

## Zoning Code Clean Up

PR-2023-001525 (Zoning Text Amendment)




COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Commission  
Agenda Item: 4  
September 14, 2023

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## PURPOSE

-  Ensure Zoning Code Compliance with State Law
-  Clarify ambiguous, conflicting, and/or outdated language
-  Align the Zoning Designation of APN 229-082-008 with the existing General Plan Land Use Designation of C – Commercial.



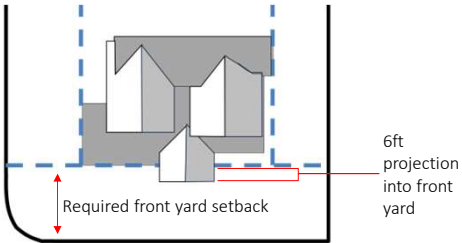
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# AMENDMENT 1: PROJECTIONS INTO YARDS

|                     |   |
|---------------------|---|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>Chapter 19.100.040 (Residential Development Standards)</li> <li>Chapter 19.630.040 (Permitted Projections into Required Yards)</li> </ul>  |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>Provisions for front porch projections into yards in two different chapters                             <ul style="list-style-type: none"> <li>19.100 allows a 6ft projection</li> <li>19.630 allows a 5ft projection</li> </ul> </li> </ul> |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>All provisions moved to 19.630.040 (Permitted Projections into Required Yards)</li> <li>Simplify permitted projections for porches</li> </ul>  |



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# AMENDMENT 2: MIXED USE ZONE CONSISTENCY

|                     |  |
|---------------------|--|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>19.150.020.A (Permitted uses table)</li> </ul>  |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>Drive-thru restaurant permitted with Conditional Use Permit in all Commercial and some Mixed-Use Zones</li> <li>Prohibited in all other zones, including MU-Neighborhood</li> </ul> |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>Remove permitted use in MU-Village and MU-Urban inconsistent with intents and purposes in 19.120.010(B)</li> <li>Remains permitted in all Commercial Zones</li> </ul>               |



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## AMENDMENT 3: TATTOO PARLORS

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|---------------------|--|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>19.150.020.A (Permitted uses table)</li> <li>19.405 (Tattoo and Body Piercings)</li> </ul>  |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>Regulated as a stand alone use</li> <li>Permitted with a CUP in the CR (Commercial Retail) &amp; CG (Commercial General Zone)</li> <li>Prohibited in all other zones</li> </ul> |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>Align with personal services (e.g., beauty salon, barber shop, dry cleaner)</li> </ul>  |



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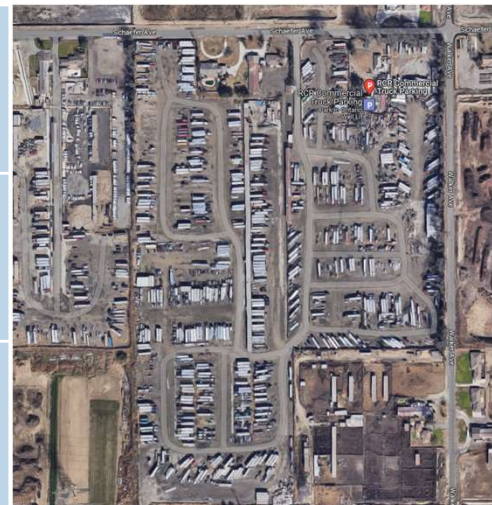


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## AMENDMENT 4: TRUCK AND TRAILER STORAGE

|                     |   |
|---------------------|---|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>19.150.020.A (Permitted uses table)</li> <li>19.910 (Definitions)</li> </ul>   |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>"Truck and Trailer Storage" not a listed or defined use</li> <li>"Truck Terminal" listed twice but undefined, creating ambiguity and conflict</li> </ul>   |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>Remove "Truck Terminal" from RMC</li> <li>Define and prohibit "Truck and Trailer Storage" as standalone use</li> <li>Truck/trailer storage remains allowed with other primary industrial use(s)</li> </ul> |




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## AMENDMENT 5: AB 2244

|                     |   |  |
|---------------------|---|--|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>• 19.255 (Assemblies of People – Non-Entertainment)</li> </ul>   |  |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>• RMC regulates parking requirements for Assemblies of People uses separate from housing units in the same project</li> </ul>  |  |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>• Cite AB 2244 under Chapter 19.255 (Assemblies of People – Non-Entertainment)</li> <li>• Allows Assemblies of People uses and residential units in the same project to share parking</li> </ul> |  |





Image source: StMichaelsRiverside.com – Rendering of newly built Religious Institution Affiliated Housing Development

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## AMENDMENT 6: PRIVATE FUEL STATIONS

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|---------------------|--|--|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>• 19.480.040 – (Fueling Systems – Private [Above-ground])</li> </ul>  |  |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>• Section 19.150.020 Permitted Land Uses requires a Minor Conditional Use permit to modify development standards</li> <li>• Section 19.480.040 requires a Conditional Use Permit to modify development standards</li> </ul> |  |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>• Amend Section 19.480.040 to requires a Minor Conditional Use permit for modifications, consistent with Section 19.150.020</li> </ul>  |  |

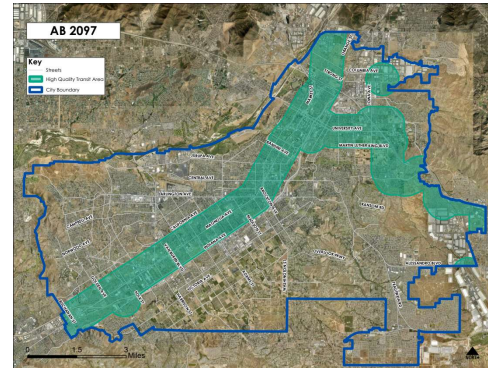
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## AMENDMENT 7: AB 2097

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|---------------------|--|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>Chapter 19.580 (Parking and Loading)</li> </ul>   |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>RMC does not account for AB 2097 (removes mandatory parking minimums for projects within 0.5 mile of major transit stop)</li> </ul> |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>Cite Government Code Section 65863.2 under Parking Requirements</li> </ul>  |



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## AMENDMENT 8: ACCESSORY STRUCTURES

|                     |   |
|---------------------|---|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>Chapter 19.440.030 Site location, operation, and development standards.</li> </ul>   |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>Current regulations preclude larger sized lots in the RR, RE, and R-1 Zones from constructing accessory structures greater than 750 sf.</li> </ul>   |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>Remove size limits for accessory structures on lots greater than 1 acre in the RE, RR, and R-1 Zones.</li> <li>Accessory structures on properties less than 1 acre remain subject to 750 sf size limit.</li> </ul> |



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## AMENDMENT 9: RV PARKING

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|---------------------|--|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>Chapter 19.580.070 Off street parking location and type requirements</li> </ul>   |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>RVs less than 10,000 pounds gross vehicular weight rating (GVWR) may be stored in any SFR Zone.</li> <li>RVs more than 10,000 GVWR can only be parked in the RA-5, RE, and RR Zones and are limited to side and rear yard areas only</li> </ul> |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>All RVs permitted to park in all SFR Zones</li> <li>May not encroach onto the public right of way</li> <li>May not block the visibility of on-coming vehicular and pedestrian traffic</li> </ul>  |

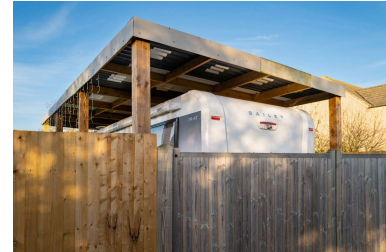


Image source: RVLife.com



Image source: The Great Bend Tribune

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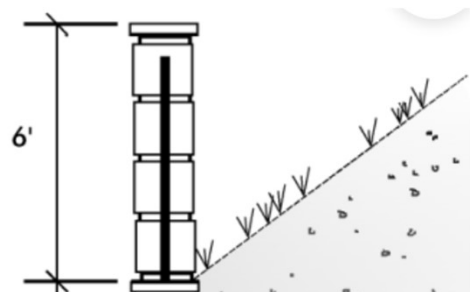


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## AMENDMENT 10: WALL HEIGHTS

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|---------------------|---|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>19.550 (Fences, Walls and Landscape Materials)</li> </ul>  |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>Maximum wall heights outside of required setbacks not clearly stated</li> <li>Maximum wall heights adjacent to utility/mobility infrastructure not specified</li> <li>Walls for sound attenuation not specified</li> </ul>                             |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>Reaffirm 6 ft. height for walls outside of required setbacks</li> <li>Allow 8 ft. height for walls adjacent to railroads, freeways, and flood control channels</li> <li>Permit sound walls at height identified in noise study, when needed</li> </ul> |



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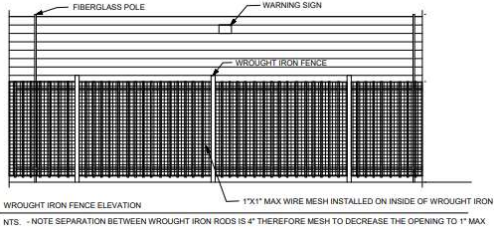


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## AMENDMENT 11: PERMITTED WALL MATERIALS

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|---------------------|---|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>19.550 – Fences, Walls and Landscape Materials</li> </ul>  |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>Electrified security fence systems permitted with CUP under (Ordinance 7617, 2022)</li> <li>Electric wire listed as a prohibited material</li> </ul> |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>Remove “electric wire” under prohibited material, consistent with Ordinance 7617</li> </ul>  |



WROUGHT IRON FENCE ELEVATION  
NTS. – NOTE SEPARATION BETWEEN WROUGHT IRON RODS IS 4" THEREFORE MESH TO DECREASE THE OPENING TO 1" MAX.


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## AMENDMENT 12: EMPLOYEE HOUSING ACT



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|---------------------|--|--|
| <b>CODE SECTION</b> | <ul style="list-style-type: none"> <li>19.910 Definitions</li> </ul>   |  |
| <b>CURRENT</b>      | <ul style="list-style-type: none"> <li>Farmworker Housing Act (AB 1783, 2019) not codified in RMC</li> </ul>   |  |
| <b>PROPOSED</b>     | <ul style="list-style-type: none"> <li>Satisfy Housing Element Program HE-5-5</li> <li>Add “farmworker housing” to “Agricultural Use” definition in compliance with Health and Safety Code 17021.6.</li> </ul> |  |

Image source: Ventura County Star – Rendering of proposed farmworker housing in Camarillo, CA


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## AMENDMENT 3

### EXISTING

### PROPOSED

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## STRATEGIC PLAN ALIGNMENT

**CROSS CUTTING THREADS**

**STRATEGIC PRIORITIES**

Arts, Culture and Recreation

Community Well-Being

Economic Opportunity

Environmental Stewardship

High Performing Government

Infrastructure, Mobility and Connectivity

### Strategic Priority 5 – High Performing Government

**Goal 5.3** – Demonstrates adaptivity as an organization and enhances communication and collaboration with community members to improve transparency, building public trust, and encourage shared decision making.

### Cross Cutting Threads

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## RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15301 (Existing Facilities) and Section 15061(b)(3) and;
2. **RECOMMEND** the City Council Approve Planning Case PR-2023-001525 (Zoning Code Text Amendment, Zoning Code Map Amendment) based on the findings outlined in the staff report.



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