



CITY OF BLUE LAKE

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DATE: June 26, 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 June special meeting are the following sections of the Zoning Ordinance which have been revised by Staff to accomplish the objectives described above:

- Section 201.43 – Definition of Family
- Section 406.5 – Highway Commercial (HC) Zone
- Section 407 – Industrial (M) Zone
- Section 407.1 – Light Industry (ML) Zone
- Section 623(C) – Landscaping of Lot
- Section 624 – Landscaping
- Section 628 – River, Creek, and Wetland Setbacks

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.

201.32 COMMISSION - see PLANNING COMMISSION.

201.33 COUNCIL means the City Council of the City of Blue Lake.

201.34 COURT means an open, unoccupied space, other than a yard, on the same lot with a building or buildings, and which is bound on two or more sides by such building or buildings, including the open space in a house court or court apartment, providing access to the units thereof.

201.35 DISTRICT means a portion of the incorporated territory of the City of Blue Lake, within which certain uses of land, premises and buildings are permitted and certain other uses of land, premises and buildings are not permitted, and within which certain yards and other open spaces are required, building site areas are established, and height limits are established for buildings, all as set forth and specified in this Ordinance.

201.36 DWELLING, GROUP means two or more detached (or semi-detached) one-, two- or multiple-family dwellings located upon a building site together with all open spaces and yards as required by this Ordinance.

201.37 DWELLING, MULTIPLE means a building or portion thereof used and/or designed as a residence for four or more families living independently of each other, and doing their own cooking in said building, including apartment houses, apartment hotels and townhouses, but not including automobile courts.

201.38 DWELLING, ONE-FAMILY means a detached building designed for and/or occupied exclusively by one family.

201.39 DWELLING, SEMI-DETACHED means main buildings attached by a common or joint wall not over seventy-five (75) percent of their depth, or by an accessory building or structure.

201.40 DWELLING, THREE-FAMILY means a detached building designed for and/or occupied exclusively by three families living independently of each other.

201.41 DWELLING, TWO-FAMILY means a detached building designed for and/or occupied exclusively by two families living independently of each other.

201.42 DWELLING UNIT means one room, or a suite of two (2) or more rooms, designed for, intended for, or used by one family, which family lives, sleeps and cooks therein and which unit has one kitchen or kitchenette.

201.43 FAMILY means one person living alone; two or more persons related by blood, marriage or legal adoption; a **an individual or** group ~~not in excess of five unrelated~~

persons living together as a single housekeeping unit; ~~and in addition thereto domestic employees.~~

201.44 FARM DWELLING means a dwelling on farm premises for permanent residents of the farm, such as the owner, lessee, foreman or others whose principle employment is the operation of the farm, as distinguished from quarters for seasonal labor.

201.45 FLOODWAY means an area which has been inundated by overflow floodwaters in the past and which may reasonably be expected to be inundated by such floods in the future.

201.46 FLOOR AREA means the enclosed area of a building measured from an exterior surface to exterior surface, but excluding the following: exterior balconies and galleries covered but not enclosed; patios, atriums and the like if not covered; common use areas for all tenants; garages and carports; major mechanical equipment rooms.

201.47 FLOOR AREA RATIO (FAR) means the ratio of the maximum square feet of floor area (all stories) permitted for each square foot of lot area.

201.48 FREEWAY means a highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right of easement of access, and which is declared to be such in compliance with the Streets and Highway Code of the State of California.

201.49 FRONTAGE means all the property on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of a dead-end street or City boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

201.50 FRONT WALL means the wall of the building or other structure nearest the street upon which the building faces, but excluding certain architectural features as specified in the Ordinance.

201.51 FUR FARM means a place at which fur-bearing animals are bred and raised for commercial purposes, such as breeding stock or for the reclamation of pelts.

201.52 GARAGE, PRIVATE means an accessory building or a portion of a building designed for the storage of self-propelled passenger vehicles, camping trailers or boats belonging to the owners or occupants of the site and their guests, including covered parking space or carport; such space to be so located on the lot so as to meet the requirements of this Ordinance for an accessory building.

201.53 GARAGE, PUBLIC means any building or portion thereof or premises, except those herein defined as a private garage, used for the storage or care of self-propelled

within one year of written notice by the City. This provision allows residential use of existing commercial structures until such time as commercial use of the property may be economically viable;

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

~~406.5 HIGHWAY COMMERCIAL OR HC ZONE. The Highway Commercial is intended to provide necessary services and conveniences for traveling public along main roads and highway frontages. The areas are easily accessible by highway traffic.—~~

~~A. Principal Permitted Uses~~

~~1. Restaurants and appurtenant services.—~~

~~2. Hotels, motels.—~~

~~3. Automobile service stations.—~~

~~4. Nurseries and greenhouses, retail fruit and vegetable stands.—~~

~~5. Commercial recreational facilities.—~~

~~6. Outdoor advertising signs and structures, when appurtenant to 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.—~~

~~7. Home Occupations, subject to Section 606 of this ordinance.—~~

~~B. Uses Permitted With a Use Permit~~

~~1. Small animal hospitals and kennels.—~~

~~2. Trailer camps.—~~

~~3. Dwellings and boarding and rooming houses.—~~

~~4. Other uses which the Planning Commission finds are similar to the principal permitted uses.—~~

~~C. Other Regulations~~

~~1. Maximum building height, 35 feet or not exceeding two (2) stories.—~~

~~2. — Yards required; none except:—~~

~~a. — Every building or portion thereof which is designed or used for any dwelling purpose shall comply with the provisions of this ordinance as to side yards which are required in R-2 Districts; provided that when the ground floor of any such building is used for any commercial purpose, no side yard shall be required, except as hereinafter in this section provided. Every such building or portion thereof shall have a rear yard of not less than ten (10) feet.—~~

~~b. — In case of a C District bordering on property in an R District, the front yard or side yard required shall be the same as required for the adjacent R District; except that on a corner lot adjacent to a key lot, the side yard adjacent to the street shall be not less than one-half of the front yard required for the key lot. — there shall be a rear yard of not less than ten feet on the rear of any lot in a C District bordering on property in any R or A District.—~~

~~c. — No building shall hereafter be erected, nor shall any use of land be made, except the use of land for agricultural purposes, which will be closer to the right of way line of any street than any official plan line or any building line which has been established for such street by the Street and Highway Plan of the City and provided further that on the specifically designated streets the front yard required shall be as noted.—~~

~~3. — The architectural and general appearance and site plan of all commercial buildings and grounds shall be in keeping with the character of the neighborhood and such as not to be detrimental to the public health, safety and general welfare of the community in which such use or uses are located. — Site plan approval as prescribed in Section 625 shall be necessary.—~~

~~4. — Off street parking as prescribed in Section 610.—~~

~~5. — Off street loading as prescribed in Section 611.—~~

~~6. — Landscaping as prescribed in Section 624.—~~

407. INDUSTRIAL OR M ZONE. The purpose of the Industrial or M Zone is to provide an environment where unique industries and businesses that may be incompatible with other uses can operate and cooperate with each other with minimum restrictions while having minimum adverse effects on adjacent land uses. Uses in this zone are to be located and designed in a manner where: 1) impacts do not leave the site and; 2) are not adversely impacted by adjacent uses.

A. Principal Permitted Uses.

1. All uses, principally and conditionally permitted in the ML Zone, except that retail sales, personal services and public assembly type uses are excluded.

2. Manufacturing and Processing. This use type includes processing of wood and wood products (including but not limited to sawmills, lumber mills and plywood mills); processing of recycled consumer products, and commercial extraction and storage of aggregate materials or other natural materials; manufacturing of items outside the definition of craft and art manufacturing (e.g. automated replication of same item).
3. Commercial Services. This use type includes major and minor repair of vehicles, industrial parts and heavy equipment; large printing, publishing and lithograph shops; and machine and metal working shops, where portions of the manufacturing or storage of materials occurs outside.

B. Uses Permitted With a Use Permit.

1. All uses, principally and conditionally permitted in the ML Zone that are excluded under Principally Permitted Uses, above.
2. Heavy Manufacturing and Processing. This use type includes processing of aggregate and manufactured concrete products, recycling and reuse of construction and other industrial materials, and energy production from natural sources or materials. These industries typically have large blowers, rotary kilns, or emissions stacks greater than twelve inches in diameter.
3. Other Uses. Listed uses that do not meet all the requirements stated in this section but due to specific project design and amenities conform to the purpose and intent of this section. This includes any other use which, in the opinion of the Planning Commission, is compatible with the M Zone or a service to those employed within the zone, and will not constitute a nuisance or be detrimental to the district or surrounding land uses.

C. Other Regulations.

Specific site development guidelines will be prepared based on the design intent for the Business Park and the Blue Lake Zoning Ordinance. The objective of the guidelines is to help integrate buildings and other improvements with the topography and landscape to create a unified environment which is harmonious with the adjacent visual panorama.

1. Building coverage shall not exceed 70% of lot area.
2. Building height limit is eight stories, not to exceed 100 vertical feet, except that no building shall be erected to a height exceeding three stories or 45 feet in vertical height unless there is a minimum 50 foot horizontal setback from front or side property lines.

3. ~~Setbacks and easements:~~
 - a. Minimum setback from all property lines is ~~10~~ 5 feet horizontal.
 - b. No building (front) shall be constructed within ~~25~~ 15 feet horizontal of any public right-of-way. ~~No building (side) shall be within 15 feet horizontal of any public right of way.~~
 - c. ~~No building or parking or storage area shall be constructed within 50 feet horizontal or from the north side of the levee crown or top of bank adjacent to the Mad River. The zone thus created, shall be preserved as an open area of riparian and natural vegetation. Trails and habitat enhancement projects are allowable within this zone.~~
4. Parking and loading areas:

Sufficient onsite parking, as per Section 611 of the General Plan, shall be provided for employees, visitors and company vehicles. The minimum number of spaces shall be one for every 800 square feet of gross floor area or 1 parking spot per 1.35 shift employees whichever is more applicable as determined by the City Planner.
5. Utilities:
 - a. All site improvements shall be designed to accommodate underground utilities and shall be required to convert to such as they become available. Utilities shall include, but are not limited to, drainage systems, sanitary sewers, gas, water, power, cable and telephone.
 - b. Within each site, utility lines may be located above ground if they are incorporated and concealed within buildings, trellises, or special architectural features.
 - c. Temporary overhead power and telephone lines will be permitted during construction but are to be removed upon completion of construction.
6. Landscaping: a landscaping plan will be required for each site showing the locations, names, and initial sizes of plant materials, irrigation plan and groundcover materials. Ongoing maintenance and replacement (when needed) is a requirement of all uses within the M zone. The City Planner will review each landscaping plan for approval. Landscape requirements are defined in Section 624.
7. Guidelines for architectural and site plan review are required as prescribed in

Section 625. The City Planning Commission may develop additional written guidelines that provides direction for meeting criteria listed in Section 625.

D. Performance Standards.

1. Toxic Substances. Any use which involves processes that will result in toxic substances or pollutants escaping (by air or water) from the site shall comply with all applicable local, state and federal regulations and shall require a use permit from the Planning Commission. Medical wastes are to be disposed of according to all applicable regulations. All processes shall comply with the applicable local, state and federal laws regarding airborne and waterborne emissions.
2. Signs. Any signs that will be used on-site, as well as signs on buildings, must be approved by the City Planner before they are posted. Free-standing signs shall be limited to 50 square feet in size and the top thereof shall not be higher than 10 feet above the ground. Signs shall be consistent with the general sign motif established for the Industrial Park, example of which is the Park entrance sign.
3. Lighting/Glare. The type and usage of all ~~exterior~~ **outdoor** lighting shall be the minimum lumens required, ~~shall be kept low in height,~~ **shall be directed downward, and** shall be shielded **or recessed** so as not to shine on adjacent properties, ~~shall not shine on nearby properties or natural areas in an adverse manner and must be approved by the City Planner prior to installation.~~ **No lighting shall produce an illumination level greater than one-foot candle beyond the property boundary of a business.** Building materials or other site improvements that cause glare to nearby properties are prohibited. **Outdoor lighting must be approved by the City Planner prior to installation and may require Site Plan Approval review by the Planning Commission as determined by the City Planner.**
4. Noise. Any use that produces a sound level of 55 dBA-Ldn or more at the property line of any residential dwelling is required to mitigate the sound to a level of less than 55 dBA-Ldn at the property line of that residential dwelling. No sound level greater than 70 dBA is allowed beyond the property boundary of a business, except that no noise over 55 dbA is allowed between the hours of 10pm and 7am.
5. Dust. Any use that results in dust escaping from the site is required to mitigate to reduce the dust. Refer to North Coast Unified Air Quality Management District regulations for current limitations and requirements.
6. Sewage. Sewage disposal shall require on-site improvements (interceptor tanks, grease traps, etc.) for those uses that are determined by the Public Works Director to generate wastes that may cause a difficulty to the treatment system.

7. Odors. No use shall be permitted which creates annoying odor in such quantities as to be readily detectable beyond the boundaries of the Business Park.
8. Storage, Service and Loading Areas.
 - a. Storage, service and loading areas shall be recessed or screened with fences, walls, berms, or plantings to reduce their visibility from adjacent streets or properties.
 - b. Materials, equipment, supplies, trash containers, inoperable vehicles, etc. shall be stored within an enclosed building or behind visual barriers such as fences, walls, berms, or plantings.
9. No use shall be permitted which does not comply with State and Federal laws. (Amended by Ord. 490)

Section 407.1. LIGHT INDUSTRY ZONE OR ML ZONE. The purpose of the Light Industry Zone or ML Zone is to provide an environment where manufacturing businesses of a light industrial or commercial character; which may be incompatible with other uses, can operate and cooperate with each other with minimum restrictions while having minimum adverse effects on adjacent land uses. This zone encourages craft-type manufacturing businesses to include a retail component of goods produced onsite, enhancing a community “Made in Blue Lake” sense of pride.

A. Principal Permitted Uses.

1. Light Manufacturing and Processing. This use type includes craft and art manufacturing businesses which manufacture items from wood, ceramics, fabric, metals or glass; food and beverage processing and bottling; manufacture of boats and marine equipment; and light to moderate manufacturing of products such as household goods, clothing, recreational goods, electrical products, furniture, architectural products, and automotive goods. This use also includes retail sales of food, drinks and advertising merchandise primarily of goods manufactured within the business park.
2. Distribution and Associated Warehousing. This use type includes nurseries and greenhouses, distribution warehouses for consumer products, and indoor and outdoor storage facilities.
3. Commercial Services (Limited). This use type includes equipment rental, repair of small engines or appliances, furniture repair shops, contractor shops and yards (including carpentry, electrical, plumbing, painting, small printing, publishing, lithograph shops and other artistic endeavors), and retail shops that are accessory

to an industrial use and conform to the general character of the district. It does not include major repair of vehicles, industrial parts or heavy equipment.

4. Professional Offices and Services. This use type includes administrative and research activities; radio and television broadcasting stations and offices; medical, dental and related services; and professional consulting, real estate and financial services. This use type includes research and development laboratories and other professional or personal services not listed which, in the opinion of the Planning Commission, are of the same general character and will not be obnoxious or detrimental to the district. It also includes personal service shops, such as banks, grooming services, visitor service facilities or businesses of a similar nature.
5. Recreation and Education. This use type includes trails and outdoor recreational uses, commercial recreational facilities and schools and training programs in the areas of arts, crafts and light manufacturing. It can include performance or art studios, theaters, or other small venues for public assembly when found to be consistent with the purpose and intent of this section.
6. Public Works Facilities. This use includes a City corporation yard and includes but is not limited to public works improvements, storage of materials, temporary holding of animals, and maintenance and repair of City equipment and vehicles.

B. Uses Permitted with a Use Permit.

1. Commercial Services (Enclosed). This use type includes major and minor repair of automobiles, trucks, watercraft and heavy equipment; machine and metal working shops; equipment rental; and printing, publishing and lithograph shops when enclosed in a building or buildings.
2. Other Uses. Listed uses that do not meet all the requirements stated in this section but due to specific project design and amenities conform to the purpose and intent of this section. This includes any other use which, in the opinion of the Planning Commission, is compatible with the zone or a service to those employed within the zone, and will not constitute a nuisance or be detrimental to the district or surrounding land uses.

C. Other Regulations.

Specific site development guidelines have been prepared based on the design intent for the Industrial Park and the Blue Lake zoning ordinance. The objective of the guidelines is to help integrate buildings and other improvements with the topography and landscape to create a unified environment which is harmonious with the adjacent visual panorama.

1. Building coverage shall not exceed 70% of lot area.

2. Building height limit: three stories but not exceeding 60 vertical feet.
3. Setbacks ~~and easements~~:
 - a. **Minimum setback from all property lines is 5 feet horizontal.**
 - b. No building (front) shall be constructed within ~~25~~ **15** feet horizontal of any public right-of-way. ~~No building (side) shall be within 15 feet horizontal of any public right of way.~~
 - ~~c. No building or parking or storage area shall be constructed within 50 feet horizontal of the centerline of the main branch of Dave's Creek. The zone thus created, 50 feet horizontal from the centerline of Dave's Creek outward, shall be preserved as an area of riparian vegetation. Trails and habitat enhancement projects are allowable within this zone.~~
 - c. No building or parking or storage area shall be constructed within 50 feet horizontal of the boundary of the Blue Lake Rancheria. The zone thus created, 50 feet horizontal from the boundary of the Blue Lake Rancheria, shall be preserved as an undeveloped space area of riparian vegetation.
4. Parking and loading areas:

Sufficient onsite parking, as per Section 611 of the general plan, shall be provided for employees, visitors and company vehicles. The minimum number of spaces shall be one for every 800 square feet of gross floor area or 1 parking spot per 1.35 shift employees whichever is more applicable
5. Utilities:
 - a. All site improvements shall be designed to accommodate underground utilities and shall be required to convert to such as they become available. Utilities shall include, but are not limited to, drainage systems, sanitary sewers, gas, water, power, cable and telephone.
 - b. Within each site, utility lines may be located above ground if they are incorporated and concealed within buildings, trellises, or special architectural features.
 - c. Temporary overhead power and telephone lines will be permitted during construction, but are to be removed upon completion of construction.

6. Landscaping: a landscaping plan will be required for each site showing the locations, names, and initial sizes of plant materials, irrigation plan and groundcover materials. Ongoing maintenance and replacement (when needed) is a requirement of all uses within the ML zone. The City Planner will review each landscaping plan for approval. Landscape requirements are defined in Section 624.
7. Guidelines for architectural and site plan review are required as prescribed in Section 625; according to the City's current master fee schedule. The Planning Commission may develop additional guidelines in written form that provides direction for meeting criteria listed in Section 625.

D. Performance Standards.

1. Toxic Substances. Any use which involves processes that will result in toxic substances or pollutants escaping (by air or water) from the site shall comply with all applicable Local, State and Federal regulations and shall require a use permit from the Planning Commission. Medical wastes are to be disposed of according to all applicable regulations. All processes shall comply with the applicable Local, State and Federal laws regarding airborne and waterborne emissions.
2. Signs. Any signs that will be used on-site, as well as signs on buildings, must be approved by the City Planner before they are posted. Free-standing signs shall be limited to 50 square feet in size and the top thereof shall not be higher than 10 feet above the ground. Signs shall be consistent with the general sign motif established for the Industrial Park, example of which is the Park entrance sign.
3. Lighting/Glare. The type and usage of all ~~exterior~~ **outdoor** lighting shall be the minimum lumens required, ~~shall be kept low in height,~~ **shall be directed downward, and shall be shielded or recessed** so as not to shine on adjacent properties, ~~shall not shine on nearby properties or natural areas in an adverse manner and must be approved by the City Planner prior to installation.~~ **No lighting shall produce an illumination level greater than one-foot candle beyond the property boundary of a business.** Building materials or other site improvements that cause glare to nearby properties are prohibited. **Outdoor lighting must be approved by the City Planner prior to installation and may require Site Plan Approval review by the Planning Commission as determined by the City Planner.**
4. Noise. Any use that produces a sound level of 55 dBA-Ldn or more at the property line of any residential dwelling is required to mitigate the sound to a level of less than 55 dBA-Ldn at the property line of that residential dwelling. No sound level greater than 70 dBA is allowed beyond the property boundary of a business, except that no noise over 55 dbA is allowed between the hours of 10pm

and 7am.

5. Dust. Any use that results in dust escaping from the site is required to mitigate to reduce the dust. Refer to North Coast Unified Air Quality Management District regulations for current limitations and requirements.
6. Sewage. Sewage disposal shall require on-site improvements (interceptor tanks, grease traps, etc.) for those uses that are determined by the Public Works Director to generate wastes that may cause a difficulty to the treatment system.
7. Odors. No use shall be permitted which creates annoying odor in such quantities as to be readily detectable beyond the boundaries of the Business Park.
8. Storage, Service and Loading Areas.
 - a. Storage, service and loading areas shall be recessed or screened with fences, walls, berms, or plantings to reduce their visibility from adjacent streets or properties.
 - b. Materials, equipment, supplies, trash containers, inoperable vehicles, etc. shall be stored within an enclosed building or behind visual barriers such as fences, walls, berms, or plantings.
9. No use shall be permitted which does not comply with State and Federal laws. (Amended by Ord. 490)

408. PLANNED DEVELOPMENT RESIDENTIAL OR PD-R ZONE. The PD-R or Planning Development Residential Zone is intended to permit a more creative approach in the residential development of land resulting in a more efficient, attractive, desirable use of open area; to permit flexibility in design, including pedestrian and vehicular pathways, and placement of off-street parking areas. The PD-R Zone is further intended to realize best the potential of the sites characterized by special features of shape, topography, or size.

A. PRINCIPAL PERMITTED USES

1. Single-family dwellings and servant quarters and guest houses, subject to the regulations contained in subparagraph C of Section 403, RESIDENTIAL ONE-FAMILY OR R-1 ZONE, and the development standards specified in Section 626. (Amended by Ord. 399)
2. Home Occupations, subject to Section 606 of this ordinance. (Amended by Ord. 399)

B. Uses Permitted With a Use Permit, Subject to Subparagraphs C, D and E of this Section

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, dwellings may be increased in height not to exceed ten (10) feet and to a total of not exceeding three (3) stories when two (2) side yards of widths of not less than fifteen (15) feet each are provided.

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

In a C, **MU, M, and ML** zone, not less than 2 percent of the interior of a parking area shall be landscaped with trees and other plant materials suitable for ornamentation. Landscaped areas shall be distributed throughout the parking area. In addition, a landscaped area with material suitable for ornamentation shall be located at the property lines adjoining the street frontages of the site.

624. LANDSCAPING.

A. General Requirements

All screening and landscaping shall be permanently maintained in neat and orderly condition by the owner. Plant materials shall be watered, weeded, pruned and replaced as necessary to screen or ornament the site. **The provision of required landscaping and maintenance shall be the responsibility of the property owner.** Landscaping features including fences, hedges, trees and ornamental vegetation shall conform to height and other regulations specified in Section 619, Vision Clearance and Fence Regulations.

B. Landscaping Requirements for R-3, and C, Zones, and for Mobile Home Parks

The following **landscaping requirements** apply in a **the Residential Multiple Family (R-3) Zone, and in any Commercial (RC and SC) Zone, the Mixed Use (MU) Zone, the Industrial (M) Zone, and the Light Industry (ML) Zone.** ~~and in a mobile home park.~~ **The requirements are also applicable to mobile home parks and multi-family residential developments consisting of four (4) or more units.**

1. A portion of the site visible from the street and comprising not less than ~~three~~ **ten (10)** percent of the site area shall be landscaped with plant materials suitable for ornamenting the site. **Developments proposing to landscape with drought tolerant and/or local plant species shall be allowed a reduced site area landscaping requirement of six (6) percent.**

2. Required landscape improvements shall be installed prior to final building inspection or commencement of the approved use.

~~2. 3.~~ A pre-existing use shall not be deemed nonconforming by reason of failure to meet this requirement.

~~3. 4.~~ The landscaped area required to be provided for an expansion of a use shall be in addition to landscaped area existing prior to the expansion, unless the pre-existing area

exceeds the required minimum, in which case it shall be counted as part of the total area required.

4. 5. The Planning Commission may waive **or reduce** the requirements of this section for ~~the Retail Commercial or RC Zone~~ **any zone** when such waiver would better allow the proposed use to blend in with ~~the commercial neighborhood~~ **surrounding development**.

625. SITE PLAN APPROVAL. The purpose of this regulation is to promote Blue Lake's orderly and harmonious development, the stability of land values and investments, and in order to help prevent excessive and unsightly grading of hillsides or the erection of structures of unsightly appearance. Applications for development permits shall be reviewed by the Planning Commission. The ugly, the inharmonious and the monotonous shall be discouraged, but originality in architecture, site planning and landscape design shall not be suppressed.

A. Approval Required

Site plan is required for the following areas:

1. Any use requiring site plan in the zoning regulations.
2. Any use requiring a conditional use permit.

B. Application

Application shall be made by the property owner or agent on a form prescribed for this purpose by the City.

C. Accompanying Maps and Drawings Required

Maps and drawings in duplicate, in a preliminary stage, shall be submitted not less than 7 days prior to the meeting of the Planning Commission at which the same shall be considered, and shall indicate the following:

1. Site plan, drawn to scale, showing the proposed layout of the structures and other improvements on subject property and on adjoining properties.
2. Landscape plan sketch, drawn to scale, showing the location and design of landscaped area and the variety of plant materials, and other landscape features.
3. Sketch, drawn to scale, showing the distribution of the height and bulk of proposed structures.
4. Sketch, drawn to scale, showing elevations of proposed structures as they will appear upon completion with specification of exterior surfacing material and color.

8. A special use permit granted pursuant to the provisions of this section shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the special use permit application. (Added by Ord. 469)

628. RIVER, CREEK, AND WETLAND SETBACKS The purpose of this section is to provide minimum setback requirements for properties containing or located adjacent to the Mad River, Powers Creek, or other wet areas such as natural ponds, springs, drainages, wet meadows (exhibiting standing water year-long or riparian vegetation).

A. Setback Requirement No building or parking or storage area shall be constructed within 50 feet horizontal from the following unless the setback would eliminate all reasonable use of the property: (1) the north side of the levee crown or top of bank adjacent to the Mad River; (2) the centerline of the main branch of Powers Creek; and (3) other wet areas such as natural ponds, springs, drainages, or wet meadows (exhibiting standing water year-long or riparian vegetation). The buffer thus created shall be preserved as an area of riparian and natural vegetation. Trails and habitat enhancement projects are allowable within this zone.

B. Exception Justification The required setback may be reduced where the City determines that it will not result in a significant impact to fish, wildlife, riparian habitat, or soil stability. Such a determination will require the applicant to submit evidence justifying the reduction.