



AGENDA

Meeting of the
Scotts Valley City Council
In-Person and Remote Access
Date: November 1, 2023
Time: 6:00 PM

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 OR Zoom Video Conference https://us02web.zoom.us/j/83295730901	Agenda posted on 10-27-2023 at City Hall, SV Senior Center, SV Public Works Building, and on the Internet at: www.scottsvally.gov

ELECTED OFFICIALS	CITY STAFF MEMBERS
Jack Dilles, Mayor Randy Johnson, Vice Mayor Donna Lind, Council Member Derek Timm, Council Member Allan Timms, Council Member	Mali LaGoe, City Manager Kirsten Powell, City Attorney Taylor Bateman, Community Development Director Steve Jesberg, Interim Public Works Director Cathie Simonovich, City Clerk

MEETING NOTICE AND AGENDA PACKET MATERIALS
Notice regarding City Council Meetings: The City Council meets regularly on the 1st and 3rd Wednesday of each month at 6:00 PM in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066, and via Zoom Webinar remote access. Agenda and Agenda Packet Materials: The City Council agenda and the complete agenda packet are available for review by 5:00 PM the Friday before the Wednesday meeting on the Internet at the City's website: www.scottsvally.gov and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA. Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-12 pm and 1-5 pm. In accordance with AB 1344, such documents will be posted on the City's website at www.scottsvally.gov. Public Participation: The meeting will be available on Zoom and livestreamed to the City of Scotts Valley's YouTube channel: https://www.youtube.com/channel/UCLNTBScelB4wTfidYHrocWA

For those wishing to participate via Zoom you can join the following ways:

Zoom Webinar meeting link: <https://us02web.zoom.us/j/83295730901>

Or dial one of these numbers: (669) 900-9128 or (669) 444-9171

Webinar ID: 832 9573 0901

Whether attendance is in-person or remote, you will be given opportunities to provide public comment at the appropriate times throughout the meeting. The time limit is up to 3 minutes for an individual, or 5 minutes for someone who is representing a group of three or more, at the discretion of the Mayor. Please note that this is not a question-and-answer time, but simply a time to provide comments to the Council. At the appropriate times during the meeting for public comment, on items not on the agenda, and on specific agenda items, the Mayor will announce that public comment will be accepted.

How to comment via in-person attendance:

Please proceed to the public comment podium when the Mayor opens the item for public comment.

How to comment via Zoom Webinar:

Use the webinar attendee option to “raise hand” when the Mayor opens the item for public comment. The Clerk will unmute you when it is your turn. If you have joined via Zoom phone call, dial *9 or your phone to “raise your hand”, and the Clerk will unmute you when it is your turn.

CALL TO ORDER 6:00 PM

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

COMMITTEE REPORTS

Council members are appointed to committees which are either City committees or committees dealing with other jurisdictions. This portion of the agenda allows the committee member to present oral or written reports to the Council regarding their committee assignments. It also allows the Council to make comments and give the committee member direction, as required.

CITY MANAGER REPORT

PUBLIC COMMENT TIME

This is the opportunity for individuals to make and/or submit written or oral comments to the Council on any items within the purview of the Council, which are NOT part of the Agenda. No action on the item may be taken, but the Council may request the matter be placed on a future agenda.

ALTERATIONS TO CONSENT AGENDA

Council can remove or add items to the Consent Agenda.

CONSENT AGENDA

The Consent Agenda is comprised of items which are intended to be non-controversial and are approved without discussion. Persons wishing to speak on any item may request the item be moved to the Regular Agenda by raising their hand to be recognized by the Mayor. An item will only be moved from the Consent Agenda to the Regular Agenda if a City Council Member requests it to be moved and a majority of the Council agrees.

1. Approve City Council minutes of 10-18-2023
2. Approve check register dated 10-13-2023 through 10-26-2023
3. Approval of 2024 Proposed City Council Meeting Schedule
4. Approval of Cooperative Services Agreement with the County of Santa Cruz for County Services Area 9C
5. Receive and file Investment Report for the Quarter Ended September 30, 2023
6. Appointment to the Santa Cruz County Housing for Health Policy Board
7. Appointment of Scotts Valley Senior Center Advisory Commission Members

PUBLIC HEARINGS

1. Introduce Ordinance No. 16.140 amending Scotts Valley Municipal Code Title 17 (Zoning) to establish objective design standards for multi-unit residential development in residential and commercial zoning districts

ALTERATIONS TO REGULAR AGENDA

Council can remove or add items to the Regular Agenda.

REGULAR AGENDA

Persons wishing to speak on any item may do so by raising their hand to be recognized by the Mayor.

1. Adopt a resolution accepting a donation of \$66,385.09 from the Community Advocates of Scotts Valley and approve Contract Change Order No. 1 in the amount of \$66,385.09 for the Skypark Tot Lot Project and authorize the City

Manager to enter into an agreement with the Community Advocates of Scotts Valley

2. Future Council Agenda Items

ADJOURNMENT

ADA NOTICE

The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a City Council meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the City Clerk's office at (831) 440-5600 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a City Council meeting be available in an alternative format consistent with a specific disability, please call the City Clerk's Office. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; or, Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.

PROCEDURAL INFORMATION FOR THE PUBLIC

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN APPROVAL OF A RESOLUTION:

1. Move the Resolution number for approval.
2. Second the motion.
3. Vote by body, a roll call vote is not required.

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN INTRODUCTION/ADOPTION OF AN ORDINANCE:

1. Move the Ordinance number for introduction (or adoption).
2. Move the Ordinance be introduced by title only and waive the reading of the text.
3. Read the Ordinance title.
4. Second the motion.
5. Vote by body, a roll call vote is not required.

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN PUBLIC COMMENT/PUBLIC HEARINGS:

Unless otherwise determined by the presiding officer of the meeting:

1. Three minutes allowed per individual to speak.
2. Five minutes allowed per individual representing a group of three or more.



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MINUTES

Meeting of the
Scotts Valley City Council
Date: October 18, 2023
Time: 6:00 PM

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 OR Zoom Video Conference https://us02web.zoom.us/j/83295730901	The agenda was posted on 10-13-2023 at City Hall, SV Senior Center, SV Public Works Building, and on the Internet at www.scottsvally.gov .

CALL TO ORDER 6:00 PM

The City Council meeting was called to order at 6:00 PM.

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

ELECTED OFFICIALS PRESENT: Jack Dilles, Mayor Randy Johnson, Vice Mayor Donna Lind, Council Member Derek Timm, Council Member Allan Timms, Council Member	CITY STAFF MEMBERS PRESENT: Mali LaGoe, City Manager Kirsten Powell, City Attorney Jayson Rutherford, Police Captain Stephanie Hill, Administrative Services Director Steve Jesberg, Interim Public Works Director Cathie Simonovich, City Clerk
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SPECIAL SET MATTER

1. Scotts Valley Community Theater Guild Presentation

Larry Smith from the Scotts Valley Theater Guild presented the Performance Report for the first operating year of the theater. Councilmember Timm asked the Theater Guild to focus more efforts on marketing the events at the theater and increasing usage of the space. Mr. Smith responded to feedback and

answered questions from the City Council.

COMMITTEE REPORTS

CM Lind attended a meeting of the Santa Cruz Metropolitan Transit District (METRO) where they discussed the rollout of the *METRO Reimagined* program. There will be an outreach focus on the 15-minute frequencies from UCSC to downtown Santa Cruz, and also the routes in Watsonville. METRO plans to offer free fares while customers get accustomed to the new routes and new transfers. METRO has a pending grant in the amount of \$83 million.

CM Timms noted that he will be attending the California Local Agency Formation Commission meeting, where he is the voting delegate for the County of Santa Cruz. He will report more on this item at the next meeting.

CM Johnson attended a meeting of the Regional Transportation Commission where the County gave a presentation that reflected the current challenges to transportation.

CM Timm attended a meeting of the Scotts Valley Chamber of Commerce's Economic Development Committee where they discussed the Halloween business event. Wednesday, 10/25 is the final day for businesses to sign up to participate in this event. The Chamber is also bringing back Holiday Bingo this year. This committee will be working on a survey to find out how the Chamber and the City can work together to assist businesses in this post-COVID era.

Mayor Dilles attended a meeting of the Association of Monterey Bay Area Governments (AMBAG) on behalf of CM Timm. The members were presented a draft of the 2026 Regional Growth Forecast showing projected changes in population, jobs, and housing between 2020 and 2050. They also received an update on the 2050 Metropolitan Communities Strategy which is in the development phase.

Mayor Dilles attended a meeting of the Santa Cruz County Consolidated Redevelopment Oversight Board where he sits as Vice Chair. This board oversees redevelopment agency debts that were incurred prior to 2012. The City of Scotts Valley is waiting for a loan repayment from the State of California, and this could potentially be the final step in this process.

Mayor Dilles was invited to attend an advisory committee meeting of the non-profit organization, Semillitas. This organization assists with the set-up of college tuition accounts for newborns, and they also leverage state funds to add to the accounts. Approximately 139 infants in the Scotts Valley zip code have benefited from this organization.

CITY MANAGER REPORT

Town Center Site Soil Remediation: The soil remediation at the site of the future Town Center has been completed. This project took a little over a week and tons of contaminated soil was removed and replaced with clean soil. The completion of this remediation project has removed a major barrier to developing the Town Center.

New Playground Equipment at Skypark: The demolition of the Tot Lot playground at Skypark has begun. The playground equipment is gone, and the sand is currently being removed. It will take about one month for the project to be completed.

Housing Element Responses: The City posted the response to the Department of Housing and Community Development's (HCD's) comments on our Housing Element on the City's website for public review and the City will be sending these responses to HCD at the end of this week. The public is encouraged to check out the Housing Element pages of the City's website.

Citizens Academy: The fourth session of the Citizens Academy was last night and the focus was Community Development, including Planning and Building. This was presented by the Community Development Director and the Senior Planner, and also included a local developer's perspective.

Senior Center Annual Membership Meeting: City Manager LaGoe and Mayor Dilles attended the annual membership meeting for the Senior Center today, and two members were nominated as at-large members of the Senior Center Board. This recommendation will come to the City Council at the next meeting.

Annual Financial Audit: The annual audit was kicked off this week and this project, which entails reviewing the books from the 2022-2023 fiscal year, is on track.

Meeting with Little League and Softball: City Manager LaGoe, along with the Recreation and Maintenance Managers, met at Siltanen Park with representatives from the Scotts Valley Little League and Scotts Valley Girls Softball organizations. They reviewed the coordination and planning for upgrades and improvements to the facilities in preparation for the upcoming season.

New Staff: Four new staff started this week. We welcomed two new Police Officer Trainees, Kevin King and Derek Welsh; a new Recreation Coordinator, Jennifer Dunmar; and a new Finance Manager, Kendra Reed. City Manager LaGoe introduced Kendra Reed, our newest member of the City's Management Team, as she was in attendance at the meeting.

PUBLIC COMMENT TIME

CM Lind reported that there will be a Ribbon Cutting Ceremony for Beautiful Life Estate Planning located at 5274 Scotts Valley Drive on 10/19 at 5:30 PM.

ALTERATIONS TO CONSENT AGENDA

M/S: Timms/Timm

To approve the Consent Agenda with no alterations. See attached Resolution No. 2034 and Resolution No. 2035.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

CONSENT AGENDA

1. Approve City Council minutes of 10-04-2023
2. Approve check register dated 09-30-2023 through 10-12-2023
3. Approve Resolution Declaring an Emergency Related to the Bean Creek Road Slide and Authorizing the City Manager to Enter into Agreements to Repair the Slide in Accordance with Public Contract Code section 22035.
3. Approve Resolution Declaring an Emergency Related to the Green Hills Road Slide and Authorizing the City Manager to Enter into Agreements to Repair the Slide in Accordance with Public Contract Code section 22035.

ALTERATIONS TO REGULAR AGENDA

M/S: Lind/Timms

To approve the Regular Agenda with no alterations.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

REGULAR AGENDA

1. Fiscal Year 2023-2024 Community Grant Program Recommendations

City Manager LaGoe presented this item and answered questions from the City Council Members. Public comment was received from the following individuals who represent organizations that were recommended for funding through this year's Community Grant Program:

- Jody Cramer, Vista Center for the Blind and Visually Impaired
- Jeff Park, Conflict Resolution Center
- John Williams, Conflict Resolution Center
- Miguel Jarequi, Dientes Community Dental
- Andy Cunningham, Boys and Girls Club of Santa Cruz County
- Bob Geyer, Vista Center for the Blind and Visually Impaired
- Dave Hodgin, Senior Life Association

- Arne Croce, Cabrillo College Local Government Fellows Program

The City Council Members thanked the organizations for their service to the community, and thanked City staff for their work on this program.

M/S: Timm/Lind

To approve the recommendation to fund 8 organizations through the Community Grant Program totaling \$50,000 and authorize the City Manager to execute contracts with the grant awardees in a form acceptable to the City Attorney.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

2. Adopt Resolution Authorizing Grant Submission to the Santa Cruz County Regional Transportation Commission

Steve Jesberg, Interim Public Works Director, presented this item and responded to questions and comments from the City Council Members.

M/S: Lind/Timms

To adopt Resolution No. 2033 authorizing and directing the Public Works Department to submit two grant applications for roadway improvements on Scotts Valley Drive and Mount Hermon Road to the Santa Cruz County Regional Transportation Commission.

Carried 5/0 (AYES: Dilles, Johnson, Lind, Timm, Timms)

3. Future Council Agenda Items

CM Lind suggested a future agenda item regarding an Artificial Intelligence (AI) policy. CM Timms agreed to assist with research regarding whether or not the City of Scotts Valley needs an AI policy and if so, what content should be included in the policy. The majority of the Council noted support for this future agenda item.

ADJOURNMENT

The meeting adjourned at 7:42 PM.

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

RESOLUTION NO. 2034

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY DECLARING AN EMERGENCY REGARDING THE BEAN CREEK ROAD SLIDE AND AUTHORIZING THE CITY TO PROCEED IN ACCORDANCE WITH PUBLIC CONTRACT CODE SECTION 22035 TO REPAIR THE SLIDE

WHEREAS, on December 30 and 31, 2022, the City of Scotts Valley experienced a major rain event (the “December 2022 Atmospheric River Winter Storm”); and

WHEREAS, as a result of the December 2022 Atmospheric River Winter Storm, flooding, debris from trees, and mud impacted the City of Scotts Valley; and

WHEREAS, soil conditions in the City of Scotts Valley remained saturated as a result of the December 2022 Atmospheric River Winter Storm; and

WHEREAS, on January 4 and 5, 2023, and January 8 and 9, 2023 major rain events (the “January 2023 Atmospheric River Winter Storms”) occurred which caused additional flooding and other storm impacts, including downed trees, power outages, retaining wall failures and mudslides; and

WHEREAS, the December 2022 and January 2023 Atmospheric River Winter Storms resulted in rainfall exceeding 16 inches over a 14-day period and wind in excess of 60 MPH is impacting the City; and

WHEREAS, a fourth winter storm hit Scotts Valley on January 13 and 14, 2023, which brought 3 inches of rainfall and resulted in additional damage to the City; and

WHEREAS, the County of Santa Cruz proclaimed the existence of a local emergency in the County on January 3, 2023; and

WHEREAS, the Governor of California declared a state of emergency on January 4, 2023; and

WHEREAS, on January 14, 2023, the President of the United States issued a Presidential Major Disaster Declaration to support the California’s emergency response to the ongoing storm impacts including flooding, mudslides and landslides in communities across the state; and

WHEREAS, on January 18, 2023, the City Council ratified the decision of the City Manager to declare an emergency due to the January 2023 Atmospheric River Winter Storms; and

WHEREAS, on March 9, 2023, the City and the County experienced yet another major rain event (the “March 2023 Atmospheric River Winter Storm”) which caused a mudslide on Bean Creek Road that downed power lines and closed the roadway (“Bean Creek Slide”); and

WHEREAS, the March 2023 Atmospheric River Winter Storms resulted in rainfall exceeding 3.8 inches. At that point, the total rainfall this was 51.71 inches, with 27.2” since January 1, 2023; and

WHEREAS, the County proclaimed the existence of a local emergency in the County on March 6, 2023; and

WHEREAS, the Governor of California declared a state of emergency on March 8, 2023; and

WHEREAS, on March 10, 2023, the President of the United States issued a Presidential Major Disaster Declaration to support the California’s emergency response to the ongoing storm impacts including flooding, mudslides and landslides in communities across the state beginning March 9, 2023; and

WHEREAS, on March 15, 2023, the City Council ratified the decision of the City Manager to declare an emergency due to the March 2023 Atmospheric River Winter Storms; and

WHEREAS, Bean Creek Road was closed for 26 days following the Bean Creek Slide; and

WHEREAS, the City’s geologist determined that Bean Creek Slide left a narrowed roadbed with a steep escarpment supported by weak soil on the outside edge of the road which will continue to fail if not repaired; and

WHEREAS, due to the significant damage caused by the atmospheric river events throughout Santa Cruz County, testing and design work to repair and secure the Bean Creek Slide was significantly delayed; and

WHEREAS, borings of the hillside were not completed until August 15, 2023; the Geotechnical report was just received on September 30, 2023; and the final design of the repair work has yet to be completed; and

WHEREAS, the geologists have determined that without immediate repair work, the hillside will slide again and possibly cause the complete closure of Bean Creek Road; and

WHEREAS, the condition of the slide area and the additional delay caused by following the competitive bidding process poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services; and

WHEREAS, the City Council desires to proceed with the Bean Creek Slide repairs at once without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts in accordance with Public Contract Code section 22035 in order to prevent the imminent danger.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Scotts Valley hereby declares as follows:

1. The Bean Creek Slide is a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services; and
2. Based on substantial evidence, the current state of the Bean Creek Slide will not permit a delay resulting from a competitive solicitation for bids because the roadbed will continue to fail and result in additional sliding and the possible closure of the roadway; and
3. Based on the existence of the emergency posed by the Bean Creek Slide, the City may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to take all actions and enter into any agreements necessary to complete the Bean Creek Slide repair.

The above and foregoing Resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a special meeting held on the 18th day of October, 2023, by the following vote:

AYES: DILLES, JOHNSON, LIND, TIMM, TIMMS

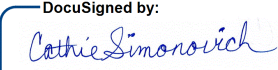
NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Approved: 
D5514C37479F46E...
Jack Dilles, Mayor

Attest:


00BDB2B26C07422...
Cathie Simonovich, City Clerk

RESOLUTION NO. 2035

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY DECLARING AN EMERGENCY REGARDING THE GREEN HILLS ROAD SLIDE AND AUTHORIZING THE CITY TO PROCEED IN ACCORDANCE WITH PUBLIC CONTRACT CODE SECTION 22035 TO REPAIR THE SLIDE

WHEREAS, on December 30 and 31, 2022, the City of Scotts Valley experienced a major rain event (the “December 2022 Atmospheric River Winter Storm”); and

WHEREAS, as a result of the December 2022 Atmospheric River Winter Storm, flooding, debris from trees, and mud impacted the City of Scotts Valley; and

WHEREAS, soil conditions in the City of Scotts Valley remained saturated as a result of the December 2022 Atmospheric River Winter Storm; and

WHEREAS, on January 4 and 5, 2023, and January 8 and 9, 2023 major rain events (the “January 2023 Atmospheric River Winter Storms”) occurred which caused additional flooding and other storm impacts, including downed trees, power outages, retaining wall failures and mudslides; and

WHEREAS, the December 2022 and January 2023 Atmospheric River Winter Storms resulted in rainfall exceeding 16 inches over a 14-day period and wind in excess of 60 MPH is impacting the City; and

WHEREAS, a fourth winter storm hit Scotts Valley on January 13 and 14, 2023, which brought 3 inches of rainfall and resulted in additional damage to the City, including a landslide on Green Hills Road which closed the roadway; and

WHEREAS, the County of Santa Cruz proclaimed the existence of a local emergency in the County on January 3, 2023; and

WHEREAS, the Governor of California declared a state of emergency on January 4, 2023; and

WHEREAS, on January 14, 2023, the President of the United States issued a Presidential Major Disaster Declaration to support the California’s emergency response to the ongoing storm impacts including flooding, mudslides and landslides in communities across the state; and

WHEREAS, on January 18, 2023, the City Council ratified the decision of the City Manager to declare an emergency due to the January 2023 Atmospheric River Winter Storms; and

WHEREAS, on March 9, 2023, the City and the County experienced yet another major rain event (the “March 2023 Atmospheric River Winter Storm”) which caused another landslide on Green Hills Road and closed the roadway; and

WHEREAS, the March 2023 Atmospheric River Winter Storms resulted in rainfall exceeding 3.8 inches. At that point, the total rainfall this was 51.71 inches, with 27.2” since January 1, 2023; and

WHEREAS, the County proclaimed the existence of a local emergency in the County on March 6, 2023; and

WHEREAS, the Governor of California declared a state of emergency on March 8, 2023; and

WHEREAS, on March 10, 2023, the President of the United States issued a Presidential Major Disaster Declaration to support the California’s emergency response to the ongoing storm impacts including flooding, mudslides and landslides in communities across the state beginning March 9, 2023; and

WHEREAS, on March 15, 2023, the City Council ratified the decision of the City Manager to declare an emergency due to the March 2023 Atmospheric River Winter Storms; and

WHEREAS, the City’s geologist determined that the Green Hills landslides resulted in a landslide scar with oversteepened slopes underlain by weak soil which undermined a large concrete drainage ditch at the top of the landslide scar; and

WHEREAS, the concrete drainage structure is precipitously overhanging the landslide scar, has already been pulled apart by ongoing failure of the landslide scar and at this point the drainage structure now drains directly on to the landslide scar in the area where it is overhung and pulled apart; and

WHEREAS, due to the significant damage caused by the atmospheric river events throughout Santa Cruz County, testing and design work to repair and secure the hillside and drainage structure was significantly delayed; and

WHEREAS, borings of the hillside were not completed until late April 2023 and it was not until June 2023 that the geotechnical report was received that provided the project with soils engineering parameters and recommendations for mitigating the ongoing failure of the slope and drainage system above Green Hills Road; and

WHEREAS, based on the recommendations in the geotechnical report, a specialty design firm was needed to design a soil nail wall to secure the hillside; and

WHEREAS, the design engineer contacted several firms and met with one firm in late July and the design report was finally provided on September 7, 2023; and

WHEREAS, the geotechnical firm, Pacific Crest Engineering, has determined that the hillside poses a significant risk of additional sliding and a catastrophic failure of the drainage ditch which could result in large blocks of concrete falling into the roadway. In addition, if allowed to stay in its current condition, the ruptured drainage ditch will

continue to dump drainage directly onto the unstable soil exposed in the landslide scar;
and

WHEREAS, the geologists have determined that without immediate repair work, the hillside will slide again and possibly cause the closure of Green Hills Road and cause damage to the public; and

WHEREAS, the condition of the slide area and the additional delay caused by following the competitive bidding process poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services; and

WHEREAS, the City Council desires to proceed with the Green Hills Road repairs at once without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts in accordance with Public Contract Code section 22035 in order to prevent the imminent danger.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Scotts Valley hereby declares as follows:

1. The slide on Green Hills Road and the resulting damage to the drainage system is a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services; and
2. Based on substantial evidence, the current state of the Green Hills Road landslide and drainage system will not permit a delay resulting from a competitive solicitation for bids because the hillside poses a significant risk of additional sliding and a catastrophic failure of the drainage ditch which could result in large blocks of concrete falling into the roadway and the ruptured drainage ditch will continue to dump drainage directly onto the unstable soil exposed in the landslide scar; and
3. Based on the existence of the emergency posed by the Green Hills Road slide, the City may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to take all actions and enter into any agreements necessary to complete the Green Hills Road slide repair.

The above and foregoing Resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a special meeting held on the 18th day of October, 2023, by the following vote:

AYES: DILLES, JOHNSON, LIND, TIMM, TIMMS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Approved: 
D5514C37479F46E...

Jack Dilles, Mayor

Attest:


00BDB2B26C07422...

Cathie Simonovich, City Clerk

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
Cash Account: 999-10100-000-000-000000					
130315	10/19/23	A SIGN ASAP	164.63	0	Regular
130316	10/19/23	ACCO ENGINEERED SYSTEMS	360.00	0	Regular
130317	10/19/23	APPI	1,870.62	0	Regular
130318	10/19/23	AT&T	8.82	0	Regular
130319	10/19/23	AVENU HOLDINGS, LLC	22,627.67	0	Regular
130320	10/19/23	Bureau Veritas Technical Assmt	12,305.00	0	Regular
130321	10/19/23	BURKE, WILLIAMS & SORENSEN,LLP	2,262.00	0	Regular
130322	10/19/23	BUSINESS WITH PLEASURE	31.61	0	Regular
130323	10/19/23	CAL-WEST	715.00	0	Regular
130324	10/19/23	CARMEL AREA WASTEWATER DIST	6,261.00	0	Regular
130325	10/19/23	COMCAST	1,050.55	0	Regular
130326	10/19/23	CRYSTAL SPRINGS WATER CO	65.00	0	Regular
130327	10/19/23	CSG CONSULTANTS, INC	25,026.25	0	Regular
130328	10/19/23	DU-ALL SAFETY, LLC	2,925.00	0	Regular
130329	10/19/23	GOOD CITY COMPANY	6,498.75	0	Regular
130330	10/19/23	HANSON ASSOCIATES ASSET &	5,492.09	0	Regular
130331	10/19/23	INTERWEST CONSULTING GROUP	2,656.25	0	Regular
130332	10/19/23	JACK DILLES	750.54	0	Regular
130333	10/19/23	K & D LANDSCAPING, INC.	12,708.45	0	Regular
130334	10/19/23	KIMBERLY ANN PETERSEN	178.75	0	Regular
130335	10/19/23	KIMLEY-HORN & ASSOCIATES INC	2,138.70	0	Regular
130336	10/19/23	M-GROUP	20,295.00	0	Regular
130337	10/19/23	MATTHEW SPENCER-COOKE	244.34	0	Regular
130338	10/19/23	MONTEREY PENINSULA ENGINEERING	671,985.35	0	Regular
130339	10/19/23	MULTIQUIP INC. (FILE 2368)	3,220.75	0	Regular
130340	10/19/23	NATIONAL COMTEL NETWORK INC.	13.91	0	Regular
130341	10/19/23	NORTH CENTRAL LABORATORIES	1,313.36	0	Regular
130342	10/19/23	PACIFIC GAS & ELECTRIC CO	52,330.04	0	Regular
130343	10/19/23	PECKHAM & MCKENNEY	8,333.34	0	Regular
130344	10/19/23	PHILLIP D NEUMAN	5,231.62	0	Regular
130345	10/19/23	QUAD KNOPF, INC.	2,100.00	0	Regular
130346	10/19/23	REGIONAL GOVERNMENT SERVICES	253.52	0	Regular
130347	10/19/23	RICE LAKE WEIGHING SYSTEMS,INC	1,947.97	0	Regular
130348	10/19/23	SECURITY SHORING &	234.00	0	Regular
130349	10/19/23	SONSRAY MACHINERY	817.44	0	Regular
130350	10/19/23	STERICYCLE INC	237.91	0	Regular
130351	10/19/23	STERLING WATER TECHNOLOGIES	520.16	0	Regular
130352	10/19/23	SWEDBERG ELECTRIC INC.	2,125.00	0	Regular
130353	10/19/23	TIRECHOICE AUTO SERVICE CENTER	285.23	0	Regular
130354	10/19/23	TRIAD ELECTRIC	255.05	0	Regular
130355	10/19/23	TUBULAR FLOW, INC	510.00	0	Regular
130356	10/19/23	WAGE WORKS	35.94	0	Regular
130357	10/19/23	WATSONVILLE DIESEL	2,182.86	0	Regular
130358	10/19/23	WEX BANK	7,834.38	0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
130359	10/19/23	WIZIX TECHNOLOGY GROUP, INC	696.38	0	Regular
130360	10/26/23	ACHIEVEMENT ENGINEERING CORP	13,760.75	0	Regular
130361	10/26/23	AET.	12,700.00	0	Regular
130362	10/26/23	AGILE OCCUPATIONAL MEDIC	2,728.00	0	Regular
130363	10/26/23	BOWMAN & WILLIAMS	3,815.00	0	Regular
130364	10/26/23	BUSINESS WITH PLEASURE	233.77	0	Regular
130365	10/26/23	CAL-WEST	1,161.92	0	Regular
130366	10/26/23	CALIFORNIA COAST UNIFORM CO	284.79	0	Regular
130367	10/26/23	CITY OF SANTA CRUZ	360.00	0	Regular
130368	10/26/23	CODY WENTWORTH	201.59	0	Regular
130369	10/26/23	COMCAST	394.26	0	Regular
130370	10/26/23	COUNTY OF SANTA CRUZ	14,604.00	0	Regular
130371	10/26/23	DASSEL'S PETROLEUM INC	296.90	0	Regular
130372	10/26/23	DOCTORS ON DUTY	65.00	0	Regular
130373	10/26/23	FEDERAL EXPRESS	119.62	0	Regular
130374	10/26/23	FREDDY AVALOS-SANTOS	90.87	0	Regular
130375	10/26/23	HERWIT ENGINEERING	3,162.50	0	Regular
130376	10/26/23	K & D LANDSCAPING, INC.	1,362.00	0	Regular
130377	10/26/23	KJRB	90.00	0	Regular
130378	10/26/23	LLOYD'S TIRE SERVICE INC.	960.01	0	Regular
130379	10/26/23	MAR-KEN INTERNATIONAL POLICE	570.00	0	Regular
130380	10/26/23	MID VALLEY SUPPLY	550.83	0	Regular
130381	10/26/23	NAPA AUTO PARTS	19.59	0	Regular
130382	10/26/23	NORTH CENTRAL LABORATORIES	38.45	0	Regular
130383	10/26/23	OLIN CORPORATION AS SOLE	5,166.57	0	Regular
130384	10/26/23	PURETEC INDUSTRIAL WATER	159.31	0	Regular
130385	10/26/23	S.V. WATER DISTRICT - BULK	111.84	0	Regular
130386	10/26/23	SANTA CRUZ CO ENVIRONMENTAL	2,809.50	0	Regular
130387	10/26/23	SANTA CRUZ COUNTY DA OFFICE	7,247.00	0	Regular
130388	10/26/23	SANTA CRUZ LIVE SCAN, INC.	30.00	0	Regular
130389	10/26/23	SCOTT GARNER	112.35	0	Regular
130390	10/26/23	SOIL CONTROL LAB	408.00	0	Regular
130391	10/26/23	SUMMIT UNIFORMS	1,312.50	0	Regular
130392	10/26/23	SWEDBERG ELECTRIC INC.	2,888.90	0	Regular
130393	10/26/23	SYCAL ENGINEERING INC	10,874.79	0	Regular
130394	10/26/23	TELECOMMUNICATIONS	6,666.24	0	Regular
130395	10/26/23	THE PIED PIPER INC.	2,450.00	0	Regular
130396	10/26/23	THE RADAR SHOP, INC.	500.00	0	Regular
130397	10/26/23	URETSKY SECURITY	1,379.91	0	Regular
130398	10/26/23	USA BLUE BOOK	183.47	0	Regular
130399	10/26/23	VIRTUAL PROJECT MANAGER	1,000.00	0	Regular
130400	10/26/23	WIZIX TECHNOLOGY GROUP, INC	19.50	0	Regular

86	Checks total:	989,989.96
0	ACH total:	
0	EFTPS total:	
0	Wire transfer total:	
0	Payment Manager total:	
86	GRAND TOTALS	989,989.96

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: 11/1/2023
TO: Honorable Mayor and City Council
FROM: Cathie Simonovich, City Clerk
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Approval of 2024 Proposed City Council Meeting Schedule**

SUMMARY OF ISSUE

Scotts Valley Municipal Code Section 2.24.010 establishes regular City Council meeting times on the first and third Wednesdays of each month at 6:00 PM. While City Ordinance sets forth the City Council meeting schedule, it is recommended that the Council formally adopt its schedule on an annual basis. The schedule does not typically reflect special meetings such as study sessions, however in 2024 a City Council workshop will occur in the month of January.

In 2024, the Juneteenth holiday falls on the third Wednesday of June which makes it necessary to move this meeting to Wednesday, June 12th, as reflected in the table below.

Historically, the City Council has cancelled the first meeting in January of each year due to the public’s availability during the holiday season. The City Council has also regularly cancelled one meeting in the fall due to the League of California Cities annual conference. In 2024, the conference will conflict with the second meeting in October. Additionally, meetings during the month of July are cancelled given peak travel and vacation times. This cancellation is also consistent with other public agency schedules in Santa Cruz County.

It is recommended that Council adopt the 2024 City Council Meeting Schedule below:

MONTH	1st WEDNESDAY	3rd WEDNESDAY
January	No meeting - 3rd	17th
February	7th	21st
March	6th	20th
April	3rd	17th
May	1st	15th
June	5th	12th (moved to 2nd Wed. due to holiday on 6/19)

July	No Meeting - 3rd	No Meeting - 17th
August	7th	21st
September	4th	18th
October	2nd	No Meeting - 16th
November	6th	20th
December	4th	18th
*City Council Workshop - January 18th & 19th		

FISCAL IMPACT

There is no fiscal impact associated with the adoption of the 2024 Council meeting schedule.

STAFF RECOMMENDATION

It is recommended the Council approve the proposed 2024 City of Scotts Valley City Council Meeting Schedule.

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None

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/1/2023
TO: Honorable Mayor and City Council
FROM: Mali LaGoe, City Manager
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Approval of Cooperative Services Agreement with the County of Santa Cruz for County Services Area 9C**

SUMMARY OF ISSUE

The County of Santa Cruz formed CSA 9C in 1982 for the purpose of “Refuse Disposal and Reclamation; Operation Maintenance and Acquisition.” CSA 9C uses its funds for various waste-disposal purposes, including, but not limited to, public outreach and education; disposal of household hazardous waste; and operation of the Buena Vista Landfill and Ben Lomond Transfer Station. The Scotts Valley City Council requested to join CSA 9C in 1983 with Resolution No. 9911 for the purposes of utilizing CSA 9C’s services and waste-disposal infrastructure.

Since joining CSA 9C, the City's franchise waste hauler no longer utilizes the County's facilities for solid waste disposal and as a result, the City and County previously entered into an informal agreement whereby the County would reimburse the City for a portion of the fees paid to CSA 9C by City residents in exchange for the City performing various services within its territorial limits that could otherwise have been performed by CSA 9C in accordance with that entity’s formation documents. These disbursements continued until 2017 and then were ended by the County with no agreement from the City. This Cooperative Services Agreement formalizes the revenue sharing formulas and services to continue to be provided by the County and the City to City residents under the CSA 9C program.

The agreement includes a lump sum reimbursement to the City for \$376,596.01 for services provided during Fiscal Years 2018/19, 2019/20, 2020/21 and 2021/22. In addition, a reimbursement to the city for FY 22/23 of \$147,004.79 and a funding formula to be used starting in FY23/24 and forward.

Going forward, the County Tax Collector will pass 100% of CSA 9C funds collected from Scotts Valley residents to the City of Scotts Valley along with the bi-annual property tax payments. The City will then pay the County for the continued service in the following programs:

1. Household Hazardous Waste Services at the County's facilities
2. Waiver of the 28% Tip Fee for self-hauled waste to the county facilities
3. Green Schools and Green Business program

4. CFL Bulb Recycling program

The cost allocations for these programs are outlined in the Shared Services Agreement based on actual usage and percent of population.

The City will utilize the remaining funds in a manner consistent with the purposes described in the CSA formation documents.

FISCAL IMPACT

The City will receive a one-time payment of \$523,600.80 for prior fiscal year reimbursements upon execution of this agreement. For each Fiscal Year starting in 23/24, the City will receive approximately \$250,000 per year in CSA 9C revenue with anticipated payment back to the County each year of approximately \$100,000 for the services outlined in the agreement.

STAFF RECOMMENDATION

Staff recommend approving the Shared Services Agreement between the City of Scotts Valley and The County of Santa Cruz (County Services Area 9C), authorizing the City Manager to sign the agreement in a form approved by the City Attorney.

TABLE OF CONTENTS

1. MOU Tipping Fees (SV - CSA 9C)FNL10.25.23

COOPERATIVE SERVICES AGREEMENT

BETWEEN

THE CITY OF SCOTTS VALLEY

AND

THE COUNTY OF SANTA CRUZ (COUNTY SERVICE AREA 9C)

This Cooperative Services Agreement (“COOPERATIVE AGREEMENT”) is to commemorate the agreement between the City of Scotts Valley (“CITY”) and the County of Santa Cruz (“COUNTY”) as it pertains to reimbursement of the CITY for performance of various services on behalf of County Service Area 9C (“CSA 9C”) and reimbursement of the CITY to COUNTY of tipping fees CITY residents’ use of the Ben Lomond Transfer Station and Buena Vista Landfill. CITY and COUNTY are sometimes referred to herein as “Party” or “Parties.”

I. BACKGROUND

1. The COUNTY formed CSA 9C in 1982 for the purpose of “Refuse Disposal and Reclamation; Operation Maintenance and Acquisition.”

2. CSA 9C uses its funds for various waste-disposal purposes, including but not limited to, public outreach and education; disposal of household hazardous waste; and operation of the Buena Vista Landfill and Ben Lomond Transfer Station (“FACILITIES”).

3. The Scotts Valley City Council requested to join CSA 9C in 1983 with Resolution No. 991 for the purposes of utilizing CSA 9C’s services and waste-disposal infrastructure.

4. Since joining CSA 9C, CITY’s franchise waste hauler no longer utilizes the FACILITIES for solid waste disposal.

5. Government Code section 54981 permits the legislative body of any local agency to contract with any other local agency for the performance by the latter of municipal services or functions within the territory of the former. COUNTY and CITY are local agencies within the meaning of Government Code sections 54980 and 54981.

6. As a result of CITY no longer using the FACILITIES for its solid waste disposal, the Parties previously entered into an informal agreement whereby COUNTY would reimburse CITY for a portion of the fees paid to CSA 9C by CITY residents in exchange for the CITY performing various services within its territorial limits that could otherwise have been performed by CSA 9C in accordance with that entity’s formation documents.

7. The services that the CITY will perform, and has been performing, in exchange for reimbursement of certain funds, are included in the definition of “municipal services and functions” as defined in Government Code 54980.

8. The Parties now desire to formalize and clarify their previous agreement regarding distribution of these CSA 9C funds.

II. AGREEMENT

In consideration of the foregoing, and the various promises and covenants contained herein, the Parties have drafted this COOPERATIVE AGREEMENT and hereby agree as follows:

A. DISBURSEMENT OF A PORTION OF ANNUAL CSA 9C REVENUE TO THE CITY:

1. Beginning with fiscal year 2023-2024, COUNTY will distribute to CITY the total amount of the monies constituting the CSA 9C assessment ("CSA 9C MONEY") collected by the County Treasurer Tax Collector ("TTC") from properties located within the incorporated area of the CITY, less a 1% administration fee charged by TTC for administering the CSA 9C special assessment. This payment will be added to the CITY's property tax distributions sent biannually to the CITY by the TTC.

2. CITY and COUNTY also desire to true-up previous contributions of CSA 9C MONEY that would have been distributed to the CITY for previous fiscal years. Those sums are as follows, and shall be paid to CITY by COUNTY:

- a. For the 2022-2023 fiscal year, this amount payable to the CITY is \$147,004.79;
- b. Fiscal Years 2018-19, 2019-20, 2020-21 and 2021-22 the amount payable to the CITY is \$376,596.01 3.

The sums identified in Section (A)(2) shall be due and payable to the CITY upon execution of this COOPERATIVE AGREEMENT.

B. USE OF DISTRIBUTED CSA 9C MONEY BY CITY:

CITY agrees that it will utilize the CSA 9C money distributed to it by the COUNTY in a manner and solely for purposes consistent with the purposes described in the CSA 9C formation documents.

C. SOLID WASTE SERVICES PROVIDED BY THE COUNTY THROUGH CSA 9C:

1. The COUNTY will continue to provide the following services and considerations to residents of the CITY through CSA 9C:

- a. Household Hazardous Waste Services ("HHW") to CITY residents at COUNTY FACILITIES.
- b. Waiver of 28% Tip Fees for CITY residents depositing self-haul loads at the FACILITIES.
- c. Green Schools and Green Business Program and Fluorescent Light Bulb Recycling at the FACILITIES.

2. CITY'S COMPENSATION OF COUNTY FOR CSA 9C SERVICES.

In exchange for COUNTY providing the services described in Section C(1) above, CITY will compensate COUNTY as follows:

a. Household Hazardous Waste:

CITY will be charged 5.6% of the HHW program cost across the entire CSA 9C service area for each fiscal year. This share represents the population percentage served by all participating jurisdictions which include Capitola, Santa Cruz, Scotts Valley and the Unincorporated County. This percentage is based on the 2020 Census and will be updated every 10 years with subsequent Census reports.

b. FACILITIES Tip Fees:

i. COUNTY will waive the 28% Tip Fee for CITY residents that is traditionally charged to non-CSA 9C residents for so long as that Tip Fee is waived for CSA 9C residents.

ii. CITY will reimburse COUNTY the Tip Fee that would otherwise have been charged to CITY residents directly.

A. The COUNTY shall track where self-haul customers are from, as well as check if they are CITY residents, in order to charge the fee to non CSA 9C service area customers and not charge the fee to CSA 9C participants.

B. The COUNTY will run an annual report in the waste tracking software to determine the total value of Tip Fees that would otherwise have been collected from CITY residents utilizing the Ben Lomond Transfer Station. This report shall include the city of residence of the customers utilizing that facility, the amount for Tip Fee and the date it was incurred. Said report will be attached to the COUNTY's annual invoice for CITY review.

c. Green School and Green Business Program and Fluorescent Light Bulb Recycling:

The Green School and Green Business Program ("GSGB") and Fluorescent Light Bulb Recycling is provided in the CSA 9C service area. CITY's population accounts for 8.4% of the total population of CSA 9C according to the 2020 Census. This percentage will be updated every 10 years with subsequent Census results. The GSGB Program is required by CalRecycle. The COUNTY will continue to provide the GSGB Program in the CITY in accordance with State regulations, including data collection and reporting to the City's Public Works Department.

D. ANNUAL INVOICING FOR COUNTY SERVICES:

Except as otherwise provided in this COOPERATIVE AGREEMENT, CITY will compensate the COUNTY for the services described in Section C above according to the methodology described in this Section:

a. Before May 1st of each year, the COUNTY will send the CITY the proposed budget for the following fiscal year for the programs described in Section C above for the CITY's budgeting purposes.

b. The COUNTY will provide an invoice to the CITY by October 20th of each year starting in 2024 for the previous fiscal year's services rendered. Upon review and approval of the invoice, the CITY will provide payment to the COUNTY no later than November 15 for the invoiced services. The invoice shall include the report of Tip Fees incurred described in Section C(2)(b) above.

c. COUNTY agrees to provide documentation to support invoiced expenses at CITY's request upon reasonable notice.

E. TERM OF AGREEMENT:

The term of this COOPERATIVE AGREEMENT shall commence as of the date it is fully executed by all Parties and duly approved by their respective legislative bodies and shall continue until the earliest of (1) its termination by agreement of the Parties; (2) CITY ceases to be included within the territory of CSA 9C; or (3) if CSA 9C ceases to exist.

F. BINDING ON SUCCESSORS:

This COOPERATIVE AGREEMENT is binding on the heirs, successors and assigns of the Parties hereto.

G. AMENDMENT:

This COOPERATIVE AGREEMENT may be amended, modified or changed by the Parties only by written amendment approved by the authorized representative of the Parties and duly authorized by the Parties' respective legislative bodies.

H. REASONABLE COOPERATION:

The Parties agree to reasonably cooperate with one another to effectuate the purposes of this COOPERATIVE AGREEMENT. The Parties further acknowledge that future circumstances may impact the service performed by, or required to be performed by, CSA 9C, and agree to reasonably cooperate and negotiate in good faith the execution of any amendments needed to address the provision or reduction of those services within the CITY.

I. ENTIRE AGREEMENT; JOINT DRAFTING:

This COOPERATIVE AGREEMENT contains the entire understanding of the Parties with respect to the subject matter herein. There are no representations, agreements or understanding, whether written or oral, between or among the parties relating to the subject matter of this COOPERATIVE AGREEMENT which are not fully expressed herein. The drafting and negotiating of this COOPERATIVE AGREEMENT have been participated in by each Party and for all purposes, this COOPERATIVE AGREEMENT shall be deemed to have been drafted jointly by the Parties.

J. WAIVER:

Waiver of a breach or default under this COOPERATIVE AGREEMENT shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this COOPERATIVE AGREEMENT .

K. SEVERABILITY:

If any term or provision of this COOPERATIVE AGREEMENT shall be held by a court of competent jurisdiction to be invalid, illegal or otherwise unenforceable, the remaining provisions of this COOPERATIVE AGREEMENT shall continue in full force and effect.

L. Jurisdiction; Venue:

The Superior Court of the County of Santa Cruz shall be the sole venue for any action between the Parties relating to, resulting from, or arising out of the terms of this COOPERATIVE AGREEMENT. This COOPERATIVE AGREEMENT shall be subject to, and interpreted under, the laws of the State of California.

M. EXECUTION IN COUNTERPARTS:

This COOPERATIVE AGREEMENT may be executed in two or more counterparts which, taken together, shall constitute one agreement.

N. REPRESENTATION BY COUNSEL:

The Parties represent, warrant, and agree that they have been represented by the counsel of their choosing in the drafting of this COOPERATIVE AGREEMENT.

O. EFFECTIVE DATE:

This COOPERATIVE AGREEMENT shall be effective as of the date fully executed by all Parties.

----- SIGNATURE PAGE TO FOLLOW -----

IN WITNESS WHEREOF, this COOPERATIVE AGREEMENT is executed by COUNTY and CITY as of the dates indicated below.

COUNTY OF SANTA CRUZ (“COUNTY”)

CITY OF SCOTTS VALLEY (“CITY”)

Matt Machado DATE
Deputy CAO / Director
Community Development
and Infrastructure Department

Mali LaGoe DATE
City Manager

Approved as to Form

Approved as to Form

Justin A. Graham
Assistant County Counsel

Kirsten Powell
City Attorney

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/1/2023
TO: Honorable Mayor and City Council
FROM: Stephanie Hill, Administrative Services Director
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Receive and file Investment Report for the Quarter Ended September 30, 2023**

SUMMARY OF ISSUE

Attached is the portfolio performance status report for the City and Supplemental Law Enforcement Fund ("SLESF") investment report for the quarter ended September 30, 2023. This information is for review only. No action is required by the Council.

The City's investment report submitted herein complies with the City's investment policy and evidences that there is adequate cash flow to meet the City's needs for the next six months. While the City traditionally places excess operating portfolio funds in LAIF, this quarter the City initiated allocations to the California Asset Management Program ("CAMP"). CAMP is a California Joint Powers Authority ("JPA") established in 1989. Investments offered through the Cash Reserve Portfolio (the "Pool" or the "CAMP Pool") and CAMP Term are permitted for all local agencies under California Government Code Section 53601(p). CAMP is directed by a board of trustees, which is made up of experienced local government finance directors and treasurers.

The SLESF investment report reflects the latest information available concerning how the monies provided by the State of California for front line police services were invested as of September 30, 2023.

Additional information on the Pooled Money Investment Account (PMIA) and Local Agency Investment Fund (LAIF) are provided from the State Treasurer's site.

FISCAL IMPACT

There is no fiscal impact of receiving and filing the report.

STAFF RECOMMENDATION

Receive and file an Investment Report for the Quarter Ended September 30, 2023.

TABLE OF CONTENTS

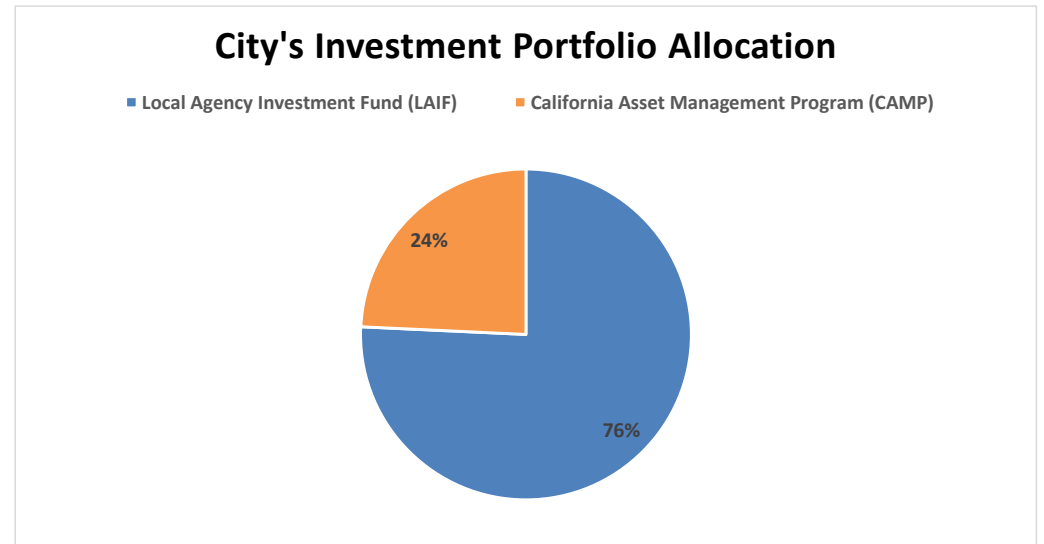
1. FY2324 Q1_INVESTMENT REPORT

**City of Scotts Valley
Quarterly Investment Report
September 30, 2023**

<u>TRUSTEE</u>	<u>TYPE OF INVESTMENT</u>	<u>ISSUER</u>	<u>MATURITY DATE</u>	<u>FACE VALUE</u>	<u>COST</u>	<u>MARKET VALUE</u>	<u>VALUATION</u>	<u>YIELD</u>
<u>General Pooled Investments</u>								
State of California	Local Agency Investment Fund (LAIF)	State of California	Demand - 1 day	\$ 16,130,671	\$ 16,130,671	\$ 15,909,805	* LAIF	3.590%
Board of Trustees	California Asset Management Program (CAMP)	CAMP	Demand - 1 day	\$ 5,091,695	\$ 5,091,695	\$ 5,091,695	CAMP	5.550%
Weighted Average Rate for General Pooled Investments								4.060%
<u>Investments of Bond Proceeds</u>								
Bank of New York Mellon	US Treasury Notes	Bank of New York Mellon	Demand - 1 day	\$ 369	\$ 369	\$ 369	Bank of New York	5.000%
Bank of New York Mellon	US Treasury Notes	Bank of New York Mellon	Demand - 1 day	\$ 361,620	\$ 361,620	\$ 361,620	Bank of New York	4.875% **
Bank of New York Mellon	US Treasury Notes	Bank of New York Mellon	Demand - 1 day	\$ 19,582	\$ 19,582	\$ 19,582	Bank of New York	0.000%

* Interest is paid at maturity. Market Value based on latest factor of 0.986307739 provided by LAIF on 9/30/2023, which has been applied to face value.

** Weighted average for all accounts.



Supplemental Law Enforcement Fund (SLESF)
Quarterly Investment Report
September 30, 2023

<u>FACE VALUE</u>	<u>MARKET VALUE</u>	<u>TRUSTEE/INVESTMENT TYPE</u>	<u>YIELD</u>
\$ 176,852	\$ 174,430 *	California Local Agency Investment Fund (LAIF)	3.590%
<u>\$ 176,852</u>	<u>\$ 174,430</u>		

* Interest is paid at maturity. Market Value includes accrued interest.



PMIA/LAIF Performance Report as of 10/18/23



Quarterly Performance Quarter Ended 09/30/23

LAIF Apportionment Rate ⁽²⁾ :	3.59
LAIF Earnings Ratio ⁽²⁾ :	0.00009812538629360
LAIF Administrative Cost ^{(1)*} :	0.29
LAIF Fair Value Factor ⁽¹⁾ :	0.986307739
PMIA Daily ⁽¹⁾ :	3.48
PMIA Quarter to Date ⁽¹⁾ :	3.42
PMIA Average Life ⁽¹⁾ :	256

PMIA Average Monthly Effective Yields⁽¹⁾

September	3.534
August	3.434
July	3.305**
June	3.167
May	2.993
April	2.870

Pooled Money Investment Account Monthly Portfolio Composition ⁽¹⁾ 09/30/23 \$156.4 billion

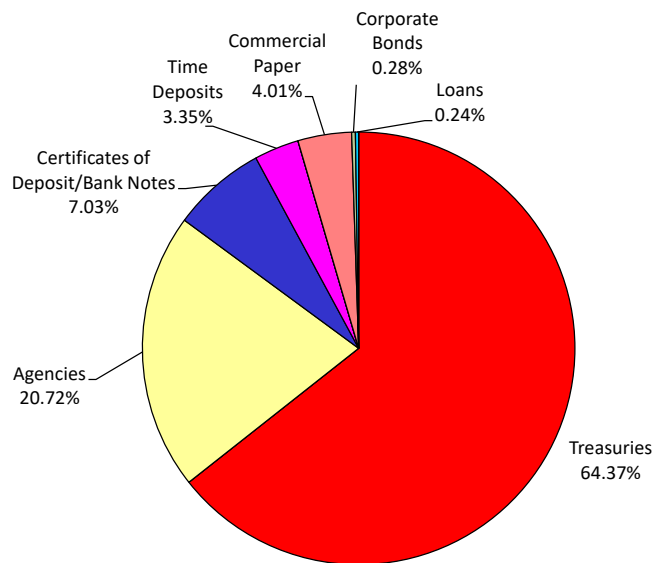


Chart does not include \$2,444,000.00 in mortgages, which equates to 0.002%. Percentages may not total 100% due to rounding.

Daily rates are now available here. [View PMIA Daily Rates](#)

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).

*The percentage of administrative cost equals the total administrative cost divided by the quarterly interest earnings. The law provides that administrative costs are not to exceed 5% of quarterly EARNINGS of the fund. However, if the 13-week Daily Treasury Bill Rate on the last day of the fiscal year is below 1%, then administrative costs shall not exceed 8% of quarterly EARNINGS of the fund for the subsequent fiscal year.

** Revised

Source:

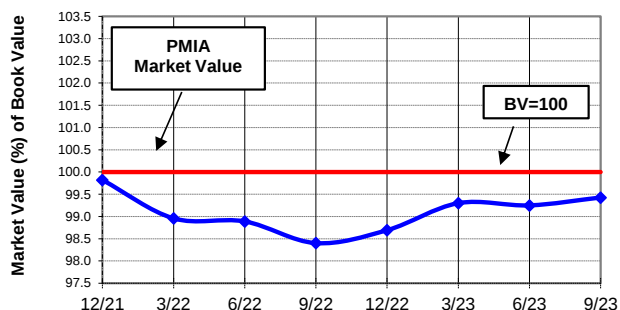
⁽¹⁾ State of California, Office of the Treasurer

⁽²⁾ State of California, Office of the Controller

MONTHLY PERFORMANCE
Pooled Money Investment Account
September 2023

	9/30/2023	8/31/2023	12 Months HIGH LOW	
Average Life (days)	256	237	303	237
Certificates of Deposit & Bank Notes	7.03%	7.59%	7.81%	5.59%
Commercial Paper	4.01%	4.61%	5.02%	3.85%
Treasuries	64.37%	59.91%	66.67%	59.91%

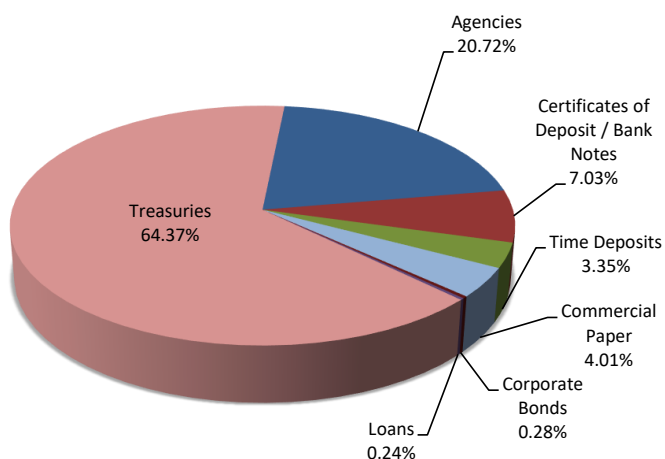
PMIA MARKET VALUATION



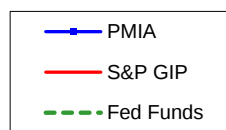
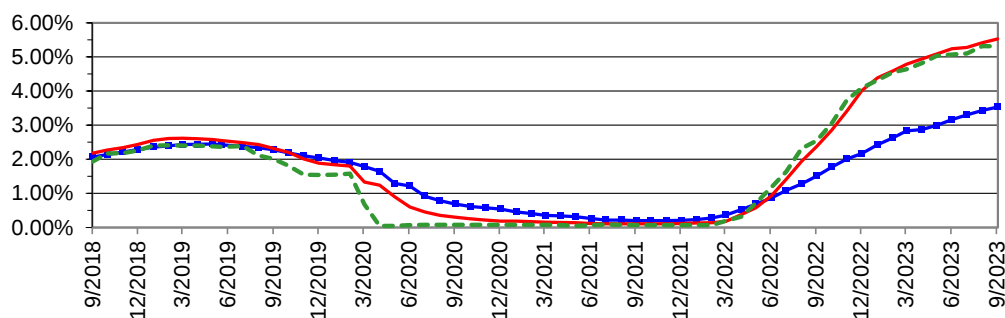
MARKET VALUE (%) of BOOK VALUE

Dec-2021	99.8216	Dec-2022	98.6926
Mar-2022	98.9582	Mar-2023	99.3005
Jun-2022	98.8902	Jun-2023	99.2503
Sep-2022	98.4022	Sep-2023	99.4272

PMIA Portfolio Composition - 09/30/2023
\$156.4 billion



Average Monthly Yield Comparison - 09/2018 through 09/2023



September Yields

PMIA	3.534%
S&P GIP	5.530%
Fed Funds	5.310%

Percentages may not total 100%, due to rounding.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/1/2023
TO: Honorable Mayor and City Council
FROM: Mali LaGoe, City Manager
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Appointment to the Santa Cruz County Housing for Health Policy Board**

SUMMARY OF ISSUE

Formerly known as the Homeless Action Partnership (HAP), the Housing for Health Partnership (H4HP) was formed in 2021 and serves as the federally-designated Continuum of Care (CoC) for Santa Cruz County and coordinates resources, programs and services focused on preventing and ending homelessness. Employees from the County of Santa Cruz Human Services Department Housing for Health Division provide staffing support for the H4HP. The H4HP is a collaboration of five public jurisdictions in Santa Cruz County (the County and the cities of Santa Cruz, Watsonville, Capitola and Scotts Valley) along with housing and service providers, people with lived experience of homelessness and other stakeholders. HUD provides over \$4 million per year to the Santa Cruz County community through the work of the H4HP. The H4HP also plays a role in receiving and coordinating other resources from federal and state government agencies. The H4HP Policy Board is responsible for aligning and developing resources, stakeholders, and collective wisdom across the greater Santa Cruz community to promote public health and make significant impacts on the crisis of homelessness, benefiting all residents, particularly those without homes.

The Housing for Health Partnership Policy Board (H4HP Board) acts as the governing board for the Santa Cruz County HUD-designated Continuum of Care, known as the Housing for Health Partnership. The Board is responsible for high-level planning and decision-making. It sets overall policy direction, provides system oversight, and delegates implementation, operational, and planning responsibilities to specific Operational Committees and Working Groups. Per the [Santa Cruz County Housing for Health partnership Governance Charter](#), Board membership consists of 15 community leaders and stakeholders who represent different entities and constituencies. Scotts Valley and Capitola share a board seat on a rotating basis for two-year terms. This seat was filled by Capitola for the last two years and it is now Scotts Valley to appoint a representative for a two-year term (2024-2025). This seat may be filled by an elected official, government staff or other citizen.

FISCAL IMPACT

There is no fiscal impact for appointing a representative to the Housing for Health Policy Board.

STAFF RECOMMENDATION

Staff recommends appointing City Manager Mali LaGoe as the City of Scotts Valley's representative for a two-year term on the Santa Cruz County Housing for Health Partnership Policy Board.

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None

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/1/2023
TO: Honorable Mayor and City Council
FROM: Allison Pfefferkorn, Recreation Division Manager
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Appointment of Scotts Valley Senior Center Advisory Commission Members**

SUMMARY OF ISSUE

The Senior Center Board is made of up 7 members, 5 of whom are appointed by the City Council in the manner provided for the appointment of Commissioners and Committee members in the Scotts Valley Municipal Code. The other 2 appointments (at-large appointments) are recommended by the Senior Center Membership and appointed by the City Council. shall consist of members recommended for appointment by the As vacancies occur, nominations and voting are done by active members at the yearly Senior Center Member Meeting. All appointments must be approved by the City Council.

There are two vacancies for the at-large seats on the Senior Center Advisory Commission due to the resignation of Lewis Farris and Donna Silva.

On October 18th at the Senior Center member meeting, the members voted to recommend Ms. Lisa Bustichi and Mr. George Milder to fill the vacancies. If appointed by the City Council, Ms. Lisa Bustichi and Mr. George Milder will fill the vacancy.

FISCAL IMPACT

None

STAFF RECOMMENDATION

It is recommended that the City Council appoint Ms. Lisa Bustichi and Mr. George Milder to serve as the at-large members on the Scotts Valley Senior Center Advisory Commission effective November 1, 2023.

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None

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/1/2023
TO: Honorable Mayor and City Council
FROM: Ben Noble, Consultant , Taylor Bateman, Community Development Director
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Introduce Ordinance No. 16.140 amending Scotts Valley Municipal Code Title 17 (Zoning) to establish objective design standards for multi-unit residential development in residential and commercial zoning districts**

SUMMARY OF ISSUE

To address new state law, the City has prepared design standards for multi-unit residential development. These standards would apply to all new development projects that create two or more dwelling units, including detached single-family dwellings, townhomes, multifamily dwellings, and mixed-use residential projects. The standards address topics typically considered during the City's design review process, including site access and circulation, building placement, building massing, landscaping, building façades, and roof design. The standards would be adopted by City Council Resolution with associated amendments to the Zoning Code adopted by ordinance.

PLANNING COMMISSION REVIEW

On October 12, 2023, the Planning Commission reviewed the Multi-Unit Residential Design Standard and recommended their adoption to the City Council. A discussion of the standards is provided in the attached Planning Commission staff report.

PUBLIC NOTICE & COMMENT

On October 20, 2023, public hearing notices were posted at City Hall, the Scotts Valley Branch Library, and the Scotts Valley Senior Center, consistent with State law. As of this date no comments have been received.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

STAFF RECOMMENDATION

The Planning Commission recommends the City Council:

1. Introduce and waive reading Ordinance No. 16.140 , An Ordinance of the City Council of the

City of Scotts Valley Amending Scotts Valley Municipal Code Chapters 17.04 (DEFINITIONS), 17.09 (R-VH DISTRICT), 17.10 (R-H DISTRICT), 17.12 (R-M DISTRICT), 17.14 (R-1 DISTRICT), 17.16 (R-R DISTRICT), 17.18 (R-MT DISTRICT), 17.20 (C-S DISTRICT), and 17.22 (C-SC DISTRICT) and Adding New Section 17.44.180 (MULTI-UNIT RESIDENTIAL DESIGN STANDARDS) to Establish Design Standards for Multi-Unit Residential Development

2. Adopt Resolution No. 2036 to adopt the Multi-Unit Residential Design Standards.

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1. Ordinance No. 16.140 Adopting Zoning Code Amendments for the Objective Design Standards
2. Resolution No. 2036 Adopting the Objective Design Standards
3. Planning Commission Staff Report (10/12/2023)

ORDINANCE NO. 16.140

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AMENDING SCOTTS VALLEY MUNICIPAL CODE CHAPTERS 17.04 (DEFINITIONS), 17.09 (R-VH DISTRICT), 17.10 (R-H DISTRICT), 17.12 (R-M DISTRICT), 17.14 (R-1 DISTRICT), 17.16 (R-R DISTRICT), 17.18 (R-MT DISTRICT), 17.20 (C-S DISTRICT), AND 17.22 (C-SC DISTRICT) AND ADDING NEW SECTION 17.44.180 (MULTI-UNIT RESIDENTIAL DESIGN STANDARDS) TO ESTABLISH DESIGN STANDARDS FOR MULTI-UNIT RESIDENTIAL DEVELOPMENT

WHEREAS, SB-35 (Chapter 366, Statutes of 2017) enacted section 65913.4 to the Government Code, effective January 1, 2018.

WHEREAS, Government Code section 65913.4 requires cities and counties to approve qualifying multifamily projects through a streamlined ministerial process if a project conforms to applicable objective standards and meets other requirements.

WHEREAS, The Housing Accountability Act (HAA), Government Code section 65589.5, limits the ability of cities and counties to deny or reduce the density of housing development projects that are consistent with objective standards.

WHEREAS, SB-330 (Chapter 654, Statutes of 2019) enacted Government Code section 66300 which prohibits cities and counties from establishing design standards that are not objective.

WHEREAS, Scotts Valley's Zoning Code currently contains limited objective design standards for multi-unit residential development.

WHEREAS, Scotts Valley currently relies on subjective design review criteria in Zoning Code Section 17.50.030 to ensure that multi-unit residential development conforms with the General Plan and the City's design guidelines.

WHEREAS, For a project requesting streamlined review under SB-35, the City cannot enforce subjective design review criteria.

WHEREAS, Under the Housing Accountability Act and SB-330, the City cannot deny or reduce the density of a multi-unit residential project on the basis of non-conformance with a subjective design requirement.

WHEREAS, The City prepared draft Multi-Unit Residential Design Standards that translate subjective policies and guidelines into new objective standards.

WHEREAS, The Multi-Unit Residential Design Standards contains objective standards that would apply to SB-35 projects, AB 2011 projects, and conforms to the requirements of the Housing Accountability Act and SB-330.

WHEREAS, The Planning Commission held a duly noticed public hearing on October 12, 2023, at which time it considered all evidence presented, both written and oral and at the end of the hearing voted to recommend that the City Council adopt this Ordinance.

WHEREAS, The City Council held a duly noticed public hearing on this Ordinance on November 1, 2023, at which time it considered all evidence presented, both written and oral.

NOW, THEREFORE, the City Council of the City of Scotts Valley does hereby ordain as follows:

Section 1. Section 17.04.160, “M” Terms, of Chapter 17.04, Definitions, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following definition:

““Multi-unit residential development” means a development project that creates two or more dwelling units, including detached single-family dwellings, townhomes, multifamily dwellings, and mixed-use residential projects.”

Section 2. Section 17.09.040, Development Standards, of Chapter 17.09, R-VH Very High-Density Residential Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“G. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 3. Section 17.10.040, Development Standards, of Chapter 17.10, R-H High-Density Residential Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“F. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 4. Section 17.12.040, Development Standards, of Chapter 17.12, R-M-6 and R-M-8 Multiple Residential Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“F. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 5. Section 17.14.040, Development Standards, of Chapter 17.14, R-1 Single-Family Residential Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“J. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 6. Section 17.16.040, Development Standards, of Chapter 17.16, R-R-2.5 Residential-Rural Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“J. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 7. Section 17.18.040, Development Standards, of Chapter 17.18, R-MT-5 Residential-Mountain Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“J. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 8. Section 17.20.040, Development Standards, of Chapter 17.20, C-S Service Commercial Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“P. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 9. Section 17.22.040, Development Standards, of Chapter 17.22, C-SC Shopping Center Commercial Zoning District Regulations, of Title 17, Zoning, of the Scotts Valley Municipal Code is hereby amended to add the following:

“M. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.”

Section 10. New Section 17.44.180, Multi-Unit Residential Design Standards is added to of Chapter 17.44, General and Special Provisions, of Title 17, Zoning, of the Scotts Valley Municipal Code as follows:

“17.44.180 Multi-unit Residential Design Standards.

A. All new multi-unit residential development shall comply with the Multi-Unit Residential Design Standards, which are adopted by City Council resolution and may be amended from time to time.

B. Where there is a conflict between the Zoning Code and the Multi-Unit Residential Design Standards, the Multi-Unit Residential Design Standards govern.”

Section 11. CEQA COMPLIANCE. This ordinance is subject to the California Environmental Quality Act (CEQA), and the project is exempt from CEQA, pursuant to CEQA Guidelines Sections: 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment). The multi-unit residential standards impose the same requirements as the existing design review process using an alternative method (objective standards). Alternatively, State CEQA Guidelines Section 15061(b)(3) provides that a project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Section 12. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 13. To the extent the provisions of the Scotts Valley Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 14. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

Section 15. PUBLICATION. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of adoption and shall post a certified copy of this Ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

This Ordinance was introduced on the 1st day of November, 2023, and passed and adopted on the 15th day of November, 2023, at a duly held meeting of the City Council of the City of Scotts Valley by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Jack Dilles, Mayor

ATTEST:

Cathie Simonovich, City Clerk

APPROVED AS TO FORM:

Kirsten Powell, City Attorney

RESOLUTION NO. 2036

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY ADOPTING MULTI-UNIT RESIDENTIAL DESIGN STANDARDS

WHEREAS, the City of Scotts Valley prepared objective design standards for multi-unit residential development to address recent changes in State housing laws (“Multi-Unit Residential Design Standards”); and

WHEREAS, the Planning Commission adopted Resolution No. 1787 recommending adoption of the Multi-Unit Residential Design Standards and associated Municipal Code amendments; and

WHEREAS, the City Council held a duly noticed public hearing on November 1, 2023 on the proposed Municipal Code Amendments at which the public were granted an opportunity to provide oral and written testimony; and

WHEREAS, adopting the Multi-Unit Residential Design Standards and associated Zoning Code Amendments is Categorically Exempt from the California Environmental Quality Act, under Section 15060(c)(2); and

WHEREAS, before adopting this Resolution, the City Council introduced Ordinance No. 16.140 to amend the Scotts Valley Municipal Code for the Multi-Unit Residential Design Standards.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Scotts Valley as follows:

1. The above recitals are true and correct and incorporated herein by reference.
2. The City Council hereby adopts the Multi-Unit Residential Design Standards, attached to this resolution as Exhibit A.
3. Such standards shall be effective immediately and may be amended from time to time, or repealed, by resolution of the City Council.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regular meeting held on the 1st day of November, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

CITY OF SCOTTS VALLEY MULTI-UNIT RESIDENTIAL DESIGN STANDARDS



**City Council Review Draft
October 2023**

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PART 1: INTRODUCTION

- A. Purpose.** This document contains objective standards for multi-unit residential development. The intent of these standards is to:
1. Guide multi-unit housing production in Scotts Valley;
 2. Increase certainty and predictability in the project approval process;
 3. Ensure quality design consistent with Scotts Valley's unique sense of place; and
 4. Protect the public health, safety and welfare in light of State laws requiring streamlined ministerial approval of qualifying multi-unit residential projects.
- B. Applicability.** The standards in this document apply to all projects that create two or more dwelling units, including detached single-family dwellings, townhomes, multifamily dwellings, and mixed-use residential projects.
- C. Definitions.** Specialized terms used in this document are defined in Part 3 (Glossary). If a term used in this document is defined in Zoning Code Chapter 17.04, the Zoning Code definition also applies to this document.
- D. Relationship to other City Requirements.**
1. In addition to the standards in this document, a proposed project must also comply with the General Plan, any applicable Specific Plan, the Zoning Code, Design Guidelines, Standard Details and Specifications, and other applicable City requirements.
 2. The standards in this document are intended to be consistent with all other City development requirements. Where a standard appears to conflict with another requirement, the City will construe such requirement to give effect to both, if possible, by harmonizing them with each other. In cases of conflict, the following rules apply:
 - a. If a standard in this document conflicts with the Zoning Code chapter, any other chapter of the Municipal Code, the Standard Details and Specifications, or the Design Guidelines, the standard in this document governs.
 - b. If a standard in this document conflicts with an objective standard in the General Plan or a Specific Plan, the General Plan or Specific Plan governs.
- E. Exceptions and Deviations.**
1. **Minor Exceptions.**
 - a. An applicant may request a minor exception to up to three standards in this document. A minor exception is intended to provide flexibility for projects due to unique site conditions and/or allow for creative design solutions consistent with the intent of the standards.

- b. Standards eligible for a minor exception are limited to measurable dimension standards (e.g., setback distance, building length, landscape area).
- c. Zoning Code standards referenced in this document are not eligible for a minor exception.
- d. An applicant may request a minor exception to allow for a maximum ten percent deviation from the physical development standard that applies to the project.
- e. An applicant must request a minor exception in writing. The request must explain why the exception is needed and how the project will meet the intent statement for each topic where the exception is requested (e.g., open space, building massing).
- f. The Community Development Director acts on minor exception requests for projects that are not subject to discretionary review by the Planning Commission. The Planning Commission acts on all other minor exception requests.
- g. The review authority shall approve, approve with modification, or deny the request upon finding that:
 - (1) The request satisfies the eligibility criteria for a minor exception as provided in this section; and
 - (2) The request is needed due to unique site conditions and/or to provide for a superior project design; and
 - (3) The project will meet the intent statement for the topic where the exception is requested.

2. Other Deviations.

- a. An applicant may request deviation from standards not eligible for a minor exception through the variance or planned development permit process.
- b. A project requesting such a deviation is not eligible for streamlined approval under SB 35, AB 2011, or other state law providing a ministerial approval process for qualifying projects.
- c. To approve the deviation, the Planning Commission must make all findings required for the variance or planned development permit and find that:
 - (1) The requested is needed due to unique site conditions and/or to provide for a superior project design; and
 - (2) The project will meet the intent statement for the topic where the exception is requested.

PART 2: STANDARDS**I. New Streets and Block Pattern****A. Intent.** The intent of the new streets and block pattern standards is to:

1. Ensure new streets and subdivision designs comply with City requirements;
2. Support a circulation system that enhances connectivity and supports a range of transportation options; and
3. Maintain and enhance the visual character and aesthetic qualities of public streets and rights-of way.

B. Standards.**1. Street Dimensions.**

- a. For development projects that include new streets, street dimensions and travel lane widths shall be consistent with the City's Standard Plans and Specifications.
- b. Within the Town Center Specific Plan Area, new streets shall comply with the Town Center Specific Plan street cross sections. In cases of conflict between the Standard Plans and Specifications and the Town Center Specific Plan, the Town Center Specific Plan governs.

2. **Street Network.** The length and configuration of new streets shall comply with Section 16.44.020 of the Municipal Code.

II. Pedestrian, Bicycle, Transit Improvements**A. Intent.** The intent of the pedestrian, bicycle, and transit improvement standards is to:

1. Ensure that new development provides pedestrian and bicycle improvements consistent with City policies and standards;
2. Increase opportunities for residents to walk, bike, and take transit to destinations; and
3. Ensure that pedestrian and bicycle facilities are safe, convenient, and enjoyable to use.

B. Standards.

1. **Public Sidewalks.** A public sidewalk along the property frontage shall be provided as follows:
 - a. **Town Center Specific Plan Area:** As required by the Town Center Specific Plan.
 - b. **All Other Areas:** As required by the Scotts Valley Standard Details and Specifications.
2. **Street Trees.**

- a. **Town Center Specific Plan Area:** As required by the Town Center Specific Plan.
 - b. **All Other Areas:** Sidewalk street trees are not required in the public right-of way. In commercial zoning districts, see Standard 2.b in Section VIII (Landscaping) for tree planting requirements in landscaped street-facing setback areas.
3. **Internal Pedestrian Circulation.**
- a. **Internal Connections.** A pedestrian walkway shall connect all buildings on a site to each other, to on-site bicycle and automobile parking areas, and to any publicly accessible on-site open space areas or pedestrian amenities.
 - b. **Circulation Network.** A pedestrian walkway shall connect all primary building entries to a public sidewalk on each street frontage. Sidewalk connections shall be provided at least every 300 feet along the site frontage adjacent to the public right-of-way.
 - c. **Transit Connection.** A pedestrian walkway shall connect all primary building entries to an existing or planned transit stop adjacent to the site frontage.
 - d. **Through Lot Connections.** A through lot more than 400 feet from an intersecting street or pedestrian walkway shall provide a publicly accessible pedestrian walkway connecting the two streets.
 - e. **Pedestrian Walkway Design.**
 - (1) Internal pedestrian walkways shall be a minimum 4 feet wide, hard-surfaced, and paved with scored concrete, stone, tile, brick, or comparable material.
 - (2) Where a pedestrian walkway crosses automobile parking or loading areas, it shall be clearly identifiable with a raise crosswalk, a contrasting paving material, striping, or similar method.
 - (3) Where a pedestrian walkway is parallel and within 2 feet of an automobile travel lane, it shall be raised or separated from the automobile travel lane by a raised curb at least 4 inches high.
4. **Bicycle Infrastructure Improvements.**
- a. **Network Connections.** Where the development site is adjacent to an existing or proposed bicycle facility shown in the Scotts Valley Active Transportation Plan (ATP), a bicycle connection shall be provided from the development site to the adjacent bicycle facility.
 - b. **Bicycle Facility Design.** Bicycle improvements connecting the development site to the adjacent bicycle facility shall be designed and constructed consistent with the Scotts Valley Standard Details and Specifications, Active Transportation Plan, and any applicable Specific Plan.

5. Bicycle Parking.

a. Types of Bicycle Parking.

- (1) **Short-Term Bicycle Parking.** Short-term bicycle parking provides shoppers, customers, messengers, and other visitors who generally park for two hours or less a convenient and readily accessible place to park bicycles.
- (2) **Long-Term Parking.** Long-term bicycle parking provides residents and employees who live or work at a site a secure and weather-protected place to park and store bicycles.

b. Number of Spaces.

- (1) Multifamily and commercial uses shall provide short-term and long-term bicycle parking as specified in Table 1.

Table 1: Required Bicycle Parking Spaces

Land Use	Required Bicycle Parking Spaces	
	Short-Term Spaces	Long-Term Spaces
Multifamily Dwellings	1 per every 10 units	1 per unit
Offices	1 per 20,000 sq. ft.	1 per 10,000 sq. ft.
Other Commercial Uses	1 per 5,000 sq. ft.	None required

- (2) When the calculation of required bicycle parking results in less than one space, a minimum of one bicycle parking space shall be provided.

c. Parking Space Dimensions.

- (1) Minimum dimensions of 2 by 6 feet shall be provided for each bicycle parking space. Spaces may be configured horizontally or vertically.
- (2) A minimum 2 feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, pedestrian paths, and other similar features.
- (3) A minimum 4 feet of clearance shall be provided between bicycle parking spaces and adjacent automobile parking spaces and drive aisles.

d. Short-Term Bicycle Parking Standards.

- (1) Short-term bicycle parking shall be located within 100 feet of the primary building entrance of the use it is intended to serve.
- (2) Short-term bicycle parking shall consist of publicly accessible racks firmly anchored to the ground, to which a bicycle can be locked.

- (3) Racks shall be designed and installed to allow two points of contact with the bicycle frame and allow the frame and one or both wheels to be secured.
- (4) Short-term bicycle parking areas shall be paved with asphalt, concrete, or other all-weather surface.
- (5) When located in a parking area, bicycle spaces shall be protected by curbs, fences, planter areas, bumpers, or similar barriers.
- (6) Short-term bicycle parking areas shall not encroach into the minimum dimensions of a required pedestrian walkway or sidewalk.

e. Long-Term Bicycle Parking Standards.

- (1) Long-term bicycle parking shall consist of one of the following:
 - (a) Covered, lockable enclosures with permanently anchored racks for bicycles.
 - (b) Lockable bicycle rooms with permanently anchored racks.
 - (c) Lockable, permanently anchored bicycle lockers.
 - (d) Private garages or other private, lockable storage space accessible from the outside.
 - (e) In-unit bicycle parking.
- (2) Long-term bicycle parking shall be fully enclosed or located indoors. If accommodated in a parking garage, long-term bicycle parking shall be located within 250 feet of a building entrance or pedestrian pathway in a lit area.

f. Showers, Lockers, and Changing Rooms. New office development of 20,000 square feet or larger shall provide shower and clothes locker facilities for short-term employee use as follows:

- (1) **Shower and Dressing Areas.** A minimum number of shower facilities shall be provided in new projects as shown in Table 2. Dressing areas shall be provided for shower facilities.

Table 2: Required Shower and Dressing Areas

Gross Floor Area	Number of Shower Facilities
20,000 to 39,999 sq. ft.	1 shower
40,000 sq. ft or more	2 showers

- (2) **Lockers.** Lockers for clothing and other personal effects shall be located in close proximity to showers and dressing areas to permit access to locker areas by either gender. A minimum of one clothes locker shall be provided for 75 percent of the long-term employee bicycle parking spaces required.

III. Parking and Vehicle Circulation

A. Intent. The intent of the parking and vehicle circulation standards is to:

1. Ensure that automobile parking areas are designed to enhance the visual character of Scotts Valley;
2. Support a pedestrian-friendly streetscape design, walkable neighborhoods, and active and inviting commercial corridors;
3. Minimize adverse impacts from parking facilities on neighboring properties; and
4. Provide for safe and convenient pedestrian circulation within parking areas.

B. Standards.

1. **Parking Placement on Site.**

a. **Residential Zoning Districts.**

- (1) Driveways and parking spaces in a required setback shall comply with Zoning Code Section 17.44.030.J.2.
- (2) Unenclosed tuck-under parking shall not be publicly visible along a street-facing building façade.

b. **Commercial Zoning Districts.** Surface parking areas located between a building and the street shall conform with the following standards:

- (1) Maximum depth:
 - (a) Double-loaded aisle: 66 feet.
 - (b) Single-loaded aisle: 33 feet.
- (2) Maximum width: 200 feet or 50 percent of street frontage, whichever is greater.
- (3) The parking area shall be screened with a wall or fence located between the parking spaces and the landscaped planting strip required by Standard B.6 (Perimeter Parking Lot Landscaping). The wall or fence shall be 3 feet in height, consistent with Zoning Code Section 17.46.110.G, and shall consist of either:
 - (a) A wall constructed of brick, stone, stucco or other durable solid material; or

- (b) An open fence combined with landscaping to form an opaque screen. Open fences shall be wrought iron or other similar durable material and at least 70 percent open to the passage of light and air. Chain link and other wire fence materials are not allowed.
- 2. **Maximum Width.** Where a surface parking area is located adjacent to a street and to the side of a building, the width of the parking area shall not exceed 150 percent of the adjacent building width.
- 3. **Structured Parking.**
 - a. Parking garage vehicle entrances facing the street shall be no more than 22 feet wide. Garage entries to loading and utility/service areas shall not exceed 30 feet in width.
 - b. Parking garages shall provide at least one clearly delineated at-grade pedestrian entrance on each street-facing frontage, physically separated from the vehicle entrance and connecting directly to the public pedestrian circulation network.
 - c. Partially sub-grade parking ("Podium parking") shall not have an exposed façade that exceeds 5 feet in height above abutting grade at back of sidewalk.
 - d. Podium parking shall include a landscaped planter between the street and the podium. The planter shall be at least 4 feet wide with a planting height and vegetative cover sufficient to fully screen the podium edge and ventilation openings from view. At maturity, plantings shall comprise a minimum of 75 percent of the total landscape planter area.
- 4. **Vehicle Site Access.**
 - a. **Number of Driveways.**
 - (1) **Residential Zoning Districts.** No more than one driveway shall serve a development site less than 100 feet wide and no more than two driveways shall serve a site 100 feet wide or more. On corner lots, this rule applies separately to each of the two street-facing sides.
 - (2) **Commercial Zoning Districts.** Each development site shall be limited to one curb cut, including driveways and private/service streets, per 250 feet of public street frontage, or two curb cuts per street frontage, whichever is less (unless otherwise required for emergency vehicle access).
 - b. **Driveway Drop Curb Width.** Driveways shall be a maximum width of 20 feet, or minimum required for emergency vehicle access.
 - c. **Distance from Street Corner.** Driveways shall be a minimum of 50 feet from any street intersection. For lots less than 75 feet wide, driveways shall be located along the lot line farthest from the intersection.

- d. **Distance from Property Line.** Driveways shall be a minimum of 5 feet from a property line or include a shared driveway access with adjoining lot.
 - e. **Forward Entrance and Exit.** Parking areas of four or more spaces adjacent to an arterial or collector roadway shall provide sufficient maneuvering area to allow vehicles to enter and access the roadway in a forward direction.
 - f. **Parking Lot Connections.** Multiple parking areas located on a common property shall be internally connected and shall use shared driveways to access the street.
5. **Interior Parking Lot Landscaping.**
- a. A minimum of ten percent of the parking area shall be landscaped with a mixture of trees, shrubs, ground cover, and other plant material.
 - b. All portions of a parking lot not occupied by a parking space, drive aisle, pedestrian walkway, or waste collection facilities shall be landscaped.
 - c. Landscaped areas shall provide a minimum of one tree for every four parking spaces.
 - d. The minimum planting size for trees shall be 15-gallon, with 25 percent of all trees on a project site planted at a minimum 24-inch box size. The minimum planter area for trees is 5 feet by 5 feet.
6. **Perimeter Parking Lot Landscaping.**
- a. Parking areas adjacent to a street shall include a landscaped planting strip between the street and parking area at least 4 feet wide or as required in the zoning district, whichever is greater. The planting strip shall contain a row of landscaping with a minimum planting height of 36 inches.
 - b. Trees shall be provided within the planting strip with a maximum distance of 30 feet between each tree. The minimum planting size for trees is 15-gallon. Tree species shall reach a mature height of at least 20 feet. Planting strip tree requirements are in addition to required interior parking lot trees.
 - c. Landscaping shall comply with intersection and driveway vision clearance requirements in Zoning Code Section 17.46.110.E.
7. **Pedestrian Circulation.**
- a. Parking lots with more than 30 parking spaces shall include at least one pedestrian walkway outside of drive aisles.
 - b. The design of the pedestrian walkway shall comply with Standard II.B.2.e (Pedestrian Walkway Design).
8. **Loading.** Off-street loading facilities shall comply with Zoning Code Section 17.44.030.L and M.

IV. Building Placement, Orientation, and Entries

A. Intent. The intent of the building placement, orientation, and entries standards is to:

1. Support cohesive neighborhoods and social interaction with outward facing buildings; and
2. Support a pedestrian-oriented public realm with an attractive and welcoming streetscape character.

B. Standards.

1. Maximum Setback.

- a. **Town Center Specific Plan Area:** 20 feet maximum front setback from curb edge for mixed-use, office commercial, and civic land uses.
- b. **All Other Areas:** No maximum setback standard.

2. Building Entrance Orientation.

a. Residential Districts.

- (1) **Buildings located within 30 feet of a local street as shown in General Plan Figure C-1:** The primary building entry must face the street. A pedestrian walkway, minimum 4-foot width, shall provide a connection between the sidewalk and all street-facing entrances.
- (2) **All other buildings:** No entrance orientation standard.
- (3) Where the side of an end unit faces the street, the end unit shall meet the following standards:
 - (a) The end unit side wall shall have a fenestration area greater than 10 percent of the façade area.
 - (b) The end unit side wall shall have at least one architectural projection that projects a minimum of 18 inches from the street facing façade (example: bay windows, a chimney shown on the exterior of the house) with a minimum width of two feet.
 - (c) Surface parking is prohibited between the side wall and the street.

3. Commercial Districts.

- a. The primary building entrance of a building within 30 feet of a street must face the street. A primary building entrance facing the interior of a lot is not allowed.
- b. A pedestrian walkway, minimum 4-foot width, shall provide a connection between the sidewalk and the primary building entrance.

- c. Street-facing building façades within 30 feet of a street must also comply with the following standards:
 - (1) The façade shall have a fenestration area greater than 50 percent of the façade area.
 - (2) The façade shall incorporate two or more materials with contrasting color. No material may make up over 85 percent of the façade elevation. Windows and doors do not qualify as a required contrasting façade material.
 - (3) The area between the façade and the street may not contain surface parking or drive aisles. This area must be landscaped with live plant materials, except for:
 - (a) Areas required for pedestrian access to the property; and
 - (b) Courtyards, outdoor seating areas, and other similar outdoor spaces for residents, customers and/or the general public.
- 4. **Entry Design.** Primary building entrances must include weather protection with one of the following:
 - a. A projecting awning, canopy, extended eave, or other similar feature above the entry with a minimum outward projection of 3 feet and minimum width sufficient to clear the entrance on both sides.
 - b. A recess in the building wall with a minimum width of 4 feet and depth of 3 feet.
 - c. A covered porch, providing access to the entry, with a minimum dimension of 5 feet by 5 feet.

V. Building Massing

A. **Intent.** The intent of the building massing standards is to:

- 1. Provide for human-scale and pedestrian-friendly building massing where large buildings are broken into smaller volumes; and
- 2. Provide for sensitive transitions to adjacent lower-intensity uses.

B. **Standards.**

- 1. **Major Massing Breaks.** A street-facing building 150 feet or more in length shall provide one or more of the following major massing breaks.
 - a. **Major Recess.** A major recess, at least 20 feet wide by 10 feet deep, that extends from the finished ground floor through the full height of the building including breaking the roof plane. At least one major recess shall be provided for every 150 feet of building length.

- b. **Horizontal Change in Building Plane.** A horizontal change in the building plane of at least 50 percent of the building height. At least one change shall be provided for every 150 feet of building length.
 - c. **Break in Upper Floors.** A break in upper floors of at least 35 feet in width and depth. The rooftop above the lower floor must be usable open space. An upper floor segment may not exceed a maximum length of 150 feet.
- 2. **Upper-Story Stepbacks.** A building taller than 35 feet shall provide a stepback at the uppermost story on façades fronting public streets, publicly-accessible open spaces and property lines adjoining existing single-family uses.
 - a. The required stepback shall be a minimum of 6 feet in depth.
 - b. The stepback shall be required to extend for 80 percent of the building façade length.

VI. Open Space

A. **Intent.** The intent of the open space standards is to:

- 1. Provide for well-designed usable open space for residents; and
- 2. Create active and inviting publicly accessible open space in mixed-use projects.

B. **Standards.**

1. **Private Open Space.**

- a. **Amount Required.** Each dwelling unit shall have at least 100 square feet of private open space.
- b. **Design Standards.** Required private open space shall comply with the following standards:
 - (1) The open space shall be directly accessible from the dwelling unit.
 - (2) Balconies shall have a minimum dimension of 6 feet in depth and width and a minimum floor area of 50 square feet.
 - (3) Patios shall have a minimum dimension of 8 feet in depth and width and a minimum floor area of 64 square feet.
 - (4) Open space may be covered but not fully enclosed. If covered, the minimum floor to ceiling height is 8.5 feet.
 - (5) Ground level private open space shall be screened or buffered from adjacent private or common open space and dwellings by landscaping, fencing, walls, trellises, or other screening elements.

- c. **Common Open Space Substitution.** Up to 50 percent of multifamily units may substitute common open space for private open space. In such cases, 200 square feet of common open space must be provided per unit. Substituted common open space must be in addition to minimum common open space required by section (2) below.
- 2. **Common Open Space.** The following common open space standards apply to townhomes and multifamily dwellings.
 - a. **Amount Required.** A minimum of 100 square feet of common open space shall be provided per dwelling unit.
 - b. **Design Standards.** Required common open space shall comply with the following standards:
 - (1) Minimum area: 400 square feet.
 - (2) The open space shall be immediately adjacent to common spaces, hallways, or residential units and shall be accessible to all residents.
 - (3) Minimum width and length: 20 feet.
 - (4) Notwithstanding subsection (3), courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1:1.25.
 - (5) A minimum of 60 percent of the area shall be open to the sky and free of permanent weather protection or encroachments. Trellises and similar open-air features are permitted.
 - (6) A minimum 20 percent of the area shall be planted with trees, ground cover, and/or shrubs.
 - (7) The open space must have permanent seating.
- C. **Publicly Accessible Open Space.**
 - 1. **When Required.** Development projects in a Commercial district with over 50,000 square feet of floor area shall provide publicly accessible open space.
 - 2. **Minimum Amount:** 5 square feet per 1,000 square feet of floor area.
 - 3. **Ownership and Maintenance.**
 - a. Publicly accessible open space must be either offered as dedication to the City or privately owned and maintained with dedication of a public access easement.
 - b. Publicly accessible open spaces shall be maintained at no public expense.

- c. The owner of the property on which the open space is located shall maintain it by keeping the area clean and free of litter and keeping in a healthy state any plant material that is provided.
- 4. **Standards.** Required publicly accessible open space shall comply with the following standards:
 - a. The open space shall be publicly accessible for a minimum 12 consecutive hours per day or during daylight hours, whichever is longer.
 - b. The open space shall be directly accessible and visible from a public right-of-way.
 - c. The open space shall have a minimum dimension of 25 feet in any direction.
 - d. The open space shall have permanent seating (e.g., seat walls, planter ledges, benches, picnic tables, and seating steps).
 - e. A minimum of 60 percent of the area shall be open to the sky and free of permanent weather protection or encroachments. Trellises and similar open-air features are permitted.
 - f. A minimum of 20 percent of the open space area shall be planted with ground cover and/or shrubs. A minimum of one tree shall be planted per 400 square feet of the open space area.

VII. Façade and Roof Design

A. **Intent.** The intent of the façade and roof design standards is to:

- 1. Create street-facing building façades that are varied and interesting with human-scale design details;
- 2. Incorporate architectural elements that reduce the box-like appearance and perceived mass of buildings;
- 3. Provide for buildings designed as a unified whole with architectural integrity on all sides of the structure; and
- 4. Ensure quality materials that maintain their appearance over time.

B. **Standards.**

- 1. **Modulation.** Each side of a building facing a street, public right-of-way, or publicly accessible pedestrian walkway shall include a minimum of two of the following building modulation strategies:
 - a. **Horizontal Change in Plane.** A horizontal change in the street-facing building wall plane for every 50 feet of frontage. The change in plane must be at least 2 feet deep and 6 feet wide and open to the sky.

- b. **Change in Roof Forms.** At least one change in the roof form for every 50 feet of frontage. This requirement may be satisfied with recessed or projecting gabled roof elements, roof dormers, changes in roof heights, changes in direction or pitch of roof slopes, and other similar methods.
 - c. **Prominent Covered Entry.** A front porch or other covered entry feature with a minimum depth of 3 feet and width of 6 feet providing access to the unit's primary building entrance.
 - d. **Balconies and Decks.** Balconies, upper-level decks, and other habitable projections, occupying at least 20 percent of the linear frontage of the street-facing building wall. Balconies and decks must have a minimum dimension of 6 feet in depth and width and a minimum floor area of 50 square feet.
 - e. **Upper Story Stepback.** At least 80 percent of the building façade length has an upper story stepback of at least 6 feet in depth.
 - f. **Cantilevered Second Story.** For two-story buildings only, an upper story building wall projects at least 2 feet from the ground floor building wall for 25 percent or more of the street-facing building wall.
2. **Façade Articulation.** Each side of a building facing a street, public right-of-way, or publicly accessible pedestrian walkway shall include a minimum of two of the following façade design strategies to create visual interest:
- a. **Window Boxes.** A minimum of 50 percent of the windows feature window boxes projecting at least one-half foot from the building wall.
 - b. **Shutters.** A minimum of 50 percent of the windows feature exterior decorative shutters constructed of material that visually contrasts from the building wall. All windows of the same type must feature matching shutters.
 - c. **Shade/Screening Devices.** Screening devices such as lattices, louvers, shading devices, awnings, non-fabric canopies, perforated metal screens, with such a device occupying at least 20 percent of the linear frontage of the building wall.
 - d. **Projecting Windows.** At least one projecting window per 50 feet of the building wall. The furthest extent of the projecting window must project at least 1 foot from the building wall. This requirement may be satisfied with bay windows, oriel windows, bow windows, canted windows, and other similar designs.
 - e. **Datum Lines.** Datum lines (horizontal delineation between building levels) that continue the length of the building, such as cornices, with a minimum four inches in depth, or a minimum 2 inches in depth and include a change in material.
 - f. **Varied Exterior Color.** The building wall features two or more visibly contrasting main colors, with each color occupying at least 20 percent of the building wall area.

- g. **Varied Materials.** The building wall features two or more visibly contrasting primary materials, (e.g., wood shingles and stucco), with each material occupying at least 20 percent of the building wall area.
 - h. **Juliet Balconies.** Juliet and other balconies less than 6 feet in depth and width. Balconies must have a minimum 1-foot projection from the building wall.
 - i. **Wall Trellis.** Wall mounted trellises for climbing plants that occupy at least 25 percent of the wall excluding windows and doors. Trellis landscaping must be installed and permanently maintained.
- 3. **Roof Design for Large Buildings.** For buildings that are both three stories or more and 50 feet or more in length, each side of a building facing a street shall include one of the following roof design strategies:
 - a. A roof eave projecting at least 1-foot from the street-facing building wall with ornamental brackets or decorative fascia and eave returns.
 - b. Cornice or parapet cap with a change in material from the façade and a minimum height of 8 inches and a minimum depth of 4 inches.
 - c. At least 25 percent of building's street-facing building roof line incorporates at least one element of variable roof form that is different from the remainder of the street-facing roof form. This requirement may be satisfied with recessed or projecting gabled roof elements, roof dormers, changes in roof heights, changes in direction or pitch of roof slopes, and other similar methods.
- 4. **Non-Residential Transparency.** A ground-level non-residential building wall that faces and is within 20 feet of a street must provide transparent windows or doors with views into the building for a minimum of 65 percent of the building frontage width located between 3 and 7 feet above the sidewalk.
- 5. **Windows.** Residential street-facing windows shall comply with one of the following:
 - a. All street-facing windows and doors feature built up profile trim/framing. Windows include sills and lintels. Trim/framing must project at least 2 inches from the building wall with material that visually contrasts from the building wall.
 - b. For all street-facing windows, glass shall be inset a minimum of 2 inches from the exterior wall or frame surface to add relief to the wall surface.
- 6. **Materials and Color.**
 - a. **Primary Wall Finish Material.** The primary wall finish material shall be wood, wood shingle, stone, brick, stucco, fiber cement or other cementitious material, or stone. T1-11 siding and all grooved or patterned wood panel or composite wood panel siding are prohibited.
 - b. **Number of Materials and Colors.**

- (1) Street-facing building walls shall incorporate at least two contrasting colors and/or two contrasting materials. The required second color or material must occupy at least five percent of the building wall area.
 - (2) For each 150-foot portion of a building, the street-facing wall shall feature a maximum of five contrasting colors (excluding trim).
7. **360-Degree Design.** Building exterior treatment (e.g., materials, colors, windows and door types) shall be applied consistently on all sides of the building.

VIII. Landscaping

A. Intent. The intent of the landscaping standards is to:

1. Enhance the visual character
2. Support water conservation and natural resource protection with landscape species adapted to local climate; and
3. Ensure adequate landscaping upkeep and maintenance over time.

B. Standards.

1. **Landscape and Irrigation Plan Required.** All projects shall submit a landscape and irrigation plan to demonstrate compliance with the standards in this section. Landscape and irrigation plans must be prepared or approved by a licensed architect and include the following features and information:
 - a. Existing vegetation and trees. Tree species, type and trunk size shall be noted.
 - b. Existing trees along adjacent property within 30 feet of project boundary. Species and size of all trees that are greater than 24-inch circumference in size shall be shown.
 - c. Proposed landscape plan, including species type, size and number. All landscaping with relation to building and parking locations shall be shown.
 - d. Proposed fences, walls, walkways and paving.
 - e. Proposed irrigation plan, which must include a legend and show the point of connection to water supply, sprinkler head, pipe locations and sizes, valve location and sizes, note gallons per minute, back-flow prevention unit type and location, pressure vacuum regulator type and location, clock location and pressure regulator (where appropriate).
 - f. Additional information as determined by the Planning Department to demonstrate compliance with the requirements of this section.
2. **Minimum Landscape Areas.**

- a. **Residential Zoning Districts.** The following areas, excluding areas required for access to the property, must be landscaped and permanently maintained:
 - (1) All required setbacks adjoining a street.
 - (2) All areas between a building and a front and street side property line.
 - b. **Commercial Zoning Districts.**
 - (1) A minimum of ten percent of the total site area and at least 10 feet of a required setback adjoining a street shall be landscaped and permanently maintained.
 - (2) Trees shall be planted in the setback adjoining the street with a maximum spacing between trees as required by Table 3.
3. **General Landscape Requirements.**
- a. **Water Conservation.**
 - (1) A minimum of 50 percent of tree specimens shall be from species classified as Very Low on the California State Water Use Classification of Landscape Species IV (WUCOLS IV) Zone 1 plant list.
 - (2) A minimum of 75 percent of shrub and ground cover specimens by quantity shall be from species classified as Low or Very Low on the WUCOLS IV Zone 1 plant list.
 - b. **Invasive Species Prohibited.** Planting species with a “High” rating in the California Invasive Plan Council’s Cal-IPC inventory of invasive plants is prohibited.
 - c. **Turf and Synthetic Turf.** Turf areas shall be limited to activity or recreation areas. Synthetic turf may be used as a substitute for natural turf for the purposes of water conservation, or in in high activity or foot-traffic areas such as sports fields.
 - d. **Groundcover and Shrubs.**
 - (1) A minimum of 50 percent of required landscape area must be covered with groundcover, shrubs, turf, or other types of plants at maturity.
 - (2) Groundcover must be provided throughout the landscaped area and must be spaced to achieve full coverage of the groundcover area within one year.
 - (3) A maximum of 50 percent of the required landscape area may consist of mulch, bark chip, crushed rock, pebbles, stone, or similar non-plant materials.
 - (4) Landscaped areas must be top dressed with bark, chip, mulch, or other similar material to cover exposed bare soil.

- e. **Soil Depth.** Planting in above grade courtyards shall have a minimum soil depth of 12 inches for ground cover, 20 inches for shrubs, and 36 inches for trees.

4. Trees.

- a. Tree species shall be selected from the City list of tree species that perform well in the Scotts Valley area.
- b. Trees must be a minimum 15-gallon size.
- c. Trees in landscape planters less than 10 feet in width or located closer than 5 feet from a public sidewalk, street, or permanent structure on an adjacent property must be planted with root barriers or root barrier panels to prevent damage to adjacent structures or pavement.
- d. Tree wells, where used, must be at least 4 feet larger than the tree trunk diameter at maturity.
- e. Table 3 shows non-compacted soil and separation standards for small, medium and large tree sizes.

Table 3: Non-Compacted Soil and Tree Separation Standards

	Max. Tree Height or Canopy Spread at Maturity		
	25 ft. or less	26 ft. to 50 ft.	51 ft. or more
Min. non-compacted soil	700 cubic ft.	1,400 cubic ft.	2,100 cubic ft.
Min. distance from center of trees to edge of building	5 ft.	12 ft.	20 ft.
Max. distance between trees on center within street-adjacent setback	20 ft.	25 ft.	35 ft.

- f. Minimum vertical clearance for tree canopies at maturity shall be provided as follows:
 - (1) 14 feet in and around service and loading areas and driveways.
 - (2) 12 feet for parking lots.
 - (3) 8 feet for tree canopies immediately adjacent to sidewalks and patios.

5. Timing of Installation.

- a. Landscaping must be installed prior to receiving a temporary or final certificate of occupancy.
- b. The Community Development Director may defer the installation of landscaping for a maximum of 180 days after project occupancy/completion in cases of delays caused by inclement weather, unavailability of plant materials, construction

scheduling, or other similar issues. The Director may require the applicant to provide adequate security bond to guarantee the landscaping installation.

6. Water Efficiency in Landscaping Ordinance (WELO).

- a. All applicable development shall comply with the California Model Water Efficient Landscape Ordinance (WELO) as required by California Water Conservation in Landscaping Act (Government Code Section 65591 et seq.).
- b. The following landscape projects must comply with the WELO requirements:
 - (1) Total combined landscaped area of 2,500 square feet or more installed by a public agency or commercial developer.
 - (2) Total combined landscaped area of 5,000 square feet or more in a single-family or multifamily residential project installed under the direction of the homeowner(s).
- c. If conflicts occur between the Government Code or WELO and this document, the more restrictive will control.

7. Maintenance. The following maintenance requirements apply to landscaping required by this section or installed as part of a City-approved landscaping plan:

- a. All landscaping must be maintained free of physical damage or injury from lack of water, excess chemical fertilizer or other toxic chemical, blight, or disease. Dead or dying plants must be removed and replaced with landscaping of similar size and maturity.
- b. Landscaping must be kept free from weeds.
- c. Landscaping shall be permanently irrigated with an automatic system, or planted with a plant palette that requires no permanent irrigation after plants are established.

IX. Other Site Features

A. Intent. The intent of the other site features standards is to:

- 1. Minimize visual clutter on a development site.
- 2. Enhance the design character of the public realm.
- 3. Support an active and welcoming pedestrian environment.
- 4. Minimize noise, odor, and visual impacts on neighboring properties.

B. Standards.

- 1. **Waste Collection Facilities.**

a. **Applicability.**

- (1) These standards apply to trash, recycling, and organic waste bins and dumpsters (“waste collection facilities”) used exclusively by the residents/tenants of the development site. These standards apply only to multifamily and non-residential development with communal or shared waste collection facilities.
- (2) For development without communal or shared waste collection facilities, individual trash and recycling bins shall be stored in such a manner that containers are either not visible or screened from public view from the front of the property. Bins may be placed in public view for purposes of collection.

b. **Location.**

- (1) Waste collection facilities shall be located inside of a building or enclosure.
- (2) Waste collection facilities are prohibited:
 - (a) In a required front or street side setback;
 - (b) Between a building and a front or street side property line;
 - (c) Within 15 feet of a property line abutting a residential use;
 - (d) Within a required landscape area; or
 - (e) Within a required parking space.
- (3) For multi-building developments, waste collection facilities that serve only one building shall be located within that building, so that residents do not need to travel to another building to dispose of waste.
- (4) The location of enclosures outside of a building shall not conflict with circulation or parking conditions on site. A clear pathway with a minimum width of 3 feet shall be provided for tenant access to enclosure.

c. **Exterior Enclosures.**

- (1) Waste removal facilities located outside of a building must be housed in a covered enclosure with a metal gate that fully screens the waste receptacles.
- (2) The size of the enclosure shall conform to the requirements of the trash and recycling collection service provider.
- (3) Enclosures shall be constructed of the same primary wall material and color as the most adjacent building in the development.

- (4) Enclosures shall have both a vehicular access gate with a concrete apron and a pedestrian entrance. Access shall conform to the collection service provider.
- (5) Enclosures shall comply with all applicable Public Works Department requirements.

2. **Mechanical Equipment Screening.**

a. **Rooftop Equipment.**

- (1) Rooftop equipment shall be screened using one of the following options:
 - (a) **Option 1:** New buildings shall be designed to provide a parapet or other architectural element that is as tall or taller than the highest point on any new roof-mounted equipment to be located on the roof of the building.
 - (b) **Option 2:** Roof-mounted equipment and screening of roof-mounted equipment shall be stepped back from top of parapet a minimum of 10 feet from the parapet or roof edge. Roof-mounted equipment greater in height than the parapet wall shall be screened to a height equal to the height of the equipment. The screening shall be architecturally consistent with the building and match the existing building with paint, finish, and trim cap detail.
- (2) Rooftop solar and wind energy systems are exempt from this screening requirement.

b. **Ground- and Wall-Mounted Equipment.** The following standards apply to all ground- and wall-mounted utilities and equipment, including electrical and gas meters, fire sprinkler valves, and irrigation backflow prevention devices. The City may allow exceptions to these standards when required by the utility service provider. EV charging equipment is exempt from these screening requirements.

- (1) Utilities and equipment shall not be located on a building wall that faces a public street, in a front or street side setback, within 25 feet of a usable open space areas, or within 25 feet of a street corner.
- (2) Backflow preventors shall be located within landscaped setback areas and painted black or dark green to minimize visual impact. Where no landscaped setback areas exist the backflow preventors shall be incorporated into the front of the building to minimize visual obtrusiveness.
- (3) Equipment shall be screened or painted with a black, bronze, or Malaga green (i.e., RAL 6012, also known as black green) color.

- (4) Screening shall be as high as the highest point of the equipment being screened.
- (5) Screening shall be made of a primary exterior finish material used on other portions of the building, architectural grade wood or masonry, metal, or landscape screening that forms an opaque barrier when planted.

3. **Fences and Walls.**

- a. **Prohibited Types.** Chain-link and vinyl fencing, barbed wire and razor wire, electric fences, as well as unfinished concrete block walls, hollow tubular steel, metal, plastic, railroad ties, and faux materials such as manufactured stone are prohibited.

4. **Accessory Structures.** For all accessory structures fully enclosed on three sides or more (e.g., detached garages), the quality of exterior materials and degree of detailing shall be equivalent to the primary buildings on the site.

5. **Exterior Lighting.**

a. **Fixture Types.**

- (1) All lighting fixtures must be shielded or recessed so the lighting source is not directly visible from the public right-of-way or adjoining properties.
- (2) All fixtures must comply with the California Green Building Standards Code and one or more of the following:
 - (a) The fixtures meet the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light ("dark sky compliant").
 - (b) The fixtures meet criteria of the Illuminating Engineering Society of North America (IESNA) for "Cut Off" or "Full Cut Off" luminaries.
 - (c) The fixtures have a maximum Backlight Uplight Glare (BUG) rating of B3 UO G1.

b. **Light Trespass.**

- (1) Lights must be directed downward or towards structures and away from adjacent lots to minimize illumination of adjacent properties and the public right-of-way.
- (2) No lighting may produce an illumination level greater than 0.5 foot-candles on any adjacent residential property.

c. **Maximum Height.** Freestanding outdoor light fixtures shall not exceed 16 feet in height.

d. **Prohibited Lighting.** The following types of exterior lighting are prohibited:

- (1) Bulbs without fixtures or hoods.
 - (2) Mercury vapor lights.
 - (3) Low pressure sodium lighting.
 - (4) Searchlights, laser lights, or any other lighting that flashes, blinks, alternates, or moves.
6. **Light Quality.** Light fixtures shall be 4,000 kelvin or less.
- a. **Pedestrian Access Lighting.** Outdoor aisles, passageways, walkways, and entry areas shall be illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness.
 - b. **Non-Residential Uses in Commercial Zoning Districts.** All exterior doors, during the hours of darkness, shall be illuminated with a minimum of 0.25 foot-candles of light.
 - c. **Parking Lighting.**
 - (1) Residential parking area illumination levels shall achieve a uniformity ratio of 4:1 with a maintained average of 0.7 footcandles and a minimum of 0. 2 footcandles.
 - (2) All lighting shall be on a timeclock or photo-sensor system.
 - (3) Outdoor lighting as required above must be provided during nighttime business hours.

PART 3: GLOSSARY

Specialized terms used in this document are defined as follows:

1. **Commercial Zoning District.** A zoning district listed in Zoning Code Section 17.06.010 with a “C” preceding its symbol.
2. **Common Open Space.** Courtyards, sport courts, play areas, and gardens for communal use by residents within a development.
3. **Design Guidelines.** Any design guidelines or design handbook adopted by the City Council, including but not limited to the Commercial and Industrial Design Review Guidelines, the Mount Hermon Road Downtown Design Guidelines, and the Residential Design Handbook.
4. **End Unit.** A townhome dwelling unit that shares a wall with another unit on only one side.
5. **Lot, Through.** A lot which has two or more front lot lines which do not intersect.
6. **Multi-Unit Residential Development.** A development project that creates two or more dwelling units, including detached single-family dwellings, townhomes, multifamily dwellings, and mixed-use residential projects.
7. **Objective Standard.** A development standard that involves no personal or subjective judgment by a City official and that is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application.
8. **Pedestrian Walkway.** A pathway or sidewalk that connects into or through a development.
9. **Primary Building Entry.** The exterior entrance to a building which functions as the primary means by which residents, employees, customers, and visitors access the interior of the building.
10. **Private Open Space.** A yard, patio, porch, balcony, or other similar space directly accessible from a dwelling unit for which the open space provides an opportunity for private outdoor recreation and relaxation.
11. **Property Frontage.** The linear dimension of a parcel of property abutting a public street.
12. **Publicly Accessible Open Space.** Outdoor areas and/or recreational spaces that are free, open, and accessible to the entire public during set hours each day. Examples include courtyards, plazas, parklets, outdoor seating areas, children's playgrounds, and other similar spaces.
13. **Residential Zoning District.** A zoning district listed in Section 17.06.010 with an “R” preceding its symbol.
14. **Tuck Under Parking.** A surface parking space that is covered by the upper floor of a building but is otherwise open.

15. **Window Box.** A flower container for live flowers or plants in the form of a box attached on or just below the sill of a window.

**City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT**

Date: October 12, 2023

Location: City-wide

Environmental Status: Exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Sections 15060(c)(2), (no foreseeable change in the physical environment), 15061(b)(3) (commonsense exemption)

Request: Consideration of an amendment to Scotts Valley Municipal Code Title 17 (Zoning) to establish objective standards for multi-unit residential development in residential and commercial zoning districts (AZO23-001)

From: Ben Noble, Consultant

Approved: Taylor Bateman, Community Development Director, (831) 440-5630, tbateman@scottsvalley.org

STAFF RECOMMENDATION

It is recommended the Planning Commission conduct a public hearing, hear public testimony, and adopt the resolution recommending the City Council adopt amendments to Scotts Valley Municipal Code Title 17 (Zoning) to establish objective standards for multi-unit residential development in residential and commercial zoning districts.

SUMMARY

To address new state law, City staff and consultants have prepared design standards for multi-unit residential development. These standards apply to all new development projects that create two or more dwelling units, including detached single-family dwellings, townhomes, multifamily dwellings, and mixed-use residential projects. The standards address topics typically considered during the City's design review process, including site access and circulation, building placement, building massing, landscaping, building façades, and roof design. The standards translate existing subjective requirements into objective standards to ensure quality development, clarify City expectations, and protect the City given new state laws.

BACKGROUND

In recent years the State Legislature has adopted new housing laws that have changed the way local jurisdictions in California review and approve residential projects. In general, these new laws aim to facilitate housing production by streamlining the approval of housing projects that comply with local objective standards. Under state law, local jurisdictions must approve by right without a discretionary process certain types of multifamily and mixed-use residential projects. State law also limits the ability of jurisdictions to deny or reduce the density of housing development projects that are consistent with local standards.

Cities and counties in California have adjusted their residential development regulations to address these new state housing laws. Many local jurisdictions have adopted new objective standards for multifamily and multi-unit residential development. State law defines objective standards as “standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.”

Objective standards contrast with “subjective requirements,” which rely on personal judgement to determine project compliance. Below is an example of a subjective requirement and objective standard that aim to achieve the same objective:

Subjective Requirement	Objective Standard
The massing of large buildings shall be broken into smaller volumes to support a human-scale and pedestrian-friendly environment.	A street-facing building 150 feet or more in length shall provide a major recess, at least 20 feet wide by 10 feet deep, that extends from the finished ground floor through the full height of the building.

Residential objective standards provide a number of benefits. First, they protect cities should an applicant request ministerial approval under state law. Under these laws jurisdictions must approve a qualifying project if it complies with applicable objective standards. Second, they help ensure quality design consistent with local preferences as state law limits a jurisdiction’s ability to require modifications to project design based on subjective requirements alone. Third, objective standards reduce project review costs and time by clearly communicating upfront City design expectations for a proposed project.

PROPOSED OBJECTIVE STANDARDS

In August 2023 the City began the process to prepare new objective standards for multi-unit residential development. The proposed objective standards are provided in Exhibit 2 of Attachment 1. In addition to the standards, limited Municipal Code amendments are

also proposed (Exhibit 1 of Attachment 1) to add new references in the Zoning Code to the adopted objective standards.

The standards address design issues that are currently considered through the City's design review process. In many ways the City's design requirements will not change with the new standards; rather, existing subjective requirements are translated into new objective standards. With the existing design review process, decision-makers decide how to apply subjective policies and guidelines to a proposed project. With the new standards, these same required outcomes are specified up-front in a manner that will benefit applicants, City staff, and City decision-makers.

Applicability

The proposed multi-unit residential design standards would apply to all new development projects that create two or more dwelling units, including detached single-family dwellings, townhomes, multifamily dwellings, and mixed-use residential projects. In the R-1, R-R, and R-MT zones, the standards would apply to projects creating two or more single-family homes (multifamily dwellings are not permitted in these zones). In the R-VH, R-H, and R-M zones, the standards would apply to multifamily dwellings, townhomes, and projects with two or more single-family family homes. In the C-S and C-SC zones, the standards would apply to mixed-use projects. The standards would not apply to a project that creates one single-family home.

Process to Prepare Standards

The process to prepare the objective standards began with a review of existing subjective requirements in the General Plan, Town Center Specific Plan, Active Transportation Plan, Design Guidelines, and design review criteria in the Zoning Code. Existing objective standards in the Zoning Code for multi-unit residential development were also identified.

City staff also reviewed recently proposed, approved, and constructed multi-unit residential projects in Scotts Valley. These projects include Oak Creek Park, The Terrace, and Pinnacle View among others. This review highlighted successful design strategies as well as opportunities for improvement that could be addressed in the objective standards.

Contents

The objective standards are divided into three parts: Introduction, Standards, and Glossary. As stated in the Introduction, the purpose of the objective standards is to:

1. Guide multi-unit housing production in Scotts Valley;
2. Increase certainty and predictability in the project approval process;
3. Ensure quality design consistent with Scotts Valley's unique sense of place; and

4. Protect the public health, safety and welfare in light of State laws requiring streamlined ministerial approval of qualifying multi-unit residential projects.

The Introduction explains the relationship between the objective standards and other City requirements, including requirements found in the General Plan, Specific Plans, Design Guidelines, and Municipal Code. The Introduction also establishes a process for minor exceptions to the objective standards that could be approved by the Community Development Director and other deviations from the standards that must be approved by the Planning Commission.

Part 2 contains the standards organized into nine design topics. Preceding the standards for each topic is an intent statement. To allow an exception from a standard, the review authority must find that the project would continue to meet the intent of the standard.

The table below, left column, identifies the nine topics addressed in the objective standards. The right column identifies the specific standard included for each topic.

Topic	Standards
1.New Streets and Block Pattern	Street dimensions, street network
2.Pedestrian, Bicycle, Transit Improvements	Public sidewalks, street trees, internal pedestrian circulation, bicycle infrastructure improvements and bicycle parking
3.Parking and Vehicle Circulation	Parking placement on site, maximum width, structured parking, vehicle site access, interior parking lot landscaping, perimeter parking lot landscaping, pedestrian circulation, loading
4.Building Placement, Orientation, and Entries	Maximum setback, building entrance orientation, entry design
5.Building Massing	Major massing breaks, upper-story stepbacks
6.Open Space	Private open space, common open space, publicly accessible open space
7.Façade and Roof Design	Modulation, facade articulation, roof design for large buildings, non-residential transparency, windows, materials and color
8.Landscaping	Landscape and irrigation plans required, minimum landscape areas, general landscape requirements, trees, timing of installation, Water Efficiency in Landscaping Ordinance (WELo), maintenance

Topic	Standards
9.Other Site Features	Waste collection facilities, mechanical equipment, screening, fences and walls, accessory structures, exterior lighting

Some notable standards include the following:

- **Parking Location in Commercial Zoning Districts:** Maximum dimension standards and screening requirements for parking lots between a building and the street.
- **Parking Lot Landscaping:** Required parking lot landscaping area and minimum planting standards.
- **Building Entrance Orientation:** The primary entry of a building within 30 feet of a street must face the street (applies only to local streets in residential districts).
- **Massing Breaks:** Buildings 150 feet or more in length must select a strategy from list of options to divide building into smaller volumes.
- **Open Space:** Minimum required private, common, and publicly accessible open space with design standards.
- **Façade Articulation:** Projects must select strategies from list of options to provide building façade modulation and articulation.
- **Materials and Colors:** Prohibited exterior building materials, minimum number of contrasting colors and/or materials
- **Landscaping:** Required drought-tolerant species, minimum groundcover standards, minimum tree size and planting standards.

Testing of Standards

As mentioned above, the process to prepare the standards included a review of recent multi-unit residential projects in Scotts Valley. This review included an evaluation of project compliance with the proposed standards. Staff and consultants also considered residential building typologies that can be expected in Scotts Valley given economic conditions and existing zoning standards. These typologies include small-lot single family homes, townhomes, small apartment buildings, horizontal mixed use, and vertical mixed-use projects. Market demand for townhomes is expected to remain high in residential zoning districts. In commercial zoning districts, horizontal mixed-use may be more attractive to developers than vertical mixed-use product types.

PROPOSED ZONING CODE AMENDMENTS

The following Zoning Code amendments are proposed to accompany the standards:

- **Chapter 17.04 (Definitions):** New definition of multi-unit residential development.
- **Chapters 17.09 (R-VH District), 17.10 (R-H District), 17.12 (R-M District), 17.14 (R-1 District), 17.16 (R-R District), 17.18 (R-MT District), 17.20 (C-S District), 17.22 (C-SC District):** Adds statement that multi-unit residential development must comply with the Multi-Unit Residential Design Standards.
- **New Section 17.44.180 (Multi-unit Residential Design Standards):** Adds statement that all new multi-unit residential development must comply with the Multi-Unit Residential Design Standards. States that if there is a conflict between the Zoning Code and the Multi-Unit Residential Design Standards, the Multi-Unit Residential Design Standards govern.

The City Council will adopt these Zoning Code amendments by ordinance. The design standards themselves will be adopted by City Council resolution.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The proposed standards are exempt from CEQA, pursuant to CEQA Guidelines Sections: 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment). The multi-unit residential standards impose the same requirements as the existing design review process using an alternative method (objective standards). Alternatively, State CEQA Guidelines Section 15061(b)(3) provides that a project is exempt from CEQA if the activity is covered by the commonsense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

PUBLIC NOTICE

On September 29, 2023, public hearing notices were posted at City Hall, the Scotts Valley Branch Library, and the Scotts Valley Senior Center, consistent with State law.

ATTACHMENTS

1. Resolution No. 1787 recommending the City Council adopt amendment to Scotts Valley Municipal Code Title 17 (Zoning) to establish objective standards for multi-unit residential development in residential and commercial zoning districts

Exhibit 1: Zoning Code Amendments

Exhibit 2: Multi-unit Residential Design Standards

RESOLUTION NO. 1787

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING THE CITY COUNCIL ADOPT AN AMENDMENT TO SCOTTS VALLEY MUNICIPAL CODE TITLE 17 (ZONING) TO ESTABLISH OBJECTIVE STANDARDS FOR MULTI-UNIT RESIDENTIAL DEVELOPMENT IN RESIDENTIAL AND COMMERCIAL ZONING DISTRICTS (AZO23-001)

WHEREAS, SB-35 (Chapter 366, Statutes of 2017) enacted section 65913.4 to the Government Code, effective January 1, 2018; and

WHEREAS, Government Code section 65913.4 requires cities and counties to approve qualifying multifamily projects through a streamlined ministerial process if a project conforms to applicable objective standards and meets other requirements;

WHEREAS, The Housing Accountability Act (HAA), Government Code section 65589.5, limits the ability of cities and counties to deny or reduce the density of housing development projects that are consistent with objective standards;

WHEREAS, SB-330 (Chapter 654, Statutes of 2019) enacted Government Code section 66300 which prohibits cities and counties from establishing design standards that are not objective;

WHEREAS, Scotts Valley's Zoning Code currently contains limited objective design standards for multi-unit residential development;

WHEREAS, Scotts Valley currently relies on subjective design review criteria in Zoning Code Section 17.07.100 to ensure that multi-unit residential development conforms with the General Plan and the City's design guidelines;

WHEREAS, for a project requesting streamlined review under SB-35, the City cannot enforce subjective design review criteria;

WHEREAS, under the Housing Accountability Act and SB-330, the City cannot deny or reduce the density of a multi-unit residential project on the basis of non-conformance with a subjective design requirement;

WHEREAS, the City prepared draft Multi-Unit Residential Design Standards that translate subjective policies and guidelines into new objective standards;

WHEREAS, the Multi-Unit Residential Design Standards contains objective standards that would apply to SB-35 projects, AB 2011 projects, and conforms to the requirements of the Housing Accountability Act and SB-330;'

WHEREAS, adopting the Multi-Unit Residential Design Standards and associated Zoning Code Amendments is Categorically Exempt from the California Environmental Quality Act, under Section 15301(b)(3); and

WHEREAS, the Multi-Unit Residential Design Standards and associated Zoning Code Amendments were reviewed by the Planning Commission at regularly scheduled and noticed meeting on Thursday, October 12, 2023.

NOW, THEREFORE, BE IT RESOLVED by Planning Commission as follows:

1. It is hereby recommended that the City Council adopt, by ordinance, amendments to the Scotts Valley Municipal Code for the Multi-Unit Residential Design Standards set forth in Exhibit “1” attached hereto and incorporated herein.
2. It is further recommended that the City Council adopt, by resolution, the Multi-Unit Residential Design Standards set forth in Exhibit 2” attached hereto and incorporated herein; and

The above and foregoing resolution was duly and regularly adopted and passed by the Planning Commission of the City of Scotts Valley at a regular meeting held on the 12th day of October, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lori Gentile, Chair

Taylor Bateman, Community Development Director

Chapter 17.04 Definitions

17.04.160 - Definition of "M" terms.

[“Multi-unit residential development” means a development project that creates two or more dwelling units, including detached single-family dwellings, townhomes, multifamily dwellings, and mixed-use residential projects.](#)

Chapter 17.09 R-VH VERY HIGH-DENSITY RESIDENTIAL ZONING DISTRICT REGULATIONS

17.09.010 Description and purpose.

The R-VH zoning classification is designed to provide areas for apartments, townhouses, condominiums and similar developments with open space and other amenities which will enhance the living qualities of the development and promote the housing goals of the general plan. In addition, the very high-density residential district is intended to achieve the following purposes:

- A. To reserve appropriately located areas for family living in a variety of types of dwellings, at a reasonable range of population densities consistent with sound standards of public health and safety;
- B. To provide a more urban type living environment.
- C. To ensure adequate light, air, privacy and open space for each dwelling unit;
- D. To provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment;
- E. To minimize traffic congestion by providing housing on the city's transportation corridors;
- F. To protect residential properties from the hazards, noise and congestion created by commercial and industrial traffic;
- G. To provide necessary space for off-street parking of automobiles and, where appropriate, for off-street loading of trucks;
- H. To protect residential properties from noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare and other objectionable influences;
- I. To protect residential properties from fire, explosion, noxious fumes and other hazards.

(Ord. 16.123, § 14, 9-5-2007)

17.09.020 Permitted uses.

- A. Small family child care homes;
- B. Small community care residential facilities;
- C. Multifamily dwellings conforming to the density requirements of this chapter;
- D. Accessory structures and uses located on the same site with a permitted use which are incidental to the permitted use, including but not limited to home occupations (subject to the provisions of Section 17.50.040 of this title), the keeping of four cats, four dogs or a combination thereof not to exceed a total of four private garages and parking areas.

E. Transitional housing and supportive housing.

(Ord. 16.123, § 14, 9-5-2007; Ord. No. 16.132, § 1, 5-1-2013; Ord. No. 16-138, § 14, 7-15-2015)

17.09.030 Conditional uses.

The following conditional uses shall be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

- A. Community facilities and institutions;
- B. Day-care centers;
- C. Public utility and public service facilities;
- D. Large family child care home: No person shall operate a large family child care home without obtaining a large family child care home permit in compliance with the standards set forth within Section 17.50.015.

(Ord. 16.123, § 14, 9-5-2007)

17.09.040 Development standards.

The following development standards shall apply to all land and buildings in the R-VH zoning district:

- A. Lot area and density requirements. All lots hereafter created shall comply with the following minimum standards:

Zone	Minimum Overall Lot Area	Maximum Lot Density	Minimum Lot Width	Minimum Lot Depth
R-VHD	6,000 sq. ft.	2,100 sq. ft./dwelling unit	60 feet	60 feet

- B. Minimum lot frontage. The minimum lot frontage shall be sixty feet.
- C. Yards.
 - 1. Front yard. The minimum front yard shall be ten feet for residential buildings and twenty feet for garages.
 - 2. Side yard setback for existing parcel. The minimum side yard shall be ten feet or ten percent of the lot width which ever is greater for the existing parcel perimeter. Side yard setback for internally created new parcels shall be determined by the planning commission. However, if a garage entrance is located off a side yard the setback shall be twenty feet at the garage entrance to allow for space for a vehicle to park in front of the garage.
 - 3. Rear yard. The rear yard shall be twenty percent of the depth of the lot, provided that a rear yard of more than twenty-five feet shall not be required and a rear yard of less than fifteen feet shall not be permitted, subject to the following exceptions:
 - a. The rear yard may be reduced to not less than fifteen feet, provided, that one side yard is not less than twenty-five feet.

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- b. One foot shall be added to the rear yard for each two feet in height above which the top plate line exceeds twenty feet in height.
 - D. Maximum site coverage. The maximum site coverage in the R-VH zoning district shall be fifty-five percent.
 - E. Building height. No structure in the R-VH zoning district shall exceed thirty-five feet in height unless otherwise provided in Section 17.46.050 of this title.
 - F. Each dwelling shall have private, useable outdoor space, i.e. decks, balconies, yards or patios of one hundred square feet per residential unit. If the design is not suitable for private open space, useable common open space may be provided at two hundred square feet per residential unit if approved by the planning commission.

G. [Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.](#)

(Ord. 16.123, § 14, 9-5-2007)

17.09.050 Other required conditions.

- A. Design review shall be required for all new structures or alterations to existing structures in the R-VH Zoning District. The design review shall be conducted by the planning commission at a noticed public hearing.
- B. Standards and guidelines contained in Section 17.50.030 shall be used to review the project design. The project design may be approved as submitted, approved with added conditions or denied based on conformance with design standards.
- C. No building shall be located closer than twenty-five feet from the top of the bank of a perennial or intermittent stream. All proposed structures shall be constructed above the one-hundred-year floodplain.

(Ord. 16.123, § 14, 9-5-2007)

Chapter 17.10 R-H HIGH-DENSITY RESIDENTIAL ZONING DISTRICT REGULATIONS

17.10.010 Description and purpose.

The R-H zoning classification is designed to provide areas for apartments, townhouses, condominiums and similar developments with a maximum of open space and other amenities which will enhance the living qualities of the development and promote the housing goals of the general plan. In addition, the high-density residential district is intended to achieve the following purposes:

- A. To reserve appropriately located areas for family living in a variety of types of dwellings, at a reasonable range of population densities consistent with sound standards of public health and safety;
- B. To preserve as many of the desirable characteristics of one-family residential districts as possible while permitting higher densities;
- C. To ensure adequate light, air, privacy and open space for each dwelling unit;
- D. To provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment;
- E. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them;
- F. To protect residential properties from the hazards, noise and congestion created by commercial and industrial traffic;
- G. To provide necessary space for off-street parking of automobiles and, where appropriate, for off-street loading of trucks;
- H. To protect residential properties from noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare and other objectionable influences;
- I. To protect residential properties from fire, explosion, noxious fumes and other hazards.

(Ord. 16.76 § 1 (part), 1989)

17.10.020 Permitted uses.

- A. Small family child care homes;
- B. Mobile homes and manufactured housing;
- C. Multifamily dwellings conforming to the density requirements of this chapter;
- D. Single-family dwellings;
- E. Accessory structures and uses located on the same site with a permitted use which are incidental to the permitted use, including but not limited to home occupations (subject to the provisions of Section 17.50.040 of this title), the keeping of four cats, four dogs or a combination thereof not to exceed a total of four and private garages and parking areas;
- F. Small community care facilities.
- G. Transitional housing and supportive housing.

(Ord. 16.76 § 1 (part), 1989; Ord. 16.123, §§ 15—17, 9-5-2007; Ord. No. 16.132, § 2, 5-1-2013; Ord. No. 16-138, § 15, 7-15-2015)

17.10.030 Conditional uses.

The following conditional uses shall be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

- A. Bed and breakfast establishments;
- B. Community facilities and institutions;
- C. Day-care centers;
- D. Occupancy of existing dwelling while constructing a replacement dwelling on the same lot;
- E. Public utility and public service facilities;
- F. Large family child care homes: No person shall operate a large family child care home without obtaining a large family child care home permit in compliance with the standards set forth within Section 17.50.015;
- G. Tract offices.

(Ord. 16.76 § 1 (part), 1989; Ord. 16.123, §§ 18, 19, 9-5-2007)

17.10.035 Large community care facilities.

No person shall operate a large community care home without obtaining a conditional use permit in accordance with Section 17.50.020. In addition the applicant shall submit the following:

- a. A letter or certification of final approval from the state or county licensing authority,
- b. A site plan of the property showing parking, outdoor exercise area, and fencing.
- c. A letter from the fire department approving the safety of the structure for the use,
- d. A letter of application describing the type of use, number of residents, age of residents, any special resident care that is provided, and a daily work schedule showing the number of employees at the facility, and
- e. Landscaping and other information as required by the community development director.

(Ord. 16.123, § 20, 9-5-2007)

17.10.040 Development standards.

The following development standards shall apply to all land and buildings in the R-H zoning district:

- A. Lot area and density requirements. All lots hereafter created shall comply with the following minimum standards:

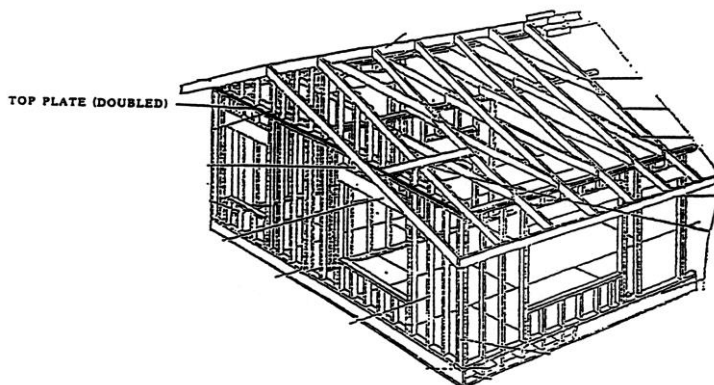
Zone	Minimum Lot Area	Maximum Lot Density*	Minimum Lot Width	Minimum Lot Depth
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R-H	6,000 sq. ft.	3,000 sq. ft./dwelling unit	60 feet	60 feet
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*If, after dividing the area of the lot by the area required per dwelling unit or structure containing a dwelling unit, a remainder of more than ninety percent of the area required for an additional unit is obtained, one additional dwelling unit may be located on the site.

- B. Minimum Lot Frontage. The minimum lot frontage shall be sixty feet.
- C. Yards.
 - 1. Front Yard. The minimum front yard shall be twenty feet.
 - 2. Side Yard.
 - a. Permitted Uses. The minimum side yard for a permitted use shall be ten percent of the width of the site; provided, that a side yard of more than ten feet shall not be required and a side yard of less than five feet shall not be permitted, subject to the following exceptions:
 - i. On the street side of a corner lot, the side yard shall be twenty percent of the width of the site; provided, that a side yard of more than twenty feet shall not be required and a side yard of less than eight feet shall not be permitted.
 - ii. One foot shall be added to each side yard for each two feet of height above which the top plate line exceeds twenty feet in height (see Figure 17.10.040).

Figure 17.10.040 Top Plate Line



- iii. One foot shall be added to the interior side yard for each five feet by which a wall of a structure within twenty-five feet of the side property line exceeds forty feet in length parallel or approximately parallel to the side property line.
- iv. A side yard providing access to more than one dwelling shall be not less than twelve feet.

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- b. Conditional Uses. The side yard for a conditional use and its accessory structures shall be ten percent of the average width of the site, with a minimum of ten feet and a maximum of twenty feet required, subject to the following exceptions:
 - i. On the street side of a corner lot, the side yard shall be not less than twenty percent of the width of the site, with a minimum of fifteen feet and a maximum of forty feet required.
 - ii. One foot shall be added to each side yard for each two feet of height above which the top plate line exceeds twenty feet of height (see Figure 17.10.040).
 - iii. One foot shall be added to the interior side yard for each five feet by which a wall of a structure within twenty-five feet of the side property line exceeds thirty feet in length parallel or approximately parallel to the side property line.
 - 3. Rear Yard. The rear yard shall be twenty percent of the depth of the lot, provided that a rear yard of more than twenty-five feet shall not be required and a rear yard of less than fifteen feet shall not be permitted, subject to the following exceptions:
 - a. The rear yard may be reduced to not less than fifteen feet, provided, that one side yard is not less than twenty-five feet.
 - b. One foot shall be added to the rear yard for each two feet in height above which the top plate line exceeds twenty feet in height.
 - D. Maximum Site Coverage. The maximum site coverage in the R-H zoning district shall be fifty-five percent.
 - E. Building Height. No structure in the R-H zoning district shall exceed thirty-five feet in height unless otherwise provided in Section 17.46.050 of this title.
 - F. [Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.](#)

(Ord. 16.76 (part), 1989; Ord. 16.76 § 1 (part), 1989)

17.10.050 Other required conditions.

- A. Architectural and site plan review by the design review board shall be required for all structures, alterations to structures and signage in the R-H zoning district.
- B. Special conditions of review apply to any application and proposal for any apartment project proposed on a parcel in excess of twenty thousand square feet in the R-H zone. The proposed design review application shall be reviewed by the planning commission in a noticed public hearing and shall, following the hearing, determine the final architectural and site design of the proposal and shall also find that the project is compatible with the surrounding neighborhood. The planning commission in its discretion, may approve, modify or deny the project.
- C. No building shall be located closer than twenty-five feet from the top of the bank of a perennial or intermittent stream, as shown in Section 17.04.230 of this title. All proposed structures shall be constructed above the one-hundred-year floodplain.

(Ord. 16.76 § 1 (part), 1989; Ord. 16.102 § 1, 1996)

Chapter 17.12 R-M-6 AND R-M-8 MULTIPLE RESIDENTIAL ZONING DISTRICT REGULATIONS

17.12.010 Description and purpose.

The R-M-6 and R-M-8 zoning classifications are designed to provide areas for single-family subdivisions and townhouse and condominium development at lower density ranges than the R-H district. The R-M-6 and R-M-8 districts multiple-residential districts are intended to achieve the following purposes:

- A. To reserve appropriately located areas for family living in a variety of types of dwellings at a reasonable range of population densities consistent with sound standards of public health and safety;
- B. To preserve as many of the desirable characteristics of one-family residential districts as possible while permitting higher densities;
- C. To ensure adequate light, air, privacy and open space for each dwelling unit;
- D. To provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment;
- E. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them;
- F. To protect residential properties from the hazards, noise and congestion created by commercial and industrial traffic;
- G. To provide necessary space for off-street parking of automobiles and, where appropriate, for off-street loading of trucks;
- H. To protect residential properties from noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare and other objectionable influences;
- I. To protect residential properties from fire, explosion, noxious fumes and other hazards.

(Ord. 16.76 § 1 (part), 1989)

17.12.020 Permitted uses.

Permitted uses are as follows:

- A. Small family child care homes;
- B. Mobile homes and manufactured housing;
- C. Multifamily dwellings conforming to the density requirements of this chapter .
- D. Single-family dwellings ;
- E. Accessory structures and uses located on the same site with a permitted use which are incidental to the permitted use, including but not limited to home occupations (subject to the provisions of Section 17.50.040 of this title), private garages and parking areas and the keeping of not to exceed four cats and four dogs or a combination thereof not to exceed a total of four;
- F. Small community care facilities.

G. Transitional housing and supportive housing.

(Ord. 16.76 § 1 (part), 1989; Ord. 16.123, §§ 21—23, 9-5-2007; Ord. No. 16.132, § 3, 5-1-2013; Ord. No. 16-138, § 16, 7-15-2015)

17.12.030 Conditional uses.

The following conditional uses shall be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

- A. Bed and breakfast establishments;
- B. Country clubs and golf courses;
- C. Day care centers;
- D. Foster homes;
- E. Occupancy of existing dwelling while constructing a replacement dwelling on the same lot;
- F. Public and quasi-public uses, including churches, synagogues and other places of worship, firehouses, parks and playgrounds, schools, and public utility buildings and uses;
- G. Large family child care homes: No person shall operate a large family child care home without obtaining a large family child care home permit in compliance with the standards set forth within Section 17.50.015;
- H. Tract offices and temporary construction trailers.

(Ord. 16.76 § 1 (part), 1989; Ord. 16.123, §§ 24, 25, 9-5-2007)

17.12.035 Large community care facilities.

No person shall operate a large community care home without obtaining a conditional use permit in accordance with Section 17.50.020. In addition the applicant shall submit the following:

- a. A letter or certification of final approval from the state or county licensing authority,
- b. A site plan of the property showing parking, outdoor exercise area, and fencing.
- c. A letter from the fire department approving the safety of the structure for the use,
- d. A letter of application describing the type of use, number of residents, age of residents, any special resident care that is provided, and a daily work schedule showing the number of employees at the facility, and
- e. Landscaping and other information as required by the community development director.

(Ord. 16.123, § 26, 9-5-2007)

17.12.040 Development standards.

The following development standards shall apply to all land and buildings in the R-M-6 and R-M-8 zoning districts.

- A. Lot Area and Density Requirements. All lots hereafter created shall comply with the following minimum standards:

Zone	Minimum Lot Area	Maximum Lot Density	Minimum Lot Width	Minimum Lot Depth
R-M-6	6,000sq. ft.	5,000 sq. ft./dwelling unit*	50 feet	100 feet
R-M-8	8,000 sq. ft.	8,000 sq. ft./dwelling unit	60 feet	100 feet

*If, after dividing the area of the lot by the area required per dwelling unit or structure containing a dwelling unit, a remainder of more than seventy percent of the area required for an additional unit is obtained, one additional dwelling unit may be located on the site.

- B. Minimum Lot Frontage. The minimum lot frontage shall be sixty feet.
- C. Maximum Site Coverage. The maximum site coverage in the R-M zoning district shall be fifty-five percent.
- D. Yards. Yard requirements are as follows:

Zone	Front Yard	Side Yard	Rear Yard
R-M-6	20 feet	10% lot width with max of 6 feet	.15 feet
R-M-8	20 feet	10% lot width with max of 8 feet	.15 feet

- E. Building Height. No structure in the R-M-6 and R-M-8 zoning districts shall exceed thirty-five feet in height unless otherwise provided in Section 17.46.050 of this title.
- F. [Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.](#)

(Ord. 16.76 § 1(part), 1989; Ord. 16.77(part), 1989)

17.12.050 Other required conditions.

- A. Architectural and site plan review by the design review board shall be required for all structures (excluding single-family homes), alterations to structures and signage in the R-M zoning district.
- B. No building shall be located closer than twenty-five feet from the top of the bank of a perennial or intermittent stream, as shown in Section 17.04.230 of this title. All proposed structures shall be constructed above the one-hundred-year floodplain.

(Ord. 16.76 § 1(part), 1989)

Chapter 17.14 R-1 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT REGULATIONS

17.14.010 Description and purpose.

The R-1 zoning classification is designed to provide areas for single-family residential development where lot sizes and densities are designed to accommodate large areas of open space for recreational activities compatible with a residential environment. The R-1 single-family residential district is intended to achieve the following purposes:

- A. To reserve appropriately located areas for family living in a variety of types of dwellings at a reasonable range of population densities consistent with sound standards of public health and safety;
- B. To ensure adequate light, air, privacy and open space for each dwelling unit;
- C. To provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment;
- D. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them;
- E. To protect residential properties from the hazards, noise and congestion created by commercial and industrial traffic;
- F. To provide necessary space for off-street parking of automobiles;
- G. To protect residential properties from noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare and other objectionable influences;
- H. To protect residential properties from fire, explosion, noxious fumes and other hazards.

This zoning classification is divided into the classes of R-1-10, R-1-20 and R-1-40, which are intended to apply to all lands designated in the General Plan as "medium residential," "low-density residential," and "estate residential," respectively.

(Ord. 16.76 § 1(part), 1989)

17.14.020 Permitted uses.

Permitted uses are as follows:

- A. Foster homes where the total number of children, including those of the proprietary family, is six or fewer;
- B. Mobile homes and manufactured housing;
- C. Single-family dwellings ;
- D. Secondary dwelling units conforming to the requirements of Chapter 17.41 of this title and the Uniform Building Code;
- E. Accessory structures in conformance with Section 17.46.070 of this title and uses located on the same site with a permitted use which are incidental to the permitted use, including but not limited to home

occupations (subject to the provisions of Section 17.50.040 of this title), the keeping of four cats, four dogs or a combination thereof not to exceed a total of four and private garages and parking areas.

- F. Small family child care homes;
- G. Small community care facilities.
- H. Transitional housing and supportive housing.

(Ord. 16.76 § 1(part), 1989; Ord. 16.115, § 3, 6-4-2003; Ord. 16.123, §§ 27, 28, 9-5-2007; Ord. No. 16.132, § 4, 5-1-2013; Ord. No. 16-138, § 17, 7-15-2015)

17.14.030 Conditional uses.

The following conditional uses shall be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

- A. Country clubs and golf courses;
- B. Day care centers;
- C. Foster homes where the total number of children, including those of the proprietary family, exceeds six;
- D. Occupancy of existing dwelling while constructing a replacement dwelling on the same lot;
- E. Private stables, in accordance with Section 17.46.040 of this title;
- F. Public and quasi-public uses, including churches, synagogues and other places of worship, firehouses, parks and playgrounds, schools, and public utility buildings and uses;
- G. Large family child care homes: No person shall operate a large family child care home without obtaining a large family child care home permit in compliance with the standards set forth within Section 17.50.015;
- H. Townhouses and condominiums conforming to the density requirements of this chapter ;
- I. Tract offices and temporary construction trailers.

(Ord. 16.76 § 1(part), 1989; Ord. 16.77(part), 1989; Ord. 16.115, § 2, 6-4-2003; Ord. 16.123, §§ 29, 30, 9-5-2007)

17.14.035 Large community care facilities.

No person shall operate a large community care home without obtaining a conditional use permit in accordance with Section 17.50.020. In addition the applicant shall submit the following:

- a. A letter or certification of final approval from the state or county licensing authority,
- b. A site plan of the property showing parking, outdoor exercise area, and fencing.
- c. A letter from the fire department approving the safety of the structure for the use,
- d. A letter of application describing the type of use, number of residents, age of residents, any special resident care that is provided, and a daily work schedule showing the number of employees at the facility, and
- e. Landscaping and other information as required by the community development director.

(Ord. 16.123, § 31, 9-5-2007)

17.14.040 Development standards.

The following development standards shall apply to all land and buildings in the R-1 zoning district:

- A. Lot Area and Density Requirements. All lots hereafter created shall comply with the following minimum standards:

Zone	Minimum Lot Area	Maximum Lot Density	Minimum Lot Width	Minimum Lot Depth
R-1-10	10,000 sq. ft.	10,000 sq. ft./dwelling unit	60 feet	100 feet
R-1-20	20,000 sq. ft.	20,000 sq. ft./dwelling unit	90 feet	125 feet
R-1-40	40,000 sq. ft.	40,000 sq. ft./dwelling unit	100 feet	150 feet

- B. Minimum Lot Frontage. The minimum lot frontage shall be sixty (60) feet.
- C. Maximum Site Coverage. The maximum site coverage in the R-1 zoning district shall be fifty percent (50%).
- D. Yards. Yard requirements are as follows:

Zone	Front Yard	Side Yard	Rear Yard
R-1-10	20 feet	10% of lot width with a maximum of 10 feet	15 feet
R-1-20	30 feet	10% of lot width with a maximum of 10 feet	15 feet
R-1-40	30 feet	10% of lot width with a maximum of 10 feet	20 feet

- E. Building Height. No single-family dwelling in the R-1 zoning district shall exceed thirty-five feet in height unless otherwise provided in Section 17.46.050 of this title. Detached accessory structures, secondary dwelling units, and guesthouses may have building heights up to 35 feet when all required yard setbacks conform with the same yard setbacks required for the main dwelling.
- F. Roof Forms and Pitches. The roof forms and pitches of secondary dwelling units, guesthouses, room additions, and site-built detached accessory structures shall be architecturally compatible with those of the main dwelling, to the extent practical and feasible as determined by the Community Development Director, subject to review and approval by the Community Development Director.
- G. Exterior Building Materials and Colors. The exterior building materials and colors of secondary dwelling units, guesthouses, room additions, and site-built detached accessory structures shall be architecturally compatible with the main dwelling, to the extent practical and feasible as determined by the Community Development Director, subject to review and approval by the Community Development Director.
- H. Conversion of Use. The partial or complete conversion of an existing one- or two-story detached accessory structure with existing three (3) feet reduced yard setbacks (in conformance with Section 17.46.070J. of the City's Municipal Code) into a secondary dwelling unit or guesthouse is prohibited. The conversion of an existing, legal, nonconforming detached accessory structure with yard setbacks

greater than three (3) but less than the required yard setbacks for the main dwelling, into a secondary dwelling unit or guesthouse, may be allowed with Use Permit approval from the Planning Commission at a public hearing, in accordance with Section 17.50.020 of the City's Municipal Code.

- I. Building Height of Detached Accessory Structures. The maximum building height of a detached accessory structure with reduced yard setbacks (in conformance with Sections 17.46.070J. and 17.46.070N. of the City's Municipal Code) shall be 18 feet.

- J. [Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.](#)

(Ord. 16.76 § 1(part), 1989; Ord. 16.77(part), 1989; Ord. 16.115, § 5, 6-4-2003)

17.14.050 Other required conditions.

No building shall be located closer than twenty-five feet from the top of the bank of a perennial or intermittent stream, as shown in Section 17.04.230 of this title. All proposed structures shall be constructed above the one-hundred-year floodplain.

(Ord. 16.76 § 1(part), 1989)

Chapter 17.16 R-R-2.5 RESIDENTIAL-RURAL ZONING DISTRICT REGULATIONS

17.16.010 Description and purpose.

The R-R-2.5 district is intended to apply to all lands designated in the General Plan as "rural residential." This zoning classification is designed to provide areas for large-lot residential living and minor agricultural activities and is intended to achieve the following purposes:

- A. To reserve appropriately located areas for family living in a variety of types of dwellings, at a reasonable range of population densities consistent with sound standards of public health and safety;
- B. To ensure adequate light, air, privacy and open space for each dwelling unit;
- C. To minimize traffic congestion;
- D. To provide necessary space for off-street parking of automobiles;
- E. To protect residential properties from noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare and other objectionable influences.

(Ord. 16.76 § 1(part), 1989)

17.16.020 Permitted uses.

Permitted uses are as follows:

- A. Family day care homes;
- B. Foster homes where the total number of children, including those of the proprietary family, is six or fewer;
- C. Single-family dwellings ;
- D. Secondary dwelling units conforming to the requirements of Chapter 17.41 of this title and the Uniform Building Code;
- E. Accessory structures in conformance with Section 17.46.070 of this title and uses located on the same site with a permitted use which are incidental to the permitted use, including but not limited to crop and tree farming for family use only, family animal raising, guesthouse, home occupations (subject to the provisions of Section 17.50.040 of this title), the keeping of four cats or four dogs or a combination thereof not to exceed a total of four, and private garages and parking areas, and private stables on a minimum lot size of 2.5 acres, in accordance with Section 17.46.040 of this title;
- F. Small family child care homes;
- G. Small community care facilities.
- H. Transitional housing and supportive housing.

(Ord. 16.76 § 1(part), 1989; Ord. 16.77(part), 1989; Ord. 16.115, § 6, 6-4-2003; Ord. 16.123, §§ 32, 33, 9-5-2007; Ord. No. 16-138, § 18, 7-15-2015)

17.16.030 Conditional uses.

The following conditional uses shall be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

- A. Country clubs and golf courses;
- B. Day care centers;
- C. Foster homes where the total number of children, including those of the proprietary family, exceeds six;
- D. Occupancy of existing dwelling while constructing a replacement dwelling on the same lot;
- E. Private stables with a lot size less than 2.5 acres, in accordance with Section 17.46.040 of this title;
- F. Public and quasi-public uses, including churches, synagogues and other places of worship, firehouses, hospitals, parks and playgrounds, schools, and public utility buildings and uses;
- G. Temporary tract offices and construction trailers;
- H. Wholesale nurseries;
- I. Large family child care homes: No person shall operate a large family child care home without obtaining a large family child care home permit in compliance with the standards set forth within Section 17.50.015.

(Ord. 16.76 § 1(part), 1989; Ord. 16.77(part), 1989; Ord. 16.115, § 7, 6-4-2003; Ord. 16.123, § 34, 9-5-2007)

17.16.035 Large community care facilities.

No person shall operate a large community care home without obtaining a conditional use permit in accordance with Section 17.50.020. In addition the applicant shall submit the following:

- a. A letter or certification of final approval from the state or county licensing authority,
- b. A site plan of the property showing parking, outdoor exercise area, and fencing.
- c. A letter from the fire department approving the safety of the structure for the use,
- d. A letter of application describing the type of use, number of residents, age of residents, any special resident care that is provided, and a daily work schedule showing the number of employees at the facility, and
- e. Landscaping and other information as required by the community development director.

(Ord. 16.123, § 35, 9-5-2007)

17.16.040 Development standards.

The following development standards shall apply to all land and buildings in the R-R-2.5 zoning district:

- A. Lot Area and Density Requirements. All lots hereafter created shall comply with the following minimum standards:

Zone	Minimum Lot Area	Maximum Lot Density	Minimum Lot Width	Minimum Lot Depth

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R-R-2.5	2.5 acres	2.5 acres/dwelling unit	100 feet	150 feet
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- B. Minimum Lot Frontage. The minimum lot frontage shall be one hundred feet.
- C. Maximum Site Coverage. The maximum site coverage in the R-R-2.5 zoning district shall be thirty-five percent.
- D. Yards. Yard requirements are as follows:

Zone	Front Yard	Side Yard	Rear Yard
R-R-2.5	40 feet	15 feet	20 feet

- E. Building Height. No single-family dwelling in the R-R-2.5 zoning district shall exceed thirty-five feet in height unless otherwise provided in Section 17.46.050 of this title. Detached accessory structures, secondary dwelling units, and guesthouses may have building heights up to thirty-five feet when all required yard setbacks conform with the same yard setbacks required for the main dwelling.
- F. Roof Forms and Pitches. The roof forms and pitches of secondary dwelling units, guesthouses, room additions, and site-built detached accessory structures shall be architecturally compatible with those of the main dwelling, to the extent practical and feasible as determined by the Community Development Director, subject to review and approval by the Community Development Director.
- G. Exterior Building Materials and Colors. The exterior building materials and colors of secondary dwelling units, guesthouses, room additions, and site-built detached accessory structures shall be architecturally compatible with the main dwelling, to the extent practical and feasible as determined by the Community Development Director, subject to review and approval by the Community Development Director.
- H. Conversion of Use. The partial or complete conversion of an existing one- or two-story detached accessory structure with existing three feet reduced yard setbacks (in conformance with Section 17.46.070J. of the City's Municipal Code) into a secondary dwelling unit or guesthouse is prohibited. The conversion of an existing, legal, nonconforming detached accessory structure with yard setbacks greater than three but less than the required yard setbacks for the main dwelling, into a secondary dwelling unit or guesthouse, may be allowed with Use Permit approval from the Planning Commission at a public hearing, in accordance with Section 17.50.020 of the City's Municipal Code.
- I. Building Height of Detached Accessory Structures. The maximum building height of a detached accessory structure with reduced yard setbacks (in conformance with Sections 17.46.070J. and 17.46.070N. of the City's Municipal Code) shall be eighteen feet.

J. [Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.](#)

(Ord. 16.76 § 1(part), 1989; Ord. 16.77(part), 1989; Ord. 16.115, § 8, 6-4-2003)

17.16.050 Other required conditions.

- A. No building shall be located closer than twenty-five feet from the top of the bank of a perennial or intermittent stream, as shown in Section 17.04.230 of this title. All proposed structures shall be constructed above the one-hundred-year floodplain.
- B. Minimum side and rear yards for buildings and areas that accommodate animals shall be forty feet.

(Ord. 16.76 § 1 (part), 1989)

Chapter 17.18 R-MT-5 RESIDENTIAL-MOUNTAIN ZONING DISTRICT REGULATIONS

17.18.010 Description and purpose.

The R-MT-5 zoning district is intended to apply to all lands designated in the General Plan as "mountain residential." This zoning classification is designed primarily for hillside areas of the city where environmental constraints require development at lower densities. A maximum density of one dwelling unit per five acres is allowed in this district. This zoning classification is intended to achieve the following purposes:

- A. To reserve appropriately located areas for family living in a variety of types of dwellings, at a reasonable range of population densities consistent with sound standards of public health and safety;
- B. To ensure adequate light, air, privacy and open space to each dwelling unit;
- C. To minimize traffic congestion;
- D. To protect residential properties from noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare and other objectionable influences.

(Ord. 16.76 § 1(part), 1989)

17.18.020 Permitted uses.

Permitted uses are as follows:

- A. Crop and tree farming;
- B. Small family child care homes;
- C. Foster homes where the total number of children, including those of the proprietary family is six or less;
- D. Public parks and recreation areas;
- E. Single-family dwellings ;
- F. Secondary dwelling units conforming to the requirements of Chapter 17.41 of this title and the Uniform Building Code;
- G. Accessory structures and uses located on the same site with a permitted use which are incidental to the permitted use, including but not limited to crop and tree farming for family use only, family animal raising, guest house, home occupations (subject to the provisions of Section 17.50.040 of this title), the keeping of four cats or four dogs or a combination thereof not to exceed a total of four and private garages and parking areas, and private stables on a minimum lot size of 2.5 acres, in accordance with Section 17.46.040 of this title;
- H. Small community care facility.
- I. Transitional housing and supportive housing.

(Ord. 16.76 § 1(part), 1989; Ord. 16.77(part), 1989; Ord. 16.115, § 9, 6-4-2003; Ord. 16.123, §§ 36—38, 9-5-2007; Ord. No. 16-138, § 19, 7-15-2015)

17.18.030 Conditional uses.

The following conditional uses shall be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

- A. Country clubs and golf courses;
- B. Day care centers;
- C. Foster homes where the total number of children, including those of the proprietary family, exceeds six;
- D. Mining and mineral extraction, subject to the development standards of this section and the provisions of Section 17.44.110 of this title;
- E. Occupancy of existing dwelling while constructing a replacement dwelling on the same lot;
- F. Private stables on a lot size of less than 2.5 acres, in accordance with Section 17.46.040 of this title;
- G. Public and quasi-public uses, including churches, synagogues and other places of worship, firehouses, hospitals, parks and playgrounds, schools, and public utility buildings and uses;
- H. Large family child care homes: No person shall operate a large family child care home without obtaining a large family child care home permit in compliance with the standards set forth within Section 17.50.015.

(Ord. 16.76 § 1(part), 1989; Ord. 16.77(part), 1989; Ord. 16.115, § 10, 6-4-2003; Ord. 16.123, § 39, 9-5-2007)

17.18.040 Development standards.

The following development standards shall apply to all land and buildings in the R-MT-5 zoning district:

- A. Lot Area and Density Requirements. All lots hereafter created shall comply with the following minimum standards:

Zone	Minimum Lot Area	Maximum Lot Density	Minimum Lot Width	Minimum Lot Depth
R-MT	5 acres	5 acres/dwelling unit	100 feet	150 feet

- B. Minimum Lot Frontage. The minimum lot frontage shall be one hundred feet.
- C. Maximum Site Coverage. The maximum site coverage in the R-MT zoning district shall be thirty-five percent.
- D. Yards. Yard requirements are as follows:

Zone	Front Yard	Side Yard	Rear Yard
R-MT	40 feet	20 feet	25 feet

- E. Building Height. No single-family dwelling in the R-MT-5 zoning district shall exceed thirty-five feet in height unless otherwise provided in Section 17.46.050 of this title. Detached accessory structures, secondary dwelling units, and guesthouses may have building heights up to thirty-five feet when all required yard setbacks conform with the same yard setbacks required for the main dwelling.

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- F. Roof Forms and Pitches. The roof forms and pitches of secondary dwelling units, guesthouses, room additions, and site-built detached accessory structures shall be architecturally compatible with those of the main dwelling, to the extent practical and feasible as determined by the Community Development Director, subject to review and approval by the Community Development Director.
 - G. Exterior Building Materials and Colors. The exterior building materials and colors of secondary dwelling units, guesthouses, room additions, and site-built detached accessory structures shall be architecturally compatible with the main dwelling, to the extent practical and feasible as determined by the Community Development Director, subject to review and approval by the Community Development Director.
 - H. Conversion of Use. The partial or complete conversion of an existing one- or two-story detached accessory structure with existing three feet reduced yard setbacks (in conformance with Section 17.46.070J. of the City's Municipal Code) into a secondary dwelling unit or guesthouse is prohibited. The conversion of an existing, legal, nonconforming detached accessory structure with yard setbacks greater than three but less than the required yard setbacks for the main dwelling, into a secondary dwelling unit or guesthouse, may be allowed with Use Permit approval from the Planning Commission at a public hearing, in accordance with Section 17.50.020 of the City's Municipal Code.
 - I. Building Height of Detached Accessory Structures. The maximum building height of a detached accessory structure with reduced yard setbacks (in conformance with Sections 17.46.070J. and 17.46.070N. of the City's Municipal Code) shall be 18 feet.

J. [Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.](#)

(Ord. 16.76 § 1(part), 1989; Ord. 16.77(part), 1989; Ord. 16.115, § 11, 6-4-2003)

17.18.050 Other required conditions.

- A. No building shall be located closer than twenty-five feet from the top of the bank of a perennial or intermittent stream, as shown in Section 17.04.230 of this title. All proposed structures shall be constructed above the one-hundred-year floodplain.
- B. Minimum side and rear yards for buildings and areas that accommodate animals shall be forty feet.

(Ord. 16.76 § 1(part), 1989)

Chapter 17.20 C-S SERVICE COMMERCIAL ZONING DISTRICT REGULATIONS

17.20.010 Description and purpose.

The C-S district is intended to apply to all lands designated in the General Plan as "service commercial." This district is designed to create and maintain areas accommodating city-wide and regional service that may be inappropriate in neighborhood or pedestrian-oriented shopping areas and which generally require automotive access for customer convenience, servicing of vehicles or equipment, loading or unloading, or parking of commercial service vehicles.

The service commercial zone is intended to achieve the following purposes:

- A. To provide appropriately located areas for retail stores, offices, service establishments and businesses offering various ranges of commodities and services scaled to meet the needs of different geographical areas and various categories of patrons they serve;
- B. To provide opportunities for retail stores, offices, service establishments and businesses to concentrate for the convenience of the public and in mutually beneficial relationship to each other;
- [C. Reserved.]
- D. To provide adequate space to meet the needs of modern commercial development, including off-street parking and truck loading facilities;
- E. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the amount of land around them;
- F. To protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic and other objectionable influences incidental to industrial uses;
- G. To protect commercial properties from fire, explosion, noxious fumes and other hazards.

(Ord. 16.76 § 1(part), 1989)

17.20.020 Permitted uses.

Permitted uses are as follows:

- A. Retail establishments;
- B. Banks;
- C. Business and personal service establishments;
- D. Emergency shelters (≤25 occupants), subject to compliance with Section 17.44.110;
- E. Medical, professional and general business offices;
- F. Radio and television broadcast studios (excluding transmission towers); and
- G. Accessory structures and uses located on the same site with a permitted use which are customarily incidental to the permitted use, including, but not limited to, incidental storage facilities and signs which pertain only to a permitted use on the premises and which are in accordance with the standards of Chapter 17.56 of this title;

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- H. Multiple-family dwellings located either above the ground-level commercial use or at ground level at the rear of a commercial space on sites designated in the Housing Element ;
 - I. Day care centers.

(Ord. 16.76 § 1(part), 1989; Ord. 16.84 § 1, 1992; Ord. 16.87 § 3(part), 1993; Ord. 16.89 § 2, 1993; Ord. 16.123, §§ 40, 41, 9-5-2007; Ord. No. 16-138, § 5, 7-15-2015)

17.20.030 Conditional uses.

The following conditional uses may be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

- A. Animal hospitals;
- B. Automobile sales, including sale of used cars in conjunction with the sale of new cars;
- C. Automotive repair and related services (such as auto supply and detail shops) in an enclosed building. This conditional use category excludes auto body repair and auto painting as well as any other use that is incompatible with surrounding uses or that may be detrimental to the health, safety and welfare of the surrounding neighbors;
- D. Automotive service stations;
- E. Carwash;
- F. Coin-operated laundries;
- G. Commercial recreation;
- H. Equipment rental yards;
- I. Hotels and motels;
 - 1. Multiple-family dwellings located either above the ground-level commercial use or at ground level at the rear of a commercial space;
- J. Outdoor Storage;
- K. Public utility service yards;
- L. Recreational vehicle sales, including boat sales;
- M. Restaurants and bars;
- N. Wholesale establishments;
- O. Service shops, including printing, photographic, cabinet repair, electrical repair, heating and ventilating shops, and catering services;
- P. Social halls, lodges, fraternal organizations and clubs;
- Q. Churches, synagogues and other places of worship;
- R. Other uses the planning commission finds to be of a similar nature to those listed above, subject to the requirements of Section 17.50.020 of this title;

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- S. Transitional Housing. No person shall operate a transitional housing facility without obtaining a conditional use permit in accordance with Section 17.50.020 and subject to the requirements of Section 17.44.170 of this title;
 - T. Emergency shelters (>25 occupants), subject to compliance with Section 17.44.110;
 - U. Firearms retail.

(Ord. 16.76 § 1 (part), 1989; Ord. 16.84 § 2, 1992; Ord. 16.103 § 1, 1996; Ord. 16.123, § 42, 9-5-2007; Ord. No. 16-133.3, § 3, 7-15-2015; Ord. No. 16-138, §§ 6, 12, 7-15-2015; Ord. No. 16.139, § 3, 12-20-2017)

17.20.035 Prohibited uses.

Outdoor storage uses are prohibited in the C-S zone on Scotts Valley Drive and on all properties located on Scotts Valley Drive, no matter the zone. On all other properties zoned C-S, outdoor storage uses are conditional uses. Permitted outdoor storage uses may remain in place until their individual use permits expire, or in accordance with Chapter 17.48, Nonconforming Uses and Structures, of this Title. Unpermitted outdoor storage uses shall vacate the properties by July 1, 2016. Every person violating any provision of this section shall be guilty of a misdemeanor and subject to Title 4 of the Municipal Code.

(Ord. No. 16-133.3, § 4, 7-15-2015)

17.20.040 Development standards.

The following development standards shall apply in the C-S zoning district:

- A. Minimum lot area: Ten thousand square feet;
- B. Minimum lot width: One hundred feet;
- C. Minimum lot depth: One hundred feet;
- D. Minimum lot frontage: One hundred feet;
- E. Maximum building coverage: Forty-five percent;
- F. Minimum setbacks:
 - 1. Front, twenty feet,
 - 2. Rear, zero feet,
 - 3. Side, zero feet,
 - 4. Interior lot: Where the lot is adjacent to any "R" district, the side yard shall be a minimum of ten feet in width,
 - 5. Corner lot: The exterior side yard of a corner lot shall be a minimum of fifteen feet,
 - 6. Rear yard: There are no rear yard requirements except if abutting an R district; then rear yard shall be a minimum of twenty feet;
- G. No structure shall exceed thirty-five feet in height in the C-S districts. However, if the first floor of the structure is used for parking and is at a natural grade, the thirty-five-foot height limit may be exceeded upon the granting of a use permit by the planning commission, subject to the provisions of Section 17.50.020 of this title. In addition to the findings required in Section 17.50.020, the planning commission also must be able to make the following findings:

-
1. On a parcel which slopes down from an arterial or collector street, the garage is below the level of the adjacent street(s) or on parcels sloping up from a major street, the garage is below natural grade,
 2. The garage will be buffered from view by earthen mounds three feet in height and landscaping, including shrubs, will be installed. The landscaping plan has been prepared showing the buffer and landscaping;
- H. Where a site adjoins any residential zoning district, a solid wall or a fence, vine-covered fence or compact evergreen hedge six feet in height shall be located on the property line except in a required front yard and permanently maintained. In addition, a minimum of five feet adjoining the property line shall be landscaped with plant material and permanently maintained when such landscaping is necessary to insure privacy or to screen views, as determined by the design review board;
- I. Not less than ten percent of the total site area shall be landscaped and permanently maintained;
- J. Not less than ten feet of a required yard adjoining a street shall be landscaped and permanently maintained;
- K. Trash disposal: Each parcel shall provide adequate and accessible trash disposal areas. Such disposal areas shall be screened from public view by masonry or solid wood fencing of at least six feet in height;
- L. All business, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, garden shops, Christmas tree sales, open-air markets, outdoor theatrical activities and the sale of nursery products;
- M. Hours of Operation. All commercial activity located on the same site as multiple-family dwellings shall be limited to the hours of operation between seven a.m. and nine p.m., Monday through Friday, and between nine a.m. and six p.m. on Saturdays and Sundays;
- N. Outdoor seating at restaurants will be allowed by permit issued by the planning department under the following conditions:
1. A site plan shall be submitted to the planning department for review and approval;
 2. The plan shall be reviewed and approved by the building department, fire district and police department to insure compliance with federal, state and local laws;
 3. All seating shall be confined to a specific area; and
 4. Failure to maintain the seating within the identified area or interference with the free flow of pedestrians shall be sufficient grounds for revocation of the outdoor seating permit.
- O. Outdoor Storage:
1. Location. Outdoor storage uses are prohibited next to housing;
 2. Development standards. To ensure adequate screening of new outdoor storage uses, design review approval by the planning commission shall be required and processed with the required use permit application. Screening of outdoor storage shall meet the following standards:
 - a. Permanent screening from any adjacent public and private rights-of-way and/or adjacent property;
 - b. Solid or semi-solid fence of brick, stone, tile, masonry units, or wood at least eight feet tall. Chain-link fence may not be acceptable;
 - c. Stored materials not to project above the wall or fence, unless approved;
 - d. Public works department review for adequacy of access;

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(Supp. No. 32)

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- e. Gates securely locked when not in use; and,
 - f. Any other requirements deemed appropriate by the community development director.
3. Maintenance: All required screening shall be regularly well-maintained in a good and upright condition and shall be repaired or replaced to the original required state if damaged, destroyed, or in need of repair. Screening shall remain in place for as long as the use is allowed on the property.

P. [Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.](#)

(Ord. 16.76 § 1 (part), 1989; Ord. 16.77 (part), 1989; Ord. 16.82 § 9, 1991; Ord. 16.88 § 1, 1994; Ord. No. 16-133.3, § 5, 7-15-2015)

17.20.045 Development standards for mixed use projects.

- A. Density range is fifteen to twenty residential units per acre.
- B. Parking for both the non-residential and the residential units shall be as specified in the zoning ordinance. The planning commission may reduce parking standards in cases where shared parking is feasible and viable.
- C. Each dwelling shall have private, usable outdoor space, i.e. decks, balconies, yards or patios of one hundred square feet per residential unit. The planning commission may determine that the required private outdoor space is not appropriate in a particular building design and allow the required outdoor space to be common open space for all residential units.
- D. Truck docks shall not be located within fifty feet of any residential.
- E. Minimum setbacks for residential:
 - 1. Front from the street: Ten feet; and front from a garage: Twenty feet.
 - 2. Rear: Fifteen feet.
 - 3. Side: Ten feet.
 - 4. Corner from the street, ten feet and corner from a garage, twenty feet.

(Ord. 16.123, § 43, 9-5-2007)

17.20.050 Other required conditions.

- A. Architectural and site plan review by the design review board shall be required for all structures, alterations to structures and signage in the C-S zoning district.
- B. All uses shall be subject to the performance standards specified in the applicable provisions of Section 17.44.020 of this title.
- C. All roofs shall be architecturally designed to provide an appearance which is compatible with the exterior walls of the building. The design review board shall review and approve the roofscape.
- D. No building shall be located closer than twenty-five feet from the top of the bank of a perennial or intermittent stream, as shown in Section 17.04.230 of this title. All proposed structures shall be constructed above the one-hundred-year floodplain.

(Ord. 16.76 § 1 (part), 1989)

Chapter 17.22 C-SC SHOPPING CENTER COMMERCIAL ZONING DISTRICT REGULATIONS

17.22.010 Description and purpose.

The C-SC zoning district is intended to apply to all lands designated in the General Plan as "shopping center commercial." This classification is primarily intended to accommodate retail and service establishments for the development of community shopping centers.

The shopping center commercial district is also intended to achieve the following purposes:

- A. To provide appropriately located areas for retail stores, offices, service establishments, amusement establishments and businesses offering various ranges of commodities and services scaled to meet the needs of different geographical areas and various categories of patrons they serve;
- B. To provide opportunities for retail stores, offices, service establishments, amusement establishments and businesses to concentrate for the convenience of the public and in mutually beneficial relationship to each other;
- C. To provide space for community facilities and institutions which appropriately may be located in commercial areas;
- D. To provide adequate space to meet the needs of modern commercial development, including off-street parking and truck loading facilities;
- E. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the amount of land around them;
- F. To protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic and other objectionable influences incidental to industrial uses;
- G. To protect commercial properties from fire, explosion, noxious fumes and other hazards.

(Ord. 16.76 § 1 (part), 1989)

17.22.020 Permitted uses.

Permitted uses are as follows:

- A. Professional offices;
- B. Retail and personal service establishments;
- C. Emergency shelters (≤25 occupants), subject to compliance with Section 17.44.110; and
- D. Accessory structures and uses located on the same site with a permitted use which are customarily incidental to the permitted use, including but not limited to a permitted use on the premises and which are in accordance with the standards of Chapter 17.56 of this title.

(Ord. 16.76 § 1 (part), 1989; Ord. 16.87 § 3 (part), 1993; Ord. 16.89 § 3, 1993; Ord. No. 16-138, § 7, 7-15-2015)

17.22.030 Conditional uses.

The following conditional uses may be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

- A. Automobile sales, including the sale of used cars in conjunction with the sale of new cars;
- B. Churches, synagogues and other places of worship;
- C. Commercial recreation;
- D. Institutional uses;
- E. Day care center;
- F. Radio and/or television broadcasting studios;
- G. Theatres;
- H. Restaurants;
- I. Permitted uses in the C-S district, provided they are compatible with surrounding land uses ;
- J. Other uses the planning commission finds to be of a similar nature to those listed above, subject to the requirements of Section 17.50.020 of this title;
- K. Emergency shelters (>25 occupants), subject to compliance with Section 17.44.110;
- L. Firearms retail.

(Ord. 16.76 § 1 (part), 1989; Ord. 16.123, §§ 44, 45, 9-5-2007; Ord. No. 16-138, § 8, 7-15-2015; Ord. No. 16.139, § 4, 12-20-2017)

17.22.040 Development standards.

The following development standards shall apply in the C-SC zoning district:

- A. Minimum lot area: Ten thousand square feet;
- B. Minimum lot width: One hundred feet;
- C. Minimum lot depth: One hundred feet;
- D. Minimum lot frontage: One hundred feet;
- E. Maximum building coverage: Thirty-five percent;
- F. Minimum setbacks:
 - 1. Front: Twenty feet.
 - 2. Rear: Zero feet.
 - 3. Side: Zero feet.
 - 4. Interior lot: Where the lot is adjacent to any residential district, the side yard shall be a minimum of ten feet in width.
 - 5. Corner lot: The exterior side of a corner lot shall be a minimum of fifteen feet.
 - 6. Rear yard: There are no rear yard requirements exempt if abutting a residential district, then rear yard shall be a minimum of twenty feet;

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- G. Maximum height: Thirty-five feet;
 - H. [Reserved];
 - I. Not less than ten feet of a required yard adjoining a street shall be landscaped and permanently maintained;
 - J. All business, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, garden shops, Christmas tree sales, open-air markets, outdoor theatrical activities and the sale of nursery products;
 - K. A minimum of ten percent of the total site area shall be landscaped and permanently maintained; and
 - L. Outdoor seating at restaurants will be allowed by permit issued by the planning department under the following conditions:
 - 1. A site plan shall be submitted to the planning department for review and approval;
 - 2. The plans shall be reviewed and approved by the building department, fire district and police department to insure compliance with federal, state and local laws;
 - 3. All seating shall be confined to a specific area; and
 - 4. Failure to maintain the seating within the identified area or interference with the free flow of pedestrians shall be sufficient grounds for revocation of the outdoor seating permit.

-M. Multi-unit residential development shall comply with the Multi-Unit Residential Design Standards. See Section 17.44.180.

(Ord. 16.76 § 1 (part), 1989; Ord. 16.77 (part), 1989; Ord. 16.88 § 2, 1994; Ord. 16.123, §§ 46, 47, 9-5-2007)

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17.22.050 Other required conditions.

- A. Architectural and site plan review by the design review board shall be required for all structures, alterations to structures and signage in the C-SC zoning district.
- B. All uses shall be subject to the performance standards specified in the applicable provisions of Section 17.44.020 of this title.
- C. Trash disposal: Each parcel shall provide adequate and accessible trash disposal areas. These areas shall be screened from public view by masonry or solid wood fencing six feet in height (refer to Figure 17.44.020).
- D. No building shall be located closer than twenty- five feet from the top of the bank of a perennial or intermittent stream, as shown in Section 17.04.230 of this title. All proposed structures shall be constructed above the one-hundred-year floodplain.
- E. All roofs shall be architecturally designed to provide an appearance which is compatible with the exterior walls of the building. The design review board shall review and approve the roofscape.

(Ord. 16.76 § 1 (part), 1989)

Chapter 17.44 - GENERAL AND SPECIAL PROVISIONS

17.44.180 Multi-unit Residential Design Standards.

- A. All new multi-unit residential development shall comply with the Multi-Unit Residential Design Standards, which are adopted by City Council resolution and may be amended from time to time.
- B. Where there is a conflict between the Zoning Code and the Multi-Unit Residential Design Standards, the Multi-Unit Residential Design Standards govern.

CITY OF SCOTTS VALLEY MULTI-UNIT RESIDENTIAL DESIGN STANDARDS



**Public Review Draft
October 2023**

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PART 1: INTRODUCTION

- A. Purpose.** This document contains objective standards for multi-unit residential development. The intent of these standards is to:
1. Guide multi-unit housing production in Scotts Valley;
 2. Increase certainty and predictability in the project approval process;
 3. Ensure quality design consistent with Scotts Valley's unique sense of place; and
 4. Protect the public health, safety and welfare in light of State laws requiring streamlined ministerial approval of qualifying multi-unit residential projects.
- B. Applicability.** The standards in this document apply to all projects that create two or more dwelling units, including detached single-family dwellings, townhomes, multifamily dwellings, and mixed-use residential projects.
- C. Definitions.** Specialized terms used in this document are defined in Part 3 (Glossary). If a term used in this document is defined in Zoning Code Chapter 17.04, the Zoning Code definition also applies to this document.
- D. Relationship to other City Requirements.**
1. In addition to the standards in this document, a proposed project must also comply with the General Plan, any applicable Specific Plan, the Zoning Code, Design Guidelines, Standard Details and Specifications, and other applicable City requirements.
 2. The standards in this document are intended to be consistent with all other City development requirements. Where a standard appears to conflict with another requirement, the City will construe such requirement to give effect to both, if possible, by harmonizing them with each other. In cases of conflict, the following rules apply:
 - a. If a standard in this document conflicts with the Zoning Code chapter, any other chapter of the Municipal Code, the Standard Details and Specifications, or the Design Guidelines, the standard in this document governs.
 - b. If a standard in this document conflicts with an objective standard in the General Plan or a Specific Plan, the General Plan or Specific Plan governs.
- E. Exceptions and Deviations.**
1. **Minor Exceptions.**
 - a. An applicant may request a minor exception to up to three standards in this document. A minor exception is intended to provide flexibility for projects due to unique site conditions and/or allow for creative design solutions consistent with the intent of the standards.

- b. Standards eligible for a minor exception are limited to measurable dimension standards (e.g., setback distance, building length, landscape area).
- c. Zoning Code standards referenced in this document are not eligible for a minor exception.
- d. An applicant may request a minor exception to allow for a maximum ten percent deviation from the physical development standard that applies to the project.
- e. An applicant must request a minor exception in writing. The request must explain why the exception is needed and how the project will meet the intent statement for each topic where the exception is requested (e.g., open space, building massing).
- f. The Community Development Director acts on minor exception requests for projects that are not subject to discretionary review by the Planning Commission. The Planning Commission acts on all other minor exception requests.
- g. The review authority shall approve, approve with modification, or deny the request upon finding that:
 - (1) The request satisfies the eligibility criteria for a minor exception as provided in this section; and
 - (2) The request is needed due to unique site conditions and/or to provide for a superior project design; and
 - (3) The project will meet the intent statement for the topic where the exception is requested.

2. Other Deviations.

- a. An applicant may request deviation from standards not eligible for a minor exception through the variance or planned development permit process.
- b. A project requesting such a deviation is not eligible for streamlined approval under SB 35, AB 2011, or other state law providing a ministerial approval process for qualifying projects.
- c. To approve the deviation, the Planning Commission must make all findings required for the variance or planned development permit and find that:
 - (1) The requested is needed due to unique site conditions and/or to provide for a superior project design; and
 - (2) The project will meet the intent statement for the topic where the exception is requested.

PART 2: STANDARDS

I. New Streets and Block Pattern

A. Intent. The intent of the new streets and block pattern standards is to:

1. Ensure new streets and subdivision designs comply with City requirements;
2. Support a circulation system that enhances connectivity supports a range of transportation options; and
3. Maintain and enhance the visual character and aesthetic qualities of public streets and rights-of way.

B. Standards.

Street Dimensions.

1.
 - a. For development projects that include new streets, street dimensions and travel lane widths shall be consistent with the City's Standard Plans and Specifications.
 - b. Within the Town Center Specific Plan Area, new streets shall comply with the Town Center Specific Plan street cross sections. In cases of conflict between the Standard Plans and Specifications and the Town Center Specific Plan, the Town Center Specific Plan governs.
2. **Street Network.** The length and configuration of new streets shall comply with Section 16.44.020 of the Municipal Code.

II. Pedestrian, Bicycle, Transit Improvements

A. Intent. The intent of the pedestrian, bicycle, and transit improvement standards is to:

1. Ensure that new development provides pedestrian and bicycle improvements consistent with City policies and standards;
2. Increase opportunities for residents to walk, bike, and take transit to destinations; and
3. Ensure that pedestrian and bicycle facilities are safe, convenient, and enjoyable to use.

B. Standards.

1. **Public Sidewalks.** A public sidewalk along the property frontage shall be provided as follows:
 - a. **Town Center Specific Plan Area:** As required by the Town Center Specific Plan.
 - b. **All Other Areas:** As required by the Scotts Valley Standard Details and Specifications.
2. **Street Trees.**

- a. **Town Center Specific Plan Area:** As required by the Town Center Specific Plan.
 - b. **All Other Areas:** Sidewalk street trees are not required in the public right-of way. In commercial zoning districts, see Standard 2.b in Section VIII (Landscaping) for tree planting requirements in landscaped street-facing setback areas.
3. **Internal Pedestrian Circulation.**
- a. **Internal Connections.** A pedestrian walkway shall connect all buildings on a site to each other, to on-site bicycle and automobile parking areas, and to any publicly accessible on-site open space areas or pedestrian amenities.
 - b. **Circulation Network.** A pedestrian walkway shall connect all primary building entries to a public sidewalk on each street frontage. Sidewalk connections shall be provided at least every 300 feet along the site frontage adjacent to the public right-of-way.
 - c. **Transit Connection.** A pedestrian walkway shall connect all primary building entries to an existing or planned transit stop adjacent to the site frontage.
 - d. **Through Lot Connections.** A through lot more than 400 feet from an intersecting street or pedestrian walkway shall provide a publicly accessible pedestrian walkway connecting the two streets.
 - e. **Pedestrian Walkway Design.**
 - (1) Internal pedestrian walkways shall be a minimum 4 feet wide, hard-surfaced, and paved with scored concrete, stone, tile, brick, or comparable material.
 - (2) Where a pedestrian walkway crosses automobile parking or loading areas, it shall be clearly identifiable with a raise crosswalk, a contrasting paving material, striping, or similar method.
 - (3) Where a pedestrian walkway is parallel and within 2 feet of an automobile travel lane, it shall be raised or separated from the automobile travel lane by a raised curb at least 4 inches high.
4. **Bicycle Infrastructure Improvements.**
- a. **Network Connections.** Where the development site is adjacent to an existing or proposed bicycle facility shown in the Scotts Valley Active Transportation Plan (ATP), a bicycle connection shall be provided from the development site to the adjacent bicycle facility.
 - b. **Bicycle Facility Design.** Bicycle improvements connecting the development site to the adjacent bicycle facility shall be designed and constructed consistent with the Scotts Valley Standard Details and Specifications, Active Transportation Plan, and any applicable Specific Plan.

5. Bicycle Parking.

a. Types of Bicycle Parking.

- (1) **Short-Term Bicycle Parking.** Short-term bicycle parking provides shoppers, customers, messengers, and other visitors who generally park for two hours or less a convenient and readily accessible place to park bicycles.
- (2) **Long-Term Parking.** Long-term bicycle parking provides residents and employees who live or work at a site a secure and weather-protected place to park and store bicycles.

b. Number of Spaces.

- (1) Multi-family and commercial uses shall provide short-term and long-term bicycle parking as specified in Table 1.

Table 1: Required Bicycle Parking Spaces

Land Use	Required Bicycle Parking Spaces	
	Short-Term Spaces	Long-Term Spaces
Multi-Family Dwellings	1 per every 10 units	1 per unit
Offices	1 per 20,000 sq. ft.	1 per 10,000 sq. ft.
Other Commercial Uses	1 per 5,000 sq. ft.	None required

- (2) When the calculation of required bicycle parking results in less than one space, a minimum of one bicycle parking space shall be provided.

c. Parking Space Dimensions.

- (1) Minimum dimensions of 2 by 6 feet shall be provided for each bicycle parking space. Spaces may be configured horizontally or vertically.
- (2) A minimum 2 feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, pedestrian paths, and other similar features.
- (3) A minimum 4 feet of clearance shall be provided between bicycle parking spaces and adjacent automobile parking spaces and drive aisles.

d. Short-Term Bicycle Parking Standards.

- (1) Short-term bicycle parking shall be located within 100 feet of the primary building entrance of the use it is intended to serve.
- (2) Short-term bicycle parking shall consist of publicly accessible racks firmly anchored to the ground, to which the bicycle can be locked.

- (3) Racks shall be designed and installed to allow two points of contact with the bicycle frame and allow the frame and one or both wheels to be secured.
- (4) Short-term bicycle parking areas shall be paved with asphalt, concrete, or other all-weather surface.
- (5) When located in a parking area, bicycle spaces shall be protected by curbs, fences, planter areas, bumpers, or similar barriers.
- (6) Short-term bicycle parking areas shall not encroach into the minimum dimensions of a required pedestrian walkway or sidewalk.

e. Long-Term Bicycle Parking Standards.

- (1) Long-term bicycle parking shall consist of one of the following:
 - (a) Covered, lockable enclosures with permanently anchored racks for bicycles.
 - (b) Lockable bicycle rooms with permanently anchored racks.
 - (c) Lockable, permanently anchored bicycle lockers.
 - (d) Private garages or other private, lockable storage space accessible from the outside.
 - (e) In-unit bicycle parking.
- (2) Long-term bicycle parking shall be fully enclosed or located indoors. If accommodated in a parking garage, long-term bicycle parking shall be located within 250 feet of a building entrance or pedestrian pathway in a lit area.

f. Showers, Lockers, and Changing Rooms. New office development of 20,000 square feet or larger shall provide shower and clothes locker facilities for short-term employee use as follows:

- (1) **Shower and Dressing Areas.** A minimum number of shower facilities shall be provided in new projects as shown in Table 2. Dressing areas shall be provided for shower facilities.

Table 2: Required Shower and Dressing Areas

Gross Floor Area	Number of Shower Facilities
20,000 to 39,999 sq. ft.	1 shower
40,000 sq. ft or more	2 showers

- (2) **Lockers.** Lockers for clothing and other personal effects shall be located in close proximity to showers and dressing areas to permit access to locker areas by either gender. A minimum of one clothes locker shall be provided for 75 percent of the long-term employee bicycle parking spaces required.

III. Parking and Vehicle Circulation

A. Intent. The intent of the parking and vehicle circulation standards is to:

1. Ensure that automobile parking areas are designed to enhance the visual character of Scotts Valley;
2. Support a pedestrian-friendly streetscape design, walkable neighborhoods, and active and inviting commercial corridors;
3. Minimize adverse impacts from parking facilities on neighboring properties; and
4. Provide for safe and convenient pedestrian circulation within parking areas.

B. Standards.

1. **Parking Placement on Site.**

a. **Residential Zoning Districts.**

- (1) Driveways and parking spaces in a required setback shall comply with Zoning Code Section 17.44.030.J.2.
- (2) Unenclosed tuck-under parking shall not be publicly visible along a street-facing building facade.

b. **Commercial Zoning Districts.** Surface parking areas located between a building and the street shall conform with the following standards:

- (1) Maximum depth:
 - (a) Double-loaded aisle: 66 feet.
 - (b) Single-loaded aisle: 33 feet.
- (2) Maximum width: 200 feet or 50 percent of street frontage, whichever is greater.
- (3) The parking area shall be screened with a wall or fence located between the parking spaces and the landscaped planting strip required by Standard B.4 (Perimeter Parking Lot Landscaping). The wall or fence shall be 3 feet in height, consistent with Zoning Code Section 17.46.110.G, and shall consist of either:
 - (a) A wall constructed of brick, stone, stucco or other durable solid material; or

- (b) An open fence combined with landscaping to form an opaque screen. Open fences shall be wrought iron or other similar durable material and at least 70 percent open to the passage of light and air. Chain link and other wire fence materials are not allowed.
- 2. **Maximum Width.** Where a surface parking area is located adjacent to a street and to the side of a building, the width of the parking area shall not exceed 150 percent of the adjacent building width.
- 3. **Structured Parking.**
 - a. Parking garage vehicle entrances facing the street shall be no more than 22 feet wide. Garage entries to loading and utility/service areas shall not exceed 30 feet in width.
 - b. Parking garages shall provide at least one clearly delineated at-grade pedestrian entrance on each street-facing frontage, physically separated from the vehicle entrance and connecting directly to the public pedestrian circulation network.
 - c. Partially sub-grade parking ("Podium parking") shall not have an exposed façade that exceeds 5 feet in height above abutting grade at back of sidewalk.
 - d. Podium parking shall include a landscaped planter between the street and the podium. The planter shall be at least 4 feet wide with a planting height and vegetative cover sufficient to fully screen the podium edge and ventilation openings from view. At maturity, plantings shall comprise a minimum of 75 percent of the total landscape planter area.
- 4. **Vehicle Site Access.**
 - a. **Number of Driveways.**
 - (1) **Residential Zoning Districts.** No more than one driveway shall serve a development site less than 100 feet wide and no more than two driveways shall serve a site 100 feet wide or more. On corner lots, this rule applies separately to each of the two street-facing sides.
 - (2) **Commercial Zoning Districts.** Each development site shall be limited to one curb cut, including driveways and private/service streets, per 250 feet of public street frontage, or two curb cuts per street frontage, whichever is less (unless otherwise required for emergency vehicle access).
 - b. **Driveway Drop Curb Width.** Driveways shall be a maximum width of 20 feet, or minimum required for emergency vehicle access.
 - c. **Distance from Street Corner.** Driveways shall be a minimum of 50 feet from any street intersection. For lots less than 75 feet wide, driveways shall be located along the lot line farthest from the intersection.

- d. **Distance from Property Line.** Driveways shall be a minimum of 5 feet from a property line or include a shared driveway access with adjoining lot.
 - e. **Forward Entrance and Exit.** Parking areas of four or more spaces adjacent to an arterial or collector roadway shall provide sufficient maneuvering area to allow vehicles to enter and access the roadway in a forward direction.
 - f. **Parking Lot Connections.** Multiple parking areas located on a common property shall be internally connected and shall use shared driveways to access the street.
5. **Interior Parking Lot Landscaping.**
- a. A minimum of ten percent of the parking area shall be landscaped with a mixture of trees, shrubs, ground cover, and other plant material.
 - b. All portions of a parking lot not occupied by a parking space, drive aisle, pedestrian walkway, or waste collection facilities shall be landscaped.
 - c. Landscaped areas shall provide a minimum of one tree for every four parking spaces.
 - d. The minimum planting size for trees shall be 15-gallon, with 25 percent of all trees on a project site planted at a minimum 24-inch box size. The minimum planter area for trees is 5 feet by 5 feet.
6. **Perimeter Parking Lot Landscaping.**
- a. Parking areas adjacent to a street shall include a landscaped planting strip between the street and parking area at least 4 feet wide or as required in the zoning district, whichever is greater. The planting strip shall contain a row of landscaping with a minimum planting height of 36 inches.
 - b. Trees shall be provided within the planting strip with a maximum distance of 30 feet between each tree. The minimum planting size for trees is 15-gallon. Tree species shall reach a mature height of at least 20 feet. Planting strip tree requirements are in addition to required interior parking lot trees.
 - c. Landscaping shall comply with intersection and driveway vision clearance requirements in Zoning Code Section 17.46.110.E.
7. **Pedestrian Circulation.**
- a. Parking lots with more than 30 parking spaces shall include at least one pedestrian walkway outside of drive aisles.
 - b. The design of the pedestrian walkway shall comply with Standard II.B.e (Pedestrian Walkway Design).
8. **Loading.** Off-street loading facilities shall comply with Zoning Code Section 17.44.030.L and M.

IV. Building Placement, Orientation, and Entries

A. Intent. The intent of the building placement, orientation, and entries standards is to:

1. Support cohesive neighborhoods and social interaction with outward facing buildings; and
2. Support a pedestrian-oriented public realm with an attractive and welcoming streetscape character.

B. Standards.

1. Maximum Setback.

- a. **Town Center Specific Plan Area:** 20 feet maximum front setback from curb edge for mixed-use, office commercial, and civic land uses.
- b. **All Other Areas:** No maximum setback standard.

2. Building Entrance Orientation.

a. Residential Districts.

- (1) **Buildings located within 30 feet of a local street as shown in General Plan Figure C-1:** The primary building entry must face the street. A pedestrian walkway, minimum 4-foot width, shall provide a connection between the sidewalk and all street-facing entrances.
- (2) **All other buildings:** No entrance orientation standard.
- (3) Where the side of an end unit faces the street, the end unit shall meet the following standards:
 - (a) The end unit side wall shall have a fenestration area greater than 10 percent of the façade area.
 - (b) The end unit side wall shall have at least one architectural projection that projects a minimum of 18 inches from the street facing façade (example: bay windows, a chimney shown on the exterior of the house) with a minimum width of two feet.
 - (c) Surface parking is prohibited between the side wall and the street.

3. Commercial Districts.

- a. The primary building entrance of a building within 30 feet of a street must face the street. A primary building entrance facing the interior of a lot is not allowed.
- b. A pedestrian walkway, minimum 4-foot width, shall provide a connection between the sidewalk and the primary building entrance.

- c. Street-facing building facades within 30 feet of a street must also comply with the following standards:
 - (1) The façade shall have a fenestration area greater than 50 percent of the façade area.
 - (2) The façade shall incorporate two or more materials with contrasting color. No material may make up over 85 percent of the facade elevation. Windows and doors do not qualify as a required contrasting façade material.
 - (3) The area between the façade and the street may not contain surface parking or drive aisles. This area must be landscaped with live plant materials, except for:
 - (a) Areas required for pedestrian access to the property; and
 - (b) Courtyards, outdoor seating areas, and other similar outdoor spaces for residents, customers and/or the general public.
- 4. **Entry Design.** Primary building entrances must include weather protection with one of the following:
 - a. A projecting awning, canopy, extended eave, or other similar feature above the entry with a minimum outward projection of 3 feet and minimum width sufficient to clear the entrance on both sides.
 - b. A recess in the building wall with a minimum width of 4 feet and depth of 3 feet.
 - c. A covered porch, providing access to the entry, with a minimum dimension of 5 feet by 5 feet.

V. Building Massing

A. **Intent.** The intent of the building massing standards is to:

- 1. Provide for human-scale and pedestrian-friendly building massing where large buildings are broken into smaller volumes; and
- 2. Provide for sensitive transitions to adjacent lower-intensity uses.

B. **Standards.**

- 1. **Major Massing Breaks.** A street-facing building 150 feet or more in length shall provide one or more of the following major massing breaks.
 - a. **Major Recess.** A major recess, at least 20 feet wide by 10 feet deep, that extends from the finished ground floor through the full height of the building including breaking the roof plane. At least one major recess shall be provided for every 150 feet of building length.

- b. **Horizontal Change in Building Plane.** A horizontal change in the building plane of at least 50 percent of the building height. At least one change shall be provided for every 150 feet of building length.
 - c. **Break in Upper Floors.** A break in upper floors of at least 35 feet in width and depth. The rooftop above the lower floor must be usable open space. An upper floor segment may not exceed a maximum length of 150 feet.
- 2. **Upper-Story Stepbacks.** A building taller than 35 feet shall provide a stepback at the uppermost story on facades fronting public streets, publicly-accessible open spaces and property lines adjoining existing single-family uses.
 - a. The required stepback shall be a minimum of 6 feet in depth.
 - b. The stepback shall be required to extend for 80 percent of the building facade length.

VI. Open Space

A. **Intent.** The intent of the open space standards is to:

- 1. Provide for well-designed usable open space for residents; and
- 2. Create active and inviting publicly accessible open space in mixed-use projects.

B. **Standards.**

1. **Private Open Space.**

- a. **Amount Required.** Each dwelling unit shall have at least 100 square feet of private open space.
- b. **Design Standards.** Required private open space shall comply with the following standards:
 - (1) The open space shall be directly accessible from the dwelling unit.
 - (2) Balconies shall have a minimum dimension of 6 feet in depth and width and a minimum floor area of 50 square feet.
 - (3) Patios shall have a minimum dimension of 8 feet in depth and width and a minimum floor area of 64 square feet.
 - (4) Open space may be covered but not fully enclosed. If covered, the minimum floor to ceiling height is 8.5 feet.
 - (5) Ground level private open space shall be screened or buffered from adjacent private or common open space and dwellings by landscaping, fencing, walls, trellises, or other screening elements.

- c. **Common Open Space Substitution.** Up to 50 percent of multifamily units may substitute common open space for private open space. In such cases, 200 square feet of common open space must be provided per unit. Substituted common open space must be in addition to minimum common open space required by section (2) below.
2. **Common Open Space.** The following common open space standards apply to townhomes and multifamily dwellings.
 - a. **Amount Required.** A minimum of 100 square feet of common open space shall be provided per dwelling unit.
 - b. **Design Standards.** Required common open space shall comply with the following standards:
 - (1) Minimum area: 400 square feet.
 - (2) The open space shall be immediately adjacent to common spaces, hallways, or residential units and shall be accessible to all residents.
 - (3) Minimum width and length: 20 feet.
 - (4) Notwithstanding subsection (3), courtyards enclosed on four sides shall have a minimum dimension of 40 feet and have a minimum courtyard width to building height ratio of 1:1.25.
 - (5) A minimum of 60 percent of the area shall be open to the sky and free of permanent weather protection or encroachments. Trellises and similar open-air features are permitted.
 - (6) A minimum 20 percent of the area shall be planted with trees, ground cover, and/or shrubs.
 - (7) The open space must have permanent seating.
- C. **Publicly Accessible Open Space.**
 1. **When Required.** Development projects in a Commercial district with over 50,000 sq. ft. of floor area shall provide publicly accessible open space.
 2. **Minimum Amount:** 5 square feet per 1,000 square feet of floor area.
 3. **Ownership and Maintenance.**
 - a. Publicly accessible open space must be either offered as dedication to the City or privately owned and maintained with dedication of a public access easement.
 - b. Publicly accessible open spaces shall be maintained at no public expense.

- c. The owner of the property on which the open space is located shall maintain it by keeping the area clean and free of litter and keeping in a healthy state any plant material that is provided.
- 4. **Standards.** Required publicly accessible open space shall comply with the following standards:
 - a. The open space shall be publicly accessible for a minimum 12 consecutive hours per day or during daylight hours, whichever is longer.
 - b. The open space shall be directly accessible and visible from a public right-of-way.
 - c. The open space shall have a minimum dimension of 25 feet in any direction.
 - d. The open space shall have permanent seating (e.g., seat walls, planter ledges, benches, picnic tables, and seating steps).
 - e. A minimum of 60 percent of the area shall be open to the sky and free of permanent weather protection or encroachments. Trellises and similar open-air features are permitted.
 - f. A minimum of 20 percent of the open space area shall be planted with ground cover and/or shrubs. A minimum of one tree shall be planted per 400 square feet of the open space area.

VII. Façade and Roof Design

A. **Intent.** The intent of the façade and roof design standards is to:

- 1. Create street-facing building facades that are varied and interesting with human-scale design details;
- 2. Incorporate architectural elements that reduce the box-like appearance and perceived mass of buildings; and
- 3. Provide for buildings designed as a unified whole with architectural integrity on all sides of the structure; and
- 4. Ensure quality materials that maintain their appearance over time.

B. **Standards.**

- 1. **Modulation.** Each side of a building facing a street, public right-of-way, or publicly accessible pedestrian walkway shall include a minimum of two of the following building modulation strategies:
 - a. **Horizontal Change in Plane.** A horizontal change in the street-facing building wall plane for every 50 feet of frontage. The change in plane must be at least 2 feet deep and 6 feet wide and open to the sky.

- b. **Change in Roof Forms.** At least one change in the roof form for every 50 feet of frontage. This requirement may be satisfied with recessed or projecting gabled roof elements, roof dormers, changes in roof heights, changes in direction or pitch of roof slopes, and other similar methods.
 - c. **Prominent Covered Entry.** A front porch or other covered entry feature with a minimum depth of 3 feet and width of 6 feet providing access to the unit's primary building entrance.
 - d. **Balconies and Decks.** Balconies, upper-level decks, and other habitable projections, occupying at least 20 percent of the linear frontage of the street-facing building wall. Balconies and decks must have a minimum dimension of 6 feet in depth and width and a minimum floor area of 50 square feet.
 - e. **Upper story Stepback.** At least 80 percent of the building façade length has an upper story stepback of at least 6 feet in depth.
 - f. **Cantilevered Second Story.** For two-story buildings only, an upper story building wall projects at least 2 feet from the ground floor building wall for 25 percent or more of the street-facing building wall.
2. **Facade Articulation.** Each side of a building facing a street, public right-of-way, or publicly accessible pedestrian walkway shall include a minimum of two of the following façade design strategies to create visual interest:
- a. **Window Boxes.** A minimum of 50 percent of the windows feature window boxes projecting at least one-half foot from the building wall.
 - b. **Shutters.** A minimum of 50 percent of the windows feature exterior decorative shutters constructed of material that visually contrasts from the building wall. All windows of the same type must feature matching shutters.
 - c. **Shade/Screening Devices.** Screening devices such as lattices, louvers, shading devices, awnings, non-fabric canopies, perforated metal screens, with such a device occupying at least 20 percent of the linear frontage of the building wall.
 - d. **Projecting Windows.** At least one projecting window per 50 feet of the building wall. The furthest extent of the projecting window must project at least 1 foot from the building wall. This requirement may be satisfied with bay windows, oriel windows, bow windows, canted windows, and other similar designs.
 - e. **Datum Lines.** Datum lines (horizontal delineation between building levels) that continue the length of the building, such as cornices, with a minimum four inches in depth, or a minimum 2 inches in depth and include a change in material.
 - f. **Varied Exterior Color.** The building wall features two or more visibly contrasting main colors, with each color occupying at least 20 percent of the building wall area.

- g. **Varied Materials.** The building wall features two or more visibly contrasting primary materials, (e.g., wood shingles and stucco), with each material occupying at least 20 percent of the building wall area.
 - h. **Juliet Balconies.** Juliet and other balconies less than 6 feet in depth and width. Balconies must have a minimum 1-foot projection from the building wall.
 - i. **Wall Trellis.** Wall mounted trellises for climbing plants that occupy at least 25 percent of the wall excluding windows and doors. Trellis landscaping must be installed and permanently maintained.
- 3. **Roof Design for Large Buildings.** For buildings that are both three stories or more and 50 feet or more in length, each side of a building facing a street shall include one of the following roof design strategies:
 - a. A roof eave projecting at least 1-foot from the street-facing building wall with ornamental brackets or decorative fascia and eave returns.
 - b. Cornice or parapet cap with a change in material from the façade and a minimum height of 8 inches and a minimum depth of 4 inches.
 - c. At least 25 percent of building's street-facing building roof line incorporates at least one element of variable roof form that is different from the remainder of the street-facing roof form. This requirement may be satisfied with recessed or projecting gabled roof elements, roof dormers, changes in roof heights, changes in direction or pitch of roof slopes, and other similar methods.
- 4. **Non-Residential Transparency.** A ground-level non-residential building wall that faces and is within 20 feet of a street must provide transparent windows or doors with views into the building for a minimum of 65 percent of the building frontage width located between 3 and 7 feet above the sidewalk.
- 5. **Windows.** Residential street-facing windows shall comply with one of the following:
 - a. All street-facing windows and doors feature built up profile trim/framing. Windows include sills and lintels. Trim/framing must project at least 2 inches from the building wall with material that visually contrasts from the building wall.
 - b. For all street-facing windows, glass shall be inset a minimum of 2 inches from the exterior wall or frame surface to add relief to the wall surface.
- 6. **Materials and Color.**
 - a. **Primary Wall Finish Material.** The primary wall finish material shall be wood, wood shingle, stone, brick, stucco, fiber cement or other cementitious material, or stone. T1-11 siding and all grooved or patterned wood panel or composite wood panel siding are prohibited.
 - b. **Number of Materials and Colors.**

- (1) Street-facing building walls shall incorporate at least two contrasting colors and/or two contrasting materials. The required second color or material must occupy at least five percent of the building wall area.
 - (2) For each 150-foot portion of a building, the street-facing wall shall feature a maximum of five contrasting colors (excluding trim).
7. **360-degree Design.** Building exterior treatment (e.g., materials, colors, windows and door types) shall be applied consistently on all sides of the building.

VIII. Landscaping

A. Intent. The intent of the landscaping standards is to:

1. Enhance the visual character
2. Support water conservation and natural resource protection with landscape species adapted to local climate; and
3. Ensure adequate landscaping upkeep and maintenance over time.

B. Standards.

1. **Landscape and Irrigation Plan Required.** All projects shall submit a landscape and irrigation plan to demonstrate compliance with the standards in this section. Landscape and irrigation plans must be prepared or approved by a licensed architect and include the following features and information:
 - a. Existing vegetation and trees. Tree species, type and trunk size shall be noted.
 - b. Existing trees along adjacent property within 30 feet of project boundary. Species and size of all trees that are greater than 24-inch circumference in size shall be shown.
 - c. Proposed landscape plan, including species type, size and number. All landscaping with relation to building and parking locations shall be shown.
 - d. Proposed fences, walls, walkways and paving.
 - e. Proposed irrigation plan, which must include a legend and show the point of connection to water supply, sprinkler head, pipe locations and sizes, valve location and sizes, note gallons per minute, back-flow prevention unit type and location, pressure vacuum regulator type and location, clock location and pressure regulator (where appropriate).
 - f. Additional information as determined by the Planning Department to demonstrate compliance with the requirements of this section.
2. **Minimum Landscape Areas.**

- a. **Residential Zoning Districts.** The following areas, excluding areas required for access to the property, must be landscaped and permanently maintained:
 - (1) All required setbacks adjoining a street.
 - (2) All areas between a building and a front and street side property line.
 - b. **Commercial Zoning Districts.**
 - (1) A minimum of ten percent of the total site area and at least 10 feet of a required setback adjoining a street shall be landscaped and permanently maintained.
 - (2) Trees shall be planted in the setback adjoining the street with a maximum spacing between trees as required by Table 3.
3. **General Landscape Requirements.**
- a. **Water Conservation.**
 - (1) A minimum of 50 percent of tree specimens shall be from species classified as Very Low on the California state Water Use Classification of Landscape Species IV (WUCOLS IV) Zone 1 plant list.
 - (2) A minimum of 75 percent of shrub and ground cover specimens by quantity shall be from species classified as Low or Very Low on the WUCOLS IV Zone 1 plant list.
 - b. **Invasive Species Prohibited.** Planting species with a “High” rating in the California Invasive Plan Council’s Cal-IPC inventory of invasive plants is prohibited.
 - c. **Turf and Synthetic Turf.** Turf areas shall be limited to activity or recreation areas. Synthetic turf may be used as a substitute for natural turf for the purposes of water conservation, or in in high activity or foot-traffic areas such as sports fields.
 - d. **Groundcover and Shrubs.**
 - (1) A minimum of 50 percent of required landscape area must be covered with groundcover, shrubs, turf, or other types of plants at maturity.
 - (2) Groundcover must be provided throughout the landscaped area and must be spaced to achieve full coverage of the groundcover area within one year.
 - (3) A maximum of 50 percent of the required landscape area may consist of mulch, bark chip, crushed rock, pebbles, stone, or similar non-plant materials.
 - (4) Landscaped areas must be top dressed with bark, chip, mulch, or other similar material to cover exposed bare soil.

- e. **Soil Depth.** Planting in above grade courtyards shall have a minimum soil depth of 12 inches for ground cover, 20 inches for shrubs, and 36 inches for trees.

4. Trees.

- a. Tree species shall be selected from the City list of tree species that perform well in the Scotts Valley area.
- b. Trees must be a minimum 15-gallon size.
- c. Trees in landscape planters less than 10 feet in width or located closer than 5 feet from a public sidewalk, street, or permanent structure on an adjacent property must be planted with root barriers or root barrier panels to prevent damage to adjacent structures or pavement.
- d. Tree wells, where used, must be at least 4 feet larger than the tree trunk diameter at maturity.
- e. Table 3 shows non-compacted soil and separation standards for small, medium and large tree sizes.

Table 3: Non-Compacted Soil and Tree Separation Standards

	Max. Tree Height or Canopy Spread at Maturity		
	25 ft. or less	26 ft. to 50 ft.	51 ft. or more
Min. non-compacted soil	700 cubic ft.	1,400 cubic ft.	2,100 cubic ft.
Min. distance from center of trees to edge of building	5 ft.	12 ft.	20 ft.
Max. distance between trees on center within street-adjacent setback	20 ft.	25 ft.	35 ft.

- f. Minimum vertical clearance for tree canopies at maturity shall be provided as follows:
 - (1) 14 feet in and around service and loading areas and driveways.
 - (2) 12 feet for parking lots.
 - (3) 8 feet for tree canopies immediately adjacent to sidewalks and patios.

5. Timing of Installation.

- a. Landscaping must be installed prior to receiving a temporary or final certificate of occupancy.
- b. The Community Development Director may defer the installation of landscaping for a maximum of 180 days after project occupancy/completion in cases of delays caused by inclement weather, unavailability of plant materials, construction

scheduling, or other similar issues. The Director may require the applicant to provide adequate security bond to guarantee the landscaping installation.

6. Water Efficiency in Landscaping Ordinance (WELO).

- a. All applicable development shall comply with the California Model Water Efficient Landscape Ordinance (WELO) as required by California Water Conservation in Landscaping Act (Government Code Section 65591 et seq.).
- b. The following landscape projects must comply with the WELO requirements:
 - (1) Total combined landscaped area of 2,500 square feet or more installed by a public agency or commercial developer.
 - (2) Total combined landscaped area of 5,000 square feet or more in a single-family or multi-family residential project installed under the direction of the homeowner(s).
- c. If conflicts occur between the Government Code or WELO and this document, the more restrictive will control.

7. Maintenance. The following maintenance requirements apply to landscaping required by this section or installed as part of a City-approved landscaping plan:

- a. All landscaping must be maintained free of physical damage or injury from lack of water, excess chemical fertilizer or other toxic chemical, blight, or disease. Dead or dying plants must be removed and replaced with landscaping of similar size and maturity.
- b. Landscaping must be kept free from weeds.
- c. Landscaping shall be permanently irrigated with an automatic system, or planted with a plant palette that requires no permanent irrigation after plants are established.

IX. Other Site Features

A. Intent. The intent of the other site features standards is to:

- 1. Minimize visual clutter on a development site.
- 2. Enhance the design character of the public realm.
- 3. Support an active and welcoming pedestrian environment.
- 4. Minimize noise, odor, and visual impacts on neighboring properties.

B. Standards.

- 1. **Waste Collection Facilities.**

a. **Applicability.**

- (1) These standards apply to trash, recycling, and organic waste bins and dumpsters (“waste collection facilities”) used exclusively by the residents/tenants of the development site. These standards apply only to multi-family and non-residential development with communal or shared waste collection facilities.
- (2) For development without communal or shared waste collection facilities, individual trash and recycling bins shall be stored in such a manner that containers are either not visible or screened from public view from the front of the property. Bins may be placed in public view for purposes of collection.

b. **Location.**

- (1) Waste collection facilities shall be located inside of a building or enclosure.
- (2) Waste collection facilities are prohibited:
 - (a) In a required front or street side setback;
 - (b) Between a building and a front or street side property line;
 - (c) Within 15 feet of a property line abutting a residential use;
 - (d) Within a required landscape area; or
 - (e) Within a required parking space.
- (3) For multi-building developments, waste collection facilities that serve only one building shall be located within that building, so that residents do not need to travel to another building to dispose of waste.
- (4) The location of enclosures outside of a building shall not conflict with circulation or parking conditions on site. A clear pathway with a minimum width of 3 feet shall be provided for tenant access to enclosure.

c. **Exterior Enclosures.**

- (1) Waste removal facilities located outside of a building must be housed in a covered enclosure with a metal gate that fully screens the waste receptacles.
- (2) The size of the enclosure shall conform to the requirements of the trash and recycling collection service provider.
- (3) Enclosures shall be constructed of the same primary wall material and color as the most adjacent building in the development.

- (4) Enclosures shall have both a vehicular access gate with a concrete apron and a pedestrian entrance. Access shall conform to the collection service provider.
- (5) Enclosures shall comply with all applicable Public Works Department requirements.

2. **Mechanical Equipment Screening.**

a. **Rooftop Equipment.**

- (1) Rooftop equipment shall be screened using one of the following options:
 - (a) **Option 1:** New buildings shall be designed to provide a parapet or other architectural element that is as tall or taller than the highest point on any new roof-mounted equipment to be located on the roof of the building.
 - (b) **Option 2:** Roof-mounted equipment and screening of roof-mounted equipment shall be stepped back from top of parapet a minimum of 10 feet from the parapet or roof edge. Roof-mounted equipment greater in height than the parapet wall shall be screened to a height equal to the height of the equipment. The screening shall be architecturally consistent with the building and match the existing building with paint, finish, and trim cap detail.
- (2) Rooftop solar and wind energy systems are exempt from this screening requirement.

b. **Ground- and Wall-Mounted Equipment.** The following standards apply to all ground- and wall-mounted utilities and equipment, including electrical and gas meters, fire sprinkler valves, and irrigation backflow prevention devices. The City may allow exceptions to these standards when required by the utility service provider. EV charging equipment is exempt from these screening requirements.

- (1) Utilities and equipment shall not be located on a building wall that faces a public street, in a front or street side setback, within 25 feet of a usable open space areas, or within 25 feet of a street corner.
- (2) Backflow preventors shall be located within landscaped setback areas and painted black or dark green to minimize visual impact. Where no landscaped setback areas exist the backflow preventors shall be incorporated into the front of the building to minimize visual obtrusiveness.
- (3) Equipment shall be screened or painted with a black, bronze, or Malaga green (i.e., RAL 6012, also known as black green) color.

- (4) Screening shall be as high as the highest point of the equipment being screened.
- (5) Screening shall be made of a primary exterior finish material used on other portions of the building, architectural grade wood or masonry, metal, or landscape screening that forms an opaque barrier when planted.

3. Fences and Walls.

- a. **Prohibited Types.** Chain-link and vinyl fencing, barbed wire and razor wire, electric fences, as well as unfinished concrete block walls, hollow tubular steel, metal, plastic, railroad ties, and faux materials such as manufactured stone are prohibited.

4. Accessory Structures. For all accessory structures fully enclosed on three sides or more (e.g., detached garages), the quality of exterior materials and degree of detailing shall be equivalent to the primary buildings on the site.

5. Exterior Lighting.

a. **Fixture Types.**

- (1) All lighting fixtures must be shielded or recessed so the lighting source is not directly visible from the public right-of-way or adjoining properties.
- (2) All fixtures must comply with the California Green Building Standards Code and one or more of the following:
 - (a) The fixtures meet the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light ("dark sky compliant")
 - (b) The fixtures meet criteria of the Illuminating Engineering Society of North America (IESNA) for "Cut Off" or "Full Cut Off" luminaries.
 - (c) The fixtures have a maximum Backlight Uplight Glare (BUG) rating of B3 UO G1.

b. **Light Trespass.**

- (1) Lights must be directed downward or towards structures and away from adjacent lots to minimize illumination of adjacent properties and the public right-of-way.
- (2) No lighting may produce an illumination level greater than 0.5 foot-candles on any adjacent residential property.

c. **Maximum Height.** Freestanding outdoor light fixtures shall not exceed 16 feet in height.

d. **Prohibited Lighting.** The following types of exterior lighting are prohibited:

- (1) Bulbs without fixtures or hoods.
 - (2) Mercury vapor lights.
 - (3) Low pressure sodium lighting.
 - (4) Searchlights, laser lights, or any other lighting that flashes, blinks, alternates, or moves.
6. **Light Quality.** Light fixtures shall be 4,000 kelvin or less.
- a. **Pedestrian Access Lighting.** Outdoor aisles, passageways, walkways, and entry areas shall be illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness.
 - b. **Non-Residential Uses in Commercial Zoning Districts.** All exterior doors, during the hours of darkness, shall be illuminated with a minimum of 0.25 foot-candles of light.
 - c. **Parking Lighting.**
 - (1) Residential parking area illumination levels shall achieve a uniformity ratio of 4:1 with a maintained average of 0.7 footcandles and a minimum of 0. 2 footcandles.
 - (2) All lighting shall be on a timeclock or photo-sensor system.
 - (3) Outdoor lighting as required above must be provided during nighttime business hours.

PART 3: GLOSSARY

Specialized terms used in this document are defined as follows:

1. **Commercial Zoning District.** A zoning district listed in Zoning Code Section 17.06.010 with a “C” preceding its symbol.
2. **Common Open Space.** Courtyards, sport courts, play areas, and gardens for communal use by residents within a development.
3. **Design Guidelines.** Any design guidelines or design handbook adopted by the City Council, including but not limited to the Commercial and Industrial Design Review Guidelines, the Mount Hermon Road Downtown Design Guidelines, and the Residential Design Handbook.
4. **End Unit.** A townhome dwelling unit that shares a wall with another unit on only one side.
5. **Lot, Through.** A lot which has two or more front lot lines which do not intersect.
6. **Multi-unit Residential Development.** A development project that creates two or more dwelling units, including detached single-family dwellings, townhomes, multifamily dwellings, and mixed-use residential projects.
7. **Objective Standard.** A development standard that involves no personal or subjective judgment by a City official and that is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application.
8. **Pedestrian Walkway.** A pathway or sidewalk that connects into or through a development.
9. **Primary Building Entry.** The exterior entrance to a building which functions as the primary means by which residents, employees, customers, and visitors access the interior of the building.
10. **Private Open Space.** a yard, patio, porch, balcony, or other similar space directly accessible from a dwelling unit for which the open space provides an opportunity for private outdoor recreation and relaxation.
11. **Property Frontage.** The linear dimension of a parcel of property abutting a public street.
12. **Publicly Accessible Open Space.** Outdoor areas and/or recreational spaces that are free, open, and accessible to the entire public during set hours each day. Examples include courtyards, plazas, parklets, outdoor seating areas, children's playgrounds, and other similar spaces.
13. **Residential Zoning District.** A zoning district listed in Section 17.06.010 with an “R” preceding its symbol.
14. **Tuck Under Parking.** A surface parking space that is covered by the upper floor of a building but is otherwise open.

15. **Window Box.** A flower container for live flowers or plants in the form of a box attached on or just below the sill of a window.

City of Scotts Valley CITY COUNCIL STAFF REPORT

DATE: 11/1/2023
TO: Honorable Mayor and City Council
FROM: Steve Jesberg, Interim Public Works Director
APPROVED: Mali LaGoe, City Manager
SUBJECT: **Adopt a resolution accepting a donation of \$66,385.09 from the Community Advocates of Scotts Valley and approve Contract Change Order No. 1 in the amount of \$66,385.09 for the Skypark Tot Lot Project and authorize the City Manager to enter into an agreement with the Community Advocates of Scotts Valley**

SUMMARY OF ISSUE

The City of Scotts Valley is in the process of replacing the playground equipment at Skypark. The playground for the small children has been demolished and the sand is being removed. The new playground surface is planned to be a combination of poured-in-place rubber and engineered wood chips. This design was intended to maximize the City's budget for the project which includes \$177,952 of Proposition 68 grant funding and an additional \$74,234.37 City General CIP Fund.

In recent discussions with interested community members, concerns about engineered wood chips were raised and a preference for the entire surface to be poured-in-place rubber emerged. City staff contacted the contractor, Miracle Playgrounds, and requested a quote to change the design to all rubber. The cost difference to incorporate this upgrade is \$66,385.09.

City staff reached out to the Community Advocates of Scotts Valley, requesting they consider funding this increased cost. As indicated in the letter from Sarah DeLeon (Attachment 1), the Board of Directors approved the donation of funds to pay for the additional poured-in-place rubber surfacing.

In order to replace the engineered wood chips with pour in place rubber, the City must issue a change order to Miracle Playgrounds. To accept the donation from the Community Advocates of Scotts Valley, the City Council must pass a resolution accepting the donation. If the Council votes to accept the donation, the City Manager will enter into an agreement with the Community Advocates of Scotts Valley which stipulates the timing and use of the donated funds .

FISCAL IMPACT

Acceptance and receipt of the donation from the Community Advocates of Scotts Valley will increase the project funding and expenditures by \$66,385.09.

STAFF RECOMMENDATION

After consideration of the material, it is recommended that the City Council thank the Community Advocates of Scotts Valley and take the following actions:

1. Adopt Resolution No. 2037, accepting the donation from the Community Advocates of Scotts Valley (Attachment 2)
2. Approve Contract Change Order No. 1 to the Skypark Tot Lot project, increasing the contract by \$66,385.09 for replacing the engineered bark in the project with pour in place rubber matting (Attachment 3)
3. Authorize the City Manager to enter into an agreement with the Community Advocates of Scotts Valley that lays out terms and expectations of the donation (Attachment 4)

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1. CASV Response to Sky Park Request
2. Resolution No. 2037 accepting the donation
3. Contract Change Order No. 1 for the Skypark Tot Lot project
4. Agreement between the City and Community Advocates

Community Advocates of Scotts Valley



October 27, 2023

Dear Mali LaGoe,

Thank you for your letter dated October 25, 2023, Re: Request for Funding: Skypark Tot Lot Playground Replacement to pour for the entire surface in place rubber emerged. City staff contacted the contractor, Miracle Playgrounds, and requested a quote to change the design to all rubber. The cost difference to incorporate this upgrade is \$66,385.09.

During our October 26, 2023, Community Advocates Board Meeting, we reviewed all new support requests. We unanimously agreed that it is essential to our community to help our City provide the ADA flat surface at Sky Park. Please consider this letter our formal agreement to provide the funds for the cost of the pour.

Thank you for your request, and we look forward to partnering with you to complete this project for our community.

Sincerely,

Sarah De Leon

President & Board Member
Community Advocates of Scotts Valley

RESOLUTION NO. 2037

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY
ACCEPTING THE DONATION OF \$66,385.09 FROM THE COMMUNITY
ADVOCATES OF SCOTTS VALLEY FOR THE SKYPARK TOT LOT AND
AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE
COMMUNITY ADVOCATES OF SCOTTS VALLEY FOR THE DONATION**

WHEREAS, the City of Scotts Valley is in the process of replacing the play equipment and surfacing in the Tot Lot located in Skypark; and

WHEREAS, due to budget constraints, the Tot Lot project only included a minimal amount of rubber matting play surface with the majority of the proposed play surface being engineered wood chips; and

WHEREAS, to replace the proposed wood chips to have only rubber matting in the play area would cost an additional \$66,385.09 that is unfunded in the City's budget; and

WHEREAS, the Community Advocates of Scotts Valley, a California 501(c)(3) corporation, and the City have entered into an agreement under which the Advocates have agreed to donate \$66,385.09 for the sole purpose of replacing the proposed wood chips with rubber matting; and

WHEREAS, the City desires to accept the donation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Scotts Valley hereby accepts the donation of \$66,385.09 from the Community Advocates of Scotts Valley to be used for the for additional rubber matting playground surfacing at the Tot Lot at Skypark.

BE IT FURTHER RESOLVED that the City Manager is authorized to enter into an agreement with the Community Advocates of Scotts Valley for the donation.

The above and foregoing resolution was duly and regularly adopted by the City Council of the City of Scotts Valley at a regularly scheduled meeting held on the 1st day of November, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk



CONTRACT CHANGE ORDER

No. 1

PROJECT NAME: Skypark Tot Lot Playground Project

Change Requested By: Agency – City of Scotts Valley Public Works Department

You are hereby directed to make the herein described changes from the plan and specifications or do the following described work not included in the plans on this contract.

NOTE: this change order is not effective until approved by the Agency.

Description of work done, estimate of quantities, and prices are to be paid as described below:

Original play surface scope of work included segments of PIP rubber play surface and wood fiber play surface. Change Order No. 1 adjusts the material to be used for the play surface to be entirely PIP rubber play surface.

The following changes were not included in the bid documents because of changes during construction after the award. The Cost increases are negotiated, and agreed-upon prices are a result of City directed changes and are hereby incorporated into the project plans and specifications and shall be paid for as Total Lump Sum amount for CCO No. 1

	Description of Change	Amount
	Stone Sub Base 2872 SF. Supply and install approximately 185 TN crushed stone compacted at 10" depth	\$20,290.25
	PIP 3302 SF 2". Poured in Place: supply and install approx. 3302 SF of PIP standard EPDM PIP resilient rubber surfacing at 2" thickness (meets up to 4' fall) using 50% Black and 50% beige color with Standard "Aromatic" binder.	\$59,558.76
	Deduct Line B06 – 200 LF PIP Turndown Materials	\$(3,932.00)
	Deduct Line B24- 200 LF PIP Turndown Install	\$(5,896.00)
	Deduct 430 SF 3.5"	\$(9,435.92)
	Deduct C16 Engineered Wood Fiber	\$(3,200.00)
	TOTAL	\$66,385.09

Total Lump Sum Cost Increase for Change Order No. 1 is \$66,385.09

By reason of the order, the time of completion will be adjusted as follows: **No Time Adjustment**

Department of Public Works
361 Kings Village Road
Scotts Valley, Ca. 95066

Or, return via email to the following address: sjesberg@scottsvalley.gov

Owner: City of Scotts Valley

Approved By: _____ Date: _____
Steve Jesberg, PE

Title: Public Works Director/City Engineer

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, including home and field office expenses, and all will accept as full payment therefor the prices shown above.

Accepted By: _____ Date: _____
Name

Title: _____

**DONATION AGREEMENT BETWEEN
THE CITY OF SCOTTS VALLEY AND
THE COMMUNITY ADVOCATES OF SCOTTS VALLEY**

This Donation Agreement is entered into by and between the City of Scotts Valley ("City") and the Community Advocates of Scotts Valley ("Advocates") on this 1st day of November, 2023.

RECITALS

WHEREAS, the City of Scotts Valley is in the process of replacing the play equipment in the Tot Lot located in Skypark; and

WHEREAS, due to budget constraints, the Tot Lot project only included a small area of poured in place rubberized matting for the play surface with the rest of the surfacing being engineered wood chips; and

WHEREAS, the contractor for the project provided a quotation to replace the engineered wood chips in the project with rubber matting at an additional \$66,385.09 that is unfunded in the City's budget; and

WHEREAS, the Community Advocates of Scotts Valley, a California 501(c)(3) corporation, has offered to donate \$66,385.09 for the purpose of covering this additional costs for the rubber matting; and

WHEREAS, the City desires to accept the Donation subject to the terms of this Agreement and issue a contract change order to the contractor for the additional work.

NOW, THEREFORE, in consideration of the recitals and the mutual promises contained herein, the City and the Advocates agree as follows:

AGREEMENT

1. **Timing of Donation.** Within 15 days of execution of this Agreement, the Advocates shall make the Donation to the City. The Donation shall be made out to the City of Scotts Valley and submitted to the Administrative Services Department.
2. **Use of the Donation.** The Donation shall only be used exclusively for the additional rubber matting at the Tot Lot at Skypark. In the event the City does not proceed with the work and add the additional rubber matting as part of the finished project, the Donation shall be returned to the Advocates.
3. **Binding on Successors:** This Agreement is binding on the heirs, successors and assigns of the parties hereto.
4. **Entire Agreement:** This Agreement contains the entire understanding between the parties with respect to the subject matter herein. There are no representations,

agreements or understandings. Whether oral or written, between or among the parties relating to the subject matter of this Agreement which are not fully expressed herein. The drafting and negotiation of this Agreement have been participated in by each of the parties and/or their counsel, and for all purposes this Agreement shall be deemed to have been drafted jointly by all parties.

5. **Waiver:** Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this agreement.

6. **Severability:** If any term or portion of this Agreement shall be held by a court of competent jurisdiction to be invalid, illegal, or otherwise unenforceable, the remaining provisions of this Agreement shall continue in full force and effect.

IN WITNESS WHEREOF, this Agreement is executed by the CITY and by the ADVOCATES on this November 1, 2023, at Scotts Valley, California.

ADVOCATES:

CITY:

Community Advocates of Scotts Valley

City of Scotts Valley

By: _____
Its: _____

By: Mali LaGoe, City Manager