

## CHAPTER 4

### GENERAL REGULATIONS

#### SECTION:

- 10-4-1: Applicability
- 10-4-2: Parcel Area
- 10-4-3: Yards
- 10-4-4: Parking and Loading
- 10-4-5: Parking in Lieu Fee Regulations
- 10-4-6: Temporary Mobile Home or Commercial Coach Use Permits
- 10-4-7: Special Temporary Use Permits
- 10-4-8: Single-Room Occupancy Facilities
- 10-4-9: Site Plan Review
- 10-4-10: Historical Buildings in the City
- 10-4-11: Bed and Breakfast Establishments
- 10-4-12: Accessory Dwelling Units
- 10-4-13: Attached Single-Family Dwellings
- 10-4-14: Satellite Dish Antennas
- 10-4-15: Mobile Home Parks
- 10-4-16: Exterior Lighting Regulations
- 10-4-17: Sign Regulations
- 10-4-18: Keeping of Chickens
- 10-4-19: Sidewalk Dining Regulations
- 10-4-20: Short-Term Rentals

10-4-1: **APPLICABILITY:** Provisions of this Chapter shall apply in all zones wherever the specified conditions exist. When these provisions conflict with the zone regulations, the more restrictive provisions shall apply.(Failure to comply with these general regulations is unlawful.)(Ord. 1474, 8 Jan 1991)

10-4-2: **PARCEL AREA:** No structure or part thereof shall be erected on a parcel unless in compliance with the following provisions:

- (A) Provisions of this Ordinance imposed on minimum parcel area shall not apply to a parcel of record or a parcel divided and conveyed by valid deed or written contract of sale executed before the effective date of this Title.
- (B) No parcel shall be reduced in area so as to be smaller than required by this Ordinance, nor shall it be divided to create parcels smaller than required by this Ordinance. If already less in dimension or area, it shall not be further reduced or divided unless otherwise authorized by this Title.
- (C) The parcel shall have the minimum area required by the zone regulations for the particular zone. In addition to compliance with the minimum parcel area, any parcel on which dwelling units or rental units are proposed, shall also comply with the minimum parcel area for each such unit required by the zone regulations. An increase in the number of such units existing on a parcel shall not be allowed unless the density criteria are met, exclusive of land used or designed for other than residential uses on the same parcel.
- (D) The parcel shall further have the following minimum area requirements:
  - 1. No Service by Public Sewer System: When the parcel is not served by a public sewer system, minimum area: 20,000 sq. ft.
  - 2. No Service by Community Water System: When the parcel is not served by a community water system, minimum area: 20,000 sq. ft.
  - 3. No Service by Any System: When the parcel is not served by a public sewer system and is not served by a community water system, minimum area: 1 acre. (Ord. 1474, 8 Jan 1991)
  - 4. Sloping Parcels: This provision increases the minimum parcel area for parcels having a cross-slope exceeding ten percent (10%). For the purposes of this Section, cross-slope shall be calculated by dividing the vertical distance by the horizontal distance on sections drawn perpendicular to the contours for the full dimension of the lot at fifty foot (50') intervals with a minimum of two (2) such sections per lot. The cross-slope is the average of the sections taken. Cross-slopes ending in one half percent (1/2%) or more shall be rounded to the next highest whole number. Each lot or remainder created shall individually meet the minimum lot size standard based upon that lot's particular slope. The provisions of this Section shall apply only to R-1 (single-family) property divisions.

The provisions of this Section shall only apply to applications to subdivide property submitted after the effective date.

- (a) Cross-Slopes over Forty Percent: It is the intention of this Ordinance to prohibit development on cross-slopes over forty percent (40%) unless a design waiver is approved. That portion of a parcel on which the cross-slope exceeds forty percent (40%):
  - (1) Shall be excluded in determining minimum parcel area, and
  - (2) Shall be excluded when determining the slopes between the highest and lowest point used to determine the slope of the parcel.

- (3) A map restriction shall be recorded against the parcel prohibiting development on the excluded area.
  - (4) If a design waiver is approved for construction on cross-slopes greater than forty percent (40%), the provisions of subsections 10-4-2(D)4(a)(1), (2) and (3) will not be applied when determining cross-slopes and minimum parcel area.
- (b) Minimum Parcel Area: The minimum parcel area for sloping parcels with slopes in excess of ten percent is determined by the following formulas:

<u>Slope Range</u>	<u>Minimum Parcel Area</u>
0% - 10%	6,000 sq. ft. or that allowed by the zone the parcel is within
10.1% - 30%	$((S-10\%) \times 1,200 \text{ sq. ft.}) + 6,000 \text{ sq. ft.} = \text{minimum parcel size}$
30.1% - 35%	$((S-30\%) \times 2,000 \text{ sq. ft.}) + 30,000 \text{ sq. ft.} = \text{minimum parcel size}$
35.1% - Plus	$((S-35\%) \times 10,000 \text{ sq. ft.}) + 35,000 \text{ sq. ft.} = \text{minimum parcel size}$

$$S = \text{Slope of parcel (Ord. 1654, 25 Jun 2013)}$$

- (c) Design Waiver: Design waivers associated with a division of a property may be allowed if the applicant applies for such a waiver and provides adequate justification to the approving body for the waiver. The burden of proof in the granting of the design waiver is upon the applicant. The applicant shall provide supporting information to the Planning Commission and City Engineer including but not limited to engineered grading and improvement plans, erosion control plans, tree removal and reforestation plans, road and driveway profiles, drainage plans and any additional information that the Planning Commission or City Engineer may require as it is associated with the waiver. The Planning Commission shall make findings that the design waiver will not involve excessive grading or land alteration and impacts to the site will be minimized. The applicant shall make a separate application for such a waiver. This request shall be reviewed by the City Engineer and a report from the Engineer shall be made to the Planning Commission and/or the City Council. The Planning Commission and/or the City Council shall review the request and the report from the City Engineer and make a final ruling on the request. Design waivers shall not be allowed for minimum parcel size or density.

A design waiver for construction on slopes greater than forty percent (40%) shall be required for any roadway or structure requiring a building permit. The applicant shall submit information with the application to subdivide a parcel that makes it clear to the approving body that the development of a slope greater than forty percent (40%) will not detract from the project or the City as a whole (Ord. 1502, 14 Sep 1993).

10-4-3: **YARDS:** No structure shall be constructed on any yard required by this Ordinance unless in compliance with all of the following requirements:

- (A) Zone regulations imposed on minimum parcel width shall not apply to a parcel of record, or a parcel divided and conveyed by valid deed, or written contract of sale executed before the effective date of such provision made applicable to such parcel; if such parcel has less than the minimum required width, the minimum side yard required in all residential zones is reduced to five feet (5'); provided, that the structure is not higher than one and one-half (1 1/2) stories; if such parcel fronts streets on two (2) adjoining sides, the minimum front yard required in all residential zones is reduced to ten feet (10') on one of the streets.
- (B) An enclosed and uncovered patio, terrace, swimming pool, stairway or landing not higher than three feet (3') above the natural ground level may be located on the required yards. Cornice, eaves, canopy, chimney, fire escape, unenclosed and uncovered balcony, patio, terrace, stairway or landing and other similar projections or overhangs higher than three feet (3') above the natural ground level, may extend into the required yards to a distance of not more than two feet (2').
- (C) A fence, wall or hedge not higher than six feet (6') above the natural ground level, may be located on the required yards; provided, that in all residential zones such fence, wall or hedge is not higher than three feet (3') above the natural ground level on corner parcels fronting on two (2) or more intersecting streets, within a triangle formed by the intersecting rights of way and a line drawn between points on such rights of way thirty feet (30') distant from their point of intersection.
- (D) Detached accessory structures not higher than one story or twelve feet (12') may be located on the required rear yard up to five feet (5') of the rear parcel line.
- (E) Where more than one-half (1/2) the building sites along the same side of the street in the same zone have been improved with buildings, the required front yard is the average of the front yards in improved building sites within three hundred feet (300') in each direction.
- (F) On corner parcels the side yard abutting the street shall be one-half (1/2) the distance of the required front yard for the zone with a minimum distance of ten feet (10').
- (G) On corner parcels the Development Services Director shall determine which portions of the parcel are the front, sides and rear yards.
- (H) On irregular shaped parcels the Development Services Director shall determine which portions of the parcel are the front, side and rear yards.(Ord. 1474, 8 Jan 1991).

10-4-4: **PARKING AND LOADING:** No structure shall be constructed unless open spaces for automobile parking, and truck loading and unloading, are permanently provided and maintained for the benefit of residents, employees, customers and visitors, within or outside of buildings or in a combination of both, in compliance with all the following requirements:

- (A)
1. Applicability: A new use, structure, addition, or alteration on existing parcels shall be allowed only if it does not increase or create a parking deficiency as determined in this Section.
  2. Parking District: The requirements of Section 10-4-4 shall also apply to the City Parking District, except that any owner of property within the downtown parking district may request to pay an "in lieu fee" instead of providing the required parking as provided in Section 10-4-5.
- (B) The required parking shall be provided on the parcel or contiguous parcel where the use is located. For nonresidential uses, the required parking may be provided on a parcel no farther than three hundred feet (300') from the boundaries of the parcel where the use is located, providing that the parcel is under the same ownership, within the City, in the same zone, or in a less restrictive zone and that no major thoroughfare lies between the use and any of the required parking. The required loading shall be provided on the parcel where the use is located and no farther than twenty feet (20') from the building to be served.
- (C) The layout of parking stalls, loading berths, and parking aisles shall comply with all the following requirements:
1. The required parking stalls, loading berths, and parking aisles may not be located on any street right of way.
  2. The required parking stalls, loading berths, and parking aisles, if outdoors, may be located on the required side and rear yards, and within the required front yards up to three feet (3') from the street right of way.
  3. Each parking stall shall have a minimum size of nine feet by eighteen feet (9' x 18') when free of obstructions such as columns or walls; ten feet by eighteen feet (10' x 18') where columns or walls are located adjacent to space; each loading berth shall have a minimum size of twelve feet by twenty five feet (12' x 25') whether indoors or outdoors.
  4. Parking aisles shall have a minimum width of twelve feet (12') when stalls are parallel to the aisle or up to an angle of forty degrees (40°); seventeen feet (17') when stalls are at an angle between forty degrees (40°) and seventy degrees (70°); and twenty four feet (24') when stalls are at an angle between seventy degrees (70°) and ninety degrees (90°).
  5. Parking stalls and aisles shall have a maximum grade of ten percent (10%). If the grade is over five percent (5%) then the required width of a parking stall shall increase to ten feet (10').
  6. Each parking stall and aisle shall have a minimum eight foot (8') vertical clearance; each loading stall and access thereto shall have a minimum fifteen foot (15') vertical clearance.
  7. Each parking stall and loading berth shall have vehicular access to the street, without passing over other parking stalls.

8. Each parking stall, except those serving one- and two-family dwellings, shall have vehicular access to the street without backing into the public travel way or potential travel way; an exit shall be provided in the direction of the traffic flow when parking stalls are laid out at an angle of less than ninety degrees (90°) with the aisle. Any parking stalls or aisles that are to be located in the public right of way shall be approved or conditionally approved by the Planning Commission and obtain an encroachment permit from the Development Services Department Exception: Vehicles on the streets listed below may back into the public travel way or potential travel way when a Conditional Use Permit is obtained in accordance with Section 10-3-6:
    - (a) Reservoir Alley.
  9. Up to twenty percent (20%) of the parking stalls can be for compact cars. These stalls shall have a minimum size of seven feet by seventeen feet (7' x 17'). All compact parking stalls shall be marked or so indicated as "compact parking only". Where a compact space is located adjacent to columns or walls, the stall shall be ten feet (10') in width.
  10. Tandem parking is allowed if all the following conditions are met:
    - (a) The subject parcel is located within the downtown parking district.
    - (b) The parking spaces are designated and marked for employees only. The applicant shall provide data on the maximum number of employees per shift.
    - (c) A space of nine feet by eighteen feet (9' by 18') shall be provided for each tandem space.
    - (d) The spaces shall be paved per City standards.
    - (e) The applicant shall obtain a Conditional Use Permit from the City Planning Commission per Sections 10-3-3, 10-3-4, and 10-3-6 of the City Code. The applicant shall submit a scaled drawing of the proposal to the Planning Commission for review and approval (Ord. 1474, 8 Jan 1991).
- (D) Improvements listed below shall be completed prior to the issuance of a certificate of occupancy by the Building Division:
1. Each driveway, parking stall, loading berth; all parking lots; new and used vehicle sales lots; except those serving one-family dwelling, shall be graded, drained, and surfaced with a minimum of two inches (2") of asphaltic concrete over four inches (4") of aggregate base, as per City standards.
  2. A minimum four foot (4') high solid fence, wall or thick hedge shall be permanently maintained between any residential zone and a parking area serving a commercial use, where such area is contiguous to such a zone (Ord. 1582, 22 Jan 2002).
- (E) The following minimum number of parking stalls shall be required, to serve the uses or buildings listed:
1. Automotive Service Center: One space each five hundred (500) square feet

maintenance area. One space each two hundred (200) square feet office/retail area.

2. Beauty shop, barbershop: two (2) for each operating chair.
3. Bowling establishment: eight (8) for each lane.
4. Eating or drinking establishment: one for each four (4) seats of maximum seating capacity.
5. Fast food eating and drinking establishments: one for each fifty (50) square feet of floor area, plus one space for every four (4) seats of maximum indoor and outdoor seating capacity, with a minimum of five (5) required.
6. General office, bank, studio, retail repair and service: one for each two hundred (200) square feet of floor area, measured to the nearest two hundred (200) square feet.
7. Hospitals: one and one-half (1 1/2) for each bed.
8. Medical office: one space each one hundred fifty (150) square feet of floor area.
9. Miniature golf course: two (2) for each hole.
10. Multiple uses: shall be the sum of the requirements for each individual use.
11. Packing, manufacturing, processing service or research facilities: one parking space per five hundred (500) square feet of gross floor area or one space per employee of maximum working shift, whichever is the greater of the two (2).
12. Place of assembly or worship, mortuary: one for each four (4) seats of maximum seating capacity.
13. Pool and billiard tables, golf driving ranges, pinball machines and other indoor recreational uses: two (2) for each recreational unit, such as a table, range or machine or court, or one space for each one hundred (100) square feet of floor area measured to the nearest one hundred (100) square feet whichever is less of the two (2).
14. Rest homes, sanitariums, and convalescent hospitals: one space for each three (3) employees and one space for each three (3) beds.
15. Retail furniture, appliance stores and similar uses: one parking space per each two hundred fifty (250) square feet of gross floor area, measured to the nearest two hundred fifty (250) square feet.
16. Retail sales: one for each two hundred (200) square feet of floor area, measured to the nearest two hundred feet (200').
17. Rooming or boarding house, motel, hotel (Ord. 1474, 8 Jan 1991); Short-Term Rental (PC Res 2021-01 6 Apr 2021): one for each rental unit.
18. Schools:
  - (a) Nursery schools: one space for every five hundred (500) square feet.

- (b) Elementary schools: two (2) spaces for each classroom.
- (c) High schools: seven (7) spaces for each classroom.
- (d) Colleges: fifteen (15) spaces each classroom.

19. Shopping centers: one space for each two hundred (200) square feet of floor space. A "shopping center", for the purpose of this Section, is defined as an area upon which there are situated multiple retail or service type business enterprises in which the total floor space is at least twenty thousand (20,000) square feet.

Fast food restaurants shall not be considered part of a shopping center and shall provide parking at a ratio as specified under fast foods of this Section.

20. Single-family residence: two (2) spaces; multi-family: one and one half (1.5) spaces per dwelling unit. (Ord. 1627, 9 Sep 2008)

21. Wholesale or bulk storage: one parking space per one thousand five hundred (1,500) square feet of gross floor area or one for each employee of maximum working shift, whichever is the greater of the two (2).

22. Single-Room Occupancy Facility: One stall per three (3) single-room occupancy units, plus one additional stall if on-site management office is required per subsection (F) of this Section. (Ord. 1664, 23 Sept 2014)

23. Employee Housing-Large: On-site parking shall be provided according to the following schedule. For group quarter facilities, a minimum of one (1) parking space for every three (3) authorized beds. For individual unit facilities, a minimum of two (2) parking spaces shall be provided for each unit or space. (Ord. 1667, 28 Oct 2014)

24. Employee Housing-Small: Two (2) spaces. (Ord. 1667, 28 Oct 2014)

25. Accessory Dwelling Unit (ADU): No additional parking shall be required for an ADU, except when located on a street determined to be substandard, a minimum of two off-street parking resulting from the conversion of a garage, car port, or loss of parking area shall be replaced to maintain a minimum of two off-street parking space. (Ordinance 1714, 23 Jan 2024).

(F) Loading Berth: Loading berths shall be provided, in addition to parking stalls, as follows:

	TOTAL SQUARE FOOTAGE OF BUILDING (Gross Floor Area)	SPACE LOADING SPACES REQUIRED
1.	Commercial and industrial buildings	
	3,000 to 20,000	1
	20,001 to 50,000	2
	50,001 and over	3
2.	Warehouse and storage areas, each 7,000	1
3.	Hospitals, institutions, hotels and office buildings	
	10,000 to 50,000	1
	50,001 to 100,000	2
	100,001 and over	3

10-4-5: **PARKING IN LIEU FEE REGULATIONS:**

(A) Purpose: The purpose of this Section is to provide for the payment of a fee in lieu of providing additional parking upon construction of a new facility, the expansion of a facility, or the annexation of an existing facility into a parking district.

(B) Definitions:

**APPLICANT:** Any person, corporation or business entity who makes application for the construction of a new facility, the expansion of an existing facility, or the annexation of an existing facility into a parking district.

**CITY REGULATIONS:** All rules and regulations of the City, whether ordinance, resolution or minute order, relating to parking.

**COST OF A PARKING PLACE:** The estimated cost of providing a parking place as determined annually by resolution of the City Council.

**DISTRICT:** Any special assessment parking district.

**PARKING ADVISORY COMMISSION:** The Parking Advisory Commission of the City of Placerville as appointed by the City Council.

**PARKING DISTRICT or DISTRICT:** Any special assessment parking district within the City.

(C) Procedure:

1. When an application is made for an expansion of use, the Planning Commission, upon recommendation of the Parking Advisory Commission, shall either:

- (a) Make a determination that the applicant shall comply with the City parking requirements as set forth in Section 10-4-4 of the City Code, or
- (b) Make a determination as to whether the applicant shall be required to pay a fee as set forth herein in lieu of providing additional parking. Said determination by the Planning Commission shall be made prior to the issuance of any permit for the expansion of use.

The Planning Commission shall determine whether or not sufficient parking exists within a six hundred foot (600') radius of the proposed expansion of use. When such a finding is made, the parking in lieu fee may be assessed, as provided for herein, upon recommendation of the Planning Commission and approval of the City Council.

2. The payment of the in lieu fee shall be made a condition to any permit issued and shall be evidenced by an agreement in writing providing for the payment of the fee; said fee to be placed in the City Parking Fund for future use in acquiring, improving or developing parking within the parking district. Upon approval by the City, the payment of the fee may be amortized over a period of fifteen (15) years, with interest thereon at the rate of twelve percent (12%) per annum, payable annually.

(D) Exemptions and Credits:

1. Any existing structure assessed by special assessment for parking purposes may be replaced to the same size and usage without the payment of the fee.
2. If an existing building is replaced and the number of parking places required by City regulations are placed on the same site, then no fee will be required.
3. Where an existing structure is replaced by a larger structure, only the increased space shall be subject to the fee.
4. Unimproved property located within the district having been previously assessed shall be given credit against the fee for the amount of the assessment.

(E) Determination of the Fee: The fee for each parking place required by the City regulations for the proposed expansion of use is determined by multiplying the cost of a parking place by a factor of one-half (1/2).

Example: Assume the cost of a parking place is twelve thousand dollars (\$12,000.00).

Fee per space required = (\$12,000.00) (1/2) = \$6,000.00.

(F) Default in the Payment of the Fee: In the event the required fee is not paid, or in the event any installment payment of the fee is delinquent more than ten (10) days, the permit issued conditioned upon the payment of the fee shall be revoked and all remedies available to the City shall be enforced.(Ord. 1474, 8 Jan 1991)

10-4-6: **TEMPORARY MOBILE HOME OR COMMERCIAL COACH USE PERMIT:**

- (A) Intent: The intent of this Section is to permit temporary uses which meet established safety standards where a need for such has been demonstrated. Such use is to be of a temporary nature only, and a termination date shall be specified on all permits. Permits shall be granted for a period up to one year, and an extension of six (6) months or longer may be granted if good and valid reasons have been first established for such extension. A temporary mobile home or commercial coach use permit may be permitted in zones where such use will not adversely affect existing land uses.
- (B) Applicability:
1. Temporary mobile home or commercial coach permits shall apply to:
    - (a) Placement of temporary mobile homes accessory to, and not exceeding the duration of, the construction of single family dwelling units.
    - (b) Temporary uses for offices or retail sales (Ord. 1642, 14 Jun 2011)
  2. Temporary mobile home or commercial coach use permits do not apply to:
    - (a) Licensing of mobile vendors which provide a service to residents.
    - (b) Temporary construction offices.
- (C) Procedure: The procedure for obtaining a temporary mobile home or commercial coach use permit shall be as follows:
1. Application: An application for a temporary mobile home or commercial coach use permit shall be filed by the owner of the property for which the permit is sought or by the authorized representative of the owner. Such application shall be made to the Commission and shall be on forms furnished by the secretary of the Commission. As part of the application a plot plan shall be submitted which is drawn to scale and which designates all land uses on the property, location of all structures on the property, location of proposed mobile home or commercial coach, utility connections, yard, off-street parking, and other information that the Planning Division may require.
  2. Filing Fee: The permittee shall pay to the City a filing fee established by resolution of the City Council to defray costs incurred by the City in the issuance of said temporary mobile home or commercial coach use permit.
  3. Commission Findings and Decision: The Commission shall announce and record its decision and action. Such report shall recite the findings of the Commission upon which it bases its decision. If the decision is favorable to granting the temporary mobile home or commercial coach use permit, the report may also contain any conditions to be imposed, including penalties for violation of termination date.
  4. Notification: The Development Services Director or authorized representative shall notify all property owners, within three hundred feet (300') of the property for which the permit is sought, of the requested use permit ten (10) days prior to any action of the Planning Commission. If comments are received, said comments shall be included in the staff's report to the Planning Commission.

5. Revocation: The Commission may revoke any temporary mobile home or commercial coach use permit for noncompliance or violation of the conditions set forth in granting such permit. A written notice of intention to revoke shall be mailed to the applicant not less than ten (10) days before the Commission action.
- (D) Appeals: Appeals to this Section shall follow the provisions set forth in Section 10-3-7 of this Title.
- (E) Hardship Mobile Home: A Conditional Use Permit may be granted to the owner of an existing principal dwelling to permit one mobile home unit as an additional dwelling unit for the use by a member of his/her family provided the following findings are made by the Planning Commission:
1. A hardship connected with a health condition as verified by a physician licensed to practice medicine and surgery in this State would be substantially reduced by the use of the mobile home.
  2. The use will not detrimentally affect the use of neighboring properties.
  3. The property is zoned as single-family residential.
  4. The placement of the mobile home on the property complies with minimum yard requirements of the applicable zone.
  5. At least one parking space is provided for the mobile home.
  6. The parcel has a minimum area of ten thousand (10,000) square feet.
  7. The mobile unit has a minimum area of three hundred (300) square feet and maximum area of one thousand (1,000) square feet.
  8. All utility connections to be installed as required by City Code.
  9. The mobile home is currently licensed as required by the Vehicle Code of the State of California, has a valid State insignia and remains in a mobile condition.

In all cases, the permit for mobile home use shall be re-inspected annually and must be terminated if the finding of hardship, for which approval was given, no longer exists.(Ord. 1474, 8 Jan 1991)

10-4-7: **SPECIAL TEMPORARY USE PERMITS:** Uses permitted subject to a special temporary use permit are those temporary uses which are required for the proper functioning of the community or are temporarily required in the process of establishing a permitted use, or constructing a public facility. Such uses shall be so conducted that they will not be detrimental in any way to the surrounding properties or to the community.

(A) Uses Permitted Subject to Special Temporary Use Permits: The following uses shall be allowed upon the issuance of a temporary use permit (Ord. 1710, 12 July 2022):

1. Temporary outside display and sales of merchandise in the C Zone.
2. Christmas tree sales.
3. Carnivals, circuses, special events of not over seventy-two (72) consecutive hours.
4. Parking and storage of materials and earth moving or construction equipment incidental to the carrying on of a public works project, subdivision or construction project.
5. Such other uses as the Planning Commission may, by resolution, deem to be within the intent and purpose of this Section.
6. Caretaker units/night watchman facilities.
7. Temporary parking lots in the C, HWC and HC Zone, as temporary and accessory to an approved use and/or construction project. (PC Res. 2010-01, 17 Aug. 2010)
8. Temporary parking lots in the BP Zone as temporary and accessory to an approved use and/or construction project. (PC Res. 2020-01, 18 Feb 2020)

(B) Special Temporary Use Permit Procedure:

1. Application and filing fee for a special temporary use permit may be made by the property owner or his authorized agent. Such applications shall be filed with the Development Services Department. The Development Services Department shall charge and collect a filing fee for each such applicant, as determined by resolution of the City Council. The Development Services Director may require any information of the applicant which may be necessary to make a determination concerning the proposed use.
2. Determination: Application for special temporary use permit shall be reviewed by the Development Services Department. The Development Services Director shall approve, conditionally approve, or disapprove such application. Approval or conditional approval shall be given only when in the judgment of the Development Services Director; such approval is within the intent and purpose of this Zoning Title.
3. Special temporary use permits shall specify the period of time set by the Development Services Director during which the use may be carried out, not to exceed one year from date of issuance of the permit.
4. Appeals from Determinations: If the applicant is dissatisfied with the decision he may appeal to the Commission within ten (10) days after the decision is rendered. Such appeal shall be in writing and shall be filed with the secretary

of the Commission. Upon the receipt of such appeal, the secretary of the Commission will establish the date, time and place to hear such appeal. The Commission, upon receipt of the Development Services Director's action, may require said determination to be presented at a public hearing before the Commission. No permits shall be issued until the Planning Commission makes a determination. The determination of the Commission may be appealed to the Council per the procedure established in Section 10-3-7 (Ord. 1474, 8 Jan 1991).

10-4-8: **SINGLE-ROOM OCCUPANCY FACILITIES:**

- (A) Purpose: The provisions of this section are intended to accommodate the development of permanent, affordable housing for small households, persons with disabilities, the elderly, the former homeless or lower income individuals. (Ord. 1664, 23 Sept 2014)
- (B) Location: A Single-Room Occupancy (SRO) Facility shall comply with the requirements of this Section, where allowed by Chapter 5: Zone Regulations, along with the General Regulations within the allowed zones.(Ord. 1664, 23 Sept 2014)
- (C) Project review and approval: A proposed SRO Facility shall require Site Plan Review in compliance with Section 10-4-9. Where specified in this Title, an SRO Facility shall require approval of a Conditional Use Permit in compliance with Sections 10-3-3 and 10-3-6. (Ord. 1664, 23 Sept 2014)
- (D) Development Standards:
  - 1. Single Room Occupancy Facilities (Ord. 1664, 23 Sept 2014)
    - a. Common area: Four square feet per living unit shall be provided, with at least 200 square feet in area of interior common space, excluding cleaning supply room, laundry facilities and common hallways.
    - b. Laundry facilities: Laundry facilities must be provided in a separate room at the ratio of one washer and one dryer for every twenty units or fractional number thereof, with at least one washer and dryer per floor.
    - c. Cleaning supply room: A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO Facility.
    - d. Bicycle Parking: A minimum of one (1) bicycle parking space shall be provided for every three (3) SRO units.
    - e. Trash Enclosure: An SRO Facility shall provide a trash enclosure, subject to the criteria of Section 10-4-9 (Site Plan Review).
    - f. Vehicle Parking: Off street parking shall be provided consistent with Section 10-4-4(E)22.
  - 2. Single Room Occupancy Units (Ord. 1664, 23 Sept 2014)
    - a. Unit size: An SRO unit shall have a minimum size of 150 square feet and a maximum of 400 square feet.
    - b. Occupancy: An SRO unit shall accommodate a maximum of two persons.
    - c. Bathroom: An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink and bathtub, shower or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the California Building Code for congregate residences with at least one full bathroom per floor.

- d. Kitchen: A SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator and a stove, range top or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.
  - e. Closet: Each SRO unit shall have a separate closet.
  - f. Code compliance: SRO units shall comply with all requirements of the California Building Code.
- E. Accessibility: All SRO units and facilities shall comply with all applicable accessibility and adaptability requirements. All common areas shall be fully accessible. (Ord. 1664, 23 Sept 2014)
- F. Management: (Ord. 1664, 23 Sept 2014)
  - 1. Facility Management: An SRO Facility with 15 or more units shall provide on-site management. An SRO Facility with less than 15 units shall provide a management office on-site.
  - 2. Management Plan: A management plan shall be submitted with the required Conditional Use Permit and/or Site Plan Review application for an SRO Facility and shall be approved by the Planning Commission, or City Council upon appeal. The management plan must address management and operation of the facility, rental procedures, safety and security of residents and building maintenance.
- G. Tenancy: Tenancy of SRO units shall be limited to 30 or more days. (Ord. 1664, 23 Sept 2014)
- H. Existing Structures: An existing structure may be converted to an SRO Facility, consistent with the provisions of this Section and the development standards of the Zone Regulations of the zones in which the SRO is an authorized use. (Ord. 1664, 23 Sept 2014)
- I. Business License: The organization or company operating the SRO facility shall obtain a city business license before commencing operations, in accordance with Title 5, Chapter 1 of City Code. (Ord. 1664, 23 Sept 2014)

10-4-9: **SITE PLAN REVIEW:**

- (A) Site Plan Review: The City Council finds and determines that to encourage the orderly and harmonious development of property within the City, maintain public health, safety, and welfare, maintain property and improvement values throughout the City, encourage the physical development of the City, to preserve the historic and scenic character of State-designated scenic highway corridors, the following provisions be established to provide clear guidelines for Site Plan Review.
- (B) Purpose: The purpose of this Chapter is to recognize the interdependence of land values and aesthetics and to provide a method by which the following goals can be achieved:
1. Promotion of sound land use development.
  2. Assist in the development of architectural standards and guidelines for residential, commercial and retail business structures.
  3. Preservation of the historic and scenic character of State-designated scenic highway corridors.
  4. To implement the goals and policies of the community design element of the General Plan (Ord. 1474, 8 Jan 1991).
- (C) Site Plan Review Required: The Planning Commission shall review each application for a building permit in the following land use categories: (Ord. 1597, 24 Feb 2004)
1. All new construction of commercial structures; or multi-family structures, including duplexes, located within the R-2, R-3 and R-4 zones. (Ord. 1665, 23 Sept 2014)
  2. Any exterior additions or combination of additions thereof which would add one thousand (1,000) square feet or more to existing commercial or multi-family buildings within the lifetime of the building.
  3. Any additions or conversions to commercial, multi-family, or single-family structures which would cause a change in occupancy as defined by the California Building Code. (Ord. 1642, 14 Jun 2011)
  4. Relocation of buildings and structures, except single-family dwellings.
  5. Parking structures and lots.
  6. Any destruction or alteration of buildings in an historical district or historical building as identified in Subsection 10-4-9(H).
  7. All new construction of structures in the PF Zone.
  8. All new construction of single-family attached dwellings.
  9. Any structure which increases the coverage of Hangtown Creek as defined in Section 8-3-28 of this Code (Ord. 1474, 8 Jan 1991).
  10. New Formula Businesses and major exterior modifications to existing Formula Businesses within the Central Business District (CBD) zone. Major

modifications are those defined in Section 10-4-9(P) herein. (Ord. 1597, 24 Feb 2004)

11. Single-room occupancy facilities. (Ord. 1664, 23 Sept 2014)
12. All new construction of professional office conditional uses within the R-5 zone. (Ord. 1679, 23 Feb 2016)
13. Multifamily residential housing structures or owner-occupied single-family residential housing structures under Section 10-5-12(E) 3 within the R-5 zone. (Ord. 1679, 23 Feb 2016)

**EXCEPTIONS:** The following shall not be subject to Site Plan Review:

1. Relocation of or construction of new single-family dwellings.
  2. Any change in occupancy from a more intensive occupancy to a less intensive occupancy as defined in the California Building Code and where no additional parking is required. (Ord. 1642, 14 Jun 2011)
  3. The change in occupancy in any building or use that has received Site Plan approval within ten (10) years of the approval date of the original Site Plan; provided, that no additional parking is required. (Ord. 1597, 10 Feb 2004)
  4. Multi-family structures or owner-occupied single-family residential housing structures under Section 10-5-12 (E) 2 within the R-5 zone. (Ord. 1679, 23 Feb 2016; Ord. 1665, 23 Sept 2014)
- (D) The Planning Commission may use but will not be limited to those types of development exemplified by photographs, drawings and notes as shown in the "Design Manual" and "Historic Design Guide" adopted by resolution of the City Council.
- (E) Procedure: The following procedure shall govern the submission and review of site and building plans:
1. The following items must be submitted to the Development Services Department at least thirty (30) days prior to a regularly scheduled meeting of the Commission:
    - (a) An application for design review on forms prescribed by the Development Services Department.
    - (b) Copies of each of the following, as specified on application forms, or as prescribed by the Development Services Department: (Ord. 1679, 23 Feb 2016)
      - (1) Plot plan drawn to a scale of not less than one inch equals twenty feet (1" = 20') showing dimensions and size of each lot to be built upon or otherwise used; the size, shape, and location of existing and proposed buildings; the location and layout of parking areas, parking spaces and driveways, drainage systems, finished contour of site.
      - (2) A landscaping plan including location of proposed plantings

and screenings; proposed location of fences, signs and advertising structures.

- (3) Exterior elevations of all sides of proposed new buildings and additions to existing buildings; exterior elevations or proposed remodeling or "face lifting". Elevations shall be drawn to a scale of not less than one-eighth inch equals one foot ( $1/8" = 1'$ ). In the case of additions to existing buildings, photographs of existing buildings are required.
  - (4) Exterior color samples.
  - (5) Such other information, drawings, plans, or renderings that may be required by the Development Services Department to assist the Commission in arriving at a decision. The use of color renderings and photographs is encouraged.
  - (6) Development Services Director or designated representative may at their discretion, waive certain submittal requirements when such information as required in Subsection (E)1 would not, in his opinion, assist in describing the proposed change. These waivers shall be reviewed by the Planning Commission.
2. Notification of applicant and adjacent property owners within three hundred feet (300') as shown on the last adopted tax roll. The Development Services Director shall specify the following within the notice:
    - (a) Type of development.
    - (b) Locational map.
    - (c) Time in which comments are to be received in order to be considered by the Planning Commission.
  3. Within sixty (60) days after the completion of the necessary environmental documents as per the City of Placerville's "Guidelines and Procedures for the Implementation of the California Environmental Quality Act of 1970" as amended; the Development Services Department shall refer the submittals, with its comments, to the Commission. The Commission shall act on the application within thirty (30) days after such referral, unless applicant requests and the Commission grants an extension of time. If the Commission has not acted on the application within sixty (60) days, the application shall be deemed approved. Such mandatory approval shall not constitute violation of City ordinance.
  4. The Development Services Department shall advise the applicant in writing of the time, date and place of the Commission's consideration of the application and of the final disposition thereof.
  5. The decision of the Commission is final unless appealed as provided for in Section 10-3-7.
- (F) Filing Fee: When the application for a Site Plan Review is filed, a uniform fee set by resolution of the City Council shall be paid to the City for the purpose of defraying the costs incidental to the proceedings. Said fee is nonrefundable.

(G) Criteria: The Planning Commission may approve, approve with conditions, or disapprove the application for a building permit or other required approval in any matter subject to its scope of authority after considering whether the following criteria are met. These criteria are not intended to supersede any requirements in the City's construction regulations, restricting imagination, innovation, or variety, but rather to assist in focusing on design principles which can result in creative solutions to assist in promoting the purpose of this Chapter. (Ord. 1474, 8 Jan 1991)

1. Relationship of Buildings to Site:

- (a) The site shall be planned to achieve harmony and continuity between neighborhoods and commercial areas to maintain the historic foothill small town character, as opposed to suburban patterns of development. (Ord. 1597, 24 Feb 2004)
- (b) The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting, pedestrian movement, and parking areas.
- (c) Site planning in which setback and yards which exceed current regulations is encouraged to provide an inviting streetscape.
- (d) Parking areas shall be treated with decorative elements, variety of paving materials, building wall extension, plantings, berms or other innovative means so as to break up large expanses of paved area.
- (e) The height and scale of each building shall be compatible with its site and buildings in the surrounding area.
- (f) Privacy of existing adjacent properties shall be maintained.

2. Relationship of Building and Site to Surrounding Area:

- (a) Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, colors and materials.
- (b) Attractive landscape transition to surrounding properties shall be provided.
- (c) Harmony in texture, lines, and masses is required. Monotony shall be avoided.
- (d) Buildings shall have compatible scale to those in the surrounding area Ord. 1474, 8 Jan 1991).
- (e) "Standardized" corporate architecture which involves the use of materials, textures, facades, colors, roof lines, siding and other materials and features is contrary to the City's historic small town character. In lieu of standardized corporate architecture, Formula Businesses shall use the following: natural and manufactured wood siding; large timbers; varied roof lines, openings and façade treatments; brick, brick veneer and rock treatments; gridded windows; and, earth tone colors in lieu of bright, glossy or reflective colors. (Ord. 1597, 10 Feb 2004)

3. Landscape and Site Treatment and Tree Preservation Required: Landscape elements included in these criteria consist of all forms of trees, planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utilitarian structures:
- (a) Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good appearance.
  - (b) Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.
  - (c) Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axes, and provide shade.
  - (d) Unity of design shall be achieved by repetition of certain plant varieties and other materials, and by correlation with adjacent developments.
  - (e) Plant material shall be selected for interest in its structure, texture, and color and for its ultimate growth.
  - (f) In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.
  - (g) Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings which shall be adequately irrigated and maintained. Shrubs shall be used only where they will not obscure vision. At a minimum, twenty percent (20%) of all parking areas shall be landscaped with shrubs and groundcovers. Shade trees shall be planted and maintained in planters or landscaped areas so that at tree maturity (fifteen (15) years), at least fifty percent (50%) of the total paving area not including the entrance drives, parking areas under carports, or multi-story parking structures, shall be shaded at solar noon on June 21. (Ord. 1676, Nov. 24, 2015)
  - (h) Landscape planter strips shall be provided for each ten (10) lineal parking stalls. (Ord. 1676, Nov. 24, 2015)
  - (i) An automatic sprinkling system shall be installed to irrigate all landscaped areas.
  - (j) Screening: Service yards, and other places which tend to be unsightly, shall be screened by use of walls, fencing, planting, or combinations of these.
  - (k) Fences, Walls and Pavings: In areas where general planting does not prosper, other materials, such as fences, walls, and pavings of wood, brick, stone, gravel and cobbles, shall be used. Carefully selected plants shall be combined with such materials where possible.
  - (l) Exterior Lighting: Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Lighting standards and fixtures shall be of a design and size compatible with the building and

adjacent areas. Lighting shall be restrained in design, color and brilliance. (Ord. 1474, 8 Jan 1991)

- (m) Water Efficient/Drought Resistant Landscaping Required: Projects subject to this Chapter with landscaped area equal to or greater than five hundred (500) square feet; rehabilitated landscape projects with an aggregate landscape area equal to or greater than two thousand five hundred (2,500) square feet, and cemeteries are also, where specified, subject to the Water Efficient Landscape Requirements under Title 10, Chapter 6, Sections City Code Sections 1 to 15 of the Zoning Ordinance, and shall be required to design and install water efficient and drought resistant landscaping. Such landscaping design shall be prepared by a licensed architect or contractor, certified irrigation designer, licensed landscape contractor, or other person authorized under the California Business and Professions Code and the Food and Agriculture Code to design a landscape. To the extent feasible, landscaped design shall take into consideration the following (Ord. 1676, Nov. 24, 2015):
- (1) Provisions for grading and drainage to promote healthy plant growth and to prevent excessive erosion and runoff, and the use of mulches in shrub areas, garden beds and landscaped areas where appropriate.
  - (2) Provisions for the use of automatic irrigation systems and seasonal irrigation schedules incorporating water conservation design and utilizing methods appropriate for specific terrains, soil types, wind conditions, temperatures and other environmental factors in order to insure a high degree of water efficiency.
  - (3) Provisions for water conservation through the appropriate use or groupings of plants that are well adapted to particular sites and to particular climatic, geological or topographical conditions.
  - (4) Provisions for the use of reclaimed water supplied through dual distribution systems, if feasible and cost effective, and subject to the City and County health standards.
  - (5) Provisions for landscape maintenance practices which foster long term landscape water conservation. Landscape maintenance practices may include, but are not limited to, performing routine irrigation system repairs and adjustments, conducting water audits and prescribing the amount of water applied per landscape area.(Ord. 1507, 22 Mar 1994)
- (n) Landscaping Maintenance: All vegetation and landscaping shall be maintained free of physical damage or injury from lack of water, excess chemical fertilizer or other toxic chemical, blight, or disease, and such vegetation or those that show signs of such damage or injury at any time shall be replaced by the same, similar or substitute vegetation of a size, form and character, which will be comparable at full growth. Landscapes shall be maintained to ensure water use efficiency. A landscaping maintenance agreement between the applicant and the City shall be required to ensure the ongoing

maintenance of landscaping. Irrigation systems shall be properly maintained to prevent water waste from leaving landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. Repair of all irrigation equipment shall be done with the originally installed components or equivalents. (Ord. 1676, Nov. 24, 2015)

- (o) Weeds: Landscaping shall be kept free from weeds and undesirable grasses.
- (p) Tree Preservation Guidelines: Projects approved under this Chapter shall, whenever possible, comply with the "Tree Preservation Guidelines" adopted by resolution by the City Council.
- (q) Fence Construction: Fences shall be constructed of quality low maintenance materials. Fence design shall be compatible with landscaping and site design.
- (r) Bikes: Bicycle racks and bikeways, when appropriate, shall be provided.(Ord. 1474, 8 Jan 1991)

#### 4. Building Design:

- (a) Evaluation of appearance of a project shall be based on the quality of its design and relationship to surroundings. Inappropriate, incompatible, bizarre, exotic designs and standardized corporate architecture, other than registered trademarks, shall be avoided. (Ord. 1597, 24 Feb 2004)

- (b) Buildings shall have form and scale with permanent neighboring development and topography.
- (c) Materials shall be of durable quality, and shall be selected for harmony of the building with surrounding buildings.

In any design in which the structural frame is exposed to view, the structural materials shall meet the other criteria for materials.

- (d) New building components, such as windows, doors, eaves and parapets, shall have continuity to one another.
- (e) Colors shall be harmonious to site and surrounding area. The use of standardized bright, bold, glossy non-earth tone colors is discouraged, as they generally do not project the historic foothill character of the community (Ord. 1597, 10 Feb 2004).
- (f) Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be located so as not to be visible from any public ways.
- (g) Exterior lighting shall be part of the architectural concept. Fixtures, standards and all exposed accessories shall be harmonious with building design.

- (h) Refuse and waste removal areas, service yards, storage yards and exterior work areas shall be screened from view from public ways, using materials as stated in criteria for equipment screening.
- (i) Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siding shall be used to provide visual interest. In multiple building projects, variable siding or individual buildings may be used to prevent monotonous appearance.
- (j) The architectural style which should be appropriate for the project in question and the form and roof type of commercial buildings shall not, without Planning Commission approval, reflect a standardized basic architectural style which is similar to other such projects constructed through related contractual or other agreements statewide or nationally. It is not the intent of this Section to establish any particular architectural style.

5. Signs:

- (a) Wall signs shall be accomplished in continuity with the architectural concept. Size, color, lettering, location and arrangement shall be harmonious with the building design, and shall be compatible with approved signs on adjoining buildings. Signs shall have good proportions.
- (b) Ground signs shall be designed to be compatible with the architecture of the building. The same criteria applicable to wall signs shall apply to ground signs.
- (c) Materials used in signs shall have good architectural character and be harmonious with building design and surrounding landscape. Wherever possible, signs shall be incorporated within the building components such as fascias, and/or eaves.
- (d) Every sign shall have good scale in its design and in its visual relationship to buildings and surroundings.
- (e) Colors shall be harmonious and used with restraint. Lighting shall be harmonious with the design. If external spot or floodlighting is used, it shall be arranged so that the light source is shielded from view.

6. Density in Units Per Acre: The following factors are to be considered in determining the maximum allowable density in units per acre:

- (a) Required grading, soil removal, and cut and fill operations.
- (b) Tree removal or removal of shrubs and other natural ground cover as it may affect erosion and drainage.
- (c) The criteria set forth in Subsections (G)1 and (G)2 hereof.
- (d) The slope of the property.
- (e) Geological conditions.

- (f) Any other conditions or criteria that may relate to the density potential of the property.
  - 7. Access and Circulation: Access and traffic circulation to the site should be in such a manner as to allow for safe and reasonable pedestrian and vehicular access to and from the site and, further, so as to cause the least interference with existing uses of adjacent properties.
  - 8. Community Design: All site plans shall be compatible with the goals and policies established in the community design element of the General Plan.(Ord. 1597, 10 Feb 2004)
- (H) Destruction or Alteration of Buildings in an Historical District or to Historical Buildings:
- 1. No building in any historical district nor any building officially designated by the Council as "historical," shall be torn down, demolished, destroyed, altered, improved, or otherwise changed in exterior appearance except as hereinafter provided. Minor repair and maintenance to buildings of same material and color are exempt from this Ordinance.
  - 2. If any historical building be damaged by any act of God, including, but not limited to, earthquake or fire, the owner thereof may repair such building if he/she secures approval from the Planning Commission.
  - 3. Any owner making any alterations on the exterior of an historical building shall first secure approval from the Planning Commission.
  - 4. Alteration of such buildings shall comply with requirements as stated in the City's construction regulations, Title 4.
  - 5. Buildings within an historical district shall not be demolished unless approved by the Commission.
  - 6. Any building or structure which is structurally unsafe as a result of fire, earthquake or other acts of God shall be removed at the direction of the Building Official.
- (I) New Buildings in Historical District: All buildings situated within the boundaries of an historical district which are hereafter constructed shall conform to the provisions of Section 10-4-10, "Historical Buildings in the City".
- (J) Hangtown Creek: Construction within the historical district shall not encroach into or cover Hangtown Creek unless approved by the Planning Commission.
- (K) Building Permit; Issuance:
- 1. Building Permit to be Issued Within Eighteen (18) Months: The approval of the Site Plan shall expire and become null and void eighteen (18) months after the date of approval unless a building permit has been obtained for any building thereon before the date of expiration. Should the building permit expire for any building thereon, then the Site Plan Review approval shall also simultaneously expire. In no case shall Site Plan Review approval be valid for a period exceeding five (5) years from the original approval date. The Planning Commission may grant a one year extension for the project if the applicant makes such a request and pays a new fee prior to the expiration date. The Planning Commission shall consider any changes to the City Code

or to the project when granting the extension.

2. Determination of the Development Services Director or the Authorized Representative: Before a building permit may be issued for any building or structure in a development requiring a Site Plan Review, the Development Services Director or the authorized representative shall make a determination that the proposed building or structure is in conformity with the approved Site Plan Review. If conformity does not exist, the building permit shall not be issued. Stop order notice may be issued in accordance with Subsection 4-2-2(C) if violations are discovered (Ord. 1474, 8 Jan 1991).

- (L) Disapproval; Notice: If the Planning Commission disapproves an application for a Site Plan Review, it shall state its findings and judgment in specific detail so that the applicant is informed precisely as to the basis for the Commission's disapproval. (Ord. 1597, 24 Feb 2004)

The secretary shall furnish the applicant with the findings of the Commission promptly and in no case later than five (5) days after the Commission disapproves the application.

- (M) Appeals: The applicant or an interested party, including a member of the Planning Commission or the Council who is dissatisfied with the findings of the Commission, may appeal to the Council by filing a notice of appeal. A filing fee as set by resolution of the City Council shall be required from all parties except members of the Commission or a City Council member. Such appeals shall be filed in accordance with Section 10-3-7.
- (N) Violation; Penalty: A person who violates this Chapter is guilty of an infraction and shall be punished as provided in Title 1, Chapter 4 of the City Code.
- (O) Chapter Application: This Chapter shall apply to all construction for which a building permit application has not been applied prior to the effective date of this Chapter.
- (P) Site Plan Changes, Major and Minor: Application to change an approved Site Plan must be made in writing and filed with the secretary of the Planning Commission accompanied by a Site Plan (if applicable) and description of the modifications proposed.

Proposed changes to an approved Site Plan shall be classified as either minor or major by the Development Services Director or his duly appointed representative. Minor changes shall not in any way change the appearance, character or intent of the approved Site Plan nor modify the exterior building elevations of an existing Formula Business in the Central Business District (CBD) zone. Major changes will generally be any change that would alter the appearance, character or intent of the approved Site Plan. Examples of Major Changes include, but are not limited to, changes in: building façade and roof line; wall and roof materials; window and door openings; sign modifications; building illumination and exterior lighting; new mechanical equipment visible from a public way; exterior colors which deviate from existing colors or which propose colors other than earth tone colors, such as 'bone white', 'canary yellow', or 'fire engine red'. Any proposed change, which does not clearly fit into one of the classifications, minor or major, shall be considered as a major change (Ord. 1597, 10 Feb 2004).

Upon the classification, of a proposed change, as either minor or major, the procedures described herein shall be followed:

Minor Changes: May be approved by the Development Services Director or his duly appointed representative. Approval of a minor change shall be made in writing and must include the finding that the minor change will not in any way change the appearance, character or intent of the approved Site Plan.

Major Changes: May be approved only by the Planning Commission. The Planning Commission shall hold a public hearing to consider the major change in accordance with the procedure set forth in Subsection 10-4-9 (E-2 through 5). The applicant shall submit the following items at least fourteen (14) days prior to a regularly scheduled meeting of the Commission:

1. Ten (10) copies of the site plan illustrating the proposed changes.
2. A fee as determined by resolution of the City Council shall be paid to defray the costs incidental to the proceedings.
4. Radius map and property owners list of owners within three hundred feet (300') of the subject site as shown on the latest adopted tax roll.
5. Any other information which the Development Services Director or his duly appointed representative has determined necessary for the Planning Commission's review. (Ord. 1597, 10 Feb 2004)

10-4-10: **HISTORICAL BUILDINGS IN THE CITY:**

- (A) Purpose: The purpose of this Section is to provide conditions and regulations for the protection, enhancement and perpetuation of the old and historical buildings in historical districts of the City and the perpetuation of historic-type architecture within historical districts, which has special historical and aesthetic interest and value.
- (B) Historical Criteria: Secretary of the Interior Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. (Ord. 1640, 11 Jan 2011)
- (C) Historical District: Said Historical District shall include all of the territory bounded as shown in Exhibit A, which is on file in the office of the City Clerk. An historical district shall predominantly comply with this Historical Ordinance.
- (D) Existing Historical Buildings Preserved: No presently existing building of special historical or aesthetic value or of the historic-type of architecture situated within that portion of an historical district described in subsection (C) of this Section, shall be torn down, demolished or otherwise destroyed without conforming to this Section.
- (E) Building Removal; Permit Required: In the event that any building of historical value or interest is damaged by fire, act of God, or in any other manner, or becomes unsafe as defined in the adopted City building codes, or in such state of disrepair or dilapidation as to be untenable by reason of any cause that it cannot with reasonable diligence be repaired and restored, the same may be removed upon issuance of a permit for removal as hereinafter provided.
- (F) Construction and Repairs; Conformity Required: All buildings which shall be hereinafter constructed or altered as to their exterior appearance (within the historical districts described in subsection 10-4-10(C)) shall, as to their exterior architecture visible from the street, conform to the historical criteria described in subsection 10-4-10(B).
- (G) Removal or Permit Issuance: No permit for demolition or removal of any building of historical architecture or special historical or aesthetic interest situated within the area set forth in subsection (C) hereof shall be issued without the approval of the Planning Commission.  
  
It is the intent of this Section not to require new construction to duplicate historic-type construction and/or historical architecture. However, it is a requirement that new construction be compatible with historical architecture.
- (H) Construction and Repairs; Permit Issuance: No permit for construction or alteration of any building within the area set forth in subsection (C) hereof shall be issued until the plans for construction or alteration have been approved by the Planning Commission. Notwithstanding anything contained in this Section to the contrary, in cases requiring any repair to prevent substantial loss or damage to property, emergency repairs to adequately provide for health and safety, may be made prior to the obtaining of a permit as required by this Section.
- (I) Notice: The Planning Commission secretary shall notify the Historical Advisory Committee of any application which is related to this Section.
- (J) Appeal to City Council: Appeals of Planning Commission decisions shall be in such manner as provided in Section 10-3-7 of the City Code.

- (K) Minor and Major Changes: Any minor changes to an approved plan shall follow the procedure established in Section 10-4-9(P) of the City Code.
- (L) Violation of Permit: It shall be unlawful for any person to proceed under any permit in a manner which constitutes a material variance from the terms of the permit or the representations on which it was issued, and in the event of such a violation, the permit may be canceled forthwith by action of the Planning Commission.
- (M) Scope of Section: The regulations contained in this Section are additional to Title 10 of the City Code as amended and other sections; provided, however, that in the event of any conflict, the provisions of this Section shall prevail.
- (N) Penalties: Every person violating any of the provisions of this Section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punishable by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment for a term not to exceed three (3) months, or by both such fine and imprisonment, and such person deemed guilty of a separate offense for each day, or portion thereof, during which any violation of this Section is committed or continued.(Ord. 1474, 8 Jan 1991)

10-4-11: **BED AND BREAKFAST ESTABLISHMENTS:**

- (A) General Provisions: This Section shall be known as the Bed and Breakfast Ordinance of the City.
- (B) Purpose: This Section is hereby established to allow for the establishment of bed and breakfast establishments within the residential zones of the City upon conforming to set criteria and conditions and upon review and approval by the Placerville Planning Commission.
- (C) Criteria and Conditions:
  - 1. The structure to be used as a bed and breakfast establishment shall be of historic significance. It is the applicant's responsibility to show proof of historic significance to the Planning Commission.
  - 2. Two (2) parking spaces plus one additional space per room to be rented must be provided.
  - 3. Tandem parking is allowed; however, not more than two (2) cars per tandem space shall be allowed.
  - 4. No residential structure shall be removed in order to allow for a bed and breakfast use, nor shall such a structure be removed in order to provide parking for such a use.
  - 5. All parking spaces shall be paved to City standards with materials that maintain the historical character of the neighborhood.
  - 6. If the applicant is unable to meet the criteria of subsections (C)2, 3, 4 or 5 hereof, the applicant may request special consideration from the Planning Commission. The City's intent is not to encourage yards to be destroyed, landscaping removed, or the integrity of the neighborhood altered in order to provide parking. In such a case the applicant shall submit an analysis of parking required and parking provided within a three hundred foot (300') radius of the subject parcel.
  - 7. One non-illuminated sign may be erected on the property, not to exceed eight (8) square feet in size. No single dimension of the sign shall exceed four feet (4'). The sign shall complement the nature of the use; i.e., historic structures should have an historic style sign.
  - 8. The proprietor and owner are required to occupy the property.
  - 9. The structure shall remain a residential structure; i.e., the kitchen shall not be remodeled into a commercial kitchen.
  - 10. Meals shall be served only to residents and overnight guests.
  - 11. The use is subject to review at any time and may be revoked after a hearing by the Planning Commission and a finding by the Planning Commission that the use has become detrimental to the surrounding neighborhood.
  - 12. A bed and breakfast use must comply with all other provisions of the zone in which it is located and must comply with all other ordinances of the City.

13. A City business license is required.
  14. Any other conditions deemed essential and desirable by the Planning Commission may be imposed on such a use.
  15. Permit to allow bed and breakfast use shall be issued for a period not to exceed two (2) years.
  16. Any permit is transferable provided that the criteria and conditions are adhered to.
- (D) Procedures: An applicant for a bed and breakfast establishment shall follow the procedures for a Conditional Use Permit as specified in Section 10-3-6 of the Placerville City Code (Ord. 1474, 8 Jan 1991).

10-4-12: **ACCESSORY DWELLING UNITS (ADU) AND JUNIOR ACCESSORY DWELLING UNITS (JADU)** (Ordinance 1714, 23 Jan 2024):

(A) Purpose: This section establishes standards for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in conformance with the city code and all applicable state laws.

(B) Accessory Dwelling Units:

1. Applicability: ADUs are permitted in any Zoning District that permits residential uses, as well as on parcels that are developed with residential uses, subject to building permit approval. The primary dwelling unit(s) shall be completed and occupied prior or simultaneous to occupying an accessory dwelling unit.

2. Property Development Standards: ADUs shall comply with existing Building and Fire Codes, and any applicable design criteria, including but not limited to, setbacks, height limits and maximum floor area ratio. ADUs are exempt from density calculations. For purposes of reviewing a project for compliance with the applicable lot coverage, floor area ratio and related development standards, an ADU is not considered an "accessory structure", or an "accessory use" as established under the provisions of Section 10-1-4 (Definitions). In addition, the following standards shall apply:

(a) An ADU may be attached to or detached from the primary dwelling unit.

(b) An ADU may be constructed from the conversion of an existing habitable or non-habitable living area within a single-family dwelling, conversion of a detached accessory structure or accessory building, or construction of a new ADU on the same APN as the primary residence and built to the same dimensions as existing legal living area or detached accessory structure.

(c) Maximum Size: One ADU is permitted on lots zoned to allow a single-family dwelling unit, subject to the following maximum sizes:

1. Attached and Detached ADUs: at least 850 square feet or 1,000 square feet for two (2) or more bedrooms.

2. Detached ADU: up to 1,200 square feet.

3. Attached or conversion ADU:

Attached ADUs total floor area shall not exceed 50 percent of the existing primary dwelling. Conversion of an existing accessory structure or conversion of a portion of the existing primary residence to an ADU is restricted to no more than 1,200 square feet.

Accessory structure conversion to ADUs may expand up to 150 square feet.

(d) Minimum size: An efficiency unit as defined by Section 17958.1 of the California Health and Safety Code, California Building Code Section 1207.1 and Section 10-1-4 of the Placerville City Code.

(e) Multi-Family Residential: ADUs are permitted on lots that are currently used for a Multi-Family Residential land use when the ADU is created within existing portions of the Multi-Family Residential structure that is not currently used as habitable space and if each space complies with applicable Building and Health and Safety Codes. However, one-story detached ADUs may be allowed on a Multi-Family Residential parcel provided such units comply with

the development standards for one-story ADUs contained within this Section. A maximum of three (3) ADUs are permitted as follows:

1. Two detached ADU may be allowed on a parcel developed with a Multi-Family Residential use;
2. At least one (1) ADU may be permitted within the footprint of an existing Multi-Family Residential structure and may be no more than 25 percent of the number of existing units, or one unit, whichever is greater. All interior ADUs must be converted from non-habitable space.

(f) Setbacks:

1. A new detached accessory dwelling unit shall be subject to the following setbacks:
  - i. Minimum interior side yard and rear yard setbacks: Four (4) feet.
  - ii. Street side yard of a corner lot: Ten (10) feet.
  - iii. Front yard: Same as the required front setback for the zoning district in which the property is located, yielded only so far as to permit the construction of an 800 square foot ADU.
2. An ADU that is created as a result of internal conversion of existing and legally permitted garage area or habitable space shall be allowed, regardless of whether the existing structure complies with current setback requirements. This includes the conversion of an attached or detached habitable or garage structure that maintains a zero setback, provided that all other applicable requirements of the City Code, Fire Code and Building Code have been or will be met.

(g) Height:

1. An ADU that is attached to the primary residence shall be subject to the same zoning district height limit established for the primary dwelling.
2. A detached ADU is not to exceed the maximum height within the specified zone or two (2) stories.

(h) Lot Coverage: ADUs shall not be considered when calculating the maximum lot coverage allowed.

(i) Design: Where the development of an ADU includes exterior alterations, additions, or construction of new structure, the ADU shall incorporate the same exterior appearance, architectural features, building materials, including window style and materials, and roof slopes as the primary dwelling unit or other dwellings on the site. Samples and/or photos of existing and proposed colors, materials, roofing, and features must be provided as part of a complete ADU application.

1. A manufactured or modular (HUD-Certified) home proposed to be used as a detached ADU can be different in architectural style from that of the principal dwelling on the lot.

2. Windows and doors: Any window or door of an accessory dwelling unit shall utilize techniques to lessen privacy impacts onto adjacent properties. These techniques may include use of obscured glazing, window placement above eye level, windows and doors facing toward the primary on-site residence or screening treatments. This limitation applies only to side yards.
  3. Historic Resources: To prevent adverse impacts on any building that is listed in the California Register of Historic Resources or located within a Historic District, exterior improvements to the existing building shall only be permitted if the proposed improvements are consistent with the Secretary of the Interior Standards for Rehabilitation.
- (j) Entrance: A separate entrance to an accessory dwelling unit shall be provided.
- (k) Fire sprinklers: Fire sprinklers shall not be required in an ADU if they are not required for the primary dwelling unit.
- (l) Solar Systems: ADUs are subject to the California Energy Code requirement of solar systems if the unit is a newly constructed, non-manufactured, detached ADU. The solar systems may be installed on either the primary residence or the ADU.
- (m) Facilities: An accessory dwelling unit shall contain separate kitchen and bathroom facilities.
- (n) Parking: No additional parking shall be required for an ADU, except when located on a street determined to be sub-standard, a minimum of two off-street parking spaces shall be provided for the primary dwelling. The loss of on-site parking resulting from the conversion of a garage, car port, or loss of parking area shall be replaced to maintain a minimum of two off-street parking spaces.
- (o) Utility Connection:
1. Except as provided in subsection (2) below, an accessory dwelling unit may be required to have a new or separate utility connection, including a separate sewer lateral, between the accessory dwelling unit and the utility. A connection fee or capacity charge may be charged that is proportionate to the size in square feet of the accessory dwelling unit. Separate electric and water meters shall be required for the second unit.
  2. Junior accessory dwelling units (JADU) and ADUs converted from the existing space of a single-family dwelling or accessory structure are exempt from any requirement to install a new or separate utility connection and to pay any associated connection or capacity fees or charges.
  3. All utility extensions shall be placed underground.
  4. No ADU shall be permitted if it is determined that there is not adequate water or sewer service to the property.

- (p) Impact Fees: ADUs of 750 square feet or less shall not be subject to Impact Fees. ADUs larger than 750 square feet must be charged proportionately in relation to the square footage of the primary dwelling unit. (e.g., the floor area of the primary dwelling unit, divided by the floor area of the ADU, times the typical fee amount charged for a new dwelling.) "Impact fee" here does not include any connection fee or capacity charge for water or sewer service. Further, construction resulting in the addition of square footage to an ADU within a five (5) year period will be considered cumulative square footage and, if 750 square feet or greater, will result in applicable impact and improvement charges.
- (q) An ADU shall be exempt from any requirement to construct street frontage improvements.
- (r) An accessory dwelling unit created under this Section shall be maintained with the provisions of this Section and shall not be destroyed or otherwise converted to any other use (including reverting to a portion of the primary residence) except with approval of the Development Services Department.
- (s) Amnesty: Property owners of unpermitted ADUs built before January 1, 2020, that receives notice to correct violations may request that the enforcement of the violations be delayed for five years if correcting the violation is not necessary to protect health and safety.
- (t) Vacation or Short-Term Rental: Vacation or short-term rentals are prohibited in all ADUs. ADUs shall not be rented for a period of less than 31 days.
- (u) Owner-Occupancy:
  - 1. All ADUs permitted before January 1, 2020, are subject to the owner-occupancy requirement that was in place when the ADU was permitted.
  - 2. An ADU that is permitted after January 1, 2020, but before January 1, 2025, is not subject to any owner-occupancy requirement.
  - 3. All ADUs that are permitted on or after January 1, 2025, are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.
- (v) Sale of units: ADUs may be rented independently of the primary dwelling or multi-family dwelling structure but may not be sold or conveyed separately from the other dwellings on the lot.
- (w) Deed Restriction: Prior to issuance of a building permit for an ADU, deed restriction, in a form provided by the City, shall be recorded at the El Dorado County Recorder's office and filed with the city. The deed restriction shall require that the ADU shall not be sold separately from the sale of the primary dwelling; it shall restrict any modifications to the ADU or the primary residence, nor shall any other work on the property be done that requires a ministerial or discretionary permit, without first obtaining the required permit(s) from the City; it shall require that a rental of the ADU shall be for a term longer than 30 consecutive days; and, it shall require that either the

primary unit or the ADU on the lot must be occupied by at least one (1) legal owner of the lot.

- (x) Penalties: Every person violating any of the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punishable by a fine in a sum not to exceed one thousand dollars (\$1,000.00) for any one offense, and the person may be confined in the county jail for a period of not to exceed six (6) months, or both. A misdemeanor violation offense shall be deemed committed each day that the violation occurs, or the obligation remains unperformed.

(C) Junior Accessory Dwelling Units (JADUs):

1. Purpose: The purpose of this section is to ensure consistency with Government Code Section 65852.22, this section implements the provisions of the General Plan Housing Element that encourage the production of affordable housing.
2. Applicability: Junior accessory dwelling units (JADUs) shall be permitted only in compliance with the requirements of this section, and all other requirements of the applicable zoning district, except as otherwise provided by this section.
3. Permit Requirements and Fee: A building permit shall be required for a JADU. A JADU shall not be considered a separate or new dwelling unit for purposes of applying building codes, fire codes, collection of impact fees, or the provision of water, sewer, and power, including connection fees that might otherwise be associated with the provision of those services.
4. Use: JADUs may not be sold separately from the single-family dwelling but may be rented separately. Occupant(s) need not be related to the property owner. JADUs may not be rented on a transient occupancy basis (less than thirty-one (31) days).
5. Timing: A JADU allowed by this section must be installed after construction of the single-family dwelling.
6. Density: As provided by Government Code section 65852.22(d) and (e), JADUs are not considered new or separate dwelling units and, therefore, are exempt from the density limitations of the General Plan. No more than one (1) JADU may be located on a parcel.
7. Design and Development Standards: JADUs shall conform to the development standards of the base zoning district. In addition, JADUs shall meet the following standards.
  - (a) Size: A junior accessory dwelling unit shall not exceed five hundred (500) square feet in floor area. If the bathroom is shared with the remainder of the single-family dwelling, it shall not be included in the square footage calculation.
  - (b) Location: A JADU shall be installed within the existing walls of a proposed or existing single-family dwelling.
  - (c) Access: A separate entrance to the JADU shall be provided.

- (d) Kitchen: A JADU shall contain at a minimum an efficiency kitchen, which includes all of the following:
    - 1. A cooking facility with appliances, such as a microwave, convection oven, or hot plate; and
    - 2. A food preparation counter, sink and storage cabinets.
  - (e) Sanitation: A JADU must include access to a full bathroom.
  - (f) Parking: A parking space is not required for the JADU.
  - (g) Sale of units: JADUs may be rented independently of the primary dwelling but may not be sold or conveyed separately from the other dwellings on the lot. The JADU or primary dwelling must be owner occupied.
  - (h) Deed Restriction: A deed restriction shall be recorded that: prohibits the subdivision or sale of the JADU separate from the single-family dwelling; specifies that the deed restriction runs with the land and is therefore enforceable against future property owners; restricts the size and features of the JADU in accordance with this section; prohibits the JADU from being rented on a transient occupancy basis (less than thirty-one (31) days).
  - (i) Penalties: Every person violating any of the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punishable by a fine in a sum not to exceed one thousand dollars (\$1,000.00) for any one offense, and the person may be confined in the county jail for a period of not to exceed six (6) months, or both. A misdemeanor violation offense shall be deemed committed each day that the violation occurs, or the obligation remains unperformed.
- (D) Application and Processing of ADUs and JADUs: The application for an ADU permit, and/or when applicable a JADU permit, shall be submitted to the Development Services Department with an application and submittal requirements for a building permit. In addition to the standard submittal requirements for a building permit, an application for an ADU permit shall include all of the following:
- 1. Site plan: A site plan, drawn to scale, showing the dimensions of the perimeter of the parcel proposed for the accessory dwelling unit; the location and dimensioned setbacks of all existing and proposed structures on the site; all easements, building envelopes, and special requirements of the subdivision as shown on the Final Map and improvement plans, if any; and average slope calculations for the site.
  - 2. Floor plan: A floor plan, drawn to scale, that shows the dimensions of each building and of each room, and the resulting floor area. The use of each room shall be identified, and the size and location of all windows and doors shall be clearly shown.
  - 3. Elevations: Architectural elevations of the proposed structure showing all openings, exterior finishes, original and finish grades, stepped footing outline, and roof pitch.
  - 4. Fee: A fee set by the City Council for construction shall accompany the application.

5. Processing Time Limits: Unless a longer timeframe is voluntarily requested by the applicant, the required ministerial permit for an ADU and JADU shall be approved or denied within sixty (60) days from the date the City receives a completed application if there is an existing single-family on the lot. Additionally, the City may delay acting on the permit application if the permit application is submitted with a permit application to create a new single-family on the lot, as specified.

10-4-13: **ATTACHED SINGLE-FAMILY DWELLINGS:**

(A) Maintenance Agreement Required for Various Forms of Attached Single-Family Dwellings: The applicant shall submit a copy of a maintenance agreement covering the eleven (11) items listed below. A maintenance agreement must be recorded prior to receiving the certificate of occupancy for any unit. Applicants should contact the lending institution of their choice to review the maintenance agreement proposed to be recorded. The items that must be mentioned in the maintenance agreement are as follows:

1. Purpose of the Agreement: Included in this area should be comments with reference to the protection of the value and desirability of the property. The conditions, covenants and restrictions of the agreement shall stay with the real property and will run with the land in perpetuity. Therefore, the agreement must be recorded.
2. The legal description of the property.
3. The maintenance agreement must define the scope of the maintenance; what is to be maintained; i.e., roof, foundation, walkways, parking areas, etc.
4. A provision must be included for insurance coverage with reference to the common area and the common improvements. The insured amount must be sufficient to cover the replacement value of the common area improvements and the common improvements.
5. Allocation of costs per unit (monthly, semi-annual or annual homeowners dues).
6. Define method for notification of levying assessments and liens.
7. Lien foreclosure plan.
8. Mortgage protection clause.
9. A stipulation that no alterations to the exterior of the building can be made without approval of all owners.
10. No accumulation of garbage, rubbish or offensive material shall be permitted.
11. Define how a dispute will be settled in the event of a disagreement by the owners with reference to assessments, maintenance, etc.

(B) Separate utility hookups are required for all attached single-family units. (Ord. 1474, 8 Jan 1991)

**10-4-14: SATELLITE DISH ANTENNAS:**

- (A) Purpose: The purpose of this Section is to control the installation of satellite dish antennas. It is recognized that the unrestricted use of these installations will be contrary to the City's efforts to stabilize economic and social aspects of neighborhood environments and the City's efforts to promote safety and aesthetic considerations, family environments and a basic residential character within the City. It is the intent of this Chapter to permit antennas where they can be installed without creating an adverse economic, safety and aesthetic impact on neighboring property owners and the overall community.
- (B) General: The regulations set forth in this Chapter shall apply to satellite dish antennas as defined by Section 10-1-4 of this Title. Satellite dish antennas shall be permitted uses in any zone in the City provided such installations meet the requirements set forth herein. If such installation cannot meet the requirements set forth herein, then such installations shall be processed as a variance as provided in Sections 10-3-5 and 10-3-6 of this Title.
- (C) Development Standards: The following development standards shall apply to all satellite dish antennas:
1. Setbacks: Satellite dish antennas shall not be located within any required front, side or rear yard setback.
  2. Height: The maximum height of any satellite dish antenna shall be thirteen feet (13'). Satellite dish antennas that are roof mounted, or those which exceed thirteen feet (13') in height above natural grade, shall be processed as a variance as described herein.
- (D) Screening:
1. A solid fence or wall (wood, brick masonry, or slatted chain link or some combination thereof) shall be installed around all sides visible from the public right of way when a satellite dish is so located as to be visible from the public right of way, or
  2. Landscaping screening and/or trees of sufficient growth to screen the majority of the satellite dish antenna from the public view when the satellite dish is visible from the public right of way.
- (E) Application: An application for a satellite dish antenna installation shall be filed with the Building Division and shall include the following:
1. Location map drawn to scale showing the location of antenna, height of antenna as measured from the natural grade, and setback distances.
  2. Site plans showing the location of existing trees and other natural features, buildings on the site, the location and design of proposed landscaping and screening materials or varieties of plants and other landscape features including fences.
  2. Additional information, plans, and drawings as deemed necessary by the Building or Planning Division to assist in the evaluation of the design adequacy and a building permit application fee established and amended by resolution of the City Council.

- (F) Satellite Dish Antenna Installations within an Historic District: All installations of satellite dish antennas within an historic district shall meet the requirements described herein for any installation within an historic district. Such application shall also be subject to review and recommendation by the Historic Advisory Committee.
- (G) Nonconforming Satellite Dish Antennas: Nonconforming satellite dish antennas erected prior to the effective date of this amendment shall be brought into compliance with all development standards of the applicable zoning district regulations as described herein, no later than five (5) years after the said effective date.
- (H) Severability: If any section, subsection, phrase or clause of this Ordinance is for any reason held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, phrase or clause thereof, irrespective of the fact that any one or more subsections, phrases or clauses be declared unconstitutional.(Ord. 1474, 8 Jan 1991)

10-4-15: **MOBILE HOME PARKS**

(A) General Provisions: This Section shall be known as the Mobile home Park Ordinance of the City of Placerville.

(B) Purpose: The purpose of this Section is to comply with Section 65852.7 of Government Code that requires all cities and counties within California to deem a mobile home park, as defined in Section 18214 of the Health and Safety Code, a permitted land use on all land planned and zoned for residential land use as designated by the City's General Plan; provided, however, that a city, county, or a city and county may require a use permit. This Section also furthers the Legislature's intent to eliminate the distinctions between mobile home park developments and conventional forms of residential land use. Furthermore the purpose of this Section is to allow for the establishment of mobile home parks within the residential zones of the City upon review and approval of a Conditional Use Permit by the Placerville Planning Commission.

(C) Enforcement:

1. The City of Placerville's mobile home park regulations are intended to complement and be subordinate to state law. The state law governing mobile home parks is entitled the "Mobile home Parks Act" and may be found in Division 13, Parts 2.1 and 2.3 of the California Health and Safety Code.

Mobile home park regulations are contained in the California Code of Regulations, Title 25, Division 1, Chapters 2 and 2.2. The City of Placerville does not assume responsibility for the enforcement of the regulations contained therein and all mobile home parks within the city remain subject to the jurisdiction of the California Housing and Development Services Department in its role as the enforcement agency for the above-described state laws.

2. Mobile homes located within areas of special flood hazard are required to be in compliance with Placerville Municipal Code Title 4 Chapter 9: Flood Damage Prevention.

(D) Definitions:

"Lot": as defined by Section 18210 of the Health and Safety Code, means any area or tract of land or portion of a mobile home park designated or used for the occupancy of one manufactured home, mobile home, or recreational vehicle.

"Mobile home" means: A mobile home, as defined in Section 18008 of the Health and Safety Code, or a manufactured home, as defined in Section 18007 of the Health and Safety Code, a structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected onsite, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

"Mobile home" does not mean:

1. A recreational vehicle, as defined in Section 799.29 of the Civil Code and Section 18010 of the Health and Safety Code;

2. A commercial coach; or
3. Factory-built housing, as defined in Section 19971 of the Health and Safety Code.

"Mobile home park," as defined in Section 18214 of the Health and Safety Code, means an area of land where two or more lots are rented or leased, held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate manufactured homes or mobile homes.

(E) Mobile home Park Conditional Use Permit Submittal Requirements:

1. An application for Conditional Use Permit approval for the mobile home park shall be filed with the Development Services Department.
2. The application for the use permit shall include, in addition to the requirements of Sections 10-3-3 and 10-3-6, the following:
  - (a) A site location map indicating the location of the proposed park in relation to the surrounding area or region.
  - (b) A site plan indicating the following:
    - A. Park name, date, north point, scale, boundaries and area (square feet and acres) of the site.
    - B. The number of proposed mobile home spaces.
    - C. Names and addresses of record owner, engineer or surveyor.
    - D. Location, names, and present width and grades of adjacent or abutting streets.
    - E. Contour lines shall have the following intervals:
      - i. One-foot contour intervals for ground slope between 0% – 5%;
      - ii. Two-foot contour intervals for ground slope between 5% – 10%;
      - iii. Five-foot contour intervals for ground slope >10%.
    - F. Existing topography, including trees, rock formations and other unusual features of the site, and at least one hundred (100) feet beyond its boundaries.
    - G. Proposed changes to topography involving grading cut and fill quantities.
    - H. Location of all mobile home spaces; radii of all curves and central angles.

- I. Location of all existing structures identified by type and indicating which are proposed to be removed and which will remain.
- J. Approximate width and location of all existing easements.
- K. Location of existing overhead utility lines and poles on site and on peripheral streets.
- L. Approximate location of all areas subject to inundation of storm water overflow, and location, width, and direction of flow of all watercourses.
- M. Individual trees with a diameter of more than seven and one-half inches, measured twenty-four (24) inches above existing grade, shall be identified by type, circumference, and drip line. Any trees proposed for removal shall also be indicated.
- N. Screening detail of mobile home park along full length of its street frontage at street side setback lines.
- O. Landscape plan for mobile home park street frontage.
- P. Sign plan for mobile home park identification sign.
- Q. Utility plan (electric, water and sanitary sewer).
- R. Vehicular access to the mobile home park from the public street.

(F) Development standards:

- 1. Minimum mobile home park area: Five (5) acres.
- 2. Residential density of a mobile home park shall not exceed the allowable density of the underlying residential zone, except as permitted under the City's Density Bonus Ordinance for approved Residential Development Projects incorporating a Density Bonus, and state law.
- 3. Along the mobile home park's public street frontages, a minimum six-foot in height screening wall or fence shall be provided and maintained, subject to Planning Commission approval.
- 4. The setback back area along the mobile home park's public street frontages shall be landscaped with street trees and other plant materials, and equipped with an automatic irrigation system, subject to Planning Commission approval.
- 5. Landscape Maintenance: All vegetation and landscaping subject to the Conditional Use Permit approved by the Planning Commission shall be maintained free of physical damage or injury from lack of water, excess chemical fertilizer or other toxic chemicals, blight, or disease, and such vegetation of those that show signs of such damage or injury at any time shall be replaced by the same. A landscaping maintenance agreement between the applicant and the City shall be required to ensure the ongoing maintenance of landscaping.

6. Mobile home park identification signs shall be consistent with Section 10-4-17(G)(7) – Regulations for On-Premise Signs.
7. Grading and drainage facilities shall conform to City Code Section 8-7 – Grading, Erosion and Sediment Control and the current edition of the El Dorado County Drainage Manual.
8. A traffic impact analysis shall be required if the park consists of 40 or more units.

Access Standards:

9. Primarily, access to the mobile home park must be from a city or county road or a private road built and maintained to applicable City of Placerville standards.
10. The minimum sight distance shall be 10 times the posted speed limit on the existing road. Sight distances shall be measured from the driver's seat of a vehicle that is 10 feet behind the curb or edge of shoulder line with the height of the eye 3 ½ feet above the pavement to an object 2 feet high. Where necessary, the parkland bordering the intersection shall be cleared of all growth and sight obstructions to achieve the required visibility.
11. The centerline of any street within a park intersecting an existing public street shall be at least 125 feet from the centerline of any other street intersecting that public street.
12. An ADA accessible path of travel shall be provided from the mobile home park to the public right of way.
13. Guest Parking: In addition to occupant parking, off-street guest and service parking shall be provided within the boundaries of the park at a ratio of one (1) space for each four (4) mobile home lots.(Ord. 1649, 10 Jul 2012)

10-4-16: **EXTERIOR LIGHTING REGULATIONS:**

(A) Purpose: The purpose of this chapter is to regulate lighting to balance the safety and security needs for lighting with the City's desire to preserve the nighttime skyline and to ensure that light trespass and glare have a negligible impact on surrounding property, especially residential. It is not the intent of this Ordinance to require exterior lighting of an entire site or property, but rather to only provide lighting standards and criteria in areas where exterior lighting is necessary to provide for the health and safety of the community.

(B) Definitions: For the purpose of this chapter, the following words and phrases shall have the meaning respectively ascribed to them in this section.

**FOOT-CANDLE:** A unit of illumination produced on a surface, all points of which are one foot from a uniform point of one candle.

**FULL SHIELDING:** A technique or method of construction which causes all light emitted from an outdoor light fixture to be projected below an imaginary horizontal plane passing through the lowest point on the fixtures from which light is emitted.

**GLARE:** A light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see and, in extreme cases, causing momentary blindness.

**HIGH-INTENSITY DISCHARGE (HID) LAMP:** An exterior lighting type which produces light by passing an electric current through a gas. HID lamps include mercury vapor, high-pressure sodium (HPS), low-pressure sodium (LPS), and metal halide.

**LIGHT POLLUTION:** An artificial light which causes a detrimental effect on the environment, astronomical research or enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent property.

**LIGHT TRESPASS:** The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

**LUMINAIRE:** A complete lighting unit consisting of a light source and all necessary mechanical, electrical, decorative, and support parts.

**SHIELDING:** A technique or method of construction which causes light emitted from an outdoor light fixture to be projected below an imaginary horizontal plane passing through fixtures.

(C) Site Plan Review Required: Unless otherwise exempt by this chapter, all outdoor light fixtures for new multi-family residential and non-residential development shall be subject to review and approval in conjunction with any land use and development permits for a project. Any retrofit or amendment to an existing multi-family residential or non-residential site and/or building with a value greater than \$25,000 or 25% of its assessed value as shown on the most recent tax rolls, whichever is less and whose exterior lighting is deemed by the Development Services Director to have a measurable impact on abutting property or views from street rights-of-way shall require Planning Commission approval and may be subject to the criteria set forth herein.

(D) Exemptions: The following types of outdoor lighting fixtures are exempt from the requirements of this chapter as specified below and are subject to compliance with all other provisions of this title.

1. All outdoor light fixtures existing and legally installed prior to the effective date of this article are exempt from the provisions of this article, provided, however, that no replacement, structural alterations, or restoration of outdoor light fixtures shall be made unless it thereafter conforms to the provisions of this article. However, exemptions shall be granted to this conformance standard if:
  - (a) Utilization of conforming outdoor light fixtures would have the effect of decreasing the lighting levels to below the minimum illumination levels required by this chapter, and the additional cost necessary to meet the minimum illumination levels would pose an unreasonable financial burden; and/or
  - (b) Utilization of conforming outdoor light fixtures would negatively impact the aesthetic quality/architectural design of the property or immediate area by mixing substantially different styles and types of fixtures/poles.
2. All outdoor light fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps.
3. Temporary lights used for holiday decorations.
4. Construction or emergency lighting provided such lighting is temporary and is discontinued immediately upon completion of construction work or abatement of said emergency.
5. Lighting of temporary uses and special events permitted consistent with the provisions of this Title.
6. Low wattage, non-commercial incandescent, or fluorescent luminaries typically considered "porch lights" in association with multi-family residential uses.

(E) Outdoor Lighting Standards:

1. **Shielding Required:** Except as otherwise exempt, all outdoor lighting fixtures for new multi-family residential and non-residential development shall be constructed with full shielding. Where the light source from an outdoor light fixture of a non-residential development is visible beyond the property line, shielding shall be required to reduce glare so that neither the light source nor its image from the reflective surface shall be directly visible from any point five feet or more beyond the property line.

In single-family residential zoning districts, outdoor lighting shall be located and/or shielded in a manner to ensure that the intensity and direction of lighting does not constitute a nuisance to abutting residential dwellings or abutting street rights-of-way.

2. **Minimum/Maximum Level of Illumination:** The minimum and maximum levels of illumination permitted are listed below. A photometric study listing the number, type, height, and level of illumination of all outdoor lighting fixtures

shall be required in conjunction with the development permit application and prior to issuance of a building permit or site improvement plans to ensure compliance with these provisions.

- (a) Minimum lighting for sidewalks, walkways, parking areas, and other similar areas shall not average less than 0.5 foot-candles, measured at ground level.
- (b) The maximum level of illumination on any lighted area shall not exceed an average greater than 10 foot-candles, measured at ground level.
- (c) In order to prevent severe contrasts in illumination levels in parking areas, the ratio of the average level of illumination to the minimum level of illumination shall not exceed 4:1.
- (d) In order to minimize light trespass on abutting property, illumination measured on the property line of a subject parcel shall not exceed 0.3 foot-candles, measured on a vertical plane at six feet in height along the property line.

- 3. **Maximum Height of Outdoor Light Fixtures:** The maximum height of freestanding outdoor light fixtures for new multi-family residential development and non-residential development abutting a single-family residential zoning district or use shall be 20 feet. The maximum height for freestanding outdoor light fixtures in non-residential zones shall be 25 feet.
- 4. **Type of Illumination:** All new outdoor lighting fixtures shall be energy efficient. Energy efficient lights include all high intensity discharge (HID) lamps (high-pressure sodium, low-pressure sodium, and metal halide).

Outdoor light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a very narrow cone of light for the purpose of confining the light to the object of interest and minimize light trespass and glare.

- 5. **Hours of Illumination:** Automatic timing devices shall be required for all new outdoor light fixtures on multi-family residential and non-residential development with off hours (exterior lights turned off) between 11:00 p.m. and 6:00 a.m. Exceptions are that outdoor lights may remain on in conjunction with the hours of operation of the corresponding use, for security purposes, or to illuminate walkways, roadways, equipment yards, and parking lots.

(F) **Lighting Prohibited:** The following outdoor light fixtures shall be prohibited as specified below. Existing light fixtures legally permitted or authorized prior to adoption of this Ordinance may be maintained.

- 1. Up-lighting/back-lit canopies unless otherwise approved by the Planning Commission in conjunction with a Site Plan Review.
- 2. Neon tubing or band lighting along building structures as articulation, unless otherwise approved by the Planning Commission in conjunction with a Site Plan Review.
- 3. Flashing lights.

4. Illumination of entire building. Building illumination shall be limited to security lighting and lighting of architectural features authorized by the Planning Commission in conjunction with the required development permit(s).
  5. Any light that imitates or causes visual interference with a traffic signal or other necessary safety or emergency light.
  6. Mercury vapor lights.
- (G) Variances: Variances from the provisions of this Section shall be processed in accordance with the criteria and procedures specified in Sections 10-3-5 and 10-3-6 of this chapter.
- (H) Severability: If any provision of this ordinance is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this ordinance is invalid in one or more applications, the part remains in effect in all valid applications that are severable from the valid applications. (Ord. 1582, 22 Jan 2002)

10-4-17: **SIGN REGULATIONS:**

(A) Purpose: The purpose of this chapter is to provide minimum standards to safeguard life, health, property, and the public welfare in keeping with the unique aesthetic and historic character of the City of Placerville by regulating and controlling the size, height, design, quality of materials, construction, location, electrification, and maintenance of all permanent and temporary exterior signs and sign structures and to accomplish the following results.

1. To promote and maintain healthy commercial centers and property values for effective communication as to the nature of goods and services available and the avoidance of wasteful and unsightly competition in signs;
2. To protect and enhance the character of residential neighborhoods, open views and vistas and property values by prohibiting incompatible or unsafe signs;
3. To encourage signs which are well designed and pleasing in appearance and to provide latitude for variety, design, spacing and location and to provide a reasonable and comprehensive system for the control of signs consistent with the goals and policies of the City General Plan;
4. To attract and direct persons to various activities and enterprises in order to provide for the maximum public convenience;
5. To enhance the economic value of the entire community through the regulation of the size, location, design and illumination of all signs;
6. To preserve and enhance the historic and scenic character of the city and of the State designated Scenic Highway Corridors.

(B) Definitions:

- A-BOARD:** A temporary portable sign capable of standing without support or attachment. An A-Board sign includes an A-Frame sign.
- ABANDONED BUSINESS:** One that has not operated on a regular and active basis for a period of one hundred eighty (180) days or more, during which the business advertised has not carried on those activities which are necessary and incidental to the operation of a business of like type or character.
- ACCESSORY SIGN:** A sign that identifies the business or organization located on the premises or advertises or informs about business, products, or services sold or rendered on the premises.
- ADVERTISING STRUCTURE:** Any structure or device erected for the purpose of supporting any sign or other advertising or informational media in the framework of the sign.
- ALTERATION:** Any change in the size, shape, method of illumination, copy, construction, or supporting structure of the sign.
- ANIMATED SIGN:** Any sign that uses movement or a change of lighting to depict action or create a special effect or scene.

AWNING SIGN:	A sign painted upon or affixed to an awning. For the purposes of this Chapter, an awning sign shall be considered a wall sign.
BANNER:	Any sign of lightweight fabric, plastic or similar material that is mounted to a pole or building and generally temporary in nature. National flags, state or municipal flags shall not be considered banners.
BILLBOARD:	A sign that advertises a business commodity or activity which is sold, offered or conducted other than on the premises where such sign is located.
BUILDING FACE OR WALL:	All window and wall area of the building in one plane or elevation.
BUSINESS FRONTAGE:	The lineal front footage of a building or portion thereof devoted to a specific business or enterprise, and having an entrance/exit open to the general public.
CANOPY SIGN:	Any sign that is a part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door entrance, window, or outdoor service area. For the purposes of this title, a canopy sign shall be considered a wall sign.
COMMERCIAL CENTER:	A site with three (3) or more non-residential occupants, businesses, or uses or a site occupying more than one acre in area.
COMMUNITY-WIDE SPECIAL EVENT:	A temporary commercial or noncommercial activity for the sale and/or promotion of goods, services or entertainment activities. A community-wide special event is one that benefits, promotes, entertains or educates the community as a whole in contrast to one or several individual interests.
CONSTRUCTION SIGN:	A sign with information of these individuals or businesses directly associated with a construction project on the premises.
DIRECTIONAL SIGN:	A sign utilized only for the purposes of indicating the location or direction of any object, place or area.
DIRECTORY SIGN:	A sign displaying the name of each occupant of a building who is engaged in a business, profession, or occupation, provided such sign does not exceed two (2) square feet.
DISPLAY AREA:	See <i>Sign Area</i> .
FLASHING SIGN:	A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing or which changes color or intensity of illumination. This definition does not include electronic time, date and temperature signs.
ENTITY:	A business, person or persons, owner or lessee or their heirs, executors, administrators, or assigns for whom a sign is proposed. Each business is considered a separate entity.

GRADE (adjacent ground elevation):	The lowest point of elevation of the finished surface of the ground at the base of the sign or the lowest point of elevation of the finished surface of the ground between the base of the sign and the property line if there is less than five feet distance from said sign.
GROUND SIGN:	A permanent sign which is supported upon one or more uprights or braces on the ground and not attached to any building, with an overall total height that does not exceed ten (10) feet above grade.
HEIGHT OF SIGN:	The vertical distance from the grade to the highest point of the sign.
ILLEGAL ON-PREMISE SIGN:	This term means any of the following: <ol style="list-style-type: none"> <li>1. Any on-premise sign erected without first complying with all ordinances and regulations in effect at the time of its construction and erection or use;</li> <li>2. Any on-premise sign that was legally erected, but whose use has ceased, in that the business identified or advertised has been abandoned.</li> <li>3. An on-premises sign which is a danger to the public creates or causes a nuisance or is unsafe.</li> </ol>
INCIDENTAL SIGN:	A sign intended primarily for the convenience and direction of the public on the premises which does not advertise but is informational only and does not contain any commercial messages. Incidental signs include those which denote hours of operation, entrances and exits, no parking, loading only, telephone, and other signs required by law.
ILLUMINATION – INTERNAL:	A source of illumination on the surface of a sign from within a sign. A neon sign shall be considered an internally illuminated sign.
ILLUMINATION – EXTERNAL:	A source of illumination directed toward a sign so that the light falls upon the exterior surface of the sign.
MARQUEE:	A permanent roof structure attached to and supported by the building and projecting outward from the building or over a public right of way.
MARQUEE SIGN:	A sign attached to a marquee. For the purposes of this Chapter, a marquee sign shall be considered a wall sign.
MASTER SIGN PLAN:	A sign plan for a Commercial Center defined herein. Master sign plan also includes any sign plans or sign packages previously reviewed and approved by the Planning Commission.
MONUMENT SIGN:	A ground sign defined herein.
NONCONFORMING SIGN:	An existing sign lawful at the time of enactment of this ordinance which does not conform to the requirements of this ordinance.

Any sign or signs upon property for which the business has ceased for a period of one hundred eighty (180) days or more.

PENNANT:	Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.
POLE SIGN:	A sign erected on one or more uprights supported from the ground the height of which is greater than ten (10) feet and which is not a part of any building or structure other than a structure erected solely for the purpose of supporting a sign.
POLITICAL SIGN:	Any temporary sign which supports the candidacy or a candidate for public office or urges action on any other matter on a ballot of primary, general or special election.
PROJECTING SIGN:	Signs other than wall signs which are attached to and project from a structure or building face usually perpendicular to the building face.
REAL ESTATE SIGN:	A sign indicating that the premises upon which the sign is located or any portion thereof is for sale, lease or rent.
ROOF SIGN:	Any sign erected and constructed wholly on and over the roof or a building supported by the roof structure.
SETBACK:	The distance from the front property line to the nearest part of the applicable building, structure or sign measured perpendicularly to the property line.
SIGN:	Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of or identify the purpose of a person or entity or to communicate information of any kind to the public.
SIGN AREA:	The area of a sign face or sum of sign faces computed by means of the smallest square, circle, rectangle, triangle or combination thereof that encompasses the extreme limits of the writing, representation, emblem, canister or display together with any material or color forming an integral part of the background of the display, but not including architectural features, bracing, framework or pole structure.
SPECIAL EVENT:	A temporary commercial activity for the sale, promotion or marketing of goods or services. A special event shall not exceed twenty-one (21) consecutive days nor occur more than twice per calendar year per business, entity or occupancy.
STREET FRONTAGE:	The street that a structure upon property fronts or abuts.
TEMPORARY SIGN:	A sign which is temporary in nature and is not permanently affixed to an object or structure. Temporary signs include: flags (not including flags of nations or states); banners; searchlights; sandwich boards; A-boards; sidewalk signs; curb signs; captive balloons, and other air, windblown or inflatable devices.

**WALL SIGN:** Any sign attached parallel to but within six (6) inches of a wall, painted on a wall surface of or erected and confined within the limits of an outside wall of any building or structure which is supported by such wall or building.

**WINDOW SIGN:** Any sign, picture, symbol or combination thereof designed to communicate information about an activity, business commodity, event, sale, or service that is placed inside a window or upon the window panes or glass and is visible from the exterior of a window.

**WIND SIGN OR DEVICE:** Any sign or device in the nature of banners, flags, balloons, or other objects fastened in such a manner as to move upon being subject to pressures by wind or breeze.

(C) **Exempt Signs:** The following signs are exempt from this chapter provided that such exempt signs are not placed, constructed, or located in any manner to cause hazard or nuisance to persons or property.

1. Signs placed or authorized by an official of the City of Placerville in the performance of public duty;
2. Memorial tablets, cornerstones or similar plaques;
3. Flags of national, state or local governments;
3. Temporary political signs not exceeding sixteen (16) square feet in area in commercial districts nor more than eight (8) square feet in residential districts provided the signs are erected no more than sixty (60) days prior to, and removed within fifteen (15) working days following the election for which they were intended. Political signs are not permitted on public property, rights-of-way, nor attached to trees or natural features.
5. Name plates indicating the name, address and profession of the occupant not exceeding two (2) square feet in area;
6. Small incidental signs displayed strictly for direction, safety or convenience of the public including signs that identify restrooms, public telephones, parking area entrances and exits, freight entrances provided said signs do not exceed more than four (4) in number on any parcel or two (2) per street frontage whichever is greater;
7. One temporary on-premises non-illuminated real estate or construction sign not exceeding four (4) square feet in residential districts or sixteen (16) square feet in commercial and industrial districts provided said sign is removed within fifteen (15) days from the sale, lease or rental of the property or upon the completion of the project. Subdivisions of five (5) or more parcels may have one on-site sign not exceeding thirty-two (32) square feet in area displaying information about the subdivision for a period not to exceed two (2) years. In the event that the subdivision is constructed in phases or if unsold lots remain beyond two (2) years, the Development Services Director may grant reasonable time extensions for the real estate sign;
8. Signs painted or placed upon windows in conjunction with non-residential use, provided that no more than twenty-five (25) percent of the window area is covered;

9. Temporary off-premise, directional, open house, or real estate signs provided such signs do not exceed four (4) square feet in area, are located upon private property, and are temporarily erected during the actual function for which the sign is used;
  10. One temporary on-site non-illuminated sign not exceeding thirty-two (32) square feet in area to promote charitable fundraising events for nonprofit and charitable organizations. No more than two (2) such events may be promoted in this manner per parcel per calendar year;
  11. Murals (pictures, paintings or similar graphics applied directly to a wall) provided that no mural or portion thereof identifies a business, entity, occupancy or premises;
  12. Seasonal decorations placed no earlier than fifty-five (55) days before and removed no later than twenty-one (21) days after the seasonal event, provided that no seasonal decoration or portion thereof identifies a business entity, occupancy or premises;
  13. A sign in conjunction with a grand opening or closing provided that such sign shall not exceed thirty-two (32) square feet, or be displayed for a period in excess of thirty (30) days. The sign shall not be placed upon any roof or extend above any roofline or parapet and must be attached or affixed to a solid wall;
  14. Balloons under eighteen (18) inches in diameter on private property provided that the tether or anchor of said balloons does not exceed ten feet (10') in length nor interfere with pedestrians, public or private utilities, nor attached to trees or other natural feature.
- (D) Prohibited Signs: The following signs shall be prohibited except as may be permitted herein:
1. Flashing signs;
  2. Signs that have or consist of any moving, rotating or otherwise animated part, except such sign that gives public service information such as time, date, temperature and weather;
  3. A-board signs, sandwich board, sidewalk menu signs, or any other freestanding temporary sign;
  4. Dilapidated, abandoned signs or dangerous to health and safety;
  5. Signs or other advertising devices affixed to a fence, utility pole or structure, rock or other natural feature;
  6. Mobile signs or signs attached to a motor vehicle or trailer which is parked with the intent to advertise to the traveling public;
  7. Pennants and banners;
  8. Balloons over eighteen (18) inches in diameter;

9. Commercial billboards or other commercial off-premises advertising signs;
  10. Wind signs, inflatable signs or devices, or captive balloons;
  11. A public address system or sound device used in conjunction with any sign or advertising;
  12. A sign of either internal or external illumination which when lighted causes a dangerous effect on motorists or pedestrians or causes a nuisance to adjacent properties;
  13. Roof signs;
  14. Internally illuminated canopies or fascias unless otherwise approved by the Planning Commission.
- (E) Special Event Signage: Temporary signs in conjunction with a "special event" or "community-wide special event," as defined herein shall be subject to review and approval by the Development Services Director. Said request shall be made on an application filed with the Development Services Department and shall be accompanied by an application fee set forth by resolution of the City Council.
- (F) Sign Permits:
1. Sign Permit Required: No sign regulated by this Chapter shall be erected or displayed unless a sign permit has been issued by the Development Services Department. Signs exempt from the provisions of this Chapter shall not require a sign permit. Permits shall not be required for minor maintenance and repair to existing signs or for changes in sign copy for conforming signs.
  2. Required Information For a Sign Permit: For the purposes of review by the Development Services Department, a drawing to scale shall be submitted which indicates fully the material, color, texture, dimensions, shape, relation, and attachment to the building and/or other structures, structural elements of the proposed sign, and the size and dimensions of any other signs located upon the building or property.
  3. Application Fees: The sign permit application must be accompanied by an application fee. Such fee shall be set by resolution of the City Council, no part of which is refundable.
- (G) Regulations for On-Premise Signs: On-premise signs shall comply with requirements and criteria set forth herein. Signs for commercial centers defined herein shall comply with Subsection H, Master Sign Plans.
1. General Regulations:
    - a. Number of Signs: Unless otherwise authorized herein, each separate entity or occupancy shall be permitted to have two (2) signs which shall be limited to not more than one (1) pole, one (1) projecting, or one (1) ground sign. Such signs shall comply with the specific requirements for each type of sign set forth herein.
    - b. Aggregate Area of Signs: Unless otherwise authorized herein, the aggregate area of on-premise signage shall not exceed two (2)

square feet of sign area for each one (1) lineal foot of business frontage for each business, entity, or occupancy, unless authorized by the Planning Commission, under the provisions of the Master Sign Plan or Conditional Use Permit referenced herein.

2. Pole Signs - Regulations and Transferability:
  - a. Pole signs permitted herein must be approved by the Planning Commission in accordance with Section 10-3-6, Conditional Use Permit and Variance Procedure, of this Title and shall be subject to the following criteria:
    1. Pole signs approved after the effective date of this Chapter are not transferable unless the purpose and use for which the pole sign was approved remains for uses or sites that cater to the highway traveling public.
    2. Pole signs permitted herein must be setback from the front property line one (1) foot for each foot of sign height, unless otherwise approved by the Planning Commission.
    3. Pole signs shall only be permitted for uses or sites that cater to the highway traveling public in non-residential zones.
    4. Pole signs shall not exceed the structure height restriction of the zone in which the pole sign is placed. In reviewing and/or approving pole signs, the Planning Commission, or City Council upon appeal, shall limit the height and area of pole signs to the minimum level necessary to serve the purpose for which the sign is intended. The applicant shall have the burden to submit evidence which demonstrates the necessity for the height and area requested.
    5. The pole(s) or support structure shall be decoratively treated in such a manner using materials and colors which are complementary to the site or surrounding area.
  - b. In reviewing a permit for a pole sign, the Commission shall consider the appropriateness of the sign to the site, topography, surrounding area, setbacks, aesthetics, business needs, existing or proposed signage, alternatives, and other factors. The Commission shall have the discretion to approve, approve with modifications, or deny a permit for a pole sign.
  - c. Pole signs shall either be non-illuminated or internally illuminated. Internally illuminated pole signs shall have an opaque background and shall be designed so that only the lettering or advertising copy is visible at night.
3. Ground Signs:
  - a. The ground sign shall have an architecturally compatible support structure cover consisting of at least fifty (50) percent but not greater than one hundred twenty-five (125) percent of the width of the ground

sign.

- b. The permitted area of a ground sign is one-half (0.5) square foot of sign area per lineal foot of street frontage, forty (40) square feet display area maximum in commercial zones and twenty-four (24) square feet in other non-residential zones.
- c. Maximum height of a ground sign is ten (10) feet above grade in commercial zones and six (6) feet in non-residential zones.
- d. Internally illuminated ground signs shall have an opaque background and shall be designed so that only the lettering or advertising copy is visible at night. Externally illuminated signs shall utilize light fixtures which are fully shielded and designed to focus light only on the sign surface.

4. Projecting Signs:

- a. Projecting signs shall not exceed the height of the wall or parapet upon which they are placed.
- b. Projecting signs shall not project more than four (4) feet beyond the building or wall upon which they are placed.
- c. Projecting signs must be a minimum of eight (8) feet above the ground or sidewalk. Projecting signs less than twelve (12) feet in height above the ground or sidewalk shall be placed in a manner which avoids safety conflicts with vehicles, pedestrians or other objects.
- d. The permitted area of a projecting sign is one-half (0.5) square foot per lineal foot of street frontage, thirty-two (32) square feet maximum.
- e. Internally illuminated projecting signs shall have an opaque background and shall be designed so that only the lettering or advertising copy is visible at night. Externally illuminated signs shall utilize light fixtures which are fully shielded and designed to focus light only on the sign surface.

5. Wall Signs:

- a. Wall signs shall only be permitted in non-residential zones, except as otherwise permitted herein.
- b. The area of a wall sign or combination of wall signs shall not exceed two (2) square feet of sign area for each one (1) lineal foot of business frontage for businesses that have up to fifty (50) feet of business frontage and an additional sixty-seven (.67) hundredths of a square foot for businesses with street frontage greater than fifty (50) feet, not to exceed a total aggregate area of two hundred (200) square feet.
- c. In addition to the regulations of this Chapter, businesses which have more than one street frontage as defined herein may place one additional (two maximum) wall sign on premise provided the combined area of the signs does not exceed the area set forth in

Subsection "b" above.

- d. Internally illuminated wall signs shall have an opaque background and shall be designed so that only the lettering or advertising copy is visible at night. Externally illuminated signs shall utilize light fixtures which are fully shielded and designed to focus light only on the sign surface.

6. Historic Signs:

- a. A sign having historical significance, as determined by the Planning Commission by minute order, shall not be deemed an illegal or non-conforming sign subject to the removal provisions of this Chapter.
- b. Historic signs are not subject to the sign area limitations set herein for entities, occupancy, or businesses with historic signs.
- c. Illumination of historic signs shall be subject to review and approval by the Planning Commission.

7. Residential Signs:

- a. One non-illuminated ground or wall sign not exceeding ten (10) square feet is permitted per entry or driveway for single family subdivisions and multi-family developments.
- b. Illuminated signs are not permitted in residential zones unless otherwise approved by the Planning Commission.

(H) Master Sign Plan: New signage for any site having three or more nonresidential occupants or those wishing to deviate from the standards herein shall submit a Master Sign Plan to the Development Services Department. Such plan must be approved by the Planning Commission prior to issuance of any permit for signs. Major changes, as defined in Section 10-4-9(P), to any Master Sign Plan previously reviewed and approved by the Planning Commission shall also require Planning Commission approval.

1. Applications for approval of a Master Sign Plan shall be submitted to the Planning Division and shall include the following:

- a. A Master Sign Plan, drawn to scale, delineating the site proposed to be included within the signing program and the locations of all signs;
- b. Drawings, sketches and color samples/renderings indicating the dimensions and sign area for proposed signs;
- c. Drawings and/or sketches indicating the exterior surface details of all buildings on the site on which wall signs, and directory signs, or projecting signs are proposed; and
- d. A statement of the reasons for any requested modifications to the regulations or standards of this Chapter.

2. A Master Sign Plan may include more than one ground or pole sign per parcel or other deviations from the standards of this Chapter, provided that the total sign area for the site or commercial center shall not exceed the maximum aggregate area permitted in Subsection G herein, unless the Planning Commission, or City Council upon appeal, makes a finding based upon a

preponderance of evidence that unique site characteristics, topography, business needs or other factors exist, in which case it may authorize greater sign area. In approving a Master Sign Plan, the Planning Commission shall also find:

- a. That the plan's contribution to the design quality of the site and surrounding area will be superior to the quality that would result under the regulations and standards of this Chapter; and,
  - b. That the proposed signs are compatible with the style and/or character of existing improvements on the site and are well-related to each other.
3. The Commission, or City Council upon appeal, may require any reasonable conditions necessary to carry out the intent of the Master Sign Plan requirements.
  4. Any interested party may appeal the decision of the Planning Commission to the City Council whose decision shall be final.
  5. Master Sign Plan Exceptions:
    - a. Change in copy or content for any signs;
    - b. General maintenance and repair of signs;
    - c. Minor changes as determined by the Development Services Director to an approved Master Sign Plan providing that the minor changes are consistent with the intent of the approved Master Sign Plan.
  6. Application Fee: A Master Sign Plan must be accompanied with an application fee adopted by resolution of the City Council.
- (I) Prohibited Locations: At intersections, no sign shall create a visual obstruction within a vertical space between thirty (30) inches and ten (10) feet above the curb. The obstruction restriction area includes all land in a triangular area extending from a point fifteen (15) feet in from an intersection to a distance of fifty (50) feet from the intersection along the street property line.
- (J) Variances: Variances from the provisions of this Section shall be processed in accordance with the criteria and procedures specified in Sections 10-3-5 and 10-3-6 of this Chapter.
- (K) Uniform Sign Code: All signs subject to this chapter shall comply with the standards and requirements of the latest adopted version of the Uniform Sign Code. Where this chapter may conflict with the USC the stricter of the applicable regulation shall apply.
- (L) General Requirements for Abatement: A sign or sign structure placed or maintained contrary to this chapter may be abated as follows:
1. A sign which imposes an immediate peril to the safety of people or property may be summarily removed or abated by the City without the necessity of prior notice or hearing. The property owner is responsible for the removal of such a sign.
  2. Temporary or portable signs or other signs prohibited by this Chapter shall be

subject to removal within ten (10) days of notice by the Development Services Director to the occupant of the property on which the sign is located. The Development Services Director shall remove or cause to be removed any such temporary or portable sign which has not been removed within the same time period specified in the notice.

3. The Director of Public Works may summarily remove a sign which is an encroachment in the public right-of-way without an encroachment permit issued under Title VII of the City Code.
  4. A political sign not posted in accordance with this chapter shall be removed by the candidate, property owner or person advocating the message on the sign and, upon their failure to do so within the time required herein, by the City.
  5. Each person who erects or maintains a sign which is subject to removal under subparagraph (1), (2), or (3) is jointly and severally liable for the cost of removal. The City shall have lien rights for the cost of removal pursuant to City Code Section 1-4B-1 and shall keep possession of such sign until the owner redeems it by paying the City the cost of removal. The City may dispose of such sign thirty (30) working days after removal without further liability to the owner.
  6. An illegal or abandoned sign may be abated and the expense of abatement shall be a lien against the property and a personal obligation against the property owner pursuant to City Code Section 1-4B-1. The abatement procedure is that set forth in Section "O".
- (M) Reconstruction of a Partially-Damaged Nonconforming Sign: A nonconforming sign which has been more than fifty (50) percent destroyed, and the destruction is other than sign copy, and which cannot be repaired within thirty (30) days shall not be restored except in full conformity with the regulations of this Chapter unless a variance is granted to legalize nonconforming aspects of the sign. If the damage is fifty (50) percent or less, the nonconforming sign may be restored provided that restoration is started within thirty (30) days and diligently pursued until completion. The extent of damage or partial destruction shall be based on the ratio of (1) the estimated cost of repairing the sign to its condition prior to such damage or partial destruction to (2) the estimated cost of duplicating the entire sign. Estimates for this purpose shall be made by or reviewed and approved by the Development Services Director.
- (N) Alteration or Relocation of a Nonconforming Sign: A nonconforming sign whose owner requests permission to relocate, alter or remodel the sign, other than change the sign copy, shall only be permitted to do so if the relocation, alteration or enlargement will result in elimination of the nonconformity and compliance with all of the requirements of this Chapter, unless variance or Master Sign Package approval is granted to legalize nonconforming aspects of the sign.
- (O) Abatement of Illegal or Abandoned Signs:
1. Scope and Authority: This Section is enacted to implement Chapter 2.6 of Division 3 of the California Business and Professions Code.
  2. Designation of Illegal On-Premise Signs:
    - a. The City Council may declare, by Resolution, as public nuisances

and abate all illegal on-premises signs located within the City of Placerville. The Resolution shall describe the property upon which or in front of which the nuisance exists, by giving its Assessor's Parcel Number and its street address, if known. Any number of parcels of private property may be included in one Resolution.

- b. Prior to adoption of the Resolution by the City Council, the City Clerk shall send not less than a ten (10) working-days' written notice to all persons owning property described in the proposed Resolution by way of registered mail. The notice shall be mailed to each person on whom the described property is assessed on the last equalized assessment roll available on the date the notice is prepared. The notice shall state the date, time and place of the hearing, and generally describe the purpose of the hearing and the nature of the illegality of the display.
3. Posted Notice: After adoption of the Resolution, the Development Services Director shall institute abatement procedures pursuant to Title I Chapter 4B of the City Code.
- (P) Enforcement: The provisions of this Chapter shall be administered by the Development Services Director or designee.
- (Q) Revocation of Sign Permits, Master Sign Plans and Conditional Use Permits:
  1. Duties of the Planning Commission: Upon determination by the Development Services Director that there are reasonable grounds for revocation of a sign permit, or a temporary sign permit, or other discretionary approval authorized by this Chapter, a revocation hearing shall be set by the approving or issuing authority which took final previous action on the permit.
  2. Notice of Public Hearing: Notice shall be given in the same manner required for a public hearing to consider approval.
  3. Hearing: The person or body conducting the hearing shall hear testimony of City staff, the owner of the sign for which the permit was granted if present, and any other interested persons. The hearing may be continued without additional public notice.
  4. Required Findings: The person or body conducting the hearing shall revoke the permit upon making one or more of the following findings:
    - a. That the permit was issued on the basis of erroneous or misleading information or misrepresentations; or
    - b. The terms or conditions of approval of the permit have been violated or other laws or regulations have been violated; or
    - c. That there has been a discontinuance of the exercise of entitlement granted by the permit for ninety (90) working days.
  5. Decision and Notice: Within ten (10) working days of the conclusion of the hearing, the person or body that conducted the hearing shall render a decision, and shall mail notice of the decision to the owner of the sign for

which the permit was revoked and to any other person who has filed a written request for such notice.

6. **Effective Date; Appeals:** A final decision by a body other than the City Council to revoke a discretionary permit shall become final ten (10) days after the date of decision unless appealed to the City Council within said ten (10) day period. Any decision by the City Council shall be final and not subject to appeal.
7. **Right Cumulative:** The City's right to revoke a discretionary permit, as provided in this Section, shall be cumulative to any other remedy allowed by law.

(R) **Violations:**

Any person, firm or corporation violating any provisions of this Chapter shall be guilty of an infraction and shall be subject to fines pursuant to City Code Section 1-4A-3(A).

- (S) **Severability:** If any provision of this ordinance is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this ordinance is invalid in one or more applications, the part remains in effect in all valid applications that are severable from the valid applications. (Ord. 1585, 14 May 2002).

10-4-18: **KEEPING OF CHICKENS:** (Ord. 1682, 11 Oct 16)

- A. Purpose: The purpose of the Ordinance is to establish regulations for the keeping of hen chickens in residentially zoned parcels while protecting the public health and safety, and the health and safety of the chickens, through specific standards regarding sanitation, space, and proper animal husbandry.
- B. General: It is unlawful to keep, possess, or maintain chickens on any parcel of property located in the City, except in accordance with the regulations, standards, and restrictions proscribed in this Section. Roosters are not permitted on any developed lot used exclusively for residential purposes unless subject to the exemptions under subsection (E), or as permitted by conditional use permit under subsection (G).
- C. Applicability: The restrictions and regulations herein shall only apply to the keeping of chickens in single-family residentially zoned parcels not otherwise permitted in the particular zone district or as exempted under subsection (E).
- D. Development Standards:
  - 1. A maximum of six (6) hen chickens may be kept on a developed lot used exclusively for residential purposes; and, provided further, that the keeping of hen chickens shall not create a health or nuisance problem.
  - 2. All chickens shall be provided a coop, or other enclosure, and adhere to the following performance standards.
    - a. Any enclosure or other accessory structure exceeding 120 square feet shall not be constructed without first obtaining a building permit.
    - b. Nesting boxes in enclosure required. The interior of any enclosure shall include nesting boxes of three to five square feet for each chicken.
    - c. Any enclosure shall be a minimum of 25 square feet.
    - d. Enclosures must have four walls and a roof and be constructed of suitable material. Any enclosure shall be maintained in good repair.
    - e. Enclosures shall maintain at least 20 feet from any property line and from any structure used for human habitation. Any enclosure shall be restricted to either the rear or side yard and shall not be visible from a public street.
    - f. Enclosures shall at all times be maintained in a clean, sanitary condition, and free from offensive odors. An odor is offensive if it can be detected at the adjoining property line.
    - g. The interior of enclosures shall include chicken roost(s), feeder(s), water, and adequate ventilation at all times.
    - h. All chicken feed shall be secured and stored in air-tight containers and shall not be accessible by other animals, wild or domestic.
    - i. No hen chickens shall be slaughtered on any developed lot used exclusively for residential purposes.

- j. Chickens shall be controlled and maintained within the confines of the owners property at all times to protect the animals from injury, restrict entrance of other animals and predators, and prevent the escape of animals.

- (E) Exceptions to Restrictions: This Section shall not apply to the following:
1. To any parcel of property zoned for agricultural uses by provisions of the Placerville Zoning Ordinance in accordance with the General Plan; or to any property zoned Estate Residential (RE) or Single-Family Acre Residential Zone (R-1A).
  2. Where keeping, harboring, or maintaining hen chickens would constitute a valid nonconforming use under the applicable provisions of the Placerville Zoning Ordinance.
- (F) All animals shall be treated in a humane manner at all times. Persons engaged in animal abuse, or otherwise in violation of Sections 597 and/or 597.1 of the California Penal Code, shall be subject to enforcement and penalties under the applicable provisions of the Placerville City Code and/or Title 6 – *Animals* of the El Dorado County Code.
- (G) Conditional Use Permit Required: Any person seeking to deviate from the regulations and standards set forth in this Section may only engage in the keeping of chickens upon approval of a Conditional Use Permit

10-4-19: **SIDEWALK DINING REGULATIONS:** (Ord. 1689, 28 Feb 2017)

Sections:

- (A) Purpose and intent.
- (B) Definitions.
- (C) Sidewalk dining areas.
- (D) Location.
- (E) Insurance.
- (F) General standards for outside dining.
- (H) Review process.
- (I) Encroachment permit.
- (J) Terms and renewal.
- (K) Enforcement.

(A) Purpose and intent: The purpose of this chapter is to establish regulations to allow limited dining areas to encroach into the public right-of-way as an ancillary component of an adjacent primary business that is located on private property. It is intended that such sidewalk dining areas will not unduly restrict public access or utilize a design that detracts from the image and appearance of the surrounding area.

(B) Definitions: The following definitions shall apply in the interpretation of this chapter:

Chair: A chair is further defined as either a distinct piece of furniture designed to allow one person to sit upon the same, or when seating is provided on a bench or other similar structure, then every 20 inches of seating space shall be considered as the equivalent of one chair for determining seating capacity.

Director: The Director shall mean the Director of Development Services Department.

Furniture: Collectively includes tables, chairs, benches, umbrellas, waiter stands, barriers, tray stands, planters, trash receptacles, or other furniture normally associated with dining.

Sidewalk dining area: Use of an adjacent, outside area by a food or beverage establishment for the same eating and drinking activities that occur within the establishment. The outdoor dining area may be located in a public right-of-way pursuant to this chapter.

(C) Sidewalk dining areas permitted: Sidewalk dining areas shall be permitted to encroach into the public sidewalks abutting eating establishments for sidewalk dining purposes within all commercial zone districts.

(D) Location:

1. Sidewalk dining areas in the public right-of-way shall not extend beyond the boundaries of the primary business property to which such activity is subordinate.
2. Sidewalk dining areas may extend into the public right-of-way; however, a clear pedestrian pathway shall be maintained the full width of the property. The pathway shall maintain a minimum unobstructed passageway of five feet as measured from the dining area to edge of curb or to any obstruction including

but not limited to light standards, benches, street trees, trash containers, and news racks.

(E) Insurance: The permittee shall maintain general liability insurance for the benefit of the City of a type and amount as determined appropriate by the City Manager.

(F) Standards: General standards for sidewalk dining areas:

1. Development Standards.

- (a) Facilities and equipment shall be of a quality and style that is consistent with the Design Guidelines adopted by the City and any other applicable design standards and policies. The design, quality, materials and colors used for chairs, tables, lighting and other fixtures shall complement the architectural style and colors used on the adjacent buildings. Sidewalk dining furniture, equipment, and other amenities shall be constructed of metal, unless an alternative material is approved by the Director or the Planning Commission.
- (b) Sidewalk dining areas that have more than four tables or more than eight chairs shall separate the dining area from the walkway with fencing, swag roping, decorative plants, landscape planters, or other architectural barriers that prevent encroachment of tables and chairs into the five-foot pathway being maintained for pedestrian access. The Planning Commission may relax this standard when it is clear that there is no reasonable possibility of tables or chairs being moved to encroach on the required pedestrian pathway.
- (c) Lighting will be required for sidewalk dining areas where food will be eaten during the evening hours. The lighting fixtures must be decorative and complement the architectural character of the building and area. Lights mounted on the building shall not cause direct glare or other visual obstruction to pedestrians or vehicle drivers along the street and public walkway, and should illuminate only the sidewalk area.
- (d) Portable umbrellas may be permitted provided they do not obstruct the public right-of-way or walkway, and do not contain advertising. The minimum vertical clearance from the pedestrian surface for any overhead obstruction including umbrellas shall be eight feet.
- (e) Furniture shall not be attached, drilled into, adhered to, chained to, or otherwise affixed to the sidewalk tree, pole, or other furniture, or to any permanent structure or building.
- (f) Sidewalk dining furniture shall be placed immediately adjacent to and abutting the eating establishment and shall not be placed adjacent to the curb. Exceptions to this requirement may be made by the Director or Planning Commission for self-serve seating (i.e., no table service).
- (g) Dining areas serving alcohol shall delineate and separate the sidewalk dining area with a non-affixed, removable barrier/fence (e.g. a planter box, rope, fence, or other material) approved by the approving authority. Each such barrier shall be easy to remove and store. No barrier shall exceed 36 inches in height. Dining areas that do not serve alcohol are not permitted to delineate the sidewalk dining area with a barrier in order to keep the appearance of an open sidewalk.

- (h) Use of sound amplification on the exterior of a sidewalk dining area is prohibited.
- (i) Sidewalk dining area permits are interruptible and terminable licenses for use granted by the City. No property interest shall be conveyed to the eating establishment or to any other person. The City shall have the right and power, acting through the Director or Planning Commission, to revoke, prohibit, or limit operation and use of a sidewalk dining area permit at any time by reason of anticipated, threatened, or actual problems or conflicts in the use for the sidewalk area. Such circumstances may arise from, but are not limited to, changing patterns of sidewalk use, scheduled festivals or similar event, parades or marches, repairs to the street or sidewalk, or for any other reason.
- (j) Any sidewalk dining area shall be temporary in nature and designed so that the entire dining area can be easily removed. Sidewalk dining area furniture, equipment, and other amenities must be removed from the public sidewalk dining area for extended periods of eating establishment closure (two weeks or more). The City may require removal during special events, et. The City shall have the right to unilaterally remove unapproved exterior furniture and/or equipment from the sidewalk dining area, and costs of removal shall be borne by the eating establishment.

2. Operational Standards:

- (a) The owner of the primary business is responsible for proper operation of the sidewalk dining area. Sidewalk dining shall be continuously supervised by management or employees. Food establishments serving alcoholic beverages shall have a supervisor, at least 21 years of age, on-site at all times of operation. Any behavior that disturbs customers or passersby on the sidewalk will constitute grounds for revocation of any permit(s) to operate an outdoor dining area.
  - (b) Establishments are required to maintain all areas in and around the sidewalk dining area in a manner which is clean and free of litter and debris.
  - (c) The sidewalk dining hours of operation shall be limited to the hours of operation of the associated food or beverage establishment.
  - (d) All plans and permits for the sidewalk dining area approved by the City must be kept on the premises for public inspection at all times during which the associated establishment is open for business.
  - (e) Sidewalk dining areas shall be operated in a manner that meets all requirements of the El Dorado County Environmental Management Division and all other applicable regulations, laws, ordinances, and standards. Food establishments serving alcoholic beverages shall also obtain all necessary permits required by the State Alcoholic Beverage Control Department.
  - (f) Smoking and/or vaping of any substance shall not be permitted within any sidewalk dining or seating area authorized pursuant to this Section.
- (G) Application for Special Temporary Permit Required: Applications for each Sidewalk Dining Area Permit must include:

1. Description: A brief written description to include the name and address of the Eating Establishment, a description of the propertied sidewalk dining area, the number of tables and seats, whether the establishment intends to serve alcohol.
  2. Site Plan: A plan, drawn to scale, showing the proposed sidewalk dining area including all tables, seats, associated furniture, and barrier; the plan shall show all sidewalk clearance dimensions and elevation. Specifications shall be provided for all barriers, and for any sidewalk heaters. A seating and pedestrian routing plan with dimensions and the anticipated periods of use during the year.
  3. Photos or Drawings: Color photos, renderings, and/or graphics shall show the setup, type of furniture, and materials to be used for all surfaces, including table clothes, barriers, and umbrellas.
- (H) Review process: A Special Temporary Use Permit shall be required as provided in Section 10-4-7 of this code.
1. Review Authority:
    - (a) The Director shall have administrative authority to review and approve sidewalk dining areas that have not more than two tables or four chairs. For purposes of this chapter, each 20 inches of space on a bench shall be considered as one chair. The Development Services Director may impose reasonable conditions to assure that the dining area is not detrimental to the public health, safety and welfare and is consistent with applicable redevelopment plans and design guidelines.
    - (b) The Planning Commission shall have authority to review and approve sidewalk dining areas with more than two tables or more than four chairs and/or dining areas serving alcohol.
  2. Conditions of Approval: The Director or Planning Commission, as applicable, may impose reasonable conditions of approval to ensure that sidewalk dining and display areas operate in a manner that is not detrimental to the public health, safety and welfare, is consistent with all applicable codes, policies and guidelines, and enhances the image, appearance and vitality of the area in which the use is located. This includes but is not limited to authority to regulate the design, layout, materials, colors, quality and appearance of outside dining and display areas; to require security deposits, insurance and other reasonable financial guarantees and to prescribe operating terms that the permittee must follow.
  3. Appeal:
    - (a) The decision of the Director may be appealed to the Planning Commission.
    - (b) The decision of the Planning Commission may be appealed to the City Council.
    - (c) The above decisions must be appealed in writing to the City Clerk's office within 10 days after the decision is made.
  4. Fees. Each sidewalk dining area permit shall require payment of two fees: (a) the Encroachment Permit fee; and (b) Special Temporary Use Permit application fee associated with the continued use of the public sidewalk. The fees shall be determined by the City Council and adopted by resolution which may be amended from time to time.

- (I) Encroachment permit: An encroachment permit must be obtained from the City Engineer before any sidewalk dining is permitted.
- (J) Terms and renewal: A Special Temporary Use Permit for a sidewalk dining area may be approved for a maximum of one year. Renewal permits may be granted for one-year periods. Special Temporary Use Permits approved by the Planning Commission may be extended by the Director. The City reserves the right to temporarily suspend the permit upon seven days' notice because of anticipated or actual conflicts in the use of sidewalk areas due to street repairs, parades, festivals and other similar events.
- (K) Enforcement:
  - 1. Penalties: Any person violating any the provisions of this Chapter is subject to Section 1-4-5, "Penalty," of this Code. In addition, the City may seek civil remedies for any violation, including but not limited to, the recovery of reasonable costs for the enforcement and correction of the violation.
  - 2. Revocation: Violation of any of the standards in this code or any of the conditions imposed under 10-4-19(H) shall be grounds for revocation of the permit to operate a sidewalk dining area. Such revocation shall require a majority vote of the Planning Commission at a regular meeting to which the permittee has been given at least 10 calendar days' notice. The decision of the Planning Commission may be appealed to the City Council.

10-4-20: **SHORT-TERM RENTALS:** (Ord. 1710, 12 July 2022)

- (A) Purpose: The purpose of this section is to provide for the establishment of short-term rental facilities in certain commercial zones and to set forth criteria and regulations of those short-term rental units.
- (B) Applicability of regulations: The provisions of this Section shall apply to all parcels that are zoned CBC, C, and HWC.
- (C) Permitted Use: Short-term rentals as defined in Section 10-4-1 are a permitted use in the specified commercial zone districts as commercial lodging facilities that is consistent with the City's General Plan, the specific zone district on which the short-term rental facility is to be located, and this Section, subject to issuance of a short-term rental (STR) permit.

The conversion of residential (long-term) units constructed pursuant to the mixed-use provisions within the CBC, C, and HWC Zone Districts shall not be permitted as short-term rental units.

- (D) Permit Required:
  1. An application for a short-term rental (STR) shall be filed with the Development Services Department and shall be processed in accordance with Section 10-4-7 and shall be renewed annually.
  2. The application for the STR permit shall be submitted on forms provided by the Development Services Department and shall, but not be limited to, the following:
    - a. A site location map.
    - b. A site plan drawn to scale showing the property boundaries, all structures labeled as to their use and dimensions, and parking areas showing the number of spaces provided with dimensions.
    - c. A floor plan of all buildings to serve as a short-term rental with all rooms labeled as to their use.
  3. Short-term rental permits shall only be issued to the owner(s) of the property and shall not be transferable.
  4. Short-term rental permits shall be subject to renewal annually and be subject to site inspection by the City and El Dorado County Fire Marshal.
  5. The number of short-term rental permits issued by the City shall not exceed a total of 10 units per calendar year.

- (E) Development and Operational Standards:
  1. A City business license is required in accordance with City Code Section 5-1-4.
  2. The name and phone number of a responsible person shall be posted. Said responsible person shall be available 24/7 and can be on site within one hour.
  3. Payment of Transient Occupancy Tax shall be paid in accordance with Code Title 5, Chapter 16.
  4. Maximum Occupancy and Parking. Occupancy of the short-term rental shall be limited by (1) the number of paved parking spaces on the short-term rental property as shown in Table One of this Subsection, and (2) the number of bedrooms in the property as shown in Table Two of this subsection, whichever is the lesser. For purposes of this Subsection, occupancy shall be calculated by the number of persons present at the vacation home rental property at any given time. Properties with multiple units shall be calculated in the aggregate.

Table One (1). Number of Paved Parking Spaces Establishing Maximum Occupancy	
Number of parking Spaces	Maximum Occupancy
1	4
2	8
3	12
4	16
5	20

Table Two (2). Number of Bedrooms Establishing Maximum Occupancy	
Number of bedrooms	Maximum Occupancy
Studio	4
1	6
2	8
3	10
4	12
5	14

Where the maximum occupancy for a short-term rental is based upon the number of bedrooms, occupancy of a short-term rental with more than one bedroom shall be calculated by multiplying the number of bedrooms by two and adding four.

Maximum occupancy of a short-term rental located within the CBD Zone shall be in accordance with Table 2 only. New construction shall be in accordance with Code Sections 10-4-4 and 10-4-5.

5. New Construction: New construction shall be subject to all applicable development standards of the zone district and approval of a site plan review application by the Planning Commission in accordance with City Code Section 10-4-9, and this Section.
6. The maximum occupancy of each short-term rental shall be clearly posted within the unit, and the host shall provide information to guests on how to sign up for CodeRED emergency notification system.
7. All marketing and advertising of the short-term rental shall include the short-term rental permit number issued by the City.
8. Noise. Excessive noise shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m.
9. Record Keeping. Records of every night for which the short-term rental is rented, including the name and contact information of the occupant who has arranged to rent the unit(s), the rental rate, the number of occupants per night, and the number of vehicles, shall be maintained for a minimum period of three years before such records are discarded or otherwise destroyed. Such records shall be made

available to the City within fifteen (15) business days upon written request from the City.

- (F) Enforcement. Any use or condition caused or permitted to exist in violation of any provision of the City Code or the STR permit shall be and hereby is declared a public nuisance and may be summarily abated by the City pursuant to Code of Civil Procedure Section 731, City Code Sections 10-10-3-8, 10-3-9, and 10-3-10, or any other remedy available to the City.
- (G) Revocation. A short-term rental permit issued under the terms of this Section shall be revoked by the Development Services Director at any time if he or she concludes that the permit has expired, not current on TOT taxes, found to be in violation of permit conditions, or found to be a nuisance to the community.
- (H) No Property Rights Conferred. Short-term rental permits shall not be construed as providing property rights or vested interests and entitlements in continued operation of a short-term rental. Short-term rental permits are revocable licenses which expire annually. Short-term rental permits shall not run with the land.