

## Mt. Shasta Regular Planning Commission Meeting Agenda

T u e s d a y , O c t o b e r 20, 2020; 6:00 p.m.

Please note that this meeting is being agendized to allow Commissioners, Staff, and the public to participate in this meeting via ZOOM, pursuant to the Governor’s Executive Order N-29-20. Members of the public may remotely listen to and participate in the meeting via the information below:

Please click the link below to join the meeting:

<https://us02web.zoom.us/j/81748927819>

Webinar ID: 817 4892 7819

Or Telephone:

(346) 248 7799 or (408) 638 0968

Page	STANDING AGENDA ITEMS
	<b>1. Call to Order and Flag Salute</b>
	<b>2. Roll call</b>
	<p><b>3. Public Comment:</b>            This time is set aside for residents to address the Planning Commission on matters listed on items <b>not</b> included on the Regular Agenda. If your comments concern an agenda item noted on the regular agenda, please address the Commission when that item is open for public comment. <b>Each speaker is allocated three (3) minutes to speak.</b> Speakers may not cede their time. Comments should be limited to matters within the jurisdiction of the City. Commission discussion or action cannot be taken on items not listed on the agenda other than to receive comments. If you have documents to present to members of Commission, please provide a minimum of seven (8) copies to the note taker.</p>
Pg 4	<p><b>4. Meeting Minutes</b>            a. Approval of Special Planning Commission Meeting Minutes for October 6, 2020</p>
Pg 6	<p><b>5. 2018.08 Golden Eagle Charter School Conditional Use Permit, Tentative Parcel Map, Architectural Design Application and California Environmental Quality Act (CEQA) Review</b></p> <p>Background: The Golden Eagle Charter Schools is proposing to construct a new facility to accommodate the growing enrollment of the school. The project includes the consolidation of parcels into two distinct parcels, conditional use permit, and architectural design application. The project is subject to CEQA and has a proposed initial study and mitigated negative declaration.</p> <p>Recommended Action: Continue item to November 17, 2020 regular Planning Commission meeting.</p>

Pg 8	<p><b>6. Short-term Rental Ordinance</b></p> <p>Background: The City of Mt. Shasta like most cities have a growing short-term rental (STR) market that caters to tourism. This item will present a draft for a short-term rental ordinance.</p> <p>Commission Action: Motion to approve proposed ordinance for City Council consideration.</p>
Pg 20	<p><b>7. City Tree Planting List</b></p> <p>Background: The City of Mt. Shasta utilizes a City tree planting list for tree species in the City's right-of-way. The Beautification Committee and Planning Commission have requested a review of the list. The Beautification Committee recommendations will be presented to Planning Commission for discussion.</p> <p>Recommended Action: Give Direction</p>
	<p><b>8. Commission and Staff Comment</b></p>
	<p><b>9. Future Agenda Items –</b> 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. <b>Items that are bolded correlate with the General Plan Revision Process</b></p> <ul style="list-style-type: none"> <li>a. 2018.08 Golden Eagle Charter School Conditional Use Permit, Tentative Parcel Map, Architectural Design Application and California Environmental Quality Act (CEQA) Review – 11/17/2020</li> <li><b>b. 2045 Land Use Element and Zoning Code Drafts Presentation – 12/15/2020</b></li> </ul>
	<p><b>10. Adjourn – Next meeting scheduled for Tuesday, November 17, 2020 at 6PM</b></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 Special Planning Commission Special Meeting Minutes

City Park Upper Lodge 1315 Nixon Rd.

Mt. Shasta Tuesday, October 6, 2020; 6:00 p.m.

Item	STANDING AGENDA ITEMS
1.	<b>Call to Order and Flag Salute</b> – Chair Findling called to order at 6:00PM
2.	<b>Roll call</b> <b>Present:</b> Chair Findling and Commissioners Beck, Saryon, Kirby, Higuera, McDowell, and Pardee <b>Absent:</b> None
3.	<b>Public Comment: None</b>
4.	<b>Meeting Minutes:</b> Meeting Minutes for Regular Meeting September 22, 2020  COMMISSION ACTION: Motion to approve meeting minutes as submitted MOTION: Commissioner Higuera SECOND: Commissioner Beck AYES: Chair Findling and Commissioners Beck, Saryon, McDowell, Kirby, Higuera, and Pardee NOES: ABSTAIN:
5.	<b>Public Hearings: 2018.08 Golden Eagle Charter School Conditional Use Permit, Tentative Parcel Map, Architectural Design Application and California Environmental Quality Act (CEQA) Review</b>  City Staff: Presentation of Staff Report Clarifying questions from Planning Commission concerning noise, building material, open space, and pedestrian access.  <b>Public Hearing opened at 6:55PM:</b> Nick Trover, Project Representative: Discussion on Golden Eagle Charter School, public comments, and address specific Planning Commissioner questions. Shelly Blakey, Project Representative: Express thanks to Planning Commission for their time and no additional comments. Todd Pulatie: Discussion on process for approval and noise. In support of project. Dave Theno: Discussion on current school location, future location, noise impacts, and aesthetic benefits of the project. In support of project. Johanna Altorfer: Discussion on aesthetics, landscaping, Discussion on noise impacts, wetlands, and viewshed. Betty Kreeger: Discussion on notification to property owners instead of tenants. Discussion on noise, traffic numbers, and metal building. Peggy Risch: Discussion on response to comments document, stormwater map, landscaping, lighting, wetlands, and perennial creek.

Joseph Supple: Discussion on school benefits and support for project. Understands concerns and that the school will work with community to meet their needs.

Kit McCotter: Discussion on school issues at current location. Discussion on school's environmental mindset.

Megan Tracey: Discussion on the purpose of the school and need to focus on the purpose of the school.

Dale LaForest: Comment read into the record by the City Planner. Statement that the City must prepare an EIR.

Vicki Gold: Discussion on project requiring an EIR, in support of school, traffic impacts, wetlands impacts, and loss of beautiful field.

**Public Comment Closed at 7:37 PM**

COMMISSION ACTION: Motion to continue item to the October 20, 2020 Regular Planning Commission Meeting at 6PM

MOTION: Commissioner Beck

SECOND: Commissioner Saryon

AYES: Chair Findling and Commissioners Beck, Saryon, McDowell, Kirby, Higuera, and Pardee

NOES:

ABSTAIN:

## **6. Commission and Staff Comments**

City Staff: Updates on new businesses and upcoming planning commission items

Commissioner Higuera: Question on NEST nuisance progress

Commissioner Saryon: Question on roadway improvements to McCloud Rd.

City Staff: Update on infrastructure projects

Commissioner McDowell: Discussion and questions on Pipeline parklet.

Commissioner Pardee: Request for permanent parklet design review as an agenda item

Commissioner Higuera: Request not to have Golden Eagle and Short-term Rental Ordinance on next meeting

**7. 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. **Items that are bolded correlate with the General Plan Revision Process**

- a. 2018.08 Golden Eagle Charter School Conditional Use Permit, Tentative Parcel Map, Architectural Design Application and California Environmental Quality Act (CEQA) Review – 10/20/2020
- b. Short-term Rental Ordinance – 10/20/2020
- c. City Tree Planting List – 11/17/2020
- d. **2045 Land Use Element and Zoning Code Drafts Presentation – 11/17/2020**

**10. Adjourn** – Adjourned at 7:49PM

**Agenda Item # 5**

Staff Report

**Meeting Date:** October 20, 2020

**To:** Planning Commission

**From:** Planning Department

<input checked="" type="checkbox"/>	Regular
<input type="checkbox"/>	Consent
<input type="checkbox"/>	Closed
<input type="checkbox"/>	Presentation

**Subject: 2018.08 Golden Eagle Charter School Conditional Use Permit, Tentative Parcel Map, Architectural Design Application and California Environmental Quality Act (CEQA) Review**

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**Recommended Action:**

**Continue to November 17, 2020 6PM Regular Planning Commission Meeting**

**Background:**

The Golden Eagle Charter School (GECS) is an independent study charter school in Siskiyou County. The current facility is located south of the City of Mt. Shasta City limits. The school assists with homeschooling and independent study children that are not in typical education systems.

GECS is outgrowing its current facilities in the City of Mt. Shasta and is proposing to construct a new school and consolidate operations at the new location. According to the 2017-2018 School Accountability Report Card published by the School, Golden Eagle Charter school had an enrollment of 495 for the 2017-18 school year; 183 students were in grades K-5; 137 students were in grades 6-8; and 175 students were in grades 9-12.

**Project Location:**

The Project is located within the City of Mt. Shasta on the west side of Pine Street, generally east of Interstate 5 (I-5), south/southeast of Lassen Lane, and north/northeast of W. Field Street in Section 6, Township 40 North, Range 4 West of the U.S. Geological Survey (USGS) City of Mount Shasta quadrangle. Latitude: 41° 19' 2" N; Longitude: 122° 19' 17" W.

Assessor's Parcel Numbers: 057-031-030, -060; 057-044-020, -040; 057-051-010, -020; 057-071-010, -040; 057-064-030, -070, and City street right-of-way.

**Environmental Review:**

The GECS project is considered a project under the California Environmental Quality Act (CEQA). CEQA requires that all projects either apply an exemption (statutory or categorical) or conduct an Initial Study (IS). There are no exemption which would apply to the project; therefore, and Initial Study was conducted by Enplan. The Initial Study indicated that the project would produce a Mitigated Negative Declaration (MND) which menas that any potential impacts to the environment can be mitigated to “Less than Significant” with the proposed mitigation measures.

The draft IS/MND is required to be open for public comment for a minimum of 30 days. The public comment period was open August 12, 2020 to September 14, 2020. The City received 21 comment letters pertaining to the project. Enplan and the City continue to prepare responses to the comments received.

**Recommendation Discussion:**

City Staff and Enplan, enivonrmental consultant, continue to review the letters related to the CEQA document prepared for the project. City Staff and Enplan request the Planning Commission continue the item to the November Regular Planning Commission meeting to allow more time to prepare a detailed response to comments.

## Agenda Item # 6

### Staff Report

**Meeting Date:** October 20, 2020  
**To:** Planning Commission  
**From:** Planning Department  
**Subject:** Short-term Rental Ordinance

<b>X</b>	Regular
	Consent
	Closed
	Presentation

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**Recommended Action:**

**I. Motion to approve proposed Short-term Rental Ordinance for City Council Consideration**

**Background:**

Short-term rentals (STR), vacation rentals, and home sharing are all terms used to describe the rental of all or part of a residential dwelling unit for a duration of occupancy of less than 30 days. Common examples include renting a house or an apartment for a week or weekend for a short stay or for several weeks associated with business travel or longer vacations. Short-term rentals are most commonly offered and rented through online hosting platforms such as Airbnb, VRBO, and HomeAway. The short-term rental industry has experienced tremendous growth in the last five years. The City of Mt. Shasta has approximately 118 legal and illegal short-term rental units based on an online search of STR in the City Limits.

While short-term rentals may provide income to residents and broader lodging options than the existing hotel market, there may be significant downsides to these uses. The popularity and profitability of short-term rentals has spurred an industry where dwellings are bought and used exclusively for short-term rentals, removing housing stock that would otherwise be available for longer lease terms. A rotating series of renters in residential neighborhoods may create traffic, noise, parking, and safety concerns for neighborhoods.

**Regulation History:**

The City of Mt. Shasta has had minimal regulation on short-term rentals, beginning with the introduction of a zoning restriction in 2016. The City maintains one line of zoning code restricting STR in R1 zones (MSMC 18.16.040). STRs have increased since 2016 from 7 registered STRs to 52 registered STRs in 2019. City Staff have struggled to keep up with enforcement and safe

regulation of STR's. The City Staff have highlighted this item for Planning Commission discussion and possible regulation.

The City of Mt. Shasta does have a permitting and regulations for Bed and Breakfasts (BnB) (MSMC 18.21). The BnB's in the City operate under strict regulations with additional permitting steps and requirements. STR's do not have any prescribed operating requirements.

### **STR Locations by Zone**

A summary of the total number of STR's in each zone as of October 2020 is provided for Planning Commission information:

Zone	
Designation	# of STR
R1/B1	4
R2	11
R3	13
C1	14
C2	8
EC	0

The City Council on Monday, October 12, 2020 approved an Urgency Ordinance to place a moratorium on new short-term rental licenses. The City experienced a large influx of short-term rental license applications in the past 2 months which led to City Staff recommending a moratorium on new licenses until the passing of a short-term rental ordinance.

### **Zoning and Lot Restrictions**

The City of Mt. Shasta currently utilizes a zoning restriction (strict prohibition of STR in R1 Low Density Residential). The Planning Commission may continue this practice by explicitly prohibiting or requiring a Conditional Use Permit (CUP) for various zonings. Background research shows that zoning restrictions are not as common as maximum license caps and ownership restrictions.

Lot restrictions are when a minimum lot size is required for a STR. Siskiyou County recently required all STR in the City of Mt. Shasta Sphere of Influence to have a minimum lot size of 2.5 acres which coincides with the 2.5 acre septic system minimum requirement. Lot restrictions are usual seen only in county regulations for STR due to the common use of septic systems that can be overwhelmed by frequent visitors or other infrastructure. Cities do not typically have lot restrictions due to the availability of water and sewer infrastructure, but Planning Commission may explore this option for City regulations.

### **Short-term Rental Location/Ownership Restrictions**

Many STR ordinances restrict STR's by requiring primary residence of the dwelling unit, require a local primary residence, or set a cap for the number of non-primary residences used for STR. Based on the discussion from the June Planning Commission meeting, both primary and non-primary residence were kept in the ordinance. The City of Sandpoint requirement that the owner of non-primary residence live within 20 miles was kept. Planning Commission has made the recommendation to allow only 2 non-primary residences for short-term rental use. This number may change at Planning Commission direction.

### **Maximum Number of Licenses**

The Planning Commission has a number of options for capping STR licenses. The favorable option from the June Regular Planning Commission was a cap determined by the total number of housing units. The current housing element listed the total number of housing units at 1637. Planning Commission indicated that a cap of 1% may be too low for a total of 17 licenses. Other cap amounts are:

- 1.5% = 25 licenses
- 1.75% = 29 licenses
- 2% cap = 33 licenses
- 2.5% cap = 41 licenses
- 3% cap = 49 licenses

City Staff do not recommend setting the percentage cap higher than 3% due to the number exceeding the current number of licenses. City Staff recommend a 1.5% cap for a total of 25 licenses.

### **Rental Day Restrictions**

It is common to see Cities and Counties place a cap on the total number of days that a STR can be rented per calendar year. This regulation is commonly paired with ownership restrictions. The number of days in a calendar year that an STR can be available is flexible; with most cities choosing a maximum of 120 or 180 days per calendar year. Planning Commission may choose to include this recommendation for all or conditional STR's within the City.

The proposed ordinance has no annual limit set for commercially zoned short-term rentals. The residentially zoned short-term rentals have an annual limit of no more than 90 days without a host or if the short-term rental is a non-primary residence. There is no limit for residentially zoned short-term rentals if the host is present.

### **Amnesty Period and Grandfathering**

An amnesty period is when a nonconforming use is given time to come into compliance or cease the nonconforming use. Grandfathering is when a nonconforming use is allowed to continue without coming into total compliance with a new ordinance. In terms of STR, amnesty periods

are more commonly used to ensure STR's come into compliance with new regulations and operating procedures. The amnesty period option also ensures that the total number of STR's is reduced (in most cases) to allow for new long-term rentals or new housing stock for long-term residents to become available.

At the August Planning Commission meeting, the Planning Commission majority voiced concern over the amnesty process. The Commission majority voiced support for the existing short-term rentals to be grandfathered into the propose ordinance but kept ordinance language to require the existing short-term rentals to follow the application and review procedures. This would require existing short-term rentals to apply for a license and residentially zoned short-term rentals would be required to move through the conditional use permit process.

Residentially zoned, legally existing short-term rentals must receive a conditional use permit prior to 6 months after the ratification of the ordinance to be issued a license. Short-term rentals that do not move through the process will need to discontinue use.

### **General Plan Connection:**

The proposed ordinance is consistent with the General Plan as it protects existing residential neighborhoods from encroachment of incompatible commercial activities while protecting the existing supply of housing.

### **Environmental Review:**

The proposed Chapter creation is not considered a project under the California Environmental Quality Act (CEQA) Guidelines Section § 15378 due to the activity not resulting in a direct or reasonably foreseeable indirect physical change in the environment. Alternatively, the chapter creation is exempt from CEQA as it can be seen with certainty that there is no possibility for causing a significant effect on the environment Section § 15061(b)(3). The action will not cause a direct or reasonably foreseeable indirect change in the environment, as the use of short-term rental would be limited to existing primary residences and no additional structures or construction is required to comply with the regulations. The amendment provides for regulations to limit traffic, parking and noise impacts through the prohibition on special events, restricts the occurrence of unhosted rentals, preserves residential character by providing a local contact person to respond to complaints, and requires use of on-site parking. The application of regulations and restrictions on an already approved use is not considered a project under CEQA.

Public comment given at the July Planning Commission meeting argued that the project is subject to CEQA due to other cities conducting Initial Studies on the topic. A review of other city processes indicates that many cities do apply the General Rule exemption as stated above or several other exemptions; Section 15301 "Existing Facilities" and Section 15282(h) "secondary dwelling units" being the most frequently stated. Placer County, Sonoma County, City of Malibu, and City of Paso Robles are other jurisdictions that have applied CEQA exemptions to their respective ordinances.

The City examples used by the public comment all resulted in a Negative Declaration; except City of Oceanside. That means that the specific short-term rental ordinance adopted by that

jurisdiction could not have a significant effect on the environment. The City of Oceanside is the exception only due to the fact that the Initial Study and Mitigated Negative Declaration was performed on a specific development proposal and not the formation of a short-term rental ordinance. Therefore, the comparison of this ordinance to Oceanside's project is not consistent. The City of Oceanside, in fact, applied the General Rule exemption from CEQA to their Short-term Rental Ordinance approved in 2019.

### **Fiscal Impact:**

The City's Finance Department is the chief department permitting and enforcing STR regulations. The Finance Department are typically the first point of contact with STR owners and operators. The Finance Department does not currently recover costs associated with Transient Occupancy Tax (TOT, also known as the hotel tax) collection, recording keeping, and enforcement. The total TOT collected per STR has decreased in the past 3 years. We predict this reduce in per STR tax collection due to improper reporting and the saturation of the STR market. The reduction in the number of STR's operating in the City would not significantly impact the total TOT tax revenue collected.

The implementation of a permitting process similar to the BnB regulations would allow City Staff to recover costs associated with managing and enforcing STR regulations. Cost recovery does not reduce expenditures or generate new revenue but puts the cost of doing business onto the business, thus freeing up general tax revenues for other projects and services.

Information was presented by members of the public at the June Regular Planning Commission meeting that the City receives or could receive ~\$300, 000 in TOT tax from STR. The Finance Director evaluated the email information and determined that the assessment was incorrect. A majority of the STR's referenced are located in Siskiyou County and not City Limits. The Finance Director confirmed that the share of STR is 4% of the annual TOT revenue. The Finance Department experiences frequent problems in receiving reports timely and everything related to collecting from STR's take a disproportionate share of staff time related to all TOT collections the math related to "beds in heads" ignore the average amount collected from traditional rooms compared to average amounts collected from STR's.

### **Review of Public & Outside Agency Comment:**

The City Staff have not pursued public comment directly related to regulating the STR market, but have received public input in other processes that indicates local support for more long-term rentals and less STR. The City's 2018 Visioning Survey, as part of the General Plan revision, shoed 65% of respondents listing long-term housing as a critical issue for the City and 47% specifically listed Short-term rentals as a negative change they have observed in the City.

The 2014 Housing Element update for the City's General Plan included public workshops which collected information on housing issues and opportunities. Short-term or vacation rentals were listed as a concern.

The City has received public comment letters in opposition to limiting the total number of licenses and a property owner's ability to operate a short-term and placing regulations on

commercially zoned short-term rentals. The regulations opposed for commercially zoned short-term rentals are related to the annual limits on days which was removed by the Planning Commission at the July regular meeting.

The City has received public comment letters opposing short-term rentals in residential zones. The commenters are concerned about the impact on neighborhood character that a short-term rental could have if allowed in low density residential zoning.

### **Recommendation Discussion:**

Planning Commission unanimously requested the creation of proposed language for more regulation on the STR industry. Attachment includes options for regulation related to previous discussion at the May 19, 2020 Regular Planning Commission meeting and ordinances from other cities.

A change that occurred outside of the June Planning Commission is the confirmation of the definition of a “Primary Residence”. In consultation with the City Attorney it was determined that the best option for the definition is the longer more detailed option. The confirmation of a primary residence should include proof of residency like voter registration, tax statements, or driver’s license. These documents are easy to obtain and file on record with the City. The City can also easily check the validity of these documents.

At the July 21, 2020 Planning Commission meeting, the Commission set a cap of 1.5% of housing units for the STR licenses. The Commission was not in consensus for the recommended cap percentage and tabled the item to allow for the two absent commissioners to weigh in on the discussion and give more time for deliberation. The Commission was in consensus on the removal of the annual limit for commercially zoned STRs and allowing a maximum of two non-primary residence STR licenses.

Planning Commission reviewed the proposed short-term rental ordinance at the August 18, 2020 Regular Planning Commission meeting. The Commission requested information regarding the total number of housing types in each commercial zone. The Planning Department is unable to satisfy this request due to missing information related to housing type and housing unit number per lot. The department would need a significant amount of time to backtrack through building permit records to satisfy the request.

Since the August 18, 2020 meeting, changes signified in red in the attachment have been made to clarify the findings for residentially zoned short-term rentals, inclusion of posting and neighbor notification, and clarification on terms of license. All changes requested have been made to the proposed ordinance and

### **Attachments:**

#### **I. Proposed Chapter 5.50 “Short-Term Rental Licensing and Standards”**

# Attachment I

## Chapter 5.50

### Short-Term Rental Licensing and Standards

#### 5.50.010 Purpose

The purpose of this Chapter is to allow limited short-term rental uses while preventing the loss of housing opportunities for residents, preserve residential character and establish operating standards to reduce potential noise, parking, traffic, property maintenance, and safety impacts to neighborhoods, and provide a registration process for the City to track and enforce these requirements as needed and ensure appropriate collection of taxes.

#### 5.50.020 Definitions

For the purposes of this chapter, the follows definitions shall apply:

“Adjacent Properties” means the dwelling units located next to the dwelling unit in which the short-term rental is located.

“Host” means any person who is the owner of record of residential real property or any person who is a lessee of residential real property pursuant to a written agreement for the lease of such real property, who offers a dwelling unit, or portion thereof for short-term rental either through a hosting platform or individually as an operator.

“Hosting Platform” means a means through which a host may offer a dwelling unit, or portion thereof, for short-term rental. A hosting platform includes, but is not limited to, an internet-based platform that allows a host to advertise and potentially arrange for temporary occupation of the dwelling unit, or portion thereof, through a publicly searchable website, whether the short-term renter pays rent directly to the host or to the hosting platform.

“Primary Residence” means a dwelling unit where a person has been physically present, and that the person regards as home. A person may only have one primary residence at any given time. Evidence of a person’s primary residence includes, but is not limited to, documentation from income tax statements, voter registration, or a driver’s license. If a property has multiple dwelling units, including an accessory dwelling unit or apartment complex, each dwelling unit and accessory dwelling unit shall be considered a separate residence subject to the primary residence requirement.

“Short-Term Rental” means the use or possession of or the right to use or possess any room or rooms, or portions thereof in any dwelling unit for residing, sleeping, or lodging purposes for less than 30 consecutive calendar days, counting portions of days as full calendar days.

“Short-Term Renter” means a person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of less than 30 consecutive days, counting portions of calendar days as full calendar days.

#### 5.50.030 Short-Term Rental License Requirement

A. Short-term rental uses shall be permitted in any residential use in C1 Downtown Commercial and C2 General Commercial. Short-term rental uses shall be considered a conditional use in Residential zones and follow proceedings outline in Chapter 18.29 of the Mt. Shasta Municipal Code. All short-term rental uses are subject to the requirements of this Chapter, including compliance with operating standards, registration, Transient Occupancy Tax payments, and recordkeeping obligations. Except as provided for in this Chapter, all other short-term rental uses shall be prohibited.

B. A Short-term rental host may operate a maximum of two (2) non-primary residence short-term rentals.

C. Term of License. Short-term Rental Licenses shall run with the landowner and shall automatically expire upon sale or transfer of the property.

#### **5.50.040 Maximum Licenses**

A. A city-wide cap of one and one-half (1.5) percent of total City housing units will be placed on the number of short-term rental registrations issued. The total number of City Housing units shall be the total number of housing units reported in the most recent Housing Element.

B. Legally existing short-term rentals in good standing with the City shall be given priority in licensing. Legally existing short-term rentals which obtain a license from the City within the Amnesty Period shall be grandfathered into the maximum license threshold. Good standing is defined as businesses which are current with City business licensing and tax payments.

#### **5.50.050 Amnesty Period for Existing Short-Term Rentals**

Notwithstanding any other provision of law, short-term rentals legally operating on or before the enactment of this ordinance shall be considered existing uses. An amnesty period of six (6) months after the effective date of this ordinance is being offered to allow these existing uses to be legalized by conforming to the requirements of this Chapter, including compliance with operating standards, registration, and recordkeeping obligations. Transient Occupancy Tax payments continue to be required at all times for short-term rentals and must be collected and paid during the amnesty period. Applications to bring an existing short-term rental use into compliance shall be made on or before six months after the effective date of this ordinance. Existing short-term rental uses that do not conform to the requirements of this Chapter shall cease operation within six (6) months of the effective date of this ordinance and shall be prohibited from resuming unless and until the use conforms to the requirements of this Chapter.

#### **5.50.060 Short-Term Rental License Permitting Process & Renewal**

(A) Application. Prior to advertising or making available the short-term rental for renting, hosts shall apply for a license at their residence with the City. This application shall be submitted on a form prepared by the City and shall include at a minimum the name and contact information of the host, the address of the residence being used for short-term rental, the contact information for the local contact person, an acknowledgement of compliance with the requirements of the City's Municipal Codes, applicable health and safety standards, and other information as requested.

(B) Fee. The registration form shall be accompanied by a filing fee in an amount established by resolution of the City Council.

(C) Application Completeness. The submitted information shall be used to determine whether to register the short-term rental. The host will be notified if an application is incomplete. If the host fails to submit the required information or fees necessary to complete the application within thirty (30) calendar days after the notice of an incomplete application, the application shall expire and be deemed withdrawn.

(D) Decision. After an application is deemed complete, registration shall be approved when the following findings are met:

1. The host demonstrates the ability to meet the requirements of this Chapter,
2. The host demonstrates that the proposed short-term rental will not impact on-street parking, meet city noise standards, and will not result in a nuisance.
2. The subject residence is not the subject of an active compliance order or administrative citation from the City in the past 12 months, and
3. A short-term rental registration for the residence has not been denied or revoked in the prior 24-month period.

**These findings shall be made in addition to the findings listed in Chapter 18.29 for short-term rentals located on residentially zoned property.**

(E) Validity. An approved registration shall be valid and payable on a fiscal year basis. An approved registration shall be personal to the host and shall automatically expire upon sale or transfer of the dwelling unit. No registration may be assigned, transferred, or loaned to any other person.

(F) Annual Renewal. A registration may be renewed annually upon payment of registration renewal fees and all required transient occupancy tax remittance associated with short-term rental. The host shall submit such information concerning the short-term rental activity as may be required to enable the tax collector to verify the amount of tax paid. Failure to renew prior to the expiration date will result in expiration of the registration.

(G) Requirements No Exclusive. The issuance of a short-term rental registration shall not relieve any person of the obligation to comply with all other provisions of this code applicable to the use and occupancy of the property.

(H) Administrative Policy. The City Manager or their designee shall have the authority to develop administrative policies to implement the intent of this Chapter.

### **5.50.070 Appeal of Denial or Revocation of License**

(A) Revocation of Registration. A short-term rental registration issued under the provisions of this Chapter may be revoked after notice and hearing as provided for in this Section, for any of the following reasons:

1. Fraud, misrepresentation, or false statements contained in the application;
2. Fraud, misrepresentation, or false statements made in the course of carrying on a short-term rental as regulated by this Chapter;
3. Any violation of any provision of this Chapter or of any provision of this code; or
4. Any violation of any provision of federal, state, or local laws.

(B) Revocation Hearing. Before revoking a short-term rental registration, the City Planner shall give the responsible host notice in writing of the proposed revocation and of the grounds thereunder, and also of the time and place at which the host will be given a reasonable opportunity to show cause why the registration should not be revoked. The notice may be served personally upon the host or may be certified ailed to the host at the last known address of at any address shown upon the application at least 10 days prior to the date of the hearing. Upon conclusion of the hearing the City Planner may, for the grounds set forth herein, revoke the registration.

(C) Appeal from Denial or Revocation of Registration. Any host whose application has been denied or registration has been revoked shall have the right to an administrative appeal before the City Manager or a designated hearing officer. An appeal shall be filed in writing on a form provided by the City stating the grounds therefor within 10 days of the decision. The City Manager or designated hearing officer shall hold a hearing thereon within a reasonable time and the decision shall be final.

(D) Waiting Period. Any host whose registration has been denied or revoked shall be ineligible from applying for a new registration for a 24-month period.

(E) Records of Compliance. The host shall retain records documenting the compliance with these requirements for a period of three (3) years after each period of short-term rental, including but not limited to records showing payment of transient occupancy taxes by a hosting platform on behalf of a host. Upon reasonable notice, the host shall provide any such documentation to the City upon request for the purpose of inspection or audit to the City Manager or their designee.

### **5.50.080 Operational Standards, Restrictions, and Requirements**

The following operating standards shall apply to all short-term rentals:

- (A) Legal Dwelling. Short-term rentals may only occur within legal dwelling units.
- (B) Limitation on Listings. Short-term rentals shall not have more than 1 listing for the same primary residence on the same days.
- (C) Local Contact Person. Hosts shall identify to all guests and all occupants of adjacent properties a local contact person to be available 24 hours per day, 7 days per week during the term of any unhosted stay. The designated local contact person shall:
  1. Respond within 30 minutes to complaints regarding the condition or operation of the dwelling unit or the conduct of guests; and
  2. Take remedial action to resolve such complaints
- (D) Parking. No additional parking shall be required for short-term rentals. Existing on-site parking spaces shall be made available to short-term renters.

- (E) Special Event. Weddings, corporate events, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise, or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.
- (F) Each short term rental must pass a public safety inspection to validate emergency egress standards as well as operable and properly placed smoke alarms, fire extinguishers and CO detectors, as applicable
- (G) No recreational vehicle, travel trailer, tent or other temporary shelter may be used as a short term rental.
- (H) Posting and Neighbor Notification of Permit and Standards. Once a vacation rental license has been approved, a copy of the license listing all applicable standards and limits shall be posted within the vacation rental property. The owner shall post these standards in a prominent place within 6 feet of the front door of the vacation rental and include them as part of all rental agreements. At the permit holder's expense, the City shall provide mailed notice of license issuance and local contact information to property owners and immediate neighbors of the short-term rental unit using the standard 300' property owner mailing list. All advertising handouts, flyers, internet listings, or any other information provided for vacation rentals shall conform to the approved occupancy limits and standards as stated on the vacation rental permit. Advertising may only be conducted for properties operating under a valid permit. Advertising for a particular property inconsistent with the approvals for that property shall be considered a violation of these performance standards.

The following standards shall apply to all short-term rentals in commercial zones:

- (A) Annual Limit. There is no annual limit for short-term rentals in commercial zones.
- (B) The number of guests will be limited to two guests per bedroom plus another two, for a maximum of ten guests per short-term rental with outdoor quiet hours in effect between 10:00 P.M. and 7:00 A.M.

The following standards shall apply to all short-term rentals in residential zones:

- (A) Annual Limit.
  1. A primary residence may be occupied as a short-term rental for no more than [90] days per calendar year where no host is present. There shall be no limit on the number of days a primary residence may be occupied as a short-term rental where the host is present. For purposes of this Section, a host is considered present when they are on the premises at all times between the hours of 10:00 P.M. and 6:00 A.M.
  2. A non-primary residence may be occupied as a short-term rental for no more than 90 days per calendar year.
- (B) The number of guests will be limited to two guests per bedroom plus another two, for a maximum of six guests per short-term rental with outdoor quiet hours in effect between 8:00 P.M. and 8:00 A.M.

### **5.50.090 Transient Occupancy Tax**

Transient Occupancy Tax (TOT) must be collected short-term rentals and paid to the City pursuant to Chapter 3.12 of the Mt. Shasta Municipal Code. Collection of transient occupancy taxes for short-term rentals shall be the responsibility of the host. The hosting platform shall collect TOT when they have signed a voluntary agreement (or equivalent) with the City.

#### **5.50.100 Penalties and Enforcement**

Violations. Penalties as provided for in Chapter 1.03 may be imposed for failure to comply with the provisions of the Chapter.

**Agenda Item # 8**  
Staff Report

**Meeting Date:** October 20, 2020  
**To:** Planning Commission  
**From:** Planning Department  
**Subject:** City Street Tree Planting List

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<b>X</b>	Regular
	Consent
	Closed
	Presentation

**Recommended Action:**

**Discussion and give direction**

**Background:**

The City of Mt. Shasta utilizes an approved list of street trees for planting in City rights-of-way and City properties. The current list was approved in 2001 and includes a series of trees and the situations in which they should be planted. The Beautification Committee and Planning Commission have requested review of this list with the intent to revise and improve the list.

Since the adoption of the 2001 street tree list, the City prepared a downtown master plan which has not been implemented. The City also designated the 200, 300, and 400 blocks of N Mt. Shasta Boulevard to be planted with only flowering pear. The decision to restrict the street tree species in the downtown was due to public pressure.

**Environmental Review:**

The proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15308. Categorical Exemption Class 8, Section 15308, exempts actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. This Ordinance revises and updates the City's existing regulatory process to protect trees in the City. The Ordinance does not involve or cause any direct physical change to the environment. Therefore, no circumstances exist that create a reasonable possibility that the proposed Ordinance will have a significant adverse effect on the environment; therefore, the proposed Ordinance qualifies for this exemption and no further environmental review is required.

**Review of Public & Outside Agency Comment:**

The City has received a significant amount on public input regarding the use of Flowering Pear in the downtown. Most public comments are opposed to the planting of flowering pear due to the smell and preserved lack of aesthetic value. Other public comments are from business owners

that are opposed to the Liquid Ambers damaging roofs, sidewalks, and buildings. The City has no desire to keep Liquid Ambers and plans to phase out all Liquid Ambers with other appropriate tree species.

No other public comments have been received at the time of this report.

**Recommendation Discussion:**

The Beatification Committee considered the City Street Tree list at the August and September regular meetings. The Committee recommends the following:

1. A detailed guide with illustrations of the trees, information on height, use, and growing conditions should be prepared to communicate tree attributes.
2. The recommended street tree list is:
  - a. **General Planting**
    - i. Chinese Pistache
    - ii. Red Maple
    - iii. Sugar Maple
  - b. **Under Power Lines**
    - i. Mountain Alder
    - ii. Flowering Ash
  - c. **Wet Areas**
    - i. Mountain Alder
    - ii. Flowering Ash
    - iii. Red Alder
  - d. **Site Specific**
    - i. Flowering Pear
    - ii. Ginkgo/Maidenhair Tree
    - iii. Black Tupelo/Sour Gum
    - iv. Florida Dogwood/Eastern Dogwood
    - v. Pacific Dogwood
3. Beautification recommends that all trees planted on Lake Street should be a variety of Red/Scarlet Maples. The trees should be a variety of cultivars and shades of red.

An example of the detailed tree planting guide is attached for Planning Commission comments.

**Attachments:**

- 1. CCR-01-54 “A Resolution of the City Council of the City of Mt. Shasta Establishing a street tree list and planting standard for street trees located in commercially and industrial zones” and attachments**
- 2. Mt. Shasta Downtown Streetscape Master Plan (2004)**
- 3. Example of detailed guide**

# Attachment I

## RESOLUTION NO. CCR-01-54

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MT. SHASTA ESTABLISHING A STREET TREE LIST AND PLANTING STANDARD FOR STREET TREES LOCATED IN COMMERCIAL AND INDUSTRIAL ZONES

WHEREAS, the City Council has determined that it is in the best interest of the City of Mt. Shasta to develop a street tree list; and

WHEREAS, it is in the best interest of the City to develop a street tree planting standard specification; and

WHEREAS, the Beautification Committee has developed and reviewed the street tree list and planting standard.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the City Council hereby establishes the Street Tree List and Planting Standard to be used in City Rights of Way and City owned property within the Commercial and Industrial zones.
2. That the City Council hereby approves the Street Tree List and Planting Standards to be included in the most current version of the City's Construction Standards.

#### ROLL CALL VOTE:

AYES: Council Member Gibson, Stearns, Meyer, Valenzuela and Mayor Apperson

NOES: None

ABSENT: None

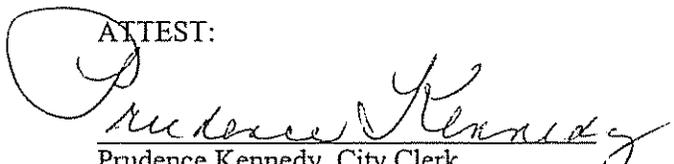
ABSTAIN: None

DATED: August 13, 2001

CITY OF MT. SHASTA:

  
Marge Apperson, Mayor

ATTEST:

  
Prudence Kennedy, City Clerk

## CITY OF MT. SHASTA STREET TREE LIST AND PLANTING STANDARD

**SECTION 1** Only the following designated trees shall be planted within the City owned rights-of-way of the Commercial and Industrial Zones of the City.

### **General Planting**

Bradford Flowering Pear	PYRUS calleryana
Ginkgo/Maidenhair Tree	GINKGO biloba (Non fruiting)
Chinese Pistache	PISTACIA, chinensis

### **Under Power Lines**

Mountain Alder	ALNUS tenuifolia
Flowering Ash	FRAXINUS ornus

### **Wet Areas**

Mountain Alder	ALNUS tenuifolia
Flowering Ash	FRAXINUS ornus
Red Alder	ALNUS oregonia (rubra)

### **Site Specific Trees**

Black Tupelo/Sour Gum	NYSSA sylvatica
Scarlet (Red) Maple	ACER rubrum
Sugar Maple	ACER saccharum
Florida Dogwood/Eastern Dogwood	CORNUS Florida, "Cloud Nine"
Pacific Dogwood	CORNUS nuttallii

**SECTION 2 Standards and Specifications:** The following are the minimum standards and specifications for street tree planting.

#### **A. SIZE OF MATERIALS**

1. Deciduous trees container grown and broad leaf evergreen.  
Height - 6 feet Caliper – 1 1/2" to 2" measured 12" above the potting soil.  
(No bare root stock)

#### **B. CONDITION OF MATERIALS**

1. All trees are to be vertically straight, firmly staked and tied with a single central main leader developed to gain an eventual unbranched height of at least 12 feet.
2. All plants are to be free of insects, noxious weeds, disease and rootbound condition; in a vigorous healthy condition free of breakage and mechanical damage.

#### **C. STAKING AND PROTECTION**

1. Staking of young trees shall be in conformity with the University of California at Davis, Bulletin No. OSA 145, titled "Staking Young Landscape Trees".

#### **D. TREES WITHIN SIDEWALKS OR RESTRICTED AREAS**

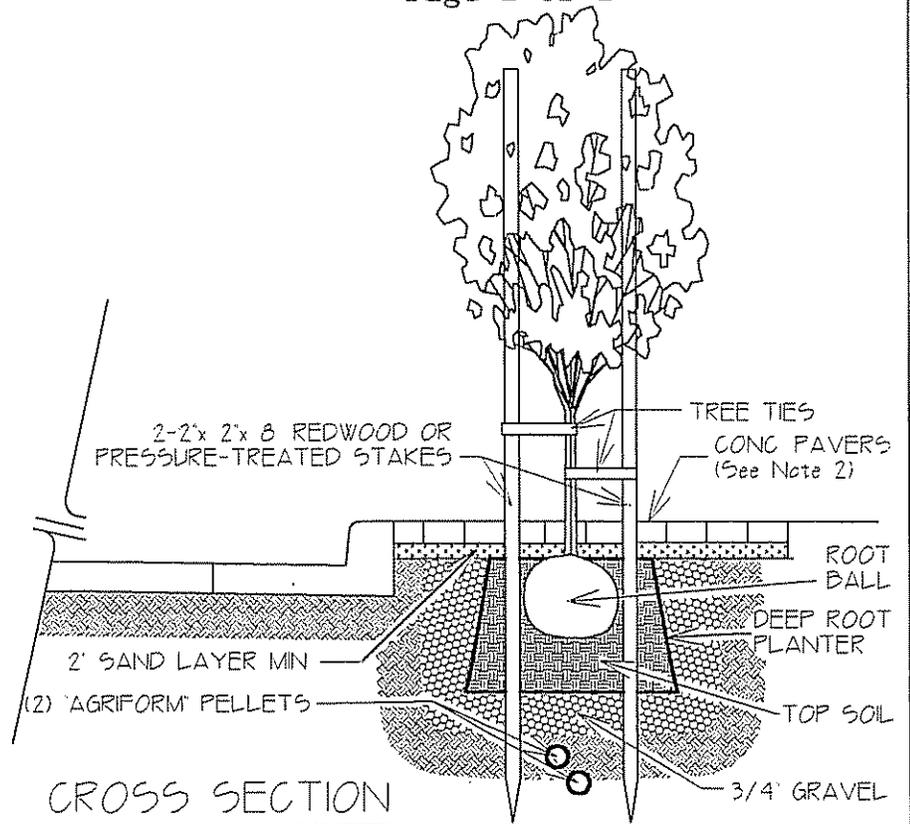
1. All trees planted with the sidewalks or in similar restricted areas shall be planted as shown on the attached Exhibit A titled "COMMERCIAL TREE WELL".

NOTES

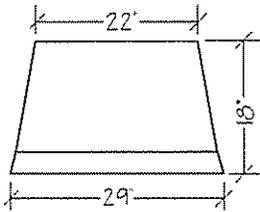
- 1 TREE WELL SHALL BE 48" DEEP
- 2 TREE WELL SHALL HAVE 'BASALITE PAVERS' IMBEDDED IN SAND SEE SPECIAL NOTE BELOW
- 3 TREE SHALL BE DOUBLE-STAKED
- 4 TREE SHALL BE PLACED INSIDE OF 'DEEP ROOT PLANTER' WHICH SHALL THEN BE FILLED WITH TOP SOIL
- 5 3/4" GRAVEL SHALL BE USED TO FILL IN AROUND PERIMETER OF THE 'DEEP ROOT PLANTER' ABOUT 6" TO 8" WIDE THE GRAVEL SHALL EXTEND 8' BENEATH THE PLANTER

SPECIAL NOTE

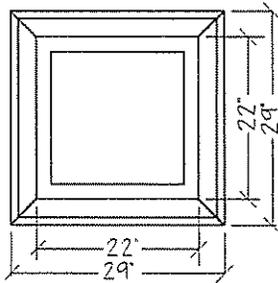
PAVERS - 'BASALITE'  
 SAN FRANCISCO COBBLESTONE  
 COLOR - CARMEL  
 RECTANGLE - 85' x 55'  
 SQUARE - 55' x 55'  
 VARIATIONS - WITH APPROVAL OF THE  
 PUBLIC WORKS DIRECTOR



CROSS SECTION

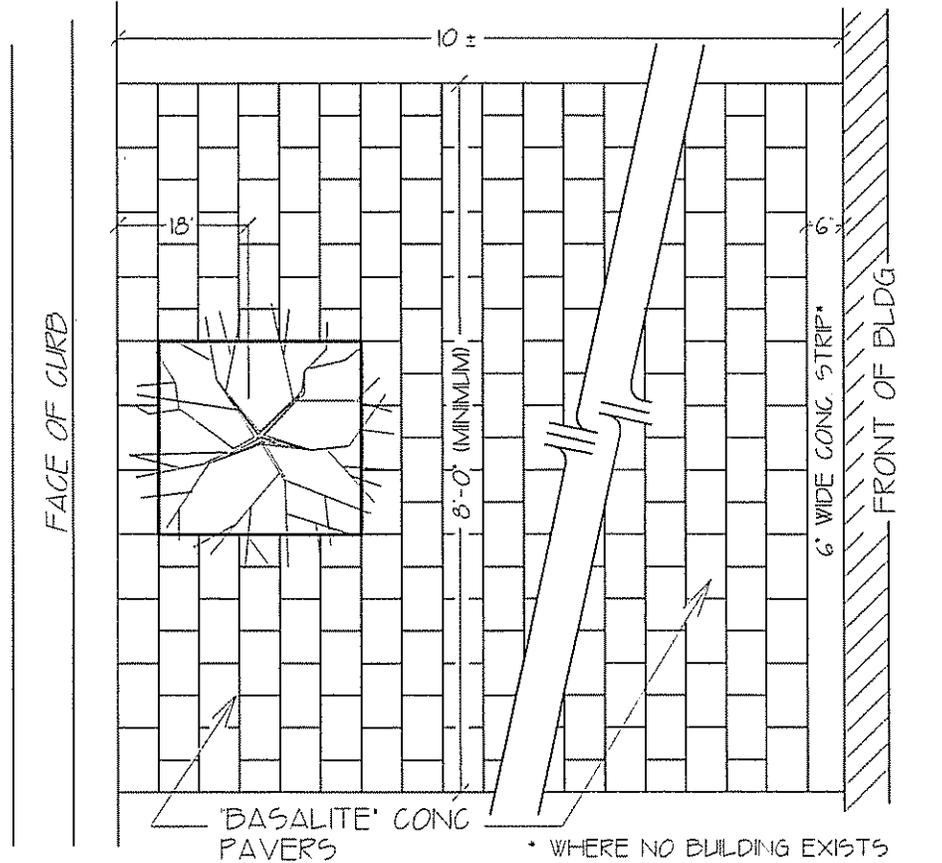


END VIEW



TOP VIEW

DEEP ROOT  
 PLANTER (TYP)



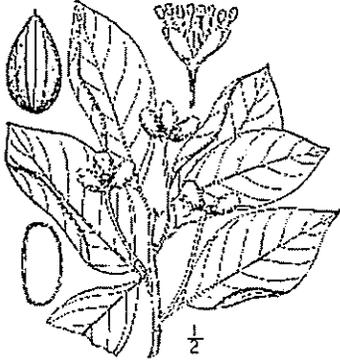
PLAN VIEW

COMMERCIAL TREE WELL  
 EXHIBIT "A"

**ACER GRISEUM – PAPERBARK MAPLE**  
Smaller deciduous tree. Narrow branched, beautiful peeling bark, brilliant fall color. Plant in smaller planters, protect trunk from sun scald during first few summers.



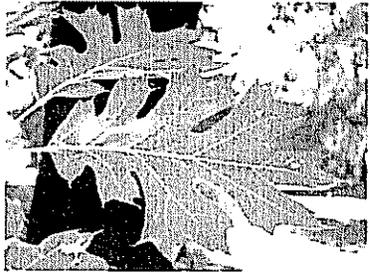
**NYSSA SYLVATICA - TUPELO**  
Medium size deciduous tree. Pyramidal form, attractive bark. Yellow-orange fall color. Plant male only, one or two specimens. Requires careful pruning in early years to direct growth into a desirable form.



**PYRUS C 'CHANTICLEER' – FLOWERING PEAR**  
Medium deciduous tree. Upright form and branching pattern. White flowers in spring, yellow-orange fall color. Protect trunk from physical damage. Prune out water sprouts at main branch connections.



**QUERCUS BOREALIS – NORTHERN RED OAK**  
Large deciduous tree. High & broad branching, deep rooting, brilliant red-orange fall color. Plant in largest, least restricted planters.



## Attachment 2

# Mt. Shasta Downtown Streetscape Master Plan

*Design Study*

July 2004



*This project was funded with grants from the Ford Family Foundation and the City of Mt. Shasta*

**Contributors:**

The Mt. Shasta Beautification Committee  
Mt. Shasta, OR (530) 926-7516



**Alan Pardee**  
Landscape Architect  
Land Planning Consultant  
Mount Shasta, CA  
(530) 926-0223



**Heidi E. Henry**  
Rural Development Initiatives, Inc.  
*Helping Rural Communities Thrive!*  
Corvallis, OR  
(541) 758-2871

*List of Participants*

Anthony Barnes  
Leif Voeltz  
Audra Gibson  
Ted Monson  
Bruce Catlin  
Marie Mitchell  
Dave Rees  
Mike Backes  
Keith McKinley

Merle Anderson  
John and Sandy Hansen  
Chris Meyer  
Doris Moss  
Bonnie Kubowitz  
Ed Valenzuela  
Ted Marconi  
Jeff Butzlaff  
Bobby Burns

Nick Kennedy  
Jon and Jacquie Parker  
Keith Ure  
Chris Marrone  
Nathan Parker  
M. Smith  
J. Thomas  
Amy Hansen  
Jane Prestegard

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## Downtown Mt Shasta Landscaping Master Plan Process Statement

The *Downtown Mt. Shasta Landscaping Master Plan* was originally brainstormed during the Mt. Shasta Community Action Plan developed in 2002. The Community Action plan is a comprehensive planning document first adopted by the City Council in December 1996, and updated by the city of Mt. Shasta's Economic Development Advisory Committee in May of 2002. The primary mission statement of the document is to "Maintain the character and resources of our 'small town' community while striking a balance between economic development and preservation of our quality of life". One of the action plan tasks is to create a downtown master plan that considers landscape and streetscape elements. That planning effort began with a site analysis process looking at opportunities and constraints of the downtown, and was followed by a public input meeting held in July of 2004. Landscape Architect Alan Pardee, worked the following week on design drawings from the public input session, and then presented the design drawings at a second public meeting.

Over the years, residents of Mt. Shasta have developed their downtown commercial core into a lovely and inviting place. At this time, community members recognize that a master plan is needed to ensure that future improvement happens in a cohesive fashion. The intent of the master plan is to provide a catalog of style and materials, and to suggest a connected set of improvements that can act as an outline for future projects. This report summarizes the community's thoughts, concerns and resulting design efforts, ideas and drawings.

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Pedestrian and Bicycle Improvements	7
Street Trees	8
Materials	9
Public Involvement	10
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▪ Existing Street Furniture	
▪ Tree Selection	



## Managing Change

Thomas Jefferson said that “The moral obligation of a democracy is to keep her citizenry safe, her people free, and the market place prosperous.” In order to keep to these American ideals, communities recognize that thoughtfully planned and designed building and construction projects keep communities fresh, efficient, and commerce for the small business owner optimal. Managing change so it benefits the community is not just in the hands of the local city and county officials, it’s in the hands of us all; youth, seniors, parents, and business people.

The community of Mt. Shasta, in their 2002 Community Action Plan, determined that a necessary task was to develop a landscaping master plan for downtown. The plan should honor the community’s history and be mindful of its future. This document summarizes the results of the designs, the public input sessions, interviews, professional interpretations, and existing conditions, and then suggests materials, plantings, tree development, pedestrian enhancements and design approaches.

Like the changes that have come before, these changes will be incremental, and how they are viewed is, of course, a matter of perspective. Since the downtown transcends generations, it is incumbent upon elder community members to ensure that the youth, who are the business people of tomorrow, have a vital and pleasant commercial core where they may work, play, and prosper.

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Mt Shasta over the City



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Plaza at City Hall



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Looking North on Mt. Shasta Blvd.



## Downtown

The downtown is every community's "front porch". It demonstrates that a town has good self esteem if the streets are nicely paved, the sidewalks are clean, and store fronts sparkling. Scruffy paint, dead plants in window boxes and buckled pavements are not inviting, safe places for people to walk and shop. Mt Shasta's downtown area flows mainly along Mt. Shasta Blvd. and a portion of Chestnut Street, with the focus of this study being between Alma Street and McCloud Avenue.

In March of 2002, participants at community meetings for the Community Action Plan determined that a landscape master plan targeting lights, street furniture, and tree improvements should be completed in the coming years. Significant improvements noted in the Plan have been completed including City Hall plaza, Lake Street median landscape, pedestrian scale lighting, attractive waste receptacles and numerous benches, a pole mounted clock, and two bollards. By and large, the street furniture is of matching character, and this approach should be carefully continued. There are several examples in the downtown of privately provided chairs, benches and planters that, when done well, should also be encouraged. The street trees are an important element in the town that must be considered carefully to ensure that the community can enjoy a tree-shaded downtown well into the future. (See Appendix)

Parking and other provisions for cars and trucks is an important aspect of vibrant downtowns, and carefully managed traffic circulation coupled with high visibility crosswalks keeps shoppers and children safe. Bicyclers, too, should have options for travel lanes and bike parking near the commercial core.

## Parking and Circulation

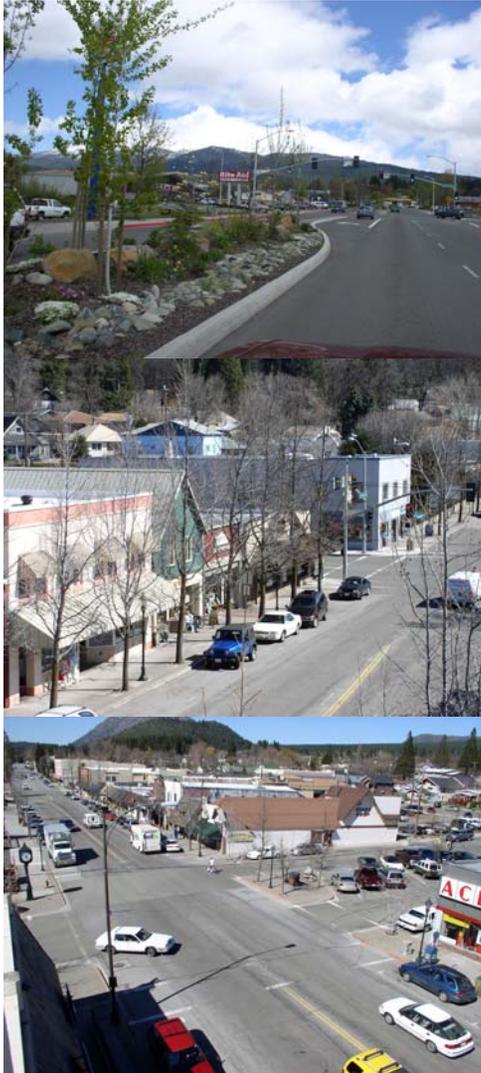
It's possible that a couplet should work using Chestnut and Mt. Shasta Blvd., and is worth consideration. A couplet could add additional parking on both streets, and offer revitalization opportunities to Chestnut. However couplets are expensive and can be confusing to visitors and drivers. It can also reduce the number of cars that currently pass by other downtown businesses under the current traffic pattern.

Parking, and whether there is a parking problem, depends on your point of view. Better parking management might be emphasized for downtown; for instance educating locals, visitors, and employees about the availability of under-used public parking lots and the larger private lots in town. Directing employees to not park in front of their stores or places of business unless necessary is very important. Diagonal parking might be instituted – but there are often more accidents as visibility for drivers is more difficult, and actual gains in parking spaces are limited. To make the downtown more pedestrian friendly, traffic calming elements such as textured sidewalks, street trees and bumpouts should be adopted.

## Lighting

The downtown lighting approach, which highlights pedestrian scale and detailed pole lighting, should be continued throughout the town. All metals should be the finish and green color used in the trash receptacles, new bollards, and benches. Uplighting should be restricted.

Twinkle lights and Christmas lights on buildings are festive and attractive to shoppers and make the downtown more inviting. All lights should be seasonal, and kept in good repair.





## Pedestrian and Bicycle Improvements

One goal in improving the pedestrian areas and connections in Mt. Shasta, is to continue to develop the downtown as a special place for people and not one focused primarily on cars. This can be furthered, in part, by developing easy and safe ways for pedestrians and bicycles to travel about. Striped bike lanes and clearly marked or textured crosswalks with bumpouts make it easier for people to cross the street, and to be seen by motorists when they do cross the street. (at left, images of other area towns: above Ashland, below Redding)

Castle Street is already temporarily closed off during the 4th of July as a pedestrian plaza. The plaza could be used more often for markets, art fairs, and winter parties if a redesign of the space plans for public art, makes available water and electricity for vendors, and includes pedestrian amenities. The plaza paving should allow for significant parking during the week.

There is an obvious location mid-block in the downtown on Shasta Blvd. where pedestrian crosswalks or bumpouts could be added. Adding pedestrian furniture like wooden benches, trash receptacles, bike racks, and informal seating around raised planting beds would add to the comfort and the interest of the urban streetscape. Appropriate annual and perennial plantings – perhaps in partnership with a horticulture group at the high school or with a local gardening club - add color and texture to the commercial core.

## Street Trees



Cool and green, trees are an important part of our history, our culture, and our general sense of well-being. The addition of trees and landscaping generally improves the aesthetic appeal and pedestrian comfort of a downtown. In the early 1980's Mt Shasta - along with many other communities - planted Sweetgum trees in their downtown. Unfortunately, these shallow rooting, aggressive, albeit lovely trees have proven to be a poor choice for use as street trees. Their shallow root systems lift curbs and sidewalks, and endanger underground utilities (see upper image at left). This damage is expensive to correct, and as the trees grow, so do the costs of repair. In Mt. Shasta, the close proximity of the trees to the curb exacerbates the situation. Balanced with this is the beauty and comfort the trees provide. The solution is to phase out the most damaging trees and replace them with appropriate species. Trees should be placed in large planters with either raised planters or steel tree grates with an appropriate form of root containment (see examples at left, from Redding & Ashland). Trees selected as primary street trees should be described as large, long-lived, strong-limbed, and providing broad canopies with vibrant fall color. A strategic goal of this effort is to develop a plan for planting 'legacy' trees. Trees should be selected and planted with the intention that they remain vital and thriving fifty years and more into the future. A list of recommended trees is provided in the appendix section of this report.



A variety of tree species, or types, should be planted, to defend against specie specific disease or pest problems. Two ranks of trees sizes are recommended; large shade trees, and smaller accent trees. Trees should be planted with a trunk size between two and three inches, and a height of around fifteen feet, since smaller trees tend to be vandalized more readily. Ground anchors, not guying, should be incorporated. The cost range for implementing street tree planting is considerable.

Black Butte Stone



This bollard is black, but Mt. Shasta should focus on the powder green finish



Trash receptacles and wooden benches are comfortable and appealing



## Materials

The use of selected materials in an intentional and coordinated fashion is an important tool in creating a connected and cohesive streetscape. Mt. Shasta is lucky to have a bright and unique building material, sometimes referred to as Black Butte stone. Currently, the stone is used in several older residential structures, some local retail buildings, a number of walls, and in the memorial outside of City Hall. The stone is a wonderful local resource and, properly worked, should be used in raised planters and walls, and considered for use in new buildings.

Special paving at intersections has many purposes. Firstly, they guide visitors and shoppers safely across roads. Secondly, the texture can help slow motorists down, and alert the drivers that they are in a pedestrian zone. The recommended solution is to use a stamped geometric pattern in concrete with earth-tone colors that compliment the Black Butte stone. Cast concrete pavers have been used in portions of the public sidewalks, and this material should also be continued in future similar improvements.

Light poles, bollards, and metal trash receptacles, benches, and bike racks should all have the same green powder-coated metal (the bollard is black). Street furniture should all coordinate with consistent materials of wood and metal.

These design elements give an eye to the future of Mt. Shasta by beginning to provide a unifying visual experience to the downtown. The modern character of the community combines with these building elements of the past to begin the creation of a design program uniquely Mt. Shasta's.

Public participation was a focal point of the design program. The participants represented stakeholders in the community, including youth and business people.

Comments about trees, pedestrian improvements, and plantings were some of the focal points of conversation.

Alan Pardee, Landscape Architect and Mt. Shasta resident, comments on parking options for downtown.



## Design Charrette and Public Involvement

The public was an integral part of the design process. Quality design of public space cannot occur without open and frank discussion. Without this discussion, the product is the designer's dream, and not a design drawn from the community. Two design and public input meetings were conducted for the downtown master plan, both of which were well attended by various stakeholders: community members, business owners, property owners, city staff and city council, and planning commission members. Participants were encouraged to voice their opinions and disagreements at these meetings. Some expert advice and opinions from the Landscape Architect were expected, though the plan reflects the desires of the community. The real impact of the design charrette process is seen in the design phases that were developed.

The ideas shared during the first public meeting were organized into the general areas of 1) Parking and traffic circulation, 2) Pedestrian and bicycle improvements, 3) Lighting, 4) Entrance welcome signs, and 5) Street trees.

The design phases were presented at the second public meeting, with recommendations and suggestions by landscape architect Alan Pardee. Additional comments were captured by City Hall. Next steps in this process are to prepare construction documents, action plan the phases of implementation, and raise the necessary funds.



## Suggested Changes

The proposed plan on page 12 indicates a number of improvements. The streetscape improvements are not symmetrical or formal in nature in keeping with the context of the downtown. The construction details for the raised wall planters should be continuous however, individual planters can have a unique form. The design and layout of these planters must begin with a study of the storm drainage system, and must consider other existing infrastructure. At the Lake Street intersection, we suggest the City install special paving at all four crossings, and add large planters at the southeast and northeast corners. For Castle Street, the existing configuration calls for a design which includes continuous special paving at crossings, three raised planters along the east side of the street, and one on the west side. At the center east planter, a location for sculpture is provided. Other suggestions have been made for Castle Street, including taking its full width to allow for the exposure of Castle Creek in a riparian corridor with pedestrian access; a significant fountain – using water from the creek – either at the east or west end of Chestnut would be a nice addition. At mid-block between Castle and Lake, a major pedestrian crossing with supporting planters is proposed. For Mt. Shasta Blvd., the proposed plan calls for the removal of fourteen Sweetgum trees, and planting sixteen new trees, some in new planters, and some replanted in the same location but in appropriate below grade planters.

Mt. Shasta might consider building information kiosks where visitors and locals can get information on upcoming events, concerts, where to park, city guides, etc.

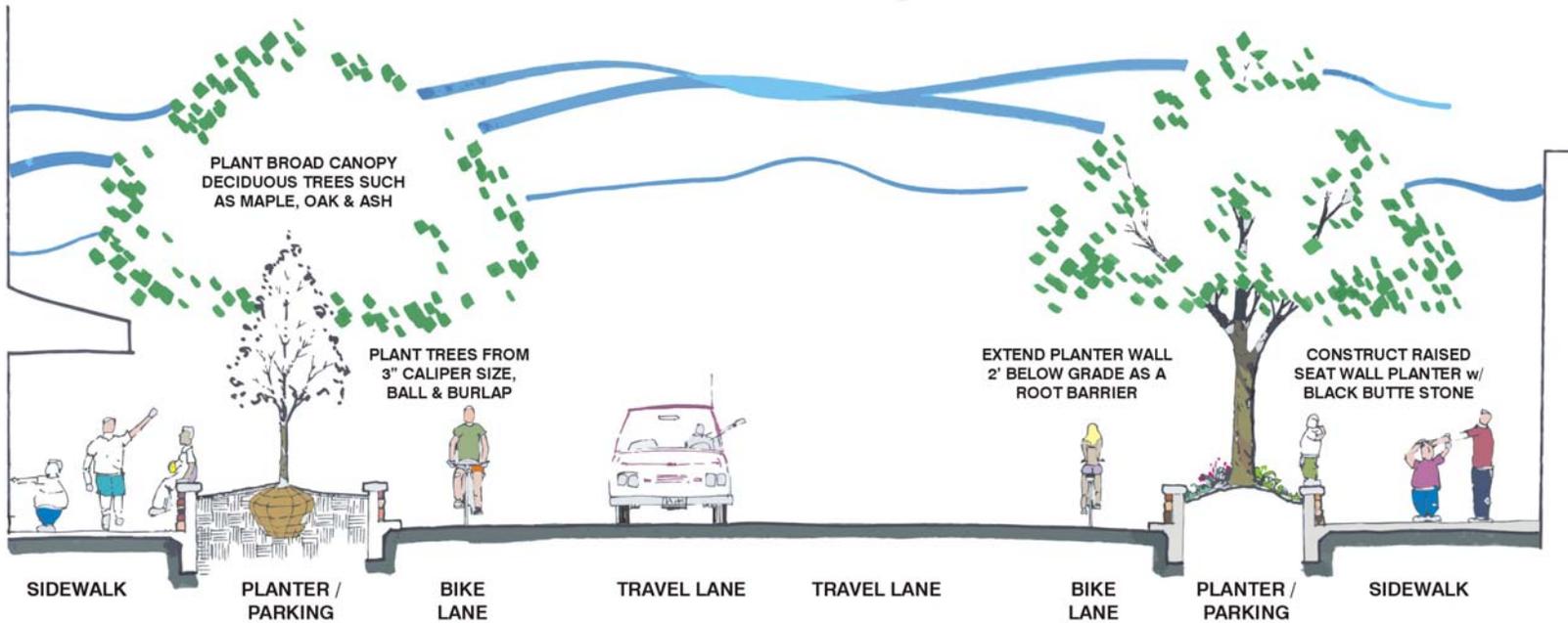




**INTERSECTION OF MT SHASTA BLVD & CASTLE STREET**



**LAKE STREET ENTRY SIGN IN MEDIAN**



**TYPICAL CROSS SECTION**

**APPENDIX**

## EXISTING STREET FURNITURE

The community has made a number of street furniture selections that should be continued when future improvements are made. The following is a list of those selections and sources.

Two bench styles and a trash receptacle were selected through Forms+Surfaces in Carpinteria, California at 800 451 0410. The following description is for the items listed - wood type: IPE natural oil finish. Frame: fine texture gravity cast aluminum. Frame Finish: evergreen texture

### Benches

1. Brighton Bench (narrow, backless)  
Model: SBBRT-LNOP
2. Brighton Bench (backed)  
Model: SBBRT-720

### Trash Receptacle

1. Brighton Receptacle  
Model: SBBRT  
Size: 28"dia x 42"H x36 gallon  
Style: dome lid, swing out liner access door



A single bollard was selected through South Bay Foundry in Lodi, California at 619 956 2780. Unfortunately, the bollard finish color is black and does not match other landscape furniture. It is recommended that future bollards be specified to match other street elements.

### Bollard

1. South Bay Foundry Bollard  
Model: DCB-D Finish: Black semi-gloss

The Street Clock selected is the Victorian Four Face Street Clock, a product of Herwig Lighting, Inc., in Russellville, Arkansas at 800 643 9523, the lights were purchased through Mt Shasta Electric at 530 926 4653.

1. Street Clock

Material: Cast aluminum / black vinyl resin finish / white acrylic face / Black silk screen roman numerals / clear acrylic crystals / four individual clock electric drive movements, resets in base / four fluorescent lamps with cold weather ballast – 110 volt.

The selected pedestrian street lights are products of Antique Street Lamps, Inc. in Buda Texas, at 512 295 3585, the lights were purchased through CJS Lighting Inc., in Roseville, California at 916 774 5959.

1. Street Light

Base & Pole; NY10F4/17-CA/CS/RAL6009-RS/GFI/WPC

Ballast & base: BP6/Med-M100/120 (for LAM30)

Luminaire: LAM30 (mod)/CS/RAL6009-(L-3731Fr2)

Globe: AT23M-(L-3731Fr2)

Refractor: Gr6/III

Top Spinning: (L-3731Fr2)/RAL6009

Finial: (L-3731Fr2)

Banner Arms: BA18H/1/BO-CA/CS/RAL6009

Eye Bolts: EB/BO-CA/CS/RAL6009

Outlet w/ Cover: RS/GFI/WPC

Set Screws: 3/8-16 thread w/Nylock coating-(L-3731Fr2)

Touch-up Paint: tiger Drylac RAL6009

Bulb: Phillips Masercolor 3000K Metal Halide 100-watt (medium base/120v)



## TREE SELECTION

Selecting the right tree for the right place is a critical step. As we have seen through this process, choosing the wrong tree can lead to significant problems, as well as the loss of many years that the *right* tree could have spent growing. Following is a selected group of trees for use in downtown Mt Shasta. No single tree species will fit each situation, and the use of a variety of trees provides for a healthier 'urban forest'.

The trees noted are good performers with a variety of wonderful attributes from fall color and interesting bark to strong limb structure. However, good, consistent maintenance will be necessary to nurture planted trees into healthy, vital and long lived members of our community.



*Valley Oak in northern central valley*



**ACER GRANDIDENTATUM 'GREEN MOUNTAIN'**  
**ROCKY MOUNTAIN SUGAR MAPLE**

Medium deciduous tree. Round form. Yellow-orange-red fall color. Prune carefully in early years of growth during late winter dormant period.

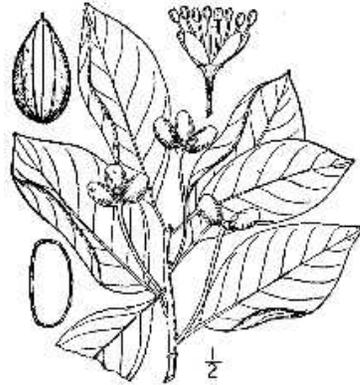
**ACER GRISEUM – PAPERBARK MAPLE**

Smaller deciduous tree. Narrow branched, beautiful peeling bark, brilliant fall color. Plant in smaller planters, protect trunk from sun scald during first few summers.



**NYSSA SYLVATICA - TUPELO**

Medium size deciduous tree. Pyramidal form, attractive bark. Yellow-orange fall color. Plant male only, one or two specimens. Requires careful pruning in early years to direct growth into a desirable form.



**PYRUS C 'CHANTICLEER' – FLOWERING PEAR**

Medium deciduous tree. Upright form and branching pattern. White flowers in spring, yellow-orange fall color. Protect trunk from physical damage. Prune out water sprouts at main branch connections.



**QUERCUS BOREALIS – NORTHERN RED OAK**

Large deciduous tree. High & broad branching, deep rooting, brilliant red-orange fall color. Plant in largest, least restricted planters .



# Attachment 3

## General Planting

The General Planting category includes all street trees that should be used in most of the City.

### Chinese Pistache (*Pistacia chinensis*)



Photo sourced from Covington Nursery & Landscaping Company

Chinese Pistache is a small to medium sized tree that can withstand harsh conditions and poor quality soils. The Chinese Pistache can grow to a height of 30 - 65 feet.

The Chinese Pistache grows best in full sun but can tolerate some shade. It is drought, fire, and frost resistant. The type of Chinese Pistache used in City right-of-ways should be a male cultivar such as “Keith Davey” to reduce mess from berries that can form on female trees when a male is nearby.

Chinese Pistache provide vibrant fall colors ranging from yellow to red. The canopy of a Chinese Pistache is round and broad which makes the tree excellent for providing shade. The tree should be structurally pruned early in its life cycle to ensure proper canopy growth.

The Chinese Pistache has moderate growth rate and are long-lived. The trees have deep non-aggressive root structure that make the tree sturdy to winter conditions without damaging sidewalks and nearby buildings. The expansive canopy of the Chinese Pistache could pose problems for nearby buildings if not pruned effectively.