) to the satisfaction of the Public Works Director and a cross-connection control specialist. It shall be the duty of the Public Works Director to see that these timely tests are made. These devices shall be repaired, overhauled or replaced at the user's expense whenever said devices are found to be defective. Records of such tests, repairs, and overhaul shall be kept.
- C. Inspection Requirements for Existing Water Services:
The City of Woodland shall require inspections at any premises where backflow devices are installed at least once a calendar year. In those instances where the Public Works Director deems the hazard to be great enough, certified inspections may be required at more frequent intervals. While the City of Woodland Cross Connection Control Testers will have the primary responsibility of performing inspections, a third-party City of Woodland approved tester may also be used.
- D. Inspection Requirements for New Water Services:

All new water services that require a backflow prevention assembly or air gap at the connection to the public water system must receive an initial and final inspection by an approved Cross-Connection Control Specialist. The property owner or designee must contact the City of Woodland Public Works Department to schedule these inspections.

1. An initial inspection is required after a backflow prevention assembly or air gap has been installed at the connection to the public water system. The initial inspection can be performed by a third-party cross connection control specialist.
2. A final inspection is required within 48 hours of receiving water service. If this inspection is not conducted, water service will be turned off and will not be restored until the final inspection has passed.

§ 13.24.070 Cross-Connection Control Program Coordinator

- A. The Public Works director will designate a Cross Connection Control Program Coordinator to be responsible for the reporting, tracking, and other administration duties of its cross-connection control program.

§ 13.24.080 Certified Backflow Prevention Assembly Tester and Certified Cross-Connection Control Specialists

- A. The City shall ensure all BPA testers and cross-connection control specialists used are from a certifying organization recognized by the California State Water Resources Control Board. The City of Woodland may use third party contractors for follow-up backflow inspections after a repair or replacement of a backflow device. The City will maintain a list of certified testers approved by the City.

§ 13.24.090 Backflow Incident Response

- A. If a suspected backflow or cross-contamination event has occurred, notify Public Works. Public Works will assess the degree of the hazard and whether it is a suspected or real backflow event.
- B. In responding to customer complaints, the City should consider: complaints or reports of changes in water quality as possible incidents of backflow; water quality sampling and pressure recording; and documentation of the investigation, and any response and follow-up activities.
- C. The City may install, inspect, field test, and or maintain a BPA at a water user's premises, or otherwise address in a timely manner a failure to comply with the cross-connection control program and the City of Woodland municipal code.

§ 13.24.100. Notification

- A. If, in the judgment of the Public Works Director, an approved backflow prevention device is required at the City water service connection to any user's premises for the safety of the water system, the Public Works Director, or designated agent, shall give the user notice in writing to install such an approved backflow prevention device or to abate the hazardous conditions to the satisfaction of the City. The user shall be given ninety (90) calendar days from the date of notification to install such approved device or devices, at his or her own expense, and failure, refusal, or inability on the part of the user to do so shall constitute grounds for discontinuing water service. The City may terminate the water service to a premises if compliance is not achieved within one hundred and twenty (120) calendar days of notice.

- B. Should the Public Works Director order immediate disconnection without prior notice pursuant to Section 13.24.090, the user shall be given notice in writing as soon as possible. The notice shall clearly state: (1) the reason for the disconnection under this chapter; (2) the steps the user must take under this chapter in order to have water service restored; and (3) the opportunity for a hearing on the matter with the City Manager.
 - 1. After written notification of a backflow/back-siphonage hazard, the user shall apply within two working days for a permit to correct the hazard. The compliance permit shall specify a maximum allowable time period for installation by the user and satisfactory testing of the specified backflow protection device. The user shall pay the applicable permit fee.
 - 2. The notice shall clearly state that the user must apply for a permit to correct the hazard, the time period for compliance, the appeal rights of the user, and that water service will be discontinued should the user fail to apply for the permit.
- C. Should the user dispute the existence of a backflow/back-siphonage hazard requiring a backflow protection device under this chapter, the user may request a hearing with the Public Works Director or designated agent. This request shall be made at the time of application for the compliance permit. The hearing shall be held as soon as possible within the period of time specified on the permit for installation and inspection of the device. If the Public Works Director, or designated agent, determines at the hearing that the device is not required under this chapter, the permit fee shall be promptly refunded to the user. If the hearing results in a determination that the device is required under this chapter, the device must be installed in accordance with the compliance permit.

§ 13.24.110. Corrective Actions

- A. Failure to comply with the procedures specified in §13.24.100 subsections (A) and (B) may result in immediate discontinuance of water service without prior written notice.
- B. The City may deny or discontinue service of water to any premises in the following situations: if a backflow prevention device required by this code is not installed, tested and maintained; if a backflow prevention device has been removed, altered, or bypassed; or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected pursuant to section 13.24.100.
- C. All presently installed backflow prevention devices which do not meet the requirements of section 13.24.040 shall be replaced with an approved device. Whenever the existing device is moved from the present location or requires more than minimum maintenance or constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting the requirements of section 13.24.040 at the expense of the user.

§ 13.24.120. Record Retention

- A. The City of Woodland PWS will maintain the following records in accordance with the State Water Resources Control Board's latest version of the Cross-Connection Control Policy Handbook (CCCPH).
 - 1. The two most recent hazard assessments for each user premise, conducted pursuant to the most recently approved CCCPH;

2. for each BPA, the associated hazard or application, location, owner, type, manufacturer and model, size, installation date, and serial number;
 3. for each AG installation, the associated hazard or application and the location, owner, and as-built plans of the AG;
 4. results of all BPA field testing, AG inspection, and swivel-ell inspections and field tests for the previous three calendar years, including the name, test date, repair date, and certification number of the backflow prevention assembly tester for each BPA field test and AG and swivel-ell;
 5. repairs made to, or replacement or relocation of, BPAs for the previous three calendar years;
 6. the most current cross-connection tests (e.g., shutdown test, dye test);
 7. if a user supervisor is designated for a user premise, the current contact information for the user supervisor and water user, and any applicable training and qualifications;
 8. descriptions and follow-up actions related to all backflow incidents;
 9. if any portion of the cross-connection control program is carried out under contract or agreement, a copy of the current contract or agreement;
 10. the current Cross-Connection Control Plan as required in the most recently adopted CCCPH; and
 11. any public outreach or education materials issued for the previous three calendar years.
- B. The City does not keep records of “secondary” backflows or backflows located internally within a user premises and downstream of the backflow installed to protect the primary water system.
- C. All information in subsection (A) must be available to the State Water Board upon request. All correspondence with state or local authorities must be kept for a minimum of 10 years.



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: H.11
SUBJECT: Woodland Tourism and Business Improvement District (TBID) Annual Assessment

Recommendation for Action: Staff recommends that the City Council:

1. Hold a Public Hearing to receive testimony regarding the City Council's intention to continue the Woodland Tourism Business Improvement District; and
2. Determine whether a legally sufficient protest is made; and
3. If no legally sufficient protest is made, adopt Resolution No. _____, approving the WTBD FY 2024-25 Budget and affirming the continuation of the annual assessment for the WTBD for 2024-25 fiscal year.

Staff Contact:

Amanda Portier, Marketing & Business Relations Specialist, (530) 661-5920,
amanda.portier@cityofwoodland.gov

Fiscal Impact:

The purpose of the Woodland Tourism Business Improvement District is to increase the occupancy of Woodland hotels, resulting in continued and enhanced transient occupancy tax and other visitor-supported revenues. Other than administrative support and collections, there are no costs to the City of Woodland associated with the renewal of the Woodland Tourism Business Improvement District. Increased occupancy will result in a positive impact on the City's general fund revenue through the transient occupancy tax (TOT) collected on each room night.

Background:

Tourism promotion is a specific purpose named in California Business Improvement District (BID) law. A BID is a benefit district where an industry or area assesses itself to spend collective funds on goals for mutually-beneficial purposes. BIDs are frequently used by hotels to fund tourism marketing and promotion efforts. Through BID self-assessment, business owners collectively pay for activities that single businesses cannot afford and serve to champion a destination area, as opposed to typical marketing efforts designed to promote individual businesses. The Parking and Business Improvement Area Law of 1989 under the California Streets and Highway Code sets forth specific actions to renew Business Improvement Districts annually. State law makes it clear that BID assessments are not taxes.

Since a BID fee is a benefit assessment and not a tax, BIDs are able to pay for programs and activities without relying on public funding. Tourism BIDs (TBIDs) can provide destination marketing in ways distinctly different from municipal governments or individual businesses. TBIDs are public-private partnerships which benefit both destination cities and businesses located in those cities.

In the fall of 2021, Woodland hoteliers sent a letter to the City requesting establishment of a Woodland-focused tourism business improvement district. Subsequently, on June 21, 2022, the Woodland City Council, adopted Ordinance No. 1691 establishing the Woodland Tourism Business Improvement District (WTBD).

Pursuant to the law governing BIDs, prior to the end of each Fiscal Year, the Advisory Board of the WTBID, which is made up of the Woodland Hoteliers Group, a 501(c)6 non-profit organization, is required to prepare and submit an annual report to the City Clerk detailing the use of the assessment funds consistent with the allowed activities and proposed budget for the upcoming fiscal year. This report was presented to City Council on Tuesday, June 4, 2024. The WTBID will require annual renewals to continue the assessment. Consideration of each annual renewal is subject to the process stipulated in the Parking and Business Improvement Area Law of 1989.

Discussion:

The 2024/2025 fiscal year annual assessments to be levied against hotels within the District are based on the benefits they derive from the program of activities. In accordance with Ordinance No. 1691, in addition to any assessments, fees, charges, or taxes imposed otherwise in the City, except where funds are otherwise available, the City Council proposes to levy assessments for fiscal year 2024/2025 against hotels in the WTBID for the purpose of funding the programs, activities, and services that will promote the City and hotels as a visitor and tourist destination. Each hotel shall pay an assessment of two percent (2%) of the total room rents charged and received from transient hotel guests who do not make the hotel their principal place of residence.

These assessments shall be due and payable and shall be paid at the same time and in the same manner that the transient occupancy tax is due and payable and shall be subject to the same penalties and interest for nonpayment. Assessments will be collected by the City of Woodland, with the funds being remitted to a special fund of the City for expenditure in accordance with its adopted annual budget as presented by the Advisory Board appointed by the City Council.

Annual Report - Woodland Tourism Business Improvement District

In May, the Woodland Hoteliers Group submitted their Annual Report that describes the improvements and activities for which assessments are to be levied and collected for the 2024/2025 fiscal year. This Annual Report was presented to the City Council for review and approval on June 4, 2024.

At the June 4 meeting, the City Council approved the Annual Report from the Advisory Board and adopted a resolution of intention to levy the annual assessment for Fiscal Year 2024-25. A representative of the Woodland Hoteliers Group was present at the City Council meeting to share highlights of activities over the past year and plans for the coming fiscal year to promote Woodland as a visitor and tourism destination.

Examples of proposed uses of the revenues derived from charges levied against hotels/businesses in the WTBID for fiscal year 2024-25 as outlined in the Annual Report are:

- (a) Promoting the identity of Woodland through financial support of key regional and national events that support tourism, and result in an economic impact; and
- (b) Developing and implementing a destination marketing strategy and promotions targeting potential hotel guests; and
- (c) Developing and undertaking an advertising and public relations program focusing on the business and leisure travel trade; and
- (d) Subsidization of high quality, high economic impact events; and
- (e) Annual operating expenses including but not limited to annual district administration functions and expenses, printing, postage and meetings; and
- (f) Support and funding of contract services and/or programs that support hotel operations and tourism, including, but not limited to, security, transportation services, vouchers, and special events; and
- (g) Attendance at key meetings and consumer trade shows.

Process for adoption

Under the 1989 law, the State requires a series of steps to renew the WTBID. On June 4, the Annual Report was presented to the City Council for review and approval. Additionally, City Council is required to hold a public hearing to receive public testimony regarding the levy for the annual assessment for fiscal year 2024/2025. The following is a synopsis of the activity necessary to renew the WTBID:

Prior to end of fiscal year 2023 – SUBMISSION OF ANNUAL REPORT (COMPLETED)

The Woodland Hoteliers Group submitted its Annual Report on May 28, 2024. This report covers the overall description of the proposed programs and activities to be funded by the assessments, the estimated annual budget of expenses, the method of assessment and estimated revenues for the 2024/2025 fiscal year, commencing July 1, 2024 and ending on June 30, 2025.

June 4, 2024 – PRESENTATION OF ANNUAL REPORT AND BUDGET TO CITY COUNCIL AND CITY COUNCIL'S DECLARATION OF INTENTION (COMPLETED)

The Annual Report shall be presented to the City Council for review and approval. Pursuant to the 1989 BID Law, the City Council shall declare its intention to levy and collect assessments on businesses within the WTBID for fiscal year 2024/2025, adopting the Resolution of Intention. City Council reviewed and approved the Annual Report, and adopted the Resolution of Intention on June 4, 2024.

June 11, 2024 – PUBLICATION OF PUBLIC HEARING NOTICE (COMPLETED)

Seven (7) days before the Public Hearing, the Resolution of Intention shall be published in the local newspaper, informing the public about the Hearing. The hearing notice was published in the Daily Democrat on June 11, 2024.

June 18, 2024 – PUBLIC HEARING OF ANNUAL ASSESSMENT

At the public hearing, written and oral protests may be presented to the City Council. The form and manner of protests shall comply with Sections 36524 and 36525 of the 1989 BID Law, which generally establish that if written protests are received from the owners of businesses that will pay 50 percent or more of the assessments to be levied and protests are not withdrawn so as to reduce the protests to less than that 50 percent, no further proceedings to levy the proposed assessment shall be taken for a period of one year from the date of the finding of a majority protest by the City Council. If the majority protest is only against the furnishing of a specified type or types of improvement or activity, those types of improvements or activities shall be eliminated. Every written protest shall be filed with the City Clerk at or before the time fixed for the public hearing. The City Council may waive any irregularity in the form or content of any written protest and may correct minor defects in the proceedings. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing.

Conclusion:

Staff recommends that the City Council:

1. Hold a Public Hearing to receive testimony regarding the City Council's intention to continue the Woodland Tourism Business Improvement District; and
2. Determine whether a legally sufficient protest is made; and
3. If no legally sufficient protest is made, adopt Resolution No. _____, approving the WTBID FY 2024-25 Budget and affirming the continuation of the annual assessment for the WTBID for 2024-25 fiscal year.



Ken Hiatt
City Manager

Attachments:

1. WTBID Resolution Affirming Continuation 2024

RESOLUTION NO. _____

**RESOLUTION OF THE CITY OF WOODLAND APPROVING THE WOODLAND
TOURISM BUSINESS IMPROVEMENT DISTRICT 2024-25 BUDGET AND
AFFIRMING THE CONTINUATION OF THE ANNUAL ASSESSMENT OF THE
DISTRICT FOR FISCAL YEAR 2024-2025**

WHEREAS, the Parking and Business Improvement Law of 1989, sections 36500 et seq. of the Streets and Highways Code, authorizes cities to establish business improvement districts for several purposes, one of which is promotion of tourism; and

WHEREAS, the lodging businesses within the proposed City of Woodland Tourism Business Improvement District had requested the City of Woodland establish such a self-assessment improvement district; and

WHEREAS, the Woodland Tourism Business Improvement District was established in June 2022 by Ordinance No. 1691; and

WHEREAS, the City Council appointed an advisory board to carry out the functions specified in Street and Highways Code Section 36530, and to provide oversight, guidance, and recommendations regarding the use of the assessment funds; and

WHEREAS, the Woodland Tourism Business Improvement District Law and the Parking and Business Improvement Law of 1989 requires the advisory body to prepare and submit an annual report stating proposed changes, improvements and activities for the fiscal year; and

WHEREAS, such report was filed and approved by the City Council on June 4, 2024; and

WHEREAS, on June 4, 2024 the City Council adopted Resolution No. 8323 declaring its intention to continue the Woodland Tourism Business Improvement District for fiscal year 2024-25; and

WHEREAS, the City Council held a duly noticed Public Hearing on June 18, 2024 to allow for protests, as contemplated by Streets and Highway Code Section 36524; and

WHEREAS, sufficient written or oral protest was not received from hotel businesses in the district which pay fifty percent or more of the assessment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland as follows:

- a) The Woodland Tourism and Business Improvement District FY 2024-25 Budget is approved.
- b) The continuation of the annual assessment for the Woodland Tourism Business Improvement District in the City of Woodland in accordance with City of Woodland Ordinance No. 1691 and the California Streets and Highways Code, section 36500 et seq. (Parking and Business Improvement Law of 1989) is affirmed.

PASSED AND ADOPTED by the City Council of the City of Woodland at a regular meeting of the City Council held on the 18th day of June, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tania Garcia-Cadena, Mayor

ATTEST:

Ana B. Gonzalez, MMC, City Clerk



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: I.12
SUBJECT: Consideration of November 2024 Ballot Measure to Authorize One-Cent Sales Tax

Recommendation for Action: Staff recommends that the City Council:

1. Receive public comment;
2. Discuss options pertaining to a potential revenue measure to provide enhanced services and infrastructure investments; and
3. Adopt, with any amendments, Resolution No. _____, a resolution of the City of Council of the City of Woodland, California calling for the placement of a general tax measure on the ballot for the November 5, 2024, general municipal election for the submission to the qualified voters of an ordinance to enact a second supplemental general transaction and use tax (sales tax) at the rate of one-cent (1¢).

– or –

Direct staff to continue public outreach and engagement on the matter and return to Council at a later date with a recommendation to consider the appropriate timing and structure of a supplemental sales tax measure.

Staff Contact:

Ken Hiatt, City Manager, (530) 661-5802, ken.hiatt@cityofwoodland.gov

Fiscal Impact:

The cost of including the measure with the consolidation of the election is dependent upon how many other jurisdictions and items are included in the election. If approved by voters, a one-cent sales tax would generate approximately \$16,500,000 annually. These revenues would be available for use for general city services, programs and facilities and be subject to independent audits and reporting.

Background

In response to the growing number of resident and business concerns regarding the rise in incidents of crime, vandalism, graffiti, homelessness, failing roadways, and general cleanliness of public spaces, the city administration has been looking at strategies needed to address these challenges. Each of these issues will require concerted, proactive, and sustained efforts supported by increased investment to deliver meaningful and lasting results.

The City's current and projected growth rate of new development, particularly commercial and industrial, will not be sufficient to provide the revenues needed to increase service levels to address these issues. Aside from the tax revenues that come with new development and the incremental growth of property tax, cities have limited options to find ways to pay for services. Property based assessments, utility user taxes, and supplemental sales taxes are the most common methods used by cities. While a less predictable revenue source when compared to property based or utility user related taxes, sales taxes are often a preferred method for cities as they generate revenue from

those outside the community that purchase goods within their jurisdiction. This is particularly true for Woodland due to its unique retail profile, proximity to major freeways, and healthy business and leisure travel activity. As a result, a significant amount of the sales tax generated in Woodland comes from non-residents as evidenced by our higher-than-average base sales tax (Bradley-Burns) revenue per capita of approximately \$250 when compared to the statewide average of roughly \$150.

Woodland voters have historically supported sales tax measures to invest in enhanced services and infrastructure. The City's two existing sales tax measures (Measures F and R) totaling $\frac{3}{4}$ of one-cent have both been renewed by voters by favorable margins. Based on the acute need to increase service levels, particularly in the City's public safety and maintenance operations to provide more responsive and high-standard of service level, as well as the need for additional funding to adequately maintain the City's existing infrastructure, city staff have been looking at strategies needed to address these challenges and continue to enhance our public services. To receive feedback from Woodland voters on sentiments regarding the most important problems facing the City and to gauge potential support for an additional revenue measure to tackle these issues, the City conducted polling research this past May. The top five issues expressed by voters surveyed were:

- Crime/Safety/Drugs
- Homelessness
- Keeping Public Spaces Safe / Clean
- Reducing Emergency Response Times
- Roads / Infrastructure Repairs

When asked if voters would support a sales tax measure of one-cent to address these areas of concern, 67% of respondents indicated they would support such a measure.

At its June 4th meeting, staff presented the Council with an item to consider placing a measure before the voters this November. The draft language for the ballot measure provided for the Council's consideration was:

To keep Woodland safe, clean and well-maintained by increasing police and fire protection, reducing emergency response times, repairing roads and sidewalks, addressing homelessness, improving and maintaining parks, enhancing programs for children and youth and supporting other general government uses, shall the City of Woodland measure enacting a one cent sales tax, providing approximately \$16,500,000 annually for 10 years, be adopted, with independent audits, public spending disclosures, local control and all funds staying in Woodland?

After discussion, the City Council directed staff to conduct further input on the proposed measure, and prepare for its June 18th meeting, draft resolutions to provide the Council with an opportunity to move forward with the measure should it choose to.

Discussion:

To balance input received from voters during the poll, staff focused its efforts on additional outreach directly to the business community. Contact was made directly to business owners representing a broad cross-section of the local economy including restaurants, independent retailers, hotels, ag equipment suppliers, food processors, grocery, auto repair, and home improvement

stores. Feedback from these owners was very consistent, reporting that incidents related to drugs, crime, vandalism, graffiti and homelessness were the most pressing. While most would prefer not to impose an additional tax to address these issues, they all recognized the City's existing resources were not adequate to manage the issues and that if new taxes were directed to improve these issues, they would support it. In addition, staff has been in contact with the Woodland Chamber of Commerce and has asked for their feedback on the matter. The Chamber has initiated a survey of their membership with the results expected to be available by the end of the month.

The attached resolution was drafted per Council direction to provide the opportunity should it decide to proceed with a revenue measure on the November 5th ballot. Additionally, City Council could choose to take any of the following alternative actions:

1. Amend the Resolution to modify the amount of the tax

State law dictates that transactions and use taxes can be raised by increments of 0.125 percent and that the maximum combined rate of transactions and use taxes in a jurisdiction cannot exceed 2.0 percent. The Council could choose to adjust the proposed rate to be as low as 0.125 or up to 1.125 percent to stay within the state's maximum allowed rate.

2. Amend the Resolution to modify the duration of the tax

The proposed term of the tax in the draft resolution was set for 10 years, given the community's support for existing measures has been associated in part to provision of similar sunsets. This will provide sufficient time for the City to implement projects and programs aligned with the intent of the measure and for the community to begin to see the direct benefit of these tax dollars at work within the community. This term also avoids aligning a potential renewal of the measure in the future with the other existing sales tax measures. Alternatively, the Council could choose not to incorporate a sunset provision and simply have the measure in place until repealed by the voters.

3. Amend the Resolution to modify the amount and the duration of the tax

The Council could amend the resolution to modify both the amount of the tax and the term of the measure.

4. Take no action/defer to future ballot

The Council could also choose not to move forward with the measure or defer action on a supplemental revenue measure until a future election. Local tax measures must coincide with a Council election, so the next available ballot a measure could be placed before the voters would be November 2026.

Conclusion: Staff recommends that the City Council:

1. Receive public comment;
2. Discussion options pertaining to a potential revenue measure to provide enhanced services and infrastructure investment; and
3. Adopt, with any amendments, Resolution No. _____, a resolution of the City of Council of the City of Woodland, California calling for the placement of a general tax measure on the ballot for the November 5, 2024 general municipal election for the submission to the qualified voters of an ordinance to enact a second supplemental general transaction and use tax (sales tax) at the rate of one cent (1¢).

- or -

Direct staff to continue public outreach and engagement on the matter and return to Council at a later date with a recommendation to consider appropriate timing and structure of a supplemental sales tax measure.



Ken Hiatt
City Manager

Attachments:

1. WOODLAND - Resolution Calling Transactions and Use (Sales) Tax Measure for Nov. 5 2024
Gen. Municipal Election

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODLAND, CALIFORNIA CALLING FOR THE PLACEMENT
OF A GENERAL TAX MEASURE ON THE BALLOT FOR THE
NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION FOR
THE SUBMISSION TO THE QUALIFIED VOTERS OF AN
ORDINANCE TO ENACT A SECOND SUPPLEMENTAL
GENERAL TRANSACTIONS AND USE TAX (SALES TAX) AT THE
RATE OF ONE CENT (1¢)**

WHEREAS, the City of Woodland (“City”) is authorized to levy a Transactions and Use Tax (“TUT”) for general purposes pursuant to California Revenue and Taxation Code section 7285.9, subject to approval by a majority vote of the electorate pursuant to Article XIIC, section 2 of the California Constitution (“Proposition 218”); and

WHEREAS, pursuant to California Elections Code section 9222, the City Council has authority to place local measures on the ballot to be considered at a Municipal Election; and

WHEREAS, the City Council would like to submit to the voters at the November 5, 2024 General Municipal Election a measure establishing the rate of the TUT of one cent (1¢) on the sale and/or use of all tangible personal property sold at retail in the City for a period of ten (10) years, as more specifically set forth in the attached proposed ordinance adding Chapter 3.14 to the City’s Municipal Code; and

WHEREAS, the one cent (1¢) TUT is a general tax, the revenue of which will be placed in the City’s general fund and will be used to pay for general City services; and

WHEREAS, on November 6, 1996, the voters of the State of California approved Proposition 218, an amendment to the State Constitution which requires that all general taxes which are imposed, extended or increased must be submitted to the electorate and approved by a majority vote of the qualified electors voting in the election; and

WHEREAS, pursuant to Proposition 218 (California Constitution, Article XIIC, section 2(b)), the general rule is that any local election for the approval of an increase to a general tax must be consolidated with a regularly scheduled general election for members of the governing body of the local government; and

WHEREAS, the next regularly scheduled general election at which City Council members will be elected is November 5, 2024; and

WHEREAS, pursuant to Government Code section 53724 and Revenue and Taxation Code section 7285.9, a two-thirds (2/3) vote of all members of the City Council is required to place the Measure on the November 5, 2024 ballot; and

WHEREAS, the ordinance to be considered by the qualified voters and the terms of approval, collection and use of the general TUT are described and provided for in the ordinance/measure attached hereto as Exhibit “A” (the “Measure”) and by this reference made an operative part hereof, in accordance with all applicable laws.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND:

SECTION 1. Incorporation of Recitals. The foregoing recitals are true and correct and are hereby incorporated and made an operative part of this Resolution.

SECTION 2. Submission of Ballot Measure. Pursuant to California Elections Code section 9222, Government Code section 53724, Revenue and Taxation Code section 7285.9 and any other applicable requirements of the laws of the State of California relating to the City, the City Council, **by a two-thirds (2/3) vote of all members**, hereby orders the Measure to be submitted to the voters of the City at the General Municipal Election to be held on **Tuesday, November 5, 2024**.

SECTION 3. The City Council, pursuant to California Elections Code section 9222, hereby orders that the ballot question for the Measure shall be presented and printed upon the ballot submitted to the qualified voters in the manner and form set forth in this Section 3. On the ballot to be submitted to the qualified voters at the General Municipal Election to be held on Tuesday, November 5, 2024, in addition to any other matters required by law, there shall be printed substantially the following ballot question:

“CITY OF WOODLAND SALES TAX MEASURE. To keep Woodland safe, clean and well-maintained by increasing police and fire protection, reducing emergency response times, repairing roads and sidewalks, addressing homelessness, improving and maintaining parks, enhancing programs for children and youth, and for general government use, shall a measure establishing a one cent sales tax, providing approximately \$16,500,000 annually for 10 years, requiring independent audits, public spending disclosures, local control and all funds remaining in Woodland, be adopted?”	YES
	NO

SECTION 4. Conduct of Election. The City Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 5. Pursuant to Elections Code section 9280, the City Council hereby directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the

Measure, and transmit such impartial analysis to the City Clerk not later than **July 8, 2024, at 5:00 p.m.**

The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the requisite number of voters or by the City Council. In the event the entire text of the Measure is not printed on the ballot, nor in the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-font bold type, the following: **“The above statement is an impartial analysis of Ordinance or Measure _____. If you desire a copy of the ordinance or measure, please call the Office of the City Clerk at (530) 794-6702 and a copy will be mailed at no cost to you.”**

SECTION 6. Notice of the election is hereby given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. Placement on the Ballot. The full text of the Measure shall not be printed in the voter information guide, and a statement shall be printed on the ballot pursuant to Elections Code section 9223 advising voters that they may obtain a copy of this Resolution and the Measure, at no cost, upon request made to the City Clerk.

SECTION 8. Filing with County. The City Clerk shall, not later than the 88th day prior to the General Municipal Election to be held on Tuesday, November 5, 2024, file with the Board of Supervisors and the Registrar of Voters of the County of Yolo, State of California, a certified copy of this Resolution.

SECTION 9. Public Examination. Pursuant to Elections Code section 9295, this Measure will be available for public examination for no fewer than ten (10) calendar days prior to being submitted for printing in the voter information guide. The City Clerk shall post notice in the Clerk’s office of the specific dates that the examination period will run.

SECTION 10. The City Council hereby finds and determines that the Measure relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, section 15378(b)(5).

SECTION 11. Severability. The provisions of this Resolution are severable and if any provision of this Resolution is held invalid, that provision shall be severed from the Resolution and the remainder of this Resolution shall continue in full force and effect, and not be affected by such invalidity.

SECTION 12. This Resolution shall become effective upon its adoption.

SECTION 13. The City Clerk shall certify to the adoption of this Resolution.

PASSED AND ADOPTED by the City Council of the City of Woodland this ____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TANIA GARCIA-CADENA,
MAYOR

ATTEST:

ANA GONZALEZ, CITY CLERK

APPROVED AS TO FORM:

ETHAN WALSH, CITY ATTORNEY

I, _____, City Clerk of the City of Woodland, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting on the _____ day of _____, 2024, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk

Exhibit "A"
Transactions and Use Tax Ordinance

[attached behind this page]

ORDINANCE NO. [REDACTED]

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF WOODLAND,
CALIFORNIA, ADDING CHAPTER 3.14 TO TITLE 3 OF THE WOODLAND
MUNICIPAL CODE TO ENACT A ONE PERCENT (1%) SECOND
SUPPLEMENTAL GENERAL TRANSACTIONS AND USE TAX (SALES TAX)
TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND
FEE ADMINISTRATION**

WHEREAS, pursuant to California Revenue and Taxation Code section 7285.9 the City of Woodland (“City”) is authorized to levy a Transactions and Use Tax for general purposes, subject to majority voter approval; and

WHEREAS, the People of the City desire add Chapter 3.14 to Title 3 of the Woodland Municipal Code establishing a general Transactions and Use Tax (“TUT”) until ended by voters, on the sale and/or use of all tangible personal property sold at retail in the City, at a rate of one percent (1%).

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF WOODLAND
DO HEREBY ORDAIN AS FOLLOWS:**

Section 1. Title and Text. This Ordinance shall be known as the “Woodland Second Supplemental General Transactions and Use Tax”, the full text of which is set forth in Attachment “1”, attached hereto and incorporated herein by reference.

Section 2. Approval by the City Council. Pursuant to California Government Code section 53724 and Revenue and Taxation Code section 7285.9, this Ordinance was duly approved for placement on the ballot by a minimum two-thirds (2/3) supermajority of all members of the City Council on June 18, 2024.

Section 3. Approval by the Voters. Pursuant to California Elections Code section 9217, this Ordinance shall be deemed adopted and take effect only if approved by a majority of the eligible voters of the City of Woodland voting at the General Municipal Election of November 5, 2024. It shall be deemed adopted when the City Council has certified the results of that election by resolution and shall take effect ten (10) days thereafter.

Section 4. Operative Date. “Operative Date” for the Transactions and Use Tax means the first day of the first calendar quarter commencing more than 110 days after the date this Ordinance is adopted, as set forth in Section 3 above.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

I hereby certify that the Woodland Second Supplemental General Transactions and Use Tax Ordinance was **PASSED, APPROVED, AND ADOPTED** by the People of the City of Woodland on the 5th day of November, 2024.

CITY OF WOODLAND

TANIA GARCIA-CADENA, MAYOR

ATTEST:

ANA GONZALEZ, CITY CLERK

APPROVED AS TO FORM:

ETHAN WALSH, CITY ATTORNEY

**Chapter 3.14 – SECOND SUPPLEMENTAL GENERAL TRANSACTIONS AND
USE TAX**

Sections:

- 3.14.010 - Title.**
- 3.14.020 - Purpose.**
- 3.14.030 - Contract With State.**
- 3.14.040 - Transactions Tax Rate.**
- 3.14.050 - Place of Sale.**
- 3.14.060 - Use Tax Rate.**
- 3.14.070 - Adoption of Provisions of State Law.**
- 3.14.080 - Limitations on Adoption of State Law and Collection of Use Taxes.**
- 3.14.090 - Permit Not Required.**
- 3.14.100 - Exemptions and Exclusions.**
- 3.14.110 - Independent Audit of Tax Expenditures.**
- 3.14.120 - Amendments.**
- 3.14.130 - Enjoining Collection Forbidden.**
- 3.14.140 - Duration of Tax**

Sections:

3.14.010 – Title.

This ordinance shall be known as the “City of Woodland Second Supplemental General Transactions and Use Tax Ordinance”. The City of Woodland hereinafter shall be called “City.” This ordinance shall be applicable in the incorporated territory of the City. This ordinance shall complement, and not replace or supersede, the City's existing sales and use tax, as such tax is described in Chapter 3.08, the City’s existing transactions and use tax, as such tax is described in Chapter 3.20 of this title, and the City’s existing supplemental transactions and use tax, as such tax is described in Chapter 3.28 of this title.

3.14.020 – Purpose.

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

- A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.
- B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

- C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.
- D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record-keeping upon persons subject to taxation under the provisions of this ordinance.
- E. The transactions and use tax imposed pursuant to this ordinance is an addition to and does not otherwise affect the transactions and use tax imposed pursuant to Chapter 3.20 and the supplemental transactions and use tax imposed pursuant to Chapter 3.28.

3.14.030 - Contract With State.

Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

3.14.040 - Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one percent (1%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

3.14.050 - Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which

the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

3.14.060 - Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one percent (1%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3.14.070 - Adoption of Provisions of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

3.14.080 - Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

- A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:
 1. The word "State" is used as a part of the title of the State Controller, State Treasurer, California Victim Compensation Board, California Department of Tax and Fee Administration, State Treasury, or the Constitution of the State of California;
 2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.
 3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
 - a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other

consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

- b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.
4. In reference to Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.
- B. The word “city” shall be substituted for the word “state” in the phrase “retailer engaged in business in this state” in Section 6203 of the Revenue and Taxation Code and in the definition of that phrase in Section 6203.
1. “A retailer engaged in business in the District” shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this state or for delivery in the State by the retailer and all persons related to the retailer that exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

3.14.090 - Permit not Required.

If a seller’s permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor’s permit shall not be required by this Ordinance.

3.14.100 - Exemptions and Exclusions.

- A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.
- B. There are exempted from the computation of the amount of transactions tax the gross receipts from:
1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.
 2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee

at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

- a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and
 - b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
 3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.
 4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.
 5. For the purposes of subparagraphs (3) and (4) of this subsection, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
- C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:
1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
 2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.
 3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this Ordinance.
 5. For the purposes of subparagraphs (3) and (4) of this subsection, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
 6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.
 7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.
- D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for, a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

3.14.110 - Independent Audit of Tax Expenditures.

The City's expenditure of the proceeds of the taxes established by this Ordinance shall be reviewed annually by a qualified independent third party auditor in conjunction with, and as part of, the City's usual annual financial audit and the results of such review shall be made available for inspection by the public.

3.14.120 - Amendments.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

3.14.130 - Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

3.14.140 – Duration of Tax.

The tax imposed by this chapter shall be levied for a period of ten (10) years from the operative date, after which the tax shall no longer be in effect, unless it is extended by the voters at a subsequent election.



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: I.13
SUBJECT: Calling and Consolidating a General Municipal Election for Council Districts and Measure - November 5, 2024

Recommendation for Action: Staff recommends that the City Council take one of the two following actions:

1. Adopt Resolution No. _____, Calling a General Municipal Election for the Election of Three Council Members by District, and the Placement of a General Tax Measure on the Ballot for the General Municipal Election for the Submission to the Qualified Voters of an Ordinance to enact a Second Supplemental General Transactions and Use Tax (Sale Tax) at the rate of One Cent (1¢), and requesting the Board of Supervisors of the County of Yolo to Consolidate a General Municipal Election to be held on November 5, 2024, with the Statewide General Election to be held on that date pursuant to §10403 of the Elections Code.

-and-

Adopt Resolution No. _____, Providing for the Filing of Primary and Rebuttal Arguments and Setting Rules for the Filing of Written Arguments regarding a City Measure to be Submitted at the November 5, 2024, General Municipal Election.

-or-

2. Adopt Resolution No. _____, Calling a General Municipal Election for the Election of Three Council Members by District, and requesting the Board of Supervisors of the County of Yolo to Consolidate a General Municipal Election to be held on November 5, 2024, with the Statewide General Election to be held on that date pursuant to §10403 of the Elections Code.

Staff Contact:

Ana B. Gonzalez, MMC, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.gov

Fiscal Impact:

The cost for consolidation of these elections is dependent upon how many other jurisdictions and items are included in the election. The candidates also have a cost for filing and printing, which is paid to the County of Yolo. The City does not separately charge City Council candidates.

Background:

City Council elections are held every even numbered year and are consolidated by Yolo County with other elections held on the same date. In June 2014, the electorate in Woodland passed Measure U, which transitioned Council elections from at large to by district elections and approved a map establishing five defined electoral districts. The three council seats to be contested in 2024 will be in Districts 2, 4, and 5. Additionally, the City Council is considering placing a revenue measure on the

November ballot, and if approved to be submitted, would be consolidated with the Council elections.

Discussion:

To initiate the process of conducting the election, the Council is asked to consider and adopt a Resolution calling for an election and asking the County Board of Supervisors to direct the Elections Office to so consolidate and conduct our election.

Elections are consolidated by the County, which substantially lessens the cost to the individual cities and the County to conduct elections. The first step in the process is to adopt a Resolution to call for the elections and request the services of the County in conducting the consolidated election. In keeping with the required deadlines as per election law and the needs of the County Election Office, the Board of Supervisors will be asked to take action at its meeting of July 9, 2024, to so call for the election. The County has asked the local jurisdictions to adopt their resolutions by June 18 to allow the County sufficient time to place items on the Board of Supervisors agenda.

Should the Council decide to put forward a tax measure for the November 5, 2024, ballot, the Resolutions outlined as option 1 in the recommendation and attached to this report would need to be approved. Any amendments made as part of the prior agenda item pertaining to the tax measure would need to be incorporated. Alternatively, if the City Council elects not to proceed with the tax measure, adoption of the Resolution listed as number 2 under recommendations would need to be approved.

Conclusion:

Staff recommends that the City Council take one of the two following actions:

1. Adopt Resolution No. _____, Calling a General Municipal Election for the Election of Three Council Members by District, and the Placement of a General Tax Measure on the Ballot for the General Municipal Election for the Submission to the Qualified Voters of an Ordinance to enact a Second Supplemental General Transactions and Use Tax (Sale Tax) at the rate of One Cent (1¢), and requesting the Board of Supervisors of the County of Yolo to Consolidate a General Municipal Election to be held on November 5, 2024, with the Statewide General Election to be held on that date pursuant to §10403 of the Elections Code.

-and-

Adopt Resolution No. _____, Providing for the Filing of Primary and Rebuttal Arguments and Setting Rules for the Filing of Written Arguments regarding a City Measure to be Submitted at the November 5, 2024, General Municipal Election.

-or-

2. Adopt Resolution No. _____, Calling a General Municipal Election for the Election of Three Council Members by District, and requesting the Board of Supervisors of the County of Yolo to Consolidate a General Municipal Election to be held on November 5, 2024, with the Statewide General Election to be held on that date pursuant to §10403 of the Elections Code.



Ken Hiatt
City Manager

Attachments:

1. WOODLAND - Resolution Requesting Consolidation of Election with Yolo County - November 5 2024 Statewide General (w_ TUT)-c1
2. WOODLAND - Resolution Setting Deadlines and Rules for Arguments and Rebuttals - Transactions and Use Tax Measure - November 5 2024 Election-c1
3. WOODLAND - Resolution Requesting Consolidation of Election with Yolo County - November 5 2024 Statewide General (w_out TUT)-c1

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND CALLING A GENERAL MUNICIPAL ELECTION FOR THE ELECTION OF THREE COUNCIL MEMBERS BY DISTRICT, AND THE PLACEMENT OF A GENERAL TAX MEASURE ON THE BALLOT FOR THE GENERAL MUNICIPAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF AN ORDINANCE TO ENACT A SECOND SUPPLEMENTAL GENERAL TRANSACTIONS AND USE TAX (SALES TAX) AT THE RATE OF ONE CENT (1¢), AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF YOLO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO §10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of Woodland, by adoption of Ordinance Numbers 1576 and 1581, established that the City's regular municipal election would be consolidated with the Statewide general election in November; and

WHEREAS, a majority of the voters voting on Measure U on November 4, 2014, approved a change from the City's former at-large system of electing City Council members to a "by district" system whereby the City now has five electoral districts, and one council member shall be selected from each district; and

WHEREAS, on June 18, 2024, the City Council of the City of Woodland adopted Resolution No. _____, calling for the placement of a General Tax Measure on the Ballot for the November 5, 2024 General Municipal Election for the submission to the qualified voters on an ordinance to enact a Second Supplemental General Transactions and Use Tax (Sales Tax) at the rate of One Cent (1¢); and

WHEREAS, it is therefore desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the election department of the County of Yolo canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Calling of the General Municipal Election. Pursuant to the requirements of the laws of the State of California relating to municipal elections, there shall be, and there is hereby called and ordered held in the City of Woodland, County of Yolo, State of California, on November 5, 2024, a general municipal election of the qualified electors of the City of Woodland, for the purpose of electing three (3) members of the City Council, the three members being from Districts 2, 4, and 5, for a full term of four (4) years each, and for the

submission to the voters a proposed ordinance relating to the Transactions and Use Tax. The general municipal election shall be held and conducted as provided for by law for the holding of municipal elections in the City.

Section 2. Measure Language. A measure is to appear on the ballot as follows:

“CITY OF WOODLAND SALES TAX MEASURE.	
To keep Woodland safe, clean and well-maintained by increasing police and fire protection, reducing emergency response times, repairing roads and sidewalks, addressing homelessness, improving and maintaining parks, enhancing programs for children and youth, and for general government use, shall a measure establishing a one cent sales tax, providing approximately \$16,500,000 annually for 10 years, requiring independent audits, public spending disclosures, local control and all funds remaining in Woodland, be adopted?”	Yes
	No

Section 3. Request for Consolidation. Pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Yolo is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election and all other elections, to be held and conducted in accordance within the City on Tuesday, November 5, 2024.

Section 4. Election Related Services. Pursuant to Elections Code section 10002, the City requests and authorizes the Yolo County elections official to provide the services necessary to implement the election and to consolidate the election on the November 5, 2024 Election Ballot for the County of Yolo. Such services include the publication of notices calling the election, provision of voter lists, obtaining and staffing polling places, hiring and training of precinct workers, provision and delivery of precinct supplies, provision of microfiche of voters and poll locations, if desired, counting of ballots and certification of the election, and all other aspects of elections not specified herein that may be agreed upon between the County Clerk and the City Clerk.

Section 5. Necessary Steps. The Board of Supervisors is requested to issue instructions to the County election department to take any and all steps necessary for the holding of the consolidated election.

Section 6. Candidate Statement. Pursuant to Elections Code section 13307, each candidate for elective office to be voted for at the General Municipal Election may prepare a candidate’s statement on an appropriate form provided by the City Clerk. Such statements may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate’s education and qualifications expressed by the candidate himself or herself. Such statement shall not include any party affiliation of the candidate, nor membership or activity in partisan political organizations. Such statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate’s nomination papers are filed. Such statement may be withdrawn, but not changed, during the period for filing nomination papers and

until 5:00 p.m. of the next working day after the close of the nomination period. No candidate will be permitted to include additional materials in the voter information guide. Pursuant to the Voting Rights Act of 1965, candidate statements will be translated into all languages required by the County of Yolo.

Section 7. Tie Vote. The City Council has determined that the action to be taken in the event of a tie vote is as follows: In the event two or more Candidates receive an equal number of votes, the resolution of a tie vote shall be by lot.

Section 8 Costs. The City Council determines and declares that the City will pay to the County the reasonable and actual expenses incurred by the County by the consolidation of the General Municipal Election with the Statewide General Election. The City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill. The City Manager of the City of Woodland is authorized and directed to pay for the expenses incurred after receiving a statement from the County of Yolo.

Section 9. Filing of Resolution. The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the election department of the County of Yolo.

Section 10. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 18th day of June, 2024.

TANIA GARCIA-CADENA, MAYOR

ATTEST:

ANA GONZALEZ, CITY CLERK

APPROVED AS TO FORM:

ETHAN WALSH,
CITY ATTORNEY

I, _____, City Clerk of the City of Woodland, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting on the 18th day of June, 2024, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WOODLAND, CALIFORNIA, PROVIDING FOR THE FILING OF
PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR
THE FILING OF WRITTEN ARGUMENTS REGARDING A CITY
MEASURE TO BE SUBMITTED AT THE NOVEMBER 5, 2024
GENERAL MUNICIPAL ELECTION**

WHEREAS, a General Municipal Election is to be held in the City of Woodland, California on November 5, 2024, at which there will be submitted to the voters the following measure:

“CITY OF WOODLAND SALES TAX MEASURE. To keep Woodland safe, clean and well-maintained by increasing police and fire protection, reducing emergency response times, repairing roads and sidewalks, addressing homelessness, improving and maintaining parks, enhancing programs for children and youth, and for general government use, shall a measure establishing a one cent sales tax, providing approximately \$16,500,000 annually for 10 years, requiring independent audits, public spending disclosures, local control and all funds remaining in Woodland, be adopted?”	Yes
	No

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Primary Arguments. That the City Council authorizes (i) the City Council or any member(s) of the City Council, (ii) any individual voter eligible to vote on the above measure, (iii) a bona fide association of such citizens or (iv) any combination of voters and associations, to file a written argument in favor of or against the City measure, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, and to change the argument until and including the date fixed below by the City Clerk, after which no arguments for or against the City measure may be submitted to the City Clerk.

The deadline to submit arguments for or against the City Measure pursuant to this Resolution is declared by the City Clerk to be **July 18, 2024, at 5 p.m.** Each argument shall not exceed 300 words and shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed

name and signature of at least one of its principal officers who is the author of the argument.

Section 2. Rebuttal Arguments. Pursuant to Section 9285 of the Elections Code of the State of California, when the City Clerk has selected the primary arguments for and against the City Measure which will be printed and distributed to the voters, the Clerk shall send copies of the primary argument in favor of the Measure to the authors of the primary argument against, and copies of the primary argument against to the authors of the primary argument in favor. The authors or persons designated by them may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the City Clerk not later than **July 29, 2024, at 5 p.m.** Rebuttal arguments shall be printed in the same manner as the primary arguments. Each rebuttal argument shall immediately follow the primary argument which it seeks to rebut.

Section 3. Prior Resolutions. That all previous resolutions providing for the filing of primary and rebuttal arguments related to City measures are repealed.

Section 4. November 5, 2024 Election. That the provisions of Sections 1 and 2 shall apply only to the election to be held on November 5, 2024, and shall then be repealed.

Section 5. Certification. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 18th day of June, 2024.

TANIA GARCIA-CADENA, MAYOR

ATTEST:

ANA GONZALEZ, CITY CLERK

APPROVED AS TO FORM:

ETHAN WALSH,
CITY ATTORNEY

I, _____, City Clerk of the City of Woodland, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting on the ____ day of _____, 2024, by the following vote to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND CALLING A GENERAL MUNICIPAL ELECTION FOR THE ELECTION OF THREE COUNCIL MEMBERS BY DISTRICT, AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF YOLO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO §10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of Woodland, by adoption of Ordinance Numbers 1576 and 1581, established that the City's regular municipal election would be consolidated with the Statewide general election in November; and

WHEREAS, a majority of the voters voting on Measure U on November 4, 2014, approved a change from the City's former at-large system of electing City Council members to a "by district" system whereby the City now has five electoral districts, and one council member shall be selected from each district; and

WHEREAS, it is therefore desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the election department of the County of Yolo canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Calling of the General Municipal Election. Pursuant to the requirements of the laws of the State of California relating to municipal elections, there shall be, and there is hereby called and ordered held in the City of Woodland, County of Yolo, State of California, on November 5, 2024, a general municipal election of the qualified electors of the City of Woodland, for the purpose of electing three (3) members of the City Council, the three members being from Districts 2, 4, and 5, for a full term of four (4) years each. The general municipal election shall be held and conducted as provided for by law for the holding of municipal elections in the City.

Section 2. Request for Consolidation. Pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Yolo is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election and all other elections, to be held and conducted in accordance within the City on Tuesday, November 5, 2024.

Section 3. Election Related Services. Pursuant to Elections Code section 10002, the City requests and authorizes the Yolo County elections official to provide the services necessary

to implement the election and to consolidate the election on the November 5, 2024 Election Ballot for the County of Yolo. Such services include the publication of notices calling the election, provision of voter lists, obtaining and staffing polling places, hiring and training of precinct workers, provision and delivery of precinct supplies, provision of microfiche of voters and poll locations, if desired, counting of ballots and certification of the election, and all other aspects of elections not specified herein that may be agreed upon between the County Clerk and the City Clerk.

Section 4. Necessary Steps. The Board of Supervisors is requested to issue instructions to the County election department to take any and all steps necessary for the holding of the consolidated election.

Section 5. Candidate Statement. Pursuant to Elections Code section 13307, each candidate for elective office to be voted for at the General Municipal Election may prepare a candidate's statement on an appropriate form provided by the City Clerk. Such statements may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. Such statement shall not include any party affiliation of the candidate, nor membership or activity in partisan political organizations. Such statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. Such statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period. No candidate will be permitted to include additional materials in the voter information guide. Pursuant to the Voting Rights Act of 1965, candidate statements will be translated into all languages required by the County of Yolo.

Section 6. Tie Vote. The City Council has determined that the action to be taken in the event of a tie vote is as follows: In the event two or more Candidates receive an equal number of votes, the resolution of a tie vote shall be by lot.

Section 7. Costs. The City Council determines and declares that the City will pay to the County the reasonable and actual expenses incurred by the County by the consolidation of the General Municipal Election with the Statewide General Election. The City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill. The City Manager of the City of Woodland is authorized and directed to pay for the expenses incurred after receiving a statement from the County of Yolo.

Section 8. Filing of Resolution. The City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the election department of the County of Yolo.

Section 9. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Woodland at a regular meeting held on the 18th day of June 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tania Garcia-Cadena, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, MMC, City Clerk

Ethan Walsh, City Attorney

I, _____, City Clerk of the City of Woodland, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting on the 18th day of June, 2024, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: City Council Regular Meeting
DATE: June 18, 2024
ITEM #: I.14
SUBJECT: Approval of the Fiscal Year 2024/25 Budget

Recommendation for Action: Staff recommends that the City Council adopt Resolution No._____, approving the Fiscal Year (FY)2024/25 Annual Budget of \$223.96 million as detailed in Exhibit A, and approving 324 full-time equivalent positions, by classification, as detailed in Exhibit B.

Staff Contact:

Kim McKinney, Administrative Services Director, (530) 661-5849, kim.mckinney@cityofwoodland.gov

Fiscal Impact:

Adoption of the fiscal year (FY) 2024/25 budget will appropriate \$223.96 million across all City funds. Included in this number is \$583,815 for the Successor Agency to the former Woodland Redevelopment Agency, and \$8.4 million in debt service related to debt issues by the Woodland Finance Authority. General Fund appropriations total \$72.2 million, which includes \$143,000 in one-time funding allocations.

Background:

Over the last several months, the City Council has received a series of presentations and updates related to the fiscal year (FY) 2024/25 financial outlook for the City. These discussions began with the FY2023/24 Mid-Year Budget update in March, followed by the Spring Budget Workshop and proposed spending plans for Measures F and R, and finally budget recommendations for the FY2024/25 budget and the City's Capital Improvement Program (CIP) on June 4. All of these discussions and topics have been included in the Proposed Budget document summary that accompanies this report.

Discussion:

With the post-pandemic inflationary economy and decreases in citywide sales tax revenue growth, the City has been faced with some budgetary challenges over the last few years. These challenges have affected our revenue projections beginning in FY2022/23 and continuing throughout the remainder of the General Fund five-year forecast. City staff will continue to work through these challenges and will work with the City Council to address any budgetary issues that may arise as the local economy continues to gain or lose momentum. The City's prudent financial practices, including long-term financial planning and a conservative budget approach, have allowed reserve balances to be built up and maintained, providing the City with the ability to address projected General Fund annual operating deficits in a thoughtful and strategic manner while continuing to address priority needs.

The proposed budget totals \$223.96 million, supporting city operating funds (\$178.26 million), capital projects (\$21.3 million) and debt service obligations (\$24.4 million) and represents an increase of 8% from the FY2023/24 adopted budget. Consistent with previous years, costs associated with the City's investment management function (\$130,000) are not shown as expenditure appropriations, but instead are netted against total investment income for the fiscal year.

The overall FY2024/25 Budget has been carefully developed with critical one-time funding recommendations necessary to address specific priority needs and limited recurring additions to the

baseline budget. These additions (one-time and recurring costs) are aligned with City Council priorities. The budget includes anticipated revenues developed in coordination with the City's tax revenue consultants based on economic indicators. Tax revenue impacts, along with other impacted revenues, are reflected in the five-year General Fund forecast.

The budget includes a set of specific funding recommendations totaling \$1.1 million, including \$979,653 in one-time funding allocations and \$326,961 in ongoing budget augmentations. Funding recommendations include items previously discussed and approved in the Measure F and Measure R spending plans. The proposed FY2024/25 full-time equivalent staffing level of 324 positions remains 28.5 positions fewer than the pre-recession staffing levels of FY2008/09.

The General Fund budget, totaling \$72.2 million, as proposed, represents an increase of \$4.5 million (6.6%) from the prior year, including \$143,000 of one-time funding allocations from available excess General Fund reserves and no recommended funding for ongoing budget augmentations. The overall budget proposal, including funding recommendations, would result in an anticipated year-end fund balance in the General Fund of \$20.46 million (36%), or \$9.2 million above the Council's adopted reserve policy level of 20% of revenues.

The proposed FY2024/25 Capital Improvement Program (CIP) budget includes funding recommendations totaling \$21.3 million, of which \$7.8 million is allocated for investment in transportation infrastructure, \$6.1 million to advance capital projects within water, sewer, and storm drain utility funds, \$3.96 million for park facilities, \$3.4 million for fire related projects, and \$85,000 supports the Library.

The overall budget proposal remains consistent with the city's framework for advancing the Council's goal of fiscal stability. The proposed FY2024/25 budget uses minimal amount of budget flexibility to address priority needs. As the City continues to make progress in addressing its long-term structural budget deficit, focus remains on efforts to manage personnel costs, address unfunded liabilities, and explore opportunities for revenue enhancement. Specifically, the budget proposal presented herein shows a deficit of \$3.2 million in FY2024/25 and reflects a growing deficit of \$5.48 million by the end of the five-year forecast's planning horizon. This ongoing budget gap is attributable to expenditures outpacing revenues, especially related to inflationary costs for essentially all City purchases, ongoing increases in utility rates charged by PG&E, rising premiums in an increasingly volatile insurance market, and continued increases in retirement contribution rates resulting from under-performing investments and the shifting of assumptions at CalPERS.

Overall, the Proposed Budget is consistent with the budget framework developed over the past several fiscal years as well as feedback provided by the City Council through its regular quarterly budget updates and the Spring Budget Workshops held in April.

As has been the case in recent years, the budget incorporates fairly conservative revenue estimates, which contribute to limited discretionary budget flexibility. The ability of the City to maintain and increase reserve levels over the last several years has provided an opportunity to exercise diligence in implementing long-term, sustainable structural budget changes, while also providing the ability to utilize a prudent amount of one-time funding to address priority needs, above what can be supported by the baseline budget.

Several baseline General Fund budget adjustments are recommended in order to provide for a balanced budget and contribution to additional budget flexibility to support priority unmet needs.

The following summarizes the specific General Fund one-time funding recommendations included as part of the FY2024/25 Proposed Budget:

Temporary Staff - Building/Code Enforcement	\$	53,000
Contract Building Inspection	\$	50,000
Consultant Recruitment	\$	40,000
Total General Fund One-Time Funding Recommendations	\$	143,000

Due to the budgeted and projected growing deficit in the General Fund, staff do not recommend any funding for items with an ongoing impact on that fund. However, staff is recommending both one-time and ongoing allocations for requests from other funds throughout the City that have sufficient ongoing revenues or reserve balances.

The following table summarizes the recommendations for limited supplemental funding for recurring annual appropriations to Other Funds:

Full Time IT Analyst Position (convert from limited term)	\$	172,000
Compliance and regulatory training and dues	\$	23,400
Construction & demolition program software licensing	\$	4,200
Temporary staffing for park expansions	\$	30,000
Regional Park operating costs	\$	20,000
Police Department software and equipment	\$	17,361
Temporary staffing for Square One programming	\$	30,000
Spring Lake sidewalk maintenance	\$	30,000
Total Other Funds Recurring Funding Recommendations	\$	326,961

The following also summarizes the specific Other Funds one-time funding recommendations included as part of the FY2024/25 Proposed Budget:

Technology Master Plan update	\$	80,000
Construction & demolition program software implementation	\$	6,500
City Hall Modernization Improvements	\$	100,000
Regional Park new opening costs	\$	30,000
Cyclical Tree pruning	\$	115,000
Police Department Training and Tuition	\$	30,153
Automated License Plate Recognition cameras/program	\$	60,000
Storm Drain pump and gutter repairs	\$	45,000
Fire Grant matching funds	\$	20,000
Fire Administration relocation	\$	250,000
Water Pollution Control Facility equipment replacement	\$	100,000
Total Other Funds One-Time Funding Recommendations	\$	836,653

The proposed budget also includes funding recommendations that have been previously approved by the City Council in the American Rescue Plan, Measure F Spending Plan, Measure J Spending Plan, and Measure R Spending Plan.

Measure F

Measure F (MSF) revenues are estimated to total \$95.3 million through the 12-year life of the sales tax measure. Fiscal year 2024/25 revenues are estimated at approximately \$8.28 million, which is consistent with the assumption used for the sales tax forecast in the preliminary Operations and Maintenance budget. Additional one-time revenues of \$1.35 million are included in the spending plan for FY2024/25. Recommended appropriations for FY2024/25 total \$13,915,946, which includes \$6,845,000 in one-time funding recommendations above the baseline budget and \$14,300 in

recurring expenses.

Measure R

The Measure R (MSR) revenues are estimated to total \$34.6 million through the 8-year life of the sales tax measure. Actual appropriation of MSR, which includes staffing and programming, occurs annually with the adoption of the City's budget. Included in the spending plan for fiscal year 2024/25 is an anticipated \$4.3 million in revenues, with recommended appropriations of \$3.7 million.

Capital Budget Overview

A major component of the city's annual budget process is the update to the five-year Capital Improvement Program (CIP). For FY2023/24, the CIP budget proposes funding projects totaling \$21.3 million, allocated to various categories as follows:

Project Category	Prior Year Funding	2023/24	2024/25	2025/26	2026/27	2027/28
Fire	\$ 1,214,000	\$ -	\$ 3,400,000	\$ -	\$ -	\$ -
General	\$ 7,395,512	\$ -	\$ -	\$ -	\$ -	\$ -
Library	\$ -	\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000
Park Facilities	\$ 16,659,075	\$ 250,000	\$ 3,960,000	\$ -	\$ -	\$ -
Sewer	\$ 18,240,299	\$ 2,625,000	\$ 4,360,000	\$ 3,325,000	\$ 3,500,000	\$ 2,900,000
SLIF Infrastructure	\$ 5,637,000	\$ 4,600,000	\$ -	\$ -	\$ -	\$ -
Storm Drain	\$ 11,149,000	\$ 5,357,000	\$ 150,000	\$ -	\$ -	\$ -
Transportation	\$ 46,087,509	\$ 5,939,301	\$ 7,822,232	\$ 4,240,000	\$ 2,790,000	\$ 1,265,000
Water	\$ 9,996,898	\$ 12,317,737	\$ 1,551,000	\$ 200,000	\$ 200,000	\$ 200,000
Grand Total	\$ 116,379,293	\$ 31,174,038	\$ 21,328,232	\$ 7,850,000	\$ 6,575,000	\$ 4,450,000

Selected highlights of the proposed FY2024/25 CIP include:

Water/Sewer/Storm Drain

1. Annual Sewer Repair/Replacement \$1,190,000
2. Water Pollution Asset Replacement \$1,400,000
3. Pipeline Repair and Lateral Replacements \$1,000,000

Transportation

1. East Main Street Improvement \$1,000,000
2. Road Rehabilitation \$2,500,000
3. Road Maintenance and ADA Improvements \$1,375,000
4. Emergency Vehicle Signal Preemption \$ 200,000
5. First Street Public Parking Lot Rehab \$ 750,000
6. Traffic Calming Improvements \$ 100,000

Other

1. Southeast Area Pool \$2,000,000
2. Community Center Parking Lot Expansion \$1,300,000
3. Hiddleson Park Phase 1&2 \$ 660,000
4. Fire Station Construction \$2,000,000

As has been the case for the last ten years, CIP funding relies heavily on grants, sales tax measures and utility funds. While development impact fee funds have improved over recent years due to healthy development activity, many categories continue to face challenges with accumulated deficits, ongoing debt service and limited availability of money for project expenditures.

Looking Ahead

As we prepare to transition to a new fiscal year, there are a number of issues on the horizon that will have a direct impact on the City's ability to sustain the current and proposed service levels and/or provide additional budget flexibility to advance specific priority needs not provided for in this budget proposal.

Revenue Updates

This City's fiscal outlook has historically reflected increases in expenditures that outpace forecasted revenue growth. Fortunately, for the last several years, actual revenue growth, particularly in the areas of sales tax and development related fees, has been better than expected. This helped to cushion the continued growth of total City expenditures over the same time, and to help increase the City's reserve balance. However, beginning in FY2022/23, the City's sales tax revenue, which is the single largest revenue source for the General Fund, began to decline. This decline continued into FY2023/24, and is expected to continue through FY2025/26, when moderate growth is projected to return. The five-year forecast was significantly impacted by the changed sales tax assumptions, and contributed to the growing deficit. Other revenue sources are expected to grow, but at moderate rates, particularly in the short term. In order to correct the forecasted deficits, new revenue sources and/or enhancements to existing revenues will be required. There are opportunities for revenue growth in the near term, but to remain conservative and await better information, staff have not yet included new revenue for these items. For example, although there is progress toward active commercial cannabis dispensaries operating in Woodland, no revenues have been assumed within the forecast. Similarly, several new hotels are under construction in the City and will likely open for business in the coming year, but the forecast does not assume collection of any new transient occupancy taxes (TOT) related to these hotels.

Ongoing Labor Negotiations

The City has seven employee bargaining groups with contracts that expire at various times. Management has met with two bargaining groups whose labor agreements expire on June 30, 2024, and tentative agreements have been reached and will be brought to the Council on June 18, 2024. The assumptions used in the development of the FY204/25 budget are sufficient to cover the costs associated with contract provisions. The five-year forecast incorporates assumptions relative to personnel costs for employees represented in all bargaining groups, but the terms of successor agreements may have direct short-term and long-term budget implications.

CalPERS Pension Costs

The Proposed Budget for FY2024/25 reflects the city's costs associated with employer contributions for CalPERS pension obligations, as set by CalPERS for the coming fiscal year, and the five-year forecast, in turn, includes assumptions consistent with projected pension costs provided by CalPERS. In FY2024/25 staff is estimating the cost of retirement to be \$9.2 attributed to the General Fund and \$14.7 million across all City funds.

In late July or early August, updated CalPERS valuation reports are provided that will establish the pension contribution levels for FY2025/26 as well as updated five-year projections. The upcoming valuation reports (and those to follow) are expected to continue to have a significant impact on the city budget, particularly in light of recent actual and projected investment losses and continued volatility in the investment market.

Inflationary Pressures and Other

The City's cost of operations, unrelated to personnel cost changes, continues to increase, but at rates much higher than previously expected. Items that are particularly impactful to the budget and forecast are the costs paid to PG&E for utilities, which have increased by more than 30% over the last year. Additionally, the cost to purchase replacement vehicles in the City's fleet continues to increase due to both inflation and lack of inventory. The volatile insurance market has resulted in

significant changes to the City's worker's compensation and liability insurance premiums, with rates increasing by more than 30% each year over the last three years. Items such as these are expected to continue to present challenges for funding in the short term, and have been reflected in the forecast as such.

Conclusion

As we look forward to implementing the budget for FY2024/25, staff continues to look for ways to leverage local funding to enhance programs and services consistent with City Council and community priorities. Through ongoing partnerships and collaborations with public and private sector partners, we are seeing progress of key initiatives undertaken over the past few years. With Measure F and Measure R, the City has more resources and certainty to be able to provide essential programs and services as well as implement Council priorities. It is the overall goal of the Proposed Budget and long-term financial plan of the City to ensure that the City of Woodland can continue to deliver quality services, invest in the future of the community, while sustaining a fiscally prudent budgetary framework.

Conclusion:

Staff recommends that the City Council adopt Resolution No._____, approving the Fiscal Year (FY)2024/25 Annual Budget of \$223.96 million as detailed in Exhibit A, and approving 324 full-time equivalent positions, by classification, as detailed in Exhibit B.

Prepared by: Kim McKinney, Administrative Services Director

A handwritten signature in black ink, appearing to read 'Ken Hiatt', with a stylized, flowing script.

Ken Hiatt
City Manager

Attachments:

1. FY2024-25 Budget Resolution
2. Exhibit A - FY25 Appropriations By Fund
3. Exhibit B - FY25 Authorized FTE Listing
4. FY25 Measure F Spending Plan
5. FY25 Measure R Spending Plan

RESOLUTION NO: _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
ADOPTING THE FISCAL YEAR 2024-2025 ANNUAL BUDGET**

WHEREAS, a balanced annual budget for the City of Woodland has been prepared for fiscal year 2024-2025 and presented to the City Council and reviewed at public meetings on April 2, 2024 and June 4, 2024; and

WHEREAS, the proposed budget also includes the fiscal year 2024-2025 budgets for the Woodland Finance Authority and the Successor Agency to the former Woodland Redevelopment Agency; and

WHEREAS, the budget for Capital Improvement Plan for fiscal year 2024-2025 has been prepared; and

WHEREAS, all appropriations for the prior fiscal year shall lapse at the end of fiscal year 2024-2025 and any remaining amounts shall be credited against their respective fund balances, except for:

- a. Any unexpended but encumbered amounts for specific orders outstanding at the end of the Fiscal Year, and
- b. Any appropriations for incomplete capital projects at the end of fiscal year 2024-2025; and

WHEREAS, for these exceptions, such carry-overs may be made without further City Council action,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND HEREBY RESOLVES:

Section 1. The 2024-2025 Annual Budget is hereby adopted for the following funds (detail shown as Exhibit A):

General Fund	\$72,196,094
Enterprise Funds	60,912,984
Special Revenue Funds	22,620,673
Internal Service Funds	24,172,088
Capital Funds	19,760,861
Spring Lake Funds	15,204,299
Debt Service Funds	1,550,346
Successor Agency	583,815
Agency Funds	6,841,737
Total	\$223,842,896

Section 2. The one-time and ongoing funding recommendations outlined in the proposed budget are hereby approved.

Section 3. Full-time Equivalent positions are hereby approved, by classification, as detailed in Exhibit B.

Section 4. Appropriations are hereby made at the individual fund level. The City Manager, and Administrative Services Director are authorized to make budgetary transfers within an individual fund, so long as total appropriations for such fund remain unchanged. Interfund loans and/or transfers necessary to support fund level appropriations are hereby approved and authorized. Any changes to total fund level appropriations require further Council action.

Section 7. The City Manager and Administrative Services Director are hereby authorized to implement this resolution, including issuing the 2024-2025 Budget, together with any non-substantive corrections to the proposed budget adopted by this Council.

PASSED AND ADOPTED by the City Council this 18th day of June 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tania Garcia Cadena, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM

Ethan Walsh, City Attorney

CITY OF WOODLAND
FISCAL YEAR 2024/25
TOTAL APPROPRIATIONS BY FUND

Fund	Title	Proposed FY2024/25
1101	GENERAL FUND	72,196,094
1102	MEASURE R	3,699,405
1103	INVESTMENT FUND	450,000
1301	LITERACY GRANT	96,481
1320	COMMUNITY DEVELOPMENT BLOCK GRANT	780,553
1322	SUPPORTIVE HOUSING PROGRAM	348,434
1325	STATE GRANTS	217,549
1326	HOUSING ASSISTANCE	22,589
1334	OPIOID FUNDS	7,585
1340	POLICE GRANTS	614,226
1351	TRANSPORTATION GRANT	1,473,353
1352	SUPPLEMENTAL LAW ENFORCEMENT SERVICES	252,008
1353	PROPOSTION 172	734,135
1354	TRANSPORTATION DEVELOPMENT ACT (SB325)	4,173,577
1355	GAS TAX FUND	2,458,998
1357	ASSET FORFEITURE FUND	10,313
1358	HOUSING MONITORING FUND	126
1359	FIRE SUPPRESSION DISTRICT	6,075
1361	ROAD MAINT AND REHAB ACCOUNT	1,400,000
1365	ENVIRONMENTAL COMPLIANCE	243,735
1370	WRPP CONSERVATION EASEMENT	50,000
1381	GIBSON RANCH L&L	991,485
1383	NORTH PARK L&L DISTRICT	66,033
1384	STRENG POND LANDSCAPE MAINT	45,069
1386	USED OIL RECYCLING GRANT	15,000
1387	WOODLAND WEST L&L	36,271
1389	SPRINGLAKE L&L	3,452,112
1391	SPORTS PARK O&M CFD	599,258
1392	GATEWAY L&L	200,884
1393	PRUDLER SERVICES CFD	136,920
1501	CAPITAL PROJECTS	1,784,510
1507	MEASURE F	13,915,946
1510	GENERAL CITY DEVELOPMENT	1,701
1522	RECOGNIZED OBLIGATION RETIREMENT FUND	583,815
1540	PARK DEVELOPMENT	1,416,900
1550	POLICE DEVELOPMENT FUND	66,735
1560	FIRE DEVELOPMENT	133,470
1570	LIBRARY DEVELOPMENT FUND	171,672

Fund	Title	Proposed FY2024/25
1580	SURFACE WATER DEVELOPMENT	230
1582	ROAD DEVELOPMENT	349,356
1583	TREE RESERVE	5,000
1585	SEWER DEVELOPMENT FUND	1,915,341
1594	SPRING LAKE CAPITAL	15,013,647
1601	SPRINGLAKE ADMINISTRATION	90,652
1681	SLIF STORM DRAIN FUND	100,000
1883	2014 REFUNDING LEASE REVENUE BONDS	1,550,346
1917	LIBRARY TRUST FUND	38,500
2010	EQUIPMENT SERVICES	2,826,185
2011	FACILITIES REPLACEMENT	208,879
2012	EQUIPMENT REPLACEMENT	1,148,430
2013	BENEFITS FUND	11,336,548
2014	VEHICLE-EQUIPMENT LEASES	676,190
2015	INFORMATION SYSTEMS FUND	3,472,241
2091	SELF INSURANCE	4,503,615
2210	WATER ENTERPRISE FUND	33,847,282
2220	SEWER ENTERPRISE FUND	23,655,072
2221	STORM DRAIN ENTERPRISE FUND	1,392,440
2222	WASTEWATER PRE-TREATMENT	658,656
2240	CEMETERY	593,408
2250	SOLID WASTE RECYCLING	314,988
2252	CONST/DEMO DEBRIS RECYCLE	44,843
2253	RECREATION ENTERPRISE	406,296
3830	SOUTHEAST AREA DEBT SERVICE	1,244,425
3870	CFD#2 SPRINGLAKE DEBT SERVICE	5,597,312
		\$223,842,896

CITY ORGANIZATION

Employee Summary - Citywide

Classification	FY2024/25
Administrative Services Director	1
Administrative Clerk I/II	3
Administrative Clerk III	3
Administrative Secretary	1
Administrative Supervisor	1
Assistant Planner	1
Associate Engineer	3
Building Inspector I/II	1
Chief Building Official	1
Chief Information Officer	1
Chief Collection System Operator	1
City Clerk	1
City Manager	1
Code Compliance Officer I/II	1
Community Development Clerk I/II	2
Community Development Director	1
Community Development Technician I	2
Community Risk Reduction Specialist II	2
Communications & Strategic Policy Manager	1
Community Enhancement Specialist	1
Community Services Director	1
Community Services Officer	6
Community Services Program Manager	2
Conservation Coordinator	2
Crime Prevention Specialist	1
Data Services Manager	1
Deputy CDD Director	1
Deputy PW Director - Utilities	1
Electrical Supervisor	1
Electrician's Assistant	2
Engineering Assistant	2
Engineering Technician I/II	2
Engineering Technician III	1
Environmental Compliance Inspector II	1
Environmental Compliance Specialist	1
Equipment Services Clerk	1
Executive Assistant	1
Facilities Maintenance Worker I/II	1
Facilities Maintenance Worker III	3
Finance Clerk II	2

CITY ORGANIZATION

Employee Summary - Citywide

Classification	FY2024/25
Finance Officer	1
Finance Specialist	4
Finance Supervisor	1
Fire Battalion Chief	3
Fire Captain	12
Fire Chief	1
Fire Engineer	12
Fire Marshal	1
Firefighter	18
Fleet & Facilities Manager	1
GIS Analyst	1
GIS Technician I/II	1
Heavy Equipment Mechanic	1
Housing Analyst I/II	1
Human Resources Manager	1
Human Resources Tech	1
Ind Electrical Tech	2
Information Systems Technician I	1
Information Systems Technician II	1
Infrastructure Administrator	1
Junior Planner	1
Laboratory Supervisor	1
Laboratory Technician I/II	2
Library Program Manager I	3
Library Program Manager II	2
Library Services Director	1
Library Technician Assistant I/II	2
Library Technician Assistant III	2
Light Equipment Mechanic	2
Maintenance Supervisor	1
Maintenance Worker I/II	5
Maintenance Worker III	2
Management Analyst I/II	5
Marketing & Business Relations Specialist	1
Meter Services Technician	2
Park Maintenance Worker I	1
Park Maintenance Worker II	3
Park Superintendent	1
Park Supervisor	3
Police Captain	1

CITY ORGANIZATION

Employee Summary - Citywide

Classification	FY2024/25
Police Chief	1
Police Lieutenant	3
Police Officer	56
Police Records Specialist	8
Police Records Supervisor	1
Police Sergeant	10
Pool Facilities Technician	1
Principal Civil Engineer	2
Principal Utilities Civil Engineer	1
Programmer Analyst	1
Public Works Director	1
Recreation Coordinator	3
Recreation Supervisor	4
Senior Accountant	1
Senior Building Inspector	1
Senior Building Plans Examiner	1
Senior Associate Civil Engineer	2
Senior HR Analyst	1
Senior Engineering Assistant	1
Senior Environmental Analyst	1
Senior Equipment Mechanic	1
Senior Management Analyst	1
Senior Planner	1
Senior Traffic Sig/Street Light Tech	1
Senior Water/Waste Instr Tech	1
Signs and Marking Tech II	1
Social Services Manager	1
Senior Construction Project Manager	1
Senior Police Records Specialist	1
Senior Utilities Maint Wrk Sewer	1
Senior Water System Operator	1
Senior Water Pollution Control Operator	1
Senior Signs & Markings Technician	1
Traffic Sig/Street Light Tech	1
Technical Services Manager	1
Treatment Plant Mechanic	1
Treatment Plant Superintendent	1
Tree Trimmer I/II	2
Underground Utility Service Locator	1
Utilities Maintenance Worker I	7

CITY ORGANIZATION

Employee Summary - Citywide

Classification	FY2024/25
Utilities Maintenance Worker II	14
Utilities Maintenance Worker III	6
Water Pollution Control Operator III	2
Water Pollution Control Operator IV	1
Water Pollution Control O-I-T	1
Water Systems Administrator	1
Water Systems Operator I/II	2
Water Quality Specialist	1
Water/Waste Inst Tech	1
Total Full-Time Equivalents Positions	324

MEASURE F SPENDING PLAN

	FY2024/25	FY2025/26	FY2026/27	FY2027/28	FY2028/29	FY2029/30	FY2030/31	Total
	Budget	Planned						Over 12 Years
Revenues								
MSF Annual Revenue Projection	8,285,544	8,246,600	8,504,100	8,749,800	8,984,000	9,187,290	2,420,809	95,370,325
Other Revenue	1,350,000							2,228,179
Expenditures								
Parks/Pool								
Park Debt Service	1,169,541	1,164,895						2,734,245
Clark Field Maintenance	15,000	15,000	15,000	15,000	15,000	15,000	15,000	180,000
Other Park Projects	65,459	70,105	1,235,000	1,235,000	1,235,000	1,235,000	297,500	7,866,375
Parks Subtotal	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	312,500	13,442,101
Roads								
Measure F - Planning Management (06-06)	50,000	50,000	50,000	50,000	50,000	50,000	12,500	612,979
Annual In-House Road Program Support (06-14)	1,046,105	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	275,000	11,426,753
Public Works Road Improvements	90,000							90,000
West Woodland Safe Routes to School (17-09)								107,000
West Main St Bicycle/Ped Mobility & Safety Improvements (17-16)								2,150,000
Gibson Road (West to East Streets; 20-01)								1,752,201
Gibson Road - West to CR98 (20-08)								759,657
Local Roadway Safety Plan Project (21-13)	3,000							18,996
Matmor Rd & E. Gum Rehab (19-05)	1,100,000							3,015,715
Grant Planning and Application (24-04)	25,000	25,000	25,000	25,000	25,000	25,000		175,000
Annual Pavement Maintenance - Summer 2024 (24-01)	1,007,000							1,657,000
Annual Pavement Maintenance - Summer 2025 (25-02)		1,200,000						1,200,000
Annual Pavement Maintenance - Summer 2026 (26-01)			1,500,000					1,500,000
Other Road Projects		500,000	500,000	2,250,000	2,250,000	2,250,000	750,000	8,500,285
Roads Subtotal	3,321,105	2,875,000	3,175,000	3,425,000	3,425,000	3,425,000	1,037,500	37,489,862
Public Safety								
Fire Staffing	731,140	767,697	806,082	846,386	888,705	933,140	979,797	9,549,455
Police Staffing	1,235,599	1,297,379	1,362,248	1,430,361	1,501,879	1,576,973	1,655,821	14,698,264
Public Safety Subtotal	1,966,739	2,065,076	2,168,330	2,276,746	2,390,584	2,510,113	2,635,619	24,247,719
Economic Development								
Economic Development Staffing	323,121	338,631	351,160	368,718	387,154	406,512	106,709	3,764,763
Overhead	149,680	156,865	162,669	170,802	179,342	188,309	197,725	1,977,348
Total Expenditures	7,010,646	6,685,572	7,107,159	7,491,267	7,632,080	7,779,934	4,290,053	80,921,793
Proposed Funding Recommendations								
Fire AFG Grant Match	20,000							20,000
Fire Prevention Occupancy Management Software	15,300	14,300	14,300	14,300	14,300	14,300	14,300	101,100
Fire Admin Relocation (25-09)	250,000							250,000
Fire Station Construction Set-Aside (16-10)	2,000,000							2,000,000
Pubic Safety Radio Replacement (25-05)	800,000							800,000
Traffic Signal Emergency Vehicle Preemption Installation (24-11)	200,000							200,000
Beamer Underpass Erosion Control (25-11)	50,000							50,000
First St Public Parking Lot Rehabilitation (24-13)	750,000							750,000
Southeast Area Pool Project (19-18)	2,000,000							2,000,000
Cyclical Tree Pruning Addition	115,000							115,000
Hiddleson Park Phase I/II (25-10)	660,000							660,000
Net Revenues/Expenditures	(4,235,402)	1,546,728	1,382,641	1,244,233	1,337,620	1,393,056	(1,883,543)	9,730,611
Reserve Set Aside	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,325,000
Parks Projects Reserve	(775,000)							2,198,064
Sports Park Reserve								500,000
Fund Balance	1,286,812	2,733,540	4,016,181	5,160,415	6,398,035	7,691,091	5,707,547	5,707,547

MEASURE R SPENDING PLAN

	FY2022/23	FY2023/24	FY2024/25	FY2025/26	FY2026/27	FY2027/28	FY2028/29	FY2029/30	FY2030/31	Total
	Actual	Budget	Baseline	Forecast						
Revenues										
MSR Annual Revenue Projection	\$ 3,339,527	\$ 3,923,776	\$ 4,142,954	\$ 4,114,900	\$ 4,243,400	\$ 4,391,000	\$ 4,542,900	\$ 4,710,987	\$ 1,221,323	\$ 34,630,768
Other Revenue		\$ 200,000	\$ 200,000	\$ 200,000						\$ 600,000
Expenditures										
Utility Assistance	\$ 247,800	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 62,500	\$ 2,060,300
General Recreation	217,567	534,593	583,154	605,022	627,710	651,250	674,043	699,320	181,823	\$ 4,774,482
Middle School Programs	114,532	232,486	272,076	282,279	292,864	303,114	313,723	324,704	84,423	\$ 2,220,200
Aquatics	20,000	308,828	294,085	305,113	316,555	328,426	340,742	353,520	91,915	\$ 2,359,183
Rec-to-Go Program	98,410	95,324	119,922	124,419	129,085	133,926	138,613	143,465	37,121	\$ 1,020,286
Summer Camp	128,405	189,204	192,108	199,312	206,786	214,541	222,586	230,933	59,754	\$ 1,643,628
Youth Advisory Committee & Academy	3,305	5,000	5,000	5,000	5,000	5,000	5,000	5,000	1,250	\$ 39,555
At-Risk Youth	264,700	326,398	326,933	339,193	351,912	365,109	378,801	393,006	101,690	\$ 2,847,741
New Pool Operations/Programming	0	0	350,000	500,000	525,000	551,250	578,813	607,753	158,016	\$ 3,270,831
GREAT Program (4th/7th Grades)	43,574	47,656	50,000	50,000	50,000	50,000	50,000	50,000	12,500	\$ 403,730
Crime Prevention	444,397	642,641	597,243	621,133	445,978	463,817	481,210	499,256	129,494	\$ 4,325,169
Library	660,336	1,088,249	948,885	986,840	1,026,314	1,067,366	1,107,392	1,148,920	298,719	\$ 8,333,021
Total Expenditures	\$ 2,243,026	\$ 3,720,378	\$ 3,989,405	\$ 4,268,310	\$ 4,227,205	\$ 4,383,798	\$ 4,540,923	\$ 4,705,875	\$ 1,219,206	\$ 33,298,127
Proposed Additions										
PD License Plate Reader Cameras			\$ 60,000							\$ 60,000
Net Revenue/Expenditures	\$ 1,096,501	\$ 403,398	\$ 293,549	\$ 46,590	\$ 16,195	\$ 7,202	\$ 1,977	\$ 5,113	\$ 2,117	\$ 1,872,641
Fund Balance	\$ 1,096,501	\$ 1,499,899	\$ 1,793,448	\$ 1,840,037	\$ 1,856,233	\$ 1,863,434	\$ 1,865,411	\$ 1,870,524	\$ 1,872,641	\$ 1,872,641

*First Measure R Revenue/Program Year: Includes three-quarters of revenue in FY2022/23

**Final Measure R Revenue/Program Year: Only one-quarter of revenue is received in FY2030/31

***Assumes partial operations/programming of new pool in FY25; cost includes projected revenue offset (net cost)