



**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL REVIEW COMMITTEE**
Commission Members: John Wendt, Chairperson • Ray Walp, Vice-Chair
Betsy Dewar • Brad Kime • Candace Tinkler

Incorporated April 13, 1854

web: www.crescentcity.org

AGENDA - REGULAR MEETING

Thursday, March 9, 2023, at 5:30 p.m.
Flynn Center, 981 H Street, Crescent City, CA 95531 and via Zoom

ZOOM PHONE NUMBER: 1 (669) 900-6833
ZOOM WEBINAR ID: 872 8398 7640

MUTE / UNMUTE PRESS *6

RAISE HAND PRESS *9

The public may access and participate in the public meeting using one or more of the following methods:

- 1) **In-Person:** Attend the meeting in person, public comment at the podium will be allowed.
- 2) **Virtually:** Participate live online via Zoom (details above) or by utilizing the link to join the meeting posted on both the City of Crescent City – City Hall Facebook page and the City of Crescent City website (www.crescentcity.org), public comment may be made by using the raise hand feature on Zoom;
- 3) **In-Writing:** Public comments may be made in advance by submitting written comment via publiccomment@crescentcity.org or by filing it with the City Clerk at 377 J Street, Crescent City, California, 95531. All public comments (via email or mail) must be received by the City Clerk prior to 12:00 p.m. the day of the meeting. Please identify the meeting date and agenda item to which your comment pertains in the subject line. Public comments so received will be forwarded to the Planning Commission and posted on the website next to the agenda. **Written public comments will not be read aloud during the meeting.**

Notice regarding Americans with Disabilities Act: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact the City Clerk's office at (707)464-7483, ext. 223. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102- 35.104 ADA Title II]. For TTYDD use for speech and hearing impaired, please dial 711. A full agenda packet may be reviewed at City Hall, 377 J Street, Crescent City, CA or on our website: www.crescentcity.org

I. OPEN SESSION:

I.A: Call to Order
I.B: Roll Call

II. PUBLIC COMMENT PERIOD: The public may address the Planning Commission on any item of interest that is within the Commission's subject matter jurisdiction or that appears on the agenda. The Commission is not able to discuss extensively or act on any items that do not appear on the agenda. After receiving recognition by the Chairperson, please state your name and city or county residency for the record. Public comment is limited to three (3) minutes or other reasonable limitations specified by the Chairperson on particular topics or individual speakers (Gov't Code §54954.3(b)).

III. CONSENT CALENDAR:

III.A: Planning Commission Meeting Minutes (NONE)

IV. CONDITIONAL USE PERMITS AND ARCHITECTURAL REVIEW:

IV.A: AR23-02 - Chipotle

Recommendation: Adopt the recommended findings and approve AR23-02.

V. CONTINUING BUSINESS:

V.A: Draft 6th Cycle Housing Element

Recommendation: Receive public comment.

V.B: AB2339 - Emergency Shelters

Recommendation: Make the recommended findings by adoption of Resolution PC2023-04 "Zoning Amendments to the C-2 (General Commercial District) Zoning (Chapter 17.22) and Zoning Definitions (Chapter 17.04) to allow Emergency Shelters."

VI. NEW BUSINESS: (NONE)

VII. REPORTS, CONCERNS, REFERRALS: In accordance with Gov't Code §54954.2(a)(2), Planning Commissioners or staff may briefly respond to public comment, make brief announcements or reports, or ask questions for clarification. Planning Commissioners or the Commission may also direct staff to report back on any matter at a subsequent meeting or to place a matter of business on a future agenda.

VIII. ADJOURNMENT: Adjourn to the regular meeting of the City of Crescent City Planning Commission and Architectural Review Committee scheduled for Thursday, April 13, 2023, at 5:30 p.m. in the Flynn Center, 981 H Street, Crescent City, CA 95531 and via Zoom.

POSTED:

March 6, 2023

By: Heather Welton

Office Technician

**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL REVIEW COMMITTEE**



**STAFF REPORT
Agenda Item # IV.A**

TO: Planning Commission
(Chairperson Wendt and Members of the Planning Commission)

FROM: Community Development Department, Planning Department
(Bob Brown, AICP, Director)

PREPARED BY: Community Development Department, Planning Department
(Ethan Lawton, City Planner)

DATE: March 9, 2023

SUBJECT: SR23-02 -Chipotle

STAFF RECOMMENDED ACTIONS:

- I) Open the public hearing.
 - i) Receive the Staff Report.
 - ii) Receive public comments.
- II) Close the public hearing.
- III) Discuss and adopt the Recommended Findings.
- IV) Consider Alternatives and take action on the application #AR33-02 with any additional conditions adopted by the Planning Commission at the public hearing.

BACKGROUND INFORMATION

Project: Site Plan /Architectural Design Review Permit (AR23-02) for Chipotle

Applicant: Morton & Pitalo, Inc.

Representative: Jeff Thompson

Site Address: 895 L Street

APN: 118-250-013

Project Size: +/- 18,456 sq. ft.

General Plan Land Use: Commercial: Visitor and Local Commercial (VLC)

Zoning: C-2 General Commercial District

Coastal: No

Surrounding Zoning/Uses: South - C-2 General Commercial District, East – P-F Public Facility District, West - C-2 General Commercial District, North - C-2 General Commercial District

Aerial Photo of Project Site



Source: Google Earth, March 2023

Analysis: Staff believes that the proposed location of the use permit will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

PROJECT DESCRIPTION:

The project site is currently a vacant parcel bounded by L Street to the west, M Street to the east, 9th street and an existing commercial building to the north, and a vacant lot to the south. L Street and M Street are within Caltrans rights-of-way. There is a 16± foot elevation difference across the site sloping from the west to the east. The project will consist of a 2,325± sf Chipotle QSR and supporting site improvements (parking, drive isles, site lighting, landscaping, etc.) typical of a commercial project. The QSR will include a drive-thru for mobile pickup orders only. Site access will be from new driveway encroachments on L Street and M Street; a new "right only" driveway encroachment will be provided on 9th Street. The proposed site grading will require retaining walls up to 4-feet in height. The QSR building will be served by the existing 6" sewer and 6" water mains along the project's frontage to M street.

Analysis: Staff believes that the proposed activity will not result in significant and unavoidable impacts on the environment.

GENERAL PLAN CONSISTENCY:

The General Plan (GP) designates the project site within the Visitor and Local Commercial (VLC) Zone. The VLC land use designation and relevant commercial goals/policies reads as follows:

Visitor and Local Commercial (VLC)

This designation provides for a combination of commercial uses including visitor-serving commercial uses, local-serving commercial uses, and regional-serving commercial uses. Within the coastal zone, however, visitor-serving uses will have priority over all allowable uses. The focus of this designation is on concentrating uses oriented toward tourism and drawing trade from the entire Del Norte County area. The maximum FAR for buildings in this designation is 0.50. The principal permitted uses under the VLC designation include, but are not limited to, commercial activities such as regional shopping and service centers including wholesale “club” stores and factory outlets; a full range of retail uses including apparel stores, specialty shops, durable goods, and home furnishings; travel and transportation services such as motels/hotels and gas stations; restaurants; entertainment centers; banks; savings and loans, and recreation facilities. Multiple-unit residential uses as a secondary/mixed use at a density of 6 to 15 units per acre may be considered with a conditional use permit. Other uses requiring a conditional use permit include, but are not limited to, new timeshare resort hotels, recreational vehicle parks, mini-storage, medical offices, and public facilities.

Commercial Development

Goal 1.G. To designate adequate commercial land for and promote development of commercial uses compatible with surrounding land uses to meet the present and future needs of Crescent City residents, the regional community, and visitors and to maintain economic vitality.

Policy 1.G.1. The City shall promote high quality design, visual attractiveness, proper location, adequate sites, sufficient off-street parking, and a convenient circulation system for commercially-designated areas of the city.

Analysis: Staff believes that the proposed drive-thru fast-food service use is consistent with the General Plan land use designation as it provides a restaurant uses.

ZONING CODE CONSISTENCY:

The Crescent City Municipal Code (CCMC) defines the following purpose and principally permitted uses within the General Commercial District (C-2):

17.22.010 [C-2] Purpose.

The general commercial district is intended primarily to serve as the central trading area of the city. The district accommodates and enhances several of the existing dominant features of the central area and provides the permanent shopping goods, financial and business, as well as the entertainment center of the community. In the C-2 district no building or land shall be used and no building shall be erected or structurally altered, unless otherwise provided herein except for one or more of the uses set forth in Section 17.22.020. (Ord. 700 § 5 (Exh. A), 2003)

17.22.020 [C-2] Uses.

A. The principal permitted general commercial use in the C-2 district includes:

3. Indoor and outdoor recreational or travel activities and services, such as: all eating and drinking places (including drive-thru services), hotels and motels, theaters, entertainment centers, and bus stations.

Analysis: Staff believes that the proposed project is a principally permitted use defined as “eating place (including drive-thru services).” Therefore, the proposed project is consistent with the C-2 District.

SITE PLAN & ARCHITECTURAL DESIGN REVIEW:

The purposes of a site plan and architectural review are to permit the city to evaluate site plans and designs of structures to assure compatibility, harmony in appearance in neighborhoods, reduce negative impacts on adjacent properties and coastal visual resources, reduce the unnecessary destruction of the environment and ground cover to avoid the creation of hazardous conditions and drainage problems, to protect views to and along the coast and scenic areas, to minimize the alteration of natural landforms, and to ensure that development is compatible with the character of its surroundings, and subordinate to the character of its setting in designated “highly scenic areas;” to avoid monotonous and otherwise non-aesthetic development injurious to the overall community; to provide a vehicle to encourage full development of streets servicing the properties, and to assure full installation of all public utilities necessary to serve such properties (CCMC 17.79.010(A)).

According to the CCMC 17.79.035(A) [Site Plan & Architectural Design Review] Review Standards, the application shall be reviewed for consistency with the following items:

1. **Zoning:** Consistent (see above sections) per CCMC 17.22.
2. **(Off-street) Parking:** 30 spaces are proposed, meeting requirements per CCMC 17.42.
3. **Landscaping:** Submitted site plan includes landscape plan, meeting requirements per CCMC 17.41.
4. **Fencing:** No fencing has been proposed, any future fences are subject to a fence permit and per CCMC 17.40.
5. **Signage:** Signage plans have been submitted with site plan, meeting requirements per CCMC 17.39.
6. **Street:** No street improvements are proposed.
7. **Sidewalk:** Sideways and driveways are proposed.

8. **Public services requirements:** Proposed sewer, water, and electrical connections are proposed.

Analysis: Staff believes the proposed project is consistent with Site Plan and Architectural Review standards.

ENVIRONMENTAL DETERMINATION:

The proposed project is determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA Guidelines:

§ 15332. In-Fill Development Projects.

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.(c) The project site has no value, as habitat for endangered, rare or threatened species.(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.(e) The site can be adequately served by all required utilities and public services.

Analysis: Staff believes the proposed project meets the above criteria for the following reasons: a) the proposed restaurant use is consistent with the General Plan Designation of Visitor and Local Commercial and the General Commercial Zoning District; b) the project site is located in the City of Crescent City, is approximately 0.85 acres, and is located adjacent to commercial uses along L, M, and 9th Streets; c) the project will be located on a developed site in an existing building that is surrounded by paved surfaces and contains no habitat for rare, threatened, or endangered species; d) the project proposes a restaurant on a vacant commercial parcel that has a limited potential to result in significant traffic, noise, air quality, or water quality impacts; and e) the site is already served by utilities and public services.

ALTERNATIVES:

The Planning Commission has the following alternatives to consider:

1. **APPROVAL.** Should the Planning Commission adopt all the recommended findings, planning staff will send the applicant an approval letter, after the 10-day appeal period, along with the resolution, as adopted by the Planning Commission during the public hearing.
2. **DENIAL.** Should the Planning Commission deny one of the recommended findings, planning staff will send the applicant a denial letter stating why the application was denied.

The Commission's actions may be appealed to the City Council within 10-days (CCMC 17.46.050).

3. **REQUEST ADDITIONAL INFORMATION.** Should the Planning Commission require additional information in order to make and adopt the findings, planning staff will follow up with the applicant requesting any additional information, which may delay this item to the next scheduled Planning Commission meeting agenda.

STAFF RECOMMENDED FINDINGS:

Based on all the information presented above, staff recommends that the Planning Commission make the following findings:

1. The proposed location of the use permit will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. The proposed activity, as conditioned, will not result in significant and unavoidable impacts on the environment.
3. The proposed project is consistent with the Crescent City General Plan.
4. The proposed project is consistent with the Crescent City Zoning Code.
5. The proposed project is consistent with Site Plan and Architectural Review standards.
6. The project is categorically exempt from the California Environmental Quality Act (CEQA) under the Categorical exemption that CEQA applies to existing facilities (CEQA Guidelines §15332).

Recommendation: Motion to adopt the recommended findings and approve AR23-02 (Chipotle).

ATTACHMENTS:

- A) Site Plan /Architectural Design Review Permit Application (AR23-02)

CITY OF CRESCENT CITY

Development Permit Application

Print

Return completed application to:
Planning Department
377 J Street
Crescent City, CA 95531
(707) 464-9506 (707) 465-4405 fax

TYPE OR PRINT CLEARLY

Applicant Morton & Pitalo, Inc.	Street Address 600 Coolidge Drive, Suite 140	City Folsom, CA	Zip Code 95630	Day Phone (916) 496-8771
Representative (if any) Jeff Thompson	Street Address 600 Coolidge Drive, Suite 140	City Folsom, CA	Zip Code 95630	Day Phone (916) 496-8771
Property Owner LRE 895, LLC	Street Address 4302 Redwood Hwy., Suite 200	City San Rafael, CA	Zip Code 94903	Day Phone (415) 595-8051
Correspondence to be sent to <input type="checkbox"/> Applicant <input checked="" type="checkbox"/> Representative <input checked="" type="checkbox"/> Owner				

Project Address 895 L Street	Assessor's Parcel No. 118-250-013-000	
Description of proposed project (attach sheets if necessary) The project site is currently a vacant parcel bounded by L Street to the west, M Street to the east, 9th street and an existing commercial building to the north, and a vacant lot to the south. L Street and M Street are within Caltrans rights-of-way. There is a 16± foot elevation difference across the site sloping from the west to the east. The project will consist of a 2,325± sf Chipotle QSR and supporting site improvements (parking, drive isles, site lighting, landscaping, etc.) typical of a commercial project. The QSR will include a drive-thru for mobile pickup orders only. Site access will be from new driveway encroachments on L Street and M Street; a new "right only" driveway encroachment will be provided on 9th Street. The proposed site grading will require retaining walls up to 4-feet in height. The QSR building will be served by the existing 6" sewer and 6" water mains along the project's frontage to M street.		
Existing Land Use C2 (General Commercial District)	Adjacent Uses C2 (General Commercial District)	Building Coverage _____sq.ft. existing
Project Acreage 0.85±	Project Height Building Height = 19.5± ft	Building Coverage 2,325 _____sq.ft. proposed
Parking (number of spaces) 30	Paved Area 18,456 sf	Grading Required? <u>Yes</u> (if yes, attach preliminary grading plan)
Diking, dredging, or filling of open coastal water, wetlands or riparian/drainage areas. (Attach biological report and preliminary grading plans.)		
Land Division or Boundary Adjustment. (Include tentative map with existing property lines, proposed lots, lot sizes, dimensions, access, physical features and proposed improvements, utilities, etc.)		

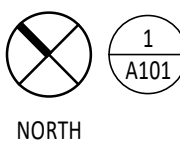
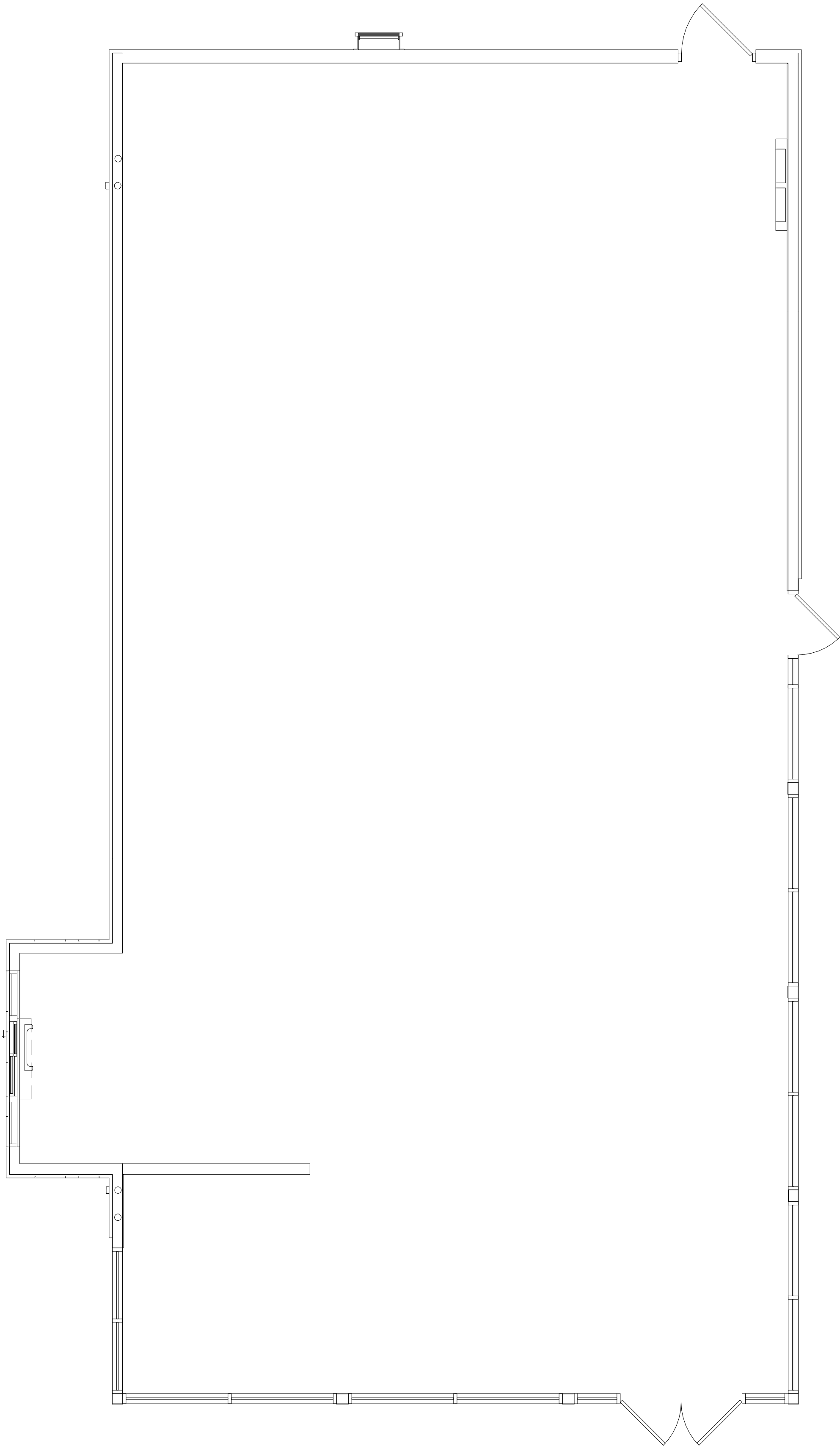
Applicant/Representative: I have reviewed this application and the attached material. The provided information is accurate. Signed <u>[Signature]</u> Date <u>2/3/2023</u>	Property Owner/Authorized Agent: I have read this application and consent to its filing Signed <u>Victor Chiang</u> Date <u>2/3/2023</u>
TYPE OF APPLICATION <input checked="" type="checkbox"/> Architectural Review <input type="checkbox"/> CEQA Review <input type="checkbox"/> Coastal Development Permit <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Home Occupation	<input type="checkbox"/> Lot Line Adjustment/Parcel Merger <input type="checkbox"/> Municipal Code Amendment/Rezone <input type="checkbox"/> ROW or Street Abandonment <input type="checkbox"/> Special Review <input type="checkbox"/> Subdivision/Minor
<input type="checkbox"/> Subdivision/Major <input type="checkbox"/> Use Permit - Standard <input type="checkbox"/> Use Permit - Cannabis <input type="checkbox"/> Variance or Waiver <input type="checkbox"/> Other	

REQUIRED SUPPLEMENTAL <input checked="" type="checkbox"/> Application Form <input type="checkbox"/> Application Fee <input type="checkbox"/> Supplemental Application Forms (variance, etc.) <input type="checkbox"/> Project property deed(s) <input type="checkbox"/> Proof of applicant's legal interest in the property (escrow, etc.) <input type="checkbox"/> Commercial Cannabis Use Permit Application Checklist	Project plans: * <input checked="" type="checkbox"/> Project site plans (buildings, parking, etc.) <input checked="" type="checkbox"/> Building floor plans and elevations <input checked="" type="checkbox"/> Preliminary grading/drainage plans <input checked="" type="checkbox"/> Landscaping/irrigation plans/dumpster <input checked="" type="checkbox"/> Sign plans/elevations <input checked="" type="checkbox"/> Color/materials samples <input type="checkbox"/> Subdivision/lot line adjustment map <input checked="" type="checkbox"/> Written Project Description <input type="checkbox"/> Preliminary Title Report <input type="checkbox"/> Special Project Justification/per code
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*Project Plans: For Subdivision one set of full-size plans and/or one set not to exceed 11" by 18" in size are to be provided. Specific information may be required for plans – ask staff for additional information.

OFFICIAL USE ONLY	Application Number(s)		Filing Fees		Date Filed		Receipt #	
	Date Application Completed			Zoning		General Plan (LUP)		
	CEQA: Exempt _____		Negative Declaration _____		Mitigated Negative Declaration _____		Environmental Impact Report _____	
	Review By Planning Commission _____		City Council _____		Architectural Review _____		Planning/Public Works _____	
	Public Hearing		Office Hearing		Appealable to Coastal Commission?			
	Other Notes:					Approved:		

MAKE CHECKS PAYABLE TO CITY OF CRESCENT CITY



ARCHITECTURAL SHELL FLOOR PLAN

1/4" = 1'-0"

FLOOR PLAN GENERAL NOTES

- A. REFER TO DOOR AND HARDWARE SCHEDULES AND STOREFRONT DETAILS FOR ADDITIONAL INFORMATION.
- B. ALL DIMENSIONS ARE TO FACE OF FRAMING OR CENTERLINE OF STRUCTURE UNLESS NOTES OTHERWISE. REFER TO WALL SECTIONS AND STRUCTURAL DRAWINGS FOR DIMENSIONAL COORDINATION.
- C. REFER TO STRUCTURAL SHEETS FOR ALL FRAMING CONFIGURATIONS, SIZES, SPACING AND GAUGES.
- D. ALL EXTERIOR WOOD BLOCKING TO BE MOISTURE RESISTANT PRESERVATIVE TREATED (P.T.).
- E. TAPE SEALANT AT ALL ANCHOR LOCATIONS.
- F. ALL FLASHING AND SEAMS BETWEEN SHEATHING IN COMPOSITE WOOD STUD WALL CONSTRUCTION CONDITIONS TO BE TAPED AND SEALED WITH TAPE SEALANT.
- G. LAP ALL WEATHER RESISTANT BARRIERS AND THRU-WALL FLASHING IN A WATER SHEDDING FASHION. TAPE ALL EXPOSED EDGES.
- H. EXTEND ALL THRU-WALL FLASHING TO 1/4 INCH PAST THE EXTERIOR FACE OF WALL.
- I. PROVIDE CONTINUOUS ANCHORAGE FOR ALL THRU-WALL FLASHING.
- J. EXTEND FLASHING VERTICALLY A MINIMUM OF 8 INCHES ABOVE THE BASE OF THE FLASHING.
- K. APPLY SEALANT TO ALL SHEATHING JOINTS AND FASTENER PENETRATIONS.
- L. PROVIDE FULLY ADHERED FLASHING AT ALL WINDOW AND DOOR OPENING HEADS, SILLS AND JAMBS.

Consultant:

HARLAN R. FAUST
ARCHITECT

HARLAN R. FAUST, ARCHITECT
14344 74TH STREET
SUITE NO. 204
OMAHA, NE 68137-2805
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LRE & COMPANIES
4302 REDWOOD HWY
SAN RAFAEL, CALIFORNIA 94903

CRESCENT CITY RESTAURANT SHELL
895 L STREET
CRESCENT CITY, CA 95531

Issue Record:



Revisions:

Drawn:	Project Manager:	Checked:
BJF	BJF	BJF

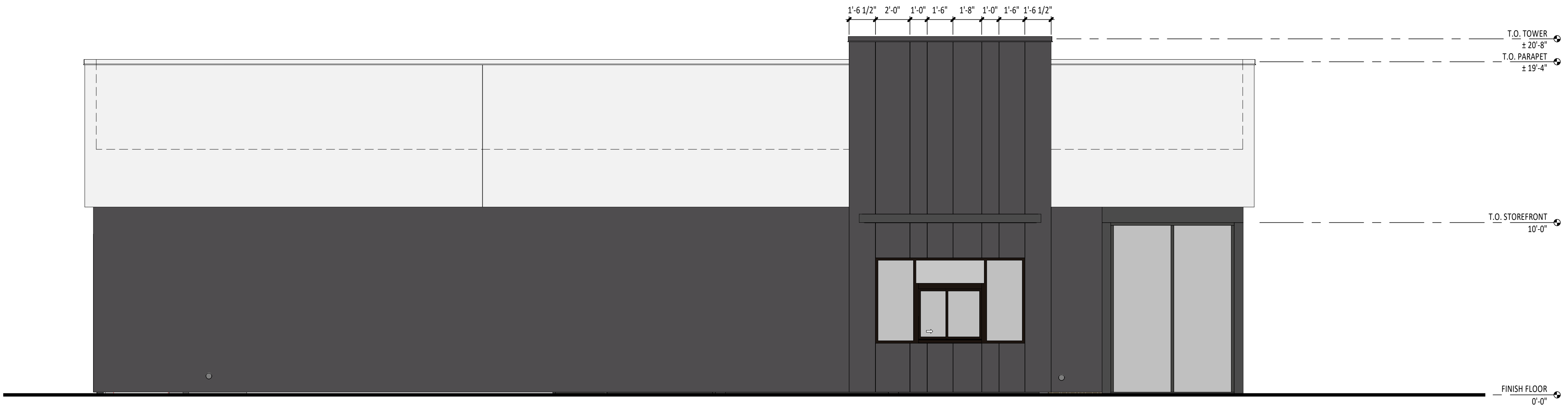
Project No.

090722

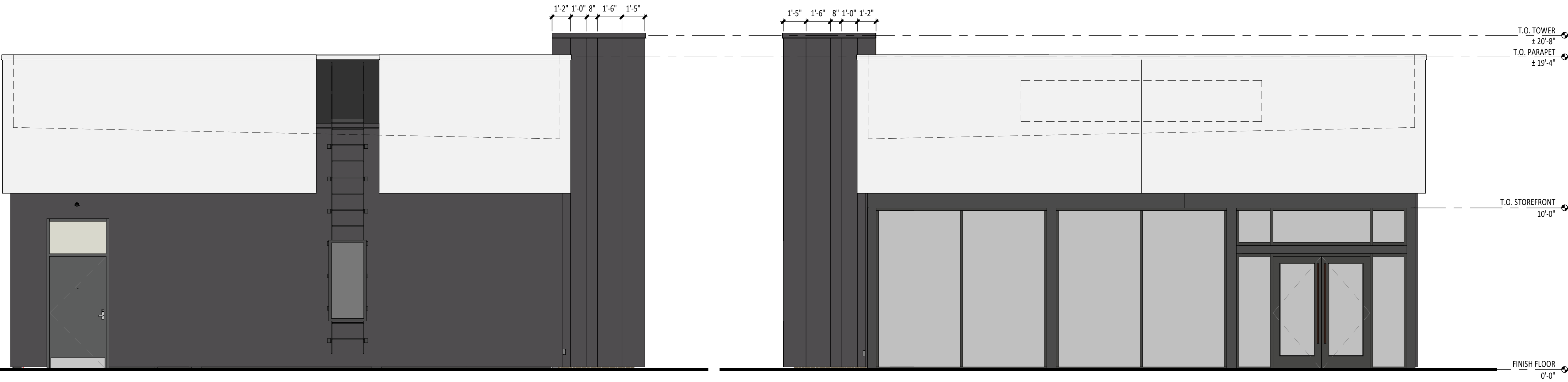
Contents:

ARCHITECTURAL SHELL
FLOOR PLAN

A101



4
A301
EXTERIOR ELEVATION
1/4" = 1'-0"



3
A301
EXTERIOR ELEVATION
1/4" = 1'-0"

2
A301
EXTERIOR ELEVATION
1/4" = 1'-0"



1
A301
EXTERIOR ELEVATION
1/4" = 1'-0"

EXT. ELEVATION GENERAL NOTES

A. EXPOSED UTILITIES AND CONDUIT/PIPE THAT ARE ALLOWED TO BE PAINTED SHALL MATCH ADJACENT FINISH

Consultant:

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SAN RAFAEL, CALIFORNIA 94903

CRESCENT CITY RESTAURANT SHELL
895 L STREET
CRESCENT CITY, CA 95531

Issue Record:



Revisions:

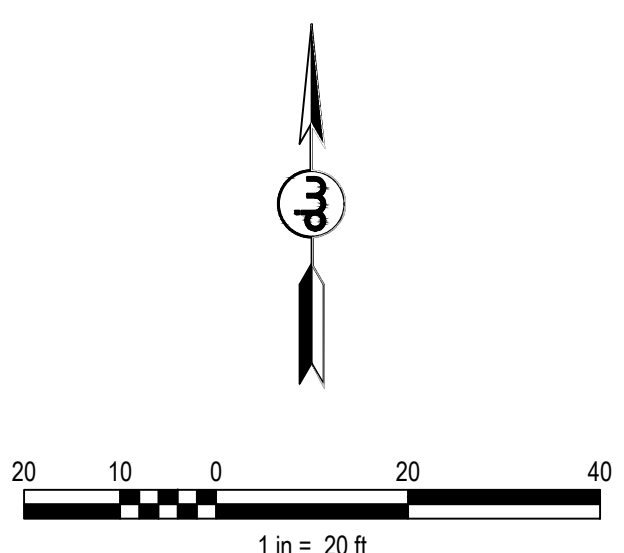
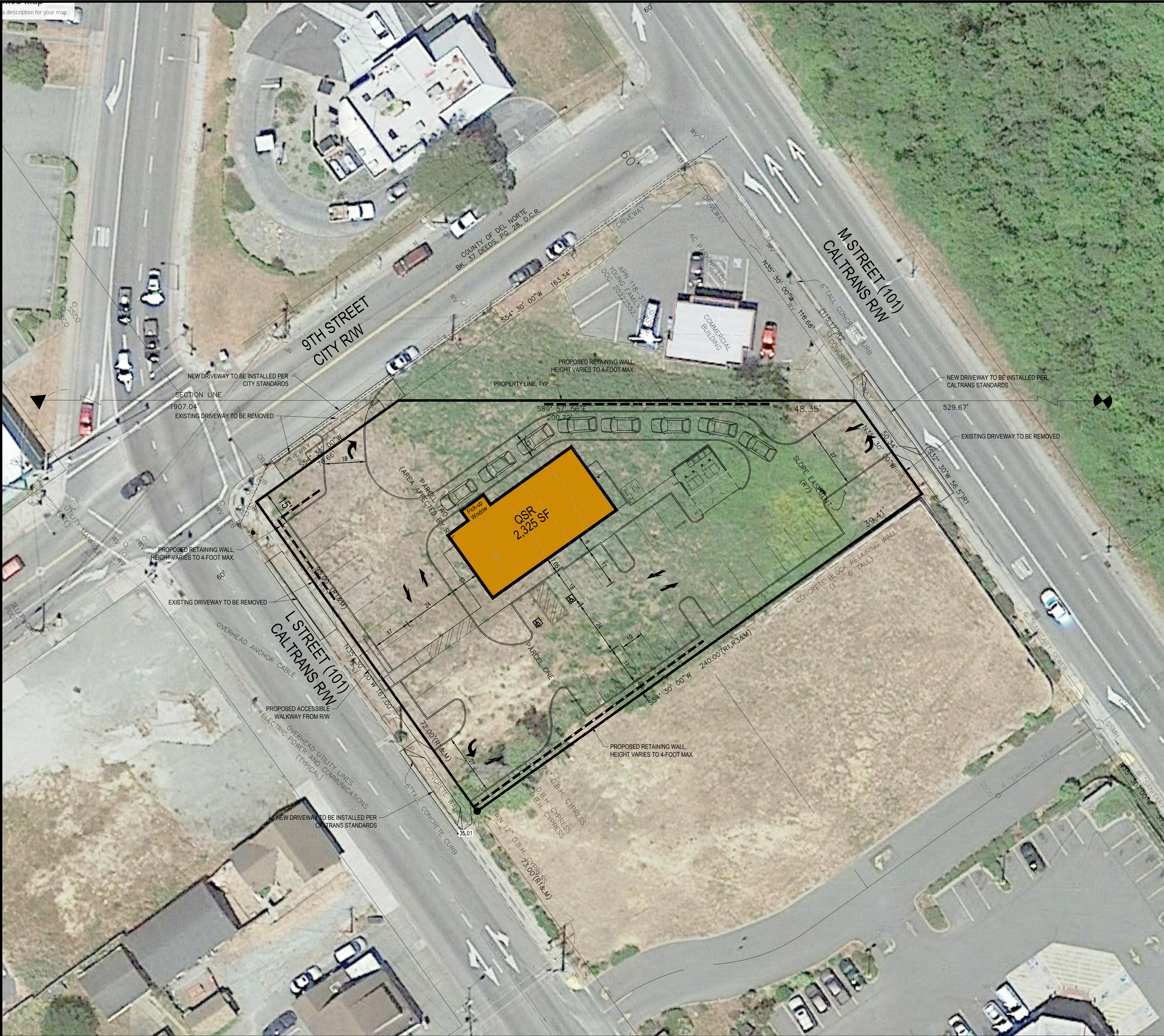
Drawn:	Project Manager:	Checked:
BJF	BJF	BJF

Project No.

090722

Contents:

ELEVATIONS - EXTERIOR

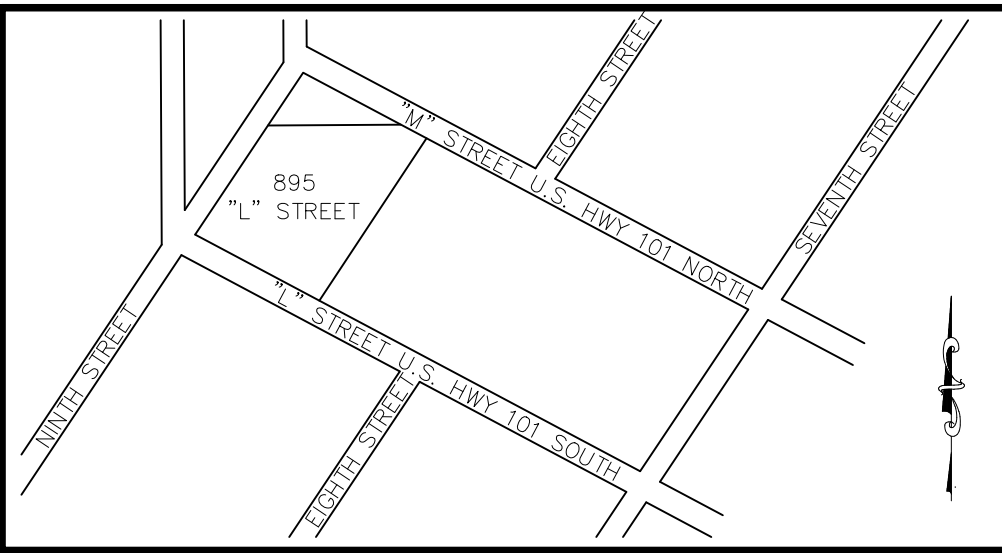
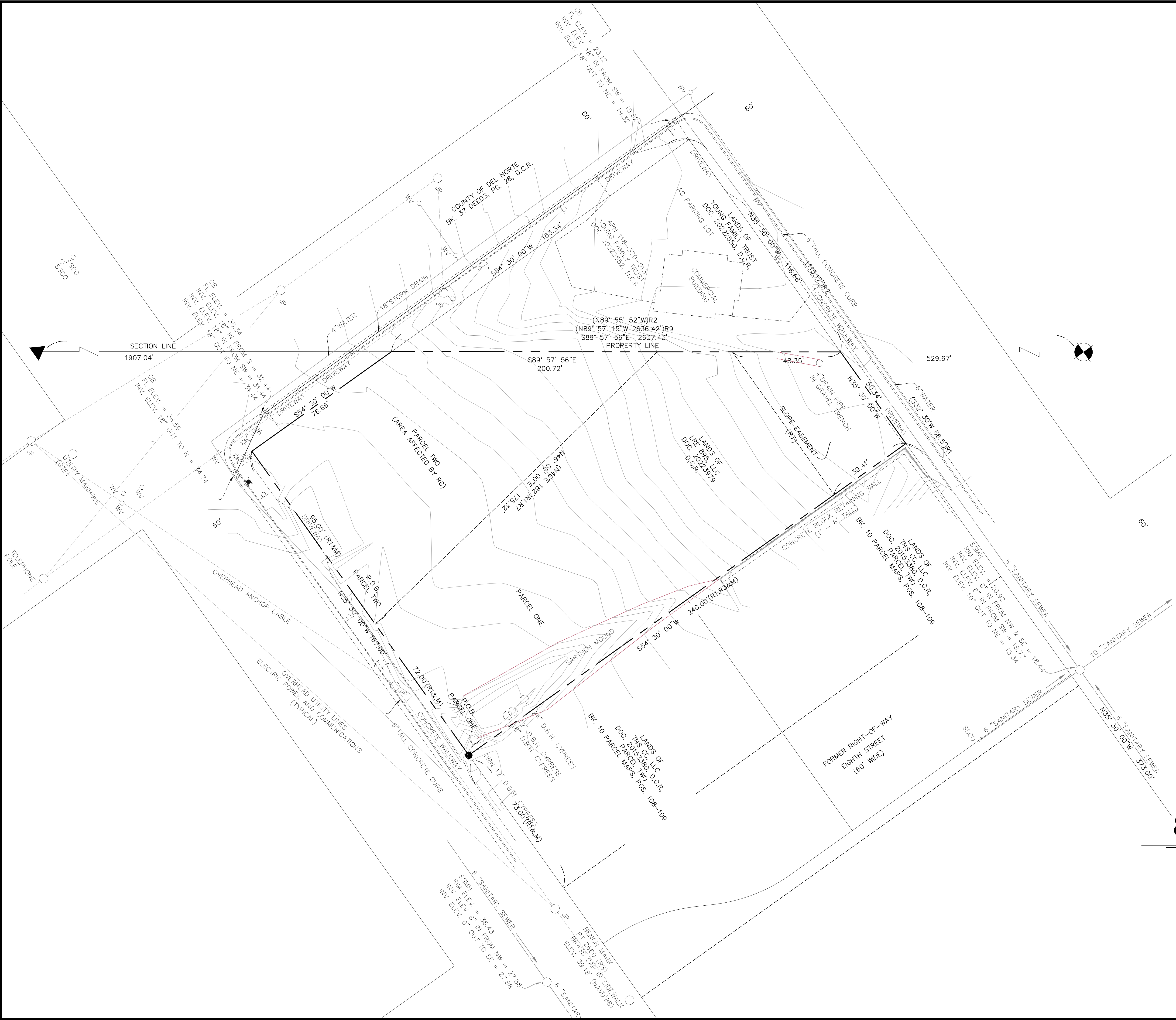


Chipotle

895 L Street, Crescent City

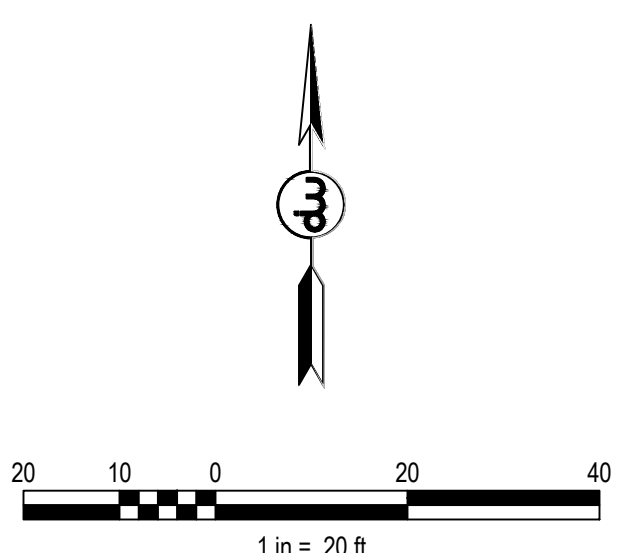
SITE PLAN
APN: 118-250-013
SHEET 1 of 4
JANUARY 2023

mp **MORTON & PITALO, INC.**
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
Folsom • Fresno
600 Coolidge Drive, Suite #140
Folsom, CA 95630
phone: (916) 984-7621
web: www.mpengr.com



LEGEND AND ABBREVIATIONS			
	FOUND CITY OF CRESCENT CITY CONTROL MONUMENT PER BOOK 4 OF MAPS, PAGES 142-145, D.C.R. AND R3.		FOUND 1\"/>
	NORTH QUARTER CORNER OF SECTION 29 ESTABLISHED FROM TIES SHOWN ON BOOK 5 OF MAPS, AT PAGE 59, D.C.R. (R5). NO MONUMENT FOUND OR SET.		FOUND 1 1/2\"/>
	FIRE HYDRANT		TRAFFIC SIGNAL
	SIGNS		
R.	RECORD DATA REFERENCE	AC	ASPHALT CONCRETE
D.C.R.	DEL NORTE COUNTY RECORDS	APN	ASSESSOR'S PARCEL NUMBER
M	MEASURED	BLDG	BUILDING
R	RECORD	CB	CATCH BASIN
O.R.	OFFICIAL RECORDS	CONC	CONCRETE
EP	EDGE OF PAVEMENT	E	ELECTRIC
EX	EXISTING	FF	FINISHED FLOOR ELEVATION
FND	FOUND	GI	GRATE INLET
IP	IRON PIPE	DN	DOCUMENT NUMBER
OH	OVERHEAD	PUE	PUBLIC UTILITY EASEMENT
SS	SANITARY SEWER	SSCO	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MAN HOLE	SD	STORM DRAIN
SDMH	STORM DRAIN MAN HOLE	SF	SQUARE FEET
STLT	TOP OF CONCRETE	TC	TOP OF CONCRETE
TB	TOP OF BOX	TL	TRAFFIC LIGHT
UB	UTILITY BOX	W	WATER
WM	WATER METER	WW	WATER VALVE
JP	JOINT POLE	DI	DROP INLET
D/W	DRIVEWAY	VG	VALLEY GUTTER
TP	TOP PAVEMENT	TG	TOP OF GRATE
NG	NATURAL GROUND	POB	POINT OF BEGINNING

SURVEY DONE BY KILLOPS LAND SURVEYING SMITH RIVER, CALIFORNIA



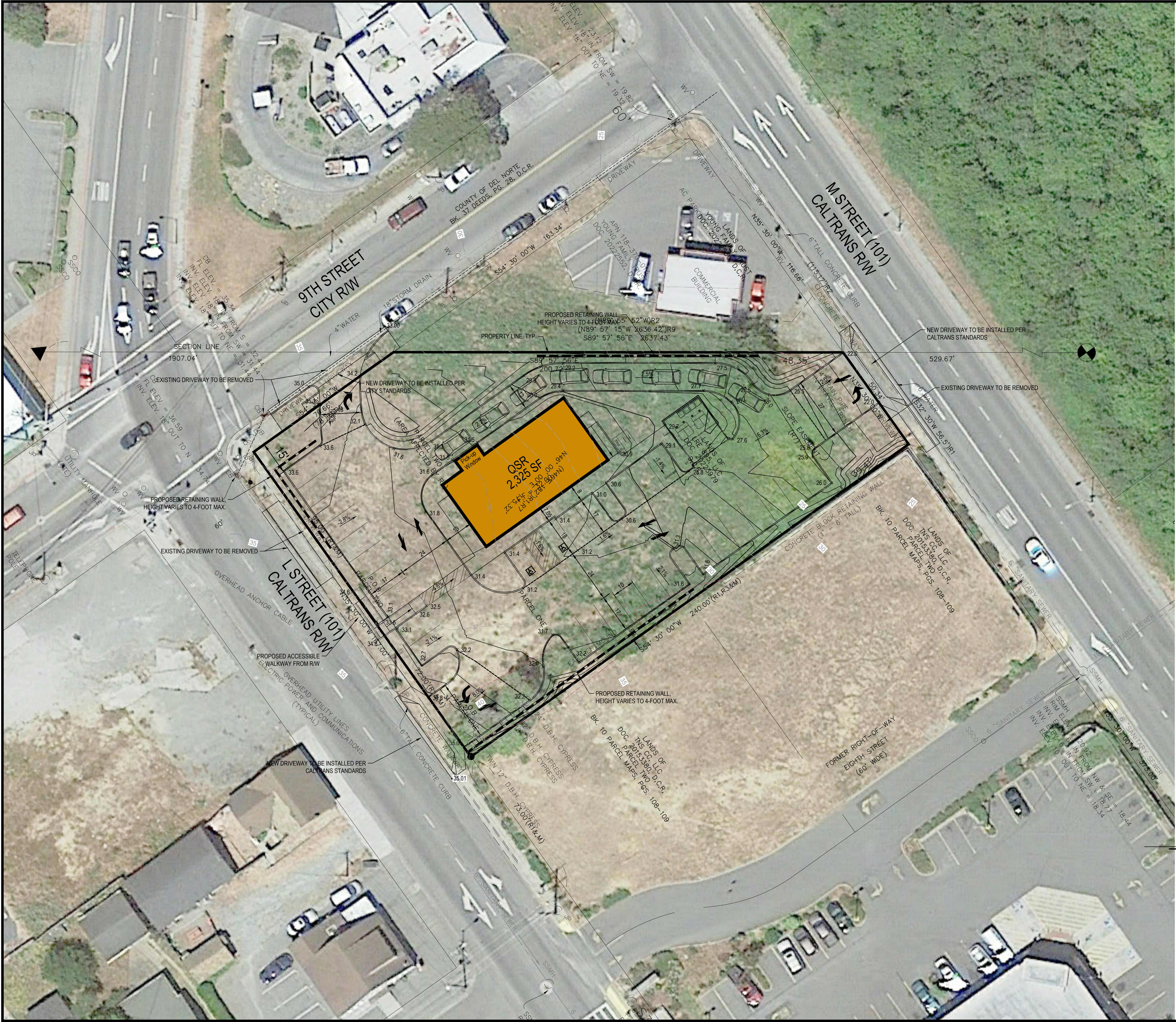
Chipotle

895 L Street, Crescent City

EXISTING SITE SURVEY
APN: 118-250-013
SHEET 2 of 4
JANUARY 2023



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web: www.mpengr.com

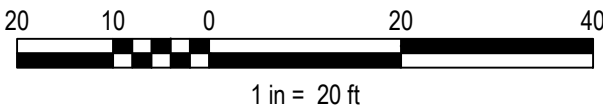


THE FOLLOWING EARTHWORK ESTIMATES ARE TO BE USED FOR ESTIMATING PURPOSES ONLY AND NO GUARANTEE IS MADE AS TO THE ACCURACY OF THIS INFORMATION. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND AGREEING TO THE ESTIMATED EARTHWORK QUANTITIES. THE CONTRACTOR ACKNOWLEDGES THAT HE/SHE IS SATISFIED AS TO THE CHARACTER, QUALITY, AND QUANTITY OF THE SURFACE AND SUBSURFACE MATERIALS TO BE ENCOUNTERED AND WILL BE RESPONSIBLE FOR PROPERLY ESTIMATING THE DIFFICULTY OR COST OF SUCCESSFULLY PERFORMING THE WORK.

EARTHWORK VOLUMES

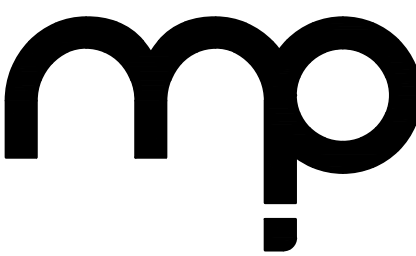
CUT	2,467 CU. YDS.
FILL	527 CU. YDS.
NET (EXPORT)	1,909 CU. YDS.

EARTHWORK

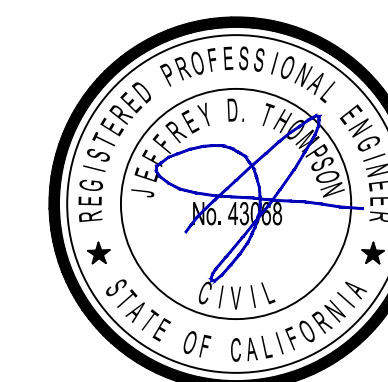
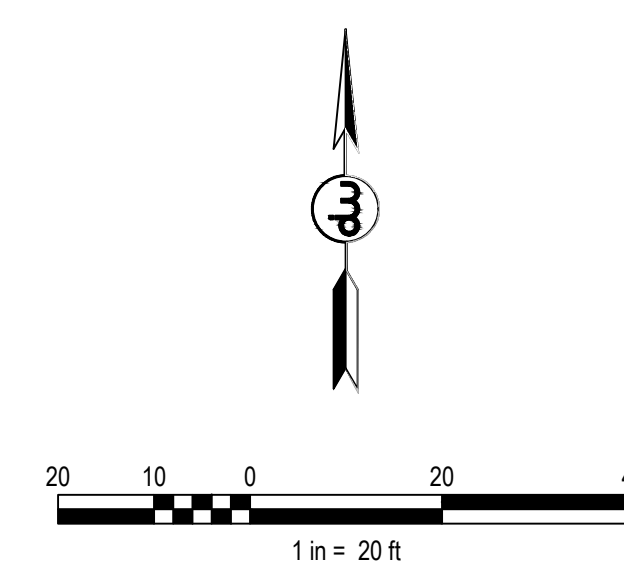
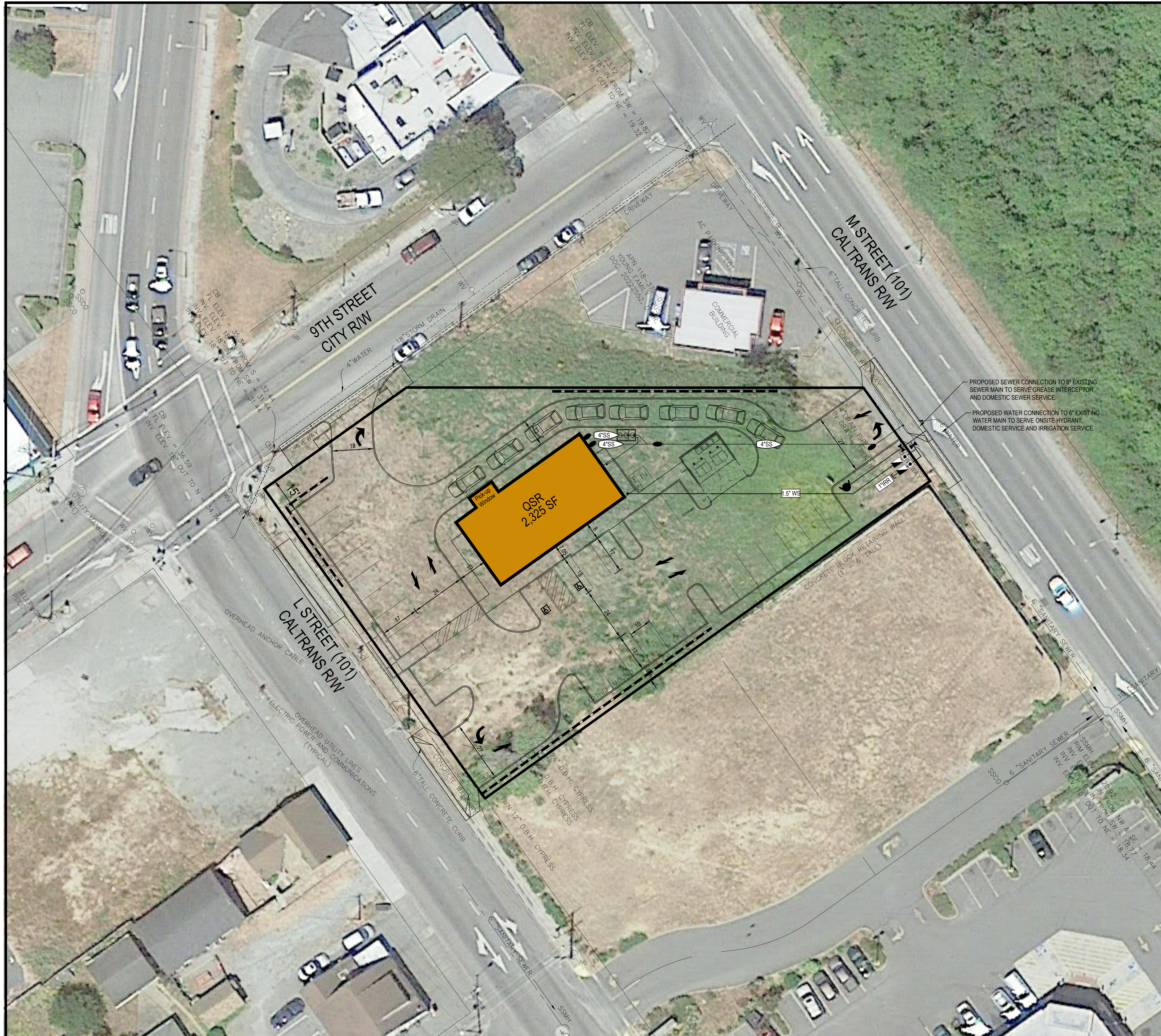


Chipotle
895 L Street, Crescent City

PRELIMINARY GRADING PLAN
APN: 118-250-013
SHEET 3 of 4
JANUARY 2023



MORTON & PITALO, INC.
CIVIL ENGINEERING • LAND PLANNING • LAND SURVEYING
Folsom • Fresno
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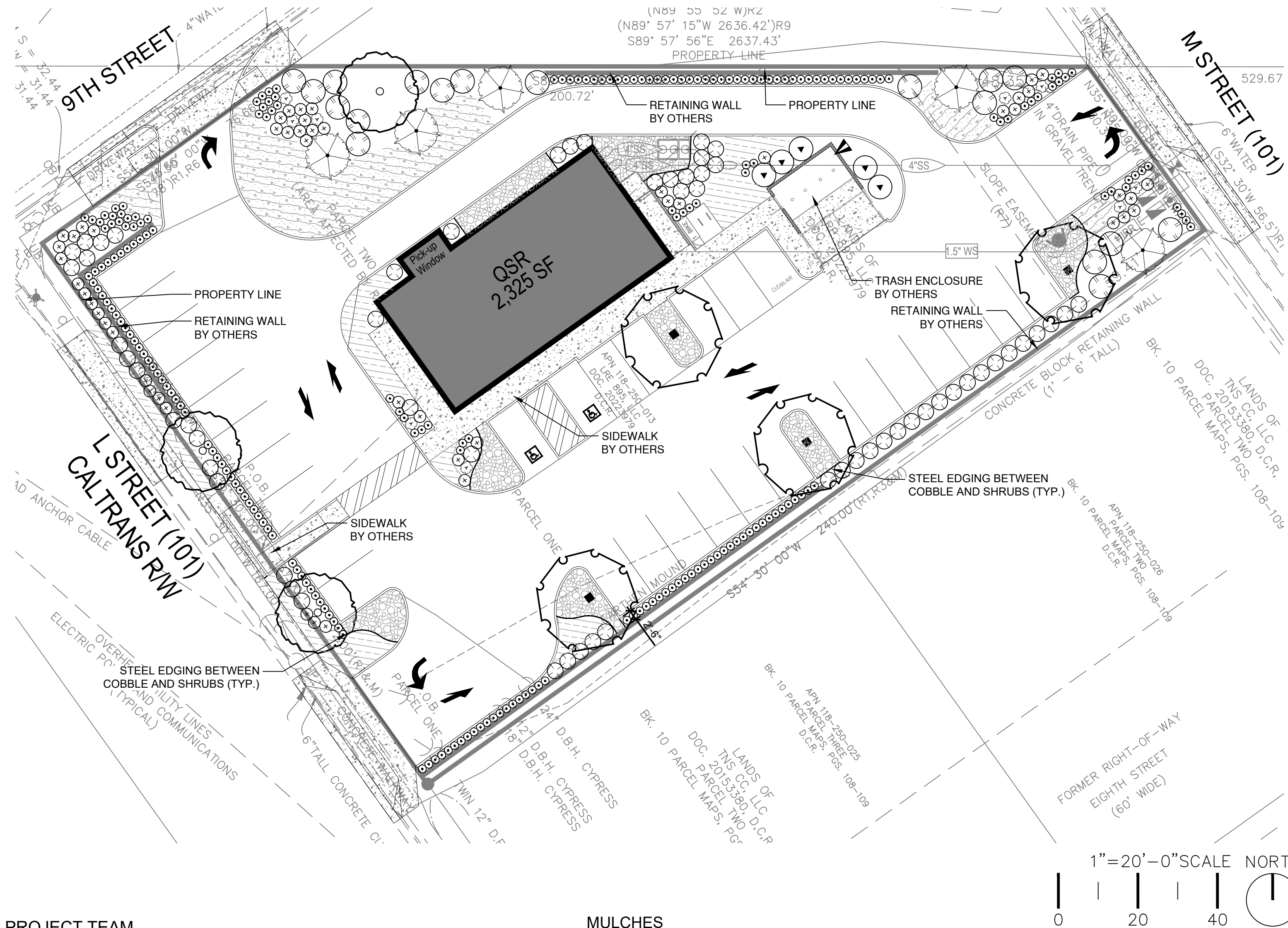


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



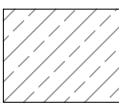


PRELIMINARY UTILITY PLAN
APN: 118-250-013
SHEET 4 of 4
JANUARY 2023



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PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS	SPACING	QTY
	ARBUTUS UNEDO	STRAWBERRY TREE	15 GAL	L		4
	UMBELLULARIA CALIFORNICA	BAY LAUREL	15 GAL	M		3
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS	SPACING	QTY
	ARCTOSTAPHYLOS HOOKERI 'WAYSIDE'	WAYSIDE HOOKER'S MANZANITA	5 GAL	L	72" o.c.	18
	ARCTOSTAPHYLOS NUMMULARIA	GLOSSY LEAVED MANZANITA	15 GAL	M	144" o.c.	5
	CALAMAGROSTIS X ACUTIFLORA	FEATHER REED GRASS	5 GAL	M	48" o.c.	59
	DESCHAMPSIA CESPITOSA	TUFTED HAIR GRASS	1 GAL	L	36" o.c.	51
	FESTUCA CALIFORNICA	CALIFORNIA FESCUE	1 GAL	L	24" o.c.	220
	HETEROMELES ARBUTIFOLIA	TOYON	5 GAL	L	72" o.c.	5
	MIMULUS AURANTIACUS	STICKY MONKEYFLOWER	1 GAL	L	36" o.c.	9
	VITIS CALIFORNICA	CALIFORNIA WILD GRAPE	15 GAL	L	48" o.c.	1
GROUND COVERS	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS	SPACING	QTY
	AGROSTIS PALLENS	THINGRASS	FLAT	L	18" o.c.	501
	ARCTOSTAPHYLOS UVA-URSI 'POINT REYES'	POINT REYES KINNIKINNICK	FLAT	L	24" o.c.	335
	DECORATIVE COBBLE	2-4" LOCAL COBBLE	-			1,146 SF

PROJECT TEAM

LANDSCAPE ARCHITECT:
EVERGREEN DESIGN GROUP
11801 PIERCE STREET, SUITE 200
RIVERSIDE, CA 92505
800-680-6630
WWW.EVERGREENDESIGNGROUP.COM
CONTACT: BLAKE RHINEHART, PLA
EMAIL: BLAKE@EVERGREENDESIGNGROUP.COM

DECLARATION OF WATER EFFICIENT LANDSCAPE ORDINANCE

I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLIED SUCH CRITERIA FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN.

BLAKE RHINEHART, LANDSCAPE ARCHITECT

CA LICENSE #6255

REGISTRATION

EVERGREEN DESIGN GROUP
11801 PIERCE STREET, SUITE 200
RIVERSIDE, CA 92505

MULCHES

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 3" THICK LAYER OF 1-1/2" SHREDDED WOOD MULCH, RECYCLED, NATURAL (UNDYED), OVER LANDSCAPE FABRIC IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDED AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS).

ROOT BARRIERS

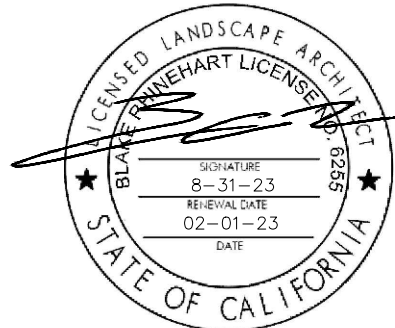
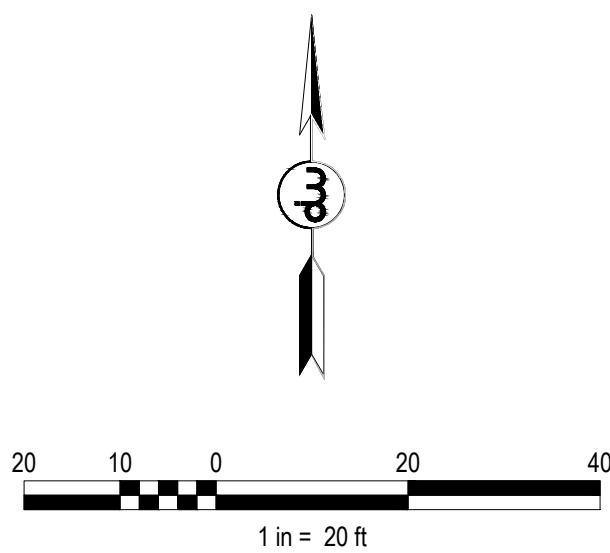
THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

GENERAL GRADING AND PLANTING NOTES

- BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN).
- IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
 - BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
 - CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
 - THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (**BASED ON A SOIL TEST**, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
 - ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
- ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
 - THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES; PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
 - NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT.** IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
 - THE CONTRACTOR SHALL, AT A MINIMUM, PROVIDE REPRESENTATIVE PHOTOS OF ALL PLANTS PROPOSED FOR THE PROJECT. THE CONTRACTOR SHALL ALLOW THE LANDSCAPE ARCHITECT AND THE OWNER/OWNER'S REPRESENTATIVE TO INSPECT, AND APPROVE OR REJECT, ALL PLANTS DELIVERED TO THE JOBSITE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS FOR SUBMITTALS.
- THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD.
- SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.

IRRIGATION CONCEPT

- AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL BY THE TIME OF FINAL INSPECTION. THE ENTIRE IRRIGATION SYSTEM SHALL BE INSTALLED BY A LICENSED AND QUALIFIED IRRIGATION CONTRACTOR.
- THE IRRIGATION SYSTEM WILL OPERATE ON POTABLE WATER, AND THE SYSTEM WILL HAVE APPROPRIATE BACKFLOW PREVENTION DEVICES INSTALLED TO PREVENT CONTAMINATION OF THE POTABLE SOURCE.
- ALL NON-TURF PLANTED AREAS SHALL BE DRIP IRRIGATED. SODDED AND SEEDED AREAS SHALL BE IRRIGATED WITH SPRAY OR ROTOR HEADS AT 100% HEAD-TO-HEAD COVERAGE.
- ALL PLANTS SHARING SIMILAR HYDROZONE CHARACTERISTICS SHALL BE PLACED ON A VALVE DEDICATED TO PROVIDE THE NECESSARY WATER REQUIREMENTS SPECIFIC TO THAT HYDROZONE.
- THE IRRIGATION SYSTEM SHALL BE DESIGNED AND INSTALLED, TO THE MAXIMUM EXTENT POSSIBLE, TO CONSERVE WATER BY USING THE FOLLOWING DEVICES AND SYSTEMS: MATCHED PRECIPITATION RATE TECHNOLOGY ON ROTOR AND SPRAY HEADS (WHEREVER POSSIBLE), RAIN SENSORS, AND MULTI-PROGRAM COMPUTERIZED IRRIGATION CONTROLLERS FEATURING SENSORY INPUT CAPABILITIES.

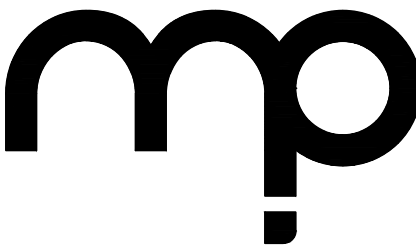


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LANDSCAPE PLANTING PLAN

APN: 118-250-013

SHEET of 4
JANUARY 2023



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PLANTING SPECIFICATIONS

GENERAL

- A. QUALIFICATIONS OF LANDSCAPE CONTRACTOR
1. ALL LANDSCAPE WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE FIRM SPECIALIZING IN LANDSCAPE PLANTING.
 2. A LIST OF SUCCESSFULLY COMPLETED PROJECTS OF THIS TYPE, SIZE AND NATURE MAY BE REQUESTED BY THE OWNER FOR FURTHER QUALIFICATION MEASURES.
 3. THE LANDSCAPE CONTRACTOR SHALL HOLD A VALID C-27 LANDSCAPE CONTRACTOR'S LICENSE ISSUED BY THE STATE OF CALIFORNIA'S CONTRACTOR STATE LICENSE BOARD.
- B. SCOPE OF WORK
1. WORK COVERED BY THESE SECTIONS INCLUDES THE FURNISHING AND PAYMENT OF ALL MATERIALS, LABOR, SERVICES, EQUIPMENT, LICENSES, TAXES AND ANY OTHER ITEMS THAT ARE NECESSARY FOR THE EXECUTION, INSTALLATION AND COMPLETION OF ALL WORK, SPECIFIED HEREIN AND / OR SHOWN ON THE LANDSCAPE PLANS, NOTES, AND DETAILS.
 2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LAWS, CODES AND REGULATIONS REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER SUCH WORK, INCLUDING ALL INSPECTIONS AND PERMITS REQUIRED BY FEDERAL, STATE AND LOCAL AUTHORITIES IN SUPPLY, TRANSPORTATION AND INSTALLATION OF MATERIALS.
 3. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PRIOR TO THE START OF ANY WORK.

PRODUCTS

- A. ALL MANUFACTURED PRODUCTS SHALL BE NEW.
- B. CONTAINER AND BALLED-AND-BURLAPPED PLANTS:
1. FURNISH NURSERY-GROWN PLANTS COMPLYING WITH ANSI Z60.1-2014. PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT. ALL PLANTS WITHIN A SPECIES SHALL HAVE SIMILAR SIZE, AND SHALL BE OF A FORM TYPICAL FOR THE SPECIES. ALL TREES SHALL BE OBTAINED FROM SOURCES WITHIN 200 MILES OF THE PROJECT SITE, AND WITH SIMILAR CLIMATIC CONDITIONS.
 2. ROOT SYSTEMS SHALL BE HEALTHY, DENSELY BRANCHED ROOT SYSTEMS, NON-POT-BOUND, FREE FROM EMERGING AND/OR GIRDLING ROOTS, AND FREE FROM ANY OTHER ROOT DEFECTS (SUCH AS J-SHAPED ROOTS).
 3. TREES MAY BE PLANTED FROM CONTAINERS OR BALLED-AND-BURLAPPED (B&B), UNLESS SPECIFIED ON THE PLANTING LEGEND. BARE-ROOT TREES ARE NOT ACCEPTABLE.
 4. ANY PLANT DEEMED UNACCEPTABLE BY THE LANDSCAPE ARCHITECT OR OWNER SHALL BE IMMEDIATELY REMOVED FROM THE SITE AND SHALL BE REPLACED WITH AN ACCEPTABLE PLANT OF LIKE TYPE AND SIZE AT THE CONTRACTOR'S OWN EXPENSE. ANY PLANTS APPEARING TO BE UNHEALTHY, EVEN IF DETERMINED TO STILL BE ALIVE, SHALL NOT BE ACCEPTED. THE LANDSCAPE ARCHITECT AND OWNER SHALL BE THE SOLE JUDGES AS TO THE ACCEPTABILITY OF PLANT MATERIAL.
 5. ALL TREES SHALL BE STANDARD IN FORM, UNLESS OTHERWISE SPECIFIED. TREES WITH CENTRAL LEADERS WILL NOT BE ACCEPTED IF LEADER IS DAMAGED OR REMOVED. PRUNE ALL DAMAGED TWIGS AFTER PLANTING.
 6. CALIPER MEASUREMENTS FOR STANDARD (SINGLE TRUNK) TREES SHALL BE AS FOLLOWS: SIX INCHES ABOVE THE ROOT FLARE FOR TREES UP TO AND INCLUDING FOUR INCHES IN CALIPER, AND TWELVE INCHES ABOVE THE ROOT FLARE FOR TREES EXCEEDING FOUR INCHES IN CALIPER.
 7. MULTI-TRUNK TREES SHALL BE MEASURED BY THEIR OVERALL HEIGHT, MEASURED FROM THE TOP OF THE ROOT BALL. WHERE CALIPER MEASUREMENTS ARE USED, THE CALIPER SHALL BE CALCULATED AS ONE-HALF OF THE SUM OF THE CALIPER OF THE THREE LARGEST TRUNKS.
 8. ANY TREE OR SHRUB SHOWN TO HAVE EXCESS SOIL PLACED ON TOP OF THE ROOT BALL, SO THAT THE ROOT FLARE HAS BEEN COMPLETELY COVERED, SHALL BE REJECTED.
- C. SOD: PROVIDE WELL-ROOTED SOD OF THE VARIETY NOTED ON THE PLANS. SOD SHALL BE CUT FROM HEALTHY, MATURE TURF WITH SOIL THICKNESS OF 3/4" TO 1". EACH PALLET OF SOD SHALL BE ACCOMPANIED BY A CERTIFICATE FROM SUPPLIER STATING THE COMPOSITION OF THE SOD.
- D. SEED: PROVIDE BLEND OF SPECIES AND VARIETIES AS NOTED ON THE PLANS, WITH MAXIMUM PERCENTAGES OF PURITY, GERMINATION, AND MINIMUM PERCENTAGE OF WEED SEED. SOD SHALL BE UNITED ON PLANS. EACH BAG OF SEED SHALL BE ACCOMPANIED BY A TAG FROM THE SUPPLIER INDICATING THE COMPOSITION OF THE SEED.
- E. TOPSOIL: SANDY TO CLAY LOAM TOPSOIL, FREE OF STONES LARGER THAN 1/2" INCH, FOREIGN MATTER, PLANTS, ROOTS, AND SEEDS.
- F. COMPOST: WELL-COMPOSTED, STABLE, AND WEED-FREE ORGANIC MATTER, pH RANGE OF 5.5 TO 8; MOISTURE CONTENT BY WEIGHT: 100 PERCENT THROUGH 3/4" MESH SIEVE; SOLUBLE SALT CONTENT OF 5 TO 10 DECISEMENS; NOT EXCEEDING 0.5 PERCENT INERT CONTAMINANTS AND FREE OF SUBSTANCES TOXIC TO PLANTINGS. NO MANURE OR ANIMAL-BASED PRODUCTS SHALL BE USED.
- G. PLANTING MIX FOR POTS: AN EQUAL PART MIXTURE OF TOPSOIL, SAND AND COMPOST. INCORPORATE "GELSCAPE", AS MADE BY AMEREO, INC., (800) 832-8788, AT THE RATE OF 3 LB. PER CUBIC YARD OF PLANTING MIX.
- H. FERTILIZER: GRANULAR FERTILIZER CONSISTING OF NITROGEN, PHOSPHORUS, POTASSIUM, AND OTHER NUTRIENTS IN PROPORTIONS, AMOUNTS, AND RELEASE RATES RECOMMENDED IN A SOIL REPORT FROM A QUALIFIED SOIL-TESTING AGENCY AND BELOW.
- I. PALM MAINTENANCE SPIKES: AS MANUFACTURED BY THE LUTZ CORP., (800) 203-7740, OR APPROVED EQUAL.
- J. MULCH: SIZE AND TYPE AS INDICATED ON PLANS, FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS.
- K. TREE STAKING AND GUYING
1. STAKES: 6" LONG GREEN METAL T-POSTS.
 2. GUY AND TIE WIRE: ASTM A 641, CLASS 1, GALVANIZED-STEEL WIRE, 2-STRAND, TWISTED, 0.106 INCH DIAMETER.
 3. STRAP CHAFING GUARD: REINFORCED NYLON OR CANVAS AT LEAST 1-1/2 INCH WIDE, WITH GROMMETS TO PROTECT TREE TRUNKS FROM DAMAGE.
- L. STEEL EDGING: PROFESSIONAL STEEL EDGING, 14 GAUGE THICK X 4 INCHES WIDE, FACTORY PAINTED DARK GREEN. ACCEPTABLE MANUFACTURERS INCLUDE COL-MET OR APPROVED EQUAL.
- M. PRE-EMERGENT HERBICIDES: ANY GRANULAR, NON-STAINING PRE-EMERGENT HERBICIDE THAT IS LABELED FOR THE SPECIFIC ORNAMENTALS OR TURF ON WHICH IT WILL BE UTILIZED. PRE-EMERGENT HERBICIDES SHALL BE APPLIED PER THE MANUFACTURER'S LABELED RATES.

METHODS

- A. SOIL PREPARATION
1. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE GRADE OF ALL LANDSCAPE AREAS ARE WITHIN +0.1' OF FINISH GRADE. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY SHOULD ANY DISCREPANCIES EXIST.
 2. SOIL TESTING:
 - a. AFTER FINISH GRADES HAVE BEEN ESTABLISHED, CONTRACTOR SHALL HAVE SOIL SAMPLES FROM THE PROJECT'S LANDSCAPE AREAS UPON AN ESTABLISHED SOIL TESTING LABORATORY. EACH SAMPLE SUBMITTED TO THE LAB SHALL CONTAIN NO LESS THAN ONE QUART OF SOIL, TAKEN FROM BETWEEN THE SOIL SURFACE AND 6" DEPTH. IF NO SAMPLE LOCATIONS ARE INDICATED ON THE PLANS, THE CONTRACTOR SHALL TAKE A MINIMUM OF THREE SAMPLES FROM VARIOUS REPRESENTATIVE LOCATIONS FOR TESTING.
 - b. THE CONTRACTOR SHALL HAVE THE SOIL TESTING LABORATORY PROVIDE RESULTS FOR THE FOLLOWING: SOIL TEXTURAL CLASS, GENERAL SOIL FERTILITY, pH, ORGANIC MATTER CONTENT, SALT (CEC), LIME, SODIUM ADSORPTION RATIO (SAR) AND BORON CONTENT.
 - c. THE CONTRACTOR SHALL ALSO SUBMIT THE PROJECT'S PLANT LIST TO THE LABORATORY ALONG WITH THE SOIL SAMPLES.
 - d. THE SOIL REPORT PRODUCED BY THE LABORATORY SHALL CONTAIN RECOMMENDATIONS FOR THE FOLLOWING (AS APPROPRIATE): SEPARATE SOIL PREPARATION AND BACKFILL MIX RECOMMENDATIONS FOR GENERAL, ORNAMENTAL PLANTS, PERENNIALS, TURF, AND NATIVE SEED, AS WELL AS PRE-PLANT FERTILIZER APPLICATIONS AND RECOMMENDATIONS FOR ANY OTHER SOIL RELATED ISSUES. THE REPORT SHALL ALSO PROVIDE A FERTILIZER PROGRAM FOR THE ESTABLISHMENT PERIOD AND/OR LONG-TERM MAINTENANCE.
 3. THE CONTRACTOR SHALL INSTALL SOIL AMENDMENTS AND FERTILIZERS PER THE SOILS REPORT RECOMMENDATIONS, ANY CHANGE IN COST DUE TO THE SOILS REPORT RECOMMENDATIONS, EITHER INCREASE OR DECREASE, SHALL BE SUBMITTED TO THE OWNER WITH THE REPORT.
 4. FOR BIDDING PURPOSES ONLY, THE SOIL PREPARATION SHALL CONSIST OF THE FOLLOWING:
 - a. TURF: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
 - i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
 - ii. PREPLANT TURF FERTILIZER (10-20-10 OR SIMILAR, SLOW RELEASE, ORGANIC) - 15 LBS PER 1,000 S.F.
 - iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
 - b. TREES, SHRUBS, AND PERENNIALS: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
 - i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
 - ii. 12-12-12 FERTILIZER (OR SIMILAR, ORGANIC, SLOW RELEASE) - 10 LBS. PER CU. YD.
 - iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
 - iv. IRON SULPHATE - 2 LBS. PER CU. YD.
 5. IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
- A. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
- B. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
- C. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (BASED ON A SOIL TEST, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
- D. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER SOIL CH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
- E. ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
- F. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
- G. ONCE SOIL PREPARATION IS COMPLETE, THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT THERE ARE NO DEBRIS, TRASH, OR STONES LARGER THAN 1" REMAINING IN THE TOP 6" OF SOIL.

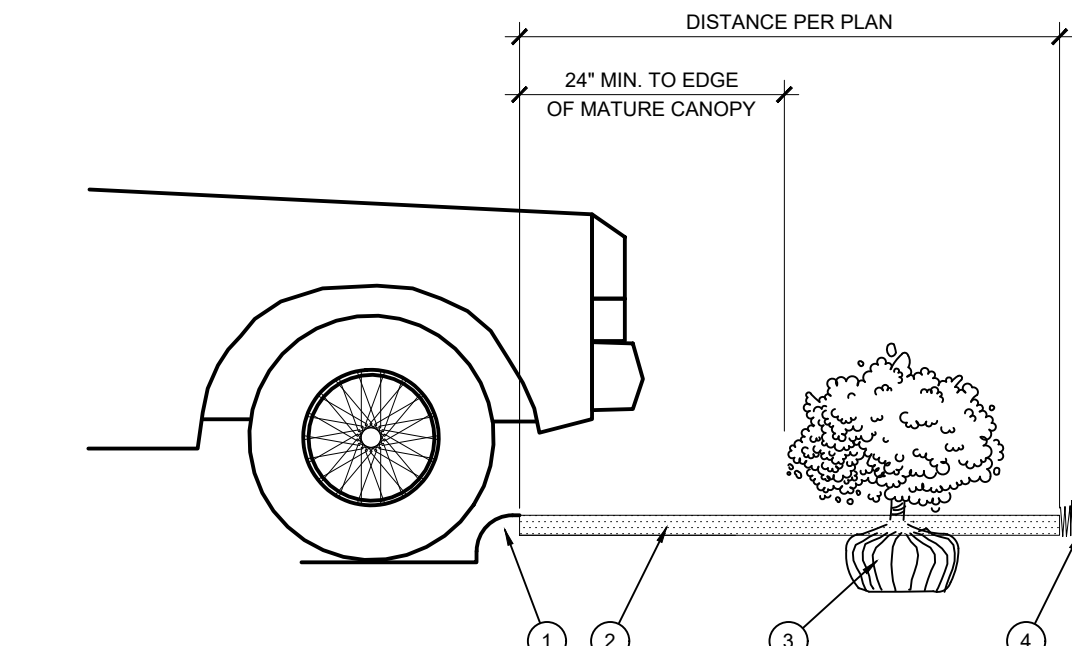
SUBMITTALS

1. THE CONTRACTOR SHALL PROVIDE SUBMITTALS AND SAMPLES, IF REQUIRED, TO THE LANDSCAPE ARCHITECT AND RECEIVE APPROVAL IN WRITING FOR SUCH SUBMITTALS BEFORE WORK COMMENCES.
 2. SUBMITTALS SHALL INCLUDE PHOTOS OF PLANTS WITH A RULER OR MEASURING STICK FOR SCALE, PHOTOS OR SAMPLES OF ANY REQUIRED MULCHES, AND SOIL TEST RESULTS AND PREPARATION RECOMMENDATIONS FROM THE TESTING LAB (INCLUDING COMPOST AND FERTILIZER RATES AND TYPES, AND OTHER AMENDMENTS FOR TREE/SHRUB, TURF, AND SEED AREAS AS MAY BE APPROPRIATE).
 3. SUBMITTALS SHALL ALSO INCLUDE MANUFACTURER CUT SHEETS FOR PLANTING ACCESSORIES SUCH AS TREE STAKES AND STAKES FROM PLANTS.
 4. WHERE MULTIPLE ITEMS ARE SHOWN ON A PAGE, THE CONTRACTOR SHALL CLEARLY INDICATE THE ITEM BEING CONSIDERED.
- C. GENERAL PLANTING AND STAKES FROM PLANTS.
1. REMOVE ALL NURSERY TAGS AND STAKES FROM PLANTS.
 2. EXCEPT IN AREAS TO BE PLANTED WITH ORNAMENTAL GRASSES, APPLY PRE-EMERGENT HERBICIDES AT THE MANUFACTURER'S RECOMMENDED RATE.
 3. TRENCHING NEAR EXISTING TREES:
 - a. CONTRACTOR SHALL NOT DISTURB ROOTS 1-1/2" AND LARGER IN DIAMETER WITHIN THE CRITICAL ROOT ZONE (CRZ) OF EXISTING TREES, AND SHALL EXERCISE ALL POSSIBLE CARE AND PRECAUTIONS TO AVOID INJURY TO TREE ROOTS, TRUNKS, AND BRANCHES. THE CRZ IS DEFINED AS A CIRCULAR AREA EXTENDING OUTWARD FROM THE TREE TRUNK, WITH A RADIUS EQUAL TO 1" FOR EVERY 1" OF TRUNK DIAMETER AT-BREAST-HEIGHT (4.5' ABOVE THE AVERAGE GRADE AT THE TRUNK).
 - b. ALL EXCAVATION WITHIN THE CRZ SHALL BE PERFORMED USING HAND TOOLS. NO MACHINE EXCAVATION OR TRENCHING OF ANY KIND SHALL BE ALLOWED WITHIN THE CRZ.
 - c. ALTER ALIGNMENT OF PIPE TO AVOID TREE ROOTS 1-1/2" AND LARGER IN DIAMETER, WHERE TREE ROOTS 1-1/2" AND LARGER IN DIAMETER ARE ENCOUNTERED IN THE FIELD, TUNNEL UNDER SUCH ROOTS. WRAP EXPOSED ROOTS WITH SEVERAL LAYERS OF BURLAP AND KEEP MOIST. CLOSE ALL TRENCHES WITHIN THE CANOPY DRIP LINES WITHIN 24 HOURS.
 - d. ALL SEVERED ROOTS SHALL BE HAND PRUNED WITH SHARP TOOLS AND ALLOWED TO AIR-DRY. DO NOT USE ANY SORT OF SEALERS OR WOUND POINTS.
- D. TREE PLANTING
1. TREE PLANTING HOLES SHALL BE EXCAVATED TO MINIMUM WIDTH OF TWO TIMES THE WIDTH OF THE ROOTBALL, AND TO A DEPTH EQUAL TO THE DEPTH OF THE ROOTBALL, LESS TWO TO FOUR INCHES.
 2. CARRY THE SIDES AND BOTTOM OF THE PLANTING HOLE PRIOR TO THE PLACEMENT OF THE TREE. REMOVE ANY GLAZING THAT MAY HAVE BEEN CAUSED DURING THE EXCAVATION OF THE HOLE.
 3. FOR CONTAINER AND BOX TREES, TO REMOVE ANY POTENTIALLY GIRDLING ROOTS AND OTHER ROOT DEFECTS, THE CONTRACTOR SHALL SHAVE A 1" LAYER OFF OF THE SIDES AND BOTTOM OF THE ROOTBALL OF ALL TREES JUST BEFORE PLACING INTO THE PLANTING PIT. DO NOT "TEASE" ROOTS OUT FROM THE ROOTBALL.
 4. INSTALL THE TREE ON UNDISTURBED SUBGRADE SO THAT THE TOP OF THE ROOTBALL IS TWO TO FOUR INCHES ABOVE THE SURROUNDING GRADE.
 5. BACKFILL THE TREE HOLE UTILIZING THE EXISTING TOPSOIL FROM ON-SITE. ROCKS LARGER THAN 1" DIA. AND ALL OTHER DEBRIS SHALL BE REMOVED FROM THE SOIL PRIOR TO THE BACKFILL. SHOULD ADDITIONAL SOIL BE REQUIRED TO ACCOMPLISH THIS TASK, USE STORED TOPSOIL FROM ON-SITE OR IMPORT ADDITIONAL TOPSOIL FROM OFF-SITE AT NO ADDITIONAL COST TO THE OWNER. IMPORTED TOPSOIL SHALL BE OF SIMILAR TEXTURAL CLASS AND COMPOSITION IN THE ON-SITE SOIL.
 6. TREES SHALL NOT BE STAKED UNLESS LOCAL CONDITIONS (SUCH AS HEAVY WINDS OR SLOPES) REQUIRE STAKES TO KEEP TREES UPRIGHT. SHOULD STAKING BE REQUIRED, THE TOTAL NUMBER OF TREE STAKES (BEYOND THE MINIMUMS LISTED BELOW) WILL BE LEFT TO THE LANDSCAPE CONTRACTOR'S DISCRETION. SHOULD ANY TREES FALL OR LEAN, THE LANDSCAPE CONTRACTOR SHALL STRAIGHTEN THE TREE, OR REPLACE IT SHOULD IT BECOME DAMAGED. TREE STAKING SHALL ADHERE TO THE FOLLOWING GUIDELINES:
 - a. #15 CONT. - 24" BOX TREES - TWO STAKES PER TREE
 - b. 36"-48" BOX TREES - THREE STAKES PER TREE
 - c. OVER 48" BOX TREES - FOUR STAKES PER TREE
 - d. MULTI-TRUNK TREES - THREE STAKES PER TREE MINIMUM, QUANTITY AND POSITIONS AS NEEDED TO STABILIZE THE TREE
 7. UPON COMPLETION OF PLANTING, CONSTRUCT AN EARTH WATERING BASIN AROUND THE TREE. COVER THE INTERIOR OF THE TREE RING WITH MULCH (TYPE AND DEPTH PER PLANS).

- E. SHRUB, PERENNIAL, AND GROUND COVER PLANTING
1. DIG THE PLANTING HOLE TWICE AS WIDE AND 2" LESS DEEP THAN EACH PLANT'S ROOTBALL. INSTALL THE PLANT IN THE HOLE. BACKFILL AROUND THE PLANT WITH SOIL AMENDED PER SOIL TEST RECOMMENDATIONS.
 2. WHEN PLANTING IS COMPLETE, INSTALL MULCH (TYPE AND DEPTH PER PLANS) OVER ALL PLANTING BEDS, COVERING THE ENTIRE PLANTING AREA.
- F. SODDING
1. SOD VARIETY TO BE AS SPECIFIED ON THE LANDSCAPE PLAN.
 2. LAY SOD WITHIN 24 HOURS FROM THE TIME OF STRIPPING. DO NOT LAY IF THE GROUND IS FROZEN.
 3. LAY THE SOD TO FORM A SOLID MASS WITH TIGHTLY FITTED JOINTS. BUTT ENDS AND SIDES OF SOD STRIPS. DO NOT OVERLAP. STAGGER STRIPS TO OFFSET JOINTS IN ADJACENT ROWS.
 4. ROLL THE SOD TO ENSURE GOOD CONTACT OF THE SOD'S ROOT SYSTEM WITH THE SOIL UNDERNEATH.
 5. WATER THE SOD THOROUGHLY WITH A FINE SPRAY IMMEDIATELY AFTER PLANTING TO OBTAIN AT LEAST SIX INCHES OF PENETRATION INTO THE SOIL BELOW THE SOD.
- G. HYDROSEEDING
1. TURF HYDROMULCH MIX (PER 1,000 SF) SHALL BE AS FOLLOWS:
 - a. GENERAL:
 - 50# CELLULOSE FIBER MULCH
 - 2# UNHULLED BERMUDA SEED
 - 2# ANNUAL RYE SEED
 - 15# 15-15-15 WATER SOLUBLE FERTILIZER
 - b. SUMMER MIX (APRIL - SEPTEMBER 30):
 - 50# CELLULOSE FIBER MULCH
 - 2# UNHULLED BERMUDA SEED
 - 15# 15-15-15 WATER SOLUBLE FERTILIZER
 2. SEED HYDROMULCH MIX (PER 1,000 SF) SHALL BE AS FOLLOWS:
 - a. GENERAL:
 - 50# CELLULOSE FIBER MULCH
 - 15# 15-15-15 WATER SOLUBLE FERTILIZER
- H. MULCH
1. INSTALL MULCH TOPDRESSING, TYPE AND DEPTH PER MULCH NOTE, IN ALL PLANTING AREAS AND TREE RINGS.
 2. DO NOT INSTALL MULCH WITHIN 6" OF TREE ROOT FLARE AND WITHIN 24" OF HABITABLE STRUCTURES, EXCEPT AS MAY BE INDICATED BY THE ARCHITECT. MULCH COVER WITHIN 6" OF CONCRETE WALKS AND CURBS SHALL NOT PROTRUDE ABOVE THE FINISH SURFACE OF THE WALKS AND CURBS. MULCH COVER WITHIN 12" OF WALLS SHALL BE AT LEAST 3" LOWER THAN THE TOP OF WALL.
- I. CLEAN UP
1. DURING LANDSCAPE PREPARATION AND PLANTING, KEEP ALL PAVEMENT CLEAN AND ALL WORK AREAS IN A NEAT, ORDERLY CONDITION.
 2. DISPOSED LEGALLY OF ALL EXCAVATED MATERIALS OFF THE PROJECT SITE.
- J. INSPECTION AND ACCEPTANCE
1. UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE LANDSCAPE CONTRACTOR SHALL THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABILITY.
 2. WHEN THE INSPECTED PLANTING WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE LANDSCAPE CONTRACTOR SHALL REPLACE AND/OR REPAIR THE REJECTED WORK TO THE OWNER'S SATISFACTION WITHIN 24 HOURS.
 3. THE LANDSCAPE MAINTENANCE PERIOD WILL NOT COMMENCE UNTIL THE LANDSCAPE WORK HAS BEEN RE-INSPECTED BY THE OWNER AND FOUND TO BE ACCEPTABLE. AT THAT TIME, A WRITTEN NOTICE OF FINAL ACCEPTANCE WILL BE ISSUED BY THE OWNER, AND THE MAINTENANCE AND GUARANTEE PERIODS WILL COMMENCE.
- K. LANDSCAPE MAINTENANCE
1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK SHOWN ON THESE PLANS FOR 90 DAYS BEYOND FINAL ACCEPTANCE OF ALL LANDSCAPE WORK BY THE OWNER. LANDSCAPE MAINTENANCE SHALL INCLUDE WEEKLY SITE VISITS FOR THE FOLLOWING ACTIONS (AS APPROPRIATE): PROPER PRUNING, RESTAKING OF TREES, RESETTling OF PLANTS THAT HAVE SETTLED, MOVING AND AERATION OF LAWNS, WEEDING, RESEEDING AREAS WHICH HAVE NOT GERMINATED WELL, TREATING FOR INSECTS AND DISEASES, REPLACEMENT OF MULCH, REMOVAL OF LITTER, REPAIRS TO THE IRRIGATION SYSTEM DUE TO FAULTY PARTS AND/OR WORKMANSHIP, AND THE APPROPRIATE WATERING OF ALL PLANTINGS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER, WITH SCHEDULING ADJUSTMENTS BY SEASON TO MAIMIZE WATER CONSERVATION.
 2. SHOULD SEEDING AND/OR SODDED AREAS NOT BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING THESE AREAS AND OBTAINING A FULL, HEALTHY STAND OF PLANTS AT NO ADDITIONAL COST TO THE OWNER.
 3. TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
 - a. THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY). ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
 - b. ALL HARDSCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
 - c. SODDED AREAS MUST BE ACTIVELY GROWING AND MUST REACH A MINIMUM HEIGHT OF 1 1/2 INCHES BEFORE FIRST MOVING. HYDROMULCHED AREAS SHALL SHOW ACTIVE, HEALTHY GROWTH. BARE AREAS LARGER THAN THREE SQUARE INCHES MUST BE RESEED OR RESEEDED (AS APPROPRIATE) PRIOR TO FINAL ACCEPTANCE. ALL SODDED TURF SHALL BE NEATLY MOVED.
- L. WARRANTY PERIOD, PLANT GUARANTEE AND REPLACEMENTS
1. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL TREES, SHRUBS, PERENNIALS, SOD, SEEDING/HYDROSEEDING AREAS, AND IRRIGATION SYSTEMS FOR A PERIOD OF ONE YEAR FROM THE DATE OF THE OWNER'S FINAL ACCEPTANCE (90 DAYS FOR ANNUAL PLANTS). THE CONTRACTOR SHALL REPLACE, AT HIS OWN EXPENSE AND TO THE SATISFACTION OF THE OWNER, ANY PLANTS WHICH DIE IN THAT TIME, OR REPAIR ANY PORTIONS OF THE IRRIGATION SYSTEM WHICH OPERATE IMPROPERLY.
 2. AFTER THE INITIAL MAINTENANCE PERIOD AND DURING THE GUARANTEE PERIOD, THE LANDSCAPE CONTRACTOR SHALL ONLY BE RESPONSIBLE FOR REPLACEMENT OF PLANTS WHEN PLANT DEATH CANNOT BE ATTRIBUTED DIRECTLY TO OVERWATERING OR OTHER DAMAGE BY HUMAN ACTIONS.
- M. PROVIDE A MINIMUM OF TWO COPIES OF RECORD DRAWINGS TO THE OWNER AT THE COMPLETION OF WORK. A RECORD DRAWING IS A RECORD OF ALL CHANGES THAT OCCURRED IN THE FIELD AND THAT ARE DOCUMENTED THROUGH CHANGE ORDERS, ADDENDA, OR CONTRACTOR/CONSULTANT DRAWING MARKUPS.

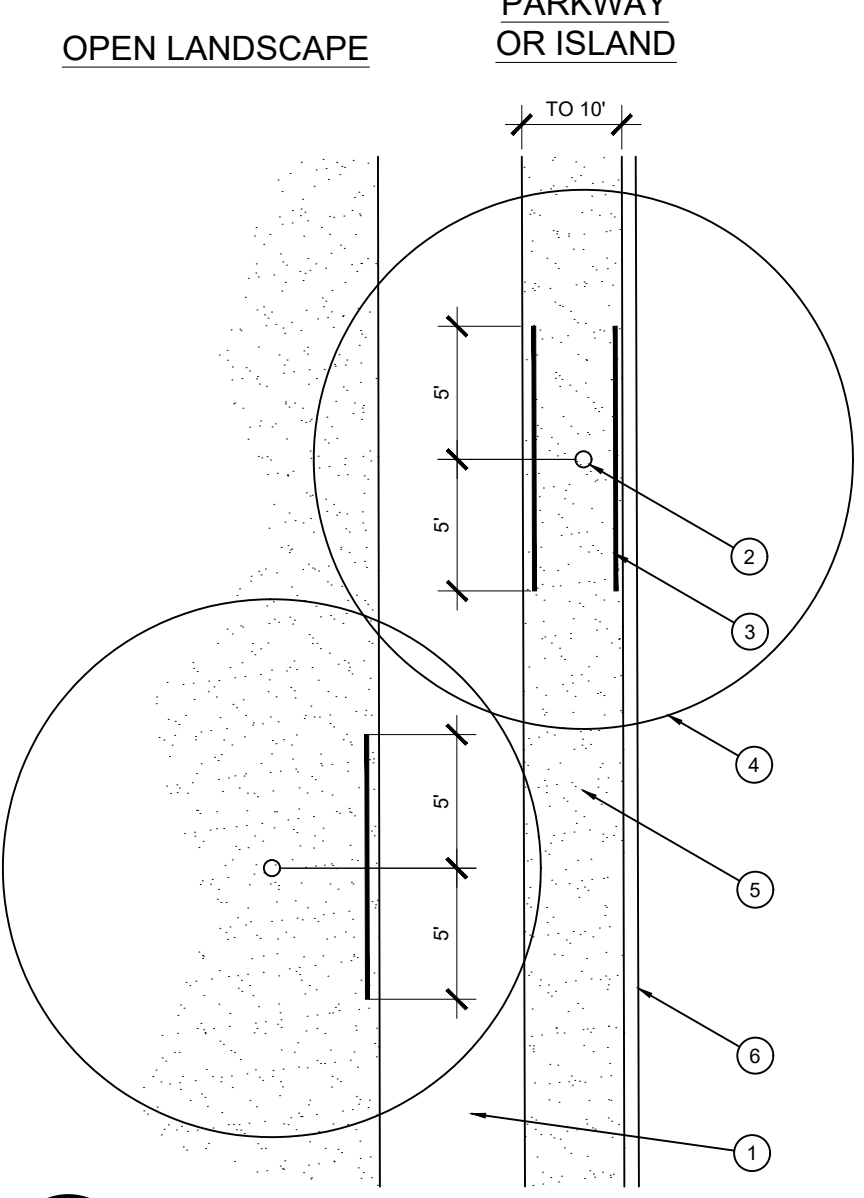
STEEL EDGING

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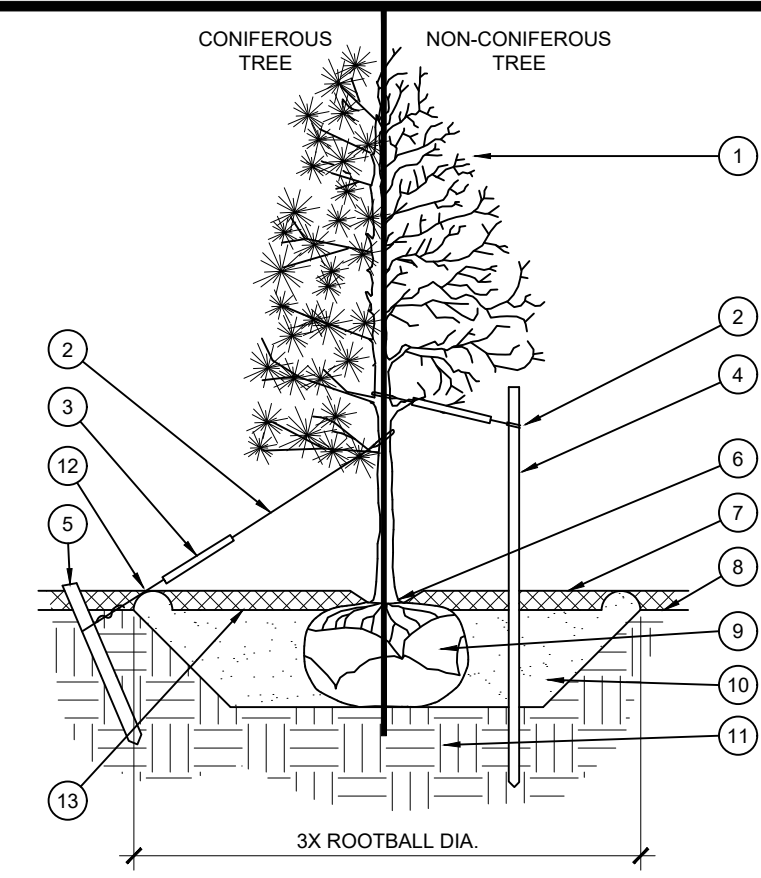
PLANTING AT PARKING AREA

SCALE: NOT TO SCALE



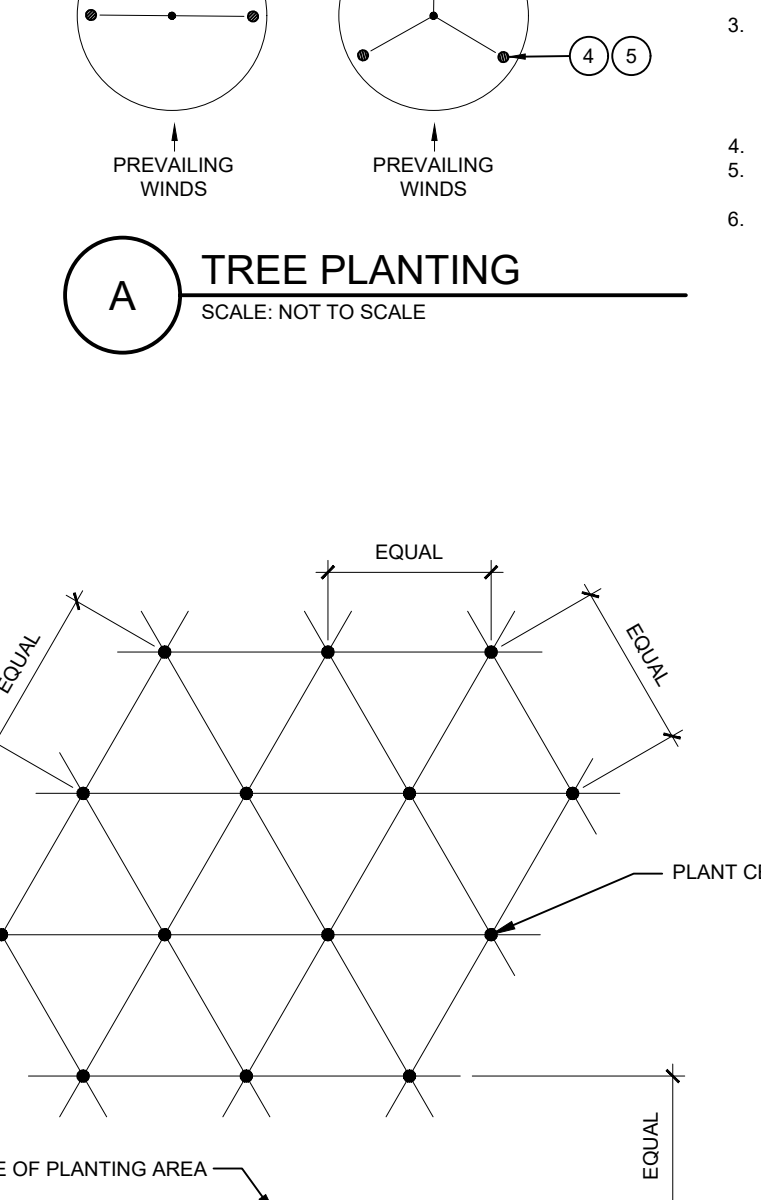
ROOT BARRIER - PLAN VIEW

SCALE: NOT TO SCALE



TREE PLANTING

SCALE: NOT TO SCALE



NOTE: ALL PLANTS SHALL BE PLANTED AT EQUAL TRIANGULAR SPACING (EXCEPT WHERE SHOWN ON PLANS AS INFORMAL GROUPINGS). REFER TO PLANT LEGEND FOR SPACING DISTANCE BETWEEN PLANTS.

1) STEP 1: DETERMINE TOTAL PLANTS FOR THE AREA WITH THE FOLLOWING FORMULA:
TOTAL PLANTS = TOTAL PLANTS

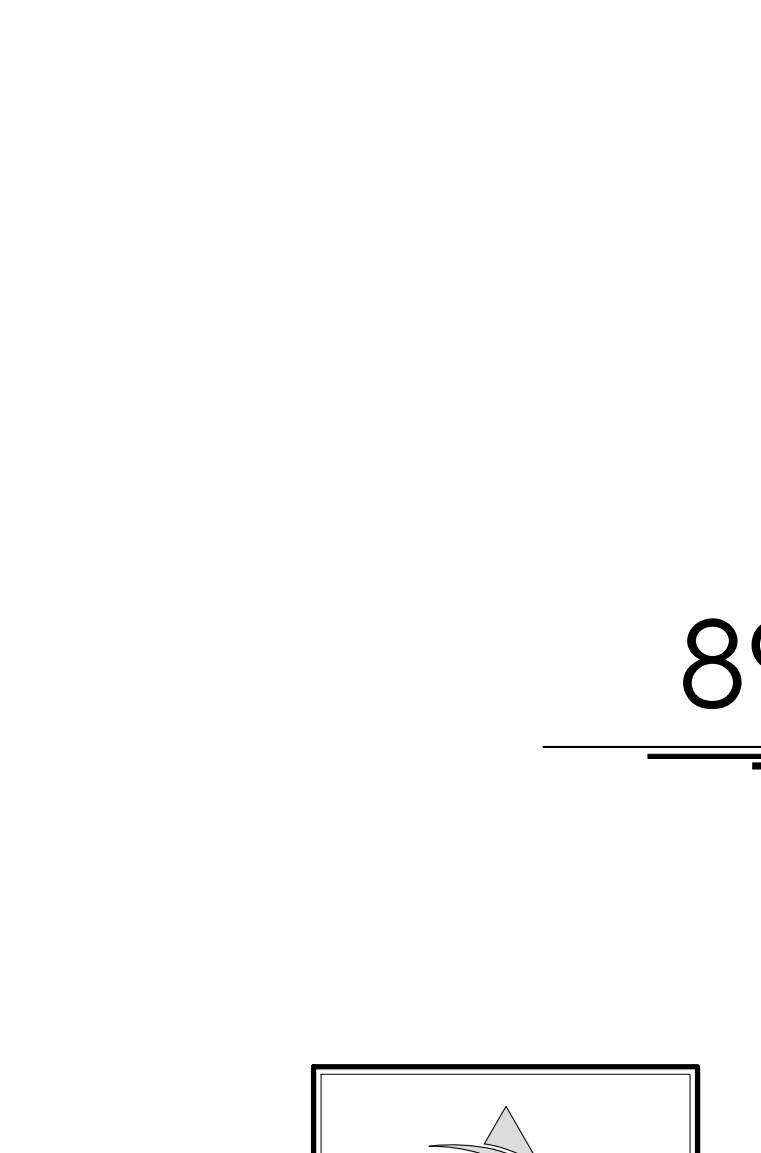
PLANT	SPACING	AREA DIVIDER	PLANT SPACING	AREA DIVIDER
8"	16"	0.22	16"	0.36
10"	20"	0.39	20"	0.46
12"	30"	0.60	30"	0.51
15"	36"	0.87	36"	0.79
15"	48"	1.35		

2) STEP 2: SUBTRACT THE ROW (S) OF PLANTS THAT WOULD OCCUR AT THE EDGE OF THE PLANTED AREA WITH THE FOLLOWING FORMULA: TOTAL PERIMETER LENGTH / PLANT SPACING = TOTAL PLANT SUBTRACTION

EXAMPLE: PLANTS AT 18" O.C. IN 100 SF PLANTING AREA, 40 LF PERIMETER
STEP 1: 100 SF / 95 = 51 PLANTS
STEP 2: 51 PLANTS / (40 LF / 1.95 = 21 PLANTS) = 30 PLANTS TOTAL

PLANT SPACING

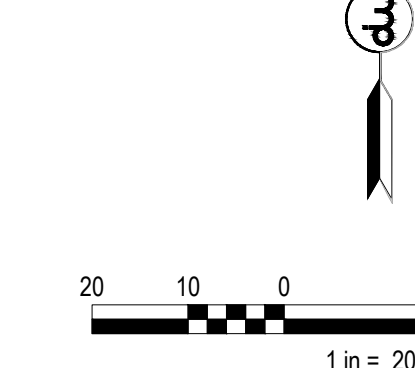
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NOTE: 1) INSTALL ROOT BARRIERS NEAR ALL NEWLY PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. 2) BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCLOSE THE ROOTBALL.

SHRUB AND PERENNIAL PLANTING

SCALE: NTS



Chipotle
895 L Street, Crescent City
LANDSCAPE PLANTING
SPECIFICATIONS & DETAILS
APN: 118-250-013
SHEET of 4
JANUARY 2023

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Date: December 05, 2022
 Drawn by: Charles L.
 Account Manager: Kristi M.
 Project Manager: _____
 File Name: Elevations

Client Approval

Signature _____

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- ☐ Approved
 - ☐ Approved As Noted
 - ☐ Revise And Resubmit

Production Mgr. Approval	Date
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Project Mgr. Approval	Date
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Account Mgr. Approval	Date
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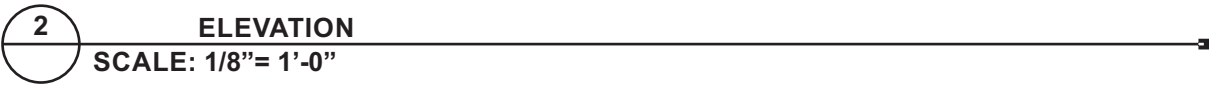
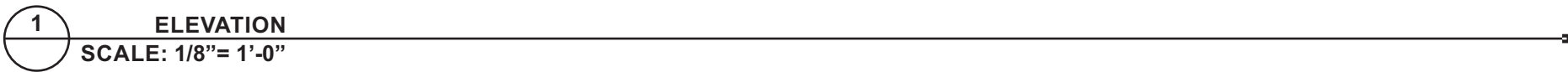
P&D Mgr. Approval	Date
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Revision Notes:

Dot No. _____

W.O. No. 5156

Rev. No. **A** Date: _____
By: _____

Sheet No. **2.0**

Sign Type: B3-22

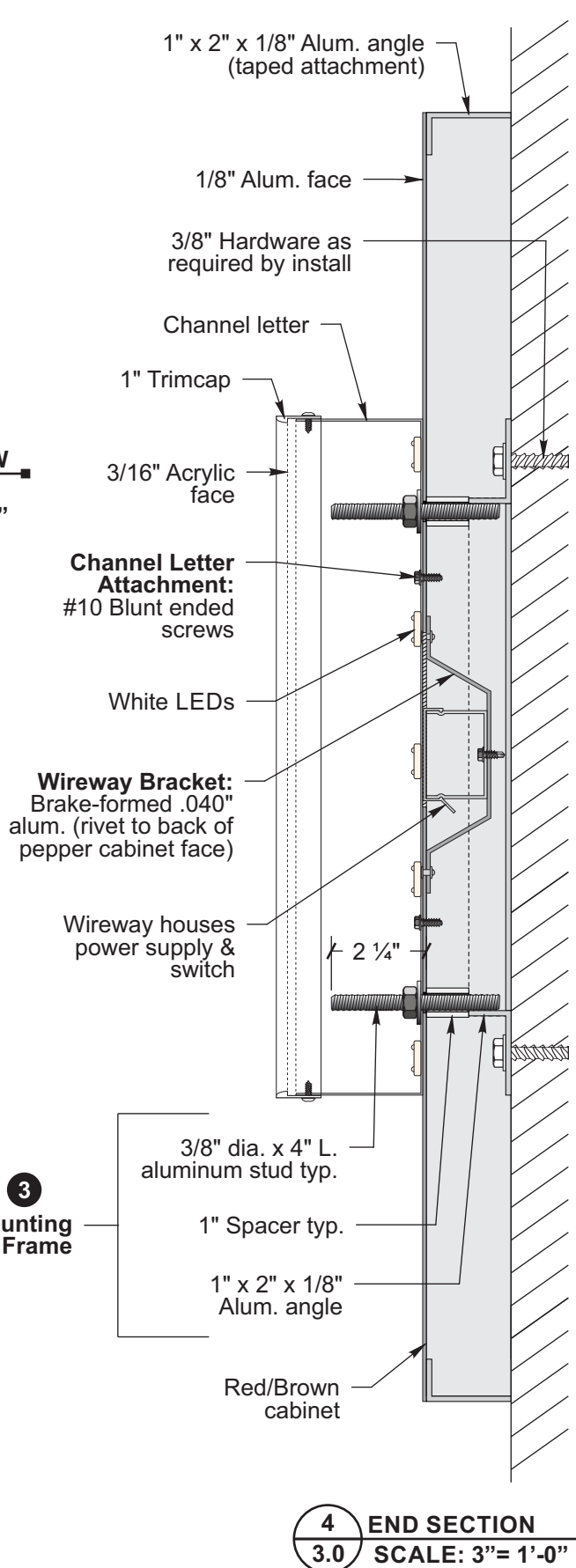
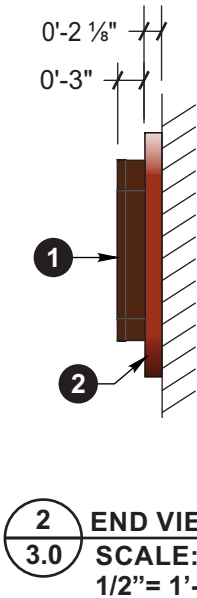
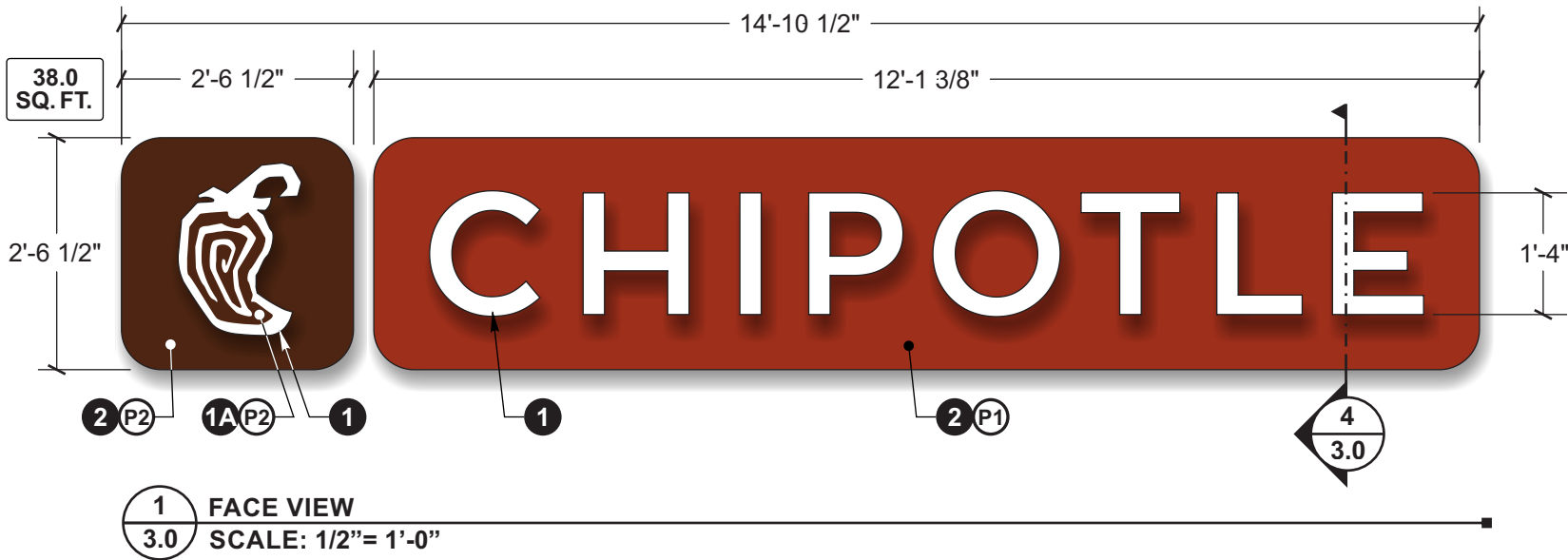
Date: December 05, 2022
Drawn by: Charles L.
Account Manager: Kristi M.
Project Manager:
File Name: B3-22

Client Approval

Signature _____
Date _____
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Production Mgr. Approval	Date
Project Mgr. Approval	Date
Account Mgr. Approval	Date
P&D Mgr. Approval	Date

Revision Notes:



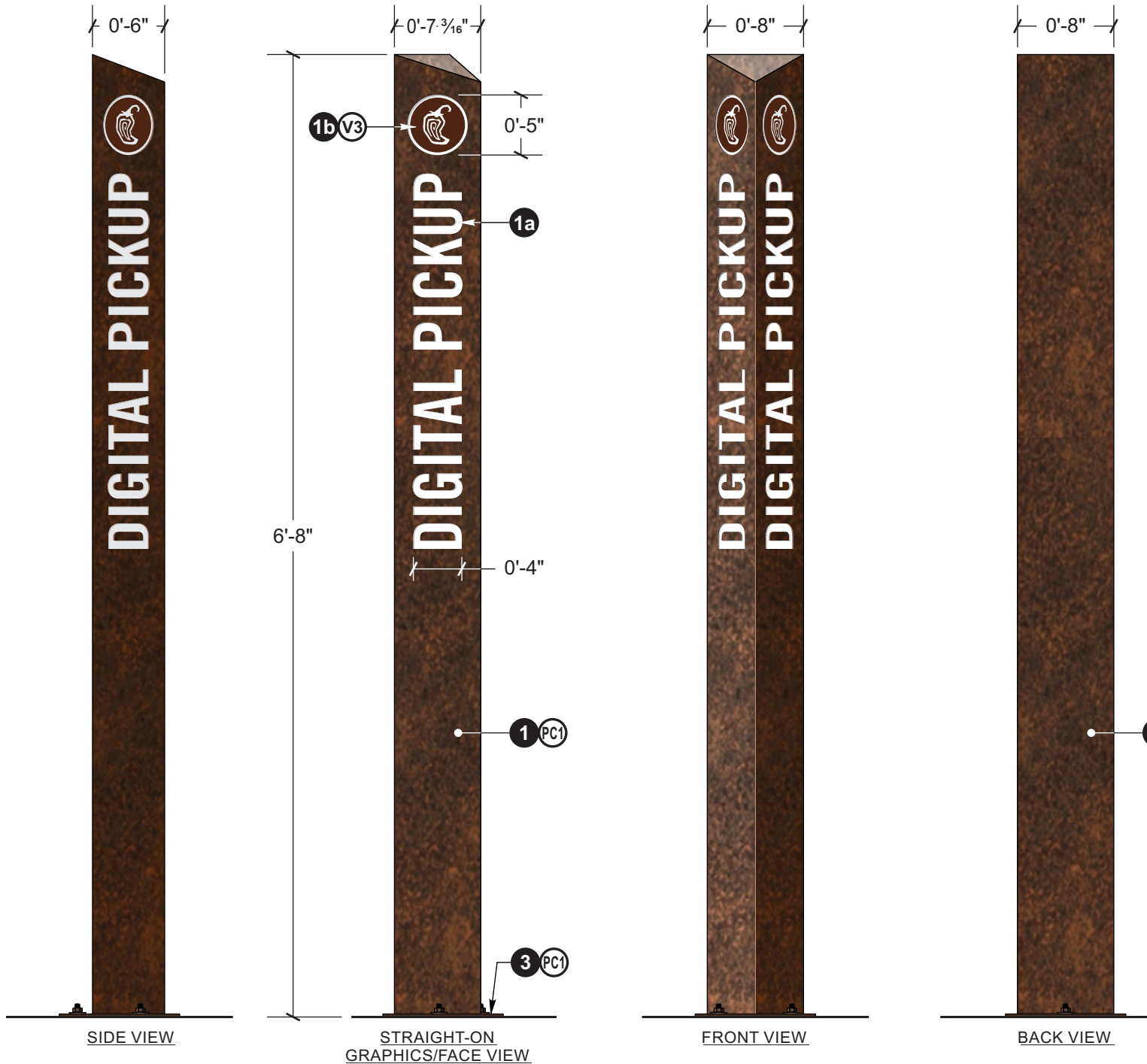
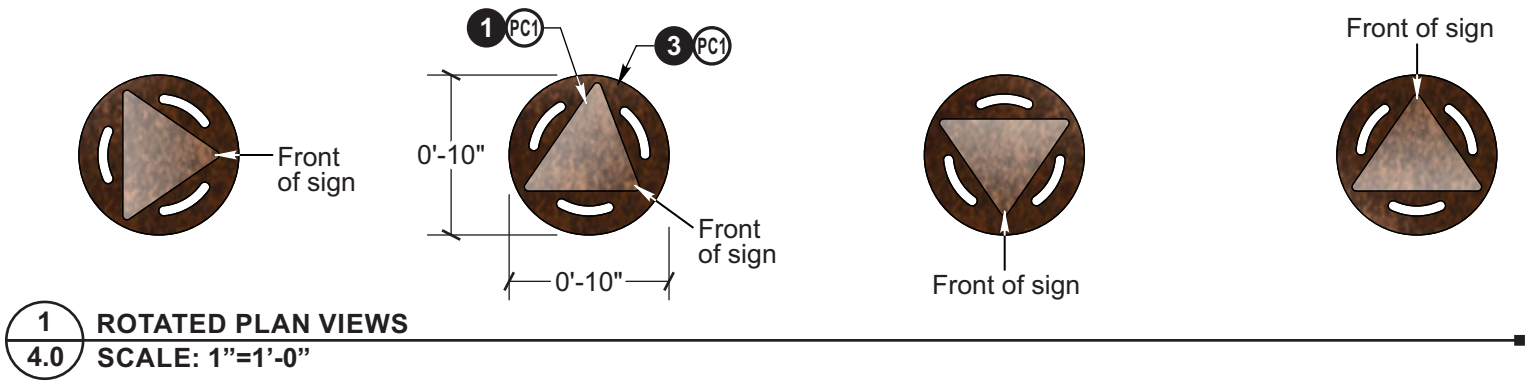
SIGN TYPE B3-22 SPECIFICATIONS FOR (2) ILLUMINATED WALL SIGN

- 1 CHANNEL LETTERS "CHIPOTLE" AND PEPPER LOGO
LETTER TYPE= Face-Lit pan channels DEPTH= 3"
FACES= 3/16" Cyro #2447 Milk-White acrylic
1A PEPPER GRAPHIC= Stud mounted .063" Aluminum Flat-cut-out overlay
TRIMCAP= 1" Brown Gemtrim
BACKS= .040" Pre-finished white aluminum
RETURNS= .040" Pre-finished Adobo Brown aluminum (w/ weep holes)
ILLUMINATION= Principal LED "Qwik Mod 2" 7100K White LEDs
MOUNTING= Mount flush to face of cabinets with #10 "blunt" ended screws as req.
- 2 BROWN & RED CABINETS
FACE= 1/8" Aluminum BACK= N/A
RETURNS= Top & Bottom Straights: 1" x 2" x 1/8" Aluminum angle
Attachment= 3/4" VHB tape
Ends/corners: (one-piece) .063" Aluminum
Attachment= Versilok adhesive
NOTE: Use fishplates @ return seams as req.
- 3 MOUNTING FRAME
CONSTRUCTION= 1" x 2" x 1/8" Aluminum angle frame assembly w/ studs for thru-bolt attachment of sign components
- INSTALL
MOUNTING FRAME= Attach flush to fascia w/ 3/8" hardware as req.
ASSEMBLY= 1. Place 1" Long spacers onto mounting frame studs
2. Slide Red & Brown cabinets over studs
3. Secure w/ nuts & washers
NOTE: Frame stud attachments are hidden inside of letters "C", "I", "O", "E", and pepper logo

- ELECTRICAL
POWER SUPPLY= 120V primary/12V secondary power supply housed inside wireway behind pepper channel logo
POWER DISCONNECT= Toggle switch on end of brown pepper cabinet
ELECTRICAL LEADS= 120V: Provide (1) 6'-0" pigtail in sealite conduit
12V: Provide (2) 6'-0" pigtails
NOTE: 12V leads between Red and Brown cabinets are "jumped" together behind fascia
ELECTRICAL HOOK-UP= 120V Service to sign and final connection is by others
ACCESS= Pepper channel logo is removable for access to LED power supply beyond

- COLOR SPECIFICATIONS
P1 P.T.M. PMS #484C "Roasted Red" NOTE: Paint all exposed fasteners to match adjacent finish
P2 P.T.M. PMS #4625C "Adobo Brown"





2 DIGITAL PICKUP SIGN- ROTATED VIEWS
4.0 SCALE: 1"=1'-0"

SPECIFICATIONS FOR (1) ILLUMINATED D/F DIGITAL PICKUP SIGN

- 1 POST= Brake-formed 1/8" aluminum body w/ welded & finished top cap
 - 1a Text Graphics: CNC Routed and backed w/ white acrylic
 - 1b Logo Graphic: CNC Routed and backed w/ white acrylic and opaque vinyl logo overlay
 - 2 ACCESS PANEL= Removable full length 1/8" aluminum back panel
 - 3 MOUNTING= 1/4" Aluminum plate w/ mounting slots to allow rotational adjustment of 25° each direction
- ILLUMINATION= Internally illuminated via Sloan Prism Mini White LEDs
- CAISSON= Sonotube formed concrete caisson and (3) 1/2" dia. expansion anchors w/ washers and leveling nuts as req.

COLORS AND FINISHES

- PC1 Powder coat IFS Rustic SRBM 90146
- V3 Arlon cast vinyl #2100-3651 "Adobo Brown"



3 ILLUMINATION RENDERING TYP.
4.0 SCALE: N.T.S.

ADCON

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www.adconsigns.com

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Sign Type: Digital Pickup

Date: December 05, 2022
Drawn by: Charles L.
Account Manager: Kristi M.
Project Manager:
File Name: DPU

Client Approval

Signature

Date

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☐ Approved

☐ Approved As Noted

☐ Revise And Resubmit

Production Mgr. Approval	Date
Project Mgr. Approval	Date
Account Mgr. Approval	Date
P&D Mgr. Approval	Date

Revision Notes:

Dot No.

W.O. No. 5156

Rev. No. A Date: By:

Sheet No. 4.0

Sign Type: Clearance Bar

Date: December 05, 2022
Drawn by: Charles L.
Account Manager: Kristi M.
Project Manager:
File Name: VALUE Clearance Bar

Client Approval

Signature _____

Date _____

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Account Mgr. Approval	Date
P&D Mgr. Approval	Date

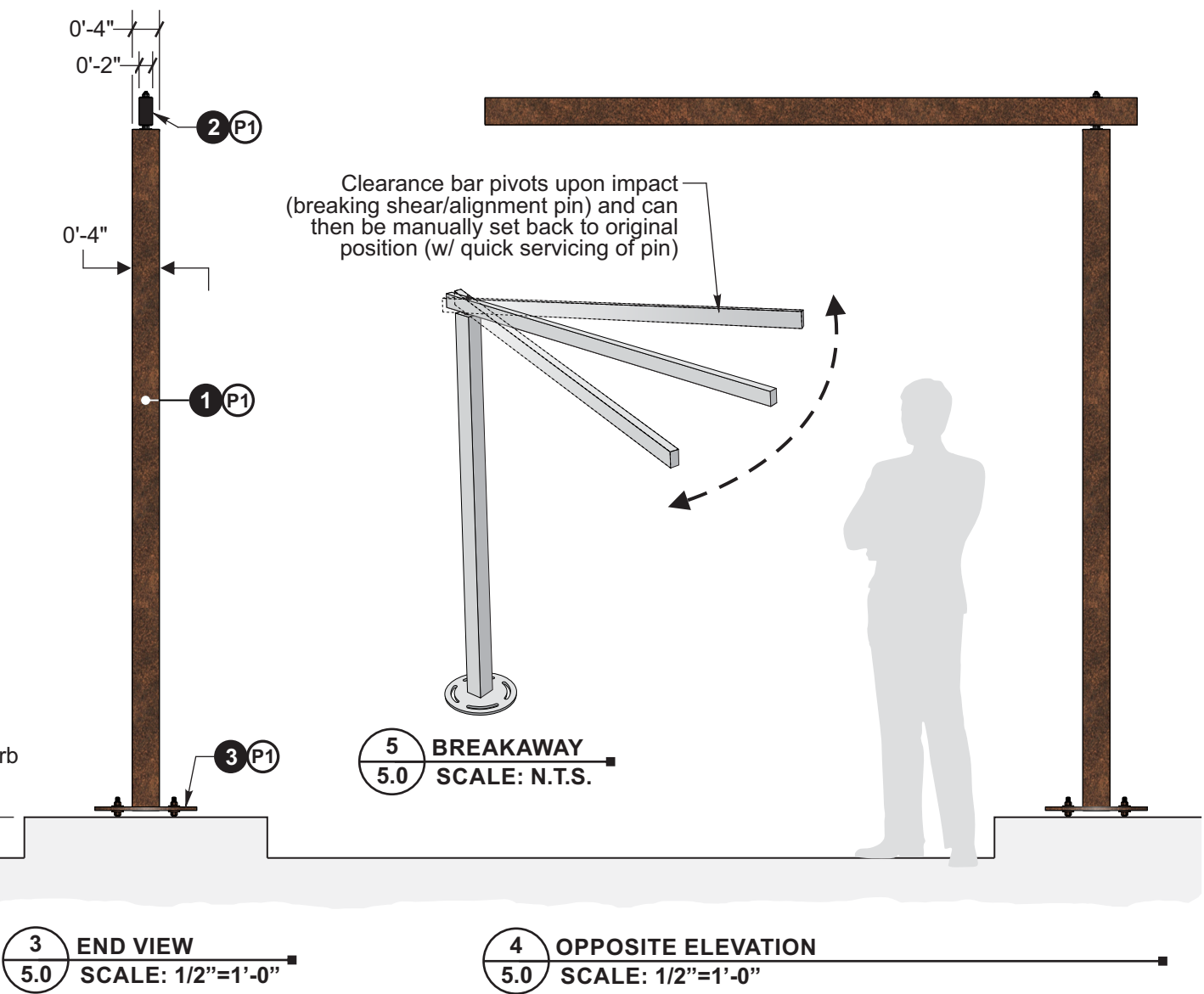
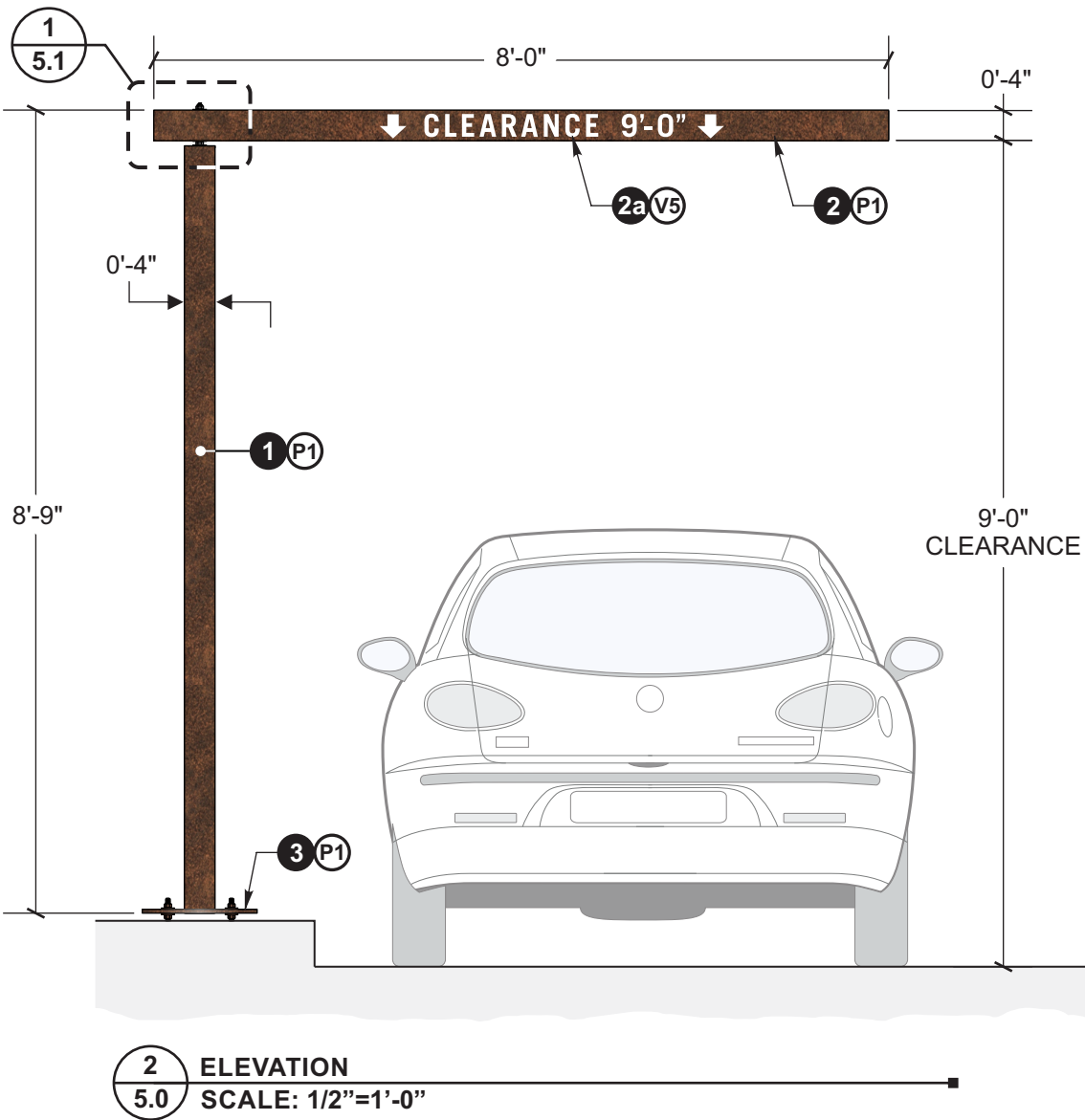
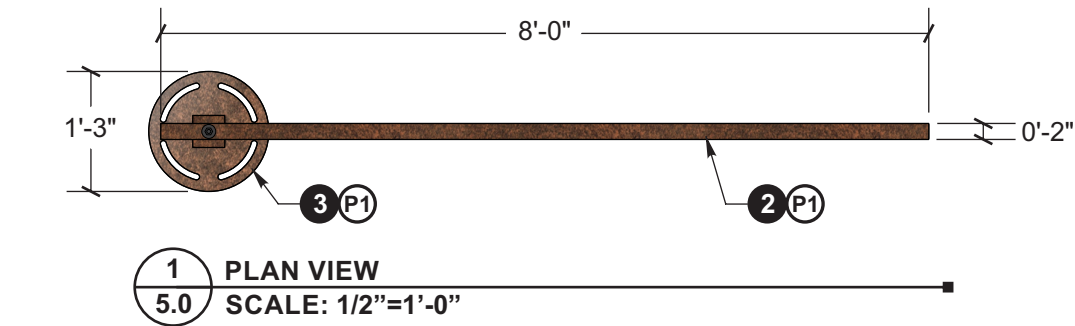
Revision Notes:

SPECIFICATIONS FOR (1) NON-ILLUMINATED S/F BREAKAWAY CLEARANCE BAR

- 1 POST= 4" x 4" x 1/4" Alum. sq. tube w/ 3/8" alum top plate and pivot
- 2 CLEARANCE BAR= 2" x 4" x 1/8" Alum. rec. tube w/ black PVC end caps
- 2a Graphics: Reflective vinyl overlay
- Breakaway: To minimize damage from impact, the top beam will give way and rotate when struck. Beam can then be manually rotated back to original position
- Note: Rotation from fixed position will break shear/alignment pin which can be easily serviced during realignment of clearance bar
- 3 MOUNTING= Slotted 1/2" alum. base plate attaches to embedded bolts in caisson
- CAISSON= Sonotube formed concrete caisson w/ embedded mounting hardware (four 1/2" All-thread welded to 1/8" steel spacer plates w/ washers and leveling nuts).

COLOR SPECIFICATIONS

- P1 Powder coat IFS Rustic SRBM 90146
- V5 Reflective White Vinyl



**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL REVIEW COMMITTEE**



**STAFF REPORT
Agenda Item # V.B**

TO: Planning Commission
Chairperson Wendt and Members of the Planning Commission

FROM: Community Development Department, Planning Department
Bob Brown, AICP, Director

PREPARED BY: Community Development Department, Planning Department
Sophia Ross, City Planner

DATE: March 9, 2023

SUBJECT: Zoning Amendment -Emergency Shelters

STAFF RECOMMENDED ACTIONS:

- I) Open the public hearing.
 - i) Receive the Staff Report.
 - ii) Receive public comments.
- II) Close the public hearing.
- III) Discuss and adopt the Recommended Findings.
- IV) Consider Alternatives and act on the Zoning Amendment.

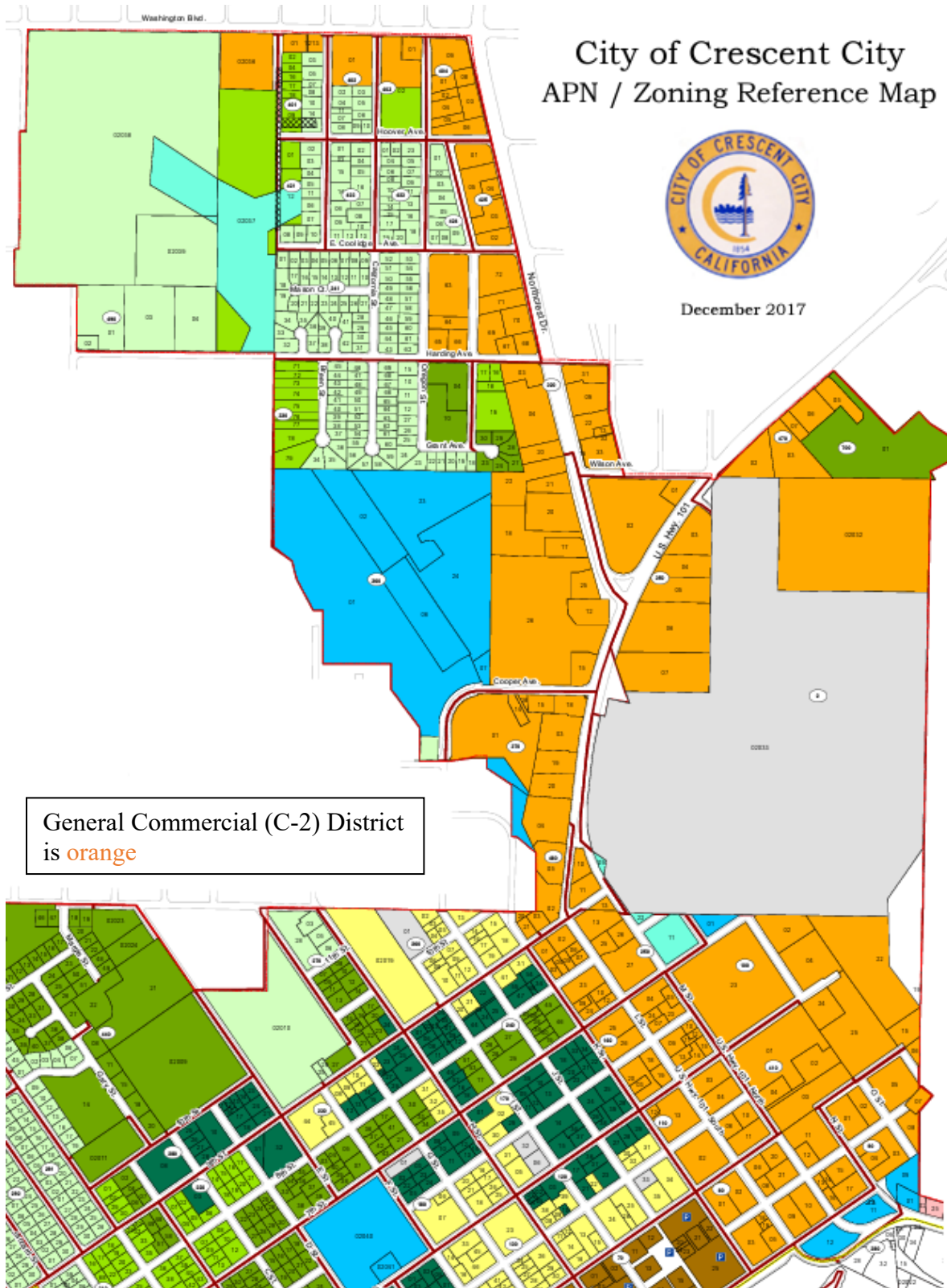
BACKGROUND INFORMATION

Project: Proposed Zoning Amendments to the C-2 (General Commercial District) Zoning (Chapter 17.22) and Zoning Definitions (Chapter 17.04) to allow Emergency Shelters.

General Plan Land Use: Visitor and Local Commercial (VLC) and General Commercial (GC)

Zoning: General Commercial District (C-2)

Coastal: No



PROJECT DESCRIPTION:

Proposed Zoning Amendments to C-2 (General Commercial District) Zoning (Chapter 17.22) and Zoning Definitions (17.04) to allow Emergency Shelters per state law requirement (AB2339).

This amendment is in response to California State Assembly Bill 2339 requiring Emergency Shelters by right in a zoning district that also permits residential use. Currently, the City principally permits Emergency Shelters in the Public Facility zone. However, this zone does not permit residential use and therefore does not comply with state law. In addition to principally permitting Emergency Shelters in the C-2 zone, the amendment will include definitions of types of emergency shelters and further develop the purpose of the C-2 zone to include the use of emergency shelters.

PERVIOUS DIRECTION:

At the February 9, 2023, regular Planning Commission meeting the Planning Commission directed staff to amend the zoning ordinances to satisfy AB2339 requirements and to prepare a revised draft ordinance for consideration. The Planning Commission recommended the C-2 Zoning (General Commercial District) as a prime candidate to principally permit emergency shelters.

GENERAL PLAN CONSISTENCY:

The General Plan (GP) designates the C-2 zone within both the Visitor Local Commercial (VLC) and General Commercial (GC) designations. The VLC and GC land use designation reads as follows:

Visitor and Local Commercial (VLC)

*This designation provides for a combination of commercial uses including visitor-serving commercial uses, local-serving commercial uses, and regional-serving commercial uses. Within the coastal zone, however, visitor-serving uses will have priority over all other allowable uses. The focus of this designation is on concentrating uses oriented toward tourism and drawing trade from the entire Del Norte County area. The maximum FAR for buildings in this designation is 0.50. The **principal permitted uses under the VLC designation include**, but are not limited to, **commercial activities** such as regional shopping and service centers including wholesale “club” stores and factory outlets; **a full range of retail uses** including apparel stores, specialty shops, durable goods, and home furnishings; **travel and transportation services** such as motels/hotels and gas stations; restaurants; entertainment centers; banks; savings and loans, and recreation facilities. **Multiple-unit residential** uses as a secondary/mixed use at a density of 6 to 15 units per acre may be considered with a conditional use permit. Other uses requiring a conditional use permit include, but are not limited to, new timeshare resort hotels, recreational vehicle parks, mini-storage, medical offices, and public facilities.*

General Commercial (GC)

This designation provides for general commercial uses which provide the Crescent City

*Planning Area with **goods, services, and jobs**. The maximum floor area ratio (FAR) in this designation is 0.50. The principal permitted uses under this designation include, but are not limited to, commercial activities such as small retail stores and personal service shops; regional shopping and service centers; offices; food services; travel and transportation services such as motels and gas stations; entertainment centers; recreation facilities; and medical centers and services including convalescent homes. The City may grant conditional use permits for **regional public facilities, assisted care facilities, secondhand stores, and nonprofit organizations**. Residential uses as a secondary/mixed use at a density of 12 units per acre may also be considered. All heavy commercial uses shall be prohibited in the General Commercial designation.*

Analysis: Staff believes that the proposed C-2 zoning amendment is consistent with the General Plan land use designation intent as the proposed amendment will increase the multipurpose use of the designations. Moreover, providing supportive services to the City's residents is largely overlooked in the General Plan land use descriptions. Downtown cores are strongest when they include a variety of opportunities for residents and visitors such as supportive services, commercial business, and entertainment uses. This amendment will allow for the provision of supportive services that are compatible to the existing uses within the C-2 zone.

HOUSING ELEMENT CONSISTENCY:

The Housing Element goals, policies, and implementation programs that are applicable to this zoning amendment include:

Goal D: *To address, and where appropriate and legally possible, remove governmental constraints for all housing, including housing for special needs groups.*

Policy D.1. *The City shall promote the development of special housing needs, such as transitional and supportive housing, emergency shelters, and single-room occupancy units, consistent with state law.*

Action D.1.1: *The City currently allows for emergency shelters by right in the PF Zone. The PF zone includes properties that are located in and adjacent to the core area of the City where services are provided. Furthermore, the majority of services are provided by local agencies and historically emergency shelters have been operated within the PF Zone. To provide for additional capacity, this City is planning to amend its Zoning Code to permit emergency shelters in the C-2 Zone with a use permit.*

Analysis: Staff believes that the proposed C-2 zoning amendment is consistent with the Housing Element Goal D in removing use constraints, Policy D.1 in promoting emergency shelters and supportive housing, and Action D.1.1 in amending C-2 zone to permit emergency shelters.

ZONING CODE CONSISTENCY:

The Crescent City Municipal Code (CCMC) defines the following uses as principally and conditionally permitted within the General Commercial (C-2) district:

17.22.010 [C-2] Purpose.

The general commercial district is intended primarily to serve as the central trading area of the city. The district accommodates and enhances several of the existing dominant features of the central area and provides the permanent shopping goods, financial and business, as well as the entertainment center of the community. In the C-2 district no building or land shall be used and no building shall be erected or structurally altered, unless otherwise provided herein except for one or more of the uses set forth in Section 17.22.020.

17.22.020 [C-2] Uses.

A. The principal permitted general commercial use in the C-2 district includes:

- 1. Retail and wholesale sales located inside a building, such as: large or small shops, stores, centers, and outlets.*
- 2. Services located inside a building, such as: offices, financial institutions and personal service shops, including laundromats, small item repairs and printing services.*
- 3. Indoor and outdoor recreational or travel activities and services, such as: all eating and drinking places (including drive-thru services), hotels and motels, theaters, entertainment centers, and bus stations.*
- 4. Medical centers and services including convalescent homes.*
- 5. Accessory structures, such as: parking lots and secondary storage buildings.*
- 6. Improvements to existing residential uses which can be demonstrated to have been legally established before the year 2001*

B. Other C-2 uses for which a use permit must first be secured:

- 1. Outdoor service or accessory storage areas, such as: auto sales, communications facilities, automobile service storage, and uncovered lumber yard or nursery areas.*
- 2. Medical facilities for animals such as veterinary clinics and animal hospitals.*
- 3. One residential unit for occupancy by the manager/caretaker of an existing commercial facility.*
- 4. Residential units up to thirty units per acre density, as either a mixed-use activity which is secondary to an existing or proposed commercial use, or as a residential-only development.*
- 5. Assisted care residential facilities.*
- 6. Non-profit organization offices.*
- 7. Stores in which more than fifty percent of the merchandise is second-hand.*
- 8. Mortuaries.*
- 9. Car, boat or other vehicle washing facilities.*
- 10. Local and regional public utility and community service facilities.*
- 11. Gas stations and light-commercial automobile service uses.*
- 12. Cannabis uses conducted pursuant to Chapter 17.95 (Commercial Cannabis Regulations), including: storefront retail, non-storefront retail (delivery only), cultivation*

(indoor only), non-volatile manufacturing, processing facilities, distribution, microbusinesses, and testing laboratories.

17.22.030 [C-2] Uses prohibited.

Uses prohibited in the C-2 district include:

- A. Truck and heavy equipment repair shops;
- B. Any manufacturing use not specifically defined herein; and
- C. Outdoor recreation or entertainment facilities which generate excessive noise, dust or glare. (Ord. 700 § 5 (Exh. A), 2003)

Analysis: Staff believes that the proposed C-2 zoning amendment is consistent with the purpose of the C-2 zone in accommodating and enhancing several of the existing dominant features of the central area, allowable C-2 uses (both principally and with CUP) and does not conflict with the prohibited uses.

ZONING DEFINITIONS CONSISTENCY:

The Crescent City Municipal Code (CCMC) defines the following Emergency Housing definitions along with the new recommend State definitions:

17.04.080 Bridge Housing. (New Definition)

“Bridge Housing” means immediately transition vulnerable clients out of homelessness in order to provide a stable experience that can facilitate placement into permanent housing “the missing link between shelters and permanent housing.”

17.04.179 Emergency Shelter. (Minor Change 6-days to 6-months)

“Emergency shelter” means housing with minimal supportive services for homeless persons. Those using the facility shall be transient occupants and the length of stay is not more than six months and is typically less. No individual or household may be denied emergency shelter because of an inability to pay. (Ord. 791 § 3, 2015)

17.04.378 Navigation Centers. (New Definition)

“Navigation Centers” means “housing first” low barrier, temporary, service-enriched shelter that helps homeless individuals and families to quickly obtain permanent housing.

17.04.426 Residential Care Facility. (New Definition)

“Residential Care Facility” means a residential care facility for up to six persons above the age of 18 years or emancipated minors.

17.04.427 Respite and Recuperative Care. (New Definition)

“Respite and Recuperative Care” means generally medical care for persons who are too sick to join a shelter but not sick enough to require hospital-level care.

17.04.428 Rooming House. (New Definition)

“Rooming House” means a building containing 3 or more guestrooms, used, designed, or intended to be used, let or hired, to be occupied or which are occupied by 3 or more individuals with or without meals, for compensation, as permanent guests pursuant to a previous arrangement for compensation for definite periods, by the month or greater term, and in which rooms are not occupied by, nor meals served, to transients.

17.04.476 Supportive Housing. (No Changes)

“Supportive Housing” means housing with no limit on length of stay, that is occupied by the target population as defined in Health and Safety Code Section 50675.14(b)(3), and that is linked to on- or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and when possible, work in the community. (Ord. 791 § 3, 2015)

17.04.484 Transitional Housing. (No Changes)

“Transitional housing” means the same as that term is defined in Section 50675.2(h) of the Health and Safety Code, buildings configured as rental housing developments, but operated under program requirements that call for termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (Ord. 791 § 3, 2015)

Analysis: Staff believes that the proposed zoning definitions amendments are consistent with the existing definitions, State law (AB2339), and provide clarity is discussing housing types.

ZONING AMENDMENT PROCESS:

The Crescent City Municipal Code (CCMC) states the following process for the Planning Commission zoning amendments:

17.58.010 [Amendments and Rezoning] Permitted When.

Whenever the public health, safety and general welfare warrants, the city council may by ordinance after report thereon by the planning commission and subject to the procedures provided in this chapter, amend, supplement, or change the regulations for zoning of property now or hereafter established by this title. An amendment or rezoning may be initiated by the planning commission, the city council, or by a petition of property owners or authorized agents of such owners. (Prior code § 30-505)

17.58.030 [Amendments and Rezoning] Hearing and Notice—Planning Commission.

A. Upon the initiation or filing of such petition for rezoning or upon the initiation of procedure for an amendment, the same shall be set for hearing before the planning commission by the planning director.

B. Notice of the time, place and purpose of such hearing shall be given by the following method:

1. In connection with the hearing on the amendment of the text of this title, at least one publication in the official newspaper of the city not less than ten days prior to the date of the hearing.
2. In connection with a hearing on a proposed rezoning of property by publication of at least one notice in the official newspaper of the city not less than five days prior to the date of the hearing. At least five days before the hearing of said rezoning a notice of said hearing may be mailed to the petitioners and to owners of property whose names have been committed by the petitioner and whose names may be on record for the purpose of receiving notices of those properties which are within two hundred feet of the property proposed to be rezoned. (Ord. 631 Exh. A, 1989; prior code § 30-505.2)

17.58.050 [Amendments and Rezoning] Determination of Findings.

A. If the planning commission finds that the public health, safety and general welfare warrant the change of regulations or zones, the planning commission may recommend such change to the city council and the city council may, by ordinance, effect such change. The planning commission shall not be bound to recommend the identical change of regulations on areas petitioned for or initiated but may recommend a more restrictive zone or regulation or an area smaller than that originally petitioned for or initiated if such change is warranted by the public health, safety and general welfare.

Analysis: Staff believe the zoning amendment requirements are fulfilled. The Planning Commission may initiate a zoning amendment per the City's Municipal Code 17.58.010. The Notice of Public Hearing was published in the Triplicate newspaper on Friday, February 24, 2023, and mailed out on Thursday, February 23, 2023, to property owners within 300-feet of the C-2 zone, exceeding the 5-day requirement per the City's Municipal Code 17.58.030(B)(1)&(2). The Planning Commission is holding a public hearing on Thursday, March 9, 2023, at 5:30 PM regarding this C-2 zoning amendment. Upon receipt of the recommendation of the Planning Commission on amendment, the City Council shall set the same for hearing for consideration (CCMC 17.58.040(A)&(B)).

ENVIRONMENTAL DETERMINATION:

The proposed C-2 zoning amendment is determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines:

§ 15061 - Review for Exemption

(b) A project is exempt from CEQA if:

(3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Analysis: Staff believes the subject ordinance would be exempt from the requirements to prepare additional environmental documentation per California Environmental Quality Act (CEQA)

Guidelines, Section 15061(b)(3). This section is the "common sense exemption" that states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. If the Lead Agency can determine with that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Pursuant to this section, the proposed amendments and adjustments fit within the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. In that the proposed amendments and adjustments would provide clarity, create consistency of terms and definitions, streamline approval processes, and amend Code requirements to reflect state law (AB 2339), the proposed adjustments and amendments will not have a significant effect on the environment; and therefore, the activity is not subject to CEQA. Future developments will be analyzed on a project-by-project basis.

ALTERNATIVES:

The Planning Commission has the following alternatives to consider:

1. **APPROVAL.** Should the Planning Commission make all the recommended findings and adopt the resolution, staff will notify the City Council to consider the C-2 zoning amendment recommendation.
2. **DENIAL.** Should the Planning Commission deny the C-2 zoning amendments, the City will not be in compliance with State Law and risk losing potential funding opportunities. The Commission's actions may be appealed to the City Council within 10-days (CCMC 17.58.060).
3. **REQUEST ADDITIONAL INFORMATION.** Should the Planning Commission require additional information, staff will follow-up according to the request, which may delay this item to the next scheduled Planning Commission meeting agenda.

STAFF RECOMMENDED FINDINGS:

Based on all the information presented above, staff recommends that the Planning Commission make the following findings:

1. On January 1, 2023, California State Assembly Bill 2339 (AB 2339) amended Chapter 654, Statutes of 2022 adding additional specificity on how cities and counties plan for emergency shelters and ensure sufficient capacity for low-income housing in their housing elements;
2. The Planning Commission may initiate a zoning amendment per the City's Municipal Code 17.58.010;
3. The proposed C-2 zoning amendment is consistent with the Crescent City General Plan, Housing Element, and Zoning Code;

4. The Notice of Public Hearing was published in the Triplicate newspaper on Friday, February 24, 2023, and mailed out on Thursday, February 23, 2023, to property owners within 300-feet of the C-2 zone, exceeding the 5-day requirement per the City's Municipal Code 17.58.030(B)(1)&(2);
5. The Planning Commission has held a public hearing on Thursday, March 9, 2023, at 5:30 PM regarding this C-2 zoning amendment;
6. The proposed C-2 zoning amendment will not result in significant and unavoidable impacts on the environment and is categorically exempt from the California Environmental Quality Act (CEQA) under the "common-sense" exemption (CEQA Guidelines §15061(b)(3)); and
7. The proposed location of the project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;

Recommendation: Motion to make the recommended findings by adoption of Resolution PC2023-04 "Zoning Amendments to the C-2 (General Commercial District) Zoning (Chapter 17.22) and Zoning Definitions (Chapter 17.04) to allow Emergency Shelters."

ATTACHMENTS:

- A) Assembly Bill 2339 (AB 2339)
- B) C-2 Zoning (Chapter 17.22) Amendments
- C) Zoning Definitions (Chapter 17.04) Amendments
- D) Resolution PC2023-04

**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL REVIEW COMMITTEE**



**ATTACHMENT A
ASSEMBLY BILL NO. 2339**

An act to amend Sections 65583 and 65863 of the Government Code, relating to land use.

[Approved by Governor, September 28, 2022. Filed with Secretary of State, September 28, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2339, Bloom. Housing element: emergency shelters: regional housing need.

(1) The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city that includes a housing element. Existing law requires that the housing element identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and make adequate provision for the existing and projected needs of all economic segments of a community. Existing law also requires that the housing element include an analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels.

This bill would revise the requirements of the housing element, as described above, in connection with zoning designations that allow residential use, including mixed use, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The bill would delete language regarding emergency shelter standards structured in relation to residential and commercial developments and instead require that emergency shelters only be subject to specified written, objective standards. The bill would specify that emergency shelters for purposes of these provisions include other interim intervention, including, but not limited to, navigation centers, bridge housing, and respite or recuperative care.

The bill would require that identified zoning designations where emergency shelters are allowed to include sites that meet at least one of certain prescribed standards. In this regard, the bill would require those sites to be either (1) vacant and zoned for residential use; (2) vacant and zoned for nonresidential use if the local government can demonstrate how the sites are located near amenities and services that serve people experiencing homelessness; or (3) nonvacant if the site is suitable for use as a shelter in the current planning period, as specified. The bill would also authorize a local government to accommodate its need for emergency shelters on sites owned by the local government if it demonstrates that the sites will be made available for emergency shelter during the planning period, they are suitable for residential use, and the sites are located near amenities, as specified. The bill would require the identified zoning designations to include

sufficient sites to accommodate the need for shelters, as specified. The bill would also require that the number of people experiencing homelessness that can be accommodated on each identified site under these provisions be demonstrated by dividing the square footage of the site by a minimum of 200 square feet per person, except as specified.

(2) The Planning and Zoning Law requires a city, county, or city and county to ensure that its housing element inventory, as described, or its housing element program to make sites available, as described, can accommodate its share of the regional housing need at all times throughout the planning period.

This bill would require each city, county, or city and county to ensure that its housing element inventory or its housing element program can accommodate its remaining unmet share of the regional housing need and any remaining unaccommodated portion of the regional housing need, as defined, from the prior planning period, at all times throughout the planning period.

Existing law also prohibits a city, county, or city and county from reducing, requiring, or permitting the reduction of the residential density to a lower residential density that is below the density that was utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the city, county, or city and county makes specified written findings supported by substantial evidence.

The bill would instead prohibit a city, county, or city and county from reducing, requiring, or permitting the reduction of the residential density to a lower residential density for any parcel identified to meet its current share of the regional housing need or any unaccommodated portion of the regional housing need, as defined, from the prior planning period, unless the city, county, or city and county makes specified written findings supported by substantial evidence.

(3) By imposing various new duties on local governments with regard to the administration of housing elements, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 65583 of the Government Code is amended to read:

65583.

The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

- (a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:
 - (1) An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. The number of extremely low income households and very low income households shall equal the jurisdiction's allocation of very low income households pursuant to Section 65584.
 - (2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.
 - (3) An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites, and an analysis of the relationship of the sites identified in the land inventory to the jurisdiction's duty to affirmatively further fair housing.
 - (4) (A) The identification of one or more zoning designations that allow residential uses, including mixed uses, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit and that are suitable for residential uses. The identified zoning designations shall include sufficient sites meeting the requirements of

subparagraph (H) with sufficient capacity, as described in subparagraph (I), to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zoning designation or designations that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zoning designation or designations with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zoning designations where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards that apply to emergency shelters are objective and encourage and facilitate the development of, or conversion to, emergency shelters.

(B) Emergency shelters shall only be subject to the following written, objective standards:

- (i) The maximum number of beds or persons permitted to be served nightly by the facility.
- (ii) Sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.
- (iii) The size and location of exterior and interior onsite waiting and client intake areas.
- (iv) The provision of onsite management.
- (v) The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.
- (vi) The length of stay.
- (vii) Lighting.
- (viii) Security during hours that the emergency shelter is in operation.

(C) For purposes of this paragraph, “emergency shelter” shall include other interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care.

(D) The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the

California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(E) If a local government has adopted written, objective standards pursuant to subparagraph (B), the local government shall include an analysis of the standards in the analysis of constraints pursuant to paragraph (5).

(F) A local government that can demonstrate, to the satisfaction of the department, the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multijurisdictional agreement that can accommodate that jurisdiction's need and the needs of the other jurisdictions that are a part of the agreement for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zoning designation where new emergency shelters are allowed with a conditional use permit.

(G) A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zoning designations for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph.

(H) The zoning designation or designations where emergency shelters are allowed, as described in subparagraph (A), shall include sites that meet at least one of the following standards:

(i) Vacant sites zoned for residential use.

(ii) Vacant sites zoned for nonresidential use that allow residential development, if the local government can demonstrate how the sites with this zoning designation that are being used to satisfy the requirements of paragraph (1) are located near amenities and services that serve people experiencing homelessness, which may include, health care, transportation, retail, employment, and social services, or that the local government will provide free transportation to services or offer services onsite.

(iii) Nonvacant sites zoned for residential use or for nonresidential use that allow residential development that are suitable for use as a shelter in the current planning period, or which can be redeveloped for use as a shelter in the current planning period. A nonvacant site with an existing use shall be presumed to impede emergency shelter development absent an analysis based on substantial evidence that the use is likely to be discontinued during the planning period. The analysis shall consider current market demand for the current uses, market conditions, and incentives or standards to encourage shelter development.

(I) The zoning designation or designations shall have sufficient sites meeting the requirements of subparagraph (H) to accommodate the need for shelters identified pursuant to paragraph (7). The number of people experiencing homelessness that can be accommodated on any site shall be demonstrated by dividing the square footage of the site by a minimum of 200 square feet per person, unless the locality can demonstrate that one or more shelters were developed on sites that have fewer square feet per person during the prior planning period or the locality provides similar evidence to the department demonstrating that the site can accommodate more people experiencing homelessness. Any standard applied pursuant to this subparagraph is intended only for calculating site capacity pursuant to this section, and shall not be constructed as establishing a development standard applicable to the siting, development, or approval of a shelter.

(J) Notwithstanding subparagraph (H), a local government may accommodate the need for emergency shelters identified pursuant to paragraph (7) on sites owned by the local government if it demonstrates with substantial evidence that the sites will be made available for emergency shelter during the planning period, they are suitable for residential use, and the sites are located near amenities and services that serve people experiencing homelessness, which may include health care, transportation, retail, employment, and social services, or that the local government will provide free transportation to services or offer services onsite.

(5) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, local processing and permit procedures, and any locally adopted ordinances that directly impact the cost and supply of residential development. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7).

(6) An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the

construction of that housing.

(7) An analysis of any special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. The need for emergency shelter shall be assessed based on the capacity necessary to accommodate the most recent homeless point-in-time count conducted before the start of the planning period, the need for emergency shelter based on number of beds available on a year-round and seasonal basis, the number of shelter beds that go unused on an average monthly basis within a one-year period, and the percentage of those in emergency shelters that move to permanent housing solutions. The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period. An analysis of special housing needs by a city or county may include an analysis of the need for frequent user coordinated care housing services.

(8) An analysis of opportunities for energy conservation with respect to residential development. Cities and counties are encouraged to include weatherization and energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. This may include energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system.

(9) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65916.

(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use, and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.

(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of preserving the assisted housing developments. This

cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project-by-project cost estimate.

(C) The analysis shall identify public and private nonprofit corporations known to the local government that have legal and managerial capacity to acquire and manage these housing developments.

(D) The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs that can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program that have not been legally obligated for other purposes and that could be available for use in preserving assisted housing developments.

(b) (1) A statement of the community's goals, quantified objectives, and policies relative to affirmatively furthering fair housing and to the maintenance, preservation, improvement, and development of housing.

(2) It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period.

(c) A program that sets forth a schedule of actions during the planning period, each with a timeline for implementation, that may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, the utilization of appropriate federal and state financing and subsidy programs when available, and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code). In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:

(1) Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09. Sites shall be identified as needed to affirmatively further fair housing and to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.

(A) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, rezoning of those sites, including adoption of minimum density and development standards, for jurisdictions with an eight-year housing element planning period pursuant to Section 65588, shall be completed no later than three years after either the date the housing element is adopted pursuant to subdivision (f) of Section 65585 or the date that is 90 days after receipt of comments from the department pursuant to subdivision (b) of Section 65585, whichever is earlier, unless the deadline is extended pursuant to subdivision (f). Notwithstanding the foregoing, for a local government that fails to adopt a housing element that the department has found to be in substantial compliance with this article within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning of those sites, including adoption of minimum density and development standards, shall be completed no later than one year from the statutory deadline in Section 65588 for adoption of the housing element.

(B) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall identify sites that can be developed for housing within the planning period pursuant to subdivision (h) of Section 65583.2. The identification of sites shall include all components specified in Section 65583.2.

(C) Where the inventory of sites pursuant to paragraph (3) of subdivision (a) does not identify adequate sites to accommodate the need for farmworker housing, the program shall provide for sufficient sites to meet the need with zoning that permits farmworker housing use by right, including density and development standards that could accommodate and facilitate the feasibility of the development of farmworker housing for low- and very low income households.

(2) Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households.

(3) Address and, where appropriate and legally possible, remove governmental and

nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. Transitional housing and supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. Supportive housing, as defined in Section 65650, shall be a use by right in all zones where multifamily and mixed uses are permitted, as provided in Article 11 (commencing with Section 65650).

(4) Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.

(5) Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law.

(6) Preserve for lower income households the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance.

(7) Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, “accessory dwelling units” has the same meaning as “accessory dwelling unit” as defined in paragraph (4) of subdivision (i) of Section 65852.2.

(8) Include an identification of the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals.

(9) Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.

(10) (A) Affirmatively further fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2. The program shall include an assessment of fair housing in the jurisdiction that shall include all of the following components:

(i) A summary of fair housing issues in the jurisdiction and an assessment of the jurisdiction's fair housing enforcement and fair housing outreach capacity.

(ii) An analysis of available federal, state, and local data and knowledge to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty and affluence, disparities in access to opportunity, and disproportionate housing needs, including displacement risk. The analysis shall identify and examine such patterns, trends, areas, disparities, and needs, both within the jurisdiction and comparing the jurisdiction to the region in which it is located, based on race and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2) and Section 65008.

(iii) An assessment of the contributing factors, including the local and regional historical origins and current policies and practices, for the fair housing issues identified under clauses (i) and (ii).

(iv) An identification of the jurisdiction's fair housing priorities and goals, giving highest priority to those factors identified in clause (iii) that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance, and identifying the metrics and milestones for determining what fair housing results will be achieved.

(v) Strategies and actions to implement those priorities and goals, which may include, but are not limited to, enhancing mobility strategies and encouraging development of new affordable housing in areas of opportunity, as well as place-based strategies to encourage community revitalization, including preservation of existing affordable housing, and protecting existing residents from displacement.

(B) A jurisdiction that completes or revises an assessment of fair housing pursuant to Subpart A (commencing with Section 5.150) of Part 5 of Subtitle A of Title 24 of the Code of Federal Regulations, as published in Volume 80 of the Federal Register, Number 136, page 42272, dated July 16, 2015, or an analysis of impediments to fair housing choice in accordance with the requirements of Section 91.225 of Title 24 of the Code of Federal Regulations in effect before August 17, 2015, may incorporate relevant portions of that assessment or revised assessment of fair housing or analysis or revised analysis of impediments to fair housing into its housing element.

(C) The requirements of this paragraph shall apply to housing elements due to be

revised pursuant to Section 65588 on or after January 1, 2021.

(d) (1) A local government may satisfy all or part of its requirement to identify a zone or zones suitable for the development of emergency shelters pursuant to paragraph (4) of subdivision (a) by adopting and implementing a multijurisdictional agreement, with a maximum of two other adjacent communities, that requires the participating jurisdictions to develop at least one year-round emergency shelter within two years of the beginning of the planning period.

(2) The agreement shall allocate a portion of the new shelter capacity to each jurisdiction as credit toward its emergency shelter need, and each jurisdiction shall describe how the capacity was allocated as part of its housing element.

(3) Each member jurisdiction of a multijurisdictional agreement shall describe in its housing element all of the following:

(A) How the joint facility will meet the jurisdiction's emergency shelter need.

(B) The jurisdiction's contribution to the facility for both the development and ongoing operation and management of the facility.

(C) The amount and source of the funding that the jurisdiction contributes to the facility.

(4) The aggregate capacity claimed by the participating jurisdictions in their housing elements shall not exceed the actual capacity of the shelter.

(e) Except as otherwise provided in this article, amendments to this article that alter the required content of a housing element shall apply to both of the following:

(1) A housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when a city, county, or city and county submits a draft to the department for review pursuant to Section 65585 more than 90 days after the effective date of the amendment to this section.

(2) Any housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when the city, county, or city and county fails to submit the first draft to the department before the due date specified in Section 65588 or 65584.02.

(f) The deadline for completing required rezoning pursuant to subparagraph (A) of paragraph (1) of subdivision (c) shall be extended by one year if the local government has completed the rezoning at densities sufficient to accommodate at least 75 percent of the units for low- and very low income households and if the legislative body at the conclusion of a public hearing determines, based upon substantial evidence, that any of the following circumstances exist:

(1) The local government has been unable to complete the rezoning because of the action or inaction beyond the control of the local government of any other state, federal, or local agency.

(2) The local government is unable to complete the rezoning because of infrastructure deficiencies due to fiscal or regulatory constraints.

(3) The local government must undertake a major revision to its general plan in order to accommodate the housing-related policies of a sustainable communities strategy or an alternative planning strategy adopted pursuant to Section 65080.

The resolution and the findings shall be transmitted to the department together with a detailed budget and schedule for preparation and adoption of the required rezonings, including plans for citizen participation and expected interim action. The schedule shall provide for adoption of the required rezoning within one year of the adoption of the resolution.

(g) (1) If a local government fails to complete the rezoning by the deadline provided in subparagraph (A) of paragraph (1) of subdivision (c), as it may be extended pursuant to subdivision (f), except as provided in paragraph (2), a local government may not disapprove a housing development project, nor require a conditional use permit, planned unit development permit, or other locally imposed discretionary permit, or impose a condition that would render the project infeasible, if the housing development project (A) is proposed to be located on a site required to be rezoned pursuant to the program action required by that subparagraph and (B) complies with applicable, objective general plan and zoning standards and criteria, including design review standards, described in the program action required by that subparagraph. Any subdivision of sites shall be subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)). Design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(2) A local government may disapprove a housing development described in paragraph (1) if it makes written findings supported by substantial evidence on the record that both of the following conditions exist:

(A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing

development project or the approval of the project upon the condition that it be developed at a lower density.

(3) The applicant or any interested person may bring an action to enforce this subdivision. If a court finds that the local agency disapproved a project or conditioned its approval in violation of this subdivision, the court shall issue an order or judgment compelling compliance within 60 days. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment has not been carried out within 60 days, the court may issue further orders to ensure that the purposes and policies of this subdivision are fulfilled. In any such action, the city, county, or city and county shall bear the burden of proof.

(4) For purposes of this subdivision, “housing development project” means a project to construct residential units for which the project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of at least 49 percent of the housing units for very low, low-, and moderate-income households with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing.

(h) An action to enforce the program actions of the housing element shall be brought pursuant to Section 1085 of the Code of Civil Procedure.

(i) Notwithstanding any other law, the otherwise applicable timeframe set forth in paragraph (2) of subdivision (b) and subdivision (d) of Section 21080.3.1 of the Public Resources Code, and paragraph (3) of subdivision (d) of Section 21082.3 of the Public Resources Code, for a Native American tribe to respond to a lead agency and request consultation in writing is extended by 30 days for any housing development project application determined or deemed to be complete on or after March 4, 2020, and prior to December 31, 2021.

(j) On or after January 1, 2024, at the discretion of the department, the analysis of government constraints pursuant to paragraph (5) of subdivision (a) may include an analysis of constraints upon the maintenance, improvement, or development of housing for persons with a characteristic identified in subdivision (b) of Section 51 of the Civil Code. The implementation of this subdivision is contingent upon an appropriation by the Legislature in the annual Budget Act or another statute for this purpose.

SEC. 2. Section 65863 of the Government Code is amended to read:
65863.

(a) Each city, county, or city and county shall ensure that its housing element inventory described in paragraph (3) of subdivision (a) of Section 65583 or its housing element program to make sites available pursuant to paragraph (1) of subdivision (c) of Section 65583, including sites rezoned pursuant to Section 65584.09, can accommodate, at all times throughout the planning period, its remaining unmet share of the regional housing need allocated pursuant to

Section 65584, and any remaining unaccommodated portion of the regional housing need from the prior planning period, except as provided in paragraph (2) of subdivision (c). At no time, except as provided in paragraph (2) of subdivision (c), shall a city, county, or city and county by administrative, quasi-judicial, legislative, or other action permit or cause its inventory of sites identified in the housing element to be insufficient to meet its remaining unmet share of the regional housing need for lower and moderate-income households.

(b) (1) No city, county, or city and county shall, by administrative, quasi-judicial, legislative, or other action, reduce, or require or permit the reduction of, the residential density for any parcel identified to meet its current share of the regional housing need or any unaccommodated portion of the regional housing need from the prior planning period to, or allow development of any parcel at, a lower residential density, as defined in paragraphs (1) and (2) of subdivision (g), unless the city, county, or city and county makes written findings supported by substantial evidence of both of the following:

(A) The reduction is consistent with the adopted general plan, including the housing element.

(B) The remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

(2) If a city, county, or city and county, by administrative, quasi-judicial, legislative, or other action, allows development of any parcel with fewer units by income category than identified in the jurisdiction's housing element for that parcel, the city, county, or city and county shall make a written finding supported by substantial evidence as to whether or not remaining sites identified in the housing element are adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

(c) (1) If a reduction in residential density for any parcel would result in the remaining sites in the housing element not being adequate to meet the requirements of Section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584, the jurisdiction may reduce the density on that parcel if it identifies sufficient additional, adequate, and available sites with an equal or greater residential density in the jurisdiction so that there is no net loss of residential unit capacity.

(2) If the approval of a development project results in fewer units by income category than

identified in the jurisdiction's housing element for that parcel and the jurisdiction does not find that the remaining sites in the housing element are adequate to accommodate the jurisdiction's share of the regional housing need by income level, the jurisdiction shall within 180 days identify and make available additional adequate sites to accommodate the jurisdiction's share of the regional housing need by income level. Nothing in this section shall authorize a city, county, or city and county to disapprove a housing development project on the basis that approval of the housing project would require compliance with this paragraph.

(d) The requirements of this section shall be in addition to any other law that may restrict or limit the reduction of residential density.

(e) This section requires that a city, county, or city and county be solely responsible for compliance with this section, unless a project applicant requests in their initial application, as submitted, a density that would result in the remaining sites in the housing element not being adequate to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584. In that case, the city, county, or city and county may require the project applicant to comply with this section. The submission of an application for purposes of this subdivision does not depend on the application being deemed complete or being accepted by the city, county, or city and county.

(f) This section shall not be construed to apply to parcels that, prior to January 1, 2003, were either (1) subject to a development agreement, or (2) parcels for which an application for a subdivision map had been submitted.

(g) (1) If the local jurisdiction has adopted a housing element for the current planning period that is in substantial compliance with Article 10.6 (commencing with Section 65580) of Chapter 3, for purposes of this section, "lower residential density" means the following:

(A) For sites on which the zoning designation permits residential use and that are identified in the local jurisdiction's housing element inventory described in paragraph (3) of subdivision (a) of Section 65583, fewer units on the site than were projected by the jurisdiction to be accommodated on the site pursuant to subdivision (c) of Section 65583.2.

(B) For sites that have been or will be rezoned pursuant to the local jurisdiction's housing element program described in paragraph (1) of subdivision (c) of Section 65583, fewer units for the site than were projected to be developed on the site in the housing element program.

(2) (A) If the local jurisdiction has not adopted a housing element for the current planning period within 90 days of the deadline established by Section 65588 or the adopted housing element is not in substantial compliance with Article 10.6 (commencing with Section 65580)

of Chapter 3 within 180 days of the deadline established by Section 65588, “lower residential density” means any of the following:

- (i) For residentially zoned sites, a density that is lower than 80 percent of the maximum allowable residential density for that parcel or 80 percent of the maximum density required by paragraph (3) of subdivision (c) of Section 65583.2, whichever is greater.
 - (ii) For sites on which residential and nonresidential uses are permitted, a use that would result in the development of fewer than 80 percent of the number of residential units that would be allowed under the maximum residential density for the site parcel or 80 percent of the maximum density required by paragraph (3) of subdivision (c) of Section 65583.2, whichever is greater.
- (B) If the council of governments fails to complete a final housing need allocation pursuant to the deadlines established by Section 65584.05, then for purposes of this paragraph, the deadline pursuant to Section 65588 shall be extended by a time period equal to the number of days of delay incurred by the council of governments in completing the final housing need allocation.
- (h) An action that obligates a jurisdiction to identify and make available additional adequate sites for residential development pursuant to this section creates no obligation under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) to identify, analyze, or mitigate the environmental impacts of that subsequent action to identify and make available additional adequate sites as a reasonably foreseeable consequence of that action. Nothing in this subdivision shall be construed as a determination as to whether or not the subsequent action by a city, county, or city and county to identify and make available additional adequate sites is a “project” for purposes of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
- (i) For purposes of this section, “unaccommodated portion of the regional housing need” means the portion of the local government’s regional housing need from the prior planning period that is required to be accommodated onsite zoned or rezoned pursuant to Section 65584.09.
- (j) Notwithstanding Section 65803, this section shall also apply to a charter city.

SEC. 3.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL REVIEW COMMITTEE**



**ATTACHMENT B
C-2 ZONING AMENDMENTS**

Chapter 17.22 (C-2) GENERAL COMMERCIAL DISTRICT

Changes: addition is underlined, and ~~deletion is crossed out~~

17.22.010 C-2 Purpose.

The purpose of the General Commercial district is intended primarily to serve as the central trading area of the city.

- A. The C-2 district accommodates and enhances several of the existing dominant features of the central area and provides the permanent shopping goods, financial and business, supportive services, as well as the entertainment center of the community.
- B. In the C-2 district no building or land shall be used and no building shall be erected or structurally altered, unless otherwise provided herein except for one or more of the uses set forth in Section 17.22.020. (Ord. 700 § 5 (Exh. A), 2003)

17.22.020 C-2 Principally Permitted Uses.

~~A.~~ The principal permitted general commercial use in the C-2 district includes:

- ~~1.~~ A. Retail and wholesale sales located inside a building, such as: large or small shops, stores, centers, and outlets.
- ~~2.~~ B. Services located inside a building, such as: offices, financial institutions and personal service shops, including laundromats, small item repairs and printing services.
- ~~3.~~ C. Indoor and outdoor recreational or travel activities and services, such as: all eating and drinking places (including drive-thru services), hotels and motels, theaters, entertainment centers, and bus stations.
4. D. Medical centers and services including convalescent homes.
- ~~5.~~ E. Accessory structures, such as: parking lots and secondary storage buildings.
- ~~6.~~ F. Improvements to existing residential uses which can be demonstrated to have been legally established before the year 2001.
- G. Emergency Shelters containing a maximum of thirty (30) beds and serving no more than thirty (30) persons per night.

17.22.025 C-2 Uses Subject to a Use Permit

~~A.~~ C-2 uses for which a use permit must first be secured:

- ~~1.~~ A. Outdoor service or accessory storage areas, such as: auto sales, communications facilities, automobile service storage, and uncovered lumber yard or nursery areas.
- ~~2.~~ B. Medical facilities for animals such as veterinary clinics and animal hospitals.
- ~~3.~~ C. One residential unit for occupancy by the manager/caretaker of an existing commercial facility.
4. D. Residential units up to thirty units per acre density, as either a mixed-use activity which is secondary to an existing or proposed commercial use, or as a residential-only development.
- ~~5.~~ E. Assisted care residential facilities.
- ~~6.~~ F. Non-profit organization offices.

- ~~7. G.~~ Stores in which more than fifty percent of the merchandise is second-hand.
- ~~8. H.~~ Mortuaries.
- ~~9. I.~~ Car, boat or other vehicle washing facilities.
- ~~10. J.~~ Local and regional public utility and community service facilities.
- ~~11. K.~~ Gas stations and light-commercial automobile service uses.
- ~~12. L.~~ Cannabis uses conducted pursuant to Chapter 17.95 (Commercial Cannabis Regulations), including: storefront retail, non-storefront retail (delivery only), cultivation (indoor only), non-volatile manufacturing, processing facilities, distribution, microbusinesses, and testing laboratories. (Ord. 819 § 3, 2020; Ord. 715 § 2, 2006; Ord. 700 § 5 (Exh. A), 2003)
- M. Emergency Shelters exceeding thirty (30) beds and serving more than thirty (30) persons per night.

17.22.030 C-2 Uses Prohibited.

Uses prohibited in the C-2 district include:

- A. Truck and heavy equipment repair shops;
- B. Any manufacturing use not specifically defined herein; and
- C. Outdoor recreation or entertainment facilities which generate excessive noise, dust or glare. (Ord. 700 § 5 (Exh. A), 2003)

17.22.040 C-2 Height and Area Regulations.

In the C-2 district the height of buildings and the maximum dimensions of yards and lots shall be as follows:

- A. Height. The maximum building height shall be forty-five (45) feet.
- B. Yard and Areas.
 - 1. Front Yard Setbacks: None required except where adjacent properties abutting upon the C-2 use are in a zone of greater requirements, then the front yard shall conform to the more restrictive zone;
 - 2. Side Yards Setbacks: None required except where the side yard of the C-2 use abuts upon the side yard of a residential or an RP use, and the side yard shall be five feet;
 - 3. Rear Yard Setbacks: Minimum ten (10) feet;
 - 4. Lot Area. No minimum; and
 - 5. Lot Coverage. The maximum total building square footage shall be fifty (50) percent of the size of the lot. Parking areas shall not be counted as building square footage. Residential units which are on the ground floor shall be counted, however residential units above the ground floor shall not be counted in the square footage. (Ord. 700 § 5 (Exh. A), 2003)

17.22.050 C-2 Building Placement.

Whenever property classified for a C-2 use is separated from adjacent residential property by a permanent open space or landscaped parking area of no less than twenty-five (25) feet in width, the required front yard or side yard setback shall not be required. (Ord. 700 § 5 (Exh. A), 2003)

17.22.060 C-2 General Requirements.

The general requirements for the C-2 District shall be as follows:

- A. Parking. See Chapter 17.42 for parking requirements.
- B. Fencing. See Chapter 17.40 for fencing requirements.
- C. Signs. See Chapter 17.38 for sign requirements. (Ord. 700 § 5 (Exh. A), 2003)
- D. Landscaping. See Chapters 17.41 and 17.43 for Landscaping Standards.

17.22.070 C-2 Site Plan and Architectural Review.

All uses permitted in the C-2 district except those requiring a use permit shall be subject to and approval of a site plan and architectural review. Architectural review for use permit uses shall be conducted by the planning commission as part of the use permit process. Procedure for such submittal and approval will be found under Chapter 17.46. (Ord. 700 § 5 (Exh. A), 2003)

17.22.080 C-2 General Regulations.

- A. Outdoor uses shall be subject to the provision of landscaping and/or solid screen fencing relative to the type of use. Material and equipment storage and automobiles awaiting service overnight or longer shall be confined behind a six (6)-foot solid wall or fence.
- B. There shall be no manufacture compounding, processing, or treatment of products other than that which is clearly incidental and essential to a retail store or business and where such completed products are sold at retail on the premises.
- C. There shall be no display of goods outside of the structure except for those uses customarily conducted in the open such as automobile sales.
- D. Accessory uses shall be permitted only to the extent necessary to the limited uses permitted under this part.
- E. The above general commercial uses shall not be objectionable due to odor, dust, smoke, noise, vibration, or other similar causes beyond the level of the ordinary neighborhood retail establishment. (Ord. 700 § 5 (Exh. A), 2003)
- F. Emergency Shelters shall provide:
 - 1. One (1) parking space per staff and one (1) parking space for every ten (10) beds.
 - 2. Security during hours that the shelter is in operation, an on-site manager, and a minimum of one (1) fully trained staff person with at least one (1) year of homeless services experience on site at all times when a client is on the premises. Staff shall be mandated reporters for cases of abuse both physical and sexual.
 - 3. No more than thirty (30) days of availability to residents, with extensions up to a total stay of sixty (60) days in any continuous twelve (12)-month period may be provided if no alternative housing is available.
 - 4. Adequate external lighting shall be provided for security purposes to ensure fully lit parking, gathering, and waiting areas. Lighting shall be placed as not to create glare or impact adjoining parcels.

**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL REVIEW COMMITTEE**



**ATTACHMENT C
ZONING DEFINITIONS AMENDMENTS**

Chapter 17.04 (ZONING) DEFINITIONS

Changes: addition is underlined, and ~~deletion is crossed out~~

17.04.005 Scope.

“Lot” includes the word “plot”; “building” includes the word “structure”; “occupied” includes the words “arranged or designed for” or “intended to be occupied”; “planning commission” means the planning commission of Crescent City. (Prior code § 30-700 (1))

17.04.010 Accessory building.

“Accessory building” means the building or the part of the building, the use of which is subordinate or incidental to that of the main building on the lot. Construction of said structure may only commence upon the completion of construction of certain portions of the main building as prescribed in Sections 17.10.040, 17.14.040, and 17.16.040. (Ord. 558 § 2, 1980; prior code § 30-700 (2))

17.04.015 Accessory living quarters.

“Accessory living quarters” means living quarters within an accessory building for the sole use of persons employed on the premises, having no kitchen or cooking facilities and not rented or used as a separate dwelling. (Prior code § 30-700 (3))

17.04.020 Accessory use.

“Accessory use” means a use incidental and subordinate to the principal use of a lot or building located upon the same lot. (Prior code § 30-700 (4))

17.04.025 Advertising sign.

“Advertising sign” means any sign used primarily for advertising purposes. (Prior code § 30-700 (6))

17.04.030 Advertising structure.

“Advertising structure” means any structure of any kind or character erected or maintained for advertising purposes, upon which any advertising sign may be placed, including advertising statuary. (Prior code § 30-700 (5))

17.04.035 Agriculture.

“Agriculture” means the tilling of soil, the raising of crops, horticulture, small livestock farming, dairying or animal husbandry, including all uses customarily incidental thereto, but not including slaughter houses, feed yards, hog farms, fertilizer works, bone yards or plants for the reduction of animal matter or any other industrial or agricultural use which is similarly objectionable because of noise, odor, smoke, dust or fumes. (Prior code § 30-700 (7))

17.04.040 Alley.

“Alley” means a public way, not exceeding twenty feet in width for the use of pedestrians and/or vehicles, which affords only a secondary means of access to the abutting property. (Prior code § 30-700 (8))

17.04.045 Apartment.

“Apartment” means a room, or suite of rooms, which is intended or designed to be occupied by one family for living, kitchen cooking, and sleeping purposes as a dwelling unit. (Ord. 695 § 2, 2003)

17.04.050 Apartment house.

For a definition of “apartment house”, see “Dwelling, multiple”, Section 17.04.155. (Prior code § 30-700 (9))

17.04.055 Area, building.

“Building area” means the aggregate of the maximum horizontal cross section area of the main building on a lot, excluding cornices, eaves, gutters, or chimneys projecting not more than four feet, steps, one-story open porches, bay windows not extending through more than one story and not projecting more than four feet, balconies and terraces. (Prior code § 30-700 (10))

17.04.060 Automobile and trailer sales area.

“Automobile and trailer sales area” means an open area used for the display, sale or rental of new or used automobiles or trailers, and where repair work is limited to minor incidental repair of automobiles or trailers to be displayed, rented or sold on the premises. (Prior code § 30-700 (11))

17.04.065 Automobile wrecking.

“Automobile wrecking” means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or partially dismantled, obsolete or wrecked vehicles or their parts. (Prior code § 30-700 (12))

17.04.070 Basement or cellar.

“Basement or cellar” means a story partly or wholly underground, and having more than one-half of its height below the average level of the adjoining ground. A basement, when designed for dwelling or occupied by business or manufacturing, shall be considered a story. (Prior code § 30-700 (13))

17.04.075 Block.

“Block” means that property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersection of intercepting streets and railroad right-of-way, waterway or natural barrier or unsubdivided acreage. (Prior code § 30-700 (14))

17.04.080 Bridge Housing.

“Bridge Housing” means immediately transition vulnerable clients out of homelessness in order to provide a stable experience that can facilitate placement into permanent housing “the missing link between shelters and permanent housing.”

17.04.085 Building.

“Building” means any structure built for the occupancy, shelter or enclosure of person, animal, chattels or personal property of any kind. (Prior code § 30-700 (16))

17.04.090 Building height.

“Building height” means the vertical distance from the average ground level of the site to the highest point of structure. (Prior code § 30-700 (17))

17.04.095 Building main.

“Building main” means a building in which is conducted the principal use of the lot upon which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot. (Prior code § 30-700 (18))

17.04.100 Building site.

“Building site” means a lot or lots under one ownership or control, or such land area as may be required herein for building purposes. (Prior code § 30-700 (19))

17.04.103 Care facility, residential.

“Residential care facility” means a facility licensed by the state of California for habilitative, congregate, foster or group home uses as a health care, community care or recovery care use. Definitions, categorization as to large or small and applicability of zoning or other restrictions shall be as set forth in the California Health and Safety Codes. (Ord. 700 § 5 (Exh. A (part)), 2003; Ord. 695 § 2, 2003)

17.04.105 Carport.

“Carport” means a permanent roofed structure used or intended to be used for automobile shelter and storage. (Prior code § 30-700 (20))

17.04.110 Cemetery.

“Cemetery” means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematoriums, mausoleums and mortuaries, when operated in conjunction with and within the boundary of such cemetery. (Prior code § 30-700 (21))

17.04.115 Centerline.

The centerline of a street as referred to in this title means the right-of-way centerline as established by the city engineer, by the County Surveyor, by the State Division of Highways, or subdivision map or if such centerline has not been established, the planning commission shall designate the centerline. (Prior code § 30-700 (22))

17.04.120 Common open space.

“Common open space” means a parcel or parcels of land, water, or land and water included in a planned unit development and designed and intended for the use of all residents thereof. Common open space may contain complimentary recreational structures and improvements designed and intended for the benefit and enjoyment of the residents of the planned unit development. (Prior code § 30-700 (23))

17.04.125 Community-use facility or center.

“Community-use facility or center” means a multipurpose building, group of buildings or area which is owned and operated by a public agency or nonprofit organization, open to the public and designed to accommodate public gatherings or meetings for the purposes of recreational, educational or cultural endeavors. Single-purpose offices or agencies operated by nonprofit organizations such as, but not limited to, the Red Cross, United Crusade, Family Service Agency, Blood Bank, etc., shall not constitute a community-use facility or center. (Prior code § 30-700 (24))

17.04.130 Court.

“Court” means an open area other than a yard, on the same lot with a building or buildings, bounded on two or more sides by such building or buildings. (Prior code § 30-700 (25))

17.04.135 Dairy.

“Dairy” means any premises where three or more cows or goats are kept, milked or maintained. (Prior code § 30-700 (26))

17.04.140 District.

“District” means a portion of the territory of the city within which certain regulations and requirements or various combinations thereof apply under the provisions of this title. (Prior code § 30-700 (27))

17.04.145 Dormitory.

“Dormitory” means a place where one or more rooms are provided, to be occupied for sleeping purposes by more than two persons not members of the same family and where independent cooking facilities are not provided. (Ord. 700 § 5 (Exh. A (part)), 2003; Ord. 695 § 2, 2003)

17.04.150 Drive-ins.

“Drive-ins” means premises with off-street parking facilities thereon, upon which premises are located restaurants, eating or food establishments from which establishments prepared food or drink, capable of being consumed by patrons or customers in automobiles on the premises, is sold or served. (Prior code § 30-700 (29))

17.04.155 Dwelling, multiple.

“Multiple dwelling” means a building with three or more dwelling units designed to be occupied by three or more families, each living independently as a separate housekeeping unit, including apartment houses, or courts, apartment hotels and flats, but not including motels. (Ord. 695 § 2, 2003)

17.04.160 Dwelling, one-family.

“One-family dwelling” means a detached building which is a dwelling unit designed to be occupied by one family exclusively. (Ord. 695 § 2, 2003)

17.04.165 Dwelling, two-family.

“Two-family dwelling” means a building with two dwelling units designed to be occupied by

two families exclusively, living independently of each other. (Ord. 695 § 2, 2003)

17.04.170 Dwelling group.

“Dwelling group” means a group or row of detached or semi-detached dwellings occupying a parcel of land in one ownership and having a yard, court, or place in common, including bungalow courts and apartment courts, but not included motels. (Prior code § 30-700 (33))

17.04.175 Dwelling unit.

“Dwelling unit” means a building or portion thereof used and/or designed for occupancy by one family for living or sleeping purposes and having one kitchen. (Prior code § 30-700 (34))

17.04.179 Emergency Shelter.

“Emergency shelter” means housing with minimal supportive services for homeless persons. Those using the facility shall be transient occupants and the length of stay is not more than six ~~days~~ months and is typically less. No individual or household may be denied emergency shelter because of an inability to pay. (Ord. 791 § 3, 2015)

17.04.180 Essential service.

“Essential service” means the erection, construction, alteration or maintenance by public utilities or municipal departments or commissions of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare. (Prior code § 30-700 (35))

17.04.185 Family.

“Family” means a household of one or more persons occupying a premises and living together as a single nonprofit housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house. (Ord. 700 § 5, 2003; Ord. 695 § 2, 2003)

17.04.190 Fraternity or sorority house.

“Fraternity or sorority house” means a dwelling maintained exclusively for members affiliated with an academic or professional college or university or other recognized institution of higher learning. (Prior code § 30-700 (37))

17.04.195 Frontage.

“Frontage” means all the property abutting on one side of a street between two streets intersecting it (crossing or terminating) measured along the street line. (Prior code § 30-700 (38))

17.04.200 Front wall.

“Front wall” means the wall of a building or other structure nearest to the street upon which the building faces, excluding cornices, canopies, eaves or any other architectural embellishments extending up to, but not in excess of, thirty inches beyond said front wall. (Prior code § 30-700 (39))

17.04.205 Garage, private.

“Private garage” means an accessory building or portion of the main building designed and/or used for the shelter or storage of vehicles by the occupants of the main building. (Prior code § 30-700 (40))

17.04.210 Garage, public.

“Public garage” means any building, other than a private or storage garage, used for the storage, care or repair of motor vehicles or where the vehicles are kept for hire or sale. (Prior code § 30-700 (41))

17.04.215 Garage, storage.

“Storage garage” means any building other than a public or private garage used exclusively for the storage of motor vehicles. (Prior code § 30-700 (42))

17.04.220 Grade.

“Grade” means the elevation of the finished surface of the ground adjacent to the exterior walls of the building; except that where the exterior walls are within five feet of a street line, the elevation of the sidewalk at the center of such exterior wall or walls shall be taken as the grade. (Prior code § 30-700 (43))

17.04.230 Guestroom.

“Guestroom” means a room which is designed and/or used by one or more guests for sleeping purposes, but in which no provision is made for cooking. (Prior code § 30-700 (45))

17.04.235 Home occupations.

“Home occupations” means an individually provided service, or an individual office or studio use customarily carried on in a dwelling by a resident thereof, which use is merely incidental to the residential use of the dwelling, and is carried on with the normal equipment customarily found in a dwelling; provided, that no assistants outside the home are employed and provided the use is conducted in the main dwelling and not in an accessory building. A home occupation produces no evidence of its existence beyond the dwelling other than on unlighted sign no larger than that permitted for the residence by the sign code and no outside storage of materials, products, equipment or vehicles other than the personal transport vehicle(s) of the resident business owner(s). (Ord. 700 § 5 (Exh. A (part)), 2003; prior code § 30-700 (46))

17.04.240 Hospital, sanitarium, nursing or convalescent homes.

“Hospital, sanitarium, nursing or convalescent homes” mean a building or any portion thereof used or designed for the housing of sick, mentally ill, injured, convalescent or infirm persons for the purpose of medical treatment; provided, that this definition shall not include rooms in any one-, two-, or three-family dwelling, hotel, apartment hotel not ordinarily intended to be occupied by said persons. (Ord. 695 § 2, 2003)

17.04.245 Hotel.

“Hotel” means a building containing six or more guestrooms used by six or more guests, with or without meals, where such lodging is provided for compensation for thirty days or less, and no

provision is made for kitchen facilities in any individual room or suite, but excluding hospitals and buildings where human beings are housed and detained under legal restraint. (Ord. 695 § 2, 2003)

17.04.247 Hotel, residential.

“Residential hotel” means a building containing six or more guestrooms used by six or more guests, with or without meals, where such lodging is provided for compensation for the purpose of occupancy longer than thirty days, and no provision is made for kitchen facilities in any individual room or suite. (Ord. 695 § 2, 2003)

17.04.250 Junk.

“Junk” means any worn out, cast-off or discarded article or material which is ready for destruction or has been collected or stored for salvage or conversion to some use. Any article or material which, unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new, shall not be considered junk; provided that second hand auto parts within this category shall be considered junk unless enclosed within a building or an eight-foot solid fence. (Prior code § 30-700 (49))

17.04.260 Kennel.

“Kennel” means any lot or premises on which four or more dogs over four months old are kept, maintained, boarded or offered for sale. (Prior code § 30-700 (51))

17.04.265 Kitchen.

“Kitchen” means any room, all or any part of which is designed or used for cooking and preparation of food. The use of a portable microwave oven or mini-refrigerator appliance utilizing one hundred ten volt plugs for the purpose of incidental wet-bar or snack bar purpose without a food storage, cook stove or preparational/clean-up area shall not constitute a kitchen. (Ord. 695 § 2, 2003)

17.04.270 Labor camp.

“Labor camp” means premises used for residential or living purposes for temporary or seasonal periods by five or more unrelated persons or families employed to perform agricultural or industrial labor. (Prior code § 30-700 (53))

17.04.275 Landowner.

“Landowner” means the legal or beneficial owner or owners of all of the land included in or proposed to be included in a planned unit development. (Prior code § 30-700 (54))

17.04.280 Loading space.

“Loading space” means an off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access. (Prior code § 30-700 (55))

17.04.285 Lodging or roominghouse.

“Lodging or roominghouse” means a building having no more than five guestrooms with a

maximum of two persons per room, where lodging is provided for compensation, for time periods of one month or longer. Communal meals may or may not be provided in a single dining facility however no guestroom shall have separate kitchen facilities. (Ord. 695 § 2, 2003)

17.04.290 Lots.

“Lot” means land occupied or to be occupied by a use, building or a unit group of buildings and accessory buildings and uses, together with such yards, open spaces, lot-width and area as required by this title, and having its principal frontage upon a street. (Prior code § 30-700 (57))

17.04.295 Lot area.

“Lot area” means the total horizontal area included within lot lines of a lot. (Prior code § 30-700 (58))

17.04.300 Lot, corner.

“Corner lot” means a lot situated at the intersection of two or more streets, or bounded on two or more adjacent sides by street lines. (Prior code § 30-700 (59))

17.04.305 Lot, interior.

“Interior lot” means a lot other than a corner lot. (Prior code § 30-700 (60))

17.04.310 Lot, key.

“Key lot” means the first interior lot to the rear or a reversed corner lot, the front line of which is a continuation of the side line of the reversed corner lot, exclusive of the width of any alley, and fronting on the street which intersects or intercepts the street upon which the corner lot fronts. (Prior code § 30-700 (61))

17.04.315 Lot line, front.

“Front lot line” means in the case of an interior lot, a line separating the lot from a street or place; and in the case of a corner lot or reversed corner lot, the shorter street frontage shall be considered the front of the lot. (Ord. 629 Exh. A, 1988; prior code § 30-700 (63))

17.04.320 Lot line, rear.

“Rear lot line” means a line which is opposite and most distant from the front lot line, and, in the case of an irregular, triangular or gore-shaped lot, a line within a lot ten feet in length, parallel to and at the maximum distance from the front lot line. (Prior code § 30-700 (64))

17.04.325 Lot line, side.

“Side lot line” means any lot lines other than the front or rear lot lines. (Prior code § 30-700 (65))

17.04.330 Lot of record.

“Lot of record” means land held in separate ownership as shown on the records of the County Recorder at the time of the passage of this title. (Prior code § 30-700 (66))

17.04.335 Lot reversed corner.

“Lot reversed corner” means a corner lot which rears upon the side of another lot, whether or not across an alley. (Prior code § 30-700 (67))

17.04.340 Lot, through.

“Through lot” means a lot having frontage on two parallel or approximately parallel streets. (Prior code § 30-700 (68))

17.04.345 Lot width.

“Lot width” means the average horizontal distance between side lot lines measured at right angles to the lot depth. (Prior code § 30-700 (62))

17.04.350 Marina.

“Marina” means a marina in a recreational use consisting of a small harbor or boat basin providing dockage, supplies, services, including but not limited to office space for management, sale of boats, marina supplies and incidental refreshments and marine insurance for a small pleasure craft. Nothing shall be construed as to prohibit the dry-land storage of small craft, trailers or appurtenances required for the operation of such craft but does not include the major repair and overhaul of such crafts. (Prior code § 30-700 (69))

17.04.353 Mixed use development.

“Mixed use development” means development upon one property which consists of both residential and non-residential commercial business, retail, office, or service uses. (Ord. 695 § 2, 2003)

17.04.360 Mobile home park.

“Mobile home park” means any area or premises where space for mobile homes is rented, held for rent or on which free occupancy or camping is permitted to house-trailer owners or users for the purpose of securing their trade but not including automobile or trailer-sales lots, on which unoccupied house trailers are parked for inspection and sales. (Prior code § 30-700 (71))

17.04.365 Motel.

“Motel” means a building or group of two or more detached, semi-detached or attached buildings containing guestrooms or apartments with automobile storage space provided in connection therewith, which building or group is designed, intended, or used primarily for the accommodation of automobile travelers visiting thirty days or less; including groups designated as auto cabins, motor courts, motels and similar designation. Where apartments are provided they shall constitute less than fifty percent of the total number of rooms and apartments in the facility. (Ord. 695 § 2, 2003)

17.04.370 Motor freight depot.

“Motor freight depot” means a place, building or part thereof where merchandise, property or freight transported by motor vehicles including trailers is received, stored, transferred, loaded, unloaded or delivered, and where any parking space, gasoline or fuel oil filling area service or repair shop or other accessory service is operated in conjunction therewith. (Prior code § 30-700 (73))

17.04.375 Natural production use.

“Natural production use” means any of the following uses: Agriculture, mining production,

storage or distribution of water supplies, forestry cutting and splitting of wood, extraction of minerals, and other natural materials. (Prior code § 30-700 (74))

17.04.378 Navigation Centers.

“Navigation Centers” means “housing first” low barrier, temporary, service-enriched shelter that helps homeless individuals and families to quickly obtain permanent housing.

17.04.380 Nonconforming building.

“Nonconforming building” means a building or portion thereof lawfully existing at the date of passage of the ordinance establishing the district in which such building is located, and which does not conform to the use regulation of the said district, or which does not conform to all the height or area regulations required in said district. (Prior code § 30-700 (75))

17.04.385 Nonconforming lot.

“Nonconforming lot” means a lot which does not conform to the area and width regulations of the district in which it is located or which does not conform to the subdivision regulations. (Prior code § 30-700 (76))

17.04.390 Nonconforming use.

“Nonconforming use” means a use which lawfully occupied a building or land at the date of passage of the ordinance or amendment thereto establishing the district in which such building or land is located, and which does not conform to the use regulation of the said district. (Prior code § 30-700 (77))

17.04.400 Parking area, public.

“Public parking area” means an open area, other than a street, used for the temporary parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers. (Prior code § 30-700 (79))

17.04.405 Parking space, automobile.

“Automobile parking space” means space within a public or private parking area of a building for the temporary parking or storage of one automobile. (Prior code § 30-700 (80))

17.04.410 Patio, covered.

“Covered patio” means an area which is covered partially or completely by a solid or open roof which is supported by upright support, columns, pillars, posts, or walls. (Prior code § 30-700 (81))

17.04.415 Place.

“Place” means an open occupied space, other than a street, permanently reserved as the principal means of access to abutting property including courts of access. (Prior code § 30-700 (82))

17.04.425 Pool hall or billiard parlor.

“Pool hall or billiard parlor” means a place where billiards or pool is played for a charge; provided, however, that this term shall not apply to any nonprofit society, club, fraternal, labor or other organization having adopted bylaws and duly elected directors and members having

exclusive use of the playing facilities for which use no charge is made. (Prior code § 30-700 (84))

17.04.426 Residential Care Facility.

“Residential Care Facility” means a residential care facility for up to six persons above the age of 18 years or emancipated minors.

17.04.427 Respite and Recuperative Care.

“Respite and Recuperative Care” means generally medical care for persons who are too sick to join a shelter but not sick enough to require hospital-level care.

17.04.428 Rooming House.

“Rooming House” means a building containing 3 or more guestrooms, used, designed, or intended to be used, let or hired, to be occupied or which are occupied by 3 or more individuals with or without meals, for compensation, as permanent guests pursuant to a previous arrangement for compensation for definite periods, by the month or greater term, and in which rooms are not occupied by, nor meals served, to transients.

17.04.430 Schools, elementary and high.

“Elementary and high schools” mean public or private elementary, junior and senior high schools. Does not include trade schools, vocational schools, business schools, or other schools not devoted primarily to academic instruction. (Prior code § 30-700 (85))

17.04.435 Second-hand store.

“Second-hand store” means a place in which used goods including but not limited to clothing, jewelry, furniture, appliances, room furnishings, musical instruments, typewriters, business machines, tools, motors, machines, instruments, firearms, or any similar second-hand articles or article or thing is primarily sold. This term shall not include sales of second-hand motor vehicles, trailers or farm equipment, and shall not include junk dealers or wrecking yards. (Prior code § 30-700 (86))

17.04.440 Service station.

“Service station” means any building, structure, premises or other place used primarily for the retail sale and dispensation of motor fuels, lubricants and motor vehicle accessories, and the rendering of minor services and repairs to such vehicles but not including painting or body and fender repair. (Prior code § 30-700 (87))

17.04.445 Setback.

“Setback” means the minimum horizontal distance from the building to the property line as prescribed by this title. (Prior code § 30-700 (88))

17.04.450 Sign.

“Sign” means any words, letters, figures, numerals, emblems, designs or other marks shown on any card, cloth, paper, metal, painted glass, wooden, plaster, stone or other sign or device of any kind or character by which anything is made known and used to attract attention for advertising purposes. (Prior code § 30-700 (89))

17.04.455 Sign area.

“Sign area” means and is determined as follows:

A. Where the lettered or illustrative material of a sign is placed upon a sign board or other part of a sign structure, whether framed or unframed, and having a continuous or essentially continuous surface or face (whether flat, curved, spherical, cylindrical, angulated or otherwise), the sign area is the area of the surface or face of the board or sign structure upon which it is placed. Building walls shall not be considered to be sign structures for the purposes of this subsection.

B. Where the lettered or illustrative material comprising a sign is not placed in the manner described in A above, the sign area is the area which would be encompassed within a frame extending two inches beyond the outermost boundaries of the lettered or illustrative material. This subsection shall be used for, but shall not be limited to, determining the sign area of signs painted or otherwise placed directly upon building walls. (Prior code § 30-700 (90))

17.04.457 Small wind energy conversion system (WECS).

A machine that converts the kinetic energy in the wind into a usable form that will be used primarily to reduce onsite consumption of utility power. (Ord. 752 § 6, 2010)

17.04.460 Street.

“Street” means a public thoroughfare dedicated as such or condemned for use as such, other than an alley, which affords the principal means of access to abutting property. (Prior code § 30-700 (91))

17.04.465 Street-line.

“Street-line” means the boundary line between a street and abutting property. (Prior code § 30-700 (92))

17.04.470 Structural alterations.

“Structural alterations” means any change in the supporting members of a structure such as the bearing walls or partitions, columns, beams or girders. (Prior code § 30-700 (93))

17.04.475 Structure.

“Structure” means anything constructed or erected, the use of which requires location on or under the ground or attached to something having a permanent location on the ground, except awnings, benches, statuary, swimming pools, fish ponds, pavement, fences or walls used as fences, or any similar object. (Prior code § 30-700 (94))

17.04.476 Supportive Housing.

“Supportive Housing” means housing with no limit on length of stay, that is occupied by the target population as defined in Health and Safety Code Section 50675.14(b)(3), and that is linked to on- or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and when possible, work in the community. (Ord. 791 § 3, 2015)

17.04.478 Total extended height.

The height of a small wind energy conversion system above grade to a blade tip at its highest

point of travel. (Ord. 752 § 6, 2010)

17.04.479 Tower height.

The height above grade of the fixed portion of the tower, excluding the wind turbine itself. (Ord. 752 § 6, 2010)

17.04.480 Townhouse or row house.

“Townhouse or row house” means one of a group of no less than four attached dwelling units where each dwelling unit is located on a separate lot. (Prior code § 30-700 (95))

17.04.484 Transitional Housing.

“Transitional housing” means the same as that term is defined in Section 50675.2(h) of the Health and Safety Code, buildings configured as rental housing developments, but operated under program requirements that call for termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (Ord. 791 § 3, 2015)

17.04.485 Truck terminal.

“Truck terminal” means a place where any heavy duty commercial vehicle or trailer over six feet wide or twenty feet or more in length and including, but not limited to, dump trucks, vans, tractors, pole or pipe dollies and cattle trucks are stored or regularly parked or a place in which the servicing or repairs of trucks is the primary business. (Prior code § 30-700 (96))

17.04.490 Use.

“Use” means the purpose for which land or a building is arranged, designed or intended, or for which either land or building is or may be occupied or maintained. Uses described within this title are more specifically defined in the latest edition of the Standard Industrial Classification Manual, on file with the city clerk. (Prior code § 30-700 (97))

17.04.495 Yard.

“Yard” means an open space other than a court, on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein. (Prior code § 30-700 (98))

17.04.500 Yard, front.

“Front yard” means an area extending across the front of the lot between the side lot lines, the depth of which is the minimum horizontal distance from the front line of the lot to the nearest line of the main building. (Prior code § 30-700 (99))

17.04.505 Yard, rear.

“Rear yard” means an area extending across the full width of the lot between the main building and the rear lot line; depth of the required rear yard to be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line. (Prior code § 30-700 (100))

17.04.510 Yard, side.

“Side yard” means an area between a main building and the side lot line, extending from the

front yard, or front lot line to the rear yard; width of the required side yard to be measured horizontally from the nearest point of the side lot line toward the nearest part of the main building. (Prior code § 30-700 (101))

**CITY OF CRESCENT CITY PLANNING COMMISSION
AND ARCHITECTURAL REVIEW COMMITTEE**



**ATTACHEMNT D
RESOLUTION NO. PC2023-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CRESCENT
CITY ZONING AMENDMENTS TO THE C-2 (GENERAL COMMERCIAL DISTRICT)
ZONING (CHAPTER 17.22) AND ZONING DEFINITIONS (CHAPTER 17.04) TO
ALLOW EMERGENCY SHELTERS.**

WHEREAS, On January 1, 2023, California State Assembly Bill 2339 (AB 2339) amended Chapter 654, Statutes of 2022 adding additional specificity on how cities and counties plan for emergency shelters and ensure sufficient capacity for low-income housing in their housing elements; and

WHEREAS, the Planning Commission may initiate a zoning amendment per the City's Municipal Code 17.58.010; and

WHEREAS, the Notice of Public Hearing was published in the Triplicate newspaper on Friday, February 24, 2023, and mailed out on Thursday, February 23, 2023, to property owners within 300-feet of the C-2 zone, exceeding the 5-day requirement per the City's Municipal Code 17.58.030(B)(1)&(2); and

WHEREAS, the Planning Commission has held a public hearing on Thursday, March 9, 2023, at 5:30 PM regarding this C-2 zoning amendment; and

WHEREAS, the proposed C-2 zoning amendment will not result in significant and unavoidable impacts on the environment and is categorically exempt from the California Environmental Quality Act (CEQA) under the "common-sense" exemption (CEQA Guidelines §15061(b)(3));

WHEREAS, the proposed location of the project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the City of Crescent City recommends that the City Council of the City of Crescent City consider amending the C-2 zone and zoning definitions to allow emergency shelters.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Crescent City held on this 9th day of March 2023, by the following polled vote.

AYES: Planning Commission Member

NOES: None

ABSTAIN: None

ABSENT: None

Jon Wendt, Chairperson

ATTEST:

Heather Welton, Office Technician