

## **Title 17**

### **ZONING**

#### **Chapters:**

#### **Division I. General**

- 17.02 General Provisions**
- 17.04 Definitions**
- 17.06 Enforcement**
- 17.08 Establishment of Zones**
- 17.10 General Regulations and Requirements**
- 17.12 Environmental Guidelines**
- 17.14 Unlisted Uses**

#### **Division II. Zones**

- 17.15 CF Community Facilities Zone**
- 17.16 OS Open Space Zone**
- 17.18 A-1 Agricultural Zone**
- 17.20 RR-1 Low Density Rural Residential Zone**
- 17.22 RR-2 Medium Density Rural Residential Zone**
- 17.24 R-1 Single-Family Zone**
- 17.26 R-2 Two-Family Zone**
- 17.28 R-3 Multifamily Zone**
- 17.30 R-4 Mobile Home Park Zone**
- 17.32 RC Residential Commercial Mixed Use Zone**
- 17.34 C-1 Neighborhood Commercial Zone**
- 17.36 C-2 General Commercial Zone**
- 17.38 I-1 Light Industrial Zone**
- 17.40 I-2 Heavy Industrial Zone**
- 17.41 Downtown Code**

#### **Division III. Accessory Uses and Special Activities**

- 17.42 Floodplain Management**
- 17.44 Swimming Pools**
- 17.46 Home Occupation Regulations**
- 17.48 Second Dwelling Units**
- 17.50 RV Parks**
- 17.51 Reasonable Accommodation**

#### **Division IV. Parking and Signs**

- 17.52 Off-Street Parking**
- 17.54 Off-Street Loading**
- 17.56 Signs**

**Division V. Nonconforming Uses, Buildings and Structures**

**17.58 Nonconforming Uses**

**Division VI. Administration of Zoning Ordinance**

**17.60 Conditional Use Permits**

**17.62 Variances**

**17.63 Design Review**

**17.64 Amendments**

**17.66 Sign Permits**

Prior ordinance history: Ords. 355, 373, 387, 395, 404, 409, 412, 413, 414, 431, 432 and 433.

Editor's note: The effective date of the ordinance codified in this title is July 12, 2000.

**Division I. General****Chapter 17.02****GENERAL PROVISIONS**

## Sections:

- 17.02.010 Purpose – Adoption of zoning provisions.
- 17.02.020 Application.
- 17.02.030 Effect on private agreements.
- 17.02.040 Interpretation.
- 17.02.050 Conflict with other ordinances.
- 17.02.060 Zone boundary determination.
- 17.02.070 Newly annexed territory.
- 17.02.080 Effectuation of provisions.
- 17.02.090 Buildings under construction.
- 17.02.100 Existing construction.

**17.02.010 Purpose – Adoption of zoning provisions.**

A zoning ordinance establishing classifications of zones and regulations within those zones is established and adopted by the city council for the purpose of:

- A. Promoting and protecting the public health, safety and welfare of the people of the city;
- B. Safeguarding and enhancing the appearance and quality of development of the city; and
- C. Providing for the social, physical and economic advantages resulting from comprehensive and orderly planned use of land resources. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.02.020 Application.**

This title divides the city into zones and may further regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of a lot that may be occupied, the size of yards, the number of dwelling units, the location and use of buildings, structures and lands for trade, industrial, residential and other purposes, and building setbacks. This title may, within an established zone, regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or lands. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.02.030 Effect on private agreements.**

The provisions of this title are not intended to interfere with or abrogate or annul any easements, covenants or other existing agreements between parties. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.02.040 Interpretation.**

If ambiguity arises concerning the appropriate classification of a particular use within the meaning and intent of this title, or if ambiguity exists with respect to matters of height, yard requirements, area requirements or zone boundaries as set forth in this title, it shall be the duty of the planning commission to ascertain all pertinent facts, and by resolution of record set forth the findings and the interpretations. Such resolutions shall be forwarded to the city council, and, if approved by the city council, thereafter such interpretation shall govern. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.02.050 Conflict with other ordinances.**

Whenever the provisions of this title impose more restrictive regulations upon buildings or structures and the use of them, or the use of lands or premises, requiring larger open spaces or yards or setbacks than are imposed or required by other ordinances, the provisions of this title or rules or regulations promulgated thereunder shall govern. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.02.060 Zone boundary determination.**

A. Where indicated zone boundaries are approximately street, alley or lot lines, such lines are determined to be the boundaries of the zone. Otherwise, the boundaries shall be determined by the dimensions shown on the official zoning map. In the absence of a dimension, the boundary shall be determined by the use of the scale shown on the map.

B. In the event that a vacated street, alley, right-of-way or easement was the boundary between two zones, the new zone boundaries shall be the new property line, and the vacated portion of the street, alley, right-of-way or easement shall take the zone of the property abutting same, and the new zoning boundary shall be at the new property line. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.02.070 Newly annexed territory.**

A. Whenever public necessity, convenience, general welfare or good zoning practice justifies rezoning of property prior to annexation, and after due consideration by the planning commission, the city council may, by ordinance, place any property within unincorporated territory adjoining the city into any zone set forth in Chapters 17.15 through 17.42 HMC for the purpose of delineating the zoning that will apply to such property in the event of subsequent annexation to the city. The method of accomplishing such rezoning shall be set forth in

the State of California Government Code, Sections 65854 to 65859, inclusive, except that rezoning shall be initiated only by the planning commission or city council, and shall only become effective on the date of the annexation of rezoned property becomes effective.

B. Territory annexed to the city and for which the city council has not by ordinance established a conditional prezone prior to annexation shall, upon the date that such annexation becomes effective and until a final zoning plan is adopted, be considered a part of the R-1 single-family residential zone and subject to all conditions and restrictions therein. A final zoning plan shall be adopted by the city council, after due consideration by the planning commission, for all newly annexed territories not subject to conditional rezoning, within one year after the effective date of such annexation. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.02.080 Effectuation of provisions.**

The provisions of this title governing the use of land, buildings and structures, the size of yards, abutting buildings and structures, the height and bulk of buildings, standards of performance and other provisions are in effect upon all lands. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.02.090 Buildings under construction.**

Any building for which a permit has been issued under the provisions of earlier ordinances of the city which are in conflict with this title and on which substantial construction has been performed by integration of materials on the site before the effective date of the ordinance codified in this title may nevertheless be completed and continued in accordance with the plans and specifications upon which the permit was issued. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.02.100 Existing construction.**

Improvements which are existing on June 12, 2000, and which do not conform to the property development and performance standards in this title shall continue to exist as provided in this title. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

## **Chapter 17.04**

### **DEFINITIONS**

#### **Sections:**

- 17.04.010 General.
- 17.04.020 "A" definitions.
- 17.04.030 "B" definitions.
- 17.04.040 "C" definitions.
- 17.04.050 "D" definitions.
- 17.04.060 "E" definitions.
- 17.04.070 "F" definitions.
- 17.04.080 "G" definitions.
- 17.04.090 "H" definitions.
- 17.04.100 "I" definitions.
- 17.04.110 "J" definitions.
- 17.04.120 "K" definitions.
- 17.04.130 "L" definitions.
- 17.04.140 "M" definitions.
- 17.04.150 "N" definitions.
- 17.04.160 "O" definitions.
- 17.04.170 "P" definitions.
- 17.04.180 "Q" definitions.
- 17.04.190 "R" definitions.
- 17.04.200 "S" definitions.
- 17.04.210 "T" definitions.
- 17.04.220 "U" definitions.
- 17.04.230 "V" definitions.
- 17.04.240 "W" definitions.
- 17.04.250 "X" definitions.
- 17.04.260 "Y" definitions.
- 17.04.270 "Z" definitions.

#### **17.04.010 General.**

To carry out the intent of this title, words, phrases, and terms shall have the meaning ascribed to them in this chapter. When not defined in this chapter, accepted dictionaries of the English language shall govern. When not inconsistent with the context, words used in the present tense include the future, words used in the singular number include the plural, and those in the plural number include the singular. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.020 "A" definitions.**

"Abut" means two adjoining parcels of property with a common property line, except where such common property line is located in a public street right-of-way or no common boundary other than a common corner exists.

"Access" means the way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use.



Accessory Building or Structure. See Building, Accessory.

"Addition" means any construction that is attached to an existing building or facility and which increases the size or capacity of a building or facility in terms of site coverage, height, length, width or gross floor area.

"Agriculture" means the tilling of soil, the raising of crops, horticulture, animal husbandry and customary incidental uses; but not including commercial slaughterhouses, stockyards, meat packing plants, fertilizer yards, bone yards, or plants for the reduction of animal matter.

"Alley" means any dedicated way, intended for vehicular service to the rear or side of property served by a street.

"Ambient noise level" means the general noise level one finds in a certain area at a given time.

"Animal," unless otherwise stated for a specific situation, includes birds, fish, mammals and reptiles.

"Antenna" means any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception, or both, of electromagnetic waves, including satellite and cellular antennas.

"Apartment" means one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit in a building containing three or more dwelling units for rent. See also "Dwelling unit."

"Appeal" means a request for review of the interpretation of the ordinance or a request for a variance.

"Applicant" means a person who requests in writing the approval of a lease, permit, license, certificate, or other entitlement from the city.

"Application" means the form, information, and fees submitted by an applicant for purposes of requesting an entitlement from the city.

Area, Gross. "Gross area" means the total land area within a defined boundary before the exclusion of public rights-of-way.

Area, Net. "Net area" means the total horizontal area within the property lines of a lot or parcel of land after all streets and other dedications have been made.

Area, Special Mudflow Hazard. "Special mudflow hazard area" means areas subject to severe mudflows, designated as Zone M on the Flood Insurance Rate Map (FIRM). (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.030 "B" definitions.**

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year (also called the 100-year flood).

"Basement" means any area of a building having its floor below grade on all sides.

"Bedroom" means any habitable room other than a bathroom, kitchen, dining room, living room, family room, or den.

"Boardinghouse" or "roominghouse" means a building containing a dwelling unit where lodging is provided with or without meals, for compensation, for five or more persons.

"Breezeway" means a porch or roofed passageway with open sides for connecting two buildings, such as a house and a garage.

"Building" means any structure that is completely roofed and enclosed on all sides which is built and maintained for the support, shelter, or enclosure of persons, animals or property of any kind.

Building, Accessory. "Accessory building" means a building, part of a building, or structure which is incidental or subordinate to the main building or use on the same site. This definition does not apply to uncovered swimming pools.

"Building height" means the vertical distance from the average elevation of the center of the street in front of the property to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the highest point of the highest gable of a pitch or hip roof, but exclusive of vents, air conditioners, chimneys, or other such incidental appurtenances.

Building, Main. "Main building" means a building within which is conducted the principal use permitted on the lots, as provided by this title.

Building, Nonconforming. "Nonconforming building" means a building or portion thereof which was lawful when established but which does not conform to the provisions of this title.

"Building site" means a legally created parcel or continuous parcels of land in a single or joint ownership, which provides the area required by this title, exclusive of all vehicular and pedestrian rights-of-way, and all other easements that prohibit the surface use of the property by the owner thereof. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.040 "C" definitions.**

"Commission" means the planning commission of the city of Holtville.

"Conditional use" means a use permitted on a particular site and within a zoning district only

upon a finding that such a use in a specified location will comply with all the conditions and standards for the location or operation of such uses as specified in this title and authorized by the planning commission.

“Conditional use permit” means an approval that is required for a use to be carried out in a particular zoning district that is not a use permitted by right.

“Coverage” means the percentage of total building site area covered by structure, open or enclosed, excluding uncovered steps, patios, terraces and swimming pools. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.050 “D” definitions.**

“Density” means the total number of dwelling units permitted on an acre of land, exclusive of all existing public streets and rights-of-way.

“Development” means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Disabled Person. Refer to “person with a disability” in HMC 17.04.170.

“Duplex” means a building designed for two-family occupancy.

“Dwelling” means a building or portion thereof, including a kitchen of any size, designated exclusively for residential occupancy.

Dwelling, Multiple. “Multiple dwelling” means a building containing three or more dwelling units, or a combination of three or more separate single-family dwelling units on a single lot (for example, an apartment complex).

Dwelling, Single-Family Attached. “Single-family attached dwelling” means a dwelling unit designed primarily for the use of one family which is structurally connected to at least one other such dwelling unit (for example, a townhouse or condominium).

Dwelling, Single-Family Detached. “Single-family detached dwelling” means a detached building designed primarily for the use of one family.

“Dwelling unit” means one or more rooms and a single kitchen in a single-family dwelling, apartment house, or hotel designed as a unit for occupancy by one family for living and sleeping purposes. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.060 “E” definitions.**

“Eave” means the lower part of a roof which extends beyond the facade of a lower wall.

“Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person where no individual or household may be denied emergency shelter because of an inability to pay. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.070 “F” definitions.**

“Family” means an individual, or two or more persons related by blood, marriage or adoption, or a group of persons, who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit in a single dwelling unit.

“Feed lot” or “feed yard” means a lot or a portion of a lot used for enclosing and fattening of livestock for market, and not operated in connection with a bona fide farm.

“Flood” means a general and temporary condition of partial or complete inundation of normally dry areas.

“Flood Boundary and Floodway Map” means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of flood hazard and the floodway.

“Flood Insurance Rate Map (FIRM)” means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

“Flood Insurance Study” means the official report provided by the Federal Insurance Administration that includes flood profiles, the FIRM, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

“Floodplain” or “flood-prone area” means the land area adjacent to a watercourse which is subject to the overflow of floodwater.

“Floodproofing” means any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

“Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as “regulatory floodway.”

Floor Area, Gross. "Gross floor area" means the total horizontal floor area of a building, in square feet.

"Floor area ratio" means the total gross floor area of all buildings on a lot divided by the lot acre.

"Frontage" means that portion of a parcel of property which abuts a public street or approved private street or highway. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.080 "G" definitions.**

"General plan" means the general plan of the city of Holtville adopted pursuant to the State of California Government Code Section 65301, et seq.

"Grade" means the average level of the finished ground surfaces surrounding a building. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.090 "H" definitions.**

"Home occupation" means a lawful occupation carried on by a resident of a dwelling as an accessory use within the same dwelling, as more fully described in Chapter 17.46 HMC. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.100 "I" definitions.**

"Industry" means the manufacture, fabrication, processing, reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form, character or appearance thereof, and including storage elevators, truck storage yards, warehouses, wholesale storage and other similar types of enterprise. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.110 "J" definitions.**

No "J" definitions are provided. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.120 "K" definitions.**

"Kennel" means a place where four or more adult dogs or cats are kept, whether by owners or by persons providing facilities, whether or not for compensation. An adult is an animal of either sex, altered or unaltered, that has reached the age of four months.

"Kitchen" means any room or portion of a room that contains the following combination of facilities of sufficient size for the preparation of meals for the household: (1) one or more sinks, (2) a stove, and (3) utilities and location(s) for a refrigerator. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.130 "L" definitions.**

"Landscaping" means the planting and continued maintenance of some combination of trees, shrubs, vines, flowers, lawns or other vegetation in accordance with city standards.

"Loading space" means an off-street space or berth on the same lot with a main building or contiguous buildings, for the temporary parking of commercial vehicles while loading or unloading, and which has access from a street, alley, or other permanent means of ingress and egress.

"Lot" means land occupied by a building, group of buildings or uses, and accessory buildings, together with such yards and lot area as required by this title, and having its frontage upon a publicly dedicated street or publicly dedicated easement accepted by the city. Figures 17.04-1 and 17.04-2 depict the different types of lots described in this section.

"Lot area" means the total horizontal area within the boundary lines of a lot.

Lot, Corner. "Corner lot" means a lot located at the intersection or interception of two or more streets at an angle of not more than 135 degrees. If the angle is greater than 135 degrees, the lot shall be considered an interior lot. (Figure 17.04-1.)

"Lot depth" means the average horizontal distance between the front and rear lot lines, measured in the mean direction of the side lot lines.

Lot, Interior. "Interior lot" means any lot other than a corner or reverse corner lot. (Figure 17.04-1.)

"Lot line" means any line bounding a lot as defined in this chapter.

Lot Line, Front. On an interior lot, "front lot line" means the property line abutting the street. On a corner or reverse corner lot, the front lot line is the shorter property line abutting the street, except in those cases where the subdivision or parcel map specified another line as the front lot line. On a through lot or a lot with three or more sides abutting a street, or a corner or reverse corner lot with lot lines of equal length, the building inspector shall determine which property line shall be the front lot line for the purpose of compliance with yard and setback provisions of this title. On a private street or easement, the front lot line shall be designated as the edge of the easement.

Lot Line, Interior. "Interior lot line" means a lot line not abutting a street.

Lot Line, Rear. "Rear lot line" means a lot line not abutting a street and which is opposite and most distant from the front lot line. In the case of an irregular shaped lot, the rear lot line means a line

within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than 10 feet. A lot which is bounded on all sides by streets may have no rear lot line.

Lot, Reverse Corner. "Reverse corner lot" means a corner lot in which the street side lot line

is substantially a continuation of the front lot line of the nearest lot to its rear and in which the rear lot line is the side lot line of the nearest lot to its rear.

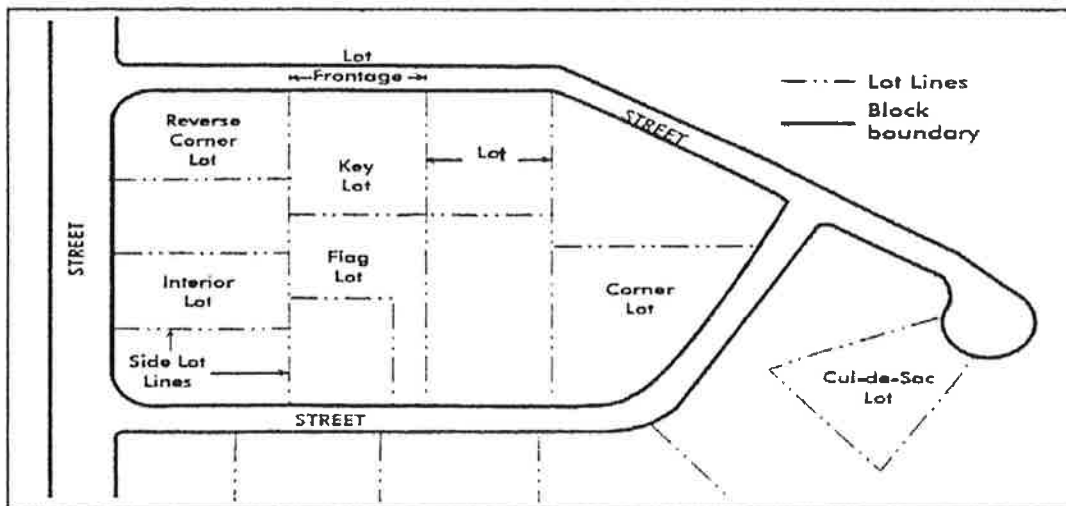


Figure 17.04-1

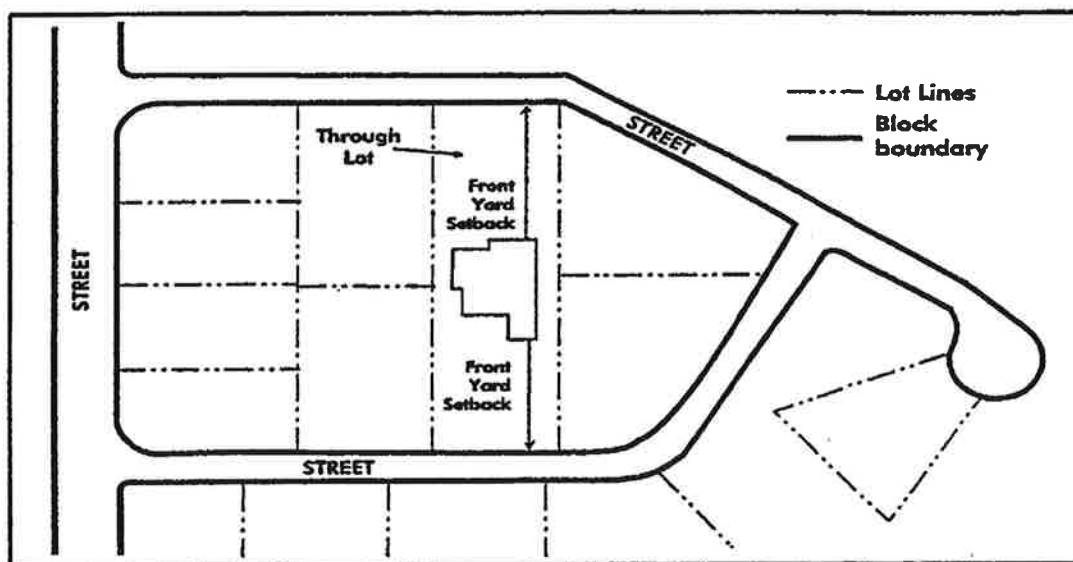


Figure 17.04-2

**Lot Line, Side.** "Side lot line" means any lot line that is not a front lot line or a rear lot line.

**Lot, Nonconforming.** "Nonconforming lot" means a lot, the area, frontage, or dimensions of which do not conform to the provisions of this title.

**Lot, Through.** "Through lot" means a lot having frontage on two dedicated parallel or approximately parallel streets. (Figure 17.04-2.)

**"Lot width"** means the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.140 "M" definitions.**

**"Manufactured home"** means a dwelling unit certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 and pursuant to Section 18551 of the State Health and Safety Code.

**"Mean sea level,"** for purposes of the National Flood Insurance Program, means the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**"Mobile home"** means a structure designed to be used without a permanent foundation for single-family detached residential use that has been manufactured pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974.

**"Mobile home park"** means any lot or parcel of land five acres or more, where two or more mobile homes are rented, leased or offered for rent or lease.

**"Mobile home space"** means a plot of ground within a mobile home park or subdivision designed for the accommodation of one mobile home.

**Multiple Dwelling.** See Dwelling, Multiple. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.150 "N" definitions.**

**"Noise"** means any sound that is undesirable because it is annoying, interferes with speech or hearing, or is intense enough to damage hearing.

**Nonconforming Building.** See Building, Nonconforming.

**Nonconforming Lot.** See Lot, Nonconforming.

**Nonconforming Use.** See Use, Nonconforming. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.160 "O" definitions.**

**"One-hundred-year flood"** means a flood that has a one percent annual probability of being equaled or exceeded (also called the base flood).

**"Overlay zoning district"** means a zoning district established by ordinance which may be applied to properties only when combined with an underlying zoning district. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.170 "P" definitions.**

**"Permit"** means written governmental permission issued by an authorized official, empowering the holder thereof to engage in some activity not forbidden by law, but not allowed without such authorization.

**"Person with a disability"** means a person who has a physical or mental impairment that limits a major life activity, has a record of such impairment, or is regarded as having such impairment.

**"Planning commission"** means the planning commission of the city of Holtville, established pursuant to the provisions of Section 65101 of the Government Code.

**"Project"** means an activity involving the issuance to a person of a permit, license, certificate, or other entitlement. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.180 "Q" definitions.**

No "Q" definitions are provided. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.190 "R" definitions.**

**"Recreational vehicle"** means all motorized and nonmotorized vehicles, camp cars, trailers, tent trailers and tents designed and/or used for human habitation and which are, by construction, mobile.

**"Recreational vehicle park"** means any park, subdivision, portion of subdivision or parcel of land whose use is intended to be specifically for recreational vehicles.

**"Recreational vehicle space"** means the lot on which a recreational vehicle is parked and which is rented/leased for the purpose of temporary residence.

**Reverse Corner Lot.** See Lot, Reverse Corner.

**"Right-of-way"** means a corridor, either public or private, on which a right of passage has been recorded. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.04.200 "S" definitions.**

**"Screening"** means a method of visually shielding or obscuring one abutting or nearby structure or

use from another by fencing, walls, beams or densely planted vegetation.

“Setback” means the distance between the established lot line and any building.

Setback Line, Front Yard. “Front yard setback line” means the line which defines the depth of the required front yard. Such line shall be parallel with the street line and be removed therefrom by the perpendicular distance prescribed for the front yard of the zoning district in which the property is located.

Setback Line, Rear Yard or Side Yard. “Rear yard setback line” or “side yard setback line” means the line which defines the width or depth of the required rear or side yard. Said setback line shall be parallel with the property line, removed therefrom by the perpendicular distance prescribed for the yard of the zoning district in which the property is located. Where the side or rear yard abuts a street, the distance shall be measured as set forth in the “setback line, front yard” definition.

“Sign” means any display, announcement or device, constructed of any material, containing any writing, emblem, logo, insignia, pictorial representation or printed matter, for the purpose of advertising, promoting or otherwise communicating to the general public the interest, message, position, or view of any person, business, or enterprise, when such device is visible to the general public. This definition does not include: (1) the display of the flag of the United States or the flag of the state of California, or any structure used exclusively for displaying these flags; (2) a table or other similar display containing merchandise or products for sale, or literature, pamphlets, or other written or printed information available to the general public; or (3) a handbill.

Sign, Canopy. “Canopy sign” means any sign placed on, suspended or supported entirely by a rigid or nonrigid shelter or other structure projecting out from any exterior wall or portion of a building or other structure, passageway, porch or veranda.

Sign, Construction. “Construction sign” means any sign stating the name and address of those individuals or firms directly connected with a construction project and the name of the owner or ultimate user.

Sign, Directional. “Directional sign” means any sign which directs prospective purchasers or other members of the general public to the business, store, building or other activity being advertised.

Sign, Freestanding. “Freestanding sign” means a sign which is attached to or part of a completely

self-supporting structure. The supporting structure shall be set firmly in or below the ground surface and shall not be attached to any building or any other structure whether portable or stationary.

Sign, Height of. “Height of sign” means the actual distance from the base of the sign at the finished grade to the top of the highest attached components of the sign.

Sign, Illuminated. “Illuminated sign” means any sign which has characters, figures, letters, designs, or outlines illuminated internally or externally by electric lights or luminous tubes as part of the sign proper.

Sign, Interior. “Interior sign” means any sign located inside a building that is not visible from a public street or adjoining property.

Sign, Memorial. “Memorial sign” means plaques and building cornerstones when cut or carved into a masonry surface.

Sign, Monument. “Monument sign” means any freestanding sign connected to the ground with a solid base.

Sign, Multi-Tenant. “Multi-tenant sign” means a freestanding sign used to advertise businesses that occupy a shopping center or complex of two or more tenants.

Sign, Noncommercial. “Noncommercial sign” means any sign other than a sign relating to the sale of merchandise, product, service, commodity or other item or activity for private benefit or gain.

Sign, Nonconforming. “Nonconforming sign” means any sign, lawfully placed and legally existing in accordance with existing zoning at the time of the effective date of the ordinance codified in this title, which does not conform to the provisions of the sign code. This definition does not include any sign that has been erected or maintained in violation of any safety or health provision of this code, or that otherwise constitutes a danger to health or safety.

Sign, Off-Site. “Off-site sign” means any outdoor sign which advertises goods, products, services or facilities not sold, produced or conducted on the premises on which the sign is located, whether or not the sign is attached to any building. The term “off-site” shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message.

Sign, On-Site. “On-site sign” means any outdoor sign relating to any business or activity conducted at the location or site of the sign, whether or

not the sign is attached to the building or premises in which the business or activity is carried out.

**Sign, Pole.** "Pole sign" means any freestanding sign which is supported by one or more poles, uprights or braces in or upon the ground which are not part of the building.

**Sign, Political.** "Political sign" means any sign intended to promote an individual seeking public office or causes, issues and any such similar matters that are to be placed before the electorate.

**Sign, Portable.** "Portable sign" means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to signs designed to be transported by means of wheels, signs converted to A-frames or T-frames, menus on wheels, menu and sandwich board signs, balloons used as signs, umbrellas used for advertising, signs attached to or painted on vehicles parked and visible from the public right-of-way, unless such vehicle is used in the normal day-to-day operations of a business.

**Sign, Project Identification.** "Project identification sign" means a freestanding sign intended solely for the purpose of center identification. Such signs include monument signs placed into landscape berms.

**Sign, Projecting.** "Projecting sign" means any sign suspended from or supported by a building or other structure and projecting out therefrom. This definition does not cover a legal wall or canopy sign mounted flush and parallel to a wall or canopy surface.

**Sign, Public Information.** "Public information sign" means any sign intended primarily to promote items of general interest to the community, including but not limited to time, temperature, date, atmospheric conditions, news or traffic control.

**Sign, Real Estate.** "Real estate sign" means any temporary sign pertaining to the sale, exchange, lease or rental of land or buildings.

**Sign, Roof.** "Roof sign" means any sign erected upon or above a roof or parapet wall of a building.

**Sign, Special Event.** "Special event sign" means any sign advertising or pertaining to any civic, patriotic, religious, cultural, community or political event taking place on a specific date or dates.

**Sign, Subdivision.** "Subdivision sign" means any sign, on-site or off-site, used for the sole purpose of advertising the sale of condominiums, townhouses, single-family, or any dwelling having individual ownership that requires a division of land within the city.

**Sign, Temporary.** "Temporary sign" means any signing which is set in the ground but not permanently set in its own footing or foundation, nor permanently anchored to a building, wall or other structure.

**Sign, Vehicle-Mounted.** "Vehicle-mounted sign" means any sign placed on a stationary automobile, truck, trailer or any other motor-driven device.

**Sign, Wall.** "Wall sign" means any sign placed or erected against the wall of a building with the exposed face of the sign in a plane approximately parallel to the plane of the wall. The wall shall directly face a public street, alley parking area or pedestrian walkway.

1. "Front wall sign" means a wall sign placed on any one entrance parallel to the front property line as defined in the code.

2. "Rear and side wall sign" means a wall sign placed on any wall which is not the front wall.

3. "Incidental sign" means a wall sign containing only the type of business, services, goods, products or other activity.

**Sign, Window.** "Window sign" means any sign which is placed or erected on the exterior or the interior side of a window, if visible to the public from a street or adjoining property. This can also include signs within two feet of the interior side of the windows, if visible to the general public from a public street or adjoining property.

**Single-Family Dwelling.** See Dwelling, Single-Family.

"Single-room occupancy (SRO)," also referred to as a residential hotel unit, means an efficiency unit that: (A) is occupied as a primary residence, and (B) is subject to state landlord-tenant law pursuant to Chapter 2 of the Civil Code. The term also includes a unit in an "SRO project" as described in the California Code of Regulations.

"Story" means the portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling next above it.

"Street" means a public thoroughfare or right-of-way or approved private thoroughfare or right-of-way determined by the commission to be adequate for the purpose of access, which affords the principal means of access for abutting property. The word "street" includes all major and secondary highways, traffic collector streets and local streets.

"Structure" means anything constructed or erected on the ground or which is attached to something located on the ground.

“Swimming pool” means any body of water, located either above or below existing finished grade of the site, exceeding 150 square feet in surface area, and two feet in depth, designed, used or intended to be used for swimming or bathing purposes. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.04.210 “T” definitions.**

“Temporary structure” means a structure without any foundation or footings which will be removed when the permit for the activity, or use for which the temporary structure was erected, has expired.

“Temporary use” means a use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

“Transitional housing” and “transitional housing development” mean rental housing operated under program requirements that call for the termination of assistance. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.04.220 “U” definitions.**

“Use” means the purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

Use, Accessory. “Accessory use” means a use incidental, related or appropriate and clearly subordinate to the main use of the lot or building, which accessory use does not alter the principal use of such lot or building.

Use, Nonconforming. “Nonconforming use” means a use lawful when established, but which does not conform to the provisions of this title. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.04.230 “V” definitions.**

“Variance” means permission to depart from the provisions of this title when, due to special circumstances applicable to the property, strict application of the requirements deprives such property of privileges enjoyed by other property in the vicinity which is under identical zoning. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.04.240 “W” definitions.**

“Wall” means a barrier intended to mark a boundary that presents a continuous surface except where pierced with gates, doorways or decorative masonry. A wall is usually constructed of concrete block, brick, concrete, stucco or a combination thereof. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.04.250 “X” definitions.**

No “X” definitions are provided. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.04.260 “Y” definitions.**

“Yard” means any open space on the same lot with a building or dwelling group, which open space is unoccupied and unobstructed from the ground to the sky except for the projections permitted in this title.

Yard, Front. “Front yard” means a space between the front yard setback line and the front lot line or street line and extending the full width of the lot.

Yard, Rear. “Rear yard” means a space between the rear yard setback line and the rear lot line, extending the full width of the lot.

Yard, Side. “Side yard” means a space extending from the front yard, or from the front yard lot line where no front yard is required by this title, to the rear yard or rear lot line, between a side lot line and the side yard setback line. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.04.270 “Z” definitions.**

“Zoning district” means a specifically delineated area or district within a municipality in which regulations and requirements uniformly govern the use, placement, spacing and size of land and buildings.

“Zoning map” means the map or maps which are part of this title and which delineate the boundaries of zoning districts. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).



**Chapter 17.06****ENFORCEMENT**

## Sections:

- 17.06.010 Enforcement.
- 17.06.020 Actions deemed a nuisance.
- 17.06.030 Remedies.
- 17.06.040 Penalties.

**17.06.010 Enforcement.**

The city council, the city attorney, the police chief, the building inspector, the city clerk, and all officials charged with the issuance of licenses or permits shall enforce the provisions of this title. Any permit, certificate, or license issued in conflict with the provisions of this title shall be void. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.06.020 Actions deemed a nuisance.**

Any building or structure erected or maintained or any use of property contrary to the provisions of this title is unlawful and a public nuisance. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.06.030 Remedies.**

All remedies concerning this title shall be cumulative and not exclusive. Conviction and punishment of any person under the provisions of this title shall not relieve such persons from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures, or improvements, and shall not prevent the enforced correction or removal thereof. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.06.040 Penalties.**

A. Unless otherwise specifically provided, any person violating any provisions or failing to comply with any of the mandatory requirements of the ordinances of Holtville is guilty of a misdemeanor. Any person convicted of a misdemeanor under the ordinances of Holtville shall be punished by a fine of not more than \$500.00, by imprisonment not to exceed six months, or by both such fine and imprisonment.

B. Each person is guilty of a separate offense for each and every day during any portion of which any violation of ordinances of Holtville is committed, continued or permitted by any such person, and shall be punished accordingly. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.08****ESTABLISHMENT OF ZONES**

## Sections:

- 17.08.010 Designated.
- 17.08.020 Map – Adoption and filing.
- 17.08.030 Map – Changes.

**17.08.010 Designated.**

In order to classify, regulate, restrict and separate the use of land, buildings, and structures and to regulate and limit the type, height, and bulk of buildings and structures in the various zones, and to regulate the areas of yards and other open areas abutting and between buildings and structures, and to regulate the density of population, the city is divided into the following zones:

- OS open space zone (Chapter 17.16 HMC).
- A-1 agricultural zone (Chapter 17.18 HMC).
- RR-1 low density rural residential zone (Chapter 17.20 HMC).
- RR-2 medium density rural residential zone (Chapter 17.22 HMC).
- R-1 single-family zone (Chapter 17.24 HMC).
- R-2 two-family zone (Chapter 17.26 HMC).
- R-3 multifamily zone (Chapter 17.28 HMC).
- R-4 mobile home park zone (Chapter 17.30 HMC).
- RC residential commercial mixed use zone (Chapter 17.32 HMC).
- C-1 neighborhood commercial zone (Chapter 17.34 HMC).
- C-2 general commercial zone (Chapter 17.36 HMC).
- I-1 light industrial zone (Chapter 17.38 HMC).
- I-2 heavy industrial zone (Chapter 17.40 HMC).
- FP floodplain zone (Chapter 17.42 HMC).

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.08.020 Map – Adoption and filing.**

The designated zones and boundaries of said zones are established, adopted and delineated, and designated on the official “zoning map” of the city, which, together with all notations, references, boundaries and other information thereon, is

attached to the ordinance codified in this title and made part of and adopted.

The original of the official zoning map shall be kept on file with the city clerk and constitutes the original record. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.08.030 Map – Changes.**

Changes in the boundaries of the zones shall be made by ordinance and shall be reflected on the official zoning map. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.10**

**GENERAL REGULATIONS  
AND REQUIREMENTS**

Sections:

- 17.10.010 General provisions.
- 17.10.020 Use of land, buildings and structures.
- 17.10.030 Height limit – Violation prohibited.
- 17.10.040 Height limit – Exceptions.
- 17.10.050 Structural modifications – Adherence to yard and setback standards required.
- 17.10.060 Existing lots of record.
- 17.10.070 Front yard exceptions and modifications.
- 17.10.080 Side and rear yard exceptions and modifications.
- 17.10.090 Vision clearance.
- 17.10.100 Accessory structures.
- 17.10.110 Walls and fences.
- 17.10.120 Performance standards – Compliance required.
- 17.10.130 Radio or electrical disturbance, heat, cold and glare.
- 17.10.140 Fire and explosion hazards.
- 17.10.150 Noise.
- 17.10.160 Radioactivity.
- 17.10.170 Vibration.
- 17.10.180 Outdoor storage area.
- 17.10.190 Conformance testing.
- 17.10.200 Air contaminants, dust and odor.

**17.10.010 General provisions.**

The requirements and regulations of this title shall be subject to the provisions set forth in this chapter. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.020 Use of land, buildings and structures.**

No building or structure or part thereof shall be erected, altered or enlarged for a use, nor shall any existing building, structure, or part thereof, or land be used for a purpose or in a manner that is not in conformity with the uses listed as permitted uses for the zone in which such building, structure or land is situated. However, any land, building, or structure may be erected or used for a purpose listed as a conditional use in such zone; provided, that a conditional use permit is secured in accordance with the provisions of this title. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.030 Height limit – Violation prohibited.**

No building, or part thereof, or structure shall be erected, reconstructed, or structurally altered to exceed in height the limit designated for the district in which such building is located, except as specified in HMC 17.10.040. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.040 Height limit – Exceptions.**

In the following cases, the height limits established by this title shall not apply:

A. Church spires, belfries, cupolas and domes, monuments, water towers, fire and hose towers, distribution and transmission towers, utility lines and poles, street lights, windmills, chimneys, smokestacks, flagpoles, radio towers, masts and aerials, and parapet walls extending not more than four feet above the maximum height of the building are exempt from height limitations established under this title.

B. Places of public assembly in churches, schools and other permitted public and semi-public buildings may exceed height limitations established by this title; provided, that: (1) these are located on the ground floor of such buildings; and (2) for each one foot by which the height of such building exceeds the maximum height otherwise permitted in the zone, its side and rear yards shall be increased in width or depth by an additional foot more than the required side or rear yards for the highest building permitted in the zone.

C. Elevator and stair penthouses, water tanks, monitors and scenery lofts are exempt from the height limitations established in this title; provided, that no linear dimension of any such structure exceeds 50 percent of the corresponding street frontage line.

D. Towers and monuments, cooling towers, gas holders or other structures where the manufacturing process requires a greater height, and grain elevators and silos are exempt from this title; provided, that any structure above the height otherwise permitted in the zone shall occupy no more than 25 percent of the area of the lot and shall be at least 25 feet from every lot line. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.050 Structural modifications – Adherence to yard and setback standards required.**

A. No building, or part thereof, or structure shall be erected, altered, enlarged, rebuilt or moved into any zone, nor shall any open space be encroached upon or reduced in any manner, except

in conformity to the yard and setback regulations designated for that zone in which the building or structure is located.

B. No yard provided around any building for the purpose of complying with provisions of this title shall be considered as providing a yard for any other building, and no yard for one building site shall be considered as providing a yard for a building on any other site. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.060 Existing lots of record.**

In any zone for which a minimum lot area is established, a substandard lot of record or mobile home space lawfully created prior to the adoption of this title may be used subject to the following requirements:

A. If lot is narrower than the width specified for the zone in which it is located, the side yards may be reduced by an amount proportional to the amount by which the lot width falls below the zone requirement; however, no side yard may be reduced to less than four feet in width, or three feet in width when bordered by a carport.

B. The depth of the rear yard of any such lot shall be 10 feet, or 20 percent of the depth of the lot, whichever is greater, except that in no case will a depth greater than that required for the zone in which the lot is located be required. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.070 Front yard exceptions and modifications.**

A. Where sites comprising 40 percent of the frontage on a block are already improved with buildings, the minimum front yard setback shall be the average of the existing front yard depths of the improved lots in the block.

B. In computing average front yard depth, a depth no greater than 10 feet more than the minimum required front yard for the zone in which the lot is located shall be used in lieu of any greater existing front yard depth.

C. Any through lot shall maintain a front yard setback on each street as required for the zone in which each street frontage is located. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.080 Side and rear yard exceptions and modifications.**

A. On the street side of a corner lot, the minimum side yard shall not be less than 10 feet, except that on a reversed corner lot the minimum side yard shall be 15 feet.

B. Where the side or rear lot line of a nonresidential use adjoins or is across the street from a lot in a residential zone, the side or rear yard adjoining or opposite the residential zone shall not be less than that required in such residential zone. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.10.090 Vision clearance.

In order to protect the welfare and safety of pedestrians, bicyclists and motorists using the sidewalks and streets within the city, the following areas shall be left clear of planting and improvements from a point 30 inches above the ground:

A. At the intersection of each driveway or alley with a street, a triangular area where corners are defined by two points on the right-of-way line, 15 feet on each side of the centerline of the driveway or alley and a point on said centerline 10 feet outside the right-of-way (Figure 17.10-1); and

B. At the intersection of streets, the area on the parkway side of the curb which is bounded by the curbs (or a line parallel to and six feet outside the traveled portion of the roadway if there is no curb) and a line connecting the two points on the curb 45 feet from the point of intersection of the curb tangents (Figure 17.10-2).

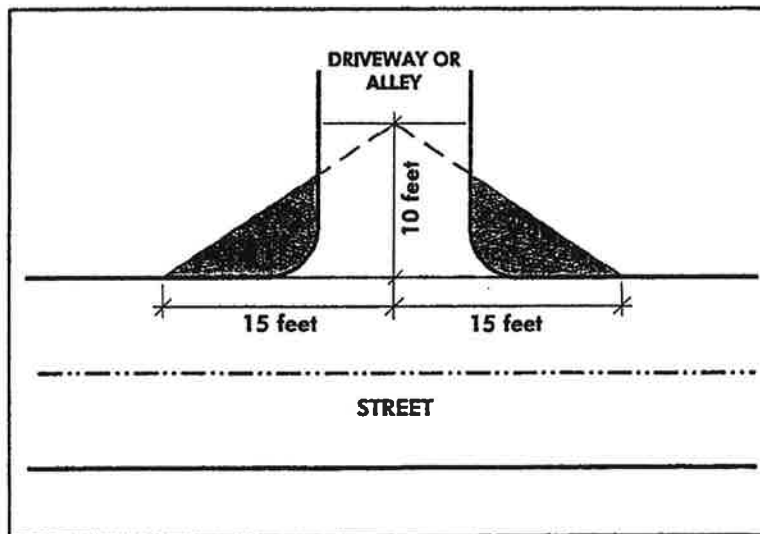


Figure 17.10-1

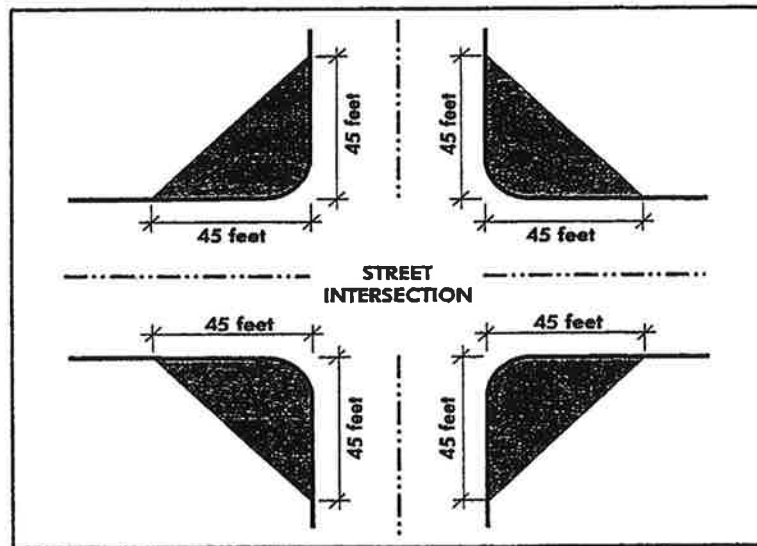


Figure 17.10-2

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.100 Accessory structures.**

The requirements set forth in this section shall apply to accessory structures in all residential and commercial zones:

A. An accessory building, used either wholly or in part for living purposes, shall meet all the requirements for location of the main structure.

B. An accessory structure that is attached to a main structure shall meet all of the requirements for location of the main structure as provided in subsection D of this section.

C. Canopies, or roofs attached to the main building or connecting to main building with a detached accessory building, may extend into a required rear or side yard; provided, that portions of such structures extending into the yard:

1. Shall not exceed 15 feet in height or project closer than five feet to a side yard or rear lot line; and

2. Shall be entirely open on at least three sides except for necessary supporting columns, except that a roof connecting a main building and an accessory building shall be open on two sides.

D. Detached structures shall meet the following requirements:

1. A detached structure shall meet the setback requirements of the main building for the front and side yard areas;

2. A detached accessory structure may be located within a rear yard; provided, that when the structure is located closer than five feet to a rear lot line, one-hour fire walls are required, except where the rear lot abuts an alley; and

3. A detached structure shall maintain a minimum of five feet separation from the main structure.

E. The following requirements shall apply to structures other than those structures not provided for in subsections A through D of this section:

1. Porches, steps, architectural features such as eaves, chimneys, awnings, wing walls and bay windows may project not more than four feet into any required front or rear yard area;

2. Heating and cooling equipment, architectural features such as balconies and stairways may project not more than four feet into any required front or rear yard area, except in the R-1 and R-2 zones, in which case these structures shall only project into the rear yard area not more than four feet and shall not project into the front yard area;

3. Porches, steps, architectural features such as eaves, awnings, wing walls, bay windows, chimneys, balconies, stairways and heating and cooling equipment may project into one of the required

side yards not more than one-half of such required side yard. Except as to eaves and awnings, only one of the required side yard setbacks shall ever be used for this purpose. At all times, there shall be at least a six-foot setback in one of the required side yards, unless there is an alleyway;

4. R-1 and R-2 zones, which have an alleyway and five-foot setback on each of the required side yards, shall not be permitted to build a structure into either of the required side yard setbacks; and

5. In no case shall the resulting setback be less than five feet. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.110 Walls and fences.**

The following requirements shall apply to all residential and commercial zones:

A. In any required front yard, a wall or fence shall not exceed four feet in height if open and exceed 30 inches if closed;

B. A wall or fence not more than six feet in height may be maintained along the side or rear lot lines; provided, that such a wall or fence does not extend into required front yard; and further provided, that all measurements are made at any point along the natural ground and the highest point of the fence;

C. A wall or fence adjacent to a driveway providing vehicular access to an abutting lot shall not exceed 30 inches in height within 15 feet of the intersection of said driveway and the street right-of-way;

D. The provisions of this section shall not apply to a wall or fence required by any law or regulation of the state or any agency thereof; and

E. Acceptable materials for walls and fences are: (1) chain link; (2) masonry; (3) wrought iron; and (4) wood. All other materials must have approval of the planning commission. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.120 Performance standards – Compliance required.**

Uses within all zones shall conform to the performance standards set forth in HMC 17.10.130 through 17.10.200. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.130 Radio or electrical disturbance, heat, cold and glare.**

No use except a temporary construction operation shall be permitted that creates changes in temperature or direct glare, detectable by the human

senses without the aid of instruments, beyond the boundaries of the site. No use shall be permitted that creates electrical disturbances that affect the operation of any equipment beyond the boundaries of the site. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.140 Fire and explosion hazards.**

All storage of and activities involving flammable and explosive materials shall be provided with adequate safety and fire-fighting devices. All incineration is prohibited. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.150 Noise.**

No use shall be permitted which creates noise levels that exceed five decibels above the ambient noise level of the area, in accordance with the Occupation Safety and Health Act of 1970. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.160 Radioactivity.**

The use of radioactive materials shall be limited to measuring, gauging and calibration devices or such other uses which may be permitted by the city council. Any use of radioactive material shall be performed in such a manner that no dangerous radioactivity is emitted. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.170 Vibration.**

No use except a temporary construction operation shall be permitted which generates inherent and recurrent ground vibration perceptibly, without instruments, at the boundary of the lot on which the use is located. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.180 Outdoor storage area.**

Outdoor storage areas in industrial and commercial zones shall be entirely enclosed by solid masonry walls not less than six feet in height to adequately screen view of outdoor storage areas from the external boundaries of the property. In lieu of a solid masonry wall, a view-obscuring fence, not less than six feet in height, with a minimum landscaped lot line setback of three feet may be allowed at the discretion of the planning commission. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.190 Conformance testing.**

Whenever there is a question of conformance with the performance standards of this chapter, the building inspector shall require the property owner

or operator to engage the services of a certified testing firm. Copies of all such tests shall be furnished to the building inspector. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.10.200 Air contaminants, dust and odor.**

No use shall be permitted which emanates air contaminants, including, but not limited to, smoke, charred paper, dust, grime, carbon, noxious acids, fume, gases, odors, or particulate matter or emissions, including any combination thereof in quantities that endanger human health, cause damage to vegetation or property, cause soiling, or is deemed offensive or a nuisance when measured at the external boundaries of the property. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.12****ENVIRONMENTAL GUIDELINES**

## Sections:

- 17.12.010 Environmental documentation.
- 17.12.020 Procedures.

**17.12.010 Environmental documentation.**

Environmental documentation shall be prepared in accordance with regulations of the city and California Environmental Quality Act (CEQA) and the state CEQA guidelines for any of the following zoning actions due to their potential environmental impact:

- A. General plans and specific plans and amendments thereto;
- B. Zone changes;
- C. Variances;
- D. Conditional use permits; and
- E. Subdivision tract maps for both standard and minor subdivisions. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.12.020 Procedures.**

The procedures established by the city shall govern the preparation and review of environmental documents prepared in accordance with the California Environmental Quality Act (CEQA), and the state CEQA guidelines, and where such reports are required, procedural timing for the zoning actions listed in HMC 17.12.010 may be adjusted in accordance with applicable provisions of state planning and zoning law (Sections 65000 through 66037, California Government Code). (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.14****UNLISTED USES**

## Sections:

- 17.14.010 Intent.
- 17.14.020 Designation of specific classifications.
- 17.14.030 Required conditions.
- 17.14.040 Planning commission recommendation.
- 17.14.050 City council action.

**17.14.010 Intent.**

In adopting this title, the city council recognizes that:

- A. Not all uses of land can be listed, nor can all future uses be anticipated;
- B. A “use” may have been omitted from the list of those indicated as permissible in each of the various zones designated in this title; and
- C. Ambiguity may arise concerning the appropriate classification of a particular use within the meaning and intent of this title.

For this reason, the phrase “other similar uses recommended by the planning commission and adopted by the city council” appears under permitted uses within each zone. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.14.020 Designation of specific classifications.**

When an unlisted use is proposed for a particular zone or when classification of an unlisted use is requested, the planning commission shall ascertain all pertinent facts concerning the use and by resolution of record set forth its recommendation and the reasons for designating a specific classification for such use. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.14.030 Required conditions.**

In permitting or classifying an unlisted use, the planning commission shall first make a finding that all of the following conditions exist:

- A. The use furthers the objectives of the zone;
- B. Field investigations have disclosed that the subject use and its operations are compatible with the uses permitted in the zone where the use is proposed to be located;
- C. The subject use is similar to one or more uses permitted in the zone where the use is proposed to be located; and
- D. The subject use will not cause substantial reduction in the value of the property in the zone

within which it is proposed to be located, or in any abutting zone. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.14.040 Planning commission recommendation.**

Upon completion of the investigation, the planning commission shall recommend to the city council the zone in which the use may be permitted, and any conditions that should apply to the use that are not adequately established in the zone. The recommendation shall be filed with the city council, together with a report of findings, hearings and other supporting data within 30 days after planning commission action. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.14.050 City council action.**

Upon receipt of the planning commission recommendation, the city council shall proceed in accordance with the procedures outlined in HMC 17.64.100 through 17.64.150. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Division II. Zones**

**Chapter 17.15**

**CF COMMUNITY FACILITIES ZONE**

**Sections:**

- 17.15.010 Intent.
- 17.15.020 Permitted uses.
- 17.15.030 Conditional uses.
- 17.15.040 Minimum property development standards – Generally.

**17.15.010 Intent.**

This zone is designated for and intended to provide areas for publicly owned community facilities. It is the purpose of the CF community facilities zone to provide regulations for the use and development of publicly owned land in order to implement the city's adopted general plan, including administrative offices, public recreation, service systems and circulation. The following regulations shall apply in the CF community facilities zone. (Ord. 472 § 3, 2010; Ord. 450 § 1, 2007).

**17.15.020 Permitted uses.**

Uses permitted in the CF community facilities zone are set forth in Table 17.15-1. (Ord. 472 § 3, 2010; Ord. 450 § 1, 2007).

**17.15.030 Conditional uses.**

Uses that shall be permitted in the CF community facilities zone, subject to the conditional use permit regulations, are set forth in Table 17.15-1.

**Table 17.15-1  
Permitted and Conditional Uses – CF  
Community Facilities Zone**

Uses	Permitted Use	Conditional Use <sup>1</sup>
Government administrative buildings, structures, and offices	✓	
Public libraries, art galleries and museums	✓	
Parks and recreational facilities	✓	
Public schools		✓



**Table 17.15-1**  
**Permitted and Conditional Uses – CF**  
**Community Facilities Zone (Continued)**

Uses	Permitted Use	Conditional Use <sup>1</sup>
Post offices and related facilities		✓
Fire stations and police stations		✓
Public health facilities, including clinics and hospitals		✓
Service facilities including water plants, water treatment facilities and maintenance yards		✓
Electrical substations		✓
Reservoirs		✓

<sup>1</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 450 § 1, 2007).

**17.15.040 Minimum property development standards – Generally.**

All development within a CF community facilities zone shall require a site plan review to be approved by the planning commission. The minimum development standards for any development permitted under a CF zone shall be those of the most comparable adjoining zone. The phrase “adjoining zones” refers to the zones on properties abutting, across the street or alley from or having a common corner with the subject property. If there are two or more adjoining zones with similarly comparable land uses, the development standards of the uses permitted by the most restrictive comparable zone shall be allowed.

A. Parking requirements are those contained in Chapter 17.52 HMC for the corresponding land use.

B. Setbacks, building height, etc., are to be the same requirements as whatever the comparable zone allows.

C. All projects are to be consistent with development standards reviewed and approved by the planning commission. (Ord. 472 § 3, 2010; Ord. 450 § 1, 2007).

**Chapter 17.16**  
**OS OPEN SPACE ZONE**

Sections:

17.16.010 Intent.

17.16.020 Permitted uses.

17.16.030 Conditional uses.

**17.16.010 Intent.**

This zone is designated for and intended to provide open space for the preservation of natural resources, managed production of resources, open space for outdoor recreation, and for the protection of public health and safety, as well as to preserve natural scenic areas for the existing and future population. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.16.020 Permitted uses.**

Uses permitted in the OS open space zone are set forth in Table 17.16-1. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.16.030 Conditional uses.**

Uses that shall be permitted in the OS zone, subject to the conditional use permit regulations, are set forth in Table 17.16-1.

**Table 17.16-1**  
**Permitted and Conditional Uses – OS Open Space Zone**

Uses	Permitted Use	Conditional Use <sup>1</sup>
Agricultural land used for production of food or fiber	✓	
Plant and animal preservation	✓	
Special management areas including fault zones, unstable soil and high fire risk areas	✓	
Outdoor recreation – Parks, utility easements, trails and scenic highway corridors	✓	
City Hall and fire station		✓
Commercial recreation facilities		✓

**Table 17.16-1**  
**Permitted and Conditional Uses – OS Open**  
**Space Zone (Continued)**

Uses	Permitted Use	Conditional Use <sup>1</sup>
Electrical substations		✓
Public utility structures		✓
Reservoirs		✓
Residential uses on lots, or parcels with a minimum size of 20 acres		✓

<sup>1</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

## Chapter 17.18

### A-1 AGRICULTURAL ZONE

#### Sections:

- 17.18.010 Intent.  
 17.18.020 Permitted uses.  
 17.18.030 Conditional uses.  
 17.18.040 Minimum property development standards.

#### 17.18.010 Intent.

The general agricultural zone is intended to provide areas with large parcels that are conducive to growing crops and the keeping of farm animals and poultry for the production of milk, wool, eggs, and other farm products. This zone is also intended to permit limited commercial and light industrial activities that support agriculture or are connected to the agricultural industry. Examples of such uses would include tractor repair shops and welding shops. This zone is not intended to permit feed lots, slaughterhouses, rendering plants, and other uses that: (A) create offensive odors; (B) attract large numbers of insects; or (C) create quantities of dust on a daily basis. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.18.020 Permitted uses.

Permitted uses allowed in the A-1 agricultural zone are set forth in Table 17.18-1. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.18.030 Conditional uses.

Conditional uses allowed in the A-1 zone, subject to the conditional use permit regulations, are set forth in Table 17.18-1.

**Table 17.18-1  
A-1 Agricultural Zone – Permitted and Conditional Uses**

Uses	Permitted Use	Conditional Use <sup>1</sup>
Single-family homes and mobile homes subject to the density limits contained in the general plan	✓	
Farm worker housing, consisting of no more than 36 beds in group quarters or 12 units or spaces each designed for use by a single family or household	✓	
Growing and harvesting of agricultural crops	✓	
Farm animals and poultry for the production of farm products, such as milk and eggs (excluding feed lots, slaughterhouses, rendering plants and similar offensive uses)	✓	
Orchards and nurseries	✓	
Commercial and light industrial uses which support or are connected to the agricultural industry. The following uses are permitted: <ol style="list-style-type: none"> <li>1. Tractor and other farm implement repair and/or service shops</li> <li>2. Welding shops which repair agricultural equipment</li> <li>3. Agricultural equipment sales offices and display yards for the sale of farm equipment</li> <li>4. Commercial fruit stands and other stands which sell agricultural products to the general public</li> </ol> Other commercial and light industrial uses which are agriculturally related and compatible with surrounding uses are: <ol style="list-style-type: none"> <li>1. Accessory buildings and structures</li> <li>2. Home occupations as provided in the home occupation regulations</li> </ol>	✓	
Churches, temples or other places used exclusively for religious worship		✓
Communications equipment buildings		✓
Country clubs		✓
Golf courses		✓
Electric distribution substations, including microwave facilities		✓
Fire stations		✓
Libraries		✓
Museums		✓
Police stations		✓
Schools, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the State of California, but excluding trade or commercial schools		✓
Service stations/convenience stores		✓
Storage, temporary, of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines and similar uses		✓
Day care centers		✓

<sup>1</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

### 17.18.040 Minimum property development standards.

The following development standards set forth in Table 17.18-2 shall apply to all land and buildings in the A-1 agricultural zone, except that any lot or parcel depicted on an official subdivision map or parcel map that is duly approved and recorded, or any lot or parcel for which a bona fide deed has been duly recorded prior to December 1991, may be used as a building site as further provided in this title.

**Table 17.18-2**  
**A-1 Agricultural Zone – Minimum Property Development Standards**

Development Standards	A-1 Agricultural Zone
Minimum lot area <sup>1</sup>	10 acres
Maximum density <sup>2</sup>	1 dwelling unit/legal lot or parcel
Maximum lot coverage by buildings and structures	10 percent
Maximum building height	35 feet or two stories
Minimum distance between buildings	10 feet
Minimum lot width	375 feet
Minimum lot depth	900 feet
Minimum front yard requirement	100 feet
Minimum side yard requirement	25 feet
Minimum rear yard requirement	75 feet

<sup>1</sup> Pre-existing legal lots or parcels are exempt from this minimum.

<sup>2</sup> Farm worker housing is exempt from this maximum density.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

## Chapter 17.20

### RR-1 LOW DENSITY RURAL RESIDENTIAL ZONE

#### Sections:

- 17.20.010 Intent.
- 17.20.020 Permitted uses.
- 17.20.030 Conditional uses.
- 17.20.040 Minimum property development standards.

#### 17.20.010 Intent.

The RR-1 low density rural residential zone is intended to provide for areas where the rural atmosphere can be maintained and where limited farming operations such as general crop farming, suburban horse ranchettes and growing of orchards can be conducted. This zone is not intended to allow intense farming operations, feed lots or other uses that could create offensive odors or large amounts of dust or insects. Typical lot or parcel sizes for this zone are five acres to 20 acres, with lots/parcels in excess of 20 acres being more appropriate for agricultural uses. The numbers of large animals are restricted depending upon the size of the parcel. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.20.020 Permitted uses.

Permitted uses allowed in the RR-1 zone are set forth in Table 17.20-1. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.20.030 Conditional uses.

Conditional uses allowed in the RR-1 zone, subject to the conditional use permit regulations, are set forth in Table 17.20-1.

**Table 17.20-1**  
**RR-1 Low Density Rural Residential Zone – Permitted and Conditional Uses**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Accessory buildings and structures	✓	
Agricultural crops	✓	
Animals on lots or parcels at least one-half acre in size with large animals restricted to one per half-acre, except that parcels larger than five acres could have one large animal per half-acre for the first five acres and four per acre for all acres beyond the initial five acres	✓	
Hatching, raising and fattening of chickens, rabbits or cattle for domestic use only. There shall be no killing or dressing of any such animals or poultry on the premises for commercial purposes	✓	
Orchards and nurseries	✓	
Home occupations as provided in Chapter 17.46 HMC	✓	
Single-family homes and mobile homes	✓	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	✓	
Churches, temples or other places used exclusively for religious worship		✓
Communications equipment buildings		✓
Country clubs		✓
Electric distribution substations, including microwave facilities		✓
Fire stations		✓
Golf courses		✓
Libraries		✓
Museums		✓
Police stations		✓
Service stations/convenience stores		✓
Schools, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the State of California, but excluding trade or commercial schools		✓
Storage, temporary, of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines and similar uses		✓

<sup>1</sup> Other similar uses shall be allowed subject to recommendation by the planning commission and adoption by the city council.

<sup>2</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.20.040 Minimum property development standards.**

The development standards set forth in Table 17.20-2 shall apply to all land and buildings in the RR-1 zone, except that any lot or parcel depicted on an official subdivision map or parcel map for which a bona fide deed has been duly recorded prior to December 1991 may be used as a building site as further provided in this title.

**Table 17.20-2**  
**RR-1 Low Density Rural Residential**  
**Zone – Minimum Property**  
**Development Standards**

<b>Development Standards</b>	<b>RR-1 Low Density Rural Residential Zone</b>
Minimum lot area <sup>1</sup>	5 acres
Maximum density	1 dwelling unit/5 acres of lot area
Maximum lot coverage	10 percent
Maximum building height	35 feet or two stories, whichever is less
Minimum distance between buildings	10 feet
Minimum lot width	250 feet
Minimum lot depth	650 feet
Minimum front yard requirements	75 feet
Minimum side yard requirements	15 feet
Minimum rear yard requirements	50 feet

<sup>1</sup> Pre-existing legal lots or parcels are exempt from this minimum.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.22****RR-2 MEDIUM DENSITY RURAL RESIDENTIAL ZONE****Sections:**

- 17.22.010 Intent.
- 17.22.020 Permitted uses.
- 17.22.030 Conditional uses.
- 17.22.040 Minimum property development standards.

**17.22.010 Intent.**

The RR-2 medium density rural residential zone is intended for rural areas adjacent to the developed land in the city where the land use patterns are in a state of transition from agricultural to urban uses. This zone provides for the development of “rural atmosphere” type land uses that allow for half-acre to five-acre lot sizes developed for principally residential uses. This zone would allow limited agricultural operations and would allow limited numbers of small and large animals, depending on the lot size. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.22.020 Permitted uses.**

Permitted uses allowed in the RR-2 zone are set forth in Table 17.22-1. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.22.030 Conditional uses.**

Conditional uses allowed in the RR-2 zone, subject to the conditional use permit regulations, are set forth in Table 17.22-1.

**Table 17.22-1**  
**RR-2 Medium Density Rural Residential Zone – Permitted and Conditional Uses**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Accessory buildings and structures	✓	
Agricultural crops	✓	
Animals, large and small, subject to the following limitations: (A) In order to keep large animals such as cattle and horses, the parcel size shall be at least one-half acre, except that no more than 10 large animals shall be kept regardless of the parcel size; and (B) the number of small animals such as goats, sheep and swine shall be limited to no more than two per one-half acre lot or parcel, with a limit of 10 per lot or parcel	✓	
Home occupations as provided in Chapter 17.46 HMC	✓	
Single-family homes and mobile homes	✓	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	✓	
Orchards and nurseries	✓	
Churches, temples or other places used exclusively for religious worship		✓
Communication equipment buildings		✓
Country clubs		✓
Day care centers		✓
Electric distribution substations, including microwave facilities		✓
Fire stations		✓
Golf courses		✓
Libraries		✓
Museums		✓
Police stations		✓
Service stations/convenience stores		✓
Schools, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the State of California, but excluding trade or commercial schools		✓
Storage, temporary, of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines and similar uses		✓

<sup>1</sup> Other similar uses shall be allowed subject to recommendation by the planning commission and adoption by the city council.

<sup>2</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.22.040 Minimum property development standards.**

The development standards set forth in Table 17.22-2 apply to all land and buildings in the RR-2 zone, except that any lot or parcel depicted on an official subdivision map or parcel map that is duly approved and recorded prior to December 1991 may be used as a building site as further provided in this title.

**Table 17.22-2  
RR-2 Medium Density Rural  
Residential Zone – Minimum Property  
Development Standards**

<b>Development Standards</b>	<b>RR-2 Medium Density Rural Residential Zone</b>
Minimum lot area	21,780 square feet
Maximum density	1 dwelling unit/21,780 square feet of lot area
Maximum lot coverage	50 percent
Maximum building height	35 feet or two stories
Minimum distance between buildings	10 feet
Minimum lot width	90 feet
Minimum lot depth	150 feet
Minimum front yard requirements	25 feet
Minimum side yard requirements	10 feet
Minimum rear yard requirements	20 feet

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.24****R-1 SINGLE-FAMILY ZONE****Sections:**

- 17.24.010 Intent.
- 17.24.020 Permitted uses.
- 17.24.030 Conditional uses.
- 17.24.040 Minimum property development standards.
- 17.24.050 Mobile home construction and design standards.

**17.24.010 Intent.**

The R-1 single-family residential zone is intended to provide for the development of low density single-family homes on small lots and the protection of these homes from incompatible uses. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.24.020 Permitted uses.**

Permitted uses allowed in the R-1 zone are set forth in Table 17.24-1. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.24.030 Conditional uses.**

Conditional uses allowed in the R-1 zone, subject to the regulations of a conditional use permit, are set forth in Table 17.24-1.

**Table 17.24-1  
R-1 Single-Family Zone – Permitted and  
Conditional Uses**

<b>Uses</b>	<b>Permitted Use<sup>1</sup></b>	<b>Conditional Use<sup>2</sup></b>
Accessory buildings and structures including automobile garages and car-ports	✓	
Animals in accordance with Chapter 7.12 HMC and usual household pets	✓	
Home occupations as provided in Chapter 17.46 HMC	✓	
Private greenhouses and horticultural collections, flower and vegetable gardens	✓	



**Table 17.24-1**  
**R-1 Single-Family Zone – Permitted and**  
**Conditional Uses (Continued)**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Single-family detached residential dwellings including mobile homes	✓	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	✓	
Churches, convents, monasteries, and other religious institutions		✓
Day nurseries and nursery schools		✓
Educational institutions		✓
Flag poles, radio towers, masts or aerials in excess of 35 feet above the ground		✓
Public libraries and museums		✓
Public parks and recreational facilities		✓
Public utility and public service facilities		✓

<sup>1</sup> Similar uses shall be permitted subject to a recommendation by the planning commission and adoption by the city council.

<sup>2</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.24.040 Minimum property development standards.**

The property development standards set forth in Table 17.24-2 shall apply to all land and buildings in the R-1 zone, except that any lot shown on an official subdivision map duly approved and recorded, or any lot for which a bona fide deed has been duly recorded prior to November 15, 1977, may be used as a building site as provided in HMC 17.10.060.

**Table 17.24-2**  
**R-1 Single-Family Zone – Minimum Property**  
**Development Standards**

Development Standards	R-1 Single-Family Zone
Minimum lot area	6,000 square feet
Maximum density	1 dwelling unit/6,000 square feet of lot area
Maximum lot coverage	50 percent
Maximum building height	35 feet or two stories, whichever is less
Minimum distance between buildings	10 feet
Minimum lot width	50 feet
Minimum lot depth	100 feet
Minimum front yard requirements	20 feet
Minimum side yard requirements	5 feet for interior side and 10 feet for side adjacent to street; 5 feet for side adjacent to alley
Minimum rear yard requirements	20 feet

(Ord. 472 § 3, 2010; Ord. 456 § 1, 2007; Ord. 441 § 1, 2000).

**17.24.050 Mobile home construction and design standards.**

A. A mobile home shall be placed on a permanent foundation system constructed in accordance with the Uniform Building Code adopted by the city.

B. A mobile home shall be constructed in accordance with the National Mobile Home Association Construction and Safety Standards Act of 1974, or successive regulations, and shall not have been altered without approval of the State Department of Housing and Community Development.

C. Mobile home dimensions shall not be less than 20 feet in length and 20 feet in width.

D. Exterior siding shall be of wood, stucco, masonry, or other approved materials with the same qualities and appearances as approved by the city planning commission, whose decision shall be final, and the siding shall extend to the ground

level or to a solid masonry wall which extends to ground level.

E. Roof eaves shall extend at least 16 inches from the side of the mobile home.

F. The above construction and design standards are in addition to the requirements outlined in the Uniform Building Codes for the construction of single-family dwellings. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

## Chapter 17.26

### R-2 TWO-FAMILY ZONE

#### Sections:

- 17.26.010 Intent.
- 17.26.020 Permitted uses.
- 17.26.030 Conditional uses.
- 17.26.040 Minimum property development standards.
- 17.26.050 Special objective standards for transitional housing facilities and emergency shelters.

#### 17.26.010 Intent.

The R-2 two-family zone is intended to provide for the development of medium density duplexes and the protection of such residential units from incompatible uses. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.26.020 Permitted uses.

Permitted uses allowed in the R-2 zone are set forth in Table 17.26-1. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.26.030 Conditional uses.

Conditional uses allowed in the R-2 zone, subject to the conditional use permit regulations, are set forth in Table 17.26-1.

**Table 17.26-1**  
**R-2 Two-Family Zone – Permitted and Conditional Uses**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Accessory buildings and structures	✓	
Animals in accordance with Chapter 7.12 HMC and usual household pets	✓	
Home occupations as provided in Chapter 17.46 HMC	✓	
Single-family residential dwellings, including mobile homes	✓	
Two-family residential dwelling units	✓	

**Table 17.26-1**  
**R-2 Two-Family Zone – Permitted and**  
**Conditional Uses (Continued)**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	✓	
Transitional care facilities and emergency shelters serving six or fewer persons	✓	
Day nurseries and nursery schools		✓
Educational institutions		✓
Flag poles, radio towers, masts or aerials of 35 feet above the ground		✓
Public libraries		✓
Public parks and public recreation facilities		✓
Public utility and public service facilities		✓
Religious institutions		✓

<sup>1</sup> Similar uses shall be allowed subject to a recommendation of the planning commission and adopted by the city council.

<sup>2</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.26.040 Minimum property development standards.**

The property development standards set forth in Table 17.26-2 shall apply to all land and buildings in the R-2 zone, except that any lot shown on an official subdivision map duly approved and recorded, or any lot for which a bona fide deed has been duly recorded prior to November 15, 1977, may be used as a building site as provided in HMC 17.10.060.

**Table 17.26-2**  
**R-2 Two-Family Zone – Minimum Property**  
**Development Standards**

Development Standards	R-2 Two-Family Zone
Minimum lot area	8,400 square feet
Maximum density	8 dwelling units/acre
Maximum lot coverage	50 percent
Maximum building height	35 feet or two stories, whichever is less
Minimum distance between buildings	10 feet
Minimum lot width	60 feet
Minimum lot depth	120 feet
Minimum front yard requirements	20 feet
Minimum side yard requirements	5 feet for interior side and 10 feet for side adjacent to street
Minimum rear yard requirements	20 feet

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.26.050 Special objective standards for transitional housing facilities and emergency shelters.**

All transitional housing and emergency shelters in the R-2 zone shall meet all the applicable development standards as listed above, and in addition meet the following requirements:

A. Facilities and emergency shelters shall be limited to a maximum of six beds.

B. Parking requirements shall be the same as for nursing homes and convalescent hospitals as described in Table 17.52-1.

C. All waiting and intake areas shall be within an enclosed building and shall have a legal occupancy rating of six people.

D. Each facility shall accommodate a minimum daytime staff of one staff member per six occupied beds, and a minimum nighttime staff of one staff per six occupied beds.

E. No parcel with a transitional home or emergency shelter shall be established closer than 300 feet from another parcel with a transitional home or emergency shelter use.

F. The length of stay within a transitional housing facility or emergency shelter shall be limited to a maximum of six months.

G. The exterior lighting of the building housing the transitional housing facility or emergency shelter shall be provided to adequately illuminate all sides of the building to allow for security to monitor all sides of the structure.

H. Security staff or electronic cameras with video monitors that can be viewed by nighttime staff shall be provided to monitor the exterior of the building housing the transitional housing or emergency care facilities. The exterior of the building shall be monitored by security staff or electronic cameras between 10:00 p.m. and 6:00 a.m. (Ord. 472 § 3, 2010).

## Chapter 17.28

### R-3 MULTIFAMILY ZONE

#### Sections:

- 17.28.010 Intent.
- 17.28.020 Permitted uses.
- 17.28.030 Conditional uses.
- 17.28.040 Minimum property development standards.
- 17.28.050 Landscaping requirements.
- 17.28.060 Special objective standards for transitional housing facilities and emergency shelters.

#### 17.28.010 Intent.

This zone is intended for the development of apartments, condominiums, townhouses or other group dwellings with provisions for adequate light, air, open space and landscaped areas. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.28.020 Permitted uses.

Permitted uses allowed in the R-3 residential zone are set forth in Table 17.28-1. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.28.030 Conditional uses.

Conditional uses allowed in the R-3 zone, subject to the conditional use permit regulations, are set forth in Table 17.28-1.

**Table 17.28-1**  
**R-3 Multifamily Zone – Permitted and**  
**Conditional Uses**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Accessory buildings and structures	✓	
Home occupations as provided in Chapter 17.46 HMC	✓	
Household pets in accordance with Chapter 7.12 HMC	✓	
Multiple housing units, including apartments, condominiums and townhouses	✓	

**Table 17.28-1**  
**R-3 Multifamily Zone – Permitted and**  
**Conditional Uses (Continued)**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Single-family and two-family residential dwellings, including mobile homes	✓	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	✓	
Transitional housing facilities and emergency shelters serving six or fewer persons	✓	
Day nurseries and nursery schools		✓
Educational institutions		✓
Flag poles, radio towers, masts or aerials in excess of 35 feet above the ground surface		✓
Hospitals, nursing homes and long-term care facilities		✓
Public libraries and museums		✓
Public parks and public recreational facilities		✓
Public utility and public service facilities		✓
Religious institutions		✓
Roominghouses and boardinghouses		✓

<sup>1</sup> Similar uses shall be allowed subject to a recommendation by the planning commission and adoption by the city council.

<sup>2</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.28.040 Minimum property development standards.**

The property development standards set forth in Table 17.28-2 shall apply to all land and buildings in the R-3 zone, except that any lot shown on an official subdivision map duly approved and recorded, or any lot for which a bona fide deed has been duly recorded prior to November 15, 1977, may be used as a building site as provided in HMC 17.10.060.

**Table 17.28-2**  
**R-3 Multifamily Zone – Minimum Property**  
**Development Standards**

Development Standards	R-3 Multifamily Zone
Minimum lot area	1 acre
Maximum density	20 dwelling units/acre
Maximum lot coverage	40 percent
Maximum building height	35 feet
Minimum distance between buildings	20 feet
Minimum lot width	150 feet
Minimum lot depth	120 feet
Minimum front yard requirements	20 feet
Minimum side yard requirements	10 feet each side
Minimum rear yard requirements	20 feet

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.28.050 Landscaping requirements.**

A minimum of 25 percent of the site area shall be landscaped and shall consist predominantly of plant materials. A landscaping and sprinkler plan shall be approved by the city building inspector prior to issuance of a building permit. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.28.060 Special objective standards for transitional housing facilities and emergency shelters.**

All group care facilities and emergency shelters in the R-3 zone shall meet all the applicable devel-

opment standards listed in the applicable zone, and in addition meet the following requirements:

A. Facilities and emergency shelters shall be limited to a maximum of six beds.

B. Parking requirements shall be the same as for nursing homes and convalescent hospitals as described in Table 17.52-1.

C. All waiting and intake areas shall be within an enclosed building and shall have a legal occupancy rating of six people.

D. Each facility shall accommodate a minimum daytime staff of one staff member per six occupied beds, and a minimum nighttime staff of one staff per six occupied beds.

E. No parcel with a transitional home or emergency shelter shall be established closer than 300 feet from another parcel with a transitional home or emergency shelter use.

F. The length of stay within a transitional housing facility or emergency shelter shall be limited to a maximum of six months.

G. The exterior lighting of the building housing the transitional housing facility or emergency shelter shall be provided to adequately illuminate all sides of the building to allow for security to monitor all sides of the structure.

H. Security staff or electronic cameras with video monitors that can be viewed by nighttime staff shall be provided to monitor the exterior of the building housing the transitional housing or emergency care facilities. The exterior of the building shall be monitored by security staff or electronic cameras between 10:00 p.m. and 6:00 a.m. (Ord. 472 § 3, 2010).

## Chapter 17.30

### R-4 MOBILE HOME PARK ZONE

#### Sections:

- 17.30.010 Intent.
- 17.30.020 Permitted uses.
- 17.30.030 Conditional uses.
- 17.30.040 Minimum property development standards.
- 17.30.050 Patio and skirting.
- 17.30.060 Tenant storage.
- 17.30.070 Access roads.
- 17.30.080 Sanitary sewer.
- 17.30.090 Electrical service.
- 17.30.100 Management office.
- 17.30.110 Park storage.
- 17.30.120 Laundry facilities.
- 17.30.130 Removal of axles.
- 17.30.140 Accessory structures.
- 17.30.150 Trash enclosures.
- 17.30.160 Off-site improvements.
- 17.30.170 Recreational vehicle storage yard.
- 17.30.180 Conditions of approval.
- 17.30.190 Establishment, enlargement.
- 17.30.200 Walls, fences, landscaping.

#### 17.30.010 Intent.

The R-4 residential zone is intended to provide a zone that is applied to mobile home parks only to provide a satisfactory living environment for those living in mobile homes. This section also applies to travel trailer parks and recreational vehicle parks. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.30.020 Permitted uses.

Permitted uses allowed in the R-4 zone are set forth in Table 17.30-1. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### 17.30.030 Conditional uses.

Conditional uses allowed in the R-4 zone, subject to the conditional use permit regulations, are set forth in Table 17.30-1.

**Table 17.30-1  
R-4 Mobile Home Park Zone – Permitted and Conditional Uses**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Accessory buildings and/or structures	✓	
Home occupations as provided in Chapter 17.46 HMC	✓	
Household pets in accordance with Chapter 7.12 HMC	✓	
Mobile homes not on a permanent foundation	✓	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	✓	
Apartments, at the same density and standards as permitted in this zone but limited to 15 feet or one story		✓
Commercial recreation facilities		✓
Flag poles, radio towers, masts or aerials in excess of 35 feet above the ground		✓
Incidental uses <sup>3</sup> : 1. Dwelling for owner and/or manager 2. Food markets related only to the park 3. Restroom facilities 4. Nonalcoholic beverage services related only to the park 5. Personal services 6. Recreation facilities 7. Restaurants, including dancing and alcoholic beverage sales for park use only 8. Sale of items related to maintenance and operations of mobile homes within the park		✓
Recreational vehicle park: 1. Motor homes 2. Recreation vehicles 3. Campers 4. Camp cars 5. Tent campers		✓
Trailers occupied for uses other than habitation		✓
Travel trailer park: 1. Trailers		✓

<sup>1</sup> Similar uses shall be permitted subject to recommendation by the planning commission and adoption by the city council.

<sup>2</sup> These uses shall be permitted subject to a conditional use permit.

<sup>3</sup> Incidental uses operated primarily for the convenience of mobile home park residents. There shall be no sign advertising such uses visible from the street. The incidental uses shall be located not less than 50 feet from any street.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

### 17.30.040 Minimum property development standards.

The property development standards set forth in Table 17.30-2 and in HMC 17.30.050 through 17.30.200 shall apply to all uses in the R-4 zone, subject to approval of a mobile home park plan by the planning commission.

**Table 17.30-2**  
**R-4 Mobile Home Park Zone – Minimum**  
**Property Development Standards**

Development Standards	R-4 Mobile Home Park Zone
Minimum parcel size	5 acres
Maximum density	5,000 square feet/space <sup>1</sup>
Building height	15 feet or one story
Minimum space – Size	2,500 square feet/space
Minimum space – Size width	40 feet
Minimum space – Size depth	60 feet
Space – Dimensions	A. No mobile home space shall be closer than 20 feet from the exterior property line of the mobile home park or subdivision when said line abuts a public street. B. No mobile home space shall be closer than 5 feet from any other portion of the property line of said mobile home park.
Minimum front yard setback <sup>3</sup>	3 feet
Minimum side yard setback <sup>4</sup>	3 feet
Minimum rear yard setback <sup>4</sup>	3 feet
Distance between mobile homes <sup>5</sup>	10 feet

<sup>1</sup> Total area may include access roadways, accessory building space and recreational areas.

<sup>2</sup> Structures two stories in height and not more than 35 feet in height may be permitted subject to a conditional use permit.

<sup>3</sup> The trailer tongue may encroach into the front yard setback.

<sup>4</sup> Where a side or rear yard abuts an access road, public parking area, or walk, and yards shall not be less than 10 feet in width.

<sup>5</sup> Where residential mobile homes are located near any permitted building, other than another residential mobile home, ramada or cabana, the minimum space between the mobile home and such building shall be 15 feet.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

### 17.30.050 Patio and skirting.

A. A cement concrete patio or other metal or wood deck having a minimum area of 300 square feet shall be installed as part of each mobile home space.

B. The area between the ground level and the floor of a mobile home shall be screened from view by an opaque skirt entirely around the mobile home as approved by the city building inspector. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

### 17.30.060 Tenant storage.

Tenant storage may be provided for in any manner consistent with requirements of the State of California Division of Building and Housing Codes and Standards. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

### 17.30.070 Access roads.

A. Access roads within a mobile home park shall be paved to a width of not less than 25 feet.

B. Portland cement and concrete curbs and gutters shall be installed on both sides of all access roads.

C. Access roads with paved width of less than 32 feet shall not be used for automobile parking at any time.

D. Access roads with paved width of less than 40 feet shall not be used for automobile parking on more than one side at any time.

E. Access roads around the recreational area shall be paved to a minimum width of 36 feet with off-street parking provisions, and no on-street parking shall be permitted around the recreational area.

F. All access roads shall be adequately lighted.

G. Each mobile home shall have frontage on an access road. A minimum 15-foot wide unobstructed access shall be provided to approved access roads for the movement of mobile home service vehicles. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).



**17.30.080 Sanitary sewer.**

Each mobile home space shall be provided with a connection to a sewer line. Mobile homes that cannot be connected to a sanitary sewer system shall not be permitted to be used for human habitation. The sewer system and connection plans shall be subject to the approval of the building department. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.090 Electrical service.**

A. All electrical, telephone and television services within the mobile home park shall be underground.

B. All services to individual spaces shall be a minimum of 100-amp service. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.100 Management office.**

Each mobile home park shall maintain a management office with a gross floor area of not less than 200 square feet. The office shall include space for usual office furniture and supplies and shall contain a lavatory and toilet. Suitable facilities shall also be provided for mail distribution. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.110 Park storage.**

Storage space for supplies, maintenance materials, and equipment shall be provided in a separate building or in a building with other public facilities. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.120 Laundry facilities.**

A. Laundry facilities equipped with washing machines and dryers shall be provided.

B. Outside drying yards shall be enclosed with a six-foot-high solid fence. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.130 Removal of axles.**

Axles, or similar devices, shall not be removed from mobile homes. Mobile homes shall not be attached to or placed on the ground in a manner that would prevent or obstruct the ready movement of said mobile home, except for the purpose of making repairs. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.140 Accessory structures.**

No accessory building shall be constructed as a permanent part of the mobile home. Accessory structures such as cabana, ramada, patio, carport and/or storage are permitted. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.150 Trash enclosures.**

There shall be adequate trash enclosures provided to a standard approved by the public works department. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.160 Off-site improvements.**

A. All mobile home parks shall connect to city water and sewer facilities. Extension from existing facilities shall be borne by the developer.

B. All streets abutting a park shall be improved to city standards.

C. All plans shall be approved by the city engineer prior to issuance of a building permit. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.170 Recreational vehicle storage yard.**

Recreational vehicle storage yards shall be provided and shall conform to the following standards:

A. No recreational vehicle, travel trailers, boat and trailer or accessories shall be kept on the mobile home space, but shall be stored as provided in this section, except that one recreational vehicle or travel trailer which is the primary residence of the occupant of the space may be permitted.

B. The area shall be graded and graveled or surfaced with asphalt concrete.

C. The storage yard shall be enclosed by a six-foot-high fence and landscaped to shield the interior of the area from view on all sides. The wall or fence shall be broken only by a solid gate.

D. No sewer connection other than a standard trailer sanitation station shall be permitted within the storage yard.

E. Electrical connections may be provided for maintaining the air conditioners in the recreational vehicles.

F. The storage yard shall not be used for living purposes. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.180 Conditions of approval.**

A. Three copies of a plot plan providing sufficient detail of the proposed mobile home park shall be submitted for the building department and the city engineer to review and determine the sufficiency of the plans.

B. Upon approval of the building department and city engineer, the application shall be submitted to the planning commission for its recommendation. The planning commission shall submit its recommendation to the city council that a conditional use permit be issued or that the application be denied. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.190 Establishment, enlargement.**

No mobile home park, as defined in HMC 17.04.140, shall be established and maintained in the city, nor shall any mobile home park already existing in the city be enlarged unless such mobile home park is established, maintained or enlarged in compliance with all provisions of this title and further complies with the provisions of Chapter 5, Title 25 of the California Administrative Code. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.30.200 Walls, fences, landscaping.**

A. Each mobile home park shall be entirely enclosed at its exterior boundaries by a fence or wall six feet in height, and by screen landscaping not less than six feet in height. Said wall or fence shall run along and be contiguous to the boundary line or property line except where abutting a front street.

B. The type of fence or wall shall be a condition of the approval by the planning commission at the time of review of the plot plan and issuance of the use permit. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.32****RC RESIDENTIAL COMMERCIAL  
MIXED USE ZONE****Sections:**

- 17.32.010 Intent.
- 17.32.020 Boundaries.
- 17.32.030 Permitted uses.
- 17.32.040 Conditional uses.
- 17.32.050 Prohibition.
- 17.32.060 Minimum property development standards.
- 17.32.070 Required findings and conditions.

**17.32.010 Intent.**

The intent of the RC residential commercial zone is to promote and protect a vital central business district and maximize the use of land within this area. The purpose of this chapter is to provide for the development of higher density residential units in combination with commercial land use and protect this zone from incompatible uses. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.32.020 Boundaries.**

As depicted on the city's official zoning map, the RC residential commercial mixed use zone consists of the following:

- Block 19 – Lots 19, 20, 21, 22, 23, 24;
- Block 20 – Lots 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30;
- Block 27 – Lots 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34;
- Block 28 – Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48;
- Block 30 – Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19; and
- Block 123 – Parcels 1, 2 and 10.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.32.030 Permitted uses.**

Permitted uses allowed in the RC zone are set forth in Table 17.32-1. Such uses shall be conducted entirely within an enclosed building. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.32.040 Conditional uses.**

As indicated in Table 17.32-1, all new development or uses within the RC zone will require a conditional use permit in order to ensure compatibility, zoning and general plan consistency, and to assure the uses and development do not undermine the intent of the RC zone.

**Table 17.32-1****RC Residential Commercial Mixed Use Zone – Permitted and Conditional Uses**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
All uses permitted in Chapters 17.26, 17.28 and 17.36 HMC existing on October 7, 1996	✓	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care		✓
A conditional use permit will be required for all new development or uses within the residential/commercial mixed use zone to ensure compatibility, zoning and general plan consistency, and to ensure they do not undermine the intent of the RC zone.		✓

<sup>1</sup> Similar uses shall be permitted subject to a recommendation by the planning commission and adoption by the city council.

<sup>2</sup> This use shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.32.050 Prohibition.**

No new development or use shall be permitted to any person who has not first obtained a conditional use permit from the planning commission. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.32.060 Minimum property development standards.**

The development standards set forth in Table 17.32-2 shall be required for all new construction or use within the RC zone.

**Table 17.32-2****RC Residential Commercial Mixed Use Zone – Minimum Property Development Standards**

Development Standards	RC Residential Commercial Mixed Use Zone
Maximum density	20 dwelling units/acre or 10 dwelling units per acre when in combination with commercial development
Maximum lot coverage	100 percent
Maximum building height	35 feet
Minimum front yard requirement	0 feet
Minimum side yard requirement	0 feet
Minimum rear yard requirement	0 feet

<sup>1</sup> All multifamily residential units (R-2 and R-3) shall meet the building requirements of the R-3 multifamily residential zone.

<sup>2</sup> Any commercial development shall meet the development standards as set forth for the C-2 general commercial zone.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.32.070 Required findings and conditions.**

A conditional use permit in accordance with this chapter shall not be issued by the planning commission unless the following findings are made:

A. The proposed development or use is consistent with the general plan and in conformity with the standards of the zone and other applicable ordinances, excluding any approved variance;

B. The location, size, design and operating characteristics of the proposed use will be compatible with the adjacent uses and will not adversely impact the neighborhood character; and

C. Off-street or off-alley parking spaces are provided as required in Chapter 17.52 HMC. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.34****C-1 NEIGHBORHOOD  
COMMERCIAL ZONE****Sections:**

- 17.34.010 Intent.  
 17.34.020 Permitted uses.  
 17.34.030 Conditional uses.  
 17.34.040 Minimum property development standards.  
 17.34.050 Landscaping requirements.  
 17.34.060 Property abutting a residential zone.  
 17.34.070 Noise.

**17.34.010 Intent.**

The intent of the C-1 neighborhood commercial zone is to provide centers for convenience shopping in residential neighborhoods, planned and controlled to the extent that any such center will perform a vital service to the neighborhood in which it is located. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.34.020 Permitted uses.**

Permitted uses allowed in the C-1 zone are set forth in Table 17.34-1. Such uses shall be conducted entirely within an enclosed building. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.34.030 Conditional uses.**

Conditional uses allowed in the C-1 zone, subject to the conditional use permit regulations, are set forth in Table 17.34-1.

**Table 17.34-1**  
**C-1 Neighborhood Commercial Zone –**  
**Permitted and Conditional Uses**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Barbershops	✓	
Beauty salons	✓	
Drugstores	✓	
Grocery stores	✓	
Laundromats	✓	
Variety stores	✓	
Service stations		✓

**Table 17.34-1**  
**C-1 Neighborhood Commercial Zone –**  
**Permitted and Conditional Uses (Continued)**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Liquor stores		✓
Restaurants		✓

<sup>1</sup> Other general service uses shall be permitted subject to a recommendation by the planning commission and adoption by the city council.

<sup>2</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.34.040 Minimum property development standards.**

The property development standards set forth in Table 17.34-2 and HMC 17.34.050 through 17.34.070 shall apply to all land and buildings permitted in the C-1 zone, except that any lot shown on an official subdivision map duly approved and recorded prior to the effective date of the ordinance codified in this title may be used as a building site. Each building shall have a minimum 20-foot-wide vehicular access to a street.

**Table 17.34-2**  
**C-1 Neighborhood Commercial Zone –**  
**Minimum Property Development Standards**

Development Standards	C-1 Neighborhood Commercial Zone
Minimum lot area	1 acre
Maximum lot coverage	35 percent
Maximum building height	35 feet
Minimum lot width	200 feet
Minimum lot depth	200 feet
Minimum front yard requirements	25 feet
Minimum side yard requirements	10 feet
Minimum rear yard requirements	10 feet

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.34.050 Landscaping requirements.**

Required front and street yards shall be landscaped to a depth of not less than 10 feet. Remaining front and street side yard areas or setbacks may be used for required off-street parking. Such landscaping shall consist predominantly of plant materials, except for necessary walks and drives. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.34.060 Property abutting a residential zone.**

A. A minimum setback of 20 feet shall be required wherever a lot in any residential zone abuts a neighborhood commercial zone. Such setback may be used for required open off-street parking areas.

B. Where a commercial use abuts property in a residential zone, a masonry wall six feet in height and screen landscaping between wall and property line at least five feet in width shall be erected and maintained between such uses and the residential zone.

C. Wherever off-street parking areas are situated across the street from property in a residential zone, a masonry wall or berm three feet in height shall be erected between the required landscaped area and the parking area to adequately screen said parking areas from the residential properties.

D. A landscaping and sprinkler plan shall be approved by the city prior to issuance of a building permit. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.34.070 Noise.**

In accordance with the 1970 Occupational Safety and Health Act, the noise level emanating from any commercial use or operation shall not exceed five decibels above the ambient noise level of the area. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.36****C-2 GENERAL COMMERCIAL ZONE****Sections:**

- 17.36.010 Intent.
- 17.36.020 Permitted uses.
- 17.36.030 Conditional uses.
- 17.36.040 Minimum property development standards.
- 17.36.050 Landscaping requirements.
- 17.36.060 Property abutting a residential zone.
- 17.36.070 Noise.
- 17.36.080 Special objective standards for transitional housing facilities and emergency shelters.

**17.36.010 Intent.**

The intent of the C-2 general commercial zone is to provide areas within the community that are primarily retail and service business in character with related hotel, office, cultural, institutional and public uses, and to provide, under closely controlled conditions, for light industrial uses that are frequently accomplished at the commercial place of business. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.36.020 Permitted uses.**

Permitted uses allowed in the C-2 zone are set forth in Table 17.36-1. Such uses shall be conducted entirely within an enclosed building. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.36.030 Conditional uses.**

Conditional uses allowed in the C-2 zone, subject to the conditional use permit regulations, are set forth in Table 17.36-1.

**Table 17.36-1  
C-2 General Commercial Zone – Permitted and Conditional Uses**

<b>Uses</b>	<b>Permitted Use<sup>1</sup></b>	<b>Conditional Use<sup>2</sup></b>
All permitted uses allowed in Chapter 17.34 HMC	✓	
Fee-based commercial recreation	✓	
Financial, professional services and office uses which are conducted in office buildings or clinics	✓	
Garment assembly, manufacturing and wholesale distribution	✓	
General service uses, primarily engaged in rendering services to individuals and business establishments	✓	
Motel, hotel, motor hotel	✓	
Newspaper publishing, printing, and publishing establishments	✓	
Parking lots	✓	
Nonprofit private institutions and organizations which operate on a membership basis for the promotion of the interest of their members	✓	
Radio and television broadcasting studios	✓	
Retail uses engaged in selling merchandise for personal, household or farm consumption, and rendering services incidental to the sale of the goods	✓	
Schools, business and professional, including art, barber, beauty, dance, drama, music and swimming	✓	
Trade schools	✓	
Transportation terminals	✓	
Telephone exchanges	✓	
All conditional uses allowed in Chapter 17.34 HMC		✓
Automotive body repair and/or automotive painting		✓
Automotive repair		✓
Automobile/truck washes or laundries		✓
Building materials		✓
Contractor's storage yard		✓
Distribution agencies		✓
Equipment rental		✓
Feed and fuel		✓
Lumberyard		✓
Machinery and equipment rentals		✓
Material storage yard		✓

**Table 17.36-1**  
**C-2 General Commercial Zone – Permitted and Conditional Uses (Continued)**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Residential facilities and group care facilities serving more than six persons for the 24-hour nonmedical care of persons in need of personal services, supervision, or assistance; includes transitional care facilities and emergency shelters		✓
Long-term care facilities		✓
Places of assembly with a seating capacity for more than 100 persons		✓
Public libraries, fire stations, and other public offices and related uses		✓
Sales of new and used vehicles		✓
Truck terminals		✓
Utility service yards		✓

<sup>1</sup> Other similar uses shall be permitted subject to a recommendation by the planning commission and adoption by the city council.

<sup>2</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.36.040 Minimum property development standards.**

The property development standards set forth in Table 17.36-2 and contained in HMC 17.36.050 through 17.36.070 shall apply to all land and buildings permitted in the C-2 zone, except that any lot shown on an official subdivision map duly approved and recorded may be used as a building site as provided in HMC 17.10.060. Each building site shall have a minimum 20-foot-wide vehicular access to a street.

**Table 17.36-2**  
**C-2 General Commercial Zone – Minimum Property Development Standards**

Development Standards	C-2 General Commercial Zone
Minimum lot area	10,000 square feet
Maximum lot coverage	100 percent
Maximum building height	35 feet
Minimum lot width	60 feet
Minimum lot depth	120 feet

**Table 17.36-2**  
**C-2 General Commercial Zone – Minimum Property Development Standards (Continued)**

Development Standards	C-2 General Commercial Zone
Yard requirements	No requirements except as may be required by specific plan

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.36.050 Landscaping requirements.**

Required front yards shall be landscaped to a depth of not less than 10 feet. Remaining front yard areas or setbacks may be used for required off-street parking. Said landscaping shall consist predominantly of plant materials except for walk and drives. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.36.060 Property abutting a residential zone.**

A. A minimum setback of 20 feet shall be required wherever a lot in a C-2 zone abuts a lot in a residential zone. Said setbacks may be used for required open off-street parking areas.

B. Where a commercial use abuts property in any residential zone, a masonry wall six feet in height and screen landscaping at least five feet in width shall be erected and maintained between each use and the residential zone.

C. Wherever off-street parking areas are situated across the street from property in a residential zone, a masonry wall or berm three feet in height shall be erected between the required landscape area and the parking area to adequately screen said parking areas from the residential properties.

D. A landscaping and sprinkler plan shall be approved by the city prior to the issuance of a building permit. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

G. Security staff or electronic cameras with video monitors that can be viewed by nighttime staff shall be provided to monitor the exterior of the building housing the transitional housing or emergency care facilities. The exterior of the building shall be monitored by security staff or electronic cameras between 10:00 p.m. and 6:00 a.m. (Ord. 472 § 3, 2010).

#### **17.36.070 Noise.**

In accordance with the Occupational Safety and Health Act of 1970, the noise level emanating from any commercial use or operation shall not exceed five decibels above the ambient noise level of the area. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.36.080 Special objective standards for transitional housing facilities and emergency shelters.**

All group care facilities and emergency shelters in the C-2 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

A. Parking requirements shall be the same as for nursing homes and convalescent hospitals as described in Table 17.52-1.

B. All waiting and intake areas shall be within an enclosed building and shall have a legal occupancy rating as determined by the conditional use permit.

C. Each facility shall accommodate a minimum daytime staff of one staff member per six occupied beds, and a minimum nighttime staff of one staff per six occupied beds.

D. No parcel with a transitional home or emergency shelter shall be established closer than 300 feet from another parcel with a transitional home or emergency shelter use.

E. The length of stay within a transitional housing facility or emergency shelter shall be limited to a maximum of six months.

F. The exterior lighting of the building housing the transitional housing facility or emergency shelter shall be provided to adequately illuminate all sides of the building to allow for security to monitor all sides of the structure.



**Chapter 17.38****I-1 LIGHT INDUSTRIAL ZONE****Sections:**

- 17.38.010 Intent.  
 17.38.020 Permitted uses.  
 17.38.030 Conditional uses.  
 17.38.040 Minimum property development standards.  
 17.38.050 Landscaping requirements.  
 17.38.060 Accessory structures.  
 17.38.070 Walls and fences.  
 17.38.080 Property abutting/across a street from a residential zone.

**17.38.010 Intent.**

The intent of the I-1 light industrial zone is to provide for wholesale and warehousing uses as well as those industrial uses that include fabrication, manufacturing, assembly or processing of materials that are in refined form and that do not in their transformation create smoke, gas, odor, dust, noise, vibration of earth, soot or lighting to a degree that is offensive when measured at the property line of subject property. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.38.020 Permitted uses.**

Permitted uses allowed in the I-1 zone are set forth in Table 17.38-1. Any retail sales portion of such uses shall be conducted entirely within an enclosed building. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.38.030 Conditional uses.**

Conditional uses allowed in the I-1 zone, subject to the conditional use permit regulations, are set forth in Table 17.38-1.

**Table 17.38-1****I-1 Light Industrial Zone – Permitted and Conditional Uses**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Agricultural processing plants	✓	
Bakeries	✓	
Building material and lumber storage	✓	

**Table 17.38-1  
I-1 Light Industrial Zone – Permitted and Conditional Uses (Continued)**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Cabinetmaking and carpenter shops	✓	
Distributing plants (except petroleum products with flash point below 70 degrees Fahrenheit)	✓	
Electric power transformer substations	✓	
Food processing (except fish, dairy, poultry and meat products, sauerkraut, vinegar, yeast and rendering of fats and oils)	✓	
Fruit or vegetable packing plants	✓	
Ice and cold storage	✓	
Kennels, dog and cat pounds	✓	
Laboratories for research and development	✓	
Light manufacturing and assembly	✓	
Machine shops	✓	
Mechanized equipment storage and sale	✓	
Municipal waterworks	✓	
Nonhazardous material, bulk storage and related uses	✓	
Railroad yards and freight stations	✓	
Sheet metal shops	✓	
Storage building for household goods	✓	
Tractor repair shops	✓	

**Table 17.38-1**  
**I-1 Light Industrial Zone – Permitted and**  
**Conditional Uses (Continued)**

Uses	Permitted Use <sup>1</sup>	Conditional Use <sup>2</sup>
Trucking yard or terminal	✓	
Wholesale and warehouse uses	✓	
Towing yards and vehicle storage		✓
Chemical manufacturing plants		✓
Concrete products manufacturing plants		✓
Grain milling		✓
Treatment of wastewater		✓
Uses involving handling, storage, or shipping		✓

<sup>1</sup> Other similar uses shall be allowed subject to a recommendation by the planning commission and adopted by the city council.

<sup>2</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.38.040 Minimum property development standards.**

The property development standards set forth in Table 17.38-2 and HMC 17.38.050 through 17.38.080 shall apply to all land and buildings in the light industrial zone, except that any lot shown on an official subdivision map duly approved and recorded, or any lot for which a bona fide deed has been duly recorded prior to November 15, 1977, may be used as a building site as provided in HMC 17.10.060.

**Table 17.38-2**  
**I-1 Light Industrial Zone – Minimum Property**  
**Development Standards**

Development Standards	I-1 Light Industrial Zone
Minimum lot area	10,000 square feet
Maximum lot coverage	80 percent

**Table 17.38-2**  
**I-1 Light Industrial Zone – Minimum Property**  
**Development Standards (Continued)**

Development Standards	I-1 Light Industrial Zone
Maximum building height	35 feet
Minimum lot width	100 feet
Minimum lot depth	120 feet
Minimum front yard requirement	10 feet
Minimum side yard requirement	None
Minimum rear yard requirement	None

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.38.050 Landscaping requirements.**

Required front and street yards shall be landscaped to a depth of not less than 10 feet. Remaining front and street side yard areas or setbacks may be used for required off-street parking. Such landscaping shall consist predominantly of plant materials, except for necessary walks and drives. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.38.060 Accessory structures.**

A. Accessory structures shall not be located in front of the main building.

B. Accessory structures shall meet all of the setback requirements for main buildings.

C. Porches, steps, architectural features such as canopies and eaves, and chimneys, balconies or stairways may project not more than four feet into any required yard area.

D. Accessory structures used for the selling of agricultural products shall be reviewed by the planning commission. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

#### **17.38.070 Walls and fences.**

A. All improved property shall be fenced with chain link, block wall or other type fence as may be approved by the city.

B. In any required rear or interior side yard area, a wall or fence shall not exceed six feet in height as measured from the highest grade.

C. A wall or fence adjacent to a driveway providing vehicular access to an abutting lot shall not exceed 30 inches in height within 15 feet of the intersection of said driveway and street right-of-way.

D. A solid masonry wall not less than six feet in height shall be erected along the property line (side and rear) that forms a common boundary with any residential or any commercial zone.

E. The provisions of this section shall not apply to a wall or fence required by any law or regulation of the state of California or any agency thereof. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.38.080 Property abutting/across a street from a residential zone.**

When an I-1 zone abuts or is situated across a street from a property in any residential zone, a minimum building setback of 100 feet shall be required from such residential zone; provided, that the 25 feet of said setback nearest the street or zone boundary line shall be landscaped, and the remainder may be used for off-street parking purposes. A three-foot-high wall or berm shall be constructed in back of the landscaped area along street setbacks. Along all other lot lines adjacent to residential zones, a six-foot-high wall shall be constructed. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.40**

**I-2 HEAVY INDUSTRIAL ZONE**

**Sections:**

- 17.40.010 Intent.
- 17.40.020 Permitted uses.
- 17.40.030 Conditional uses.
- 17.40.040 Minimum property development standards.
- 17.40.050 Walls and fences.

**17.40.010 Intent.**

The intent of the I-2 heavy industrial zone is to provide a zone for a variety of industrial uses which frequently require large storage areas. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.40.020 Permitted uses.**

Permitted uses allowed in the I-2 zone are set forth in Table 17.40-1. Any retail sales portion of such uses shall be conducted entirely within an enclosed building. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.40.030 Conditional uses.**

Conditional uses allowed in the I-2 zone, subject to the conditional use permit regulations, are set forth in Table 17.40-1.

**Table 17.40-1  
I-2 Heavy Industrial Zone – Permitted and Conditional Uses**

Uses	Permitted Use	Conditional Use <sup>1</sup>
Batching and mixing plants, asphalt, cement and concrete	✓	
Brewing or distilling of liquor	✓	
Building wreckers and house mover storage yards	✓	
Foundries	✓	
Manufacture of paper products	✓	
Natural gas storage, above surface storage in excess of 500,000 cubic feet	✓	

**Table 17.40-1**  
**I-2 Heavy Industrial Zone – Permitted and**  
**Conditional Uses (Continued)**

Uses	Permitted Use	Conditional Use <sup>1</sup>
Storage of oil, gasoline or petroleum products in any quantity exceeding 25,000 barrels on any one lot or parcel of land, except oil storage in conjunction with an oil well being drilled or in production	✓	
Structural steel fabrication	✓	
Electric power generating plants		✓
Heavy salvage, junk and auto wrecking yards		✓
Slaughterhouses		✓

<sup>1</sup> These uses shall be permitted subject to a conditional use permit.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.40.040 Minimum property development standards.**

The property development standards set forth in Table 17.40-2 and HMC 17.40.050 shall apply to all land and buildings permitted in the I-2 zone, except that any lot shown on an official subdivision map duly approved and recorded prior to the effective date of the ordinance codified in this title may be used as a building site as provided in HMC 17.10.060.

**Table 17.40-2**  
**I-2 Heavy Industrial Zone – Minimum**  
**Property Development Standards**

Development Standards	I-2 Heavy Industrial Zone
Minimum lot area	1 acre
Maximum lot coverage	80 percent
Maximum building height	35 feet
Minimum lot width	100 feet

**Table 17.40-2**  
**I-2 Heavy Industrial Zone – Minimum**  
**Property Development Standards (Continued)**

Development Standards	I-2 Heavy Industrial Zone
Minimum lot depth	120 feet
Minimum front yard requirement	None
Minimum side yard requirement	None
Minimum rear yard requirement	None

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.40.050 Walls and fences.**

A. All improved property shall be fenced with chain link, block wall or other type fences as may be approved by the city.

B. In any required rear or interior side yard area, a wall or fence shall not exceed six feet in height as measured from the highest grade.

C. A wall or fence adjacent to a driveway providing vehicular access to an abutting lot shall not exceed 30 inches in height within 15 feet of the intersection of such driveway and the street right-of-way.

D. A solid masonry wall not less than six feet in height shall be erected along the property line (side and rear) that forms a common boundary with any residential or any commercial zone.

E. The provisions of this section shall not apply to a wall or fence required by any law or regulation of the state of California or any agency thereof. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**Chapter 17.41****DOWNTOWN CODE****Sections:**

- 17.41.010 Purpose, intent, and applicability.
- 17.41.020 Introduction to the downtown code.
- 17.41.030 Definitions.
- 17.41.040 Regulating plan and street typologies and standards.
- 17.41.050 Allowed uses.
- 17.41.060 Development standards.
- 17.41.070 Building and frontage types.
- 17.41.080 Signs.
- 17.41.090 Parking.
- 17.41.100 Architectural and design standards.
- 17.41.110 Special use regulations.

**17.41.010 Purpose, intent, and applicability.**

A. Purpose and Intent. The purpose of this chapter is to establish unique allowed use and development standards for subject property within the downtown area of Holtville. It is the intent of these standards to help preserve and protect the existing, historic, and unique character of the downtown by requiring new construction, remodels, and existing construction to complement the existing built environment. Additionally, through the application of these standards, the downtown will continue to be the pedestrian-oriented shopping, dining, entertainment, and living center of the Holtville community. Funding for this project was provided by the State of California Community Development Block Grant.

**B. Applicability.**

1. Standards and Entitlement Review. The standards of this chapter apply to all property zoned either Downtown-A (D-A) or Downtown-B (D-B) as shown on the regulating plan (HMC 17.41.040). All qualifying projects under HMC 17.63.020 (Applicability) within the D-A or D-B zones shall be subject to design review prior to issuance of building permit. Additionally, those uses that require a use permit as listed in HMC 17.41.050 (Allowed uses) shall obtain a use permit prior to establishment of the use. In addition to the application of the D-A and D-B zoning districts, the downtown is also governed by the regulating plan. The regulating plan addresses how development interacts with the street and how the street is developed. The application of both the zoning district and the regulating plan are described in more detail in HMC 17.41.020(A) (Defining the Downtown Code) and 17.41.040 (Regulating plan and

street typologies and standards). Generally, the zoning district designation (D-A or D-B) defines the character and allowed use provisions for the subject site while the regulating plan defines the development standards (setbacks, building typology, street standards).

2. Applicability of Regulating Plan Standards. Generally, the development standards applicable to a property shall be those for the respective zone (either D-A or D-B) as well as the street frontage as reflected in the regulating plan.

**C. Compliance Required.**

1. If the Holtville planning department finds and determines that a property has not complied or cannot comply with the requirements set forth by this code and thus determines that the activities or improvements constitute a nuisance, the city shall provide property owner with notice and opportunity to comply with the enforcement or abatement order. If, after receipt of the order, (a) property owner fails to comply and/or (b) property owner cannot comply with the requirements, then the matter shall be referred to the appropriate enforcement authority.

2. As between the city and the property owner, any violation of this code may be a nuisance per se. The city may enforce the terms and conditions of this code in accordance with its codified ordinances and/or state law. The provisions of this subsection shall not apply to any claim of nuisance per se brought by a third party.

3. Property owner shall not be permitted to maintain a nuisance, which is anything which:

a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property; and/or

b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal; and/or

c. Occurs during or as a result of actions or improvements produced by the business. (Ord. 469 § 1 (Exh. A), 2009).

**17.41.020 Introduction to the downtown code.****A. Defining the Downtown Code.**

1. The downtown code is the regulating document for development within the downtown of Holtville. The basis for this code is in two unique zoning districts – the D-A and D-B zones. The downtown code recognizes the historic character of the downtown and identifies a special set of

development standards, allowed use regulations, and other special use regulations that, when applied to new construction and qualifying remodels/expansions (as identified in HMC 17.63.020, Applicability), will ensure that the historic character is positively complemented.

2. The standards in this chapter are presented in a format that is unique to the downtown, through a form-based code. Form-based zoning provides a method of regulating development to achieve a desired urban form. Form-based provisions address the relationship between building facades and the public realm, the form and mass of buildings, and the size, character and type of streets and blocks. The central focus of form-based provisions is the regulating plan that designates the appropriate form (and character) of development rather than only distinctions in land use types, which is the basis of conventional zoning.

3. This downtown code also includes regulations for the street – the space between buildings. Part of the historical context of the downtown includes how individual developments relate and interact with the street. This is because the street acts as a unifying thread across all development.

**B. Relationship to Other Zoning Provisions.** Generally, the regulations of this chapter shall govern development within the downtown, specifically within the D-A and D-B zoning districts. In cases where there is a conflict between the provisions of this chapter and the regulations elsewhere in the zoning code, this chapter shall prevail. However, with regard to topics that this chapter is silent on, provisions elsewhere in the zoning code shall prevail.

#### **C. Administration of the Downtown Code.**

1. **Review of Development Applications.** Generally, review of development applications (e.g., design review, use permit, variance) located within the downtown (D-A, D-B) zoning districts is the responsibility of the planning commission. The designated approval authority for each planning permit is listed under the regulations for each permit type in the zoning code:

- a. Conditional Use Permits, Chapter 17.60 HMC;
- b. Variances, Chapter 17.62 HMC;
- c. Design Review, Chapter 17.63 HMC.

2. **Amendments to the Downtown Code.** Amendments to the downtown code shall be processed like any other zoning code amendment as described under Chapter 17.64 HMC.

3. **Findings for Approval.** When approving an application for a development application

and/or amendment to the downtown code, the designated approving authority shall, in addition to any other findings required by this zoning code, make the following findings:

a. **Development Application.** That the proposed development complies with the regulations of the downtown code, promotes the spirit of the downtown by integrating into the fabric of its public and private built environment (the downtown's DNA – what makes its unique character) and complementing the architectural quality of the downtown.

b. **Amendment to the Downtown Code.** The proposed amendments to the downtown code are consistent with the intent of the downtown code by helping to preserve and protect the existing, historic, and unique character of the downtown.

**D. How to Use the Downtown Code.** The downtown code regulates many aspects of development, but is structured to be as user-friendly as possible. The following outline is intended as an orientation that walks a user through the primary aspects of the code:

1. **Determine the district and street typology governing the parcel with HMC 17.41.040.** First, refer to the regulating plan in this chapter (see HMC 17.41.040(A)) to determine which district the parcel falls under. The district is necessary for understanding the majority of the document; it determines applicable development standards and allowed uses. Next, use the regulating plan to determine which street typology applies to the parcel. Street typology standards dictate factors such as street widths, lane widths, and right-of-way dimensions. Most private development projects will not affect or need to consider street typology standards. These are primarily for the city to use when it makes larger-scale infrastructure improvements.

2. **Determine the allowed uses with HMC 17.41.050.** The downtown code specifies which land uses are allowed, conditionally allowed, and prohibited for the two districts established for downtown. Refer to HMC 17.41.050 (Allowed uses) to see which uses are allowed for the parcel and to find definitions of land uses.

3. **Determine basic development standards with HMC 17.41.060.** For any development to take place on a parcel, it must be done in conformance with the regulations provided in the downtown code. The primary development standards for all development are provided in HMC 17.41.060(B) (Area-Wide Standards) and 17.41.060(C) (Development Standards). HMC 17.41.060(B) applies to

all development, regardless of zoning district. HMC 17.41.060(C) provides standards by zoning district, including building height and placement. These regulations essentially create a building envelope for each parcel based on its district, determining the space on the parcel in which development can take place. HMC 17.41.060(D) (Storefront Regulations) also provides storefront standards that provide further regulation on the dimensions of building frontage features; unlike the general development standards, these standards are only applicable to commercial uses with gallery, arcade, and storefront frontage types.

4. Determine form-based requirements with HMC 17.41.070. The downtown code goes beyond the traditional zoning code; whereas traditional zoning codes simply regulate uses and dimensions, the downtown code actually regulates building form and style to work towards an enhanced character and appearance in downtown. It does so by establishing allowed building styles and frontage types for each district. New development not only must comply with the standards established in Chapter 17.32 HMC, but also must comply with the form-based requirements in HMC 17.41.070 (Building and frontage types). Refer to HMC 17.41.070 for descriptions of allowed building and frontage types for each district.

5. Determine sign and parking standards with HMC 17.41.080 and 17.41.090. The downtown code provides regulations that govern allowed sign types and parking standards in the downtown. HMC 17.41.080 (Signs) establishes allowed sign types for each district in downtown, design standards, and limitations for sign size and number based on the size of the building and type of sign. HMC 17.41.090 (Parking) establishes allowed parking types and ratios by district and land use. Parking ratios are expressed as a ratio of parking spots to total square footage of the land use.

6. Determine additional design guidelines with HMC 17.41.100. To ensure that downtown Holtville develops a high-quality aesthetic environment, the downtown code provides additional design considerations. Whereas HMC 17.41.070 (Building and frontage types) provides form-based guidelines for specific structures that are allowed by district, HMC 17.41.100 (Architectural and design standards) provides broader design considerations for all projects in downtown, regardless of the district they fall in. Unlike other standards provided in the downtown code, most of the design guidelines provided in HMC 17.41.100 are guide-

lines (and not requirements) that provide ways to achieve attractive design. While these are only guidelines, the designated approving authority may still require them as conditions of project approval, so they should still be considered in all design and development. HMC 17.41.100 provides general design guidelines for multiple aspects of design, including architectural styles, building massing, lighting, landscaping, colors and materials, and lighting.

7. Determine regulations specific to special uses in HMC 17.41.110. There are additional uses that may occur in downtown that, due to their unique nature, are not adequately addressed elsewhere in the document. Regulations governing these special uses are provided in HMC 17.41.110 (Special use regulations). These special uses include live/work spaces, public art, and storefront vacancy. Regulations are specific to these uses, and not determined by district. (Ord. 469 § 1 (Exh. A), 2009).

#### **17.41.030 Definitions.**

A. General Definitions. The following terms are used throughout the downtown code and are defined as follows:

“Alleys” are narrow public drives serving commercial and residential development. (See HMC 17.41.040(A)(3) for further discussion.)

Arcade Frontage. An arcade frontage is nearly identical in character to the gallery frontage except that the upper stories of the building may project over the public sidewalk and encroach into the public right-of-way. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it. (See HMC 17.41.070(E) for further discussion.)

“Awning” is a temporary shelter that is supported from the exterior wall of a building. It is typically constructed of canvas or a similar fabric that is sturdy and flexible.

“Building type” defines the type of structure based on massing, layout, and use. (See HMC 17.41.070(C) for further discussion.)

“Build-to line (BTL)” means an urban setback dimension that delineates the maximum distance from the property line a front or street side building facade can be placed. Typically, build-to lines range from zero to 10 feet.

“Bulkhead” means the portion of a commercial facade located between the ground and the bottom of the street level display windows. It is typically constructed of stone, brick, or concrete.

“Bulkhead height” refers to the height of the bulkhead (see definition of “Bulkhead”). (See HMC 17.41.060(D) for further discussion.)

“Canopy” is a permanent shelter that is supported from the exterior wall of a building and another form of external support, such as columns. Canopies are often constructed of wood.

“Colonnade” is the extension of a building over a public sidewalk, supported by columns and creating a shaded overhang.

“Cornice” means the horizontal projection that crowns or finishes the top of a wall where it meets the edge of the roof; sometimes ornamented.

“Courtyard housing building type” means a group of dwelling units arranged to share one or more common courtyards upon a qualifying lot in any zone. Dwellings take access from the street or the courtyard(s). Dwelling configuration occurs as townhouses, apartments, or apartments located over or under townhouses. The courtyard is intended to be a semi-public space that is accessible to the general public but designed for use by residents. (See HMC 17.41.070(C) for further discussion.)

“Display windows” means tall windows on the ground floor of a building that are designed to display goods or activities inside the building.

DNA. The DNA of an urban environment is composed of the public and private built environment; it is the identity of a place that makes it special and unique. Each environment has a unique DNA code, which is composed of its composite values and connections.

“Dwelling unit” means any room or group of connected rooms that have sleeping, cooking, eating, and bathroom facilities, and are intended for long-term occupation.

“Expression line” is an architectural embellishment that delineates the end of the ground floor and the start of the second floor of a building. (See HMC 17.41.060(D) for further discussion.)

“Facade” means the architecturally finished side of a building, typically facing onto a public right-of-way or street.

“Form-based code (FBC)” means a development code emphasizing the regulation of building form, scale, and orientation, rather than zoning and land use. This downtown code is a form-based code.

“Frontage line” means a lot line fronting a street, public right-of-way, paseo, plaza, or park.

“Frontage type” refers to the architectural composition of the front facade of a building; particularly concerning how it relates and ties into the

surrounding public realm. (See HMC 17.41.070(E) for further discussion.)

“Front yard housing building type” means a detached building designed as a single-family residence, duplex, triplex, or quadplex. Front yard housing is accessed from the sidewalk adjacent to the street build-to line. (See HMC 17.41.070(C) for further discussion.)

Gallery Frontage. A gallery frontage is characterized by a facade which is aligned close to or directly on the right-of-way line with the building entrance at sidewalk grade, and with an attached colonnade that projects over the public sidewalk and encroaches into the public right-of-way. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it. Nearly identical to the arcade frontage, except the building is not allowed to encroach over the public right-of-way. (See HMC 17.41.070(E) for further discussion.)

“Ground floor height” refers to the height of the front facade’s first story as measured from the sidewalk level up to the bottom of the expression line (see “Expression line”). (See HMC 17.41.060(D) for further discussion.)

“Half-block liner building type” means an attached building with a frontage of approximately one-third to one-half the length of a downtown block, and zero side yard setbacks. It is used for mixed use, residential, and commercial development. (See HMC 17.41.070(C) for further discussion.)

“Height” means the vertical distance of a building measured between the point where the final grade intersects a building or its foundation to the highest point of the building directly above that point.

“Infill building type” means an attached building with a frontage that is less than one-third the length of a downtown block. It is used for mixed use, residential, and commercial development. (See HMC 17.41.070(C) for further discussion.)

“Inset of front door from build-to line” refers to the distance from the front door of the building to the build-to line (see “Build-to line”). (See HMC 17.41.060(D) for further discussion.)

“Main Street” is the term applied to 5th Street, which is the historic commercial heart of downtown Holtville and serves as the primary connecting route through town. It is primarily four lanes wide, but where it enters and exits town it narrows to two or three lanes. (See HMC 17.41.040(A) for further discussion.)



“Maximum awning extension from building” refers to the maximum distance allowed between the building and the end of a fully extended awning (see “Awning”) or canopy (see “Canopy”). (See HMC 17.41.060(D) for further discussion.)

“Neighborhood yard frontage” is characterized by deep front yard setbacks. The building facade is set back substantially from the front property line. The resulting front yard is unfenced and is visually continuous with adjacent yards, supporting a common landscape. (See HMC 17.41.070(E) for further discussion.)

“Parking type” refers to the type of parking allowed for motorized vehicles including automobiles, trucks, and motorcycles. (See HMC 17.41.090 for further discussion.)

“Paseos” are local and private pathways serving as alternative pedestrian and bicycle routes that do not accommodate vehicles. These paths are oriented towards the pedestrian, and provide spaces that engage users with their surroundings. Landscaping, street furniture, and pedestrian-scaled features make these engaging routes of travel while offering safe routes separated from vehicular uses. (See HMC 17.41.040(A) for further discussion.)

“Regulating plan” designates building form and streetscape standards based on location, street hierarchy, and character. More specifically, it addresses how development interacts with the street and how the street is developed, and it defines the development standards (through setbacks, building typology, and street standards). (See HMC 17.41.040 for further discussion.)

**Secondary Street.** The two-lane secondary streets of downtown Holtville display a mix of local retail, light industrial, and residential development. In contrast to other streets, they are characterized by narrower sidewalks and street widths, and an abundance of street trees and landscaping. (See HMC 17.41.040(A) for further discussion.)

“Setback” means the required distance between a property line and a building or ancillary structure.

“Storefront frontage” is characterized by a facade which is aligned close to or directly on the right-of-way line with the building entrance at sidewalk grade. Storefront frontage has substantial window space on the ground floor. Storefront frontages provide awnings or canopies cantilevered over the sidewalk. (See HMC 17.41.070(E) for further discussion.)

“Storefront width” refers to the front facade width as measured from one corner of the front facade to the other. (See HMC 17.41.060(D) for further discussion.)

“Street typology” classifies street, sidewalk, and related standards based on the primary use of the street. (See HMC 17.41.040(B) for further discussion.)

“Surface parking, behind building” means a ground level public or private parking lot located in the rear yard setback behind a building. If possible, access to the parking should be taken from an alley. (See HMC 17.41.090 for further discussion.)

“Surface parking, next to building” means a ground level public or private parking lot located in the side yard setback next to a building. If possible, access to the parking should be taken from an alley. (See HMC 17.41.090 for further discussion.)

“Transom” means a horizontal band of glass that is mounted above the storefront display windows.

“Upper facade” refers to the facade of the upper stories of a building, including the windows, window hoods/lintels, and masonry pier.

“Window hoods/lintels” means ornamentation above a window that surrounds the upper termination of the window, such as a type of hood or pediment.

**B. Allowed Use Definitions.** The following terms are used throughout the downtown code and are defined as follows:

“Attached single-family residential” means a building designed exclusively for occupancy by one family on a single lot that has zero side yard setbacks, and shares a wall with the adjacent building(s) (e.g., townhouse).

“Commercial recreation and entertainment” means establishments providing indoor or outdoor recreation and entertainment services including: bars, movie theaters, dance halls, electronic game arcades, bowling alleys, billiard parlors, ice/roller skating rinks, health clubs, skateboard parks.

“Detached single-family residential” means a building designed exclusively for occupancy by one family on a single lot. This classification includes manufactured homes (defined in California Health and Safety Code Section 18007).

**Government/Institutional.** This use includes government agency and service facilities (e.g., post office, civic center, police department, fire department), as well as public educational facilities, and publicly owned parkland.

“Home occupation” means an occupation or business that is conducted within a dwelling unit or residential site and employing occupants of the dwelling, with the business activity being subordinate to the residential use of the property. Examples include, but are not limited to, accountants and

financial advisors, architects, artists, attorneys, and real estate sales.

“Hotels and motels” means facilities with guest rooms or suites provided with or without kitchen facilities, and rented to the general public for transient lodging (less than 30 days). Hotels provide access to most guest rooms from an interior walkway, and typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, etc. Motels provide access to most guest rooms from an exterior walkway. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

“Live/work unit” means an integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multifamily, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

1. Complete kitchen space and sanitary facilities in compliance with the city building code; and
2. Working space reserved for and regularly used by one or more occupants of the unit;
3. The “work” component of a live/work unit is secondary to its residential use, and may include only commercial activities and pursuits that are compatible with the character of a quiet residential environment.

“Mixed use facilities” are characterized by commercial retail use on the ground floor, and office, hotel, or residential uses on the upper floors.

“Multifamily residential” means a building designed and intended for occupancy by two or more families living independent of each other, each in a separate dwelling unit, which may be owned individually or by a single landlord (e.g., duplex, triplex, quadplex, apartment, apartment house, condominium).

Offices. This use includes businesses providing direct services to consumers (e.g., insurance companies, utility companies), professional offices (e.g., accounting, attorneys, doctors, dentists, employment, public relations), personal services (e.g., barber and beauty shops, shoe repair, tailors), and offices engaged in the production of intellectual property (e.g., advertising, architectural, computer programming, photography studios). Also includes banks and other financial institutions.

“Retail commercial” means stores and shops selling multiple lines of merchandise. These stores and lines of merchandise include but are not limited to art galleries, bakeries (all production in support of on-site sales), clothing and accessories,

collectibles, department stores, drug stores, dry goods, fabrics and sewing supplies, florists and houseplant stores, furniture, home furnishings and equipment, general stores, gift shops, hardware, hobby materials, musical instruments, parts and accessories, newsstands, pet supplies, specialty shops, day spas, sporting goods and equipment, and stationery stores.

“Sit-down restaurant” means a retail business selling food and beverages prepared and/or served on the site, for on-premises consumption where most customers are served food at tables, but may include providing food for take-out. Also includes coffee houses, and accessory cafeterias as part of office and industrial uses. Alcohol sales are allowed for on-site consumption only.

“Warehousing, manufacturing, wholesaling and distribution” means facilities dedicated to the manufacturing, processing, and assembling of materials; the storage of commercial goods of any nature, including cold storage; and those engaged in the selling of merchandise to retailers, to industrial, commercial, institutional, farm, or professional business users, or to other wholesalers, or acting as agents or brokers in buying merchandise for selling merchandise to such companies.

C. Definitions of Sign Types. The following are types of signs referred to within this chapter:

“A-frame sidewalk sign” means a sign made of wood, cardboard, plastic, or other lightweight and rigid material having the capability to stand on its own support(s) and being portable and movable.

“Awning/canopy sign” means a sign that is part of or attached to an awning, canopy, or other material, or structural protective cover over a door, entrance, window, or outdoor service area. For the purposes of the downtown code, awning signs shall be regulated as a type of wall sign.

“Directory sign” means a pedestrian-oriented sign that identifies or lists the names and locations of tenants at a multi-tenant site.

“Monument sign” means a sign constructed upon a solid-appearing base or pedestal (typically stone, brick, or concrete), the total width of which is at least 50 percent of the overall height of the sign.

“Projecting sign” means a sign that projects perpendicular from a structure or is hung beneath a canopy.

“Temporary sign” means a sign not constructed or intended for long-term use. Typically, temporary signs are not physically suitable for display longer than 30 days. If a sign does not qualify as a structure under the building code, it is presumably

a temporary sign, but subject to the interpretation of the city planner.

“Wall sign” means a sign attached directly to an exterior wall of a building or dependent upon a building for support with the exposed face of the sign located in such a way as to be substantially parallel to such exterior building wall to which it is attached or supported by. For the purposes of the downtown code, awning signs and window signs shall be regulated as types of wall signs.

“Window sign” means a sign attached to, suspended behind, placed, or painted upon the window or glass door of a building and is intended for viewing from the exterior of such building. This definition does not include merchandise offered for sale on site when on display in a window. For the purposes of the downtown code, window signs shall be regulated as a type of wall sign. (Ord. 469 § 1 (Exh. A), 2009).

#### **17.41.040 Regulating plan and street typologies and standards.**

A. Establishment of the Regulating Plan and Street Hierarchy and Character. In addition to the application of the downtown (D-A or D-B) zoning districts, development within the downtown is also governed by the regulating plan. The regulating plan codes development based upon the street it is located along. This plan is based on the following street hierarchy and character, and as illustrated on the regulating plan (see Figure 17.41.040-1 (The Regulating Plan)):

1. Main Street. Main Street/5th Street is the historic commercial heart of downtown Holtville. It serves as a central spine, containing the majority of the city’s major uses and acting as the primary route within town and through town. This area benefits from the presence of retail businesses, restaurants, and other community-serving businesses.

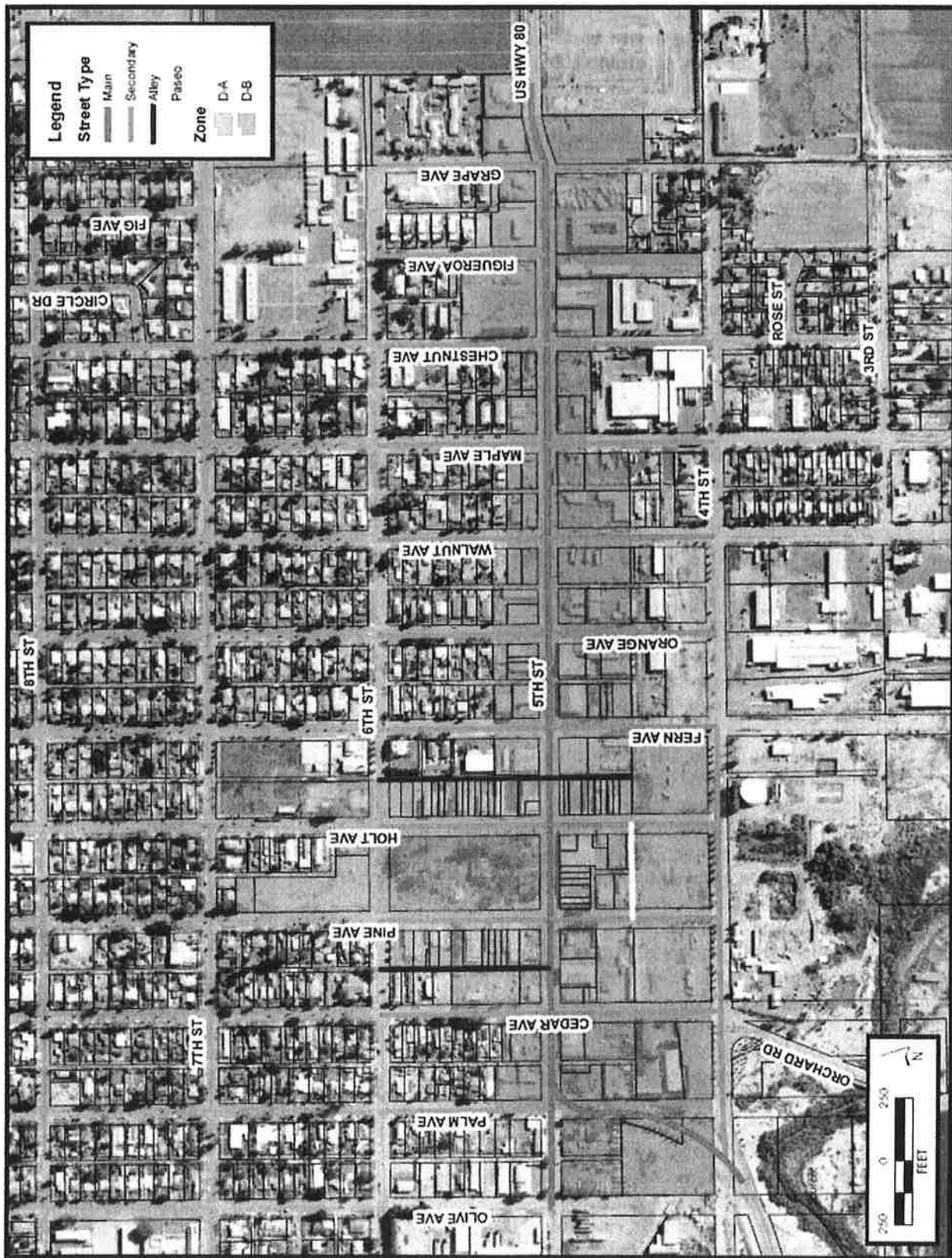
2. Secondary Streets. The secondary streets of downtown Holtville display a mix of local retail uses. They have a more intimate nature, as is reflected in the narrower sidewalks and streets, and abundance of street trees and landscaping. They are primarily oriented around Holt Park.

3. Alleys. Alleys bisect downtown Holtville and provide supplementary forms of access and lively forms of public space, with a confluence of commercial, office, and complementary residential uses. They provide alternative routes between uses, but also provide supplemental service space.

4. Paseos. Paseos are local and private pathways serving as alternative pedestrian and bicycle routes that do not accommodate vehicles. These

paths are oriented towards the pedestrian, and provide spaces that engage users with their surroundings. Landscaping, street furniture, and pedestrian-scaled features make these engaging routes of travel while offering safe routes separated from vehicular uses.

Figure 17.41.040-1: The Regulating Plan



**B. Street Typologies and Standards.** The purpose of this subsection is to provide roadway standards that will facilitate the creation of streets that are inviting, multimodal public places for vehicular traffic, bicyclists, and pedestrians. These streetscape typologies and standards are unique to this chapter and are intended to implement the vision by acting as building blocks for the distinct components and unique street types that compose downtown.

**1. Street Typologies.** The streetscape typologies allowed in zones D-A and D-B are listed below:

**a. Main Street.** The “main street” of Holtville is 5th Street. It runs in an east-west direction through the city and serves as the primary arterial and commercial corridor of the community. It also functions as a state highway route. As such, special design considerations and approvals will be necessary for development along the street. Characteristics of the main street include:

i. Street trees should frequently interrupt the parking lanes to soften visual impact of the parked vehicles and to help cool the air heated by the pavement.

ii. Parallel parking and wide sidewalks should create a safe, inviting environment for both pedestrians and motorists.

iii. Primary intersections should provide pedestrians with safe passage. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, and in-street crossing lights (if there is no crosswalk signal).

iv. Turning movements typically occur from within the main travel lanes; however, short (one to two car-lengths) turn pockets may be provided at some intersections in lieu of parking on one side of the street.

v. Because 5th Street is an arterial roadway, it provides unique opportunities for gateway monumentation, as expressed in the vision plan, at the entrances to the downtown area.

**b. Secondary Streets.** Secondary streets in downtown Holtville are all other neighborhood streets in downtown other than 5th Street, such as Holt Street. These neighborhood streets are home to community-serving retail stores. These streets

have a more intimate nature than other areas. Characteristics of secondary streets include the following:

i. Landscaping and larger street trees should frequently interrupt the parking lanes to soften the visual impact of the parked vehicles and to help cool the air heated by the pavement.

ii. Parallel or diagonal parking should be used for convenient store access and to slow traffic. Wide storefront sidewalks should create a walkable, pedestrian-oriented atmosphere.

**c. Alleys.** Alleys are narrow public drives primarily serving commercial development. Alleys provide the primary service access and loading areas for businesses. Additional characteristics of alleys include the following:

i. Customer entrances may also be located off of alleys. In addition, if it does not obstruct the flow of vehicular and pedestrian traffic, portions of the alley may be used for outdoor retail space, patios, art gardens, and related uses.

ii. Alley street lighting and landscaping should be designed at a pedestrian scale with an emphasis on creating a safe and secure environment. Additionally, landscaping shall not impede automobile or pedestrian visibility within or immediately adjacent to an alley.

iii. For complementary residential development that is adjacent to the primary commercial uses located off of alleys, parking should be accessed via alleys.

**d. Paseos.** Paseos are local and private pathways serving pedestrians and bicyclists only, and may also provide limited service access during specified periods of the day. Characteristics of paseos include the following:

i. If it does not obstruct the flow of pedestrian traffic, portions of the paseo may be used for outdoor dining, retail space, patios, art gardens, and related uses.

ii. Paseo street lighting and landscaping should be designed at a pedestrian scale. Larger canopy trees should be used where possible for shade.

**2. Street Typology Standards.** Table 17.41.010-1 (Street Typology Standards) displays standards for each street typology.

**Table 17.41.040-1: Street Typology Standards**

	Main Street	Secondary Streets	Alleys	Paseos
Throughfare Type	Avenue	Local	Alley	Pathway
Right-of-Way Width	(see note 1)		15' – 20'	10' – 20'

**Table 17.41.040-1: Street Typology Standards (Continued)**

	Main Street	Secondary Streets	Alleys	Paseos
Through Traffic Lanes	4 lanes	2 lanes	1 lane	Emergency only
Parking Lanes	7' – 9' wide, parallel, two sides (see note 2)	7' – 9' wide, parallel, or 19' – 20' wide, diagonal, one or two sides	N/A	N/A
Pedestrian and Landscape Area	10' – 14' (see note 1)	8' – 12' (see note 1)	N/A	N/A
Curb Radius	25'	25'	25'	25'
Bike Facilities	Class II on-street, striped	Class III on-street, not striped	N/A	Designated bicycle lane(s), where adequate width exists

## Notes:

1. Main Street varies in width. Refer to the street cross sections for the appropriate road width and through traffic lane standards.
2. On-street parking is only permitted along that section of 5th Street between Pine and Holt Avenues.

3. Street Typology Cross Sections. Figures 17.41.040-2 through 17.41.040-5 depict the street standards for each street typology.

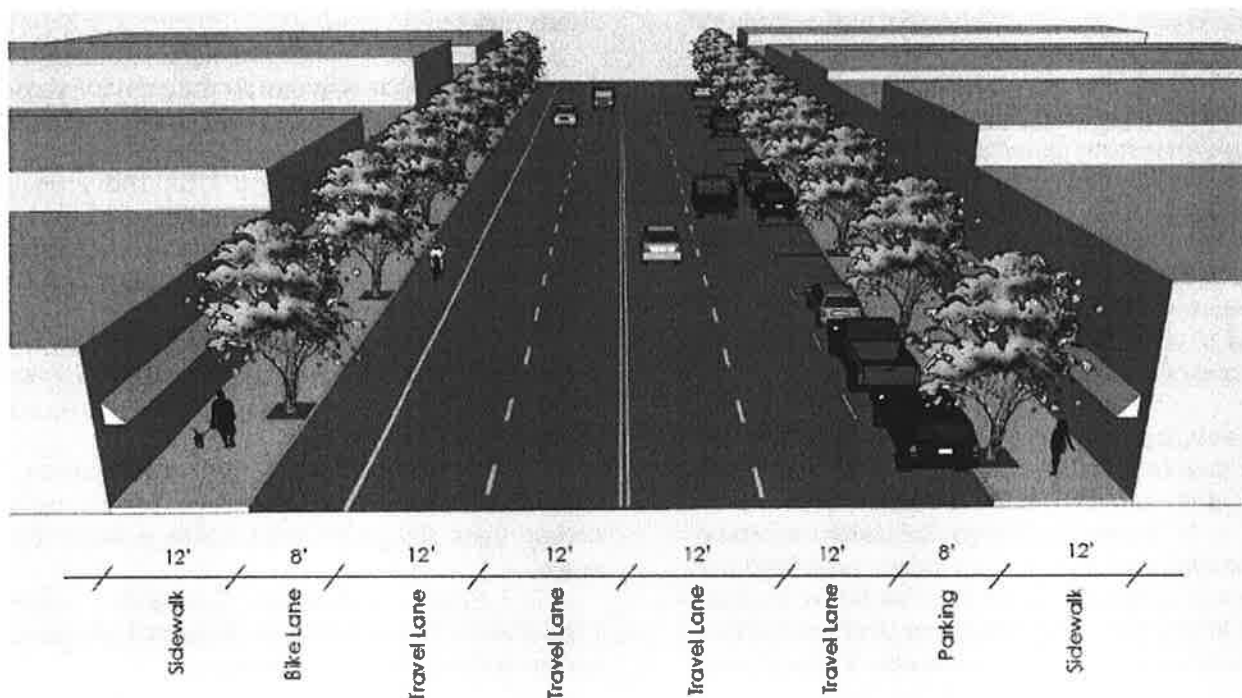
**Figure 17.41.040-2: Main Street**



Figure 17.41.040-3: Secondary Street

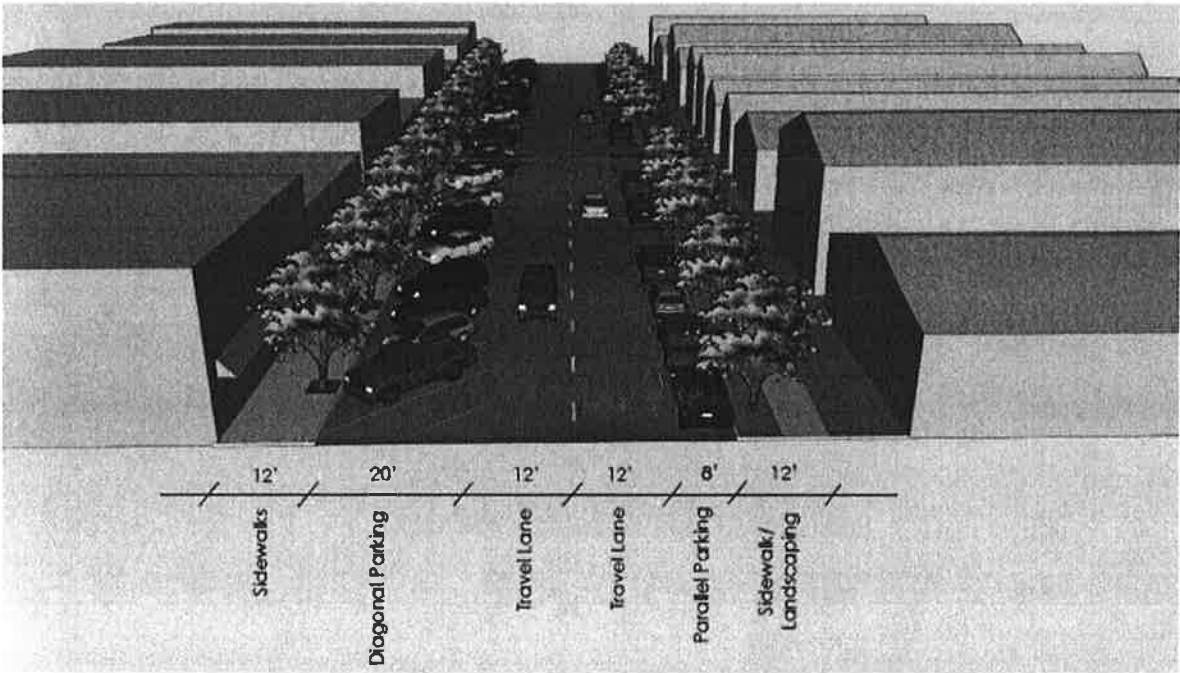
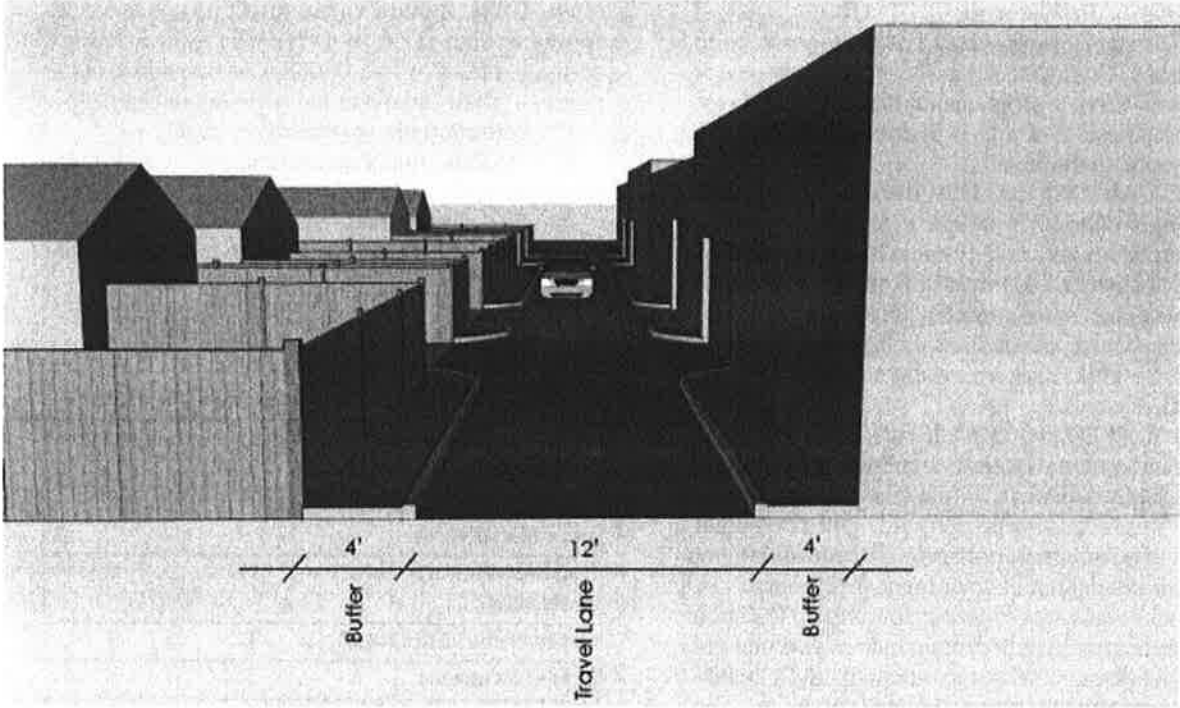
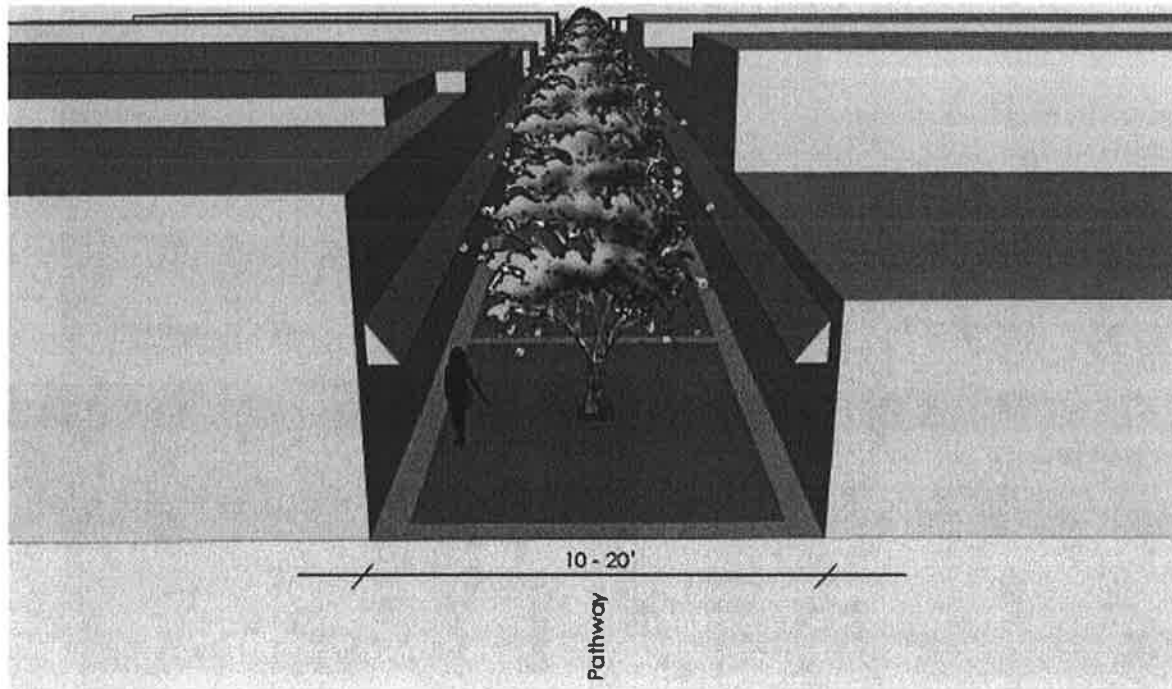


Figure 17.41.040-4: Alley



**Figure 17.41.040-5: Paseo**

(Ord. 469 § 1 (Exh. A), 2009).

#### **17.41.050 Allowed uses.**

A. District Descriptions. The downtown code establishes two districts that will regulate development and drive design standards for downtown Holtville, the D-A and D-B district. These districts are described below.

1. D-A District. This district is the core downtown district. It offers a variety of mixed commercial, retail, and residential uses, oriented around the heart of downtown: Holt Park. This central node offers more potential for unique, boutique storefronts and destination shopping. Oriented around the park, uses are easily accessed through pedestrian travel.

2. D-B District. This district applies to areas of the downtown/central business district not within the D-A district. While also offering a variety of mixed commercial, retail, and residential uses, it offers more opportunity for redevelopment and infill residential development. This district can accommodate larger building footprints. The area is characterized by a predominance of commercial and retail uses, with complementary light industrial use, mixed use, and residential units.

B. Allowed Uses. Table 17.41.050-1 (Allowed Uses) identifies the allowed uses within the down-

town. These allowed use regulations are listed by zoning district (D-A or D-B). The uses listed are defined in HMC 17.41.030(B) (Allowed Use Definitions). The symbols in the table are defined as:

P – Permitted use (permitted by right)

C – Conditionally permitted use (conditional use permit required)

N – Not permitted

Uses not listed as allowed are by default prohibited.

**Table 17.41.050-1: Allowed Uses**

Uses	D-A Zone	D-B Zone
Attached Single-Family Residential	N	C
Commercial Recreation and Entertainment	P <sup>1</sup>	P <sup>1</sup>
Detached Single-Family Residential	N	C
Government/Institutional	P	P
Home Occupation	N	P
Hotel/Motel	P	P
Single-Room Occupancy	N	P



**Table 17.41.050-1: Allowed Uses (Continued)**

Uses	D-A Zone	D-B Zone
Live/Work Space	P	P
Mixed Use	P	P
Multifamily Residential	C	C
Offices	P	P
Retail Commercial	P <sup>1</sup>	P <sup>1</sup>
Sit-Down Restaurants	P	P
Warehousing, Manufacturing, Wholesaling and Distribution	N	C

Notes:

1. Alcohol sales permitted on premises.

(Ord. 472 § 3, 2010; Ord. 469 § 1 (Exh. A), 2009).

#### **17.41.060 Development standards.**

A. **Mandatory Conformance.** Standards listed in this chapter are mandatory requirements that must be satisfied for all new projects and modifications to existing development. Projects shall be reviewed for conformance with these provisions as part of design review. For qualifying modifications to existing development that only require issuance of a building permit and do not require design review approval, conformance with these standards shall be reviewed as part of plan check during building permit review. "Qualifying modifications" are all modifications to a structure such as repair, restoration, or reconstruction of a structure where such work, as determined by the city planner, maintains the outer dimensions and surface relationships of the existing structure (e.g., repainting, replacement of windows or doors with matching size and style, repair of exterior materials such as stucco and wood).

#### **B. Area-Wide Standards.**

1. **Area-Wide Height Requirements and Exceptions.** Refer to subsection C of this section for district height requirements. The planning commission may approve architectural features such as tower elements, elevator service shafts, and roof access stairwells that extend above the height limit through design review. Telecommunications antennas and service structures located on rooftops may also exceed the maximum building height but shall be hidden to the maximum extent possible using appropriate screening and stealth technologies. As part of design review, the planning com-

mission may approve buildings that exceed the maximum height adopted in the D-A or D-B zones.

2. **Area-Wide Maximum Allowable Residential Development.** The maximum allowable residential development in downtown Holtville is 20 dwelling units per acre as determined by the general plan land use plan map.

3. **Area-Wide Maximum Allowable Commercial Development.** The maximum allowable commercial development in downtown Holtville is a floor area ratio of 1.0:1 as determined by the general plan land use plan.

4. **Area-Wide Parking Standards.** In an effort to attract retail development to downtown Holtville, parking requirements have been reduced. Please see HMC 17.41.090 for district parking requirements.

C. **Development Standards.** The development standards are intended to preserve the compact, walkable, historic downtown core while stimulating economic development in the commercial heart of the city. They also serve to enhance social interactions while providing appropriate levels of privacy in residential areas. Used properly, they will rejuvenate the city by creating more visual interest and architectural consistency, facilitating development that relates to the pedestrian and site user, and enhancing the character of downtown. The development standards for the D-A and D-B district are provided below in Table 17.41.060-1 (Development Standards) and displayed in Figure 17.41.060-1 (Building Placement).

**Table 17.41.060-1: Development Standards**

Development Standard		D-A Zone	D-B Zone
Maximum Building Height		35'	45'
Building Placement	Build-To Front Line Maximum <sup>1</sup>	0'	10' <sup>2,3</sup>
	Minimum Side Yard	0'	0'
	Minimum Rear Yard	0'	20'

Notes:

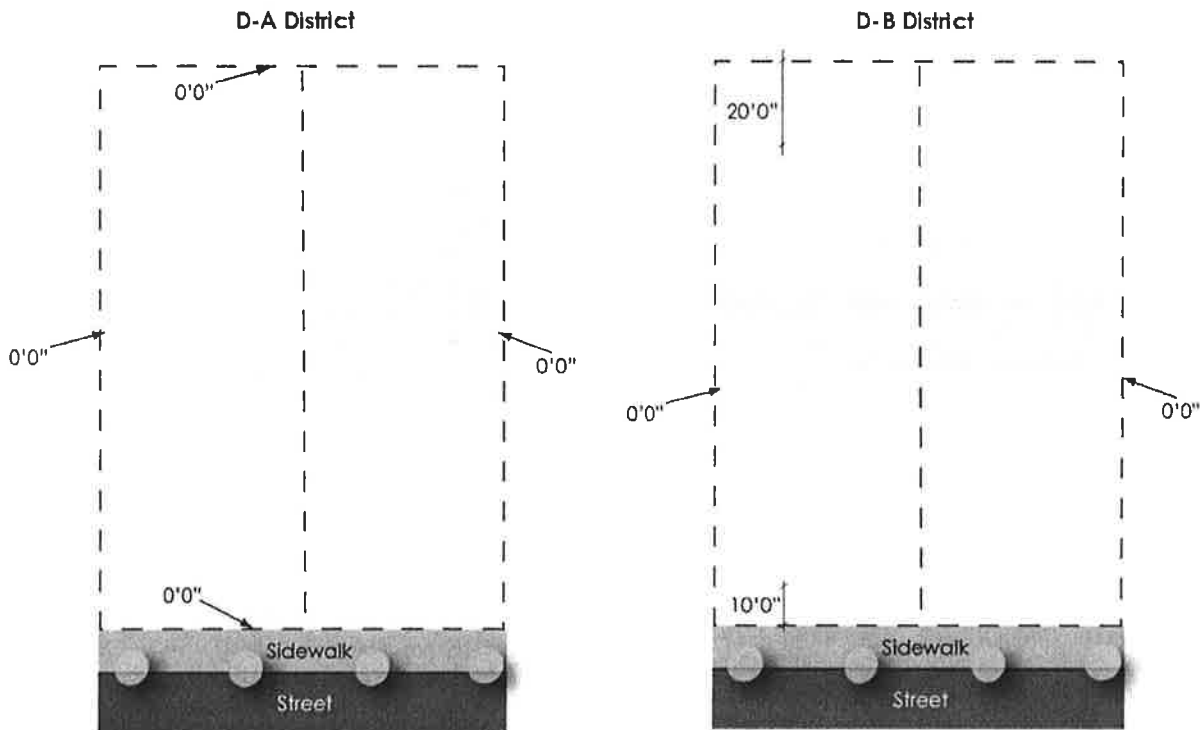
1. "Build-to lines" are defined as the edge where the public right-of-way ends and the private property boundary begins.

2. Through design review, larger sites may provide additional buildings with larger setbacks from the public right-of-way than otherwise permitted by the build-to line standard; provided, that a minimum of 30 percent of the total site frontage is developed with one or more buildings that are developed consistent with this provision.

3. Residential buildings may be constructed with a build-to line between 10 feet and 30 feet, provided all residential buildings are sited in a manner consistent with the setbacks of adjacent properties. The appropriate setback shall be determined through design review to achieve a balance between the existing character of neighborhoods and the desired level of change. Resi-

dential uses include attached single-family, detached single-family, and multifamily residential uses. For all other uses, the 10-foot build-to front line maximum applies. For single-family homes, which are exempt from design review, the build-to line determination shall be made as part of plan check.

**Figure 17.41.060-1: Building Placement**



D. Storefront Regulations. The following storefront standards are intended to provide continuity of building form at street level in downtown Holtville. Additionally, standards are meant to enhance the relationship between buildings and the sidewalk, subsequently encouraging more pedestrian activity.

1. Applicability. Storefront design standards are only applicable to commercial uses with the gallery, arcade, and storefront frontage types. Descriptions of these frontage types can be found in HMC 17.41.070(E) (Frontage Type Descriptions).

2. Standards. Table 17.41.060-2 (Storefront Design Standards) lists the storefront design standards. "Tags" refer to those elements labeled in

Figure 17.41.060-2 (Storefront Design Standards) and described in subsection (D)(3) of this section.

**Table 17.41.060-2: Storefront Design Standards**

Storefront Standards	D-A	D-B
Storefront Width See tag "A" in Figure 17.41.060-2	15' – 45'	15' – 60'
Ground Floor Height See tag "B" in Figure 17.41.060-2	10' – 20'	10' – 20'
Bulkhead Height See tag "C" in Figure 17.41.060-2	1' – 3'	0' – 4'
Inset of Front Door from Build-To Line See tag "D" in Figure 17.41.060-2	2' – 6'	3' – 8.5'
Maximum Awning Extension from Building See tag "E" in Figure 17.41.060-2	6'	6'

### 3. Storefront Design Standards Definitions.

“Bulkhead” means the portion of the commercial facade located between the ground and the bottom of the street level display windows. It is typically constructed of stone, brick, or concrete.

“Bulkhead height” refers to the height of the bulkhead which is the portion of a commercial facade located between the ground and the bottom of the street level display windows. It is typically constructed of stone, brick, or concrete.

“Cornice” means the horizontal projection that crowns or finishes the top of a wall where it meets the edge of the roof; sometimes ornamented.

“Display windows” means tall windows on the ground floor of a building that are designed to display goods or activities inside the building.

“Expression line” is an architectural embellishment that delineates the end of the ground floor and the start of the second floor of a building.

“Ground floor height” refers to the height of the front facade’s first story as measured from the sidewalk level to the top of the expression line.

“Inset of front door from build-to line” refers to the distance from the front door of the building to the build-to line. A “build-to line” is an urban setback dimension that delineates the maximum distance from the property line a front building facade can be placed. Typically, build-to lines range from one foot to 10 feet. See Table 17.41.060-1 (Development Standards) for build-to line regulations in downtown Holtville.

“Maximum awning extension from building” refers to the maximum distance allowed between the building and the end of a fully extended awning. An “awning” is a temporary shelter that is supported from the exterior wall of a building. It is typically constructed of canvas or a similar fabric that is sturdy and flexible.

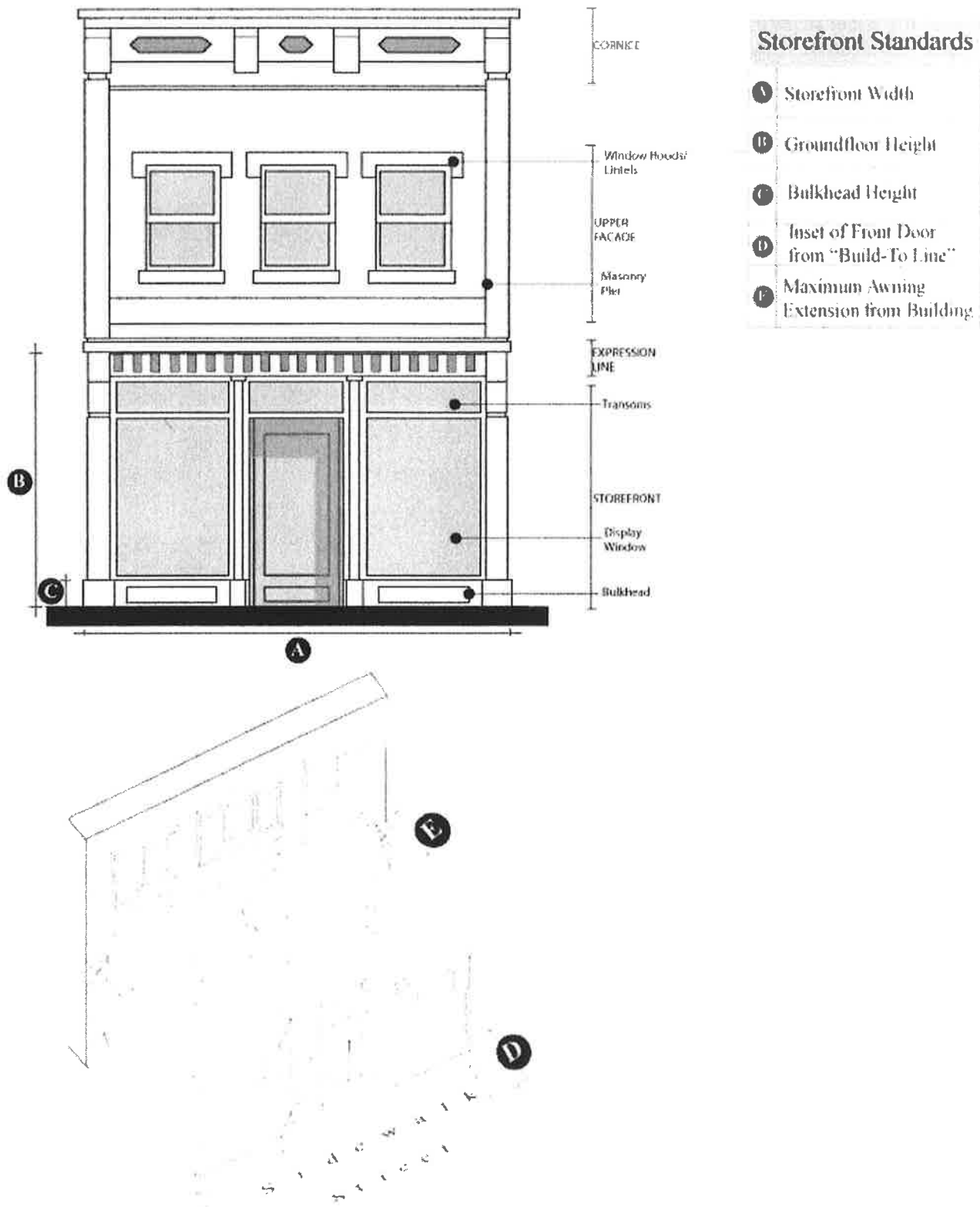
“Storefront width” refers to the front facade width as measured from one corner of the front facade to the other.

“Transom” means a horizontal band of glass that is mounted above the storefront display windows.

“Upper facade” refers to the facade of the upper stories of a building, including the windows, window hoods/lintels, and masonry pier.

“Window hoods/lintels” means ornamentation above a window that surrounds the upper termination of the window, such as a type of hood or pediment.

Figure 17.41.060-2: Storefront Design Standards



(Ord. 469 § 1 (Exh. A), 2009).

**17.41.070 Building and frontage types.**

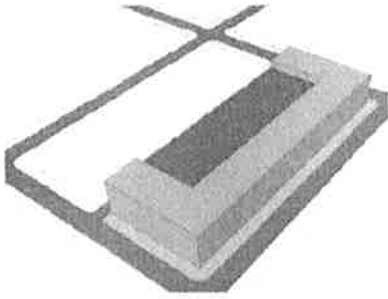
A. Overview. This section provides general development standards for maintaining and enhancing the character of downtown Holtville, including building height, setbacks, and storefront standards. This section further guides development in downtown Holtville through a form-based approach by providing building and frontage typologies for all development in downtown Holtville. All new development must comply with these form-based types. HMC 17.41.060 (Development standards) provides the detailed schematics and dimensions for development standards of downtown Holtville, while this section establishes building block typologies that best display the desired building character for downtown Holtville. "Building types" refers to the building massing, layout, and use. "Frontage types" refers to the architectural style of the front facade of a building (the part of the building that faces the street). Together, these two typologies shape building character and the building's relation to semi-public spaces, areas accessible to the general public but designed for use by residents.

B. Allowed Building Types. The following building types are intended to provide a variety of flexible building styles appropriate for the small-town character of Holtville that can be used to guide future development. These provisions work in coordination with the underlying district and other development standards. Allowed building types in the different districts are listed in Table 17.41.070-1 (Allowed Building Types) and defined below. Building types are organized by intensity from most (half-block liner) to least (front yard housing) intense. An "X" means that the building type is allowed; a blank cell means that the building type is not allowed.

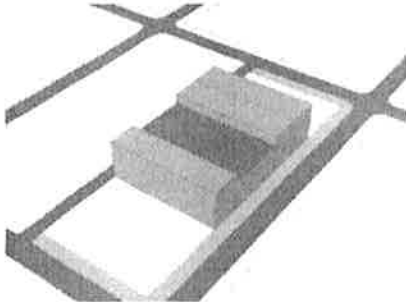
**Table 17.41.070-1: Allowed Building Types**

	<b>D-A Zone</b>	<b>D-B Zone</b>
Half-Block Liner	X	X
Infill	X	X
Terraced	X	X
Multifamily Faux House		X
Duplex, Triplex, and Quadplex		X
Side Yard Housing		X
Side Yard House		X
Courtyard Housing		X
Front Yard Housing		X

### C. Building Type Descriptions.



**Half-Block Liner.** An attached building with a frontage of approximately one-third to one-half the length of a Downtown block, and zero side yard setbacks. It is used for mixed-use, residential, commercial development, and light industrial or warehouse land uses.



**Infill.** An attached building with a frontage that is less than one-third the length of a Downtown block, and zero side yard setbacks. It is used for mixed-use, residential, and commercial development.



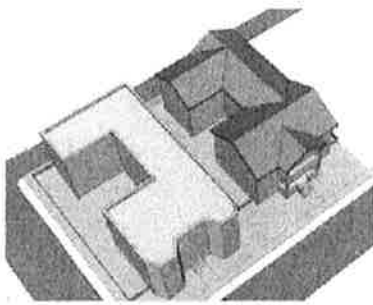
**Terraced.** A mixed-use, residential, or commercial building characterized by individual units that are accessed via multi-leveled outdoor terraces. The terraces are intended to be semi-public spaces that are extensions of the public realm.



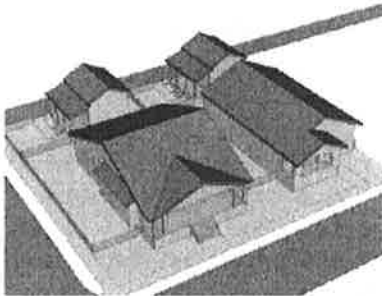
**Multi-Family Faux House.** A multi-family faux house building type is a detached building that has a street appearance of a large house which contains more than four dwellings. Each dwelling is individually accessed from a central lobby, which in turn is accessed directly from the street.



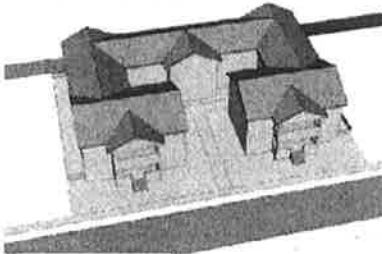
**Du/Tri/Quadplex.** A du/tri/quadplex is a building type that contains two, three, or four dwelling units. Each unit is individually accessed directly from the street.



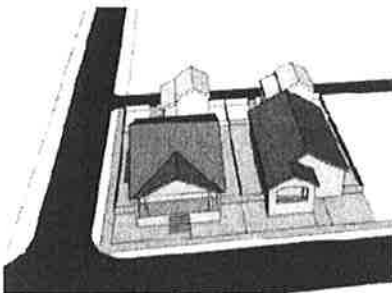
**Side Yard Housing.** A building or group of buildings containing dwelling units arranged on a lot in a row with the first unit facing the street. The primary entrance to each unit is from the side yard or, in the case of units facing the street, the front yard.



**Side Yard House.** A detached building designed as a single dwelling unit. A Side Yard House is flanked by a side yard accessed via a walkway to the yard area.



**Courtyard Housing.** A group of dwelling units arranged to share one or more common courtyards upon a qualifying lot in any zone. Dwellings take access from the street or the courtyard(s). Dwelling configuration occurs as townhouses, apartments, or apartments located over or under townhouses. The Courtyard is intended to be a semi-public space that is an extension of the public realm.



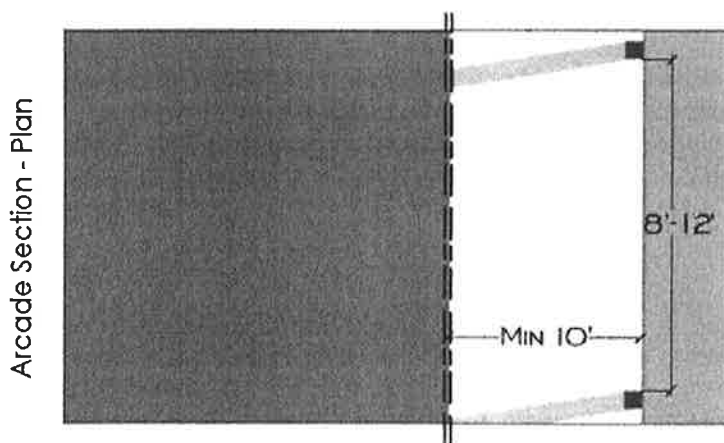
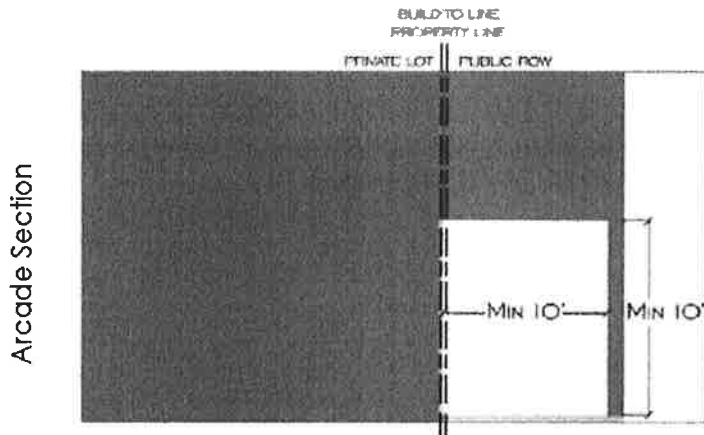
**Front Yard Housing.** A detached building designed as a single-family residence, duplex, triplex, or quadplex. Front Yard Housing is accessed from the sidewalk adjacent to the street build-to line.

D. Allowed Frontage Types. Frontage type refers to the architectural composition of the front facade of a building; particularly, the frontage type concerns how the building relates to surrounding semi-public spaces, areas accessible to the general public but designed for use by residents. The downtown Holtville frontage types are intended to enhance social interactions in the historic downtown retail core while simultaneously providing appropriate levels of privacy in residential areas. Allowed frontage types in the different districts are listed in Table 17.41.070-2 (Allowed Frontage

Types) and defined below. Frontage types are organized by intensity, from most (arcade) to least (door yard) intense. An "X" means that the frontage type is allowed; a blank cell means that the frontage type is not allowed.

**Table 17.41.070-2: Allowed Frontage Types**

Allowed Frontage Types	D-A Zone	D-B Zone
Arcade	X	X
Gallery	X	X
Storefront	X	X
Neighborhood Yard		X

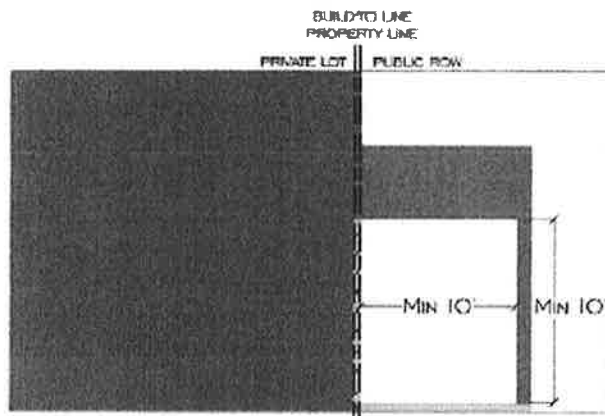
**E. Frontage Type Descriptions.**

**Arcade.** An Arcade frontage is characterized by a façade which is aligned close to or directly on the right-of-way line with the building entrance at the sidewalk grade, and with an attached colonnade that projects over the public sidewalk and encroaches into the public right-of-way. The upper stories of the building may also project over the public sidewalk and encroach into the public right-of-way. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it. This frontage is typically appropriate for retail use. An encroachment permit is needed to construct this frontage type, but can be approved as part of Design Review. An encroachment permit must be obtained from Caltrans through a separate process.

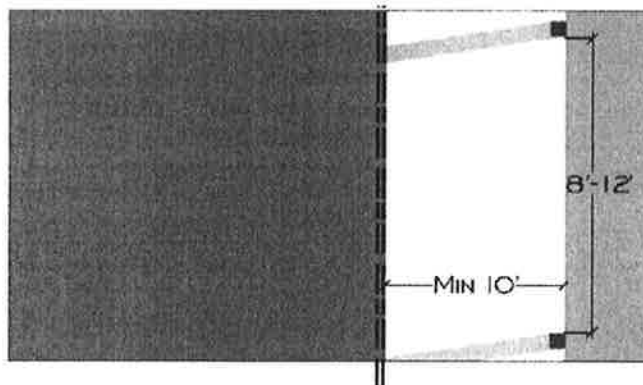
Arcade Frontage Dimensions	
Characteristic	Feet
Depth (minimum, from build-to line to inside column face)	10
Height (minimum clear)	10
Percentage of Building Front	75 - 100%



Gallery Section



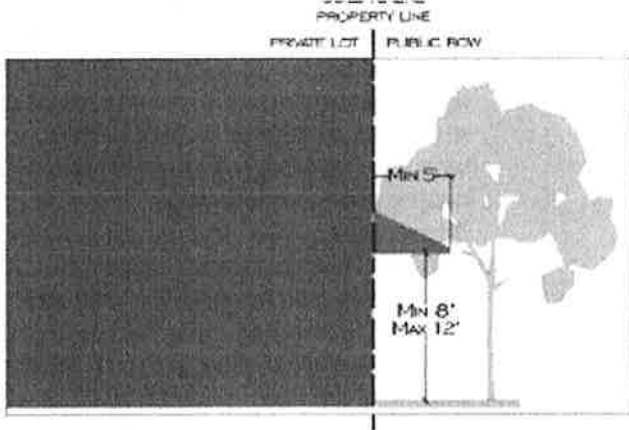
Gallery Section - Plan



**Gallery.** A Gallery frontage is characterized by a façade which is aligned close to or directly on the right-of-way line with the building entrance at the sidewalk grade, and with an attached colonnade that projects over the public sidewalk and encroaches into the public right-of-way. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it. The colonnade may project over the public sidewalk, provided that the upper stories of the building do not also project over the public sidewalk. This frontage is typically appropriate for retail use. An encroachment permit is needed to construct this frontage type, but can be approved as part of Design Review. In the case of 5<sup>th</sup> Street, the encroachment permit must be obtained from Caltrans through a separate process. An encroachment permit must be obtained from Caltrans through a separate process.

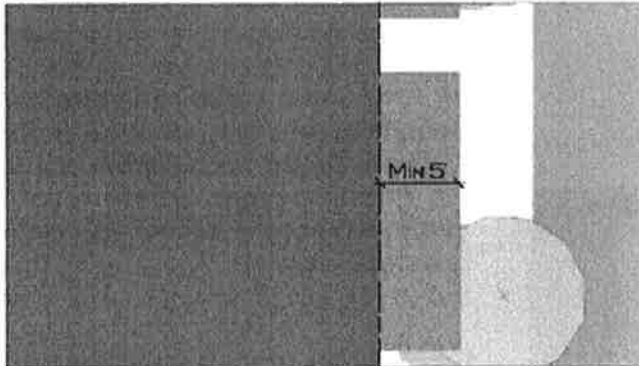
Gallery Frontage Dimensions	
Characteristic	Feet
Depth (minimum, from build-to line to inside column face)	10
Height (minimum clear)	10
Percentage of Building Front	75 – 100%

Storefront Section

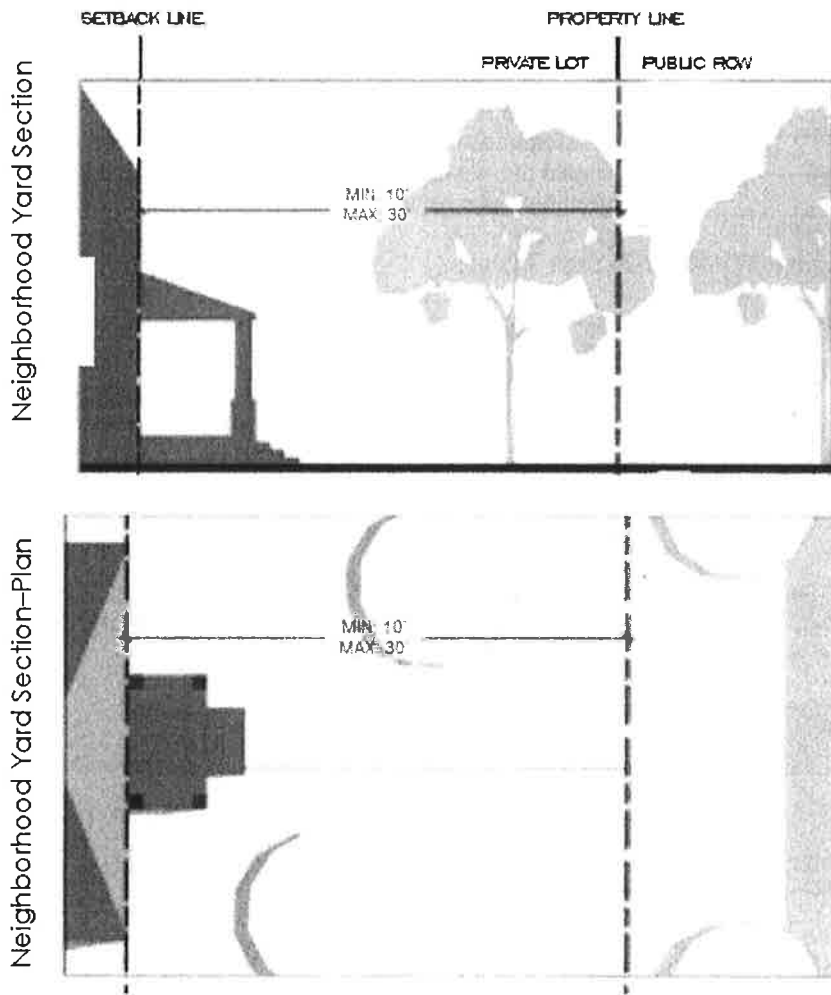


**Storefront.** A Storefront frontage is characterized by a façade which is aligned close to or directly on the public right-of-way line with the building entrance at sidewalk grade. Storefront frontages have substantial glazing on the ground floor, and provide awnings or canopies cantilevered over the sidewalk. Building entrances may either provide a canopy or awning, or alternatively, may be recessed behind the front building façade.

Storefront Section – Plan



Storefront Frontage Dimensions	
Characteristic	Measurement
Awning Depth (minimum projection, over the sidewalk)	5 feet
Height (from ground level to the top of the awning)	8 foot minimum, 12 foot maximum clear
Percentage of Building Front	50% minimum



**Neighborhood Yard.** A Neighborhood Yard frontage is characterized by deep front yard setbacks. The building façade is set back substantially from the front property line. The resulting front yard can be either fenced or unfenced. This frontage type is appropriate for residential uses.

Neighborhood Yard Frontage Dimensions	
Setback	Feet (from setback to property line)
Minimum	10
Maximum	30

(Ord. 469 § 1 (Exh. A), 2009).

#### 17.41.080 Signs.

The following sign standards are intended to encourage creative sign design as an integral part of a building's architecture, rather than treating signs as an add-on or afterthought. Additionally, stimulating retail and wayfinding signage in downtown Holtville will increase economic activity and city legibility. While this section addresses permanent signage within the downtown, additional provisions for temporary signs, prohibited signs, and other general provisions may be found in Chapter 17.56 HMC (Signs). Where this section is silent on signage standards, Chapter 17.56 HMC shall prevail. Where the standards of this section and Chapter 17.56 HMC conflict, this section shall prevail.

A. Allowed Sign Types. Allowed types of signs that are permitted by right are listed in Table 17.41.080-1 (Allowable Sign Types) by district.

An "A" means that the sign type is allowed; a "P" means that the sign type is preferred and highly encouraged. An "N" means that the sign type is not allowed. Sign types are defined in HMC 17.41.030(C) (Definitions of Sign Types) and also depicted in Figure 17.41.080-1 (Sign Types). Signs that are not specifically listed as allowed or preferred are by default prohibited.

**Table 17.41.080-1: Allowable Sign Types**

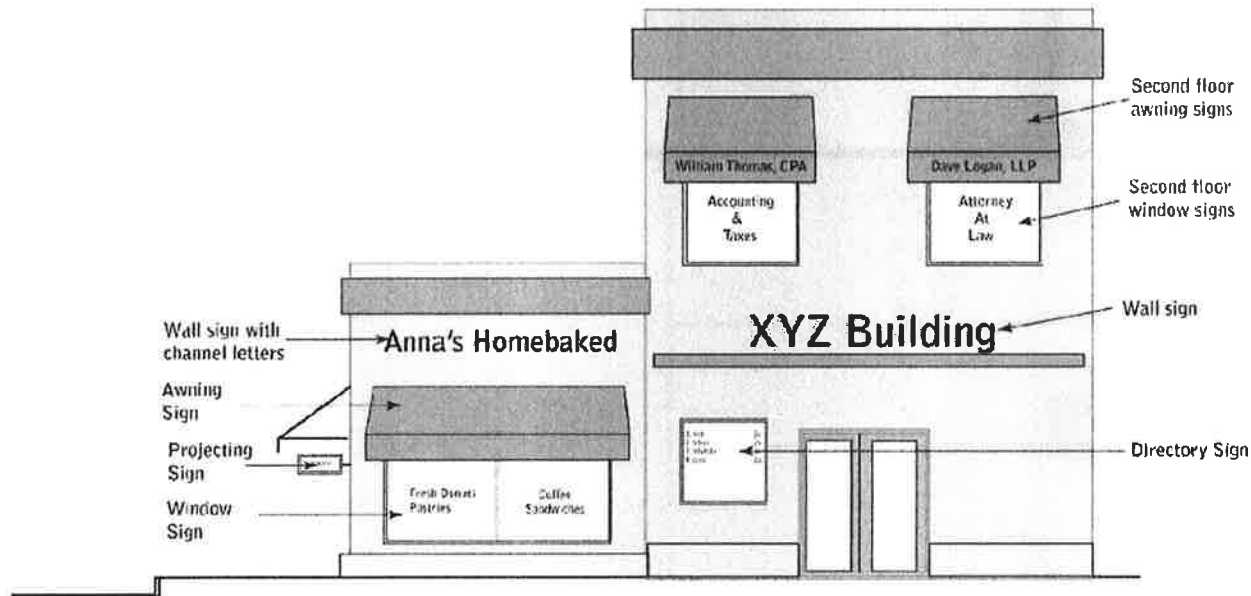
Allowed Sign Types	D-A	D-B
A-Frame Sidewalk Sign	A <sup>1</sup>	N
Awning Sign	A	A
Projecting Sign	P	P
Directory Sign	A	A
Electronic Message Sign	A <sup>2</sup>	N

**Table 17.41.080-1: Allowable Sign Types**

Allowed Sign Types	D-A	D-B
Monument Sign	A <sup>3</sup>	A <sup>3</sup>
Temporary Signs	A	A
Wall Sign	P	A
Window Sign	P	P

**Notes:**

1. A-frame signs are permitted; provided, that they do not interfere with activity in the pedestrian right-of-way.
2. Electronic message signs are only permitted when located on city property.
3. Monument signs allowed only if landscaped and shared by two or more businesses on a parcel that is a minimum size of three acres.

**Figure 17.41.080-1: Sign Types**

**B. Sign Size and Number.** When a sign type is allowed for a district as established in Table 17.41.080-1 (Allowable Sign Types), the maximum allowed number and size for signs in downtown shall be as follows:

1. **Monument Sign.** For parcels that are five acres or more, one monument sign (free-standing identification sign) per site allowing one-quarter foot of sign area per foot of lot frontage on which the sign is to be located, not to exceed 20 square feet in area nor eight feet in height on a site where all buildings are set back at least 10 feet from the street curb or street pavement edge on which the use fronts. Where the subject property exceeds three acres in size, the maximum sign area may be increased to 40 square feet and height to 10 feet. Gateway entry signs established in the public right-of-way at entry points to the downtown are exempt from these restrictions. See Figure 17.41.080-2 (Monument Sign) for an example of a monument sign.

**Figure 17.41.080-2: Monument Sign**

2. Wall Sign. One wall sign per building frontage. Maximum wall sign area is determined as follows, not to exceed 100 square feet:

a. One square foot of area for each lineal foot of property frontage, or portion thereof, shall be permitted on each side of the building fronting on a street, parking lot, or paseo. No more than two total signs are permitted per establishment.

b. Window signs and awning signs shall be subject to the same area rules as wall signs and shall count towards the overall total area allowed.

3. Projecting Signs. One projecting sign per building, in lieu of a wall sign, not to exceed 0.4 square feet for every linear foot of main entrance facade frontage, not to exceed a maximum of 15 square feet. A blade/bracket sign shall be at least eight feet above grade directly below the sign.

4. Directory Sign. One directory wall sign for each primary building entry to identify occupants in a multistory building. The sign may not exceed five square feet in area.

5. A-Frame Signs. One freestanding A-frame sign not exceeding an area of four square feet and three feet in height per establishment. The location of the A-frame sign shall be such that a minimum of four feet of clear pedestrian path is provided.

6. Electronic Message Signs. The maximum area for an electronic message sign shall be 20 square feet. Only one such sign shall be allowed per site.

C. Sign Design. Design, color, materials, size, and placement are all important in creating signs that are architecturally attractive and integrated into the overall site design. Signs that are compatible with the surroundings and effectively communicate a message will promote a quality visual

environment. The standards that follow address these issues and others, and are intended to help business owners provide quality signs that add to and support the character of downtown Holtville.

1. General Design Standard Requirements.

a. Design signs in harmony with the style and character of the development and as an integral design component of the building architecture, building materials, landscaping, and overall site development.

b. Sign letters and materials shall be professionally designed and fabricated.

c. Exposed conduit and tubing (raceway) is prohibited. All transformers and other equipment shall be concealed.

d. All signs shall be maintained in good repair, including the display surface, which shall be kept neatly painted or posted.

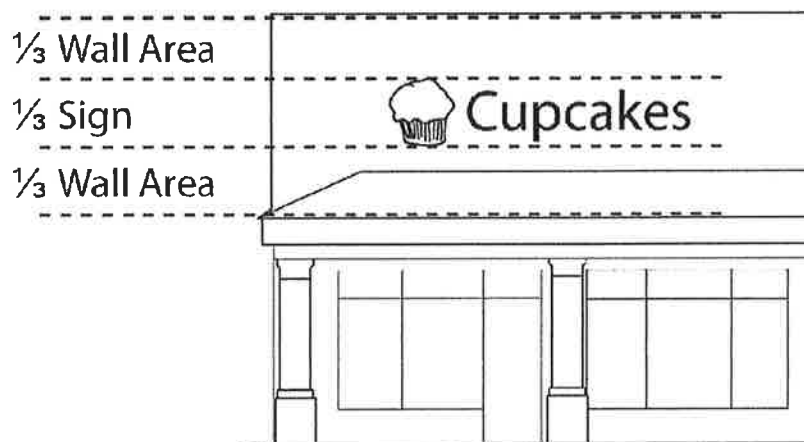
e. The exposed back of all signs visible to the public shall be suitably finished and maintained.

f. The use of retractable awnings as a signage tool is acceptable.

2. Placement.

a. Signs should be generally free of obstructions when viewed from different angles. However, trees or other landscaping that grow to a point that they obstruct the view of a sign or make it illegible shall not be grounds for removal or trimming of the trees/landscaping.

b. Utilize a consistent proportion of signage to building scale, such as one-third text to two-thirds wall area or one-fourth text to three-fourths wall area. See Figure 17.41.080-3 (Text Scale), which displays a ratio of one-third signage to two-thirds wall area.

**Figure 17.41.080-3: Text Scale****3. Materials.**

a. Materials should be consistent with the building. See Figure 17.41.080-4 (Sign Materials).

b. Paper and cloth signs are appropriate for interior temporary use only and are not permitted on the exterior of a building.

c. The use of neon is permitted in both the D-A and D-B zones if it fits with the style of the architecture and is not a nuisance (e.g., producing glare) to the surrounding properties.

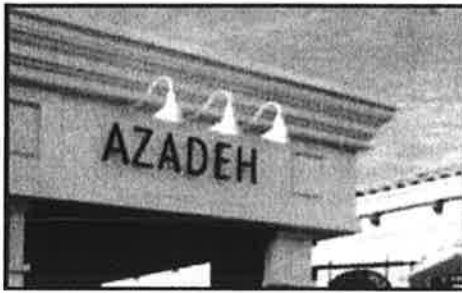
**Figure 17.41.080-4: Sign Materials****Sign Tips: Colors and Materials**

- Use exterior materials, finishes, and colors in harmony with, or an upgrade to, those of the buildings or structures on site.
- The selected materials need to contribute to the legibility of the sign. For example, glossy finishes are often difficult to read because of glare and reflections.
- Contrast is an important influence on the legibility of signs. Light letters on a dark background or dark letters on a light background are most legible.
- Limit the total number of colors used in any one sign. Small accents of several colors may make a sign unique and attractive, but the competition between large areas of many different colors decreases readability.



Exterior materials, finishes, and colors should be the same or similar to those of the building or structures on site.

**4. Sign Legibility.** Avoid spacing letters and words too close together. Crowding of letters, words, or lines will make any sign more difficult to read. Conversely, overspacing these elements causes the viewer to read each item individually, again obscuring the message. As a general rule, letters should not occupy more than 75 percent of the sign panel area. See Figure 17.41.080-5 (Sign Legibility).

**Figure 17.41.080-5: Sign Legibility**

A brief message with simple lettering is easy to read and identify.

**Sign Tips: Legibility**

- Use a brief message whenever possible. Fewer words help produce a more effective sign. A sign with a brief, succinct message is easier to read and looks more attractive.
- Limit the number of lettering styles in order to increase legibility. A general rule to follow is to limit the number of different letter types to no more than two for small signs and three for large signs.
- Use symbols and logos in the place of words whenever appropriate. Pictographic images will usually register more quickly in the viewer's mind than a written message.
- Avoid hard-to-read, overly intricate typefaces and symbols. Typefaces and symbols that are hard to read reduce the sign's ability to communicate.

**5. Sign Illumination.**

a. The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative effects on residential properties. See Figure 17.41.080-6 (Sign Illumination).

b. Whenever indirect lighting fixtures are used (fluorescent or incandescent), care shall be taken to properly shield the light source to prevent glare from spilling over into residential areas and any public right-of-way.

c. Internally illuminated plastic box canned signs are prohibited in downtown Holtville. Reverse channel letters are acceptable.

d. Signs shall not have blinking, flashing, or fluttering lights, or other illumination devices that have a changing light intensity, brightness, or color.

e. Light sources shall utilize energy efficient fixtures to the greatest extent possible and shall comply with Title 24 of the California Code of Regulations (California Building Standards Code).

**Figure 17.41.080-6: Sign Illumination**

Light source must be directed against the sign such that it does not shine into adjacent property or cause glare for motorists and pedestrians.

**Sign Tips: Illumination**

- If the sign can be illuminated by an indirect source of light, this is usually the best arrangement because the sign will appear to be better integrated with the building's architecture. Light fixtures attached to the front of the structure cast light on the sign and the face of the structure as well.
- Individually illuminated letters should be backlit. Signs comprised of individual letters mounted directly on a structure can often use a distinctive element of the structure's facade as a backdrop, thereby providing a better integration of the sign with the structure.

(Ord. 469 § 1 (Exh. A), 2009).

### 17.41.090 Parking.

Parking requirements have been designed to encourage pedestrian activity and economic growth in downtown Holtville. In the design of parking facilities, consideration should be given to locating parking in the back or sides of buildings in order to maintain a continuous retail facade for pedestrians along downtown streets.

A. Allowable Parking Types. Allowable parking types are listed in Table 17.41.090-1 (Parking Types and Ratios) and defined below. An "A" means that the parking type is allowed; a "P" means that the parking type is preferred and highly encouraged. An "N" means that the parking type is not allowed. Parking types are also depicted in Figure 17.41.090-1 (Parking Types).

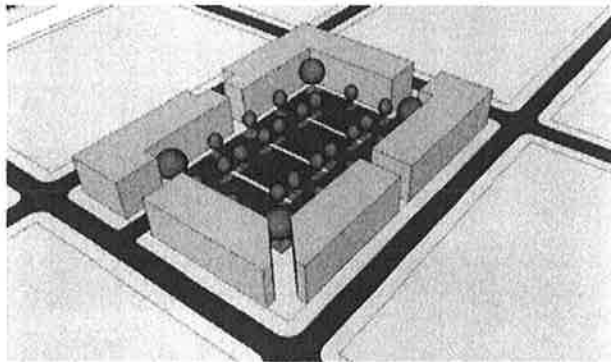
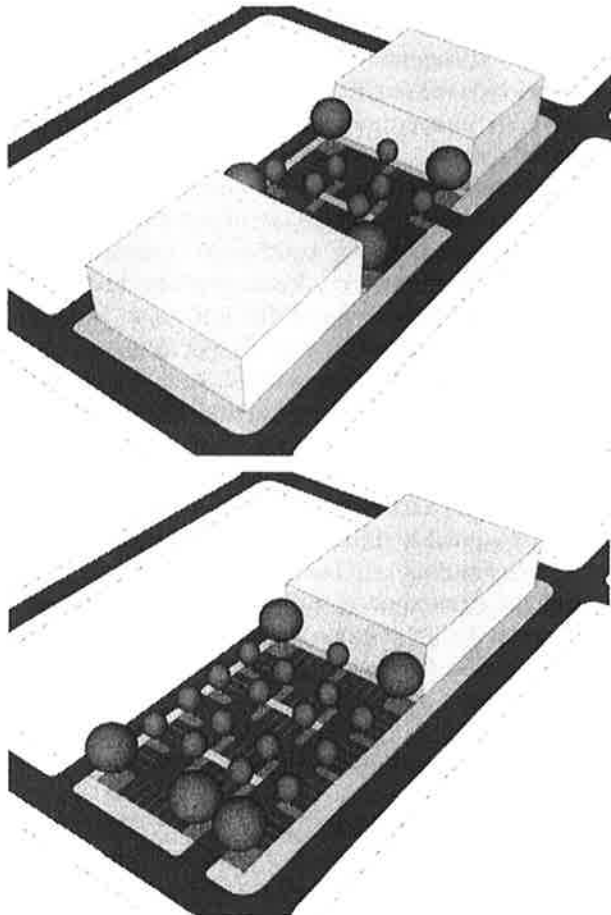
**Table 17.41.090-1: Parking Types and Ratios**

Allowed Parking Types	D-A Zone	D-B zone
Surface Parking – Behind Building	P	P
Surface Parking – Next to Building	P	P
Alley Access	A	A
Vehicle Parking Ratios	D-A Zone	D-B-Zone
Commercial Uses	1 sp/400 sf <sup>1</sup>	1 sp/400 sf <sup>1</sup>
Office Uses	1 sp/500 sf <sup>1</sup>	1 sp/500 sf <sup>1</sup>
Residential Uses	1.5 sp/unit	1.75 sp/unit

**Notes:**

1. Exceptions to parking requirements are provided by land use in the design review process. Refer to subsection C of this section, Parking Exemptions.



**Figure 17.41.090-1 Parking Types****Surface Parking – Behind Building****Surface Parking – Next to Building****B. Parking Standards.**

1. Downtown Holtville should encourage one-stop parking where shoppers park once and visit multiple stores on foot. In addition, reduced parking requirements and shared parking lots will help create a pedestrian-oriented downtown environment.

2. Locating parking lots between the front property line and the building storefront is prohibited. Instead, parking should be located to the rear of buildings.

3. When off-street parking in the rear is not possible, the visual impact of headlight spill and visual impact of the asphalt parking surface shall be minimized by landscaping and/or fences/walls with a maximum height of three feet.

4. Rear parking lots should be designed and located contiguously, or adjacent to alleys, so that vehicles can travel from one private parking lot to the other either directly or via an alley without having to enter a street. This may be achieved with reciprocal shared access agreements.

5. Locate rear parking lots or structure entries on side streets or alleys in order to minimize pedestrian/vehicular conflicts.

6. Create wide, well-lit, landscaped pedestrian walkways connecting on-site pedestrian circulation systems in parking lots to off-site public sidewalks and building entries.

7. In order to minimize conflicting vehicle turning movement along major roadways, the city encourages shared access drives within and between integrated nonresidential developments. This reduces the number of driveway curb cuts. The city also encourages reciprocal access between nonresidential developments to provide for convenience, safety, and efficient circulation. If incorporated, a reciprocal access agreement shall be recorded with the land by the owners of abutting properties to ensure that there will be continued availability of the shared access.

8. The layout of parking areas should be designed so that pedestrians walk parallel to moving cars.

9. Parking areas that accommodate a significant number of vehicles should be divided into a series of connected smaller lots. Landscaping and offsetting portions of the lot are effective in reducing the visual impact of larger parking areas.

10. Demarcation of parking spaces should be legible, and the spaces should be adequately sized.

C. Parking Exemptions. In an effort to encourage desired commercial activity in downtown Holtville, the designated approving authority has the discretion to eliminate, in all or in part, parking requirements for the following uses in either the D-A or D-B district. This is based on the assumptions that (1) many businesses are discouraged from opening in downtown because of the burden of providing parking on small, built-out lots, and (2) the city is working to supplement existing parking

supplies with city-owned parking lots. The following land uses are eligible for parking exemptions, subject to approval of the designated approving authority and the findings that the parking exemption would not negatively impact the parking supply in downtown and that the exemption would facilitate commercial activity:

1. Commercial recreation and entertainment.
2. Mixed use.
3. Neighborhood commercial.
4. Retail commercial.
5. Sit-down restaurants. (Ord. 469 § 1 (Exh. A), 2009).

#### **17.41.100 Architectural and design standards.**

A. Purpose and Intent. The purpose of these architectural and design standards is to guide preservation, improvements, renovations, and future development in downtown Holtville. These provisions describe and illustrate architectural and design standards that are appropriate for downtown Holtville. They establish the criteria used by the city in reviewing proposed development, and are intended to encourage high quality design and development, creativity and innovation in downtown Holtville.

Please note that the mandatory development standards contain the words “shall,” “must,” or “will.” Standards that contain the word “should” mean that an action is required unless a determination is made that the intent of the standard is satisfied by other means.

B. Site Design. Siting involves a project’s relationship to the property, the street, and adjacent buildings. In the downtown area, buildings should be sited in ways that provide a comfortable and safe environment for pedestrians while accommodating vehicles.

##### **1. Building Siting.**

a. Most of the building street wall should meet the front setback lines, except for special entry features, architectural articulation, and plaza areas or other public spaces. See Figure 17.41.100-1 (Building Siting).

**Figure 17.41.100-1: Building Siting**



Buildings should meet the front setback lines to create a continuous building street wall.

b. Residential buildings should be oriented towards the street for safety considerations as well as to encourage social interaction among neighbors.

##### **2. Compatibility with Adjacent Uses.**

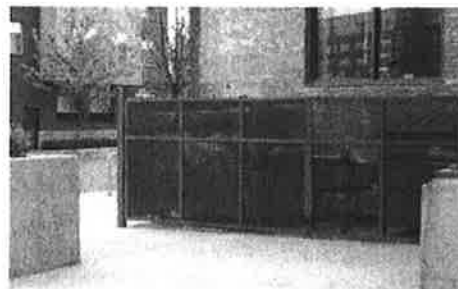
a. Commercial uses shall reduce potential nuisances to adjoining residential property by locating trash enclosures, loading areas, and restaurant vents away from residential uses and by proper screening of utilities and equipment.

b. Commercial uses developed as part of a mixed use project (with residential units) should not be noise intensive.

##### **3. Refuse, Storage, and Equipment Areas.**

a. Trash storage must be fully enclosed and incorporated within the main structures or separate freestanding enclosures. Where practical, storage at each unit is preferred over common enclosures. Trash storage cannot be placed under stairways. See Figure 17.41.100-2 (Refuse Storage).

**Figure 17.41.100-2: Refuse Storage**



b. All trash and garbage bins should be stored in an approved enclosure. Refuse containers

and service facilities should be screened from view by solid masonry walls with wood or metal doors. Chain link fencing with slatting is generally discouraged. Use landscaping (shrubs and vines) to screen walls and help deter graffiti.

c. Trash enclosures should allow convenient access for commercial tenants. Siting service areas in a consolidated and controlled environment is encouraged.

d. Trash enclosures shall be located away from residential uses to minimize nuisance for the adjacent property owners. The enclosure doors should not interfere with landscaping, pedestrian, or vehicle path of travel.

e. Trash enclosures shall be architecturally compatible with the project.

f. Refuse storage areas that are visible from an upper story of adjacent structures should provide an opaque or semi-opaque horizontal cover/screen to reduce unsightly views. The screening should be compatible with the design of adjacent development and shall be approved by the fire department.

g. Every public, quasi-public, commercial, or mixed use development containing two or more units or businesses shall provide at least one publicly accessible on-site trash receptacle.

C. Architectural Standards. The purpose of the architectural standards section is to guide improvements, renovations, and future development in downtown Holtville to be consistent with the vision and goals for the area as detailed in this title and the city's general plan, in addition to the vision established in the downtown vision plan. These guidelines describe and illustrate building and landscape designs that are appropriate for downtown Holtville. They establish the criteria used by the city in reviewing proposed development and are intended to encourage high quality design and development, creativity, and innovation.

#### 1. General Design Standards.

a. Awnings and overhangs should be used in conjunction with landscaping to provide shade for pedestrians.

b. Any seismic structural upgrading should be conducted in the interior of the building, if possible, unless the structural elements blend into the architecture of the exposed facade. Seismic structural upgrades should not block or alter the original design of storefront windows.

#### 2. Building Height, Form, and Mass.

a. Create a comfortable and human scale of structures. Incorporate elements into the design of large structures which provide a transition to the

human scale, particularly at the ground. Such elements may be provided through, but not limited to, covered walkways, building arcades, and trellises.

b. Corner buildings should have a strong tie to the front setback lines of each street. Angled building corners or open plazas are encouraged at corner locations. See Figure 17.41.100-3 (Corner Building Definition).

**Figure 17.41.100-3: Corner Building Definition**



Corner buildings should have a strong tie to the street.

c. On sites with multiple structures, buildings should be linked visually and physically. These links can be accomplished through architecture and site planning, such as trellises, colonnades or other open structures combined with landscape and walkway systems.

d. As a general rule, the scale of building(s) on a site edge should be compatible with the scale of adjoining development. Where surrounding development is of a small scale, large-scale buildings should be located internal to the site and transition down in scale as the outer edge of the site approaches.

e. Backs of buildings shall not be placed along a street frontage. Include entrances or public views into the site or building. If the rear of the building must be located along a street because of site constraints, then architectural detailing shall be included that provides the illusion of being a front to the building.

f. Building mass should be parallel or on axis with adjacent street(s) (e.g., building walls should be aligned with adjacent streets, and not angled differently than adjacent streets).

3. Architectural Style. New development should enhance the existing character of downtown Holtville by complementing the historic architectural themes in the community. Common names for the historic architecture in Holtville include classical revival, mission revival, and California

desert architectural styles; however, the general theme of the appropriate architecture of Holtville includes, but is not limited to, the following general architectural features:

a. Elements that overhang the pedestrian walkway, including arcades, galleries, porticos, balconies, awnings, and canopies (see Figure 17.41.100-4 (Shaded Pedestrian Walkways));

**Figure 17.41.100-4: Shaded Pedestrian Walkways**



Arcades and other similar architectural features characterize the architectural style of Downtown Holtville.

b. Smooth-surface building wall textures, except where brick is used;

c. Recessed entries and windows;

d. Trim around doors and windows, especially the use of window ledges; and

e. Flat roofs with parapet walls (see Figure 17.41.100-5 (Roof Styles)).

**Figure 17.41.100-5: Roof Styles**



Flat roofs with parapet walls are a common architectural feature in Downtown Holtville.

The subsequent sections describe individual design criteria that implement the architectural style for the downtown.

4. Facades, Windows, and Doors. Entries and facades define a building; they should create a statement and serve to unify its design. The entry and front facade function as the primary focal point of the structure, and they should create visual interest, enhancing the public realm and the pedestrian experience. Recessed entries are typical of commercial structures for the architectural styles established for the downtown. The following identify desirable entryway, facade, and window features:

a. Facades that front on public streets should have a variety of architectural features, including arcades, canopies, display windows, entries, or awnings, unless the structural integrity of the building is at stake. See Figure 17.41.100-6 (Building Facades).

**Figure 17.41.100-6: Building Facades**



Facades should be well-defined, with an assortment of architectural features, including awnings, display windows, and recessed entries.

b. Design building entrances as prominent and easily identifiable and create a transition between the exterior and interior. Main building entries should be accented with strong architectural definition to pedestrians. Secondary entrances should have minor detailing that adds architectural distinction to that portion of the facade. Any build-

ing with more than 50 feet of street frontage should have at least one primary entry. Entryways should be accentuated from the overall building facade through the use of features such as crowning and sashes around doors, recessed entries, and awnings. See Figure 17.41.100-7 (Entry Definition).

**Figure 17.41.100-7: Entry Definition**



Entries should be clearly designated and oriented to the pedestrian. This can be accomplished through the use of recessed entries, signs, and door crownings.

c. Building entrances should be designed to protect patrons and employees from the elements. The use of awnings and covered walkways is highly encouraged.

d. Elements of architecture including window and door placement shall be designed in such a way as to add variety and interest to the project.

e. The physical design of building facades should vary at least every 50 linear feet (quarter block). This can be achieved through such techniques as listed below. In no case shall any facade consist of a blank wall.

i. Architectural division into multiple buildings;

- ii. Break or articulation of the facade;
- iii. Significant change in facade design;
- iv. Placement of window and door

openings; or

- v. Position of awnings and canopies.

f. Each building facade should include a repeated pattern of design and at least three of the following features:

i. Roof-top or mid-belt cornice moldings;

- ii. Dentil;
- iii. Parapet;
- iv. Window or door crowning;
- v. Decorative brackets; and/or

vi. Trim.

g. Architectural features, including crownings, sashes, recesses, or other forms of ornamentation shall be included over doors or windows. These architectural features can be varied in form but shall be consistent with the architectural style of the structure. Generally, windows and doors should be recessed between six and 12 inches from the building face. In lieu of this, trim around windows and doors and window ledges should be provided.

h. The design of the project shall be expressed on all exterior elevations of the building visible from a public right-of-way, alley, paseo, or parking area. See Figure 17.41.100-8 (Design of Building Facades).

**Figure 17.41.100-8: Design of Building Facades**

All sides of this structure utilize design and architectural features to engage the pedestrian and contribute to a pleasant Downtown environment.

i. If maintaining a horizontal rhythm or alignment as a result of infill construction is not feasible, the use of canopies, awnings, or other horizontal devices should be included to maintain a (shared) horizontal rhythm.

j. Mullions, true divided light windows or sectional windows are recommended on residential buildings where a divided window design is desired; snap-in grilles or mullions shall not be used. Mullions are vertical bars that separate window panes, set in a series.

k. Windows shall not be blocked from inside a building due to retail display racks, plywood sheets, posters, or any other goods or storage.

l. The use of security grilles at windows and doors is highly discouraged. If security grilles are necessary, they shall be placed inside the building, behind the window display area, or otherwise hidden from public view.

#### 5. Roofs and Upper Story Details.

a. Roofs should be given design considerations and treatment equal to that of the rest of the building exteriors. See Figure 17.41.100-9 (Roofline Treatment).

**Figure 17.41.100-9: Roofline Treatment**

Parapets should be used to define the structure and contribute to its architectural style.

b. Roofline elements should be developed along all public-facing elevations.

c. Articulate side and rear parapet walls by using height variations, relief elements, and thoughtfully designed scuppers (openings for draining water), downspouts, and expansion joints.

d. Cornice lines of new buildings (a horizontal rhythm element) should transition with buildings on adjacent properties to avoid clashes in building height.

e. The visible portion of sloped roofs should be sheathed with a roofing material complementary to the architectural style of the building and other surrounding buildings. See Figure 17.41.100-10 (Roofing Materials).

**Figure 17.41.100-10: Roofing Materials**

Roofing materials should complement the style of the building.

f. Avoid exaggerated roof slopes.

g. Access to roofs should be restricted to interior access only.

h. Generally, flat roofs are the appropriate roof treatment in the downtown; however, other roof materials such as shake and terra cotta may be considered as part of design review.

**6. Walls and Fences.**

a. The use of chain link, fabric, or concrete block fencing is generally prohibited, except that concrete block walls may be used to enclose trash containers. Exemptions to these provisions may be allowed for industrial uses through design review approval.

b. Fencing shall not obscure the front elevation of the primary structure on the property. Therefore, front yard privacy fences, particularly on residential property, should not be allowed. Structural members of a fence should be turned in to face the property.

c. The finished side of the fence should be presented to the street. On corner lots, the guidelines apply to the front yard and street side yard of the property.

**7. Building Materials and Colors.**

a. Projects should be designed using a limited assortment of materials, textures, and colors. Too many materials or textures lead to fragmented design.

b. Design projects with durable, low-maintenance, and timeless building materials of the same or higher quality as surrounding developments.

c. Architectural details that are integrated into the building structure and design.

i. The use of stone is acceptable as an accent material, such as on columns.

ii. The use of tile on building walls is discouraged, unless it is used as an accent material. For instance, tile may be used as an accent material at the base of or as a thin trim around windows.

d. Structures shall utilize smooth-face stucco or plaster on facades, or other durable and high-quality material. See Figure 17.41.100-11 (Smooth-Face Facades). The use of brick on facades is allowed; provided, that it is consistent with the overall architectural style of the structure and includes detailing elements such as around windows and at the cornice.

**Figure 17.41.100-11: Smooth-Face Facades**



Structures shall utilize smooth-face stucco or plaster on facades, or other high-quality material.

e. Metal seam, clay tile, concrete tile, or a similar grade of roofing material shall be used on all visible pitched roofs.

f. Factory-built, prefabricated, pre-manufactured buildings, portable, and similar structures, while generally discouraged, may be allowed by the approving authority and shall be designed in accordance with these standards.

g. All building materials shall be properly installed.

h. Horizontal material changes should not occur at external corners, but may occur at interior corners, or at other logical terminations.

i. Reflective materials should not be used to clad a building; however, if reflective materials must be used to protect the integrity of the architectural design, then the material shall not be a nuisance to the occupants of the existing surrounding structures, or a safety hazard to any type of traffic.

j. All abandoned materials including pipes, conduits, wires, and signs shall be removed and sign anchors shall be patched to match adja-



cent surfaces. Operational pipes, conduits, etc., must be hidden.

k. Mixed use commercial developments that contain residential units on the upper levels shall utilize materials with known vibration and sound-reduction qualities in order to minimize noise impacts.

l. Colors should be consistent with a historic, small, rural, desert town including, but not limited to, warm and natural desert colors and earth tones: shades of brown and sand beige, reds and oranges, ochres, and mauve. White storefronts may be acceptable as well.

#### 8. Hardscape Materials.

a. Hardscape materials used in pedestrian-oriented spaces such as plazas, paths and sidewalks shall be attractive, durable, slip-resistant, of high quality, and compatible in color and pattern with a project's design. Surfaces in pedestrian circulation areas shall be constructed from materials that provide a hard, stable surface and that permit maneuverability for people of all abilities. See Figure 17.41.100-12 (Hardscape Materials).

**Figure 17.41.100-12: Hardscape Materials**



Hardscape materials shall be attractive and compatible with project design.

b. Pedestrian pathways crossing an on-site vehicle drive aisle, loading area, or parking area shall be made identifiable by the use of an alternative hardscape material such as pavers, patterned, stamped, or colored concrete.

c. The primary hardscape materials used for pedestrian spaces shall be high quality poured in place concrete and silver-toned concrete. See Figure 17.41.100-13 (Use of Hardscape Materials in Pedestrian Spaces).

**Figure 17.41.100-13: Use of Hardscape Materials in Pedestrian Spaces**



High-quality hardscape materials shall be used for pedestrian spaces.

#### 9. Franchise/Corporate.

a. The scale, design, and materials of franchise/corporate architecture should be consistent with adjacent buildings.

b. The city recognizes the unique development constraints for corporate retailers to accommodate the sales volume and demand of its users. The city encourages creative design solutions for franchise retail development to minimize the "one size fits all" look of corporate architecture.

#### 10. Security.

a. Create a secure development for both the site and its occupants by minimizing opportunities for crime and undesirable activities through natural surveillance, access control, and activities.

b. Locate buildings and windows to maximize visibility of entryways, pathways, and parking lots.

c. Adequate security and safety lighting for pedestrians from parking spaces to all building entries and exits shall be provided.

d. Street addresses for commercial, public, or multi-use residential buildings shall be easily visible on the front of the building both during the daytime, and at night.

D. Landscaping. Landscaping in downtown Holtville should be pedestrian-oriented and reflect and enhance the area's small town charm. These provisions emphasize the use of potted plants, trees, landscaping along urban streetscapes, and within urban parking lots. Landscaping shall be provided on site consistent with the standards set forth below:



## 1. Landscaping Standards.

a. Street Trees and Other Landscaping. Street trees shall be provided every 30 to 50 feet on center within the required landscape area and along public streets. Additional landscaping, such as accent plants, shall also be provided within dedicated landscape areas. Plant selection shall be from the suggested landscaping list in Table 17.41.100-1 (Suggested Planting List) and as approved through design review.

**Table 17.41.100-1: Suggested Planting List**

Plant Type	Species
<b>Trees</b>	
Street Trees	California Fan Palm Arabian Desert Date Palm Queen Palm Mexican Fan Palm
Shade Trees	Modesto Ash Drake Elm Chilean Mesquite
Trees for Walkways and Courtyards	Desert Willow Honey Mesquite Texas Ebony Blue Palo Verdo
Trees for Parking Areas	Argentine Mesquite Tipu Tree Ironwood
Accent Trees	Soaptree Yucca Jacaranda Crape Myrtle
<b>Shrubs</b>	
Small Shrubs (3')	Black Dalea Ruellia Lantana Camara
Medium Shrubs (6')	Desert Cassia Mexican Bird of Paradise Red Bird of Paradise Texas Ranger
Large Shrubs (12')	Arizona Rosewood Texas Mountain Laurel Texas Olive
<b>Ground Covers, Grasses, Wildflowers</b>	
Ground Covers	Damianita Trailing Lantana Dwarf Rueilla
Ornamental Grasses	Deer Grass Mexican Thread Grass Bull Grass Red Fountain Grass

**Table 17.41.100-1: Suggested Planting List**

Plant Type	Species
Cacti and Succulents	Desert Spoon Murphey's Agave Cape Aloe
Desert Wildflowers	Desert Marigold Desert Lupine Desert Poppy

## b. Standard Design Concepts.

i. Use landscaping to complement the architecture, to minimize the impact of incompatible land uses, and to establish a transition between adjacent developments. Plant materials can absorb sound, filter air, curtail erosion, provide shade, and maintain privacy.

ii. Provide landscaping to break up blank walls, shade pedestrians, accent entries, and soften the connection of paving for vehicles to buildings.

iii. Landscaped areas should generally utilize a three-tiered hierarchy of plants: grasses and groundcovers, shrubs, and trees. All areas in downtown that are not covered by structures, walkways, driveways, and parking spaces should be landscaped in this manner.

iv. New development should look established as quickly as possible. Utilizing mature trees and plants in landscaping is encouraged to achieve this.

v. Preservation and incorporation of existing mature trees and other forms of vegetation are encouraged for new development. When removal is necessary, all natural vegetation should be salvaged and replaced where possible.

vi. The use of drought-tolerant low desert landscaping is strongly encouraged. Standard grass strips are strongly discouraged. See Figure 17.41.100-14 (Low Desert Landscaping).

**Figure 17.41.100-14: Low Desert Landscaping**

Drought tolerant landscaping is strongly encouraged in Downtown Hollville. Standard grass strips are strongly discouraged.

vii. Water conservation should be an important factor in plant selection. Xeriscaping, the use of plants that require low amounts of water, is encouraged. See Figure 17.41.100-15 (Xeriscaping).

**Figure 17.41.100-15: Xeriscaping**

Use of plants that do not require supplemental water, xeriscaping, is encouraged.

viii. Landscaped areas should be protected from vehicular and pedestrian encroachment by raised planting surfaces, depressed planters, or the use of curbs.

ix. Parking facilities shall attain a minimum of 35 percent tree canopy coverage within 15 years of completion of construction to provide shade and minimize visual and environmental impacts. As an alternative to landscaping, shade structures may be used, provided there is landscaping at their base. See Figure 17.41.100-16 (Shade Structures).

**Figure 17.41.100-16: Shade Structures**

Parking facilities shall be shaded. Shade structures may be used to provide shade in parking lots, provided there is landscaping at their base.



x. When streets and other public areas are being redesigned and improved (or otherwise completed as part of a development project), include at-grade landscape areas.

xi. In surface parking lots, trees should be installed at a ratio of one tree per three parking

stalls for the perimeter of the parking lot, and one tree per six spaces for the interior of the parking lot.

xii. Consider placement of trees and shrubs to avoid conflict with vehicular overhangs, traffic and visibility patterns, and on-site structures.

xiii. Owners of vacant lots that contain structures shall maintain the existing landscaping on a regular basis so that the lot(s) should not give an overgrown appearance.

xiv. Landscape should be oriented in accordance with the demands of the species for sunlight and its susceptibility to the prevailing wind.

c. Irrigation. Irrigation of landscaping shall only be directed onto the landscaping. Spill-over onto hardscape shall be minimized to the maximum extent feasible. Drip irrigation systems are highly encouraged.

d. Tree Grates/Guards.

i. Tree grates should be utilized along all pedestrian pathways, including sidewalks to provide a continuous walking surface while providing adequate space for the tree to grow.

ii. Install structural soil systems to direct new root growth downward below hardscape areas. This helps to postpone root damage caused to the surrounding hardscape and structures. By providing deep watering and air to root systems as appropriate when trees are planted within five feet of any permanent structure/paving/curb, additional service life may be achieved. Structural soil systems are preferred over root barriers as they are often more effective.

iii. A minimum of six feet of structural soil shall be provided for trees. The area of enhanced root zone environment shall be enlarged beyond this minimum according to the species size planted. The structural soil can be provided under tree grates and pavement.

iv. Trees and landscaping installed in parking lots should be protected from vehicle damage by a minimum six-inch-tall concrete curb surrounding the planter area. Planter barriers to protect landscaping should also be designed with intermittent curb cuts to allow parking lot runoff to drain into landscape areas.

e. Pots and Planters.

i. Due to the built-out nature of much of downtown, the use of alternative, creative landscaping measures is highly encouraged. This can be achieved through boxed planters and pots.

ii. Boxed and container plants in decorative planters of ceramic, terra cotta, or other durable materials that complement architectural styles and materials should be used to enhance public areas. See Figure 17.41.100-17 (Use of Decorative Planters).

**Figure 17.41.100-17: Use of Decorative Planters**



Decorative planters should be made of durable materials that complement the style of the structure.

iii. Pots and planters should have natural color tones that complement the adjacent structures and desert character of downtown.

iv. Large planters may also be incorporated into seating areas. Such planters should be open to the earth below and be provided with a permanent irrigation system.

f. Water Quality and Urban Runoff in Redevelopment Areas. Because of the proximity of the downtown to the Alamo River and the potential impact of urban activities on the natural environment, water quality and urban runoff in downtown areas is of particular concern. The use of bioswales and landscaped water quality basins represent the preferred approach to urban runoff and stormwater quality control in downtown. Bioswales are landscaping elements that are used to collect and purify water before it saturates the ground, and are filled with vegetation or other materials conducive to draining. Such features add aesthetic character, utilize natural materials, and serve as a functional element that allows for stormwater management.

i. On lots that permit it, bioswales and similar natural landscaped runoff control facilities should be used to enhance appearance of stormwater management methods and allow for groundwater recharge. See Figure 17.41.100-18 (Bioswales).

**Figure 17.41.100-18: Bioswales**

Bioswales should be used to enhance the appearance of stormwater management and groundwater recharge.

ii. On large enough lots that are not paved or developed over, bioswales should be used to collect surface runoff before it crosses pavement areas and to reduce ponding and damage to walkways. Bioswales should be graded to direct water away from paved areas into detention basins.

iii. Bioswales should utilize a slope that is steep enough to prevent ponding and shallow enough to slow water velocity. Soils must not readily drain water; the goal is to get cleaner water to flow downstream. Recommended slopes of one to four percent should be used. Flow should be sufficiently low enough to provide adequate residence time within the channel. Flow depth should not be taller than the vegetation (a maximum depth of four inches is recommended). Final design of any bioswales shall be subject to approval of the city engineer.

E. Lighting. In downtown Holtville lighting fixtures within developments should be attractively designed to complement the architecture of the project and surrounding development, and should improve the visual identification and safety of residences and businesses. Additionally, consideration should be given to the effects of light pollution on the environment, as well as energy conservation technologies.

#### 1. General Design Standards.

a. Lighting shall provide security and visual interest.

b. All exterior doors, aisles, passageways and recesses shall be equipped with a lighting device providing a minimum maintained one foot-candle of light at ground level during hours of darkness. Vandal-resistant covers should protect lighting devices.

c. Decorative accent lighting and fixtures above the minimum one foot-candle illumination levels of surrounding parking lots should be provided at vehicle driveways, entry throats, pedes-

trian paths, plaza areas, and other high activity areas.

d. Exterior lighting shall be sited and installed in a manner to minimize glare and light spillage beyond property lines. Outdoor light fixtures shall be the lowest wattage necessary to accomplish adequate lighting. Lighting shall be downlit, shielded, and directed away from areas not intended to be lit and from the night sky. All light fixtures shall be installed and shielded in such a manner that no visible light is emitted from the fixture at angles above the horizontal plane.

e. Lighting fixtures should be attractively designed to complement the architecture of the project. See Figure 17.41.100-19 (Attractive Lighting Fixtures).

**Figure 17.41.100-19: Attractive Lighting Fixtures**

Lighting fixtures should be used to complement the architectural style of the project.

f. Lighting should improve visual identification of residences and businesses and create an inviting atmosphere for passersby.

g. Wall mounted lights should be used to the greatest extent possible to minimize the total number of freestanding light standards.

h. Parking lot lighting fixtures should not exceed 35 feet in height. When within 50 feet of residentially zoned properties, fixtures should not exceed 20 feet.

i. Light standards within parking lots should be designed with concrete raised bases to protect them from damage by vehicles.

j. Provide street lighting that is scaled for the pedestrian while still meeting vehicular needs.

On local streets and within project sites, fixtures should be primarily oriented toward pedestrians' needs. On major streets, light fixtures serve to both illuminate pedestrian areas and roadways. Consider the location and intended audience when choosing a light fixture for a project.

k. Lighting for parking lots should be evenly distributed and provide pedestrians and drivers with adequate visibility and safety level at night.

l. The light source used in outdoor lighting should provide a white light for better color representation and to create a more pedestrian-friendly environment.

m. Low pressure sodium (yellow light) lamps are prohibited.

n. Lighting should be consistent with the historic small town character of Holtville. (Ord. 469 § 1 (Exh. A), 2009).

#### **17.41.110 Special use regulations.**

A. Purpose and Intent. The purpose of the following special use regulations is to address concerns and provide standards for the following types of development and issues specific to downtown Holtville. These standards should ensure consistency with the vision and goals defined in this zoning code, by providing guidance to planners, developers, and residents on these unique topics.

B. Live/Work. Live/work units are built spaces that function predominantly as work spaces and secondarily as residences. Live/work units are permitted in buildings through a conditional use permit which demonstrates compliance with the following standards:

1. The unit must contain a cooking space and bathroom in conformance with applicable building standards.

2. Adequate and clearly defined working space must constitute no less than 50 percent of the gross floor area of the live/work unit. Said working space shall be reserved for and regularly used by one or more persons residing there.

3. At least one residence in each live/work unit shall maintain at all times a valid city business license for a business on the premises.

4. Persons who do not reside in the live/work unit may be employed in a live/work unit when the required parking is provided.

5. Customer and client visits are allowed when the required parking is provided.

6. No portion of a live/work unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as

a residential space for a person or persons not working on the premises.

C. Public Art. For the purpose of this section, "public art" in downtown Holtville is defined as permanent or temporary works of art in the public realm, whether part of a building or freestanding.

1. Public art shall be incorporated into public plazas, parks, and municipal buildings. Additionally, the incorporation of public art into private development projects is strongly encouraged.

2. Possible types of public art include but are not limited to the following options:

a. Building features and enhancements such as bike racks, gates, benches, water features, or shade screens, which are unique and/or produced in limited editions by a professional artist.

b. Landscape art enhancements such as walkways, bridges, or art features within a garden.

c. Murals or mosaics covering walls, floors, and walkways. Murals may be painted or constructed with a variety of materials, including the use of imbedded and nontraditional materials.

d. Sculptures, which can be freestanding, wall-supported or suspended, kinetic, electronic, and made of durable materials suitable for the site.

e. Fiberwork, neon, or glass artworks, photographs, prints, and any combination of media including sound, film, and video systems, or other interdisciplinary artwork applicable to the site.

f. Community arts projects resulting in tangible artwork, such as community murals, sculptures, or kiosks.

3. As part of design review, the approving authority may allow for reduction in the minimum number of parking spaces required (maximum 10 percent reduction) or reductions in the amount of required landscaping (e.g., 10 percent reduction in street trees; 10 percent reduction in parking facility shading) in exchange for the incorporation of public art as part of the project.

D. Storefront Vacancy. For the purpose of this section, a "storefront vacancy" in downtown Holtville is defined as a vacant commercial ground floor (street level) space in any otherwise occupied or unoccupied building.

1. Vacant storefronts shall be properly locked and secured to prevent unauthorized trespassing during the period of vacancy.


2. The exterior facade of vacant storefronts shall be maintained by the property owner at the same level of quality as surrounding occupied storefronts and buildings.

3. Property owners of vacant storefronts shall use creative temporary alternative uses of storefront window areas such as using them as a display area for community info, public art by local artists, and merchandise from other stores.

4. Property owners of vacant storefronts should consult with the city and Chamber of Commerce regarding possible available tenants.

5. Vacant storefronts shall not be boarded up, or otherwise appear derelict or abandoned.


6. An adequate level of exterior security lighting shall be regularly maintained regardless of storefront occupancy status.




**City of Holtville**  
Downtown Code: D-A District

The D-A district is the core downtown district. It offers a variety of mixed commercial, retail, and residential uses, oriented around the heart of Downtown Holtville. This central node offers more potential for unique building storefronts and design innovation. Oriented around the park, uses are easily accessed through pedestrian travel.


### Allowed Building Types



Half-Block Corner




Infill




Terraced


### Allowed Frontage Types



Arcade



Gallery



Storefront

### Allowed Sign Types

Sign Type	Allowed
A-Frame Sidewalk Sign	Allowed
Awning Sign	Allowed
Projecting Sign	Preferred
Directory Sign	Allowed
Electronic Message Sign	Allowed
Monument Sign	Allowed
Temporary Signs	Allowed
Wall Sign	Preferred
Window Sign	Preferred

### Allowed Use Regulations

*See Section 17.34.020 for further details*

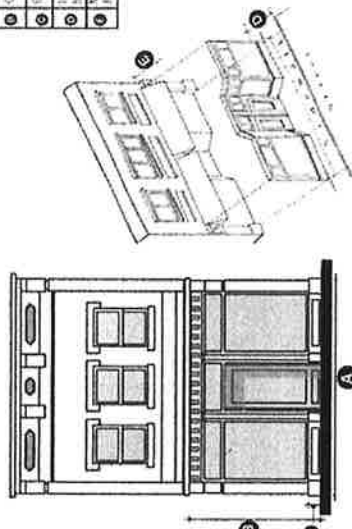
Use Type	Allowed
a. Commercial Recreation and Entertainment	Allowed
b. Government/Institutional	Allowed
c. Hotel/Motel	Allowed
d. Live/Work Space	Allowed
e. Mixed-Use	Allowed
f. Multi-Family Residential	Allowed
g. Offices	Allowed
h. Retail Commercial	Allowed
i. Sit-Down Restaurants	Allowed

### Development Standards

Standard	Requirement
Maximum Building Height	35'
Build-To Front Line Maximum	0'
Minimum Side Yard	0'
Minimum Rear Yard	0'


### Storefront Design Standards

*See Section 17.34.010 for further details*



Storefront Standards	
a. Storefront Width	10' - 40'
b. Groundline Height	10' - 20'
c. Fullboard Height	1' - 3'
d. Height of Projecting Sign Above "Build-To Line"	2' - 6'
e. Maximum Awning Extension from Building	6'






**City of Holtville**  
DowntownCode: D-B District


The D-B District applies to areas of the Downtown/Central Business District not within the C-A District. While also offering a variety of mixed commercial, retail, and residential uses, it offers great opportunity for redevelopment and is all residential development. This district can accommodate larger building footprints. The area is characterized by a predominance of commercial and retail uses, with contemporary light industrial use, mixed-use, and residential units.

### Allowed Frontage Types


See Section 17.41.022 for more details




Arcade



Gallery



Storefront



Neighborhood Yard

### Allowed Building Types

See Section 17.41.022 for more details

Half-Block Linear

Retail

Terraced

Side Yard Housing

Duplex, Triplex, and Quadplex

Courtyard Housing

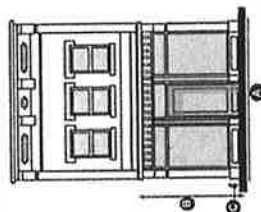
Multi-Family Row House

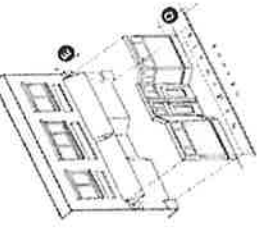
Side Yard House

Front Yard Housing

### Storefront Design Standards

See Section 17.41.022 for more details





Storefront Standards	
Storefront Width	15' - 60'
Groundfloor Height	10' - 20'
Maximum Height	0' - 4'
Height of Front Door from "Build To Line"	5' - 8' 6"
Maximum Awning Extension from Building	6'

### Allowed Use Regulations

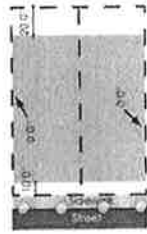
See Section 17.41.022 for more details

a	Attached Single-Family Residential
b	Detached Single-Family Residential
c	Commercial, Institutional, and Educational
d	Detached Single-Family Residential
e	Detached Single-Family Residential
f	Home Occupation
g	Healthcare
h	Light Industrial
i	Medium Density Residential
j	Multi-Family Residential
k	Neighborhood
l	Office
m	Retail Commercial
n	Set-Back Residential
o	Warehousing, Manufacturing, Wholesaling, and Distribution
p	Detached Single-Family Residential

### Development Standards

See Section 17.41.022 for more details

Building Placement	Maximum Building Height	
	"Build-To" Front Line	Maximum 45'
Minimum Side Yard	10'	
Minimum Rear Yard	0'	
	20'	



### Allowed Sign Types

See Section 17.41.022 for more details

Awning Sign	Not Allowed
Billboard	Not Allowed
Projected Sign	Not Allowed
Directional Sign	Not Allowed
Electronic Message Sign	Not Allowed
Monumental Sign	Not Allowed
Temporary Sign	Not Allowed
Wall Sign	Not Allowed
Window Sign	Not Allowed

(Ord. 469 § 1 (Exh. A), 2009).



### Division III. Accessory Uses and Special Activities

#### Chapter 17.42

#### FLOODPLAIN MANAGEMENT

##### Sections:

- 17.42.010 Statutory authorization.
- 17.42.020 Findings of fact.
- 17.42.030 Statement of purpose.
- 17.42.040 Methods of reducing flood losses.
- 17.42.050 Definitions.
- 17.42.060 Lands to which this chapter applies.
- 17.42.070 Basis for establishing the areas of special flood hazard.
- 17.42.080 Compliance.
- 17.42.090 Abrogation and greater restrictions.
- 17.42.100 Interpretation.
- 17.42.110 Warning and disclaimer of liability.
- 17.42.120 Severability.
- 17.42.130 Designation of the floodplain administrator.
- 17.42.140 Duties and responsibilities of the floodplain administrator.
- 17.42.150 Development permit.
- 17.42.160 Appeals.
- 17.42.170 Standards of construction.
- 17.42.180 Standards for utilities.
- 17.42.190 Standards for subdivisions and other proposed development.
- 17.42.200 Standards for manufactured homes within manufactured home parks or subdivisions.
- 17.42.210 Standards for recreational vehicles.
- 17.42.220 Floodways.
- 17.42.230 Nature of variances.
- 17.42.240 Conditions for variances.
- 17.42.250 Appeal board.

##### **17.42.010 Statutory authorization.**

The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the city council of the city of Holtville does hereby adopt the following floodplain management regulations. (Ord. 462 § 1.1, 2008).

##### **17.42.020 Findings of fact.**

A. The flood hazard areas of the city of Holtville are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

B. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities also contributes to flood losses. (Ord. 462 § 1.2, 2008).

##### **17.42.030 Statement of purpose.**

It is the purpose of this chapter to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the community to all publicly and privately owned land within flood-prone, mudslide (i.e., mudflow) or flood-related erosion areas. These regulations are designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;
- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;
- G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. (Ord. 462 § 1.3, 2008).

##### **17.42.040 Methods of reducing flood losses.**

In order to accomplish its purposes, this chapter includes regulations to:

- A. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;

B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

C. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;

D. Control filling, grading, dredging, and other development which may increase flood damage;

E. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas; and

F. These regulations take precedence over any less restrictive conflicting local laws, ordinances and codes. (Ord. 462 § 1.4, 2008).

#### **17.42.050 Definitions.**

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

A Zone. See "Special flood hazard area."

"Accessory structure, low-cost and small" means a structure that is:

1. Solely for the parking of no more than two cars; or limited storage (small, low-cost sheds); and

2. A small, low-cost shed for limited storage, less than 150 square feet and \$1,500 in value.

"Accessory use" means a use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

"Alluvial fan" means a geomorphologic feature characterized by a cone- or fan-shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported by flood flows, and then deposited on the valley floors, and which is subject to flash flooding, high velocity flows, debris flows, erosion, sediment movement and deposition, and channel migration.

"Apex" means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

"Appeal" means a request for a review of the floodplain administrator's interpretation of any provision of this chapter.

"Area of shallow flooding" means a designated AO or AH Zone on the flood insurance rate map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indetermi-

nate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard. See "Special flood hazard area."

"Base flood" means a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). "Base flood" is the term used throughout this chapter.

"Base flood elevation (BFE)" means the elevation shown on the flood insurance rate map for Zones AE, AH, A1 – A30, VE and V1 – V30 that indicates the water surface elevation resulting from a flood that has a one percent or greater chance of being equaled or exceeded in any given year.

"Basement" means any area of the building having its floor subgrade, i.e., below ground level, on all sides.

Building. See "Structure."

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

"Encroachment" means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which may impede or alter the flow capacity of a floodplain.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before December 28, 1981.

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood," "flooding," or "flood water" means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and/or mudslides (i.e., mudflows); and

2. The condition resulting from flood-related erosion.

"Flood boundary and floodway map (FBFM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazard and the floodway.

"Flood insurance rate map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

"Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the flood insurance rate map, the flood boundary and floodway map, and the water surface elevation of the base flood.

"Floodplain" or "flood prone area" means any land area susceptible to being inundated by water from any source. See "flooding."

"Floodplain administrator" is the community official designated by title to administer and enforce the floodplain management regulations.

"Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

"Floodplain management regulations" means this chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. For guidelines on dry and wet floodproofing, see FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base

flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "regulatory floodway."

"Floodway fringe" is that area of the floodplain on either side of the regulatory floodway where encroachment may be permitted.

"Fraud and victimization" as related to HMC 17.42.230 through 17.42.250, means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the city council will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for 50 to 100 years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

"Governing body" is the local governing unit, i.e., county or municipality, that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

"Hardship," as related to HMC 17.42.230 through 17.42.250, means the exceptional hardship that would result from a failure to grant the requested variance. The city council requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

"Levee" means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices.

"Lowest floor" means the lowest floor of the lowest enclosed area, including basement (see "basement" definition).

1. An unfinished or flood-resistant enclosure below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided it conforms to applicable nonelevation design requirements, including, but not limited to:

- a. The flood openings standard in HMC 17.42.170(C)(3);

- b. The anchoring standards in HMC 17.42.170(A);

- c. The construction materials and methods standards in HMC 17.42.170(B); and

- d. The standards for utilities in HMC 17.42.180.

2. For residential structures, all subgrade enclosed areas are prohibited as they are considered to be basements (see "basement" definition). This prohibition includes below-grade garages and storage areas.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a recreational vehicle.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Market value" is defined in the city of Holtville substantial damage/improvement procedures. See HMC 17.42.140(B)(1).

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

"New construction," for floodplain management purposes, means structures for which the start of construction commenced on or after December 28, 1981, and includes any subsequent improvements to such structures.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after December 28, 1981.

"Obstruction" includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

One-Hundred-Year Flood or 100-Year Flood. See "Base flood."

"Program deficiency" means a defect in a community's floodplain management regulations or administrative procedures that impairs effective

implementation of those floodplain management regulations.

“Public safety and nuisance,” as related to HMC 17.42.230 through 17.42.250, means that the granting of a variance must not result in anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

“Recreational vehicle” means a vehicle which is:

1. Built on a single chassis;
2. Four hundred square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

“Regulatory floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

“Remedy a violation” means to bring the structure or other development into compliance with state or local floodplain management regulations or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this chapter or otherwise deterring future similar violations, or reducing state or federal financial exposure with regard to the structure or other development.

“Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Sheet Flow Area. See “Area of shallow flooding.”

“Special flood hazard area (SFHA)” means an area in the floodplain subject to a one percent or greater chance of flooding in any given year. It is shown on an FHBM or FIRM as Zone A, AO, A1 – A30, AE, A99, or AH.

“Start of construction” includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The “actual start”

means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the “actual start of construction” means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“Structure” means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

“Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a historic structure; provided, that the alteration will not preclude the structure’s continued designation as a historic structure.

“Variance” means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

“Violation” means the failure of a structure or other development to be fully compliant with this

chapter. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this chapter is presumed to be in violation until such time as that documentation is provided.

“Water surface elevation” means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

“Watercourse” means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. “Watercourse” includes specifically designated areas in which substantial flood damage may occur. (Ord. 462 § 2, 2008).

#### **17.42.060 Lands to which this chapter applies.**

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the city of Holtville. (Ord. 462 § 3, 2008).

#### **17.42.070 Basis for establishing the areas of special flood hazard.**

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the “Flood Insurance Study (FIS) for Imperial County, California and Incorporated Areas” dated September 14, 2005, with accompanying flood insurance rate maps (FIRMs), dated March 15, 1984, and flood boundary and floodway maps (FBFMs), dated January 20, 1982, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this chapter. This FIS and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the Holtville city council by the floodplain administrator. The study, FIRMs and FBFMs are on file at the Holtville fire department located at 585 Fern Avenue. (Ord. 462 § 3, 2008).

#### **17.42.080 Compliance.**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards) shall constitute a misdemeanor. Nothing herein shall prevent the Holtville city council from taking such lawful action as is

necessary to prevent or remedy any violation. (Ord. 462 § 3, 2008).

#### **17.42.090 Abrogation and greater restrictions.**

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 462 § 3, 2008).

#### **17.42.100 Interpretation.**

In the interpretation and application of this chapter, all provisions shall be:

A. Considered as minimum requirements;  
B. Liberally construed in favor of the governing body; and

C. Deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. 462 § 3, 2008).

#### **17.42.110 Warning and disclaimer of liability.**

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the Holtville city council, any officer or employee thereof, the state of California, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder. (Ord. 462 § 3, 2008).

#### **17.42.120 Severability.**

This chapter and the various parts thereof are hereby declared to be severable. Should any section of this chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this chapter as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid. (Ord. 462 § 3, 2008).

**17.42.130 Designation of the floodplain administrator.**

The fire chief is hereby appointed to administer, implement, and enforce this chapter by granting or denying development permits in accord with its provisions. (Ord. 462 § 4.1, 2008).

**17.42.140 Duties and responsibilities of the floodplain administrator.**

The duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

A. Permit Review. Review all development permits to determine that:

1. Permit requirements of this chapter have been satisfied, including determination of substantial improvement and substantial damage of existing structures;
2. All other required state and federal permits have been obtained;
3. The site is reasonably safe from flooding;
4. The proposed development does not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated. This means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the city of Holtville; and
5. All letters of map revision (LOMRs) for flood control projects are approved prior to the issuance of building permits. Building permits must not be issued based on conditional letters of map revision (CLOMRs). Approved CLOMRs allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

B. Development of Substantial Improvement and Substantial Damage Procedures.

1. Using FEMA publication FEMA 213, "Answers to Questions About Substantially Damaged Buildings," develop detailed procedures for identifying and administering requirements for substantial improvement and substantial damage, to include defining "market value."
2. Assure procedures are coordinated with other departments/divisions and implemented by community staff.

C. Review, Use and Development of Other Base Flood Data. When base flood elevation data has not been provided in accordance with HMC 17.42.070, the floodplain administrator shall

obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer HMC 17.42.170 through 17.42.220.

Note: A base flood elevation may be obtained using one of two methods from the FEMA publication, FEMA 265, "Managing Floodplain Development in Approximate Zone A Areas – A Guide for Obtaining and Developing Base (100-Year) Flood Elevations," dated July 1995.

D. Notification of Other Agencies.

1. Alteration or Relocation of a Watercourse.
    - a. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;
    - b. Submit evidence of such notification to the Federal Emergency Management Agency; and
    - c. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.
  2. Base Flood Elevation Changes Due to Physical Alterations.
    - a. Within six months of information becoming available or project completion, whichever comes first, the floodplain administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a letter of map revision (LOMR).
    - b. All LOMRs for flood control projects are approved prior to the issuance of building permits. Building permits must not be issued based on conditional letters of map revision (CLOMRs). Approved CLOMRs allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.
- Such submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.
3. Changes in Corporate Boundaries. Notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of a map of the community clearly delineating the new corporate limits.

E. Documentation of Floodplain Development. Obtain and maintain for public inspection and make available as needed the following:

1. Certification required by HMC 17.42.170(C)(1) and 17.42.200 (lowest floor elevations);
2. Certification required by HMC 17.42.170(C)(2) (elevation or floodproofing of nonresidential structures);



3. Certification required by HMC 17.42.170(C)(3) (wet floodproofing standard);

4. Certification of elevation required by HMC 17.42.190(A)(3) (subdivisions and other proposed development standards);

5. Certification required by HMC 17.42.220(B) (floodway encroachments); and

6. Maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

F. Map Determination. Make interpretations where needed as to the exact location of the boundaries of the areas of special flood hazard, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in HMC 17.42.160.

G. Remedial Action. Take action to remedy violations of this chapter as specified in HMC 17.42.080.

H. Biennial Report. Complete and submit biennial reports to FEMA.

I. Planning. Assure the community's general plan is consistent with floodplain management objectives herein. (Ord. 462 § 4.2, 2008).

#### **17.42.150 Development permit.**

A development permit shall be obtained before beginning any construction or other development, including manufactured homes, within any area of special flood hazard established in HMC 17.42.070. Application for a development permit shall be made on forms furnished by the city of Holtville. The applicant shall provide the following minimum information:

A. Plans in duplicate, drawn to scale, showing:

1. Location, dimensions, and elevation of the area in question, existing or proposed structures, storage of materials and equipment and their location;

2. Proposed locations of water supply, sanitary sewer, and other utilities;

3. Grading information showing existing and proposed contours, any proposed fill, and drainage facilities;

4. Location of the regulatory floodway when applicable;

5. Base flood elevation information as specified in HMC 17.42.070 or 17.42.140(C);

6. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; and

7. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed, as required in HMC 17.42.170(C)(2) and detailed in FEMA Technical Bulletin TB 3-93.

B. Certification from a registered civil engineer or architect that the nonresidential floodproofed building meets the floodproofing criteria in HMC 17.42.170(C)(2).

C. For a crawlspace foundation, location and total net area of foundation openings as required in HMC 17.42.170(C)(3) and detailed in FEMA Technical Bulletins 1-93 and 7-93.

D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

E. All appropriate certifications listed in HMC 17.42.140(E). (Ord. 462 § 4.3, 2008).

#### **17.42.160 Appeals.**

The city council of the city of Holtville shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this chapter. (Ord. 462 § 4.4, 2008).

#### **17.42.170 Standards of construction.**

In all areas of special flood hazard the following standards are required:

A. Anchoring. All new construction and substantial improvements of structures, including manufactured homes, shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

B. Construction Materials and Methods. All new construction and substantial improvements of structures, including manufactured homes, shall be constructed:

1. With flood-resistant materials, and utility equipment resistant to flood damage for areas below the base flood elevation;

2. Using methods and practices that minimize flood damage;

3. With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and



4. Within Zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

**C. Elevation and Floodproofing.**

1. Residential Construction. All new construction or substantial improvements of residential structures shall have the lowest floor, including basement:

a. In AE, AH, A1 – A30 Zones, elevated to or above the base flood elevation.

b. In an AO zone, elevated above the highest adjacent grade to a height equal to or exceeding the depth number specified in feet on the FIRM, or elevated at least two feet above the highest adjacent grade if no depth number is specified.

c. In an A zone, without BFEs specified on the FIRM [unnumbered A zone], elevated to or above the base flood elevation; as determined under HMC 17.42.140(C).

d. Upon the completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the floodplain administrator.

2. Nonresidential Construction. All new construction or substantial improvements of non-residential structures shall either be elevated to conform with subsection (C)(1) of this section or:

a. Be floodproofed, together with attendant utility and sanitary facilities, below the elevation recommended under subsection (C)(1) of this section, so that the structure is watertight with walls substantially impermeable to the passage of water;

b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

c. Be certified by a registered civil engineer or architect that the standards of subsections (C)(2)(a) and (b) of this section are satisfied. Such certification shall be provided to the floodplain administrator.

3. Flood Openings. All new construction and substantial improvements of structures with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwa-

ter. Designs for meeting this requirement must meet the following minimum criteria:

a. For non-engineered openings:

i. Have a minimum of two openings on different sides having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

ii. The bottom of all openings shall be no higher than one foot above grade;

iii. Openings may be equipped with screens, louvers, valves or other coverings or devices; provided, that they permit the automatic entry and exit of floodwater; and

iv. Buildings with more than one enclosed area must have openings on exterior walls for each area to allow flood water to directly enter; or

b. Be certified by a registered civil engineer or architect.

**4. Manufactured Homes.**

a. Manufactured homes located outside of manufactured home parks or subdivisions shall meet the elevation and floodproofing requirement in subsection (C)(1) of this section.

b. Manufactured homes placed within manufactured home parks or subdivisions shall meet the standards in HMC 17.42.200. Additional guidance may be found in FEMA Technical Bulletins TB 1-93 and TB 7-93.

**5. Garages and Low-Cost Accessory Structures.**

a. Attached Garages.

i. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry of flood waters. See subsection (C)(3) of this section. Areas of the garage below the BFE must be constructed with flood-resistant materials. See subsection B of this section.

ii. A garage attached to a nonresidential structure must meet the above requirements or be dry floodproofed. For guidance on below-grade parking areas, see FEMA Technical Bulletin TB-6.

b. Detached Garages and Accessory Structures.

i. "Accessory structures" used solely for parking (two-car detached garages or smaller) or limited storage (small, low-cost sheds), as defined in HMC 17.42.050, may be constructed such that its floor is below the base flood elevation (BFE), provided the structure is designed and constructed in accordance with the following requirements:

(A) Use of the accessory structure must be limited to parking or limited storage;

(B) The portions of the accessory structure located below the BFE must be built using flood-resistant materials;

(C) The accessory structure must be adequately anchored to prevent flotation, collapse and lateral movement;

(D) Any mechanical and utility equipment in the accessory structure must be elevated or floodproofed to or above the BFE;

(E) The accessory structure must comply with floodplain encroachment provisions in HMC 17.42.220; and

(F) The accessory structure must be designed to allow for the automatic entry of flood waters in accordance with HMC 17.42.170(C)(3).

ii. Detached garages and accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in this section. (Ord. 462 § 5.1, 2008).

#### **17.42.180 Standards for utilities.**

A. All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:

1. Infiltration of flood waters into the systems; and
2. Discharge from the systems into flood waters.

B. On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them, during flooding. (Ord. 462 § 5.2, 2008).

#### **17.42.190 Standards for subdivisions and other proposed development.**

A. All new subdivision proposals and other proposed development, including proposals for manufactured home parks and subdivisions, greater than 50 lots or five acres, whichever is the lesser, shall:

1. Identify the special flood hazard areas (SFHA) and base flood elevations (BFE).
2. Identify the elevations of lowest floors of all proposed structures and pads on the final plans.
3. If the site is filled above the base flood elevation, the following as-built information for each structure shall be certified by a registered civil engineer or licensed land surveyor and provided as part of an application for a letter of map revision based on fill (LOMR-F) to the floodplain administrator:
  - a. Lowest floor elevation.

b. Pad elevation.

c. Lowest adjacent grade.

B. All subdivision proposals and other proposed development shall be consistent with the need to minimize flood damage.

C. All subdivision proposals and other proposed development shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

D. All subdivisions and other proposed development shall provide adequate drainage to reduce exposure to flood hazards. (Ord. 462 § 5.3, 2008).

#### **17.42.200 Standards for manufactured homes within manufactured home parks or subdivisions.**

All manufactured homes in special flood hazard areas shall meet the anchoring standards in HMC 17.42.170(A), construction materials and methods requirements in HMC 17.42.170(B), flood openings requirements in HMC 17.42.170(C)(3), and garages and low-cost accessory structure standards in HMC 17.42.170(C)(5).

Note: Manufactured homes located outside of manufactured home parks or subdivisions shall meet the elevation and floodproofing requirement in HMC 17.42.170(C).

A. All manufactured homes that are placed or substantially improved, on sites located: (1) in a new manufactured home park or subdivision; (2) in an expansion to an existing manufactured home park or subdivision; (3) or in an existing manufactured home park or subdivision on a site upon which a manufactured home has incurred "substantial damage" as the result of a flood shall:

1. Within Zones A1 – A30, AH, and AE on the community's flood insurance rate map, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

B. All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1 – A30, AH, and AE on the community's flood insurance rate map that are not subject to the provisions of subsection A of this section will be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement, and be elevated so that either the:

1. Lowest floor of the manufactured home is at or above the base flood elevation; or

2. Manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade.

Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the floodplain administrator. (Ord. 462 § 5.4, 2008).

#### **17.42.210 Standards for recreational vehicles.**

All recreational vehicles placed in Zones A1 – A30, AH, and AE will either:

A. Be on the site for fewer than 180 consecutive days; or

B. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

C. Meet the permit requirements of HMC 17.42.150 and the elevation and anchoring requirements for manufactured homes in HMC 17.42.200(A). (Ord. 462 § 5.5, 2008).

#### **17.42.220 Floodways.**

Since floodways are an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

A. Until a regulatory floodway is adopted, no new construction, substantial development, or other development (including fill) shall be permitted within Zones A1 – A30 and AE, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other development, will not increase the water surface elevation of the base flood more than one foot at any point within the city of Holtville.

B. Within an adopted regulatory floodway, the city of Holtville shall prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered civil engineer is provided demonstrating that the proposed encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

C. If subsections A and B of this section are satisfied, all new construction, substantial improvement, and other proposed new development shall

comply with all other applicable flood hazard reduction provisions of HMC 17.42.170 through this section. (Ord. 462 § 5.6, 2008).

#### **17.42.230 Nature of variances.**

The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance.

The variance criteria set forth in this section are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this chapter would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the Holtville city council to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this chapter are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate. (Ord. 462 § 6.1, 2008).

#### **17.42.240 Conditions for variances.**

A. Generally, variances may be issued for new construction, substantial improvement, and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of HMC 17.42.130 through 17.42.220 have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

B. Variances may be issued for the repair or rehabilitation of historic structures (as defined in HMC 17.42.050) upon a determination that the

proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

C. Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.

D. Variances shall only be issued upon a determination that the variance is the minimum necessary considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this chapter. For example, in the case of variances to an elevation requirement, this means the Holtville city council need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the Holtville city council believes will both provide relief and preserve the integrity of the local ordinance.

E. Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

1. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage; and

2. Such construction below the base flood level increases risks to life and property. It is recommended that a copy of the notice shall be recorded by the floodplain administrator in the office of the Imperial County recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

F. The floodplain administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency. (Ord. 462 § 6.2, 2008).

#### **17.42.250 Appeal board.**

A. In passing upon requests for variances, the Holtville city council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and the:

1. Danger that materials may be swept onto other lands to the injury of others;

2. Danger of life and property due to flooding or erosion damage;

3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;

4. Importance of the services provided by the proposed facility to the community;

5. Necessity to the facility of a waterfront location, where applicable;

6. Availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

7. Compatibility of the proposed use with existing and anticipated development;

8. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

9. Safety of access to the property in time of flood for ordinary and emergency vehicles;

10. Expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and

11. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.

B. Variances shall only be issued upon a:

1. Showing of good and sufficient cause;

2. Determination that failure to grant the variance would result in exceptional hardship to the applicant; and

3. Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance (see "public safety and nuisance"), cause fraud and victimization of the public, or conflict with existing local laws or ordinances.

C. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use; provided, that the provisions of subsections A through D of this section are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

D. Upon consideration of the factors of HMC 17.42.240(A) and the purposes of this chapter, the Holtville city council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter. (Ord. 462 § 6.3, 2008).

**Chapter 17.44****SWIMMING POOLS**

## Sections:

- 17.44.010 Fence required.
- 17.44.020 Gates.
- 17.44.030 Ingress and egress.
- 17.44.040 Front, side and rear yard requirements.
- 17.44.050 Fencing requirements – Exemptions.
- 17.44.060 Lot coverage.

**17.44.010 Fence required.**

A. Every swimming pool shall be enclosed by a natural baffle, retaining wall, fence or other structure having a minimum height of five feet, and a maximum height as provided in HMC 17.10.110(B), and constructed or installed so as to obstruct access by persons other than the owners or occupants of the premises on which the swimming pool is located.

B. Every existing swimming pool shall be enclosed as required by subsection A of this section. When any such fence, structure or wall enclosing an existing swimming pool would be located in a required front yard setback, written application shall be made to the planning commission for a variance to permit the construction and installation of the fence, wall or structure as required by this chapter, or of an equivalent enclosing wall, fence, structure or natural barrier. (Ord. 441 § 1, 2000).

**17.44.020 Gates.**

The fences required in HMC 17.44.010 may include gates. All gates must be self-latching, with latches placed at least four feet above the underlying ground in order to be securely closed. All gates opening through such enclosure shall be kept securely closed and latched at all times. (Ord. 441 § 1, 2000).

**17.44.030 Ingress and egress.**

A fence, gate or other protective device, as required by these sections, shall be installed in such a manner as to comply with the fire exit requirements as contained in this code and state law. No swimming pool shall be installed in any court or yard area that is required for ingress or egress to any building or occupancy. (Ord. 441 § 1, 2000).

**17.44.040 Front, side and rear yard requirements.**

A. All swimming pools, including heating, filtering, pumping and accessory equipment constructed after the effective date of the ordinance codified in this title shall be subject to the front and side yard requirements of the zone in which they are located, but in no case shall be located closer than three feet from any front or side property line.

B. All swimming pools, including heating, filtering, pumping and accessory equipment, constructed after the effective date of the ordinance codified in this title shall be subject to a three-foot rear yard requirement.

C. All heating, filtering, pumping and accessory equipment used in connection with such swimming pool, if located entirely below the finished grade of the site and provided with a permanent, durable, protective cover, need not observe the front, side or rear yard requirements. (Ord. 441 § 1, 2000).

**17.44.050 Fencing requirements – Exemptions.**

All swimming pools that are completely contained within the walls of a building shall be exempt from the provisions of the fencing requirements contained in HMC 17.44.010 through 17.44.030. (Ord. 441 § 1, 2000).

**17.44.060 Lot coverage.**

Swimming pools shall not be considered residential structures for purposes of computing lot coverage. (Ord. 441 § 1, 2000).

**Chapter 17.46****HOME OCCUPATION REGULATIONS**

## Sections:

- 17.46.010 Compliance to standards required.
- 17.46.020 Residence required.
- 17.46.030 Location within dwelling required.
- 17.46.040 Structural alterations prohibited.
- 17.46.050 Sale of services or items restricted.
- 17.46.060 Motor, mechanical equipment restricted.
- 17.46.070 Noise, odors, electrical interference.
- 17.46.080 Pedestrian, vehicular traffic.
- 17.46.090 Commercial vehicle delivery.
- 17.46.100 Display of products.
- 17.46.110 Storage.

**17.46.010 Compliance to standards required.**

Home occupations permitted by the provisions of this chapter shall comply with the regulations set forth in this chapter. (Ord. 441 § 1, 2000).

**17.46.020 Residence required.**

No one other than (a) resident(s) of the dwelling unit shall be employed in the conduct of a home occupation. (Ord. 441 § 1, 2000).

**17.46.030 Location within dwelling required.**

A home occupation shall be conducted in a dwelling and shall be clearly incidental and secondary to its use for dwelling purposes. (Ord. 441 § 1, 2000).

**17.46.040 Structural alterations prohibited.**

There shall be no external alteration of the dwelling in which a home occupation is conducted, and the existence of a home occupation shall not be apparent beyond the boundaries of the site, except for a name plate no larger than two feet square. (Ord. 441 § 1, 2000).

**17.46.050 Sale of services or items restricted.**

There shall be no sales of products or services not produced on the premises or used in the home occupation. (Ord. 441 § 1, 2000).

**17.46.060 Motor, mechanical equipment restricted.**

No motor or mechanical equipment shall be permitted other than normally incidental to the use of the structure as a dwelling. (Ord. 441 § 1, 2000).

**17.46.070 Noise, odors, electrical interference.**

A home occupation shall not create any radio or television interference or create noise audible beyond the boundaries of the site. Also, no equipment shall be used that makes dust, odor, smoke, vibration or other adverse conditions that are detrimental to adjoining dwellings. (Ord. 441 § 1, 2000).

**17.46.080 Pedestrian, vehicular traffic.**

The use shall not generate pedestrian or vehicular traffic beyond that normal to the zone in which it is located. (Ord. 441 § 1, 2000).

**17.46.090 Commercial vehicle delivery.**

The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises. (Ord. 441 § 1, 2000).

**17.46.100 Display of products.**

There shall be no display of products produced by the home occupation visible in any manner from outside of the dwelling unit. (Ord. 441 § 1, 2000).

**17.46.110 Storage.**

There shall be no storage of materials or supplies out of doors. (Ord. 441 § 1, 2000).

**Chapter 17.48****SECOND DWELLING UNITS****Sections:**

- 17.48.010 Intent.
- 17.48.020 Prohibition.
- 17.48.030 Definition.
- 17.48.040 Environment.
- 17.48.050 Development standards and conditions for approval of new second units.
- 17.48.060 Required findings and conditions.
- 17.48.070 Procedure for establishing second unit.

**17.48.010 Intent.**

The intent of this chapter is to provide development standards for second dwelling units on lots that contain single-family dwellings to ensure that second units are compatible with existing neighborhoods. (Ord. 441 § 1, 2000).

**17.48.020 Prohibition.**

No second dwelling unit shall be constructed by any person who has not first obtained a conditional use permit from the planning commission and paid the fee as set by the city council by resolution. (Ord. 441 § 1, 2000).

**17.48.030 Definition.**

"Second unit" means a dwelling unit that provides complete independent living facilities for one or more persons. (Ord. 441 § 1, 2000).

**17.48.040 Environment.**

The approval of a second unit in the single-family residential zone is exempt from the provisions of the California Environmental Quality Act (CEQA). Second units on a block are limited to four in number and shall not be constructed on blocks without alleys for the following reasons:

A. Since the city has approximately four miles citywide of unpaved alleys, second units shall be limited to four in number per block to ensure that no further adverse impacts occur from dust generation, trackout and traffic generation; and

B. Second units shall not be constructed in blocks without alleys since tandem parking of a second unit vehicle is not permitted. (Ord. 441 § 1, 2000).

**17.48.050 Development standards and conditions for approval of new second units.**

Table 17.48-1 depicts development standards for second dwelling units.

**Table 17.48-1**  
**Second Dwelling Units – Development**  
**Standards and Conditions for Approval of New**  
**Second Units**

Second Dwelling Units	Standards and Conditions
New second dwelling units	Must meet requirements of Chapter 17.20 HMC relating to height, setback, lot coverage, parking, architectural review, site plan review fees and charges
Parking	One off-street paved parking space
Height	No more than two stories, with parking in the lower level
Minimum lot area	6,000 square feet (lot shall contain an existing residential dwelling which is owner-occupied)
Maximum unit size	A. 30 percent of the existing residential floor area, if attached B. Not exceeding 1,200 square feet if detached

In addition to the development standards described in Table 17.48-1, the following development standards also apply to second dwelling units:

A. The second dwelling unit shall meet requirements of the zone in which it is located relating to height, setback, lot coverage, architectural review, site plan review, fees and charges;

B. The second dwelling unit may be constructed within an existing building or detached accessory building;

C. The second living unit shall conform in design, materials and colors consistent with the main living unit, when attached;

D. The owner shall pay to the city all appropriate fees at the time the building permit is obtained;

E. The second unit may not be sold separately. However, the second unit shall be provided separate water and electric meters;

F. Property owners within a 300-foot radius of the site, and property owners within the existing block, will be notified in writing of the proposed second unit, and shall be notified at least 10 days prior to a decision by the planning commission; and

G. In the case where an existing small dwelling unit abuts an alley, the new second dwelling unit maximum size may be larger as long as the total lot coverage does not exceed 50 percent. (Ord. 441 § 1, 2000).

#### **17.48.060 Required findings and conditions.**

A conditional use permit in accordance with this chapter shall be required to be issued by the planning commission provided the following findings are made:

A. The proposed second unit is conformity with the standards of the zone and other applicable ordinances;

B. The plan for the second unit reflects sufficient consideration of the relationship between the proposed buildings, structures, traffic demands, parking, and those that already exist or have been approved for the general neighborhood so as to preserve and protect neighborhood character, and once in place will not adversely impact this neighborhood character;

C. The second unit is not so different in its exterior design and appearance from that of other existing structures in the general neighborhood so as to cause the local environs to materially depreciate in appearance and value;

D. All necessary city permits will be obtained prior to construction; and

E. Construction work must begin under the building permit within 12 months after the effective date of the building permit and carried on diligently to completion or the permit shall expire. (Ord. 441 § 1, 2000).

#### **17.48.070 Procedure for establishing second unit.**

A second unit must be established through the conditional use permit process described in Chapter 17.60 HMC. (Ord. 441 § 1, 2000).

## **Chapter 17.50**

### **RV PARKS**

#### **Sections:**

- 17.50.010 Intent.
- 17.50.020 Permissible zones.
- 17.50.030 Conflicting regulations.
- 17.50.040 General standards.
- 17.50.050 Sanitation, hygiene and utilities.
- 17.50.060 Length of occupancy.
- 17.50.070 Special occupancy permitted.
- 17.50.080 Minimum development standards.
- 17.50.090 Modification of development standards.
- 17.50.100 Accessory uses.
- 17.50.110 Park control regulated.

#### **17.50.010 Intent.**

The intent of these regulations is to ensure that recreational vehicle parks meet minimum standards of habitability and do not adversely impact surrounding properties. (Ord. 441 § 1, 2000).

#### **17.50.020 Permissible zones.**

A. Subject to a conditional use permit and a plot plan approved by the planning commission and city council, recreational vehicle parks may be established in the RR-1, RR-2, and OS zones.

B. Property specifically approved for recreational vehicle use shall not be used for any other purpose than that specified. (Ord. 441 § 1, 2000).

#### **17.50.030 Conflicting regulations.**

In the event of conflict between any provision of this chapter, or of a conditional use permit issued under this chapter, and any provision of Part 2 of Division 13 of the Health and Safety Code or any controlling state regulation pursuant thereto, the state law or regulation shall apply. If the state law or regulation is not controlling, then the more stringent provision or that requiring higher standards shall apply. (Ord. 441 § 1, 2000).

#### **17.50.040 General standards.**

A. No recreational vehicle park may be established that does not conform to the requirements of Title 25, Chapter 5 of the State of California Administrative Code, Division 13 of the Health and Safety Code of the State of California and this code. Persons wanting to establish a recreational vehicle park will submit detailed plans of the proposed park in accordance with requirements of Chapter 17.60 HMC.



B. No person shall establish a recreational vehicle park within the city until permits for that purpose have been obtained from the building department.

C. Recreational vehicle parks shall be duly licensed as a business and shall conform to all laws governing businesses.

D. Recreational vehicle parks shall be located on a parcel of land not less than three acres in area.

E. All vehicles within the park shall be kept mobile so that they may be moved within one hour if required. (Ord. 441 § 1, 2000).

#### **17.50.050 Sanitation, hygiene and utilities.**

A. A minimum of 90 percent of recreational vehicle spaces within the recreational vehicle park shall be provided, as a minimum, with electrical and potable water hook-ups.

B. Each recreational vehicle park shall maintain, as a minimum, one disposal site for the sole use of receiving discharges from recreational vehicle holding tanks and one additional disposal site for every 100 recreational vehicle spaces or fraction thereof. Said discharge facility shall be located in such a manner as to not present unpleasantness to tenants and neighboring residents.

C. If sewer attachments are provided, existing regulations shall apply.

D. Every recreational vehicle park shall contain one public sanitary facility apportioned on the basis of one facility per 20 vehicle spaces or fraction thereof for each sex. A shower, lavatory and sink shall be provided in a like ratio. Hot and cold running water shall be provided. Toilets shall be water flush type.

E. All utilities and amenities shall be underground.

F. Public eating and drinking facilities such as restaurant and cocktail lounges may be present within the park, but must meet all standards and laws concerning the same.

G. One washer and dryer per 20 vehicles or fraction thereof shall be provided.

H. Central trash collection and storage areas shall be provided and screened in each recreational vehicle park. Such areas shall be distributed throughout the park and shall be approved by the public works department.

I. A public telephone shall be provided for the use of park patrons and shall be centrally located and readily identified to ensure ease of access for emergency use.

J. Fire protection measures shall be provided as approved by the city fire department. (Ord. 441 § 1, 2000).

#### **17.50.060 Length of occupancy.**

Length of occupancy of each recreational vehicle space shall be regulated as follows:

A. Persons occupying vehicles with total hook-up capacity, including sewer, water and electricity, shall not occupy any space in a recreational vehicle park for a period exceeding 150 days in any 12-month period, nor shall the cumulative occupancy by such persons of different spaces within the same recreational vehicle park exceed a total of 150 days in any 12-month period.

B. Persons occupying vehicles with less than total hook-up capacity shall not occupy any recreational vehicle space in a recreational vehicle park for a period exceeding 90 days in any 12-month period, nor shall the cumulative occupancy of such persons of different spaces within the same recreational vehicle park exceed a total of 90 days in any 12-month period.

C. The recreational vehicle park manager shall maintain a log of the names of persons and dates of occupancy of spaces. The log shall be made available to a code enforcement officer of a question arises as to compliance with these occupancy limitations. (Ord. 441 § 1, 2000).

#### **17.50.070 Special occupancy permitted.**

A special occupancy permit may be issued from the building department allowing a recreational vehicle to occupy any portion of the recreational vehicle park for more than 90 days. This permit shall be valid from date of issuance and terminate 60 days post-issuance. Renewal of the special occupancy permit is allowed. (Ord. 441 § 1, 2000).

#### **17.50.080 Minimum development standards.**

A. Each space for each recreational vehicle shall provide not less than 1,250 square feet per unit.

B. Adequate space shall be provided within each recreational vehicle space to accommodate one additional vehicle for the purpose of off-street parking.

C. All recreational vehicles shall have direct and free access to roads within the park. No more than one recreational vehicle may occupy a recreational vehicle space, with the exception that two tents or one tent and trailer may occupy an existing space provided clearances to adjoining vehicle spaces are maintained.

D. Roads within the recreational vehicle park shall be paved to city standards. No road shall be less than 25 feet wide within the park.

E. A total of not more than 20,000 square feet may be used to provide space to accommodate the residence of the park owner/custodian and his family, storage area and required maintenance facilities.

F. Recreational facilities providing a minimum of 2,000 square feet of area shall be required within each recreational vehicle park. This limitation shall not include any open land less than 10 feet wide between sites or include public facilities, sanitary facilities, etc., in its total.

G. Recreational vehicle spaces shall contain a pad 10 feet by 40 feet that shall be composed of a minimum of decomposed granite type materials on which the recreational vehicle shall be parked. Spaces shall be so designed as to allow 10-foot widths between successive recreational vehicles.

H. The following setbacks shall be required:

1. Front, rear and side setbacks are required for recreational vehicles. Placement of recreational vehicles on lots to provide setbacks of varying depths is encouraged. Minimum front, rear and side yard recreational space setbacks shall be five feet.

2. Front, rear and side setbacks for custodians area. When the park custodian constructs a standard single-family dwelling and accessory buildings upon that portion of the park designated for the same, all setbacks and separations applicable to the R-1 zone shall apply.

I. All setbacks from streets and other areas in a recreational vehicle park not used for driveways, parking, buildings, and service areas shall be landscaped in accordance with the conditions of the conditional use permit. Walls, earthen berms and landscaped buffer strips shall be used wherever possible to minimize noise from highway sources.

J. A screening wall of eight feet in height shall be provided to effectively screen the park from adjoining land uses and to ensure privacy of patrons and adjacent residences. Screening in all parks shall be approved by the planning commission and city council.

K. Signs advertising the recreational park may be prominently displayed at each entrance to the park and will conform to specifications for signs as determined by Chapter 17.56 HMC.

L. Adequate lighting shall be provided for all walkways, streets, parking areas, sanitary facilities, storage areas and recreational facilities. No lighting shall be constructed or positioned so as to

cause direct or undesirable illumination of adjacent property or recreational vehicle spaces within the park. (Ord. 441 § 1, 2000).

#### **17.50.090 Modification of development standards.**

Modification of the development standards contained in HMC 17.50.080 may be granted by the planning commission only when it determines that such modifications will not be detrimental to the public interest or incompatible with surrounding land uses. (Ord. 441 § 1, 2000).

#### **17.50.100 Accessory uses.**

A recreational vehicle park may include the following accessory uses provided such uses are designed to be clearly accessory to the recreational vehicle park and intended for the convenience of the occupants and their guests:

A. Building or buildings designed for indoor assembly and/or recreation;

B. Commercial structures and uses such as a general store, restaurant, lunch counter, and/or snack bar;

C. Service buildings and facilities incidental to and customarily accessory to permitted uses, including saunas and swimming pools;

D. Storage facilities may be provided for the storage of vehicles belonging to park occupants. Storage area shall be paved and enclosed by solid wall or fence not less than six feet in height. (Ord. 441 § 1, 2000).

#### **17.50.110 Park control regulated.**

The park owner and/or custodian shall be responsible for the control of nuisances within the park. The owner and/or custodian will ensure that rules of order for the park patrons are posted and enforced. Rules of the park shall as a minimum require animal, child and public controls to protect the peace and prohibit nuisances. The park owner and custodian will ensure provisions of this code are followed. (Ord. 441 § 1, 2000).

**Chapter 17.51****REASONABLE ACCOMMODATION**

## Sections:

- 17.51.010 Purpose.
- 17.51.020 Findings.
- 17.51.030 Applicability.
- 17.51.040 Application requirements.
- 17.51.050 Review authority and procedure.
- 17.51.060 Required findings.
- 17.51.070 Written decision on the request for reasonable accommodation.
- 17.51.080 Appeals.
- 17.51.090 Fees.

**17.51.010 Purpose.**

The purpose of this chapter is to establish a procedure for reasonable accommodation in the city of Holtville. Per the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act (hereafter referred to as "Fair Housing Acts"), it is the policy of the jurisdiction to provide individuals with disabilities reasonable accommodation in rules, policies, practices and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. This chapter establishes a procedure for making requests for reasonable accommodation in land use and zoning, policies, practices and procedures of the city of Holtville to comply fully with the intent and purpose of the Fair Housing Acts. (Ord. 470 § 1, 2010).

**17.51.020 Findings.**

The city council of the city of Holtville finds the following:

The fair housing laws impose a duty on local governments to make reasonable accommodation in their land use and zoning regulations and practices when such accommodation may be necessary to afford individuals with disabilities an equal opportunity to housing.

A. The city of Holtville housing element identifies a plan for removing governmental constraints to housing for individuals with disabilities including local land use and zoning constraints or providing reasonable accommodation;

B. The Attorney General of the state of California has recommended that cities and counties implement fair housing reasonable accommodation procedures for making land use and zoning determinations concerning individuals with dis-

abilities to further the development of housing for individuals with disabilities. (Ord. 470 § 2, 2010).

**17.51.030 Applicability.**

A request for reasonable accommodation may be made by any person with a disability, their representative, or any entity, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities.

A "person with a disability" is one who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment.

A request for reasonable accommodation may include a modification or exceptions to the rules, standards, and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. (Ord. 470 § 3, 2010).

**17.51.040 Application requirements.**

A. Application Requests. Requests for reasonable accommodation shall be submitted on the uniform planning application form, as a special accommodations permit as provided by the city clerk, or in the form of a letter, addressed to the city clerk, and shall contain the following information:

1. The applicant's name, address and telephone number;
2. Address of the property for which the request is being made;
3. The current actual use of the property;
4. The basis for the claim that the individual is considered disabled under the Fair Housing Acts;
5. The zoning code provision, regulation or policy from which reasonable accommodation is being requested;
6. Explanation as to why the reasonable accommodation is necessary to make the specific property accessible to the disabled individual.

B. Review with Other Land Use Applications. If the project for which the request for reasonable accommodation is being made also requires some other discretionary approval (including, but not limited to, the following: conditional use permit, design review, general plan amendment, zone change, annexation, etc.), then the applicant shall file the information required by subsection A of this section concurrent with the application for discretionary approval. (Ord. 470 § 4, 2010).

**17.51.050 Review authority and procedure.**

A. Review Process. Requests for reasonable accommodation shall be reviewed under the city's normal procedures with initial review and recommendation by the project review committee and final review and determination by the planning commission.

B. Planning Commission Review. The planning commission shall make a written determination within 45 days and either grant, grant with modifications or deny a request for reasonable accommodation in accordance with HMC 17.51.060, Required findings. (Ord. 470 § 5, 2010).

**17.51.060 Required findings.**

The written decisions to grant, grant with conditions or deny a request for reasonable accommodation shall be consistent with the Fair Housing Acts and shall be considered based on the following factors:

**A. Findings.**

1. Whether the dwelling unit which is the subject of the request will be inhabited or used by an individual disabled as defined under the Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act;

2. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual disabled under the Fair Housing Acts;

3. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the city;

4. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city program or law, including but not limited to land use and zoning;

5. The potential of the reasonable accommodation to impact surrounding land uses;

6. Alternative reasonable accommodations which may provide a comparable level of benefit.

B. Conditions of Approval. In granting a request for reasonable accommodation, the planning commission may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by subsection A of this section. (Ord. 470 § 6, 2010).

**17.51.070 Written decision on the request for reasonable accommodation.****A. Written Decision.**

1. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the planning commission's findings on the criteria set forth in HMC 17.51.060(A). All written decisions shall inform the applicant of their right to appeal and to request reasonable accommodation in the appeals process set forth in HMC 17.51.080. The notice of decision shall be sent to the applicant via certified mail.

2. The written decision of the planning commission shall be final unless an applicant appeals it to the Holtville city council.

3. If upon appeal the reviewing authority fails to render a written decision on the request for reasonable accommodation within a 60-day time period, the request shall be deemed granted.

4. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full effect. (Ord. 470 § 7, 2010).

**17.51.080 Appeals.**

A. Within 30 days of the date of the planning commission's written decision, an applicant may appeal an adverse decision. Appeals from the adverse decisions shall be made in writing and delivered to the city clerk.

B. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the applicant's rights. (Ord. 470 § 8, 2010).

**17.51.090 Fees.**

Notwithstanding any other provision of this code, there shall be a fee imposed in connection with an application for reasonable accommodation, including appeals, under this chapter. The fee for an application for reasonable accommodation shall be established by resolution of the city council. (Ord. 470 § 9, 2010).

**Division IV. Parking and Signs****Chapter 17.52****OFF-STREET PARKING**

## Sections:

- 17.52.010 Intent.
- 17.52.020 Requirements – Generally.
- 17.52.030 Floor area – Defined.
- 17.52.040 Site requirements.
- 17.52.050 Number of parking spaces required.
- 17.52.060 Standards.
- 17.52.070 Spaces.
- 17.52.080 Aisles.
- 17.52.090 Access.
- 17.52.100 Pavement.
- 17.52.110 Border barricades.
- 17.52.120 Screening.
- 17.52.130 More than one use on a site.
- 17.52.140 Off-street parking facilities to serve one use.
- 17.52.150 Change of use.

**17.52.010 Intent.**

The intent of this chapter is to reduce street congestion and traffic hazards in the city by incorporating safe, adequate and attractively designed off-street parking facilities for every type of use in the city requiring such facilities. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.020 Requirements – Generally.**

Off-street parking spaces for vehicles shall be provided in accordance with the requirements in this chapter. Where existing buildings do not meet these requirements, off-street parking shall be provided as required for the entire structure when proposals for enlarging or increasing capacity of that

building are made. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.030 Floor area – Defined.**

For the purposes of this chapter and Chapter 17.54 HMC, “net floor area,” in the case of offices, merchandising or service types of uses, means the gross area used or intended to be used by tenants, or for service to the public as customers, patrons, clients, or patients, including areas occupied by fixtures and equipment used for display or sale of merchandise. This definition does not include halls, lobbies, waiting rooms, restrooms or areas used principally for nonpublic purposes, such as storage and incidental repair. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.040 Site requirements.**

A. Off-street parking facilities shall consist of a site, or a portion of a site, for off-street parking of vehicles, and shall include parking spaces, aisles, access drives, and landscaped areas, and shall provide vehicular access to a public right-of-way.

B. Required off-street parking spaces shall be located on the site with the use that they serve. However, in any nonresidential zone, with the exception of the C-1 zone, the requirements of this chapter shall be considered satisfied if the required parking is provided within 300 feet of the site of the use being served, such distance being measured in a direct line from the building or, if no building exists, from the property line.

C. In any residential zone, none of the required parking spaces shall be in the required front yard. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.050 Number of parking spaces required.**

The number of parking spaces required is set forth in Table 17.52-1.

**Table 17.52-1**  
**Off-Street Parking – Number of Automobile Parking Spaces Required**

Uses	Required Number of Spaces <sup>1,2</sup>
Automobile or machinery sales and service garages	1 space/300 square feet of floor area; plus 1 space/1.5 employees
Banks and post offices	1 space/200 square feet of floor area
Bowling alleys	1 space/60 square feet of floor area; plus 1 space/4 seats
Churches	1 space/5 seats or for each 90 lineal inches of pew space
Dancehalls	1 space/50 square feet of floor area

**Table 17.52-1**  
**Off-Street Parking – Number of Automobile Parking Spaces Required (Continued)**

Uses	Required Number of Spaces <sup>1,2</sup>
Studio or efficiency unit	1.50 spaces
One bedroom unit	1.50 spaces
Two bedroom unit	1.75 spaces
Three or more bedroom unit	2.00 spaces
Hotel, motels, and private clubs providing sleeping accommodations	1 space/dwelling unit, rooming unit or guest room
Libraries, museums, art galleries and similar uses	1 space/1.5 employees; plus 1 space/190 square feet of floor area
Manufacturing plants, research or testing laboratories, bottling plants, processing plants and packaging plants	1 space/1.5 employees on the maximum shift
Medical and dental offices and clinics	1 space/200 square feet of floor area
Mobile home developments:	
1. Tenant	1 space per site
2. Visitor	a. For spaces on streets of 25 feet in width, 100 square feet per space b. For spaces on streets of 32 feet in width, 50 square feet per space c. For spaces on streets of 40 feet in width, 25 square feet per space
3. Recreational facilities	1/8 space per site, to be located at recreational facilities
Nursing homes and convalescent homes	1 space/3 beds; plus 1 space for each employee on the largest shift
Offices other than medical-dental offices	1 space/300 square feet of floor area
Public buildings and grounds other than schools and administration offices	1 space/1.5 employees on maximum shift
Restaurants, bars and nightclubs	1 space/50 square feet of floor area
Retail stores, shops, supermarkets, food stores, etc.	1 space/200 square feet of floor area
Roominghouses and lodging houses	1 space/rooming unit; plus 1 space/2 guest rooms
Schools:	
1. Elementary and junior high schools	1 space/1.5 employees on the maximum shift
2. High schools	1 space/5 students; plus 1 space/1.5 employees on the maximum shift
Theaters or auditorium	1 space/4 seats; plus 1 space/60 square feet of floor area
Wholesale establishments, warehouses, service and maintenance centers, communications equipment buildings	1 space/1.5 employees on the maximum shift

<sup>1</sup> A full parking space shall be provided in each instance where a fractional space otherwise is required.

<sup>2</sup> Parking spaces for unspecified uses shall be determined by the planning commission.

(Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.060 Standards.**

All off-street parking facilities shall conform with the standards set forth in HMC 17.52.070 through 17.52.150. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.070 Spaces.**

Each parking space shall not be less than 20 feet in length and nine feet in width, exclusive of aisles and access drives. Parking spaces shall be designed and arranged within parking facilities to facilitate easy and safe ingress and egress to each parking space. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.080 Aisles.**

Access to each off-street parking space shall be from a driveway or aisle which is sufficient for easily turning and maneuvering vehicles, and all maneuvering shall be on private property. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.090 Access.**

Each parking space shall be accessible from a street or alley or from an aisle or drive connecting with a street or alley. No off-street parking facility for four or more spaces shall be designated so that vehicles must back across a sidewalk in order to gain access to a street or alley. Where a parking facility does not abut a public or private street, alley or access easement, there shall be provided an access drive not less than 20 feet in width for two-way traffic. Where separated one-way access drives are proposed, each shall not be less than 10 feet in width. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.100 Pavement.**

The parking area, aisles and access drives shall be paved so as to provide a durable, dust-free surface and shall be graded and drained as to dispose of surface water without damage to private or public properties, streets or alleys. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.110 Border barricades.**

Every parking facility for four or more spaces that is not separated by a wall from abutting property shall be provided with an approved six-inch concrete (or equal) barrier, not less than two and one-half feet from such property line. Such barriers shall also be provided adjacent to drives, parking, and maneuvering areas. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.120 Screening.**

A. Each parking facility containing four or more spaces abutting a city street shall be separated from such street by a decorative wall, view-obscuring fence, permanently maintained compact hedge, berm, or combination thereof, not less than 30 inches and not more than 42 inches in height.

B. Screening in residential districts shall ensure that every parking facility abutting R-1 and R-2 property be separated from such property by a decorative wall, view-obscuring fence, or permanently maintained hedge not less than five feet nor more than six feet in height.

C. Notwithstanding the requirements of this section, no screen, wall, fence, or hedge on a corner lot shall exceed a height of 30 inches above the established grade of either street, within an area formed by the street property lines of such lot and a line joining points on such lines located at a distance of 45 feet from this intersection, nor shall such screening exceed a height of 30 inches above the established grade of the street within 15 feet of a driveway. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.130 More than one use on a site.**

If more than one use is located on a site, the number of parking spaces provided shall be equal to the sum of the requirements prescribed in this chapter for each use. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.140 Off-street parking facilities to serve one use.**

Off-street parking facilities for one use shall not be considered as providing required off-street parking facilities for any other use. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

**17.52.150 Change of use.**

If the use or uses located on a site change, additional off-street parking shall be provided as necessary to conform to the requirements of this chapter. (Ord. 472 § 3, 2010; Ord. 441 § 1, 2000).

## Chapter 17.54

### OFF-STREET LOADING

#### Sections:

- 17.54.010 Berth requirements designated.  
17.54.020 Standards.

#### 17.54.010 Berth requirements designated.

Every hotel, office building, restaurant, department store, freight terminal or railroad yard, hospital or sanitarium, long-term care facility, industrial plant, manufacturing establishment, retail establishment, storage warehouse or wholesale establishment, and all other structures devoted to similar mercantile or industrial pursuits, which have an aggregate gross floor area of 25,000 square feet or more shall provide off-street truck loading or unloading berths in accordance with Table 17.54-1.

**Table 17.54-1**  
**Off-Street Loading Berth Requirements**

Square Feet of Development <sup>1</sup>	Required Berths
25,000 to 40,000 square feet	1
40,001 to 100,000 square feet	2
100,001 to 160,000 square feet	3
160,001 to 240,000 square feet	4
240,001 to 320,000 square feet	5
320,001 to 400,000 square feet	6
400,001 to 490,000 square feet	7

<sup>1</sup> For each additional 90,000 square feet of development over 490,000 square feet, add one berth.

(Ord. 441 § 1, 2000).

#### 17.54.020 Standards.

All off-street loading facilities shall conform to the following standards:

A. Each loading berth shall be not less than 45 feet in length and 12 feet in width, exclusive of aisle or maneuvering space, and shall have an overhead clearance of not less than 14 feet.

B. Such space may occupy all or any part of any required yard space, except front and exterior side yards, and shall not be located closer than 50 feet to any lot in any residential zone unless enclosed

on all sides except the entrance by a wall not less than eight feet in height.

C. Sufficient room for turning and maneuvering vehicles shall be provided on the site so that vehicles shall cross a property line only by driving forward.

D. Each loading berth shall be accessible from a street or alley, or from an aisle or drive connecting with a street or alley.

E. Entrance from and exits to street and alleys shall be designated to minimize traffic congestion.

F. The loading area, aisles and access drives shall be paved so as to provide a durable, dustless surface and shall be graded and drained so as to dispose of surface water without damage to private or public properties, streets or alleys.

G. Bumper rails shall be provided at locations where needed for safety or to protect property.

H. If the loading area is illuminated, lighting shall be deflected away from abutting residential sites so as to cause no annoying glare.

I. No repair work or servicing of vehicles shall be conducted in a loading area.

J. Off-street loading facilities shall be located on the same site with the use for which the berths are required.

K. If more than one use is located on a site, the number of loading berths provided shall be equal to the sum of the requirements prescribed in this chapter for each use. If more than one use is located on a site, and the gross floor area of each use is less than the minimum for which loading berths are required, but the aggregate gross floor area is greater than the minimum for which loading berths are required, off-street loading berths shall be provided as if the aggregate gross floor area were used for the use requiring the greatest number of loading berths.

L. Off-street loading facilities for a single use shall not be considered as providing required off-street loading facilities for any other use.

M. At the time of initial occupancy, major alterations or enlargement of a site, or of completion of construction of a structure, there shall be provided off-street loading berth requirements. The number of loading berths provided for a major alteration or enlargement of a site or structure shall be in addition to the number of existing loading berths prior to the alteration or enlargement.

N. Space allocated to any off-street loading berth shall not be used to satisfy the space requirements for any off-street parking facility. (Ord. 441 § 1, 2000).



**Chapter 17.56****SIGNS**

## Sections:

**Article I. General Provisions**

- 17.56.010 Intent.
- 17.56.020 Application of Uniform Sign Code.
- 17.56.030 Building permits – Requirement – Fee.
- 17.56.040 Canopy signs.
- 17.56.050 Size – Square footage determination.
- 17.56.060 Materials – Removal.
- 17.56.070 Maintenance.
- 17.56.080 Materials – Restrictions.
- 17.56.090 Signs painted on or attached to vehicles.
- 17.56.100 Roof signs.
- 17.56.110 Obscenity prohibited.
- 17.56.120 Building permit requirements.
- 17.56.130 Exemptions.

**Article II. Special Purpose Signs**

- 17.56.140 Permitted signs – Designated.
- 17.56.150 Parking directional signs.
- 17.56.160 Political signs.
- 17.56.170 For sale, rental signs.
- 17.56.180 Construction signs.
- 17.56.190 Subdivision signs – Directional.
- 17.56.200 Subdivision signs – On-site.
- 17.56.210 Subdivision signs – Entrance.
- 17.56.220 Subdivision signs – Application to group housing complexes.
- 17.56.230 Retail commercial uses – Sale signs.
- 17.56.240 Retail commercial uses – Attraction signs.
- 17.56.250 Special signs.

**Article III. Signs in Residential Zones**

- 17.56.260 Permitted signs – Designated.
- 17.56.270 Residential uses.
- 17.56.280 Agricultural uses.
- 17.56.290 Public and semi-public uses.

**Article IV. Signs in Commercial Zones**

- 17.56.300 Permitted signs – Designated.
- 17.56.310 Office uses.
- 17.56.320 Uses in C-2 zone, except service stations.

- 17.56.330 Uses in the C-3 zone, except service stations.
- 17.56.340 Uses in the C-4 zone, except service stations.
- 17.56.350 Service stations.
- 17.56.360 Public and semi-public uses.

**Article V. Signs in Industrial Zones**

- 17.56.370 Permitted signs – Designated.
- 17.56.380 Uses in I-1 zone.
- 17.56.390 Uses in I-2 zone.
- 17.56.400 Public and semi-public uses.

**Article VI. Signs in Mobile Home Zone**

- 17.56.410 Permitted sign.

**Article VII. Administration**

- 17.56.420 Freestanding signs – Planning commission review.
- 17.56.430 Freestanding signs – Appeal of commission action.

**Article I. General Provisions****17.56.010 Intent.**

The location, height, size and illumination of signs are regulated in order to maintain the attractiveness and orderliness of the Holtville appearance, to protect business sites from loss of prominence resulting from excessive signs on nearby sites, and to protect the public safety and welfare. (Ord. 441 § 1, 2000).

**17.56.020 Application of Uniform Sign Code.**

Where not otherwise provided for in this title, the terms, regulations and provisions of the current editions of the Uniform Sign Code shall apply. (Ord. 441 § 1, 2000).

**17.56.030 Building permits – Requirement – Fee.**

A. No person, firm or corporation shall erect, construct, enlarge, modify or relocate any sign in the city without first obtaining a building permit for each sign, except as provided in HMC 17.56.140 through 17.56.250.

B. Building permits for erection or construction of signs within the city shall be issued by the building inspector. The fee for such permits shall be set by resolution of city council. (Ord. 441 § 1, 2000).

**17.56.040 Canopy signs.**

Canopy signs shall conform to state highway encroachment permits, as noted in State Highway Encroachment Permits, District II, Policy and Procedure Bulletin, dated June 1, 1968. (Ord. 441 § 1, 2000).

**17.56.050 Size – Square footage determination.**

The square footage of a sign made up of letters, words, or symbols within a frame shall be determined from the outside edge of the frame itself. The square footage of a sign composed of only letters, words or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters, words, or symbols. Only those portions of the construction elements that are an integral part of the sign itself shall be considered in the allocation of square footage allowed. (Ord. 441 § 1, 2000).

**17.56.060 Materials – Removal.**

All signs shall be structurally safe, shall be of rust inhibitive material, and shall be maintained in good condition in the opinion of the building inspector. The property owner of the land and/or improvements is responsible for removing any sign or signs on the premises where the uses has been discontinued for a period of over 90 days. (Ord. 441 § 1, 2000).

**17.56.070 Maintenance.**

All signs, together with all of their supports, braces, guys, and anchors shall be kept in repair and in a safe state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Also, all weeds shall be cleared and removed periodically. The building inspector may order the removal of any sign that is not maintained in accordance with the provisions of Section S-305 of the Uniform Sign Code. (Ord. 441 § 1, 2000).

**17.56.080 Materials – Restrictions.**

No cloth, paper, plastic or similar advertising signs or devices other than in rigid frames as provided in this chapter shall be permitted. (Ord. 441 § 1, 2000).

**17.56.090 Signs painted on or attached to vehicles.**

Signs painted on or attached to vehicles that are parked on the premises for a period in excess of 24 hours shall be considered signs within the meaning

of this title, and shall specifically be prohibited, except such signs as are normally displayed on business vehicles. (Ord. 441 § 1, 2000).

**17.56.100 Roof signs.**

No roof signs shall be permitted, except where no building setback is provided roof signs may be permitted subject to a conditional use permit. (Ord. 441 § 1, 2000).

**17.56.110 Obscenity prohibited.**

No person shall exhibit, post or display upon any sign or wall any statement, symbol or picture of an obscene nature. (Ord. 441 § 1, 2000).

**17.56.120 Building permit requirements.**

No person, firm or corporation shall erect, construct, enlarge, modify or relocate any sign in the city without first obtaining a building permit for such sign. (Ord. 441 § 1, 2000).

**17.56.130 Exemptions.**

The following signs shall be exempt from the provisions of this chapter:

- A. Official notices authorized by a court, public body or public officer;
- B. Directional, warning or informational signs authorized by federal, state or municipal authority;
- C. Memorial plaques and building cornerstones when cut or carved into masonry surface or when made of incombustible material and made an integral part of the building or structure; and
- D. Commemorative symbols, plaques and historical tablets. (Ord. 441 § 1, 2000).

**Article II. Special Purpose Signs****17.56.140 Permitted signs – Designated.**

The signs designated in HMC 17.56.150 through 17.56.250 shall be considered special purpose signs and shall be permitted subject to the provisions of HMC 17.56.020 through 17.56.120, and reviewed by the building inspector. (Ord. 441 § 1, 2000).

**17.56.150 Parking directional signs.**

In any zone, one parking directional sign is permitted, not exceeding 10 square feet in area or six feet in height, at each parking area entrance or exit. (Ord. 441 § 1, 2000).

**17.56.160 Political signs.**

A. In any residential zone, one unlighted sign for each building or business establishment is per-

mitted, not exceeding eight square feet. In all other zones, one unlighted sign for each building or business establishment is permitted, not exceeding 32 square feet.

B. Freestanding signs shall not exceed six feet in height.

C. No sign shall be located in a public right-of-way or an unoccupied premises (without consent of the property owner) or be attached to a tree or utility pole.

D. A political sign shall not be displayed more than 10 days after the election to which it pertains. (Ord. 441 § 1, 2000).

#### **17.56.170 For sale, rental signs.**

In any zone, one unlighted sign is permitted, not exceeding six square feet on each street frontage adjoining a site, plus one "open house" sign. Freestanding signs shall not exceed six feet in height. (Ord. 441 § 1, 2000).

#### **17.56.180 Construction signs.**

On the site of a project actively under construction, one unlighted sign is permitted, not exceeding 10 square feet in area, for contractor, architect or engineer engaged in the project, except that the total area of all signs shall not exceed 30 square feet. Signs may be combined. Freestanding signs shall not exceed six feet in height. (Ord. 441 § 1, 2000).

#### **17.56.190 Subdivision signs – Directional.**

In any zone, unlighted signs advertising subdivisions containing only the name of the subdivision, the name of developer and/or agent, an identification emblem and directional message shall be permitted provided:

A. There shall be no more than three such signs located within the city limits for each subdivision;

B. The total area of each sign shall not exceed 32 square feet;

C. The total height of each sign shall not exceed 15 feet; and

D. Directional subdivision signs may be displayed during the two years following the date of recordation of the final map or until 100 percent of the lots have been sold, whichever occurs first. (Ord. 441 § 1, 2000).

#### **17.56.200 Subdivision signs – On-site.**

On-site subdivision signs shall be permitted provided there shall be no more than 300 square feet of total sign area for each subdivision and a total of six signs. Such on-site signs shall be permitted to

remain only as long as the sales office is maintained in the subdivision; and provided, that such signs are maintained in good condition as determined by the building inspector. (Ord. 441 § 1, 2000).

#### **17.56.210 Subdivision signs – Entrance.**

At the major street entrance to a subdivision or development, not more than two unlighted signs, each not exceeding 20 square feet in area, attached to and not extending above a wall or fence indicating the name of the subdivision development are permitted. Such signs shall be constructed of materials and affixed to the wall or fence in such a manner as to render them not readily susceptible to vandalism. (Ord. 441 § 1, 2000).

#### **17.56.220 Subdivision signs – Application to group housing complexes.**

For the purpose of administering this chapter, apartment or group housing complexes of 30 units or more shall be considered within the definition of a subdivision. (Ord. 441 § 1, 2000).

#### **17.56.230 Retail commercial uses – Sale signs.**

For retail commercial uses in any zone where such uses are listed as a permitted or conditional use, sale signs may be permitted while a sale of goods or service is being conducted. Such signs shall be displayed only in rigid frame on the wall of the building where the business is conducted and shall not exceed in area 10 percent of the wall area of the building. (Ord. 441 § 1, 2000).

#### **17.56.240 Retail commercial uses – Attraction signs.**

For retail commercial uses in any zone where retail sales or rentals are listed as a permitted or conditional use, one double-faced attraction board not exceeding 12 square feet in area shall be permitted. Such sign shall be used only for the purpose of indicating prices on products for sale or rent. Freestanding signs shall not exceed six feet in height. (Ord. 441 § 1, 2000).

#### **17.56.250 Special signs.**

Flags, emblems, insignias, and posters of any nation, state, international organization, political subdivisions or other governmental agency, unlighted nonverbal religious symbols attached to a place of religious worship, and temporary displays of a patriotic, religious, charitable, or civic character shall be exempt from the provisions of this chapter; however, if the height exceeds 35 feet,

such signs shall be subject to a conditional use permit. (Ord. 441 § 1, 2000).

### Article III. Signs in Residential Zones

#### 17.56.260 Permitted signs – Designated.

Except as described in HMC 17.56.150 through 17.56.250, special purpose signs, only the following signs designated in HMC 17.56.270 through 17.56.290 shall be permitted in a residential zone. Table 17.56-1 sets forth special purpose sign standards for residential uses.

**Table 17.56-1**

**Special Purpose Signs – Residential Use**

Uses	Permitted Sign	Sign Standard
Residential		
Single-family	One unlighted nameplate	1 square foot
Multifamily	One unlighted identification sign, or one freestanding sign	15 square feet, or 6 feet in height
Agricultural	One unlighted sign pertaining to the products raised on the premises	6 square feet or 6 feet in height
Public and semi-public	One lighted or unlighted sign or freestanding sign	15 square feet

(Ord. 441 § 1, 2000).

#### 17.56.270 Residential uses.

A. For single-family dwelling units, one unlighted nameplate not exceeding one square foot in area indicating the name of the occupant shall be permitted. On a site with more than one dwelling unit, nameplates shall not be combined.

B. For multifamily dwellings, apartment developments, boardinghouses, roominghouses, and dormitories, one unlighted identification sign not exceeding 15 square feet in area shall be permitted. Freestanding signs shall not exceed six feet in height. (Ord. 441 § 1, 2000).

#### 17.56.280 Agricultural uses.

One unlighted sign not exceeding six square feet in area or six feet in height pertaining to the products raised on the premises shall be permitted. (Ord. 441 § 1, 2000).

#### 17.56.290 Public and semi-public uses.

One lighted or unlighted sign not to exceed 15 square feet in area shall be permitted. Freestanding signs shall not exceed six feet in height. (Ord. 441 § 1, 2000).

### Article IV. Signs in Commercial Zones

#### 17.56.300 Permitted signs – Designated.

Except as prescribed in HMC 17.56.150 through 17.56.250, special purpose signs, only the following signs designated in HMC 17.56.310 through 17.56.360 shall be permitted in a commercial zone. (Ord. 441 § 1, 2000).

#### 17.56.310 Office uses.

A. For each use, one nameplate not exceeding two square feet in area indicating the name and profession or business of the occupant shall be permitted. When two or more professional offices occupy the same building, nameplates may be combined in the form of a directory; provided, such combined sign shall not exceed 75 square feet in area. When such a sign is freestanding, such sign shall not exceed 12 feet in height.

B. For buildings containing four or more offices, one single-faced lighted wall or canopy sign not exceeding 30 square feet in area indicating the name of the building shall be permitted. (Ord. 441 § 1, 2000).

#### 17.56.320 Uses in C-2 zone, except service stations.

A. One freestanding lighted sign indicating the name of the shopping center not exceeding 75 square feet in area shall be permitted. Freestanding signs shall not exceed 30 feet in height.

B. For each use, one single-faced, lighted wall or canopy sign, not exceeding one square foot of area for each lineal foot of property frontage, or portion thereof, shall be permitted on each side of the building fronting on a street, parking lot or mall to a maximum of 75 square feet per sign; provided, however, there shall be no more than two signs per use. (Ord. 441 § 1, 2000).

**17.56.330 Uses in the C-3 zone, except service stations.**

A. For each use, one lighted freestanding identification sign 75 square feet in area for each street frontage shall be permitted; provided, however, that for each lineal foot of property frontage in excess of 75 feet, an additional one square foot of sign area shall be permitted to a maximum of 150 square feet; and further provided, that there shall be no more than one sign per lot or parcel of land. Where more than one business is being conducted on single lot or parcel of land, the permitted sign area shall be combined into one freestanding sign up to a maximum combined area of 150 square feet. Freestanding signs shall not exceed 30 feet in height.

B. For each use, one single-faced, lighted wall or canopy sign, not exceeding one square foot of area for each lineal foot of property frontage or portion thereof, may be placed on each side of the building fronting on a street, parking lot or mall, to a maximum of 100 square feet per sign; provided, however, there shall be no more than two such signs per use. (Ord. 441 § 1, 2000).

**17.56.340 Uses in the C-4 zone, except service stations.**

Commercial uses in the C-4 zone, except service station signs, shall be permitted in the C-4 zone to the same extent as in the C-3 zone, provided additional signing may be approved by the planning commission. (Ord. 441 § 1, 2000).

**17.56.350 Service stations.**

The following signs shall be permitted:

A. One lighted, freestanding sign not exceeding 50 square feet in area. Such sign shall not exceed 30 feet in height;

B. Not more than two wall or canopy signs, each sign not exceeding 30 square feet;

C. Not more than one price sign not to exceed 12 square feet in area; and

D. Informational or other permanent promotional signs such as those indicating the availability of state approved services or trading stamps shall be permitted. (Ord. 441 § 1, 2000).

**17.56.360 Public and semi-public uses.**

One lighted sign not exceeding 30 square feet in area shall be permitted. Freestanding signs shall not exceed six feet in height. (Ord. 441 § 1, 2000).

**Article V. Signs in Industrial Zones****17.56.370 Permitted signs – Designated.**

Except as prescribed in HMC 17.56.150 through 17.56.250, special purpose signs, only the signs set forth in HMC 17.56.380 through 17.56.400 shall be permitted in an industrial zone. (Ord. 441 § 1, 2000).

**17.56.380 Uses in I-1 zone.**

For each use, one single-faced, lighted wall or canopy sign, not exceeding one square foot of area for each lineal foot of building or portion thereof may be placed on the side of the building facing the major street frontage, up to a maximum of 100 square feet. (Ord. 441 § 1, 2000).

**17.56.390 Uses in I-2 zone.**

A. For each use, one single-faced, lighted wall or canopy sign, not exceeding one square foot of area for each lineal foot of building or portion thereof, may be placed on the side of the building facing the major street frontage, up to a maximum of 100 square feet.

B. For each use, one lighted, freestanding sign not exceeding 75 square feet in area shall be permitted; provided, that there shall be no more than one such sign per lot or parcel of land. Where more than one use is being conducted on a single lot or parcel of land, the permitted sign area for each use shall be combined into one freestanding sign up to a maximum of 100 square feet. Freestanding signs shall not exceed 30 feet in height. (Ord. 441 § 1, 2000).

**17.56.400 Public and semi-public uses.**

One lighted sign not exceeding 30 square feet in area shall be permitted. Freestanding signs shall not exceed six feet in height. (Ord. 441 § 1, 2000).

**Article VI. Signs in Mobile Home Zone****17.56.410 Permitted sign.**

At the major street entrance to the mobile home park, not more than two lighted signs, each not exceeding 20 square feet in area, attached to and not extending above a wall or fence, indicating the name of the mobile home park, shall be permitted. (Ord. 441 § 1, 2000).

## Article VII. Administration

### 17.56.420 Freestanding signs – Planning commission review.

A. All freestanding signs except special purpose signs as designated in HMC 17.56.150 through 17.56.250 and permitted signs in residential zones shall be subject to the review and approval of the planning commission.

B. Fee for the review of freestanding signs shall be as established by resolution of the city council.

C. In its review of freestanding signs, the planning commission shall consider the size, shape, scale and location of the proposed sign as it relates to surrounding land uses in order to insure compatibility between signs and other structures and to reduce possible detrimental effects.

D. Planning commission review of freestanding signs shall not be required where such signs have been approved in conjunction with commission approval of a conditional use permit or variance.

E. Following its review of a freestanding sign as prescribed in subsection C of this section, the planning commission may approve, conditionally approve, or not approve the proposed sign. (Ord. 441 § 1, 2000).

### 17.56.430 Freestanding signs – Appeal of commission action.

If after reviewing a proposed freestanding sign the planning commission should not approve the sign as submitted, or if the applicant does not agree with the conditions of approval required by the commission, the applicant may appeal the decision to the city council as prescribed in HMC 17.66.020. (Ord. 441 § 1, 2000).

## Division V. Nonconforming Uses, Buildings and Structures

### Chapter 17.58

### NONCONFORMING USES

#### Sections:

- 17.58.010 Intent.
- 17.58.020 Designated – Provisions for termination, extension.
- 17.58.030 Removal, razing or remodel of structure.
- 17.58.040 Destruction, damage or obsolescence of structure.
- 17.58.050 Termination – Industrial and commercial zones.

#### 17.58.010 Intent.

Where buildings or lots legally existing on the effective date of the ordinance adopting these regulations are not in conformity with the provisions of these regulations, this chapter is intended to declare such uses to be nonconforming and to encourage these nonconforming buildings and uses to be brought to or toward conformity as rapidly as possible, all for the purpose of protecting the public health, safety and general welfare. (Ord. 441 § 1, 2000).

#### 17.58.020 Designated – Provisions for termination, extension.

A. Nonconforming uses shall be those uses in any zone that are not provided for in the permitted or conditional uses for each zone. Such uses shall be determined within 15 years of the effective date of the ordinance codified in this chapter, or from the date such uses become nonconforming, whichever is later.

B. When said nonconforming use is terminated, at or before the end of the amortization period, every future use shall be in conformity with the provisions of this title.

C. A nonconforming use may be expanded or extended only within the existing building, provided no structural alterations except those required by law or ordinance shall be made.

D. If a nonconforming use of land is discontinued for a period of 180 days, any further use of the land shall be in conformity with this chapter. (Ord. 441 § 1, 2000).

**17.58.030 Removal, razing or remodel of structure.**

The right to operate and maintain a nonconforming use shall terminate when the structure or structures housing such use are removed, razed or remodeled to the extent of 50 percent of the fair market value as determined by the last equalized assessment roll of the county. (Ord. 441 § 1, 2000).

**17.58.040 Destruction, damage or obsolescence of structure.**

The right to operate and maintain a nonconforming use shall terminate when the structure or structures housing such use is (are) damaged or destroyed from any cause so as to become obsolete or become(s) obsolete under municipal ordinance. (Ord. 441 § 1, 2000).

**17.58.050 Termination – Industrial and commercial zones.**

The right to operate and maintain nonconforming uses in the industrial and commercial zones shall terminate if the use is not made to comply with the performance standards of that zone within seven years of the effective date of the ordinance codified in these regulations. (Ord. 441 § 1, 2000).

**Division VI. Administration of Zoning Ordinance****Chapter 17.60****CONDITIONAL USE PERMITS****Sections:**

- 17.60.010 Intent.
- 17.60.020 Uses permitted subject to a conditional use permit.
- 17.60.030 Application.
- 17.60.040 Filing fee.
- 17.60.050 Public notice and planning commission hearing.
- 17.60.060 Planning commission consideration and findings.
- 17.60.070 Appeal – Procedure.
- 17.60.080 Appeal – Decision.
- 17.60.090 Revocation.

**17.60.010 Intent.**

A. Uses permitted subject to a conditional use permit are those uses necessary for the development of community, having inherent qualities or characteristics which, unless provided for, would cause such uses to be incompatible or inharmonious with adjacent or nearby permitted uses. The procedures identified in this chapter are intended to provide means whereby the planning commission may modify such uses to the extent that such uses can be made compatible and harmonious with adjacent uses. In granting a conditional use permit, the planning commission may allow deviations from the yard, wall and fence, height and lot size regulations of the zone. This flexibility is intended to provide necessary means by which certain land uses can be designed and arranged in accord with existing conditions of the neighborhood, site, topographic and street conditions, as well as the use of various design concepts.

B. The procedures identified in this chapter are further intended to control conditions of certain uses in the various zones. (Ord. 441 § 1, 2000).

**17.60.020 Uses permitted subject to a conditional use permit.**

Uses permitted include only those listed or described in the “conditional uses” portion of the various zones. (Ord. 441 § 1, 2000).

**17.60.030 Application.**

A. As depicted on Figure 17.60-1 at the end of this chapter, application for a conditional use permit may be made by a property owner or his authorized agent upon forms provided by the city clerk and giving such information as may be prescribed by the secretary of the planning commission. At this time, the application will be reviewed for completeness by the city clerk based on the following guidelines.

B. If application is deemed incomplete, the application is returned to the applicant. If application is deemed complete, the city clerk shall accept the application.

1. Every application for a conditional use permit shall be accompanied by a drawing or plot plan, drawn to scale and showing the lot and building site or sites, the proposed locations of the building or buildings on the lot, accurate dimensions of the buildings, of the yards and of the lots, and such other information as may be necessary to provide for the enforcement of these regulations or the intelligent consideration of the conditional use permit request.

2. Environmental documentation as described in Chapter 17.12 HMC shall be prepared. (Ord. 441 § 1, 2000).

**17.60.040 Filing fee.**

As depicted on Figure 17.60-1, the city clerk shall charge and collect a filing fee for such application, as determined by resolution of the city council. (Ord. 441 § 1, 2000).

**17.60.050 Public notice and planning commission hearing.**

A. Upon receipt of the application in proper form, the city clerk shall place the item on the planning commission's agenda for public hearing not more than 30 days after the date the application is determined to be complete.

B. Notice of public hearing shall be given for the time and in the manner as established by resolution of the city council, which shall be either:

1. By mailing said notice postage prepaid at least 10 days prior to the public hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of 300 feet from the exterior boundaries of the applicant's property; or

2. By publication of said notice in an official newspaper of the city and by posting of said notice in a conspicuous place on or close to the property

at least 10 days prior to the hearing. (Ord. 441 § 1, 2000).

**17.60.060 Planning commission consideration and findings.**

A. Within 30 days after the conclusion of the public hearing, the planning commission shall approve, conditionally approve, or deny the conditional use permit application. Notice of the action taken shall be mailed to the applicant.

B. The planning commission, in approving a conditional use permit, shall by resolution adopted by an affirmative vote of not less than the majority of all its voting members find as follows:

1. That the site for the proposed use is adequate in size and topography to accommodate said use, and all yards, spaces, walls and fences, parking, loading and landscaping are adequate to properly adjust such use with the land and uses in the vicinity;

2. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

3. That the proposed use will have no adverse effect upon abutting property;

4. That the conditions stated in the decision are deemed necessary to protect the public health, safety and general welfare. Such conditions may include, but are not limited to:

- a. Regulation of use;
- b. Special yards, spaces and buffers;
- c. Special fences, solid fences and walls;
- d. Surfacing of parking areas;
- e. Requiring street, service road or alley dedications and improvements or appropriate bonds;
- f. Regulation of points of vehicular ingress and egress;
- g. Regulation of signs;
- h. Requiring maintenance of the grounds;
- i. Regulating noise, vibration and odors;
- j. Regulation of hours for certain activities;

k. Time period within which the proposed use shall be developed;

l. Duration of use;

m. Requiring the dedication of access rights; and

n. Other such conditions as will make possible the development of the city in an orderly manner;

5. The planning commission shall, in addition to any special conditions, impose the follow-



ing general conditions upon every conditional use permit granted:

a. The right to a use and occupancy permit shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure;

b. All of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors or assigns;

c. All of the special conditions shall be consented to in writing by the applicant; and

d. The resolution granting the application, together with all consent forms, shall be recorded by the recorder of Imperial County. (Ord. 441 § 1, 2000).

#### **17.60.070 Appeal – Procedure.**

A. As depicted on Figure 17.60-1 provided at the end of this chapter, a written appeal may be taken to the city council by the applicant for conditional use permit or by any person, firm, corporation, group or association owning real property within 300 feet of conditional use applicant's property, aggrieved or affected by the decision of the planning commission with respect to any applicant.

B. Such appeals shall be filed in duplicate with the city clerk within 10 days from the date of action by the planning commission or from the expiration of the 30-day period described in HMC 17.60.060.

C. The appeal shall specifically state the grounds for the appeal and how the planning commission failed to conform to the requirements of these regulations.

D. Before accepting an appeal, the city clerk shall charge and collect a fee as determined by resolution of the city council.

E. The city clerk shall immediately transmit one copy of said appeal to the building inspector, who shall inspect the appeal for defects and validate said appeal within 48 hours of receipt. If said appeal is defective for any reason, the building inspector shall send immediate notice to the applicant of the fact and the type and nature of said defect or defects. (Ord. 441 § 1, 2000).

#### **17.60.080 Appeal – Decision.**

The city council may by resolution reverse or affirm, wholly or in part, or may modify any decision, determination or requirement of the planning commission, but before doing so, the city council must set the matter for hearing, give notice of such hearing as is provided in HMC 17.60.050, and

must make a written finding of fact stating where the planning commission's findings were in error. A majority vote of the city council shall be required to grant in whole or in part any appealed application for a conditional use permit which was denied by the planning commission. (Ord. 441 § 1, 2000).

#### **17.60.090 Revocation.**

A. The planning commission may, by resolution and after public hearing with notice in accordance with HMC 17.60.050, revoke any conditional use permit for noncompliance with any of the conditions set forth in the resolution granting the application. Written notice of intention to revoke shall be mailed to the applicant not less than 30 days before the planning commission action. Said revocation may be appealed in the manner provided in HMC 17.60.070. Similarly, if the circumstances surrounding the granting of a conditional use permit have substantially changed, the planning commission may, on a vote of not less than four-fifths of its members, revoke any conditional use permit.

B. If an established time limit for development expires, or if a time limit for the duration of the continuation of the use has been established as one of the conditions, said permit shall be revoked upon such date of expiration without any notification of the owners thereof.

C. The revocation of the conditional use permit shall have the effect of denying all rights granted by the conditional use permit. (Ord. 441 § 1, 2000).

# Conditional Use Permit

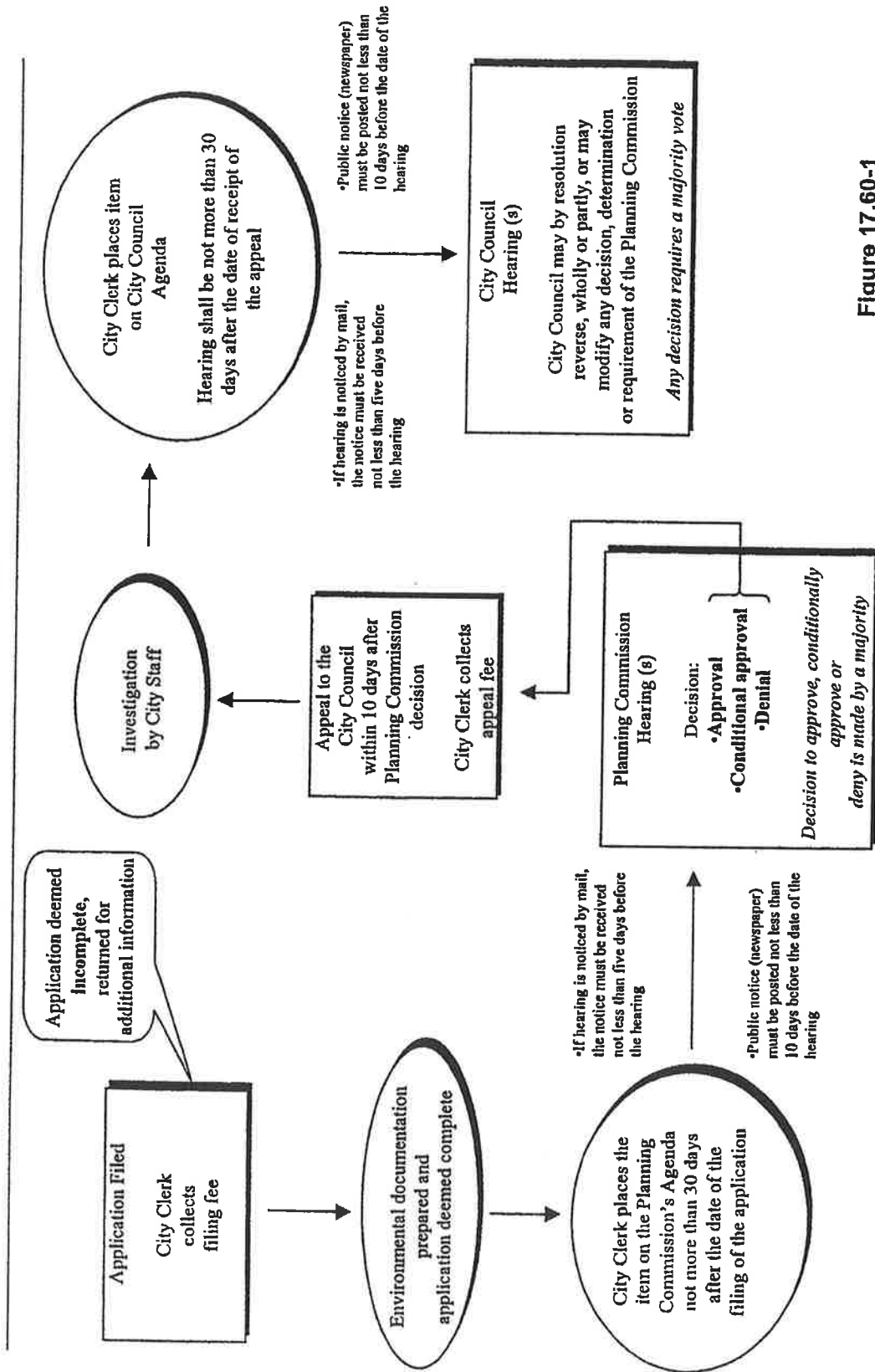


Figure 17.60-1

**Chapter 17.62****VARIANCES**

## Sections:

- 17.62.010 Intent.
- 17.62.020 Granting – Conditions necessary.
- 17.62.030 Application – Contents.
- 17.62.040 Application – Filing fee.
- 17.62.050 Hearing – Notice.
- 17.62.060 Hearing – Planning commission authority.
- 17.62.070 Hearing – Decision – Planning commission authority.
- 17.62.080 Hearing – Decision – Majority of the commission.
- 17.62.090 Decision – Time limit – Failure to act deemed a denial.
- 17.62.100 Effective date.
- 17.62.110 Conditions.
- 17.62.120 Appeal – Procedure.
- 17.62.130 Appeal – Decision.
- 17.62.140 Revocation.

**17.62.010 Intent.**

When practical difficulties, unnecessary hardships, or results inconsistent with the general intent and purpose of these regulations occur through the strict application of the provisions of this title to a parcel or group of parcels affected by a common problem, the planning commission shall have the power to grant, upon such terms and conditions as it deems necessary and proper, variances from the strict provisions of these regulations. A variance shall not be granted to permit a use not permitted in the zone by the provisions of this title. (Ord. 441 § 1, 2000).

**17.62.020 Granting – Conditions necessary.**

The planning commission, before it may grant a variance, shall make a finding that, in the evidence presented, all four of the following conditions exist in reference to the property being considered:

A. Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the provisions of this title would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;

B. Any variance granted shall be subject to such conditions as will assure that the adjustment authorized by the planning commission shall not constitute a grant of special privilege inconsistent

with the limitations upon other properties in the vicinity and zone in which subject property is situated;

C. The granting of the variance will not be materially detrimental to the public health, safety, convenience or welfare, or injurious to property and improvements in the same vicinity and zone in which the project is located; and

D. The granting of such variance will not adversely affect the general plan adopted by the city. (Ord. 441 § 1, 2000).

**17.62.030 Application – Contents.**

A. Applications for variances shall be filed by the owner, his authorized agent, or a lessee, upon forms provided by the city clerk. Applications shall set forth and state fully the reasons and grounds for the variance and shall contain such information as the planning commission prescribes. The application shall be reviewed for completeness by the city clerk based on the following guidelines:

1. Every application for a variance shall be accompanied by a drawing or plot plan, drawn to scale and showing the lot and building site or sites, the proposed locations of the building or buildings on the lot, accurate dimensions of the buildings, of the yards and of the lot, and such other information as may be necessary to provide for the enforcement of these regulations or the intelligent consideration of the variance request.

2. Environmental documentation as described in Chapter 17.12 HMC shall be prepared.

B. As depicted in Figure 17.62-1 provided at the end of this chapter, if application is deemed incomplete, the application is returned to the applicant. If application is deemed complete, the city clerk shall accept the application. (Ord. 441 § 1, 2000).

**17.62.040 Application – Filing fee.**

Before accepting an application for a variance, the city clerk shall charge and collect a filing fee. Such fee shall be established by a resolution of the city council. (Ord. 441 § 1, 2000).

**17.62.050 Hearing – Notice.**

A. As depicted in Figure 17.62-1 provided at the end of this chapter, upon receipt of the application in proper form, the city clerk shall place the item on the planning commission's agenda for public hearing not more than 30 days after the date the application is determined to be complete.

B. Notice of public hearing shall be given for the time and in the manner as established by resolution of the city council, which shall be either:

1. By mailing said notice postage prepaid at least five days prior to the public hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of 300 feet from the exterior boundaries of the applicant's property; or

2. By publication of said notice in an official newspaper of the city and by posting of said notice in a conspicuous place on or close to the property at least 10 days prior to the hearing. (Ord. 441 § 1, 2000).

**17.62.060 Hearing – Planning commission authority.**

The planning commission shall, on the date set, hold the public hearing upon the application for variance. (Ord. 441 § 1, 2000).

**17.62.070 Hearing – Decision – Planning commission authority.**

As depicted in Figure 17.62-1 provided at the end of this chapter, from the facts presented with the application at the public hearing, the planning commission may grant the requested variance in whole or in part, with or without conditions, as specified in HMC 17.62.110. If the findings cannot be made, such application shall be denied. (Ord. 441 § 1, 2000).

**17.62.080 Hearing – Decision – Majority of the commission.**

Every action or decision of the planning commission authorizing a variance from the regulations established in this title shall be by resolution adopted by a majority of its membership. (Ord. 441 § 1, 2000).

**17.62.090 Decision – Time limit – Failure to act deemed a denial.**

The planning commission shall make its findings and determinations within 30 days from the date of the closing of the hearing of such application and shall within 10 days of its decision mail a notice of its decision to the applicant. The 30-day period may be extended at the request of or with the consent and approval of the applicant. The planning commission's decision shall be final unless appealed to the city council. The failure of the planning commission to make its findings and determination within the time limit as provided in this chapter or any approved extension shall consti-

tute a denial of such variance by the planning commission as of the last day when the planning commission could have acted upon the application. (Ord. 441 § 1, 2000).

**17.62.100 Effective date.**

No variance granted or authorized by the planning commission as provided in this chapter shall become effective until after an elapsed period of 10 days from the date of the action authorizing such a variance. (Ord. 441 § 1, 2000).

**17.62.110 Conditions.**

The following conditions of a variance may be imposed:

A. The planning commission, in approving a variance, may set forth in its decision reasonable terms and conditions that it deems necessary to protect the health, safety, and welfare of the community, and to ensure the intent and purposes of these regulations; and

B. Every variance granted as authorized by this section shall be conditioned upon its privileges being utilized within 180 days after the effective date of the said variance; after such time any privileges shall become null and void, unless the planning commission, in its discretion and with the consent or upon the request of the applicant for any cause, grants a reasonable extension of time. Where the privileges granted involve some form of construction work and such construction has not commenced within the 180-day period due to delays caused by the building inspector in approving plans, the planning commission may also grant a reasonable extension of time. Requests for extension shall be filed with the city clerk prior to the expiration of the 180-day time limit. (Ord. 441 § 1, 2000).

**17.62.120 Appeal – Procedure.**

A. As depicted in Figure 17.62-1 provided at the end of this chapter, a written appeal may be taken to the city council by the applicant for variance or by any person, firm, corporation, group or association owning real property within 300 feet of variance applicant's property, aggrieved or affected by the decision of the planning commission with respect to any applicant, within the 30-day limit mentioned in HMC 17.62.090.

B. Such appeals shall be filed in duplicate with the city clerk within 10 days from the date of action by the planning commission or from the expiration of the 30-day period described in HMC 17.62.090.

C. The appeal shall specifically state the grounds for the appeal and how the planning commission failed to conform to the requirements of these regulations.

D. Before accepting an appeal, the city clerk shall charge and collect a fee as determined by resolution of the city council.

E. The city clerk shall immediately transmit one copy of said appeal to the secretary of the planning commission, and if the appeal has been made by someone other than the applicant, one to applicant.

F. Said appeal stays all proceedings in action appealed from until the determination of said appeal as provided in this section.

G. Upon receipt of the appeal, the secretary of the planning commission within 10 days, or by the next regular city council meeting, shall transmit to the city council the original petition and copies of all other papers constituting the record upon which the action appealed from was taken, together with a written report disclosing in which respects the petition for variance and facts offered in support of the action met or failed to meet the qualifications set forth in HMC 17.62.060 through 17.62.110.

H. The city clerk shall place the item on the agenda for city council hearing, which hearing shall not be less than 10 days nor more than 30 days from the date of the receipt of the appeal. The city clerk shall give notice of such hearing in the manner prescribed in HMC 17.62.050.

I. An appeal may be withdrawn at any time prior to the date and time of noticing the public hearing. (Ord. 441 § 1, 2000).

#### **17.62.130 Appeal – Decision.**

As depicted in Figure 17.62-1 provided at the end of this chapter, the city council may by resolution reverse, wholly or partly, or may modify any decision, determination or requirement of the planning commission. In doing so, the city council must make a written finding of fact setting forth where the planning commission's findings were in error and where the property or particular use involved meets or fails to meet the qualifications set forth in HMC 17.62.060 through 17.62.110. Failure of the city council to reverse or modify the decision of the planning commission within 15 days of the date of the closing of the hearing shall constitute affirmation of the planning commission's decision. A majority vote of the whole of the city council shall be required to grant in whole or in part any appealed petition which was denied by the planning commission. (Ord. 441 § 1, 2000).

#### **17.62.140 Revocation.**

A. The revocation of a variance shall have the effect of denying all privileges granted by the variance.

B. The city council, with or without a recommendation from the planning commission, may by resolution and after a public hearing with notice in accordance with HMC 17.62.050 revoke any variance for noncompliance with the conditions set forth in granting such variance. Written notices of intention to revoke shall be mailed to the owners of the property and the occupant of the property not less than 30 days before the city council's action in the revocation of the variance.

C. If at any time where a variance has been granted, it comes to the attention of the planning commission that erroneous facts or information were presented by the applicant and considered by the planning commission in the granting of said variance, the planning commission shall hold a hearing regarding the said variance. The persons affected by the variance shall be notified of the hearing. If from the evidence presented to the planning commission that erroneous information was in fact presented by the applicant and considered by the planning commission, and that said information naturally affected the decision and judgment of the planning commission in granting the variance, or did materially affect the purpose and intent of the variance, then the planning commission shall recommend to the city council that the variance be revoked. Upon the receipt of such recommendation, the city council may revoke the variance in accordance with subsection B of this section. (Ord. 441 § 1, 2000).

## Variance Process

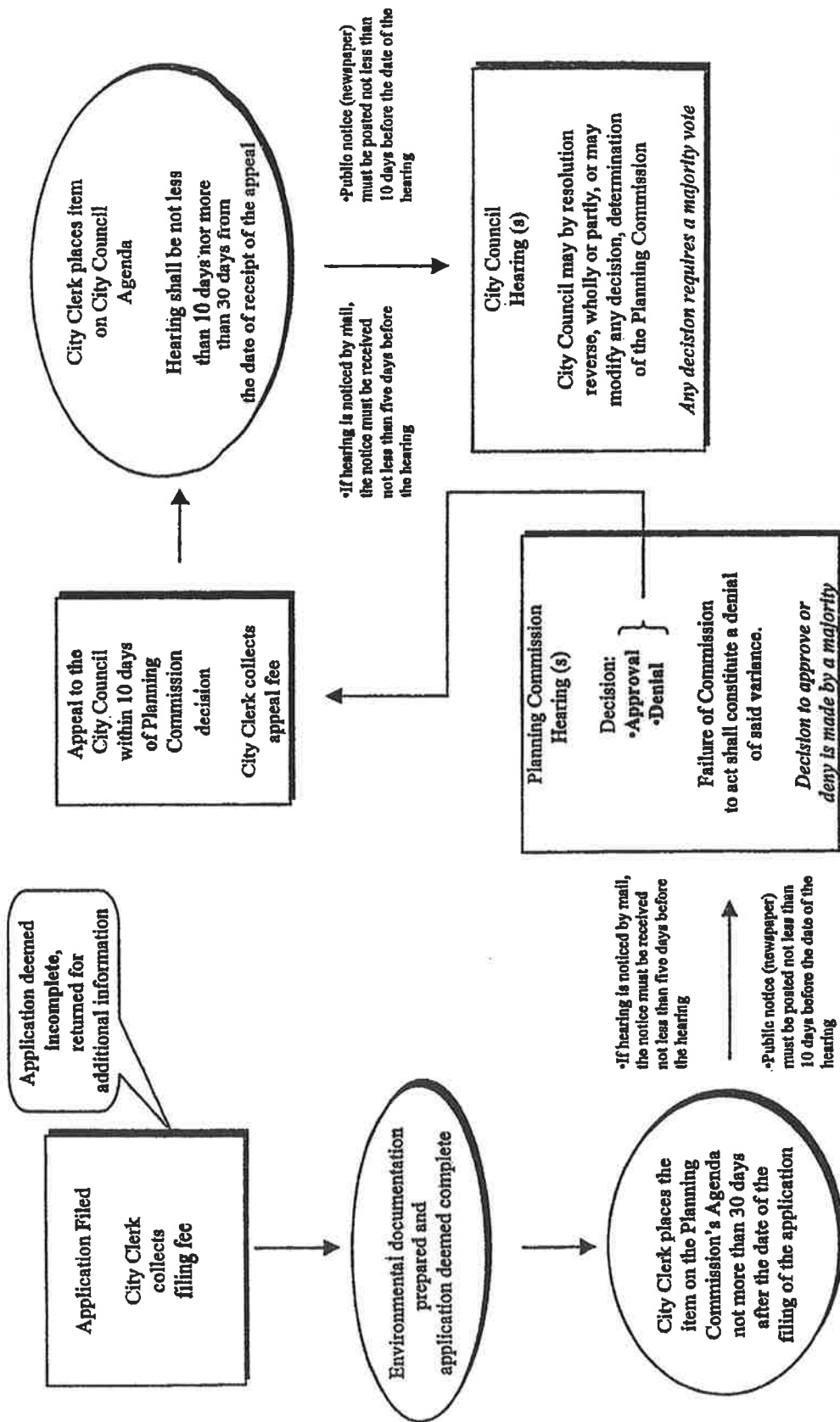


Figure 17.62-1

**Chapter 17.63****DESIGN REVIEW****Sections:**

- 17.63.010 Purpose and intent.
- 17.63.020 Applicability.
- 17.63.030 Exemptions.
- 17.63.040 Application.
- 17.63.050 Approval authority and hearing.
- 17.63.060 Considerations.
- 17.63.070 Findings.
- 17.63.080 Conditions.
- 17.63.090 Permit issuance.
- 17.63.100 Appeal.
- 17.63.110 Revocation.

**17.63.010 Purpose and intent.**

The purpose of design review is to provide a process for promoting the orderly and harmonious growth of the downtown and central business district; to encourage development in keeping with the desired character of the downtown and central business district; and to ensure physical and functional compatibility between uses. The design review permit established by this chapter is intended to provide a process for consideration of development proposals to ensure that the design and layout of commercial, multifamily residential, and mixed use development will constitute suitable development and will not result in a detriment to the city or to the environment. (Ord. 469 § 1 (Exh. B), 2009).

**17.63.020 Applicability.**

A design review permit is required for the following projects within the downtown and central business district as designed under the D-A and D-B zoning districts:

- A. Multifamily residential development;
- B. Nonresidential and mixed use development (e.g., commercial, office, industrial, public/quasi-public); and
- C. Additions to the above projects where 500 or more gross square feet is being added to existing structures. (Ord. 469 § 1 (Exh. B), 2009).

**17.63.030 Exemptions.**

The following structures and activities are exempt from design review. However, such structures may require additional permits and plan check, such as a ministerial building permit, to ensure compliance with adopted building code standards and applicable zoning code provisions.

- A. Single-family homes;
- B. Additions to single-family residential homes;
- C. Additions to nonresidential and mixed use structures less than 500 square feet in size;
- D. Accessory structures consistent with the provisions of this title;
- E. Installation of signs consistent with the provisions of this title;
- F. Repairs and maintenance to the site or structure(s) that do not add to, enlarge, or expand the area occupied by the structure, or the gross floor area of the structure;
- G. Interior alterations that do not increase the gross floor area within the structure, or change/expand the permitted use of the structure (e.g., tenant improvements); and
- H. Construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities intended to service existing or nearby approved developments (e.g., water, gas, electric or telecommunication supply or disposal systems, including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, and similar facilities and equipment). (Ord. 469 § 1 (Exh. B), 2009).

**17.63.040 Application.**

A. Application Contents. An application for design review may be made by a property owner or his authorized agent upon forms provided by the city clerk and giving such information as may be prescribed by the secretary of the planning commission. At this time, the application will be reviewed for completeness by the city clerk based on the following guidelines:

1. Every application for design review shall be accompanied by a drawing or plot plan, drawn to scale, and showing the lot and building site or sites, the proposed location of the buildings on the lot, accurate dimensions of the buildings, of the yards and of the lots, drawings of all elevations or sides of the buildings showing how the buildings will look when constructed, including building finishes and colors, and such other information as may be necessary to provide for the enforcement of these regulations or the intelligent consideration of the design review request.

2. Environmental documentation as described in Chapter 17.12 HMC shall be prepared.

B. Application Completeness Determination. If the application is deemed incomplete, the application is returned to the applicant. If the application

is deemed complete, the city clerk shall accept the application.

C. Filing Fee. The city clerk shall charge and collect a filing fee for such application, as determined by resolution of the city council. (Ord. 469 § 1 (Exh. B), 2009).

#### **17.63.050 Approval authority and hearing.**

A. Approval Authority. The designated approving authority for design review is the planning commission. The project review committee provides a recommendation and the planning commission approves, conditionally approves, or denies the design review application in accordance with the requirements of this title. Design review approval is required prior to issuance of any ministerial building permits or site improvement plans and prior to or in conjunction with discretionary action of corresponding development applications.

B. Hearing. Upon receipt of the application in proper form, the city clerk shall place the item on the planning commission's agenda for public hearing not more than 30 days after the date the application is determined to be complete. Within 30 days after the conclusion of the public hearing, the planning commission shall approve, conditionally approve, or deny the design review application. Notice of the action taken shall be mailed to the applicant.

C. Public Hearing Notice. Notice of public hearing shall be given for the time and in the manner as established by resolution of the city council, which shall be either:

1. By mailing said notice postage prepaid at least 10 days prior to the public hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of 300 feet from the exterior boundaries of the applicant's property; or

2. By publication of said notice in an official newspaper of the city and by posting of said notice in a conspicuous place on or close to the property at least 10 days prior to the hearing. (Ord. 469 § 1 (Exh. B), 2009).

#### **17.63.060 Considerations.**

In conducting a design review, the designated approving authority shall consider the following:

A. Considerations relating to site layout, the orientation and location of building, signs, other structures, open spaces, landscaping and other development features in relation to the physical characteristics, zoning, and land use of the site and surrounding properties;

B. Considerations relating to traffic, safety, and traffic congestion, including the effect of the development plan on traffic conditions on abutting streets, the layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, driveways, and walkways, the adequacy of off-street parking facilities to prevent traffic congestion, and the circulation patterns within the boundaries of the development;

C. Considerations necessary to ensure that the proposed development is consistent with the general plan and the downtown vision plan, including but not limited to the density of residential units; and

D. Considerations relating to the availability of public services, including, but not limited to, water, sewer, drainage, police and fire; and whether such services are adequate based upon city standards. (Ord. 469 § 1 (Exh. B), 2009).

#### **17.63.070 Findings.**

A design review permit, or any modification thereto, shall be granted only when the designated approving authority makes all of the following findings:

A. The proposed project is consistent with the objectives of the general plan, complies with applicable zoning regulations, the downtown vision plan, improvements standards, and other applicable standards and regulations adopted by the city;

B. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation;

C. The site layout (orientation and placement of buildings and parking areas), as well as the landscaping, lighting, and other development features are compatible with and complement the existing surrounding environment and ultimate character of the area under the general plan; and

D. That the proposed development complies with the regulations of the downtown code, promotes the spirit of downtown by integrating the fabric of its public and private built environment (the downtown's DNA – what makes its unique character) and complementing the architectural quality of the downtown. (Ord. 469 § 1 (Exh. B), 2009).

#### **17.63.080 Conditions.**

The designated approving authority may modify plans in whole or in part and may condition the design review permit to ensure specific design features and conformance with all applicable provisions of this title. (Ord. 469 § 1 (Exh. B), 2009).



**17.63.090 Permit issuance.**

The final action of the design review permit by the designated approving authority shall constitute approval of the permit. Such permit shall only become valid after the designated 10-day appeal period has been complete as provided in HMC 17.63.100, Appeal. (Ord. 469 § 1 (Exh. B), 2009).

**17.63.100 Appeal.**

A. A written appeal may be taken to the city council by the applicant for design review or by any person, firm, corporation, group, or association aggrieved or affected by the decision of the planning commission with respect to any application for design review.

B. Such appeals shall be filed in duplicate with the city clerk within 10 days from the date of action by the planning commission or from the expiration of the 30-day completeness period described in HMC 17.63.040, Application. The appeal shall specifically state the grounds for the appeal and how the planning commission failed to conform to the requirements of these regulations.

C. Before accepting an appeal, the city clerk shall charge and collect a fee as determined by resolution of the city council.

D. The city clerk shall immediately transmit one copy of said appeal to the city planner, who shall inspect the appeal for defects and validate said appeal within 48 hours of receipt. If said appeal is defective for any reason, the building inspector shall send immediate notice to the applicant of the fact and the type and nature of said defect or defects.

E. The filing of an appeal shall stay the issuance of subsequent permit(s) (e.g., building permits). (Ord. 469 § 1 (Exh. B), 2009).

B. If an established time limit for development expires, or if a time limit for the duration of the continuation of the use has been established as one of the conditions, said permit shall be revoked upon such date of expiration without any notification of the owners thereof.

C. The revocation of the design review permit shall have the effect of denying all rights granted by the design review permit. (Ord. 469 § 1 (Exh. B), 2009).

**17.63.110 Revocation.**

A. The planning commission may, by resolution and after a public hearing with notice in accordance with HMC 17.63.050, Approval authority and hearing, revoke any design review permit for noncompliance with any of the conditions set forth in the resolution granting the application. Written notice of intention to revoke shall be mailed to the applicant not less than 30 days before the planning commission hearing. Said revocation may be appealed in the manner provided in HMC 17.63.100, Appeal. Similarly, if the circumstances surrounding the granting of a design review permit have substantially changed, the planning commission may, on a vote of not less than four-fifths of its members, revoke any design review.

---

*This page left intentionally blank.*

## **Chapter 17.64**

### **AMENDMENTS**

#### Sections:

##### **Article I. Zoning Map Amendment**

- 17.64.010 Rezone – Criteria.
- 17.64.020 Initiation – Petition.
- 17.64.030 Filing fee.
- 17.64.040 Investigation.
- 17.64.050 Hearing – Notice.
- 17.64.060 Public hearing – Action by the planning commission.
- 17.64.070 Council action – Planning commission denial of zone change.
- 17.64.080 Council action – Planning commission approval of zone change.
- 17.64.090 Council action – Public hearing – Date notice.

##### **Article II. Zoning Text Amendment**

- 17.64.100 Procedure generally.
- 17.64.110 Initiation.
- 17.64.120 Investigation.
- 17.64.130 Public hearing – Planning commission.
- 17.64.140 Public hearing – City council.
- 17.64.150 Public hearing – Referral, decision.

##### **Article I. Zoning Map Amendment**

#### **17.64.010 Rezone – Criteria.**

The planning commission in recommending and the city council in reviewing a proposed change of zone shall consider whether the following conditions exist in reference to the proposed zoning of the subject property:

A. The proposed change of zone is in conformity with the general plan;

B. The subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related use, and other considerations deemed relevant by the planning commission and city council; and

C. The proposed change of zone is necessary and proper at this time and is not likely to be detrimental to the adjacent property. (Ord. 441 § 1, 2000).

#### **17.64.020 Initiation – Petition.**

A. As depicted in Figure 17.64-1 provided at the end of this chapter, the following parties may initiate rezone procedures:

1. The planning commission may initiate proceedings by motion and then hold public hearings;

2. The city council may initiate proceedings by motion and then submit the matter to the planning commission for public hearings; and

3. The owner of property proposed for rezoning, the lessee having a leasehold interest of not less than five years, exclusive of an option to renew, or the agent of any of the foregoing, duly authorized in writing, by filing a petition with the city clerk on forms provided by the city clerk.

B. The petition for rezone shall be full and complete and shall include such data and information as may be prescribed by the planning commission to assist in determining the validity of the request and the manner in which it meets the considerations set forth in this chapter. The petition shall be verified before a notary public by the applicant and by the property owner, and the date of verification shall be noted on the petition. An incomplete application shall not be accepted and shall be returned to the applicant. (Ord. 441 § 1, 2000).

#### **17.64.030 Filing fee.**

The city clerk shall charge and collect a filing fee for each application for rezone as determined by resolution of the city council. (Ord. 441 § 1, 2000).

#### **17.64.040 Investigation.**

The city manager or any other city official designated by the city manager shall investigate the facts bearing on the proposed zone change to provide information necessary to assure action consistent with the intent of this title and the general plan, and shall report the findings to the planning commission. This investigation shall include the preparation of environmental documentation described in Chapter 17.12 HMC. (Ord. 441 § 1, 2000).

#### **17.64.050 Hearing – Notice.**

A. As depicted in Figure 17.64-1 provided at the end of this chapter, a hearing date for a proposed zone change shall be set by the city clerk for not more than 30 days after the filing of a petition, or after the initiating motion by the city council or planning commission, except as provided in HMC 17.12.020.

B. Notice of the required public hearing shall contain the time and place of the hearing and a general description of the area proposed for change.

C. Notice of such hearing shall be given both by mailing or delivering said notice at least 10 days prior to the public hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of 300 feet from the boundaries of the applicant's property, and by publication of said notice in an official newspaper of the city. (Ord. 441 § 1, 2000).

#### **17.64.060 Public hearing – Action by the planning commission.**

A. The planning commission shall, not less than 10 nor more than 30 days after the publication of the legal notice of public hearing on a zone change, hold said hearings.

B. The planning commission shall announce and record its decision within 30 days after the conclusion of the public hearing. Said decision shall recommend either approval or disapproval of the proposed zone change and shall set forth findings in support of the recommendation. The planning commission may reduce, but shall not enlarge the area of the proposed zone change in any way, unless proper notice and publication of the enlarged area is made.

C. Said decision shall be filed with the city council within 10 days after its announcement, and a copy of the decision shall be mailed to the petitioner at the address shown on the petition. (Ord. 441 § 1, 2000).

#### **17.64.070 Council action – Planning commission denial of zone change.**

If the decision of the planning commission recommends against the adoption of the zone change, the city council shall not be required to take any further action on the requested zone change unless an interested party requests such a hearing by filing a written request with the city clerk within 10 days after the planning commission files its decision and recommendations. In the latter event, a public hearing shall be held and notice shall be given as provided in HMC 17.64.050(C). (Ord. 441 § 1, 2000).

#### **17.64.080 Council action – Planning commission approval of zone change.**

A. If the decision of the planning commission recommends the proposed change, the city council shall, not more than 30 days after publication of

legal notice of a public hearing on a zone change, hold said public hearing.

B. The city council may approve the proposed zone change and enact it into ordinance or disapprove it. The city council may reduce but shall not enlarge the area of the proposed zone change in any way unless proper notice and publication of the enlarged area is made. (Ord. 441 § 1, 2000).

#### **17.64.090 Council action – Public hearing – Date notice.**

On any public hearings required by the provisions of HMC 17.64.070 and 17.64.080, the hearing date shall be set by the city clerk for not more than 30 days after the filing of the planning commission's decision with the city council. Notice shall be given as provided in HMC 17.64.050. (Ord. 441 § 1, 2000).

### **Article II. Zoning Text Amendment**

#### **17.64.100 Procedure generally.**

Should consideration of an amendment of the text of the ordinance codified in this title be desired, the procedure set forth in Figure 17.64-2 and HMC 17.64.110 through 17.64.150 shall be followed. (Ord. 441 § 1, 2000).

#### **17.64.110 Initiation.**

A. The planning commission may initiate proceedings by motion and then hold public hearings and make recommendations as provided in HMC 17.50.130.

B. The city council may initiate proceedings by motion, and then submit the matter to the planning commission for public hearings. (Ord. 441 § 1, 2000).

#### **17.64.120 Investigation.**

The city manager or other city official designated by the city manager shall study the proposed ordinance amendment and shall provide information necessary to assure action consistent with the intent of this title and the general plan, and shall report the findings to the planning commission. This investigation shall include the preparation of environmental documentation described in Chapter 17.12 HMC. (Ord. 441 § 1, 2000).

#### **17.64.130 Public hearing – Planning commission.**

A. The hearing date for a proposed textual amendment to any portion of this title shall be set by the city manager for not more than 30 days after

the initiating motion by the planning commission or city council, except as provided in HMC 17.12.020.

B. Notice of the required public hearings shall contain the time and place of the hearing and the general purpose of the proposed amendment.

C. Notice shall be published in a newspaper of general circulation in the city not less than 10 days before the date set for the public hearing.

D. The planning commission shall, not more than 30 days after the publication of legal notice of a public hearing on an ordinance amendment, hold such public hearing.

E. Within 30 days after the conclusion of the public hearing, the planning commission shall file its recommendation with the city council, together with a report of findings, hearings and other supporting data. (Ord. 441 § 1, 2000).

**17.64.140 Public hearing – City council.**

A. The hearing date for a proposed textual amendment to the ordinance codified in this title shall be set by the city clerk for not more than 30 days after the filing of the planning commission's recommendation.

B. Notice shall be given as provided in HMC 17.64.130. (Ord. 441 § 1, 2000).

**17.64.150 Public hearing – Referral, decision.**

A. The city council shall, not more than 30 days after the publication of the legal notice of a public hearing on an ordinance amendment, hold said public hearing.

B. The city council may adopt by ordinance or reject the amendment recommendation made by the planning commission after holding at least one public hearing thereon. The city council may modify the amendment recommended by the planning commission; provided, the proposed modification has been referred back to the planning commission for a report, pursuant to the provisions of subsection C of this section.

C. The planning commission shall review the changes proposed and referred to it by the city council and shall report its recommendations back to the city council. Such report is to be filed with the council not more than 40 days after the referral by the city council. (Ord. 441 § 1, 2000).

## Zoning Map Amendments

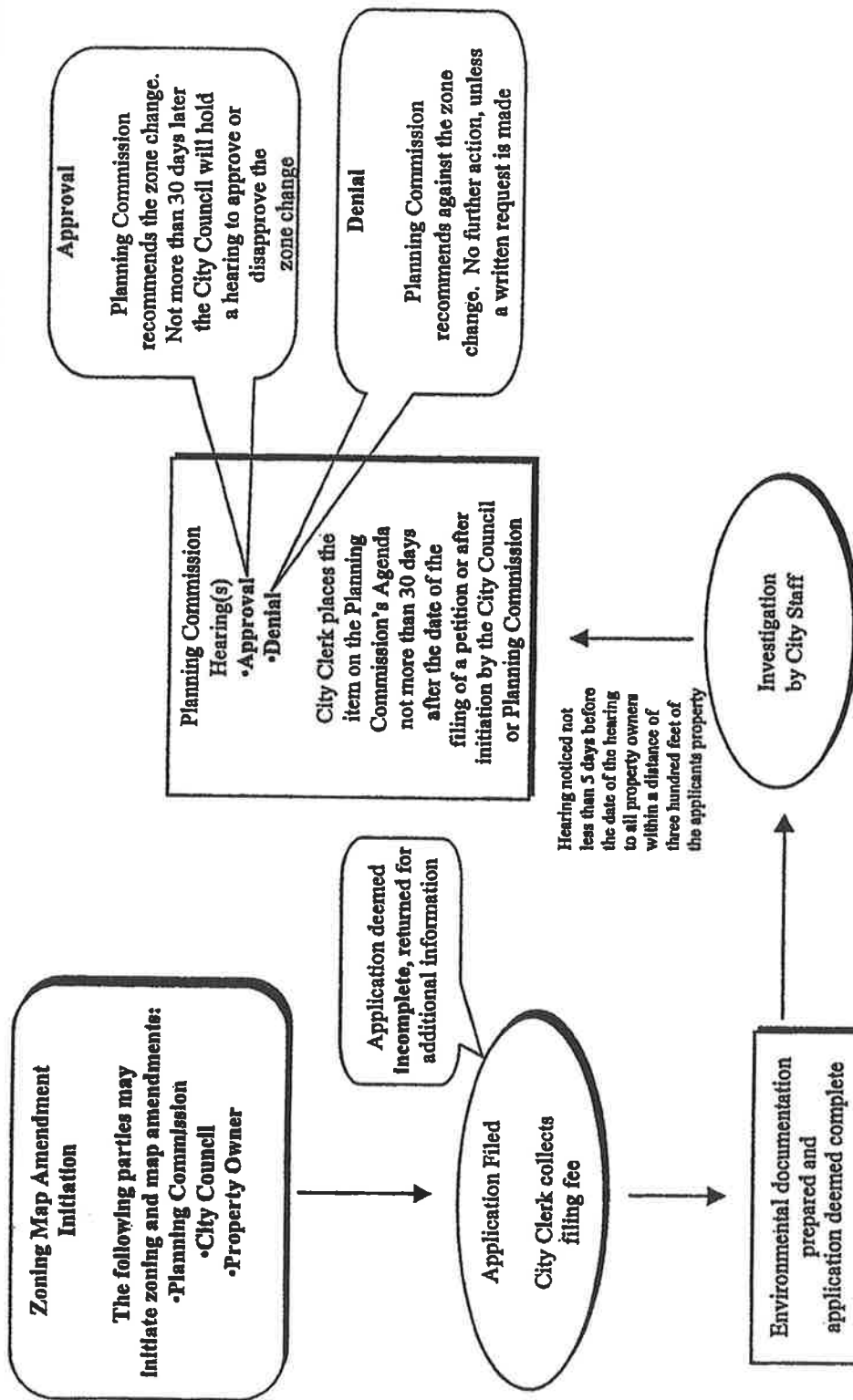
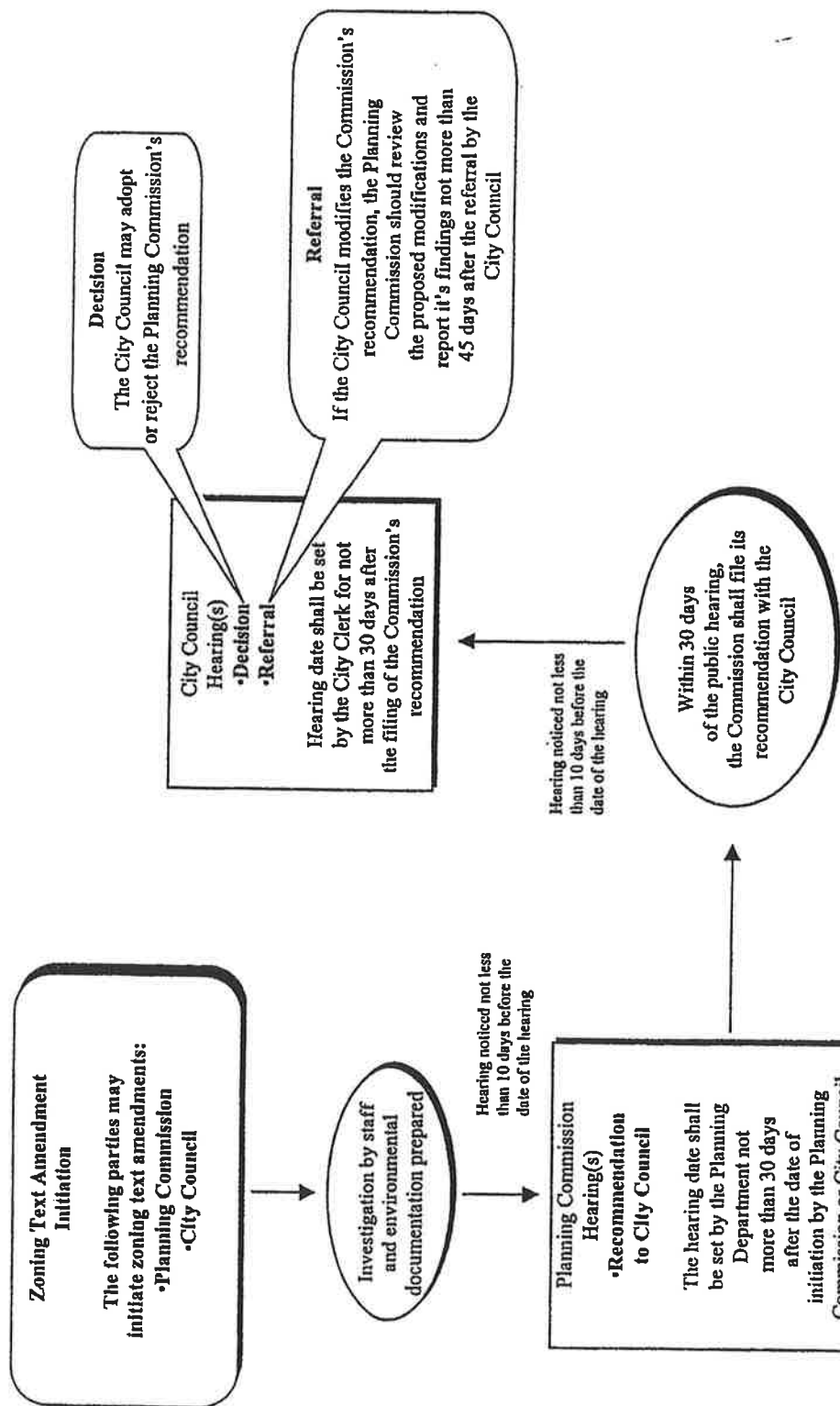


Figure 17.64-1

## Zoning Text Amendment



**Figure 17.64-2**

## **Chapter 17.66**

### **SIGN PERMITS**

#### **Sections:**

- 17.66.010 Freestanding signs – Planning commission review.
- 17.66.020 Freestanding signs – Appeal of planning commission.

#### **17.66.010 Freestanding signs – Planning commission review.**

A. All freestanding signs except special purpose signs as designated in HMC 17.56.150 through 17.56.250 and permitted signs in residential zones shall be subject to the review and approval of the planning commission.

B. Fee for the review of the freestanding signs shall be established by resolution of the city council.

C. In its review of freestanding signs, the planning commission shall consider the size, shape, scale and location of the proposed sign as it relates to surrounding land uses in order to ensure compatibility between signs and other structures and to reduce possible detrimental effects.

D. Planning commission review of freestanding signs shall not be required where such signs have been approved in conjunction with planning commission approval of a conditional use permit or a variance.

E. Following its review of a freestanding sign as prescribed in subsection C of this section, the planning commission may approve, conditionally approve, or deny the proposed sign. (Ord. 441 § 1, 2000).

#### **17.66.020 Freestanding signs – Appeal of planning commission.**

If after reviewing a proposed freestanding sign, the planning commission should not approve the sign as submitted or, if the applicant does not agree with the conditions of approval required by the planning commission, the applicant may appeal the decision to the city council, as prescribed in HMC 17.62.120. (Ord. 441 § 1, 2000).