



CITY OF BLUE LAKE

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DATE: August 21, 2015

FROM: Garry Rees, City Planner

TO: Blue Lake Planning Commission

RE: City of Blue Lake Strategic Growth Council (SGC) Sustainable Communities Planning Grant No. 3012-552. Task 2(F) Ordinance Update Discussion.

Task 2(F) of the SGC Grant proposes targeted updates to the City's Ordinances to include sustainable development standards as well as provide consistency with the targeted updates being done to the General Plan as part of the grant. Some revisions are also proposed to be made to comply with State law, clarify confusing sections of the Zoning Ordinance, and incorporate Staff recommended revisions.

Included in your packet for the August 17th meeting were the following sections of the Zoning Ordinance which were revised by Staff to accomplish the objectives described above as well as incorporate comments from the Planning Commission and Staff from the July meeting:

- Section 602 – Accessory Uses
- Section 606 – Home Occupations
- Section 610 – Off-Street Parking Facilities
- Section 612 – Signs
- Section 617 - Yards
- Section 629 – Major Vegetation Removal

Included in your packet for the August 24th meeting are the following sections of the Zoning Ordinance which have been revised by Staff to accomplish the objectives described above as well as incorporate comments from the Planning Commission and Staff from the August 17th meeting:

- Section 406.01 – Retail Commercial (RC) Zone
- Section 411 – Mixed Use (MU) Zone
- Section 602 – Animal Keeping (previously Accessory Uses)
- Section 605 – Height Limitations and Modifications
- Section 606 – Home Occupations
- Section 610 – Off-Street Parking Facilities
- Section 611 – Off-Street Loading Facilities
- Section 612 – Signs
- Section 617 – Yards
- Section 622 – Height Limits

In addition, we have added community gardens as a principally permitted use in the following zones including R1, R2, PDR, RC, MU, X, and PF.

Please review the revised sections of the Zoning Ordinance and be prepared to discuss any revisions or additions you recommend or questions you may have.

ORDINANCE NO. 382

(As Amended by Ordinances 399, 413, 420, 443, 448, 469, 478, 490, and 491)

AN ORDINANCE OF THE CITY OF BLUE LAKE, CALIFORNIA, ESTABLISHING LAND USE DISTRICTS OR ZONES, REGULATING THE USE OF LAND AND BUILDINGS, AND OPEN SPACES ABOUT BUILDINGS, REQUIRING THAT PERMITS BE SECURED FOR CERTAIN OF SUCH USES AND BUILDINGS, ESTABLISHING AND PERMITTING THE ESTABLISHMENT OF CONDITIONS, PRESCRIBING PENALTIES FOR THE VIOLATION OF ANY OF THE PROVISIONS THEREOF, AND REPEALING ORDINANCES 241, 244, 250, 252, 274, 276, 277, 279, 283, 284, 289, 294, 309, 311, 315, 316, 318, 324, 328, 331, 333, 338, 342, 343, 349, 356, 360, 365, 366, 367, 368, 369, 370, 380, AND ALL OTHER ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the City Council of the City of Blue Lake, Humboldt County, California, as follows:

ARTICLE I.

TITLE, ADOPTION, OBJECTIVES, APPLICATION

101. TITLE. This ordinance shall be known as the "Zoning Ordinance of the City of Blue Lake, California," and may be cited as such. Said ordinance will be referred to hereinafter as the "Zoning Ordinance," or as the "Zoning Plan," and sections and portions hereinafter referred to shall refer to sections or portions of this ordinance.

102. ADOPTION. There is hereby adopted a Zoning Ordinance of the City of Blue Lake, California, consisting of text in accordance with the provisions of Title 7, Chapter 4, Section 65800 of the Government Code of the State of California.

103. OBJECTIVES. The zoning regulations are adopted to achieve the following objectives:

1. to adhere to the principle of orderly residential development, with well-integrated community facilities and public utilities;
2. to discourage scatter of development and sprawl along the highways;
3. to group residential areas into neighborhoods which are planned in relation with playgrounds, parks, schools and other facilities;

4. to combine several neighborhoods into a community, based on a community park and elementary school, day schools or private schools;
5. to provide a wide variety of housing types and living arrangements, including single-family residences, duplexes, fourplexes, apartments, and motels;
6. to experiment with a new concept ("cluster development") of housing layout around a communal open space;
7. to locate housing in industrial zones only if it can be demonstrated by the developer that the industrial use will be compatible with housing;
8. to locate high-density apartments on or near thoroughfares, near open spaces such as parks, or in areas specifically designed for high-density residential uses.
9. to redevelop and rehabilitate blighted or deteriorating housing and commercial buildings;
10. to take care in designing future residential layouts to preserve those natural amenities which make Blue Lake a desirable place to live; and
11. to protect and enhance real property values.

104. APPLICATION. It is expressly declared that all provisions of this Zoning Ordinance shall apply to all property in the City of Blue Lake, whether owned by private or public, firms or corporations, the United States Government or any of its agencies, or political subdivisions, the County of Humboldt, or any district formed under the laws of the State of California.

September 1987.

b. Maximum density: one (1) dwelling unit for each 2,000 square feet of lot area.

2. Minimum lot width, 50 feet.
3. Maximum ground coverage, 60%.
4. Minimum yards: front, 15 feet; rear, 10 feet; side, 5 feet.

5. Special yards for dwelling groups: the distance between separate buildings of a dwelling group shall not be less than 10 feet. The distance between the front of any dwelling unit in the group and any other buildings shall not be less than 20 feet. The distance between the front of any dwelling unit in the group and any side lot line shall not be less than 12 feet. All of the above distances shall be increased by 2 feet for each 2 feet that any building on the lot exceeds two stories.

6. Maximum building height, 45 feet.
7. Maximum number of household pets for each dwelling unit; 2.
8. Off-street parking as prescribed in Sections 610 **and 623**.
9. Off-street loading as prescribed in Section 611.
10. No outdoor advertising signs or structures shall be permitted.
11. Landscaping as prescribed in Section 624.
12. Site plan approval as prescribed in Section 625.

13. Signs, other than outdoor advertising signs or structures, as prescribed in Section 612.

406.01 - RETAIL COMMERCIAL OR RC ZONE. The Retail Commercial or RC Zone is intended to retain the character of downtown while protecting the integrity of the Dave Power's Creek. These include downtown and neighborhood commercial locations which are primarily retail in character, with some light services to include professional, personal and financial. The following regulations apply to all Retail Commercial or RC Zones.

A. Principal Permitted Uses

1. Stores and retail businesses. This use type includes stores, agencies and

services of a light commercial character conducted entirely within an enclosed building, such as antique shops, art galleries, bakery shops, beauty and barber shops, book stores, clothing stores, coin-operated or assisted dry cleaning and laundry facilities, pharmacies, florists, tailor shops, furniture stores, automobile service stations, studios, enclosed theaters, food markets, hardware and appliance stores, and variety stores.

2. Professional offices and services. This use type includes administrative activities of private, profit-oriented administrative firms; radio and television broadcasting stations and offices; medical, dental and related services; and professional consultative, real estate and financial services. It also includes administrative uses defined as those typically performed in public, public non-profit, parochial, and public utility administrative offices. Uses of this type include banks, personal service shops, visitor service facilities and businesses of a similar nature.

3. Social halls, fraternal and social organizations. This use type includes any non-commercial building or portion thereof that is utilized for social or community gatherings that are open to the public or restricted to members.

4. Restaurants and appurtenant services. This use type includes any establishment whose principal business is the preparation and sale of food and beverages, excluding establishments with drive-thru windows, franchise or formula businesses, and restaurants operating in conjunction with a bar.

5. Craft and artisan uses. This use type includes painting, sculpture, papermaking, photography, ceramics, pottery, glass, wooden art items, textiles (spinning, weaving, dyeing) or other craft and artisan uses determined by the City Planner to be of the same general character and which will not be obnoxious or detrimental to the district. The City Planner or any interested party may request that such determination be brought before the Planning Commission. Floor area for such a use shall be no greater than 5,000 square feet, except that salesrooms or other permitted uses associated with the craft or artisan use may use additional area.

6. Stores and shops not listed which, in the opinion of the City Planner, are of the same general character and will not be obnoxious or detrimental to the district. The City Planner or any interested party may request that such determination be brought before the Planning Commission.

7. Outdoor advertising signs and structures, when associated with any use permitted in the district and when located on the premises on which such use is conducted; also outdoor advertising signs and structures when used for information or directional purposes.

8. Home Occupations, subject to Section 606 of this ordinance.

9. Open space, corridors, walkways, **community gardens**, and ecological

restoration projects.

B. Uses Permitted With a Use Permit

1. Single-family dwellings, and servant and guest houses, subject to development standards specified in Section 626 and standards specified in subparagraph D (8) of this section.

2. Two-family and three-family dwellings, when secondary to a principal permitted use, subject to standards specified in subparagraph D (8) of this section.

3. Public parks and playgrounds.

4. Undertaking establishments and mortuaries.

5. Bars, including clubs for dancing and entertainment, and restaurants in conjunction with a bar.

6. Animal hospitals, pet shops and commercial kennels.

7. Furniture and upholstery repair shops.

8. Shopping centers.

9. Religious and/or spiritual institutions.

10. Rest homes and clinics.

11. Storage of household goods; second-hand stores and pawn shops.

12. Listed uses that do not meet all the requirements stated in this section but due to specific project design and amenities in the opinion of the Planning Commission conform to the purpose and intent of this section.

13. Other uses not specifically listed herein that, in the opinion of the Planning Commission, are of the same general character and will not be obnoxious or detrimental to the district.

C. Uses Not Allowed

1. Drive-thru restaurants are not allowed in the RC zone.

D. Other Regulations

1. Maximum building height, 45 feet vertical.
2. Maximum ground coverage, 60% of lot area.
3. Maximum density, one dwelling unit per net 2,500 square feet of lot area.
4. Yards required:

a. Front yard: In case of a commercial-zoned property bordering on property in an R District, the front yard shall be the same as required for the adjacent R District. No other front yards shall be required.

b. Rear yard: 10 feet for every building or portion thereof which is designed or used for any dwelling purpose, and 10 feet for any commercial-zoned lot bordering on property in any R or A District. No other rear yards shall be required.

5. Site plan approval as prescribed in Section 625 shall be necessary to ensure that the architecture and general appearance of all commercial buildings and grounds are in keeping with the character of the neighborhood and are not detrimental to the public health, safety and general welfare of the community. Commercial and residential structures located within the City Center boundary are subject to the City's Downtown Design Guidelines.

6. Parking:

a. Off-street parking as prescribed in Sections 610 **and 623**; provided, however, that off-street parking requirements in the RC zone for already developed properties included on the City's historic list or designated district may be waived by the City Planner when no reasonable alternative is available, and if 1) the waiver is only for commercial uses in the RC zone, and 2) no reduction in available or potential parking spaces is proposed.

~~b. The Planning Commission may waive off street parking spaces otherwise required based on the historical nature of the property, the architectural or landscaping amenities that would be displaced by parking, or the availability of space on a parcel with existing improvements.~~

~~c. Off street parking for one use may be applied toward a second use if it can be shown that restriction of hours prevents overlapping of uses.~~

~~d.~~ **b.** New or existing developments proposing provision and maintenance of public open space may request, through the conditional use permit process, a reduction in off-street parking requirements for commercial uses. The Planning Commission shall make a finding that the open space provided is consistent with community goals and is of greater value to the City Center than additional off-street parking.

e. c. Location and paving: Off-street parking is to be located away from street frontage. Parking spaces shall be screened with fencing or landscaping of not less than three (3) feet in height. All off-street parking, loading zones, turnaround areas, etc. shall be paved or provided a permanent, dustless and durable surface.

7. Off-street loading as prescribed in Section 611.

8. Dwellings, and uses or structures accessory to dwellings, shall meet one or more of the following, as applicable:

a. be located on the second floor of a structure;

b. be located in the rear of the lot or structure, or behind the commercial use so as not to front directly on the street;

c. be determined by the Planning Commission to not adversely affect the commercial character of the district.

9. Landscaping as prescribed in Section 624.

E. Performance Standards

1. Toxic Substances. No use shall be permitted which involves processes that will result in any toxic substances escaping (by air or water) from the site. Medical wastes are to be disposed of according to all applicable regulations.

2. Signs. All signs shall be regulated as prescribed in Section 612.

3. Lighting. All outdoor lighting shall be minimized and designed, located, and shielded so that lights shine toward and remain on individual property and not on public streets, open space or adjacent property owners without specific written consent. The type and usage of all exterior lighting must be approved by the City Planner prior to installation.

4. Noise. Levels of noise generated on site shall be kept below the following levels, as measured at the property lines of the activity:

7:00 AM 10:00 PM - 65 dBA and 55 dBA Ldn
10:00 PM 7:00 AM - 55 dBA and 55 dBA Ldn

An exception is allowed to uses allowed with application under a special event permit.

5. Dust. Fugitive dust from an activity or site is considered a nuisance and shall not be allowed to be generated in the RC zone.

6. Sewage. Sewage disposal shall require on-site improvements (interceptor tanks, grease traps, etc.) for those uses that are found by the Public Works Director to generate wastes that may cause a difficulty to the treatment system.

7. Storage, Service and Loading Areas.

a. All equipment and materials storage areas shall be fenced to a height of not less than four (4) feet and be consistent with other regulations regarding fencing. In addition, all such areas shall be screened from view from any residential area, public roadway, or recreational use area. Such fencing and screening need not comply with yard setbacks, but shall be outside of access drive locations and be consistent with the City's visibility obstruction regulations (Zoning Ordinance Section 619).

b. Materials, equipment, supplies, garbage containers, recycling bins, and vehicles shall be stored within an enclosed building or behind visual barriers such as fences with lath or walls, berms, or plantings. No storage of material, including garbage containers, is to be located in front of the building.

8. Nuisances. No noxious or offensive activity shall be carried out upon any parcel, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. Nuisances include but are not limited to noise, dust, smoke, traffic, parking, electrical interference, lighting, unsightliness, vibration, air emissions, odor, humidity, heat, cold, or glare.

9. Livestock and Poultry. Refer to Section 602 - Accessory Uses (A) Animals and Animal Shelters.

10. Garbage and Refuse Disposal. No parcel shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers.

11. Drive-Ins/Take-Outs (Not Drive-Thru). Any restaurant use that produces products for take out consumption must provide and implement a trash disposal plan prior to approval. Such plan may require, among other things, the placement and maintenance of off-site public trash cans a certain distance from the facility.

12. Watercourses. Streams, lakes, wetlands and other watercourses shall be provided adequate setback and access restrictions to protect the biological integrity of the water course. A twenty-five (25) foot horizontal from bankfull width setback, measured from horizontal bankfull, from edge of stream bank or wetland shall be provided. Exceptions to the setback may be permitted with mitigation approved by the Planning Commission. (Amended by Ord. 491)

406.3 SERVICE COMMERCIAL OR SC ZONE. This zone is intended to provide for

C. Other Regulations

1. Site plan approval as prescribed in Section 625.
2. As provided in the use permit conditions.
- 3. Landscaping as prescribed in Section 624.**

411. **MIXED-USE OR MU ZONE.** The Mixed-Use Zone is intended to allow for the compatible and beneficial mixture of residential and commercial uses in a single structure or on a single or multiple sites in a manner consistent with the City's General Plan Goals and Policies. These districts are designed to achieve a convenient business and residential environment in areas where multiple activities and an increased degree of pedestrian orientation are considered to be desirable. Residences in the Mixed Use Zone provide housing near sources of employment or commercial and professional services -- an alternative to exclusively residential zones. New structures and additions to existing structures shall be required to meet specific design standards. Typical highway commercial/fast food/chain store or preset architecture is incompatible with this designation.

A. Principal Permitted Uses

1. Residential

(a). **Residential Dwelling Units for Four or Fewer Families.** The Residential Dwelling Units for the Four or Fewer Families Use Type includes single family dwellings, secondary dwelling units, and two, three, or four-family dwellings at a maximum density of 1 unit per 2,500 square feet of lot area and maximum ground coverage of 60% of lot area. A Single-family dwelling is defined as a detached building designed for and/or occupied exclusively by one-family. Two, three, or four-family dwellings are defined as a detached building designed for and/or occupied exclusively by two, three, or four families living independently of each other. Such dwellings can include condominiums, duplexes, town houses, apartment buildings, or secondary dwelling units.

(b). **Accessory Buildings.** The Accessory Building Use Type includes storage and gardening sheds, private garages for vehicle parking and/or storage, and studios for purposes such as artwork, music, etc. that are not intended for living, sleeping, or cooking. Accessory buildings shall comply with the provisions of Section 618 of the Zoning Ordinance.

(c). **Home Occupations.** The Home Occupation Use Type includes business activity such as an art or profession, the offering of a service, or the handcraft manufacture of products occurring on a residentially zoned property. Home Occupations are to be conducted

in a manner that is clearly incidental and secondary to the use of the property or dwelling as a residence, and in accordance with the provisions of Section 606 of the Zoning Ordinance.

2. Commercial

(a). **Stores and Retail Businesses.** The Stores and Retail Businesses Use Type includes stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, beauty and barber shops, book stores, clothing and apparel stores, coin-operated or assisted dry cleaning and laundry facilities, pharmacies, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, studios, tailor shops, enclosed theaters, and variety stores. To be principally permitted the floor space of the Store or Retail Business must be less than 10,000 square feet.

(b). **Professional Offices and Services.** The Professional Offices and Services Use Type includes administrative activities of private, profit-oriented administrative firms, radio and television broadcasting stations and offices, medical, dental and related services, professional consultative, real estate, and financial services, as well as Administrative uses defined as those typically performed in public, public non-profit, parochial, and public utility administrative offices. Such uses can include banks, personal service shops, visitor serving facilities, and businesses of a similar nature. Automated machines such as ATM's are allowed under this use type. To be principally permitted the floor space of the Professional Office or Service must be less than 10,000 square feet.

(c). **Restaurant & Appurtenant Services.** The Restaurant & Appurtenant Services Use Type includes any establishment whose principal business is the preparation and sale of food and beverages where the customer must sit down to eat or park their vehicle and enter the premises to receive food to go. This Use Type does not include Restaurants with drive-thru windows where the customer never has to leave their vehicle. To be principally permitted the floor space of the Restaurant or Appurtenant Service must be less than 3,000 square feet.

(d). **Nurseries and Greenhouses.** The Nursery and Greenhouse Use Type includes businesses involved in the propagation and display, for retail sale, of plants, vines, shrubs, and trees, and the sale of agricultural products and goods. Such uses can include retail fruit and vegetable stands **and community gardens**.

(e). **Social Halls, Fraternal and Social Organizations.** The Social Hall, Fraternal, and Social Organization Use Type includes any building or portion thereof that is utilized for social or community gatherings that are open to the public or restricted to members.

(f). **Bed and Breakfast Accommodations.** The Bed & Breakfast Accommodation Use Type includes any owner occupied residence where a portion of the structure contains guest rooms (5 maximum), designed or intended to be occupied by transient

guests for compensation. Bed & Breakfast Accommodations are to be designed so that parking is available on-site and the guest rooms are accessible through the main entrance to the residence.

Guest rooms are rooms intended, arranged or designed to be occupied by one or more guests, but in which no provisions are made for cooking.

(g). Day Care & Educational Facilities. The Day Care & Educational Facility Use Type includes any building or portion thereof that is utilized for child day care, preschool, or other educational facilities. To be principally permitted the floor space of the Day Care or Educational Facility must be less than 2,500 square feet.

(h). Craft & Artisan Uses. The Craft & Artisan Use Type includes any business involved in the production of crafts and artwork that will not result in the creation of objectionable exterior dust, noise, traffic, odors, smoke, electrical interference, or other impacts to the degree that it would cause a nuisance. Such uses can include painting, sculpture, papermaking, photography, ceramics, pottery, glass, wooden art items, textiles (spinning, weaving, dyeing).

B. Uses Permitted With a Use Permit

1. Residential

(a). Residential Dwelling Units for Five or More Families. The Residential Dwelling Units for Five or More Families Use Type includes residential dwelling units for five or more families up to what can be accommodated by the site at a maximum density of 1 unit per 2,500 square feet of lot area and maximum ground coverage of 60% of lot area. Such uses can include condominiums, duplexes, town houses, apartment buildings, rooming houses, and boarding homes.

2. Commercial

(a). Stores and Retail Businesses. The Stores and Retail Businesses Use Type includes stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, beauty and barber shops, book stores, clothing and apparel stores, coin-operated or assisted dry cleaning and laundry facilities, pharmacies, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, studios, tailor shops, enclosed theaters, and variety stores. With a use permit the floor space of the Store or Retail Business can be greater than 10,000 square feet but less than 20,000 square feet.

(b). Professional Offices and Services. The Professional Offices and Services Use Type includes administrative activities of private, profit-oriented administrative firms, radio and television broadcasting stations and offices, medical, dental and related services, professional consultative, real estate, and financial services, as well as Administrative uses defined as those typically performed in public, public non-profit, parochial, and public utility

administrative offices. Such uses can include banks, personal service shops, visitor serving facilities, and businesses of a similar nature. Automated machines such as ATM's are allowed under this use type. With a use permit floor space of the Professional Office or Service can be greater than 10,000 square feet but less than 20,000 square feet.

(c). Hotels/Inns. The Hotel/Inn Use Type includes any building or portion thereof containing guest rooms (15 maximum), designed or intended to be occupied by transient guests for compensation. Hotels/Inns are to be designed so that parking is available on-site and the guest rooms are accessible through a lobby or main entrance. Guest rooms are rooms intended, arranged or designed to be occupied by one or more guests, but in which no provisions are made for cooking (other than microwave ovens).

(d). Gas Stations. The Gas Station Use Type includes businesses with gas pumps able to serve no more than 8 cars at one time, in conjunction with and incidental to other retail commercial use. This Use Type does not include larger gas stations with mini-marts that have pre-set architecture. See Mixed Use Design Guidelines.

(e). Commercial and Recreational Facilities. The Commercial and Recreational Facilities Use Type includes any building or portion thereof used for commercial and/or recreational facilities that is operated for profit as a business and open to the general public for a fee or restricted to members. Such can include health spas, clinics, health clubs, gyms, sports complexes, roller rinks, arcades, and family gaming centers (non-gambling).

(f). Light Service and Small Scale Manufacturing. The Light Service and Small Scale Manufacturing Use Type includes non- nuisance industrial, low-impact manufacturing and development activities which do not create objectionable levels of noise, vibration, air pollution, odor, toxics, humidity, heat, cold or glare on adjacent lands. Such uses can include the limited manufacture of electrical and electronic equipment, industrial and scientific research, medical testing, analysis and product testing, carpentry and cabinetmaking shops, clothing manufacture, stone and metal- working shops, equipment repair shops, automobile repair shops, food processing and packaging, wholesale outlet stores, paint and other property maintenance supply shops, printing and lithographing, and associated administrative offices. Emphasis of this use type is small-scale and non-nuisance type activities.

(g). Day Care & Educational Facilities. The Day Care & Educational Facility Use Type includes any building or portion thereof that is utilized for child day care, preschool, or other educational facilities. With a use permit the floor space of the Day Care or Pre-School can be greater than 2,500 square feet.

(h). Restaurants & Appurtenant Services. The Restaurant & Appurtenant Services Use Type includes any establishment whose principal business is the preparation and sale of food and beverages where the customer must sit down to eat or park their vehicle and enter the premises to receive food to go. This Use Type does not include Restaurants with drive-thru windows where the customer never has to leave their vehicle. With

a use permit the floor space of Restaurant or Appurtenant Service can be greater than 3,000 square feet.

(i). "Adult" Businesses. The "Adult" Businesses Use Type includes a variety of adult sexually-oriented businesses and services, including movie theaters, bookstores, video stores, massage parlors, peep shows, and erotic dancing establishments. "Adult" defined businesses or those providing such products or services are found to be inconsistent with expressed community goals for the Mixed Use zone and the proximity of residential neighborhoods, churches, and private and public schools. Such activity will require obtaining approval of a use permit after providing a plan that adequately demonstrates surrounding uses and the community will not be adversely affected.

3. Special Uses

(a). Listed uses that do not meet all the requirements stated in this section but due to specific project design and amenities conforms to the purpose and intent of this section.

(b). Other uses that, where not specifically listed herein, (1) are similar in type and compatible with listed uses, (2) meet the general description of the zone and do not impact nor detract from the zone, and (3) are found to be consistent with the General Plan.

C. Uses Not Allowed

Drive-thru restaurants are not allowed in the MU Zone.

D. Other Regulations

1. Site Plan Approval will be required by the Planning Commission for all non-single family residences consistent with the City's Mixed Use Design guidelines and as specified in Section 625 of this Ordinance.

2. Performance Standards, as listed in paragraph F of this Section of the Zoning Ordinance.

3. Maximum density, 1 dwelling unit per net 2,500 square feet area of lot area.

4. Maximum building height, 35 feet, not exceeding two (2) stories.

5. Maximum ground coverage, 60% of lot area.

6. Minimum lot width, 50 feet.

7. Yards required:

Front yard: 15 feet for residences, except when combined with commercial structures, and 2 feet where off-street parking is provided on side or rear of property.

Side yard: 4 feet, except where adjoining property owner agrees to less and design elements support use of reduced setbacks.

Rear yard: 20% of depth to a maximum of 20 feet for residences, except when combined with commercial structures, and 10 foot minimum for commercial structures.

8. Parking facilities as prescribed in Sections 610 and 623, ~~except that off-street parking for one use may be used for a second use if it can be shown that restriction of hours prevents overlapping of uses.~~ **provided, however,** ~~new or existing development proposing provision and maintenance of public open space may request, through the conditional use permit process, a reduction in off-street parking requirements for commercial uses. Before granting a reduction in off-street parking requirements, the Planning Commission shall make a finding that the open space area provided is consistent with community goals and is of greater value to the City Center than the additional off-street parking.~~

~~The Planning Commission may waive off-street parking spaces otherwise required based upon the historical nature of the property, the architectural or landscaping amenities that would be displaced by parking, or the availability of space on a parcel with existing improvements.~~

~~New or existing development proposing provision and maintenance of public open space may request, through the conditional use permit process, a reduction in off-street parking requirements for commercial uses. Before granting a reduction in off-street parking requirements, the Planning Commission shall make a finding that the open space area provided is consistent with community goals and is of greater value to the City Center than the additional off-street parking.~~

9. Loading facilities as prescribed in Section 611.

10. Landscaping as prescribed in Section 624. ~~Landscaping, for R3, C Zones, and Mobile Home Parks, except that not less than ten (10) percent of the developed area shall be landscaped with plant materials suitable for ornamenting the site.~~

E. Design Guidelines

1. New structures or additions/renovations to existing structures shall be subject to the City's duly adopted Mixed Use Design Guidelines. Single-Family Residential structures are only subject to Section 626 Development Standards.

2. Within the City Center Boundary all structures, including Single-Family Residential, are subject to the Downtown Design Guidelines.

F. Mixed Use Performance Standards

1. **TOXIC SUBSTANCES** No use shall be permitted which involves processes that will result in any toxic substances escaping (by air or water) from the site. Medical wastes are to be disposed of according to all applicable regulations.

2. **SIGNS** All signs shall be regulated as prescribed in Section 612.

3. **LIGHTING** All outdoor lighting shall be minimized and designed, located, and shielded so that lights shine toward and remain on individual property and not on public streets, open space or adjacent property owners without specific written consent. The type and usage of all exterior lighting must also be approved by the City Planner prior to installation.

4. **NOISE** Levels of noise generated on site shall be kept below the following levels, as measured at the property lines of the activity:

7:00 AM	10:00 PM - 65 dBA
10:00 PM	7:00 AM - 55 dBA

5. **DUST** Fugitive dust from activity or site is considered a nuisance and shall not be allowed to be generated in the Mixed Use zone.

6. **SEWAGE** Sewage disposal shall require on-site improvements (interceptor tanks, grease traps) for those uses that are found by the Public Works Director to generate wastes that may cause a difficulty to the treatment system.

7. **STORAGE, SERVICE, & LOADING AREAS**

a. All equipment and materials storage areas shall be fenced to a height of not less than six (6') feet and be consistent with other regulations regarding fencing. In addition, all such areas shall be screened from view of any residential area, public roadway, or recreational use area. Such fencing and screening need not comply with yard setbacks, but shall be outside of access drive locations and be consistent with the City's visibility obstruction regulations (Zoning Ordinance, Section 619).

b. Materials, equipment, supplies, garbage containers, recycling bins, and vehicles shall be stored within an enclosed building or behind visual barriers such as fences with lath or walls, berms, or plantings. No storage of material, including garbage containers, is to be stored in front of the building.

8. NUISANCES No noxious or offensive activity shall be carried on upon any parcel, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. Nuisances include, but are not limited to, noise, dust, smoke, traffic, parking, electrical interference, lighting, unsightliness, vibration, air emissions, odor, humidity, heat, cold, or glare.

9. LIVESTOCK & POULTRY Refer to Section 602 - Accessory Uses (A) Animals and Animal Shelters.

10. GARBAGE & REFUSE DISPOSAL No parcel shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers

11. DRIVE-INS/TAKEOUTS (Not Drive-Thru) Any restaurant use that produces products for take out consumption must provide and implement a trash disposal plan prior to approval. Such plan may require, among other things, the placement and maintenance of off-site public trash cans a certain distance from the facility. (Added by Ordinance 478)

412. DESIGN REVIEW PROCEDURE.

A. Findings

The City Council of the City of Blue Lake finds and determines that:

1. The City of Blue Lake exists in a unique setting of natural beauty.
2. Much of the character of the Blue Lake community is derived from the architectural styles of buildings in the City and the relationship of these buildings to each other.
3. The City of Blue Lake desires to retain the look of its historic past by establishing standards to maintain the architecture and feeling of the community.
4. A Design Assistance Procedure is a flexible method to review proposed architectural features in order that development be guided to retain the integrity and character of the community and protect the public health, safety, and welfare.

B. Goals and Purposes

The goals and purposes of this Section are as follows:

1. To promote orderly and harmonious development of the City.
2. To promote the stability of and enhance land values and investments.

ARTICLE VI.
GENERAL PROVISIONS AND EXCEPTIONS

601. APPLICABILITY. Each and every zone shall be subject to the provisions of this article, in addition to the requirements and regulations set forth elsewhere in this ordinance for each of the zones.

602. ~~ACCESSORY USES~~ **ANIMAL KEEPING**. ~~Accessory uses~~ **Animal Keeping**, as defined herein, shall be permitted appurtenant to any permitted use, without the necessity of securing a use permit, unless particularly provided in this article, provided that no ~~accessory use~~ **animal keeping** shall be conducted on any property in any R Zone unless and until the main building is erected and occupied, or until a use permit is secured.

A. Animals and Animal Shelters

Domestic animals may be kept as accessory to residential use so long as such animals are not detrimental to the neighborhood and according to the following:

1. One (1) large domestic animal such as a horse or cow may be kept on any parcel of not less than one (1) acre. One (1) additional animal may be kept for each 20,000 square feet of area by which such parcel exceeds one (1) acre.

2. One (1) medium sized domestic animal including sheep, ~~or~~ goats, **or pigs** may be kept on any parcel of not less than 10,000 square feet of area. One (1) additional animal may be kept for each 3,000 square feet of area by which such parcel exceeds 10,000 square feet.

3. ~~Shelters, runs, corrals and yards~~ for such animals shall be located on the rear half of the lot on which they are kept, and in no case within fifty (50) feet of the front lot line, nor within twenty (20) feet of any other line, nor within fifty (50) feet of any dwelling unit **in the neighborhood. Runs, corrals, and yards for such animals shall be located on the rear half of the lot on which they are kept, and shall be situated so that no such animal is permitted to come within twenty (20) feet of any dwelling unit.**

4. There may be kept on any lot **one (1) chicken hen per 1,000 square feet of lot area up to a maximum of sixty (60) chicken hens** ~~not to exceed sixty (60) chicken hens~~ and twelve (12) rabbits, or similar livestock; provided that no such livestock shall be maintained closer than ~~thirty (30) feet from any dwelling now existing or hereafter erected~~ **twenty (20) feet from any property line. No roosters are allowed to be kept on any property within City limits.**

5. **Bee hives may be kept on any lot subject to the following provisions:** ~~contained in subsections A(2) and A(3) above.~~

a. One (1) bee hive may be kept for each 6,000 square feet of area.

b. Bee hives must be located on the rear half of the lot and in no case within (50) feet of the front lot line, nor within twenty-five (20) feet of any other line, nor within fifty (30) feet of any dwelling unit in the neighborhood.

c. A supply of fresh water shall be maintained on the lot in a location readily accessible to all bee colonies throughout the day to prevent bees from congregating at sources of water on nearby properties.

d. Aggressive bee species are prohibited from being kept on any property within City limits.

5: 6. All other keeping of animals (**other than household pets**) as accessory to any residential use shall require the securing of a use permit.

B. Nuisance

It is hereby declared a nuisance and it shall be unlawful to keep, maintain, or permit on any parcel, lot, or piece of land any **domestic** animal, ~~poultry~~, or household pet, which by any sound, smell, or ~~ery~~ **sight** should unreasonably disturb the peace and comfort of any neighborhood, or interfere with any person or prevent the reasonable and comfortable enjoyment of life or property.

~~603. ASSEMBLAGES OF PERSON AND VEHICLES~~ **SPECIAL EVENTS.** No **street fair**, ~~circus~~, ~~carnival~~, **farmer's market**, ~~open air or drive in theatre~~, ~~automobile racetrack~~, ~~religious revival tent~~ **outdoor entertainment**, or similar assemblage of people and ~~automobiles~~ shall be permitted in any zone unless a use permit is first secured in each case, except as hereinafter provided.

A. Special Events on Public Property

1. Short-term (less than 4 hours) special events on public property require obtaining a special event permit from the City Manager. Longer-term (greater than 4 hours) special events on public property require obtaining an encroachment permit from the City Manager. Public property includes streets and right-of-ways and City property such as the City Hall parking lot or open space occurring on City property.

2. Special events that occur at City recreational facilities such as Perigot Park, Prash Hall, Gymkhana Arena/Rodeo Grounds, and Clemence Field require approval from the Park and Recreation Director.

3. The City Manager and Park and Recreation Director may place conditions on the approval of special events as necessary to ensure the public health, safety, and welfare are not adversely affected by the proposed event.

B. Exceptions

1. This section shall not apply to indoor events that do not have the potential to adversely affect surrounding uses.

2. This section shall not apply to zoning districts which allow public assembly type uses.

604. GUEST HOUSES. Guest houses are herein defined as detached living quarters of permanent construction, without kitchens which are clearly subordinate and incidental to the use of the main building on the same lot. Guest houses shall not be let, leased or rented, in whole or in part, independently of the main building.

605. HEIGHT LIMITATIONS AND MODIFICATIONS. Heights of buildings and structures shall be measured vertically from the average ground level of the ground covered by the building to the highest point of the roof, ~~but e~~Chimneys, stacks, vents, flagpoles, conventional television reception antennas, elevator, ventilating and air-conditioning equipment, **renewable energy systems (e.g. solar panels, wind turbines, etc.)**, parapet walls and similar architectural and mechanical appurtenances shall be excluded in making such measurements. ~~Accessory buildings in R Zones shall not exceed 16 feet in height.~~

606. HOME OCCUPATIONS.

A. Definition

A Home Occupation is defined as the conduct of a business, including an art or profession, the offering of a service, or the handcraft manufacture of products on a residentially zoned property or in a dwelling, in a manner that is clearly incidental and secondary to the use of the property or dwelling as a residence, and in accordance with the provisions of this section.

B. Conditions

No Home Occupation shall be permitted unless all of the following conditions have been satisfied and, once permitted, all Home Occupation permits shall be deemed to be subject to the following as continuing conditions:

1. A Home Occupation shall occupy not more than 25% of the total floor space of all the structures on a residentially zoned lot, or 25% of the floor space associated with the dwelling in zones other than residential; and

2. A Home Occupation shall involve no sales of merchandise other than that produced on the premises or merchandise directly related to and incidental to the occupation or permitted under allowable uses; and

6. The manufactured home may be precluded in an area listed or proposed to be listed on the National Registry of Historic places consistent with Government Code Section 65851.3(b). (Amended by Ord. 399)

610. OFF-STREET PARKING FACILITIES. The purpose of off-street parking facilities is to alleviate or to prevent traffic congestion and shortage of curb spaces. Off-street parking facilities shall be provided incidental to new uses and major alterations and enlargements of existing uses.

SCHEDULE OF OFF-STREET PARKING REQUIREMENTS

Land Use	Number of Off-Street Parking Spaces for Each Measurement Unit
A. <u>Residential, including single family, two-family, second units, and apartments.</u>	One for each dwelling unit containing one (1) or fewer bedrooms Two for each dwelling unit containing more than one (1) bedroom One additional space is required when no on-street parking is available on the lot frontage. (Amended by Ord. 399)
B. <u>Motels, Hotels and Rooming Houses</u>	2 for each living or sleeping unit plus 1 space for each three employees
C. <u>Trailer Parks</u>	1 for each trailer unit plus 1 additional space for each 4 units
D. <u>Industrial; Manufacturing, Warehousing, Lumbering</u>	1.35 per employee per shift
E. <u>Commercial;</u> retail (grocery, pharmacy, department store, etc.)	1 for each 150 sq. ft. of gross floor area
banks	1 for each 150 sq. ft. of gross floor area
professional, administrative	1 for each 300 sq. ft. of gross floor area
automobile and machinery sales, garages and similar repair, furniture stores, major appliance stores	1 for each 500 sq. ft. of gross floor area

medical and dental offices, ————— 1 for each 300 sq. ft. of gross floor area
shopping centers

restaurants, bars, coffee shops ————— 1 for every 3 seats
bowling alleys, pool halls ————— 4 for each lane, 2 spaces for each
billiard table

F. ~~Institutional, Educational~~ ————— 2 for each bed (includes employees'
~~Civic; hospitals~~ ————— and visitors' parking)

rest homes, asylums, ————— 1 for every 2.5 beds
sanatoriums, nursing homes,
etc. —

churches, lodges, clubs, ————— 1 for every 5 seats in the auditorium
theaters ————— plus 1 space for every 4 employees

sports arenas, auditoriums, ————— 1 for every 5 seats in the auditorium.
other places of public
assembly

adult education ————— 1 for every 2 students, 2 teachers,
and 2 employees

private schools, elementary ————— 1 for every 3 students, 1 teacher,
schools or day care schools ————— and 1 employee
or facilities

A. Schedule of Off-Street Parking Requirements

Land Use	Number of Off-Street Parking Spaces Required
<u>Residential</u> (including single-family, two-family, multi-family , second- units, and accessory dwelling units apartments)	1 for each dwelling unit containing one or fewer bedrooms; 2 for each dwelling unit containing more than one bedroom One additional space is required when no parking is available on the lot frontage. (Amended by Ord. 399)
<u>Motels, Hotels, and Rooming Houses</u>	2 1 for each living or sleeping unit, plus 1 space for every three employees
Trailer <u>Mobile Home Parks</u>	1 for each trailer unit plus 1 additional space for each 4 units

<p><u>Industrial: Manufacturing, Warehousing, Lumbering, Aggregate Extraction</u></p>	<p>1 per 1.35 shift employees or 1 for each 800 sq. ft. of gross floor area <u>whichever is more applicable as determined by the City Planner</u></p>
<p><u>Commercial</u></p> <p>-retail (grocery, pharmacy, department store, etc.), banks, professional, administrative, medical and dental offices</p> <p>-automobile and machinery sales, garages and similar repair, furniture stores, major appliance stores</p> <p>-restaurants, bars, dance clubs, coffee shops, bowling alleys, pool halls</p>	<p>1 for each 150300 sq. ft. of gross floor area</p> <p>1 for each 500 sq. ft. of gross floor area</p> <p>1 for every three seats; 43 for each lane; 21 for each billiard table</p>
<p><u>Institutional, Educational, Civic</u></p> <p>-hospital</p> <p>-rest homes, nursing homes, care facilities, etc.</p> <p>-churches, lodges, clubs, theaters, sports arenas, auditoriums, other places of public assembly</p> <p>-adult education</p> <p>-private schools, elementary schools or day-care schools or facilities</p>	<p>2 for each bed (includes employee and visitor parking)</p> <p>1 for every 2.5 beds</p> <p>1 for every fivesix seats in the auditorium, plus 1 space for every four employees</p> <p>1 for every two students, two teachers, and two employees <u>1 for every two teachers</u> <u>1 for every two employees</u></p> <p>1 for every threeten students, one teacher, and one employee <u>1 for every one teacher</u> <u>1 for every one employee</u></p>

G. B. Additional Requirements and Exceptions

1. More Than One Use on a Site. If more than one use is located on a site, the number of parking spaces provided shall be equal to the sum of the requirements prescribed in this section for each use.

~~2. Off-Street Parking Facilities to Serve One Use. Off-street parking facilities to serve one use shall not be considered as providing required off-street parking facilities for any other use.~~ **Off-street parking for one use may be applied toward a second use if it can be shown that restriction of hours prevent overlapping of uses.**

3. The City discourages a land use being provided more off-street parking spaces than required by this section, to avoid the inefficient use of land, unnecessary pavement, and excessive stormwater runoff from paved surfaces.

~~3.~~ **4. Reduction of Off-Street Parking Facilities. No off-street parking facility shall be reduced in capacity or in area without sufficient additional capacity or additional area being provided to comply with the regulations of this Article. Exception may be made by the Planning Commission with a use permit or in the following circumstances:**

a. Reduction of one (1) off-street parking space shall be allowed for new land uses in a C or MU district that occur within two-hundred fifty (250) feet of a bus stop.

b. Reduction of one (1) off-street parking space shall be allowed for land uses that provide four (4) permanent bicycle parking spaces. Each bicycle parking or storage space shall be no less than six feet long by two feet wide, plus additional space as may be needed for access, and shall have a rack or rain-sheltered structure capable of supporting and securing bicycles of various types and sizes in an upright position. Each space shall be conveniently located for intended uses.

c. Reduction of one (1) off-street parking space shall be allowed for land uses that provide four (4) parking spaces with pervious pavement subject to the provisions contained in Section 63.

~~4. Exemption for Sites in Parking Assessment District. In a municipal parking assessment district, residential and motel uses shall be subject to only half of the off-street parking facilities requirements.~~

4. 5. The Planning Commission may waive off-street parking spaces otherwise required based on the historical nature of the property, the architectural or landscaping amenities that would be displaced by parking, or the availability of space on a parcel with existing improvements.

~~5.~~ **6. Existing Uses. No existing use of land or structure shall be deemed to be nonconforming solely because of the lack of off-street parking facilities prescribed in this section, provided that facilities being used for off-street parking on 8 November 1973 shall not be reduced in area to less than the minimum standards prescribed in this section.**

H. C. Standards for Off-Street Parking Space

1. The minimum off-street parking dimensions shall be as prescribed in the following table, except that a parking space ~~required to be~~ located in a garage or carport shall be not less than 20 feet in length and 10 feet in width.

a. ~~—Description of dimension; parking space width, perpendicular to angle.~~

PARKING ANGLE

0°	20°	30°	40°	45°	50°	60°	70°	80°	90°
8'6"	8'6"	8'6"	8'6"	8'6"	8'6"	8'6"	8'6"	8'6"	8'6"

b. ~~—Description of dimension; parking space dimension perpendicular to aisle.~~

PARKING ANGLE

0°	20°	30°	40°	45°	50°	60°	70°	80°	90°
8'6"	14'6"	16'10"	18'8"	19'5"	20'	20'8"	20'9"	20'2"	19'

c. ~~—Description of dimension parallel to aisle.~~

PARKING ANGLE

0°	20°	30°	40°	45°	50°	60°	70°	80°	90°
23'	24'8"	17'	13'2"	12'	11'1"	9'10"	9'	8'7"	8'6"

d. ~~—Description of dimension; aisle width.~~

PARKING ANGLE

0°	20°	30°	40°	45°	50°	60°	70°	80°	90°
12'	11'	11'	12'	13'6"	12'6"	18'6"	19'6"	24'	25'

Parking Angle	Width	Length	Drive Aisle Width (maneuvering areas)	
			One-Way	Two-Way
Parallel	8.5'	23'	12'	20'
30 degrees	8.5'	17'	11'	20'
45 degrees	8.5'	19.5'	13.5'	20'
60 degrees	8.5'	21'	18.5'	20'
Perpendicular	8.5'	19'	25'	25'

2. Sufficient aisle space for readily turning and maneuvering vehicles shall be provided on the site, except that no more than 2 parking spaces per site may be located so as to necessitate backing a vehicle across a property line abutting a street. Alleys may be used for maneuvering.

3. Each parking space shall have unobstructed access from a street or alley or from an aisle or drive connecting with a street or alley without moving another vehicle.

4. Entrances from and exits to streets and alleys shall be provided at locations approved by the Director of Public Works. **Fences shall be recessed or constructed at such a height that sufficient vision clearance is provided in accordance with Section 619 of this ordinance. All doors or gates in fences, walls or hedges shall not open outwardly if located within two (2) feet of a street, alley or public walk.**

5. The parking area, aisles and access drives shall be paved so as to provide a durable, dustless surface, except that ~~for a single family residential use,~~ an alternative durable, dustless surface may be approved by the City Planner, and shall be so graded and drained as to dispose of surface water without damage to private or public properties, streets or alleys.

6. Bumper rails shall be provided at locations prescribed by the ~~Director of Planning~~ **City Planner** where needed for safety or to protect property.

7. If the parking area is illuminated, lighting shall be deflected away from residential sites **and natural areas** so as to cause no annoying glare.

8. **Except for emergencies,** ~~No~~ **no** repair work or servicing of vehicles shall be conducted on a parking area.

611. OFF-STREET LOADING FACILITIES. The purpose of off-street loading facilities is to prevent traffic congestion and shortage of curb spaces. Off-street loading facilities shall be provided incidental to new uses and major alterations and enlargements of existing uses.

A. Schedule of Off-Street Loading Berth Requirements

If, in the application of the requirements of this section, a fractional number is obtained, one loading berth shall be provided for a fraction of one-half or more, and no loading berth shall be required for a fraction of less than one-half.

B. Commerce and Industry

Commercial and industrial establishments, including retail stores, eating and drinking establishments, personal service establishments, commercial service enterprises, warehouses, storage facilities, manufacturing plants, and other industrial uses: no berths for less than 4,000 square feet gross floor area; one berth for 4,000 to 40,000 square feet gross floor area; two berths for 40,000 to 80,000 square feet gross floor area; three berths for 80,000 to 120,000 square feet gross floor area; one additional berth for each 100,000 square feet additional gross floor area.

C. Business

Public and private business offices, professional and administrative offices, hospitals, nursing homes, sanatoriums, institutions, hotels and motels: no berths for less than 15,000 square feet gross floor area, one berth for 15,000 to 100,000 square feet gross floor area; two berths for 100,000 to 200,000 square feet and over.

D. Mortuaries

One berth for less than 5,000 square feet gross floor area plus one additional berth for each additional 10,000 square feet gross floor area.

E. Standards for Off-Street Loading Space

All loading spaces should be at least twelve (12) feet in width by forty-five (45) feet in length by fourteen (14) feet in height.

F. Existing Uses

No existing use of land or structure shall be deemed to be nonconforming solely because of the lack of off-street loading facilities prescribed in this section, provided that facilities being used for off-street loading on 8 November 1973 shall not be reduced in capacity to less than the number of berths prescribed in this section or reduced in area to less than the minimum standards prescribed in this section.

G. Exceptions

1. The requirements of this section may be waived or reduced by the Public Works Director if it is determined to be infeasible or impracticable to provide the specified off-street loading facilities on a particular site.

2. Alleys and private roads may be used as loading areas as determined by the Public Works Director.

612. SIGNS. The purpose of this regulation is to set standards which will permit a reasonable use of signs to give information, directions and to advertise goods and services while affording protection to the peace, comfort, safety of the general public, and the visual amenity of the community.

A. Signs Regulated, Permits Required

Except for authorized personnel, no person shall paste, paint, post, print, nail, tack, glue, carve, erect, or fasten any sign, banner, pennant, or notice of any kind in any visible manner except expressly permitted in this section; provided further, to ensure compliance with these regulations, a ~~Use Permit~~ **sign permit** shall be obtained from the City ~~Administration~~ **Planner, except that the following signs shall be exempt:**

1. Temporary signs including real estate signs, contractor signs, yard sale signs, special event signs, and campaign signs, subject to the requirements in subsection E.

B. Amendment to Sign Code

The provisions of Volume V, Uniform Building Code, "Signs," 1970 Edition, prepared by the International Conference of Building Officials, and all revisions, supplements and amendments heretofore and hereinafter adopted by the International Conference of Building Officials are hereby adopted and the said code is adopted as a whole. The following subsections C, D and E amend the Uniform Sign Code, 1970 Edition, adopted by the City, and all amendments thereto.

C. Architectural Review

1. All signs on private property over ~~35~~ **25 feet in height or ~~50~~ **32** square feet in area, shall be subject to Planning Commission approval.**

2. All signs in the public right-of-way or on City property (e.g. directional signs, banners, etc.), shall be subject to City Council approval.

D. Sign Area Permitted

The maximum permitted area of all faces of all signs visible from beyond the boundaries of a site, except directional signs and signs behind a display window, shall be as prescribed in the following schedule. Advertising signs, where permitted, shall be included as part of the maximum permitted sign area.

E. Schedule of Sign Regulations

Type of Sign	Location Permitted	Maximum Size	Illumination Permitted	Additional Requirement
Home Occupation	Attached flat to building, fence or wall.	2 sq. ft.	None	None
Announcement Bulletin Board	Attached or free standing minimum 10' from street or property line.	12 sq. ft.	Indirect non-glare or flashing.	-
Outdoor Advertising Sign Bill	Attached or free standing minimum 20' from street or property line.	100 sq. ft.	Direct or indirect non-	-
Pole or Ground Signs	Free standing.	50 sq. ft. within total perimeter.	Direct or indirect, non-glare or flashing.	Height, 35' maximum.
Real Estate Sign	Attached or free standing, temporary, minimum 10' from property line.	6 sq. ft.	None	Maximum 3 months unless application for permit for longer period approved.
Tract Sign	Free standing, temporary.	100 sq. ft.	Indirect	Must be removed at expiration of required temporary use permit.
Other Signs	As regulated by	As regu	Non glare or	-

the Planning Commission. lated by the Planning Commission. flashing.

Commercial Attached or free standing. 1 sq. ft. per foot of property line, adjoining street, 50 sq. ft. total. Non glare or flashing. -

Industrial Attached or free standing. 1 sq. ft. per foot of property line, adjoining street or 120 sq. ft. per acre of site area in use, whichever is greater. Non glare or flashing. 100 sq. ft. each face; 200 sq. ft. total.

Type of Sign	Location Permitted	Maximum Size	Illumination Permitted	Additional Requirements
Announcement Bulletin Board	Attached or free-standing minimum 10' from street or property line.	12 sq. ft.	Indirect non-glare or flashing.	None.
Campaign Signs	Attached or free-standing	32 sq. ft.	None.	Temporary. Must be removed not more than 7 days after the election.
Commercial Signs	Attached or free-standing.	1 sq. ft. per foot of property line,	Non-glare or flashing.	None.

		adjoining street, 50 sq. ft. total.		
Contractor Signs	Attached or free-standing.	32 sq. ft.	None.	Temporary. Shall be removed at the completion of construction.
Ground Signs	Free-Standing.	50 sq. ft. within total perimeter	Direct or indirect, non-glare or flashing.	Height, 35' <u>10'</u> maximum.
Home Occupation Signs	Attached flat to building, fence, or wall.	2 sq. ft.	None.	None.
Industrial Signs	Attached or free-standing.	1 sq. ft. or property line, adjoining street, or 120 sq. ft. per acre in use, whichever is greater.	Non-glare or flashing.	100 sq. ft. each face; 200 sq. ft. total.
Outdoor Advertising Sign Bill	Attached or free-standing minimum 20' from street or property line.	100 sq. ft.	Direct or indirect, non-glare or flashing.	None.
Pole Signs	Free-standing.	50 sq. ft. within total perimeter.	Direct or indirect, non-glare or flashing.	Height, 35' <u>25'</u> maximum.
Real Estate Sign	Attached or free-standing, minimum 10' from property line.	6 sq. ft.	None.	Must be removed at expiration or required temporary permit. Temporary. Must be removed not more than 7 days after sale of the property.
Tract Sign	Free-standing, temporary.	100 sq. ft.	Indirect.	Must be removed at expiration of required temporary-use permit.
Special Event	Attached or free-	32 sq. ft.	None.	Temporary. Must

<u>Signs</u>	<u>standing.</u>			<u>be remove not more than 7 days after the event.</u>
<u>Yard Sale Signs</u>	<u>Attached or free-standing.</u>	<u>6 sq. ft.</u>	<u>None.</u>	<u>Must be removed not more than 3 days after the yard sale.</u>
Other Signs	As regulated by the Planning Commission.	As regulated by the Planning Commission.	Non-glare or flashing.	None.

F. Other Regulations

1. Off-site signs are prohibited; except for signs located in the public right-of-way or on City property which require approval from the City Council per subsection C(2).

2. A sign shall not cover or interrupt a major architectural feature of the building to which it is attached

3. Signs shall not be attached to trees, utility poles, or other stationary objects such as parked vehicles or furniture.

4. Signs shall not be erected so as to obstruct any door or fire escape of a building, or to obstruct free passage over any public right-of-way.

F. G. Advertising Structures Prohibited Adjacent to All Freeways and Expressways

No advertising structure, billboard or sign shall be erected, constructed, relocated or maintained in the City of Blue Lake:

1. If such advertising structure, billboard or sign is design to have or has the advertising thereon maintained primarily to be viewed from a freeway or expressway; or

2. If such advertising structure, billboard or sign, because of its location, size, nature or type, constitutes or tends to constitute a hazard to the safe and efficient operation of vehicles upon a freeway, or creates a condition which endangers the safety of persons or property thereon.

G. H. Application Contents and Approvals

Every application for an advertising structure, billboard or sign shall contain a statement by the applicant that said advertising structure, billboard or sign is not to be viewed primarily from a freeway or expressway.

1. No permit shall be issued to erect, construct or relocate any advertising structure, billboard or sign, regardless of location, having the advertising thereon viewed primarily from a freeway or expressway.

2. No permit shall be issued to erect, construct, or relocate any advertising structure, billboard or sign, regardless of location which constitutes a hazard to the safe and efficient operation of vehicles upon a freeway, or creates a condition which endangers the safety of persons or property thereon.

3. All applications for permits for advertising structures, billboards or signs, which are in compliance with this section shall be approved, and a permit issued pursuant to ordinance on the subject of building permits.

4. Appeals. Appeals shall be governed by Sections 760 through 765, inclusive, of this ordinance.

5. The City Council shall review the application according to such rules of procedure as it adopts, and determine whether or not the provisions of this subsection F have been complied with. Such determination shall be final and conclusive.

613. SWIMMING POOLS. Any pool, pond, lake or open tank, not completely enclosed within a building, which is normally capable of containing water to a depth greater than 18 inches at any point and in which swimming or bathing is permitted to the occupants of the premises on which it is located, or their guests, and which shall not be used for commercial purposes, shall be permitted with a use permit in any zone and shall be subject to the following regulations.

A. Location

Such pool shall be located on the rear part of a lot and in any case not less than fifty (50) feet from the front lot line. Side and rear yards shall be as required for accessory buildings, but in no case within five (5) feet of any lot line. Filter and heating systems shall not be located within ten (10) feet of any lot line. Except that portable pools shall not be required to maintain the 50-foot setback from the front lot line.

B. Coverage

Ground coverage by a swimming pool shall not exceed 40% of the rear yard required of the lot on which it stands. Ground coverage by a swimming pool shall not be included in computing maximum ground coverage allotted to buildings on the lot.

C. Enclosure

Such pool or the property on which it is located shall be completely enclosed by a wall or fence not less than six (6) feet in height, containing no openings greater than 4 inches except for self-closing and self-latching gates on which the latch is at least six (6) feet above ground level, in order that full control of access by children may be maintained. Supplemental lighting shall be so installed as to prevent annoying glare on adjacent properties.

614. TRACT OFFICES. Temporary tract offices located on the premises of a subdivision shall be allowed, with a use permit limited to a one-year period, in conjunction with the sale of lots in a subdivision. Within thirty (30) days after the termination of the permitted period or any extension thereof, the structure shall be removed from the premises.

615. MINIMUM LOT SIZE AND MEASUREMENTS. No R Zone building site shall have less than forty (40) feet of frontage on a street or on a cul-de-sac turning space. On an irregular site required yards shall be measured in the manner prescribed by the City Planner. (For non-public streets, see also Section 608, supra.)

616. SPECIAL STUDY ZONES. When unusual or unique situations occur, the Planning Commission may establish a Special Study Zone. An example of such conditions would be hillside lot development, new housing concepts. The Planning Commission shall make the determination in regards to the existence of such situations.

617. YARDS. The minimum yard requirements set out in Articles IV. and V. shall be subject to the regulations of this section.

A. Front Yards

For the purpose of computing front yard dimensions, the measurement shall be taken from the nearest point of the front wall of the building to the street line; provided, however, that if the official building line has been established for the street, or if a future width line is established therefore by the provisions of this ordinance, then the measurement shall be taken from the nearest point of the front wall ~~to~~ of ~~the other~~ building to such official line or such future width line, except that certain architectural features hereinafter enumerated shall not be considered in making such measurements, and shall be subject to the following limitations:

1. Cornices, canopies, eaves or any other architectural features may extend beyond said front wall a distance of not exceeding two and one-half (2-1/2) feet.
2. Fire escapes, balconies, galleries, may extend beyond said front wall a distance of not exceeding four (4) feet and six (6) inches.

3. A landing place or ~~uncovered~~ porch (**covered or uncovered**) may extend beyond said front wall a distance of not exceeding eight (8) feet provided that such landing place or porch shall have a floor no higher than the entrance floor of the building, ~~and in no event more than three (3) feet above the finished grade.~~ A railing no higher than ~~three (3)~~ **four (4)** feet may be placed around such landing place **or porch**. In no case, however, shall any such landing place or porch extend beyond any street, or beyond the future width line which is established therefore by the provisions of this ordinance. **On residentially zoned lots, no landing place or porch shall be closer than five (5) feet to the front property line.**

B. Front Yard Exception

If an interior lot in any R zone is adjacent to a lot in any zone other than an R zone, the depth required for the front yard on such interior lot may be reduced to not less than the average of the required depth of the front yard of the interior lot and of the front or side yard, as the case may be, of the lot in the adjacent zone. Projections of canopies into streets from property lines, if they are along shopping frontages only, may extend to a maximum of 8 feet, provided that the height shall not be less than 10 feet from the ground to the canopies and provided that the overall design of the shopping facilities justifies such canopy in the judgement of the Planning Commission.

C. Side Yards

The architectural features enumerated in paragraph A of this Section 617 may also extend into any minimum side or rear yard, the same distance that they are permitted to extend beyond any front wall, except that no porch, terrace, patio, or outside stairway shall project more than three (3) feet into any minimum side yard, and in any event no closer than three (3) feet to said side lot line. An outside stairway may extend into said minimum required side yard only if same is unroofed and unenclosed above and below.

D. Rear Yards

The architectural features enumerated in paragraph (A) of this section 617 may also extend into any minimum rear yard the same distance that they are permitted to extend beyond any front wall. For lots where the rear yard opens into an alley the depth of a rear yard required for any building (excluding dwelling groups regulated elsewhere herein) may consider one-half (1/2) the width of such alley, but not exceeding 10 (ten) feet, as a portion of such rear yard; provided, however, that these provisions shall not be so applied as to reduce the depth of any rear yard to less than 10 (ten) feet. Further, no doors, gates or other constructed elements shall open outwardly beyond the Property lines. Exceptions for location of certain accessory buildings shall be per Section 618 of the Zoning Ordinance. (Amended by Ord. 443)

618. ACCESSORY BUILDINGS.

A. **Types of Accessory Buildings**

1. that the actual visual clearance is adequate for safety purposes; and
2. that all design purposes, such as screening parking areas from view, have been satisfied or waived.

620. LOTS ADJOINING FREEWAY, RAILROAD, SCHOOL OR SHOPPING SITE IN R ZONES. In any R zone, no site rearing on a freeway, railroad, school or shopping site shall have a depth of less than 130 feet.

621. NONCONFORMING LOTS. A lot having an area, frontage, width, or depth less than the minimum prescribed for the zone in which the lot is located, which is shown on a duly approved and recorded subdivision map, or for which a deed or valid contract of sale was of record prior to 8 November 1973, and which had a legal area, frontage, width, and depth at the time that the subdivision map, deed or contract of sale was recorded, may be used for any permitted use, but shall be subject to all other regulations for the zone in which the lot is located.

622. HEIGHT LIMITS. Height limits imposed on other structures in zones in which they are permitted shall not apply to the following; provided, however, no such structures shall exceed height limitations, imposed by any other applicable regulations and provided that no such structure shall provide other than incidental usable floor space.

A. Farm Buildings, etc.

Barns, silos or other farm buildings or structures on farms, provided these are not less than fifty (50) feet from every lot line; church spires, belfries, cupolas and domes, monuments, water towers, fire and hose towers, observation towers, distribution and transmission lines, towers and poles, windmills, chimneys, smokestacks, flagpoles, radio towers, masts and television antennae; parapet walls extending not more than four (4) feet above the height limit of the building; outdoor theatre screens, provided said screens contain no advertising matter other than the name of the theatre.

B. Places of Public Assembly

Places of public assembly in churches, schools and other permitted public and quasi-public buildings, provided that these are located on the first floor of such buildings and provided that for each one (1) foot by which the height of such building exceeds the maximum height otherwise permitted in the zone, its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the zone.

C. R-1 Districts

In R-1 Districts, any dwellings, or portion of, ~~may be increased~~ **proposed to be greater than 28 feet** in height ~~not to exceed ten (10) feet and to a total of not exceeding three (3) stories when~~ **shall require site plan approval by the Planning Commission unless** two (2) side yards of widths of not less than fifteen (15) feet each are provided. **Notice of Planning Commission hearing shall be provided to all property owners within 100 feet of the project site not less than seven (7) days prior to the hearing date.**

D. C Districts

Upon securing a use permit, any building in any C District may be erected to a height exceeding that herein specified for such district, provided that the cubical contents of the building shall be increased beyond that possible for a building erected within the height limit hereinbefore specified for such district.

E. Exceptions

Bulkheads, elevator penthouses, water tanks, monitors and scenery lofts, provided not linear dimensions of any such structure exceeds fifty (50) percent of the corresponding street lot line frontage; or towers and monuments, fire towers, hose towers, cooling towers, grain elevators, gas holders or other structures, where the manufacturing process requires a greater height; provided, however, that all such structures above the heights otherwise permitted in the zone shall not occupy more than twenty-five (25) percent of the area of the lot and shall be distant not less than twenty-five (25) feet in all parts from every lot line not a street lot line.

623. PARKING FACILITIES.

A. Wall or Fence on Streets

Where an open parking facility for more than 5 cars or a loading area in an R zone adjoins a street or a required front yard, or where a parking or loading area is located directly across a street or alley from an R zone, a solid wall or fence, vine-covered fence, or compact evergreen hedge no less than 4 feet in height shall be located on the property line, provided that where parking is not permitted in a required front yard, the screening shall be located on the rear line of the required front yard.

B. Screening on Property Lines

Where a parking facility is permitted as a conditional use or to serve a conditional use in an R zone, it shall be screened by a solid wall or fence, vine-covered fence, or compact evergreen hedge not less than 4 feet in height along the property lines adjoining a street or alley directly across from an R zone and not less than 6 feet in height along the other property lines adjoining an R zone.

C. Landscaping of Lot