

Mt. Shasta City Council Regular Planning Commission Meeting Agenda

Mt. Shasta Community Center, 629 Alder Street Tuesday,
 Tuesday, November 15, 2016; 6:00 p.m.

“Our mission is to maintain the character of our “small town” community while striking an appropriate balance between economic development and preservation of our quality of life. We help create a dynamic and vital City by providing quality, cost-effective municipal services and by forming partnerships with residents and organizations in the constant pursuit of excellence.”

Page	Item	STANDING AGENDA ITEMS
	1. Call to Order and Flag Salute	
	2. Roll call	
	3. Approval of Minutes:	Planning Commission Regular Meeting Minutes for Tuesday, September 20, 2016 Planning Commission Regular Meeting Minutes for Tuesday, October 18, 2016
	4. Public Comment:	Welcome to our Planning Commission meeting. The Commission invites the public to address the Commission on issues not listed on the agenda and that are within the Commission’s subject matter jurisdiction. Those wishing to address the Commission are asked to sign-in and indicate their topic of interest. The public has a right to address the Commission on any subject within the Commission’s jurisdiction; however, the Commission may limit public comment on matters that are outside of its jurisdiction. The Planning Commission may regulate the total amount of time on particular issues and for speakers (typically 3 minutes). The Commission may place additional time limits on comments, to ensure members of the public have opportunity to speak and the Commission is able to complete its work. A group may be asked to choose a spokesperson to address the Commission on a subject matter, or the Commission may limit the number of persons addressing the Commission whenever a group of persons wishes to address the Commission on the same subject matter. Speakers are asked to provide their name and address for the public record. We greatly appreciate your active participation.
	5. Consent Agenda	Consent Agenda items are matters requiring a Planning Commission review but which, following an initial evaluation by staff, have been found to be consistent with existing City regulations and the City General Plan and are, therefore, recommended for “routine” approval. If it is determined by the Commission that a Consent Agenda item requires further discussion and review, it will be removed to the regular agenda for consideration. The remaining items will be handled as a group by a single action of the Commission.
Pg. 9	6. 2016.16: Secondhand Smoke Ordinance First Reading	<p><u>Background:</u> A petition signed by Mt. Shasta residents was received in April 2016. The petition calls for the creation of smoking limitations in the City Limits. The petition calls for the creation of a Municipal Ordinance limiting smoking in City Limits.</p> <p><u>Commission Action:</u> Approve the first reading of the amendments to Chapter 6.20 “Smoking” of the Mt. Shasta Municipal Code (MSMC)</p>

Pg. 19	<p>7. 2016.10: Sign Ordinance Graphic Type Discussion <u>Background:</u> The Planning Commission will review and discuss the types of graphics that should be covered in a new sign ordinance. Types of graphics that will be reviewed are ground, wall, roof, projecting, awning, and special street graphics.</p> <p><u>Commission Action:</u> Recommend direction to Planning Department Staff on amending Chapter 8 “Signs” of MSMC</p>
Pg 38	<p>8. 2016.19: Broadband & Telecommunications Plan Discussion <u>Background:</u> Broadband internet has become an essential service for residents and businesses in the City of Mt. Shasta. Broadband service can grant access to valuable services like job opportunities, healthcare, and government resources.</p> <p><u>Commission Action:</u> Recommend direction to City of Mt. Shasta City Council on integrating broadband into City policy and plans.</p>
<p>9. Commission and Staff Comments</p>	
<p>10. Future Agenda Items – Future items are topics brought to the Planning Commission from a public petition, city staff, Planning Commission member(s), and City Council for review and action. All dates refer to first introductions to the Planning Commission and can be altered due to time and priority level.</p> <ul style="list-style-type: none"> a. Lighting Ordinance – 12/13/2016 b. Orchard Annexation Pre-zoning – 12/13/2016 c. General Plan Progress Report – 1/17/2016 d. Off-Street Parking Requirements – 2/21/2016 	
<p>11. Adjourn – Next meeting scheduled for Tuesday, December 13, 2016, at 6:00pm</p> <p>Availability of Public Records: All public records related to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at City Hall located at 305 North Mt. Shasta Blvd., Mt. Shasta, CA at the same time the public records are distributed or made available to the members of the legislative body. Agenda related writings or documents provided to a majority of the legislative body after distribution of the Agenda packet will be available for public review within a separate binder at City Hall at the same time as they are made available to the members of the legislative body.</p> <p>The City of Mt. Shasta does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or provision of services. In compliance with the Americans with Disabilities Act, persons requiring accommodations for a disability at a public meeting should notify the Deputy City Clerk at least 48 hours prior to the meeting at (530) 926-7510 in order to allow the City sufficient time to make reasonable arrangements to accommodate participation in this meeting.</p>	

Any writings or documents provided to a majority of the Planning Commission after distribution of the meeting Agenda Packet regarding any open session item on this agenda will be made available for public inspection during normal business hours within the binder entitled “Agenda Packet for Front Counter” located at City Hall at the desk on the right-hand side inside the front door.

Projects heard at this Planning Commission meeting may be subject to appeal. Please contact the Planning Department for information. Appeals must be submitted to the City Clerk’s office together with the appeal fee. If you challenge the environmental review of the project proposal in court, you may be limited to raising only those issues raised at the public hearing or in written correspondence delivered to the Planning Department on, or prior to, closing of the public comment period.

Mt. Shasta City Council Regular Planning Commission Meeting Approved Minutes

Mt. Shasta Community Center, 629 Alder Street
Tuesday, September 20, 2016; 6:00 p.m.

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STANDING AGENDA ITEMS

1. Call to Order and Flag Salute: At the hour of 6:00 p.m. Commissioner Findling called the meeting to order and led the audience in the Pledge of Allegiance.

2. Roll Call:
Commissioners Present: Commissioner Beck, Findling, Clure, Wagner, Acord, and Pardee
Commissioners Absent: Chair Higuera

3. Approval of Minutes Tuesday, August, 16, 2016 Planning Commission General Meeting Minutes
Commissioner Wagner: Amendment minutes to clarify where public comment is for item 7
Moved to Approve – 1st Commissioner Clue, 2nd – Commissioner Beck
AYE: Commissioners Beck, Clure, Wagner, and Commissioner Findling
NO:
ABSTAIN: Commissioner Acord, Pardee, and Chair Higuera

4. Public Comment: N/A

5. Consent Agenda: N/A

6. 2016.02: Rezoning Application for 403 Orem St, APN #057-382-020
City Staff: Overview of application and attachments. City Staff recommends approval
Commissioner
Commissioner Wagner: Discussion on where structure is and the size of the lot.
Commissioner Findling: Discussion on the purpose of the R-1-U zoning
Commissioner Wagner: Discussion on utilities and public hook-ups
Commissioner Pardee: Discussion on other lots in neighborhood
Public Hearing
Applicant, Carol Coho: Clarification that there is no vacant lot. There exist one large lot with a home on one half of the lot.
Commissioner Pardee and Wagner: Clarification on tax lot orientation and possible Boundary Line Adjustment
Carol Coho: Discussion on Boundary Line intent
Public Hearing Closed
Action Taken: Planning Commission recommends approval of the Rezoning Application to the City Council of the City of Mt. Shasta and approval of CEQA process Infill categorical exemption 1st – Commissioner Pardee, 2nd – Commissioner Clure

AYE: Commissioner Pardee, Clure, Acord, Wagner, and Findling
NO
ABSENT:

7. 2016.07 Amendment of Municipal Code Chapter 18.96 "Medical Marijuana Dispensaries"

City Staff: Discussion on staff report and ordinance.

Commissioner Wagner: Discussion on attachments. Clerical errors on Attachment 3 and the Attachment 4 is correct when tracked changes are accepted.

Commissioner Pardee: Discussion on dispensary plan and what is considered adequate security.

Commissioner Acord: Discussion on adding the downtown district to the prohibited areas.

City Staff: Clarification to the type of decision which are in the purview of the Planning Commission.

Commissioner Wagner: Discussion on where the downtown district is located.

City Staff: Clarification of where the downtown district is located

Commissioner Acord: Discussion on leaving the decision to City Council over adding the downtown district

Commissioner Pardee: Disapproved of adding the downtown district

Commissioner Acord: Discussion on business interest in not allowing cannabis dispensaries in the downtown

Public Hearing

Betty Keeger: Voiced opinion against allowing cannabis based businesses in the downtown area

Jennifer Merritt: Voiced opinion in favor of cannabis businesses in the downtown area

Elizabeth Tabor: Discussed with the commission if they have visited or know what the aesthetics of possible dispensaries. Voiced opinion in favor of dispensaries downtown.

Commissioner Pardee: Discussion on aesthetics and what are dispensaries able to do in our city currently

Public Hearing Closed

Commissioner Wagner: Discussion on ordinance changes and notifications to businesses

Commissioner Acord: Discussion on including daycares in the ordinance

Commissioner Findling: Discussion on business environment and dispensaries

Commissioner Wagner: Discussion on business over vacant storefronts

Action Taken: Planning Commission confirms 2nd reading and approves recommendation to City Council as per the amendments in Attachment 4. 1st – Commissioner Wagner, 2nd – Commissioner Beck

AYE: Commissioners Pardee, Beck, Clure, Wagner, and Findling

NO: Commissioner Acord

ABSENT: Chair Higuera

8. 2016.16 Open Discussion: Smoking Limitations in City Limits

City Staff: Presented Staff report about common practices and the background of the smoke-free campaign

Commissioner Pardee: Discussion on smoking downtown and changes in behavior

Commissioner Beck: Discussion on enforcement and no smoking areas

Commissioner Acord: Discussion on leaving alleyways available to smokers

Commissioner Findling: Discussion on the smoker going to different places

Commissioner Pardee: Discussion on if business and building now could enforcement no smoking areas

Commissioner Clure: Discussion and voiced favor over phasing of different areas as smoking and non-smoking areas

Commissioner Wagner: Discussion on parking lots and private businesses allowing smoking

Commissioner Acord: Discussion on a timeframe where smoking isn't allowed.

Commissioner Pardee: Discussion on current practices and covering the downtown district

Commissioner Findling: Discussion and voiced opinion in favor of phasing. Discussion on petition and full city limits

Public Hearing

Betty Kreeger: Founder of the petition and discussion on reasoning behind asking for an ordinance

Elizabeth Tabor: Voiced opinion against phasing because it would push smoking toward other business that are not in the downtown area.

Peggy Reshin: Voiced opinion against allowing smokers in the alley because some people liked walking in the alleyways.

Public Hearing Closed

Commissioner Pardee: Discussion and request to have enforcements issues

Commissioner Wagner: Discussion and request for maps looking at the areas that would be effected. (Zoning P, C-1, C-2)

Commissioner Clure: Discussion on looking at the feasibility of the different no-smoking options

Commissioner Findling: Discussion on phasing in the ordinance and offering a smoking section

Commissioner Wagner: Discussion on smoking sections and pushing out smoking into other areas of the city

Action Taken: Consensus request for information related to enforcement, mapping no-smoking possibilities, and feasibility in terms of program deployment and enforcement.

9. Commission and Staff Comments:

A. Recycling Program Update

City Staff: Discussion on submitted Staff report related to recycling progress

B. Animal Hospital Concerns

City Staff: All questions and concerns were addressed and resolved for the animal hospital complaint received at the last public comment.

Commissioner Pardee: Wondered about architectural design results from Ambulance Project. City Staff will report back

C. Vacant and Nuisance Housing Report

City Staff: Update and brief discussion on City's intent to look into short- and long-term vacant and housing rehabilitation programs.

10. Future Agenda Items – Future items are topics brought to the Planning Commission from a public petition, city staff, Planning Commission member(s), and City Council for review and action. All dates refer to first introductions to the Planning Commission and can be altered due to time and priority level.

- a. Sign Ordinance – 10/18/2016
- b. Lighting Ordinance – 11/15/2016
- c. Broadband Plan – 12/20/2016
- d. Orchard Annexation – 12/20/2016
- e. Off-Street Parking Requirements – 1/17/2016
- f. General Plan Progress Report – 1/17/2016

11. Adjourn: There being no further business, the meeting was adjourned at 8:00 p.m.

Respectfully Submitted by: Juliana Lucchesi, City Planner

Mt. Shasta City Council Regular Planning Commission Meeting Approved Minutes

Mt. Shasta Community Center, 629 Alder Street
 Tuesday, October 18, 2016

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STANDING AGENDA ITEMS

1. Call to Order and Flag Salute: At the hour of 6:00 p.m. Chair Higuera called the meeting to order and led the audience in the Pledge of Allegiance.

2. Roll Call:
 Commissioners Present: Chair Higuera, Commissioners Beck, Findling, Clure, Acord, and Pardee
 Commissioners Absent: Commissioner Wagner

3. Approval of Minutes Postponed to the November 15, 2016 Regular Meeting due to administrative error to include minutes in the agenda packet.

4. Public Comment:
 City Staff: Introduction of Bruce Pope the new City Manager for the City of Mt. Shasta.

5. Consent Agenda: N/A

6. 2016.16: Secondhand Smoke Ordinance Open Discussion

City Planner: Discussion of staff report in packet. Park District going smoke free discussion.
 Sargent Gibson, Mt. Shasta Police Department: Discussion on enforcement of smoking actions and how to enforce a city wide prohibition on smoking. No tickets have been issued for cannabis smoking due to the difficulty in catching someone in the act.
 City Planner: Discussion on regulations in other cities.
 Chair Higuera: Discussion on ticketing and enforcement
 Commissioner Beck: Discussion on multiple ticketing for multiple offenses
 Commissioner Pardee: Discussion on cannabis smoking ordinance in related to the smoking ordinance
 Commissioner Findling: Discussion on how ordinance can encourage behavior change with a ticketing and warning system
 Commissioner Beck: Discussion on Prop 64 and cannabis smoking
 Commissioner Acord: Discussion on feasibility of enforcement of all of the commercially zoned parcels
 Chair Higuera: Discussion on a no smoking district
 Commissioner Acord: Would like to expand the no smoking area beyond the Downtown Enhancement District boundaries and include both sides of the street
 Commissioner Findling: Discussion on signage and how people will know that we have a smoke free district
 Chair Higuera: Discussion on schools and smoking around sport fields.
 Commissioner Findling: Would like to add provisions to prohibit smoking within 20 feet of restaurant seating to cover Seven Suns.
 Commissioner Pardee: Approves of the prohibition around restaurant seating for restaurants to use as tools
 Commissioner Findling: Would like to keep the alleys open for those who do smoke.
 Discussion closed

7. 2016.28: Farmer’s Insurance Sign Application

Background: Applicant would like to attain a sign permit to place a new sign on a freestanding sign at 305

Maple Street.

City Staff: Presentation of the application for a freestanding sign at 305 Maple Street.

Commissioner Pardee: Discussion on view triangle and traffic hazard definition

Commissioner Beck: Discussion on noncompliant signs

No public comment

Commissioner Beck: Discussion on the position of the sign where it sits on the freestanding frame.

Commissioner Pardee: Discussion on trim and design.

Commissioner Findling: Discussion on sign as a traffic hazard and addition of wood trim to match other signs

Commissioner Clure: Approves of the application as presented.

Chair Higuera: Discussion on trim to match

Commissioner Beck: Agrees that the trim should match

Action Taken: Planning Commission approve sign permit allowing a 16" x 72" aluminum sign to be affixed at 305 Maple Street with the addition of trim on the edges of the sign to match the existing signs. **1st** –

Commissioner Findling, 2nd – Commissioner Beck

AYE: Chair Higuera, Commissioners Clure, Findling, Acord, Pardee, and Beck

NO:

ABSENT:

8. 2016.10: Sign Ordinance Open Discussion

City Staff: Presentation of staff report

Commissioner Findling: Discussion on restrictive nature of ordinance

Commissioner Pardee: Discussion on what we can and cannot regulate. Discussion on sign types and aesthetics.

Commissioner Acord: Discussion on Mountain and Alpine theme.

Commissioner Findling: Discussion on public input and signage

Commissioner Pardee: Discussion on minimizing sign clutter and other sign ordinances in other communities

Commissioner Findling: Discussion on lighting and dynamic elements of signs

Commissioner Pardee: Approves of covering types of graphics first then lighting

Commissioner Findlings: Schedule seems good.

Schedule for sign ordinance:

11/15/2016 – Types of graphics

12/13/2016 – Illumination and dynamic elements

Discussion Closed

9. Commission and Staff Comments:

A. Cannabis Dispensary Ordinance

City Planner: The Cannabis Dispensary Ordinance was referred back to the Planning Commission based on Staff recommendation. The ordinance will be rescheduled after the November 2016 vote on cannabis.

City Manager: Introduction and discussion on open hours, city initiatives, Planning Commission as a critical partner with City Council, and "Alpine" design description.

Chair Higuera and Commissioner Acord: Discussion on what "Alpine" means

10. Future Agenda Items – Future items are topics brought to the Planning Commission from a public petition, city staff, Planning Commission member(s), and City Council for review and action. All dates refer to first introductions to the Planning Commission and can be altered due to time and priority level.

- a. Lighting Ordinance – ~~11/15/2016~~ Changed to 12/20/2016
- b. Broadband Plan – ~~12/20/2016~~ Changed to 11/15/2016
- c. General Plan Progress Report – 1/17/2016
- d. Off-Street Parking Requirements – 2/21/2016
- e. Orchard Annexation Pre-zoning – ~~2/21/2016~~ Changed to 12/13/2016

11. Adjourn: There being no further business, the meeting was adjourned at 7:48 p.m.

Respectfully Submitted by: Juliana Lucchesi, City Planner

Planning Department Staff Report

November 15, 2016

Project Number: 2016.16
Project Title: Smoke Free Limitations
Applicant: Resident Petition
Type of Project: Program/Ordinance Request
Prepared by: Juliana Lucchesi, City Planner

City Staff recommends approving the first reading of the proposed Chapter 6.20 amendments and striking of Chapter 6.30 “Cigarette Vending Machines” and Chapter 6.40 “Public Smoking of Marijuana”.

Background:

A resident petition was circulated in early 2016 to request the creation and enforcement of a smoke-free ordinance. “Smoke-Free” is a trend in the United States to prohibit smoking of any kind in city limits. The “smoke-free” laws can also be referred to as tobacco control laws. The bans can range spatially from a full city limit band to sensitive areas, like parks and schools. The ban itself can also range from tobacco products to tobacco smoke. A tobacco products ban prohibits all forms of tobacco including, but not limited to chew tobacco, vaporized nicotine, and smoking tobacco.

The historical trend of limiting smoke and tobacco products began with the California Indoor Clean Air Act of 1976, which declared tobacco smoke a health hazard and prohibited it from indoor spaces. As public health research advanced the state ban on tobacco smoke has extended to outdoor areas. The state of California does not allow smoking within 20 feet of an entryway, which was instituted in 2004 with the “Smoke-Free Entryway Law”, AB 846. The law prohibits smoking within 20 feet of a main entrance, exit, or operable window. Unfortunately, the law is limited to public buildings.

Many jurisdictions in the state of California, like the cities of Calabasas and Alameda, have developed local ordinances to prohibit smoking. Local jurisdictions can limit smoking

opportunities by creating smoke-friendly areas or prohibiting smoking in all forms. All of the ordinances amended or created to prohibit smoking limit the spatial extent where smoking can occur and address code violations. The difficulty of instituting a smoke-free ordinance is the enforcement of the ordinance.

Cities prohibiting smoking consider the act of smoking an infraction and issue tickets ranging from \$25.00 to \$100.00. The most common ticketing amount is \$50.00. The tickets are issued by code enforcement officers or police officers who witness the action. Law enforcement are unable to issue a ticket based on smoke residue or in case where the subject is not seen smoking. Video and citizen arrest policies do not apply related to a smoking infraction, if we moved to a smoke-free city. Smokers can be cited for littering if officers witness them improperly disposing their waste.

Current City Regulation

The City of Mt. Shasta Municipal Code utilizes Chapter 6.20 “Smoking” as a way to minimize second-hand smoke (Attachment 1). The ordinance does allow for the City Manager to designate City owned or leased property as a smoke-free areas, but this does not include city streets and sidewalks. City streets and sidewalks can vary in the type of ownership agreement. If the goal of the City of Mt. Shasta is to prohibit smoking in the city it should explicitly address in this ordinance.

General Plan Connection:

Although it is the purview of the Planning Department and City Government to create regulations to ensure the health, safety, and welfare of the people, there is no language in the General Plan on “Smoke-free” regulations.

Staff Recommendations:

City Staff recommends approving the first reading of the proposed Chapter 6.20 amendments and striking of Chapter 6.30 “Cigarette Vending Machines” and Chapter 6.40 “Public Smoking of Marijuana”

A full rewrite of Chapter 6.20 occurred to update the current smoking ordinance and meet state mandates (Attachment 2). A majority of the smoking ordinance was consolidated to

ensure easy readability and remove parts that no longer apply in the state of California. Sections that were added that did not exist previously are Cannabis Smoking, Smoke Free District, and Sign Posting.

The Smoke Free District is related to the conversations in previous Planning Commissions concerning no smoking in the downtown area. The initial Smoke Free District would be slightly larger than the Downtown Enhancement District and would allow smoking in the alleyways (Attachment 3). The district, according to the current updated language, would allow for the amendment and development of other Smoke Free Districts through a Planning Commission and City Council amendment process. This will allow for easier creation, expansion, and amendment of the district without amending the ordinance as a whole.

The Sign Posting section of the updated chapter would allow properties owners the ability to place a 7" x 10" vertical smoking sign on their property to indicate that it is a non-smoking area. The signs would be exempt from the Mt. Shasta sign ordinance.

In addition to the Chapter 6.20 update, it is recommended to strike Chapter 6.30 "Cigarette Vending Machines" and Chapter 6.40 "Public Smoking of Marijuana".

Cigarette vending machines are no longer legal in the State of California; therefore, the ordinance is obsolete. The addition of a Cannabis Smoking section of Chapter 6.20 covers Chapter 6.40 by prohibiting Cannabis smoking in the city limits. Cannabis smoking can receive an exemption from the City Manager for a special event.

Attachments:

- 1. MSMC Chapter 6.20 "SMOKING"**
- 2. Proposed Chapter 6.20 "SMOKING CONTROL" Rewrite**
- 3. Smoke Free District Map**

Chapter 6.20
SMOKING

Sections:

- 6.20 .010 Definitions.**
- 6.20 .020 Smoking prohibited - Buildings.**
- 6.20 .030 Exception - Park buildings.**
- 6.20 .040 Exception - Social events.**
- 6.20 .050 Exception - Police Department.**
- 6.20 .060 Interior smoking areas.**
- 6.20 .070 Smoking prohibited - Vehicles .**
- 6.20 .080 Exception - Assigned vehicles.**
- 6.20.090 Exterior smoking areas.**
- 6.20.100 Separate offenses.**
- 6.20.110 Penalties.**
- 6.20.120 Civil remedies**

6.20.010 Definitions.

Within this chapter, the following definitions shall apply:

- (A) "Person" means any individual, whether or not a City employee.
- (B) "Smoke" means the intentional burning of tobacco or other combustible substance within or in the form of any cigar, cigarette, pipe, or similar article or device.
- (C) "Enclosed" means within any building or structure which has a roof and three or more exterior walls, regardless of whether the building or structure is open to the air by reason of windows or doors.
- (D) "Vehicle" means any automobile, truck , street sweeper, plow, or other means of motorized transportation ; provided, however, that smoking may, subject to any work rules promulgated by the City Manager, be allowed for the operator of any plow, construction equipment, or similar conveyance which does not have an enclosed operator's compartment.
- (E) "Present" means located within the subject building, structure, or vehicle even if in another room or portion thereof. (Ord. CC0-92-01, 1992)

6.20.020 Smoking prohibited - Buildings.

Except as provided in MSMC [6.20 .060](#), no person shall smoke within any enclosed City owned or leased facility which is used by the City for the conduct of its business. (Ord. CC0-92-01, 1992)

6.20.030 Exception - Park buildings.

Notwithstanding that any park or recreation building may be owned by the City, smoking may be permitted therein at times, places, and on other conditions as may be specified by the City Manager, and upon the agreement of the park district board of directors, or its

representatives. Any violation of posted times, places, and conditions shall be a violation under this chapter. (Ord. CC0-92-01, 1992)

6.20.040 Exception - Social events.

Notwithstanding the prohibition of MSMC [6.20.020](#), smoking can be permitted, upon written directive of the City Manager, for a specially scheduled social event which is not open to the general public; provided, however, that the City Manager must give prior notice of such directive to the City Council, and shall cause the premises to be posted accordingly, for the event. (Ord. CC0-92-01, 1992)

6.20.050 Exception - Police Department.

Notwithstanding the prohibition of MSMC [6.20.020](#), smoking can be permitted at specified times and in specified areas of the Police Department. The specified times and areas, if any, shall be determined by the City Manager, with the approval of the Chief of Police, and shall be posted accordingly. (Ord. CC0-92-01, 1992)

6.20.060 Interior smoking areas.

Notwithstanding the prohibition of MSMC [6.20.020](#), the City Manager may propose designated interior smoking areas which will not interfere with the rights of nonsmokers to breathe clean air. Such designated areas must be approved by motion or resolution of the City Council, and shall be posted accordingly. (Ord. CC0-92-01, 1992)

6.20.070 Smoking prohibited - Vehicles.

No person shall smoke within any City owned or leased vehicle. (Ord. CC0-92-01, 1992)

6.20.080 Exception - Assigned vehicles.

MSMC [6.20.070](#) shall not apply to any vehicle which has been assigned or designated by the City Manager for permanent exclusive use by a single City employee ; provided, however, that no smoking shall be permitted therein while any City employee , other than the smoker, is present. (Ord. CC0-92-01, 1992)

6.20.090 Exterior smoking areas.

The City Manager may designate those exterior areas of City owned or leased property where smoking shall, and shall not, be permitted. Any violation of posted prohibited areas shall be a violation under this chapter. (Ord. CC0-92-01, 1992)

6.20.100 Separate offenses.

A separate offense is committed for each and every day in which there is an act, event, or occurrence in violation of this chapter, and each such offense shall be punished separately. (Ord. CC0-92-01, 1992)

6.20.110 Penalties.

Any person who violates this chapter shall be guilty of an infraction, and shall be punished therefor as provided at the time of the violation in the California Government Code. (Ord. CC0-92-01, 1992)

6.20.120 Civil remedies.

Nothing herein shall be deemed to create a civil cause of action to a City employee or other person, against the City, for the City's failure to enforce any of its provisions. (Ord. CC0-92-01, 1992)

The Mt. Shasta Municipal Code is current through Ordinance CC0-16-01, passed February 22, 2016.

Disclaimer : The City Clerk's Office has the official version of the Mt. Shasta Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website : www.mtshastaca.gov
(<http://www.mtshastaca.gov>)
City Telephone : (530) 926-7510
Code Publishing Company
(<http://www.codepublishing.com/>)

**CH. 6.XX
SMOKING CONTROL**

- 6.XX.XXX Purpose**
- 6.XX.XXX Definitions**
- 6.XX.XXX Prohibition of Smoking**
- 6.XX.XXX Cannabis Smoking**
- 6.XX.XXX Where Smoking is Not Regulated**
- 6.XX.XXX Exemptions**
- 6.XX.XXX Smoke Free District**
- 6.XX.XXX Sign Posting**
- 6.XX.XXX Penalties and Enforcement**

6.XX.XXX Purpose

The purposes of this chapter are to:

- (A) Protect the public health, safety, and general welfare by prohibiting smoking in public places under circumstance where other persons will be exposed to second-hand smoke
- (B) Strike a reasonable balance between the needs of persons who smoke and the needs of nonsmokers, including children, to breathe smoke-free air, recognizing the threat to public health and the environment which smoking causes,
- (C) Recognize the right of residents and visitors to the City to be free from unwelcome second-hand smoke.

6.XX.XXX Definitions

Within this chapter, the following definitions shall apply:

- (A) “Business” means a sole proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit, including retail establishments where goods or services are sold; professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered
- (B) “Electronic Smoking Device” means any product containing or delivering nicotine, cannabis, or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
- (C) “Employee” means a person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and a person who volunteers his or her services for a non-profit entity
- (D) “Employer” means a person, business, partnership, association, corporation, including a municipal corporation, trust, or non-profit entity that employs the services of one or more individual persons.
- (E) “Enclosed Area” means:
 - 1. Any covered or partially covered area having more than 50% of its perimeter walled or otherwise closed to the outside such as, for example, a covered porch with more than two walls; or

2. Any space open to the sky (hereinafter “uncovered”) having more than 75% of its perimeter walled or otherwise closed to the outside such as, for examples, a courtyard;
 3. Except that an uncovered space of three thousand (3,000) square feet or more is not an Enclosed Area, such as, for example, a field in an open-air arena
- (F) “Health Care Facility” means an office or institution providing care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes, long-term care facilities, homes for the again or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, psychiatrists, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.
- (G) “Hookah” means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant matter.
- (H) “Place of Employment” means an area under the control of a public or private employer, including, but not limited to, work areas, private offices, employee lounges, restrooms, conference rooms, meeting rooms, classrooms. Employee cafeterias, hallways, construction sites, temporary offices, and vehicles. A private residence is not a “place of employment” unless it is used as a child care, adult day care, or health care facility.
- (I) “Playground” means any park or recreational area designed in part to be used by children that has play or sports equipment installed or that have been designated or landscaped for play or sports activities, or any similar facility located on public or private school grounds or on City of Mt. Shasta grounds
- (J) “Public Event” means an event which is open to and may be attended by the general public, including but not limited to, such events as concerts, fairs, farmers’ markets, festivals, parades, performances, and other exhibitions, regardless of any fee or age requirement.
- (K) “Public Place” means an area to which the public is invited or in which the public is permitted, including but not limited to, banks, bars, educational facilities, gambling facilities, health care facilities, hotels and motels, laundromats, parking structures, public transportation vehicles and facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms.
- (L) “Recreational Area” means any public or private area open to the public for recreational purposes, whether or not any fee for admission is charged, including but not limited to, amusement parks, athletic fields, beaches, fairgrounds, gardens, golf courses, parks, plazas, skate parks, swimming pools, trails, and zoos.
- (M) “Restaurant” means an eating establishment, including but not limited to, coffee shops, cafeterias, sandwich stands, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for service elsewhere. The terms “restaurant” shall include a bar area within a restaurant.
- (N) “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, cannabis, or plant product intended for inhalation, including hookahs, whether natural or synthetic, in any manner or in any form. “Smoking” also includes the use of an electronic smoking device which creates aerosol or vapor, in any manner

or in any form, of the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this chapter.

6.XX.XXX Prohibition of Smoking

Smoking has be prohibited in the following spaces:

- (A) All enclosed public places within the City Limits of the City of Mt. Shasta, including but not limited to:
 - 1. Galleries, libraries, and museums
 - 2. Private and semi-private nursing homes rooms
 - 3. Child care and adult day care facilities
 - 4. Educational facilities, both public and private
 - 5. Elevators
 - 6. Hotel and motel rooms designated as “nonsmoking” or “smoke-free”
 - 7. Parking Structures
 - 8. Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities
 - 9. Restaurants
 - 10. Restrooms
 - 11. Chambers, rooms, places of meeting or public assembly, including school buildings, under the control of an agency, board, commission, committee, or council of the City of Mt. Shasta or a political subdivision of the State of California
- (B) All enclosed areas of places of employment without exception. This includes, without limitation, common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.
- (C) In, and within 20 feet of an outdoor restaurant seating area.
- (D) In outdoor recreational areas, including City owned parking lots
- (E) In, and within 20 feet of, all outdoor playgrounds
- (F) In, and within 20 feet of, all outdoor public events
- (G) In, and within, City of Mt. Shasta designated Smoke Free District
- (H) Areas where smoking is prohibited by State law

6.XX.XXX Cannabis Smoking

In addition to the prohibited areas listed in MSMC 6.XX.XXX, cannabis and cannabis related smoking products, including electronic device usage, is prohibited within the City limits of the City of Mt. Shasta.

6.XX.XXX Where Smoking is Not Regulated

Notwithstanding any other provision of the chapter to the contrary, smoking shall not be prohibited in or on private residences, unless used as a childcare, adult care, or health care facility.

6.XX.XXX Exemptions

Notwithstanding the prohibition of MSMCS 6.XX.XXX, smoking can be permitted, upon written directive of the City Manager, for the purposes of special social events; provided, however, that the City Manager must give prior notice of such directive to the City Council, and shall cause the premises to be posted accordingly, for the event.

6.XX.XXX Smoke Free District

A. A Smoke Free District can be created for the purpose of permitting or prohibiting smoking in special areas.

B. A Smoke Free District can be developed or amended through the City of Mt. Shasta Planning Commission, which is subject to final approval from the City Council of the City of Mt. Shasta.

C. The Planning Department of the City of Mt. Shasta shall maintain a current Smoke Free District map for public use and distribution.

6.XX.XXX Sign Posting

Vertical “No Smoking” signs or the international no smoking symbol, no larger than seven inches by ten inches, can be conspicuously posted and maintained by the person, employer, business, or nonprofit entity who or which has legal or de facto control of a place in which smoking is prohibited by this chapter and shall be placed at each point of ingress to the area, and in at least one other conspicuous point within the area. Signage required by this subsection shall not be subject to Chapter 8 “Signs”. Notwithstanding this provision, the presence or absence of signs shall not be a defense to the violation of any other provision of this chapter.

6.XX.XXX Penalties and Enforcement

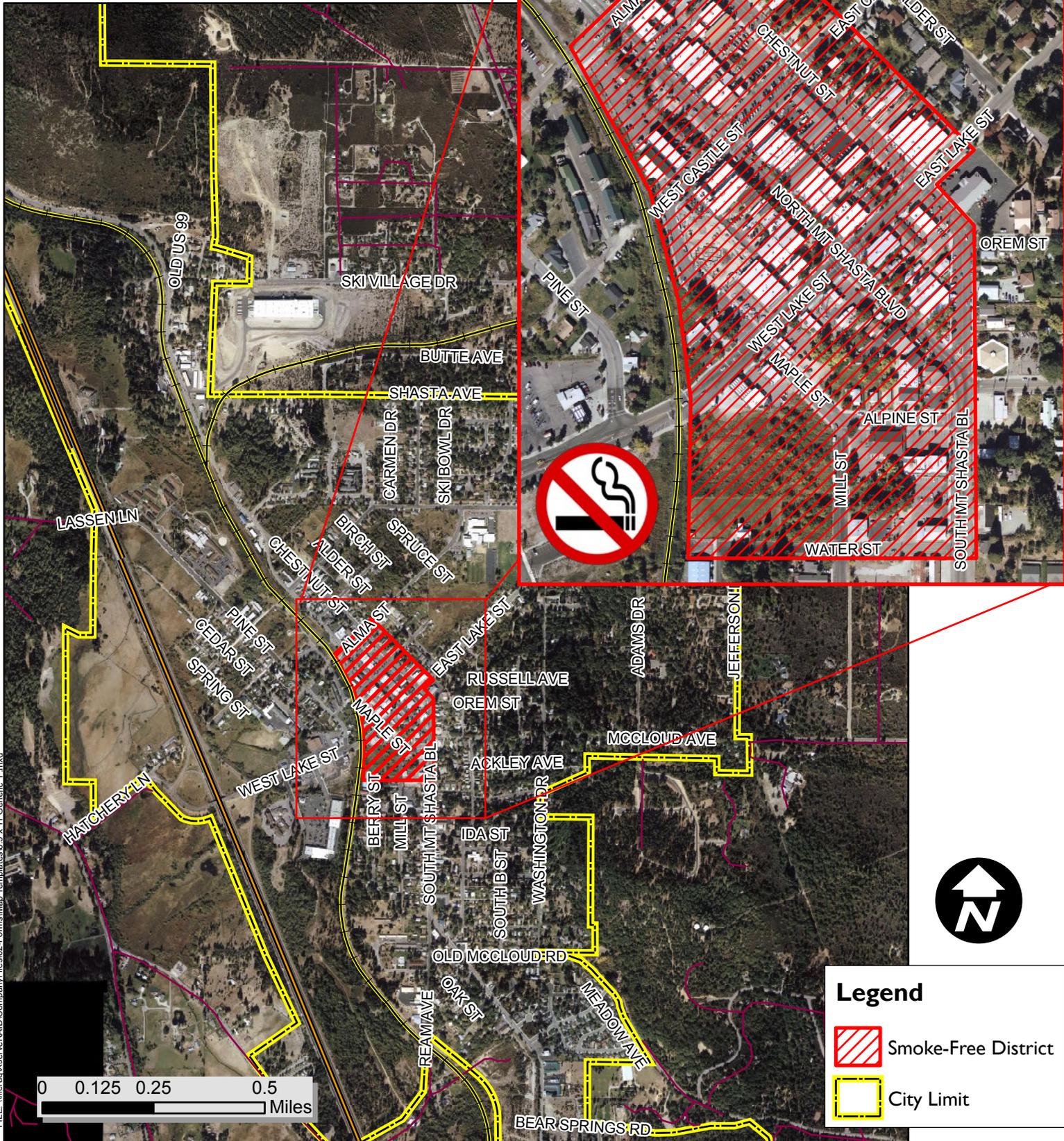
A. Every instance of smoking in violation of this chapter shall be deemed an infraction subject to a single fifty dollar fine. Other violations of this chapter may, in the discretion of the city attorney, be prosecuted as infractions or misdemeanors when the interests of justice so require.

B. Except as otherwise provided, enforcement of this chapter is at the sole discretion of the city. Nothing in this chapter shall create a right of action in any person against the city or its agents to compel public enforcement of this chapter against private parties.

Mt. Shasta Smoke-Free District



The City of Mt. Shasta Smoke-Free District includes all public areas, including streets and sidewalks. The border of the district includes both sides of the sidewalk. Alleyways, not within 20 feet of the sidewalks, are open to smokers.



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Planning Department Staff Report

October 18, 2016

Project Number: 2016.10
Project Title: Sign Ordinance Amendments
Type of Project: Ordinance Amendments
Prepared by: Juliana Lucchesi, City Planner

City Staff respectfully requests Planning Commission direction related to type of Street Graphics allowed.

Background:

The City of Mt. Shasta utilizes Chapter 8 of the Municipal Code to regulate signage in the City Limits. Signage, also referred to as street graphics, are tools to help identify places of interest. Places of interest can include businesses, public buildings, and special destinations within a city. Effective street graphic regulation allows for the expression of unique places within a city, controls overcrowding of messages that may distract drivers, and indexes the built environment of a city.

The American Planning Association has recently published *Street Graphics and The Law: Fourth Edition* report which outlines the changes in street graphic regulation. The report outlines a number of court cases and findings to help create an effective sign ordinance through the street graphic concept and system.

Street graphics systems focus on the allowable land uses for signage in the existing sign ordinance, design of sign in terms of size and manner, and balancing the built environment and signage to effectively communicate the intended message. The report recommends five criteria for evaluating street graphics for assessing effectiveness:

1. Is the street graphic expressive of the identity of the business?
2. Is the street graphic appropriate for the business it identifies?
3. Is the street graphic compatible with the visual character of the surrounding area?
4. Is the street graphic legible under the circumstances in which it is seen?

5. Is the street graphic likely to distract drivers to a dangerous degree?

The five criteria of a street graphic system can be adapted or fully integrated as required findings of a future sign ordinance.

In addition to questioning the effectiveness of a street graphic, the City of Mt. Shasta can continue to use a sign zone system. The current system designates two sign zones for signage. Special sign districts help cities ensure the character of the signage matches the character of the neighborhood in which it is placed.

Street Graphic Types

Street Graphics can be separated into two main types; freestanding ground graphics and graphics attached to buildings (Attachment 1). Within each of those two main categories exist subsections:

- Ground Graphics
- Wall and Roof Graphics
- Projecting Graphics
- Awnings
- Special Street Graphics

Examples of each type can help the Planning Commission determine the appropriate zones and special areas in which they can exist (Attachment 2).

Ground Graphics

Ground graphics are freestanding graphics that can be erected on poles or a base. Developments that employ ground graphics are mainly commercial or employment based properties. The APA recommends substituting projecting graphics for developments where ground graphics are not appropriate.

Wall Graphics

Wall graphics are some of the most common in downtown Mt. Shasta. Wall graphics, unlike other types of signs, become a part of the building architecture once erected.

Therefore, it is important to control for the size and proportion of wall graphics as to not detract from a building's architecture.

A wall graphic size and proportion can be controlled through the regulation of Signable area. Signable area is a continuous portion of a building unbroken by doors or windows. The area is calculated by selecting a continuous façade free of architectural details, then drawing an imaginary rectangle within the specified height limitations and computing the square footage of this area. The maximum size of the wall graphic display is then determined by applying the appropriate percentage of signable area as specified in the ordinance. Multiple graphics can be placed on one wall but cannot exceed the signable area percentage.

Different rules should be included for walls with no windows or doors. A percentage based on the full square footage should be determined to prevent extra-large graphics.

In addition to signable area the following recommendations should be considered for wall graphics:

1. If a wall graphic consists of a boxed display, the total area of the display including both copy and background must be no greater than the maximum percentage of the signable area allowed.
2. If a wall graphic consists of individual cutout letters, only the total area of the imaginary rectangles contiguous to and surrounding each letter is assessed against the signable area.
3. No wall graphic may violate the architecture of the building to which it is



Box sign: 40 percent of signable area



Individual letters: less than 40 percent of signable area

Figure 5.2. Signable area



Figure 5.3. Graphics compatible with architectural detail

attached. For example, boxed graphics should not cut across columns.

4. The height of boxed graphics or individual cutout letters placed in the space between windows should not exceed two-thirds the distance between the top of the lower window and the sill of the upper window.

The lettering height of wall graphics should also be considered.

Roof Graphics

Roof graphics are normally meant to be read from afar. If a roof graphic is less than 20 feet from the ground and positioned below the peak of the roof, then they operate the same as wall graphics. Roof graphics above 20 feet from the ground and above the peak of the building should only be considered where fast traffic speeds are greater than 40 miles per hour. Roof graphics near slower speed roads may distract drivers and impeded pristine views. The size of roof graphics should be the same as wall graphics. Roof graphics above the peak of a building should not be considered.

Projecting Graphics

Projecting graphics, including awnings, can be attractive additions to downtowns and shopping centers. Projecting graphics appeal the most to pedestrian views. Each establishment should be allowed one projecting graphic, but the size should be significantly reduced if there are projecting graphics within 50 feet of each other. Reducing the overall size can reduce sign clutter. A sign ordinance can also prohibit the number of types of signs. For example, if a building already contains a ground graphic, then they would be ineligible for a projecting graphics. This, again, is to reduce sign clutter. Multiple types of signs can be on the premises as long as they do not exceed the signable area described in the wall graphic section of this report.

In addition to signable area and number of types of signs, the following recommendations should be considered for projecting graphics:

1. They should clear sidewalks by eight feet
2. They should project no more than four feet from the building, or one-third of the sidewalk width, whichever is less

3. They should be pinned away from the wall at least six inches, and angular projection at the corner of a building should be prohibited.
4. They should project from the wall at an angle of 90 degrees.
5. They should not extend vertically beyond the windowsill of the second story. Exceptions can be made for theater and other marquees that extend above the second story, either in the ordinance or through a conditional use permit.
6. Where possible, they should be located in the center of a storefront or establishment so that the projecting graphic does no block the view of adjacent storefronts and/or signs.

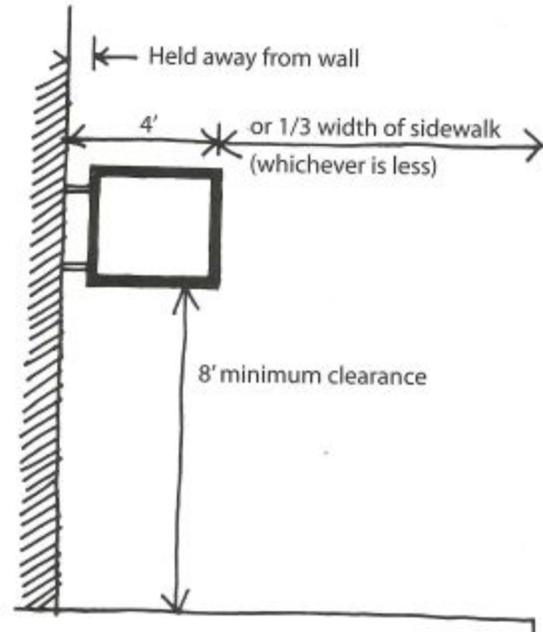


Figure 5.5. Graphics that project

Awnings, Canopies, and Marquees

Awnings, canopies, and marquees can be used by all types of uses. Communities can regulate the lighting of graphics on these structures and how they are displayed, and the placement of these structures in relation to streets and curbs.

Special Street Graphics

A street graphic ordinance should also give attention to other secondary and special graphics that may be allowed in commercial zones. One such special graphic is window graphics.

Many street graphic ordinance regulate window graphics to reduce clutter and preserve the architectural integrity of building facades. Window graphics can either be temporary or permanent. The ordinance can regulate the percentage of window that can be covered and how long the graphic can be displayed, if it is temporary. Letters under three inches in height should not be debited against the items of information allotted to an

establishment if the window graphic is permanent. For example, California signage requirements for dispensaries include a small sign indicating minors are not allowed inside without a legal guardian. That type of sign would be exempt from the ordinance and not counted against the dispensary owner.

A second type of special graphic is a banner. Banners are considered a special sort of projecting graphic. They can be displayed in specially designated areas. Regulations can govern the size of banners and how long the graphic can be displayed, if temporary.

Staff Recommendations:

City Staff respectfully requests Planning Commission direction related to type of Street Graphics allowed.

In Attachment 1, pieces of the model ordinance that should be considered by the Planning Commission are highlighted in red. City staff requests guidance on the highlighted sections and definitions section of Attachment 1.

Attachments:

- 1. Model Street Graphic Ordinance: Types of Street Graphics**
- 2. Examples of Street Graphic Types**

MODEL STREET GRAPHICS: TYPES OF GRAPHICS SECTION

SECTION 1.03. DEFINITIONS

Above-roof graphic: A street graphic displayed above the peak or parapet of a building

Activity: An economic unit designated in the classification system given in the Standard Industrial Classification (SIC) Manual as published by the U.S. Department of Commerce on the date this ordinance was adopted

Architectural detail: Any projection, relief, cornice, column, change of building material, window, or door opening on any building. See also "Signable Area, Wall, and Roof Graphics".

Architectural, historic, or scenic area: An area that contains unique architectural, historic, or scenic characteristics that require special regulations to ensure that street graphics displayed within the area enhance its visual character and are compatible with it

Awning: A cloth, plastic, or other nonstructural covering that is permanently attached to a building or can be raised or retracted to a position against the building when not in use.

Banner: A street graphic composed of a logo or design on a lightweight material either enclosed or not enclosed in a rigid frame and secured or mounted to allow movement caused by the atmosphere.

Bare-bulb illumination: A light source that consists of light bulbs with a [20]-watt maximum wattage for each bulb.

Building: A structure having a roof supported by columns or walls

Canopy: See **awning**.

Changeable Copy: Copy that changes at intervals [of more than once every six seconds]

Dynamic Element: Any characteristic of a street graphic that appears to have movement of that appears to change, caused by any method other than physically removing and replacing the street graphic face or its components, whether the apparent movement or change is in the street graphic, the street graphics structure itself, or any other component of the street graphic. This definition includes a display that incorporates a technology or method allowing the street graphic face to change the image without having to replace the street graphic face or its components physically or mechanically. This definition also includes any rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the street graphic face to present a series of images or displays.

External Illumination: Illumination of a sign that is affected by an artificial source of light not contained within the sign itself

Façade: The side of a building below the eaves

Façade, blank: The side of a building below the eaves that is blank and does not have windows or architectural detail

Graphic: A street graphic or special street graphic, as defined by this ordinance

Ground graphic: A street graphic supported by one or more uprights, posts, or bases placed upon or affixed in the ground and not attached to any part of a building. It includes a “pole graphic” and a “monument graphic”.

Height: The vertical distance measured from grade at the edge of the adjacent right-of-way to the highest point of the street graphic. The height of any monument sign base or other structure erected to support or adorn the sign is measured as part of the sign height.

Illumination: A source of any artificial or reflected light, either directly from a source of light incorporated in or indirectly from an artificial source, so shielded that no direct illumination from it is visible elsewhere than on and in the immediate vicinity of the street graphic.

Indirect Illumination: A light source not seen directly

Internal Illumination: A light source that is concealed or contained within the street graphic and becomes visible in darkness through a translucent surface.

Item of Information: 1. A syllable of a word, an initial, a logo, an abbreviation, a number, a symbol, or a geometric shape.

Marquee: A permanent structure other than a roof attached to, supported by, and projecting from a building and providing protection from the elements.

Monument Graphic: A ground graphic permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole.

Movement: Physical movement or revolution up or down, around, or sideways that completes a cycle of change.

Multiuse Building: A building consisting of [three] or more commercial uses

Multiple-driveway Graphic: A street graphic at the exit or entrance of a premise that has two or more driveways.

Neon Tube Illumination: A source of light for externally lit street graphics supplied by a neon tube that is bent to form letters, symbols, or other shapes

Nit: A photometric unit of measurement referring to luminance. One nit is equal to one cd/m^2 (candela per square meter)

Nonconforming Street Graphic: A street graphic that was lawfully established or installed prior to the adoption or amendment of this ordinance and was in compliance with all of the provisions of this ordinance then in effect, but which does not presently comply with this ordinance.

Occupant: A use located in a multiuse building or shopping center

Peak: The highest point on a roof or the highest point on another architectural element that blocks the rear view of a street graphic.

Pole Graphic: A freestanding street graphic that is permanently supported in a fixed location by a structure of poles, uprights, or braces from the ground and not supported by a building or a base structure

Portable Graphics: A street graphic not permanently attached to the ground or a building or designed to be permanently attached to the ground or a building.

Premise: The lot or lots, plots, portions, or parcels of land considered as a unit for a single use or development, whether owned or leased, and not located in a shopping center or multi-use building.

Projecting Graphic: A street graphic attached to and projecting from the wall of a building and not in the same plane as the wall.

Roof Graphic: A street graphic that is displayed above the eaves and under the peak of a building. See also “above-roof graphic”.

Shopping Center: A commercial development under unified control consisting of [three] or more separate commercial establishments sharing a common building, or which are in separate buildings that share a common entryway or parking area

Signable Area for Projecting Graphics and Awnings: One are (1) enclosed by a box or outline or (2) within a single continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures.

Signable Area for Roof and Wall Graphics: One area free of architectural details on the façade of a building or part of a building, which shall include the entire area (1) enclosed by a box or outline or (2) within a single continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures.

Special Street Graphic: A street graphic, other than a ground, roof, or wall graphic that is regulated by Section 1.08 of this ordinance.

Street Graphic: Any structure that has a visual display visible from a public right-of-way and designed to identify, announce, direct, or inform.

Strip Plaza: A linear group of commercial uses

Structure: Anything built that requires a permanent or temporary location. This term includes a building.

Temporary Street Graphic: A street graphic intended to be displayed for a transitory or temporary period. Portable street graphics, or any street graphic not permanently embedded in the ground or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary street graphics.

Temporary Window Graphic: A window street graphic displayed for a limited period of time.

Town Center: The central business area or business district

Urban Plaza: A street intersection, square, or similar area, where a majority of the uses have a unique or singular architectural or graphic character or theme

Wall Graphic: A street graphic painted on or attached to a wall of a structure and in the same plane as the wall

Window Graphic: A street graphic applied, painted, or affixed to or in the window of a building. A window graphic may be permanent or temporary

SECITON 1.04. GROUND GRAPHICS

Where permitted. A premise may display one ground graphic on each street on which it has frontage in the following zoning districts: **[INSERT DESIRED DISTRICTS]**

Size, setback, and height regulations. Ground graphics must comply with the following size, setback, and height regulations: **[INSERT HERE]**

Shopping Centers. A shopping center may display one ground graphic at each exit and entrance. Occupants within a shopping center may not display ground graphics.

Multiuse Building. A multiuse building may have one ground graphic facing each street on which the building has frontage, if no ground graphics are displayed by the occupants of the multi-use building. The maximum size restriction for such ground graphic may be increased for such a ground graphic may be increased by up to **[50]** percent if **[three]** or more occupants share the same sign.

Landscaping. A landscaped area located around the base of the ground graphic equal to **[two and one-half]** square feet for each **[square foot]** of ground graphic area, is required for all ground graphics. The landscaped area shall contain living landscape material consisting of **[shrubs, perennial ground cover plants, or a combination of both]** placed throughout the required landscape area and having a spacing of no greater than **[three]** feet on center. Where appropriate, the planting of required deciduous or evergreen trees installed in a manner which frames or accents the ground structure is encouraged.

SECTION 1.05 WALL AND ROOF GRAPHICS

Where permitted. In the following zoning districts, a premise, and each occupant of a shopping center or multiuse building, may display wall or roof graphics, or a combination of both, on walls or roofs adjacent to each street on which it has frontage: **[zoning designation]**

Signable are designation. A premises displaying wall or roof graphics is allowed one Signable area on each façade of the building that has frontage on a street. See definition of “Signable area” for wall and roof graphics.

Graphic display area allowed. The total area of the wall and roof graphics displayed on the premises shall not exceed the following percentage of the signable area: **[Recommended 60 percent of the Signable area for street frontages, 40 percent for pedestrian oriented businesses, and 30 percent for blank facades]**

Letter Height. The letter height for wall graphics is as follows: **[Legibility Focus]**

How displayed. The graphic display area may be displayed as one wall or roof graphic, or divided among two or more wall or roof graphics.

Additional limitations. Wall graphics may be painted on or attached to or pinned away from the wall, must not interrupt architectural details. Roof graphics must not be more than [20] feet off the ground.

SECTION 1.06. PROJECTING GRAPHICS

Where permitted. A premise and each occupant of a shopping center or multiuse building that does not display a ground graphic, may display one projecting graphic on each street frontage in the following zoning districts: [List zoning districts]

Size of projecting graphics. Projecting street graphics may be no longer than [six] square feet.

Signable area. A premises displaying a projecting street graphic is allowed one Signable area for each side of the projecting street graphic. The Signable area selected for display as a projecting graphic shall not exceed and shall be subtracted from the total Signable area allowed for wall and roof street graphics under Section 1.05.

Additional limitations. The following additional limitations apply to projecting graphics:

- a. Projecting graphics must clear sidewalks by at least [eight] feet and may project no more than [four] feet from a building or [one-third] the width of the adjacent sidewalk, whichever is less.
- b. Projecting graphics must be pinned away from the wall at least [six] inches and must project from the wall at an angle of [90] degrees.
- c. [Angular projection from the corner of a building is prohibited]
- d. [Projecting signs may not be illuminated]
- e. [Projecting signs may be externally lit by only downward directed and shielded fixtures and incandescent bulbs.]

SECTION 1.07. AWNINGS

Where permitted. A premise and each occupant of a shopping center or multiuse building may display an awning on each street frontage in the following zoning districts: [List zoning districts]

Graphics allowed. One street graphic may be displayed on each awning. It shall not exceed [40] percent of the area of the principal face of the awning, and it shall not exceed and shall be subtracted from the total Signable area allowed for wall and roof street graphics under Section 1.05. A street graphic:

- a. Shall not project above, below, or beyond the edges of the face of the building wall or architectural element on which it is located, or beyond the edges of the awning on which it is displayed.
- b. Shall not extend horizontally a distance greater than [sixty percent] of the width of the awning on which it is displayed.

Height and width. Awnings shall clear sidewalks by at least [eight] feet. Awnings may be non-illuminated or externally illuminated only by down directed and shielded fixtures and incandescent bulbs.

SECTION 1.08. SPECIAL STREET GRAPHICS

Window graphics. A premise, or an occupant of a shopping center or multiuse building, may display permanent window graphics not to exceed [15] percent of the window area of the façade of the building and may display temporary window graphics not to exceed an additional [15] percent of the façade of the building for no more than [14] days during any 12 consecutive calendar months.

Multiple driveway graphics. A premise with multiple driveways, or an occupant of a multiuse building on a premise with multiple driveways, may display one multiple-driveway graphic at each entrance or exit. A multiple-driveway graphic may not be more than two square feet on two-lane streets and on any highway with a posted travel speed under 35 miles per hour, and not more than four square feet on multilane roads and on any highway with a posted travel speed over 35 miles per hour.

Street Graphic Types

Ground Graphics



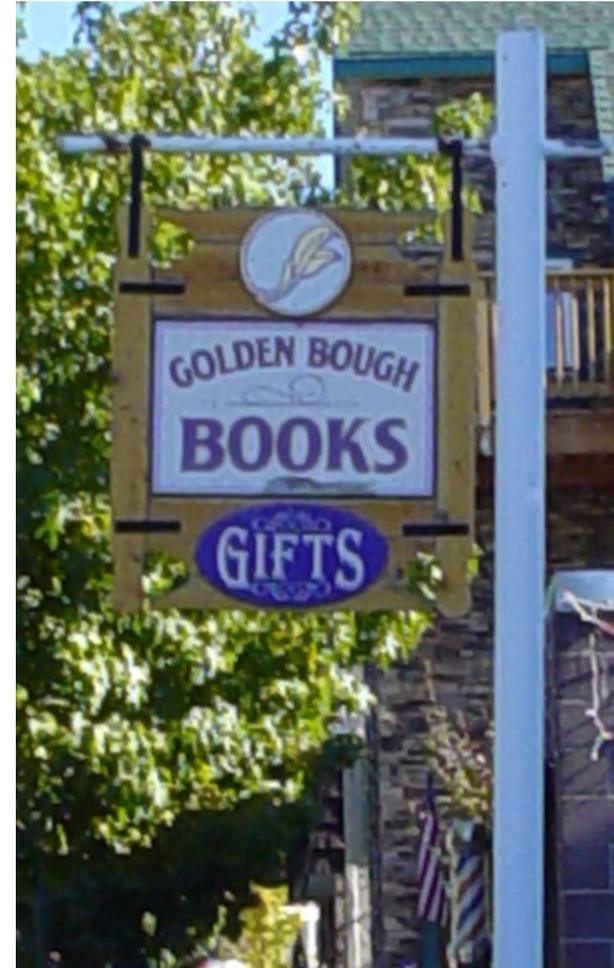
Wall Graphics



Roof Graphics



Projecting Graphics



Awnings, Canopies, and Marquees



Special Street Graphics



Permanent Copy – Window Graphic



Temporary Banners

Temporary Copy – Window Graphic



Planning Department Staff Report

November 15, 2016

Project Number: 2016.19

Project Title: Broadband & Telecommunications Plan

Prepared by: Juliana Lucchesi, City Planner

Recommend direction to City of Mt. Shasta City Council on integrating broadband into City policy and plans.

Background:

Broadband internet is the next wave of infrastructure that connects people locally and globally with goods and services. Broadband is a telecommunications method which transmits multiple signals and data traffic through a cable medium; loosely defined as high-speed internet. Many governmental agencies have been working to improve their community's broadband internet services to support telecommuters, online education, and other services.

Broadband internet that is delivered through a fiber-optic network uses light to transfer information rather than heat, which is used in cable and copper wiring. Fiber is considered the industry's best technology for delivering internet service due to reliability of service and ability to upgrade the system capacity without a full infrastructure upgrade.

General Plan Connection:

The City of Mt. Shasta General Plan does not include language related to the development of broadband or internet services.

Social Impacts:

Broadband internet can assist communities by providing valuable social service via internet connection. Healthcare, education, and access to information are three of the main social service sectors that have improved through the introduction of broadband internet.

Telehealth, telecommunications healthcare, involves fast and easy access to healthcare providers and information related to medications and procedures. Residents with access to healthcare webpages can receive the same service without leaving their homes. This is especially beneficial to aging populations that have difficulty getting to appointments.

Additionally, telehealth allows for consistent health monitoring of patients through vitals tracking software. Healthcare providers working in rural areas may have difficulty meeting the needs of all of their patients

Economic Impact:

Internet service has become an important aspect of many businesses in the Mt. Shasta economy. The access to affordable, reliable internet can open online markets, communications between remote offices, and decrease employee time and cost to travel to work. Internet has become such an important part of business that many companies require some form of internet service.

Environmental Review:

Broadband internet has not been shown to degrade the environment. The most extensive environmental impact results from the stringing or burying of the fiber-optic network. The installation of cabling is similar to the process in which electrical lines are strung or buried. Boring or knifing is the primary way of installing underground wires, which displaces small amounts of soil.

Fiber-optic cabling has a life span around 30 to 50 years and is made from recyclable parts. Communities with electronic recycling programs, also known as e-cycling, have effectively recycled the pieces associated with fiber-optic cabling.

There has been no research suggesting broadband internet delivered through a fiber-optic network disturbs wildlife activity.

Staff Recommendation:

Recommend direction to City of Mt. Shasta City Council on integrating broadband into City policy and plans.

Broadband internet strategic planning begins with collecting information related to the needs of the community. Surveys, business interviews, and strategic planning sessions could help indicate public interested and demand in future services. The questions that need to be answered are:

- What does the future of Mt. Shasta look like in 10 to 20 years?
- Does internet and other technologies fit into that future? What other technologies needs to be investigated?
- What are barriers to preventing broadband access and use?
- What community assets and opportunities could be leveraged to create the future we want and overcome barriers?

City Staff recommends the Planning Commission give direction based on the above strategic planning questions and guidance on the type of information that would need to be acquired from the public.