

# Proposed Municipal Code Amendments- City Council Review Draft

## City Council Meeting October 24, 2018

Proposed Amendment	Reason to Include	Sections	Comments
Allow State-licensed group homes, foster homes, residential care facilities by right with 6 or fewer persons in any residential zoning district and with administrative approval of group homes with greater than 6 persons "Community Care Facility"	Per Housing Element	17.13.080(D) 17.16.020 17.48 17.88.020	Removed CUP from all categories, added Administrative Permit for group homes with greater than 6 persons. Added standards for group homes with greater than 6 persons, including off street parking, noise, circulation, signs. A hearing will be required with the Administrative Permit.
Increase the minimum density allowed in HDR and CMU districts to 15 du/acre as required by State Law.	Per Housing Element	17.16.030	Amended to be increased from 8 to 12 units to 8 to 15 units.
Make a CUP required for auto repair facilities in all commercial zones.	Consistency with other auto repair facilities in the CC zone.	17.19.020	Revise to CUP (from P) in CMU and SC zoning designations. ** Staff has noted that there is a need for increased enforcement of CUP conditions.
Outdoor Storage Include screening requirement for storage containers in all zones (PC recommendation).	Numerous staff questions regarding interpretation of outdoor storage. Screening- Per previous PC direction, and court decision.	17.13.090(X) (Definition as commercial use type) Added as never permitted as a primary use- 17.16.020 17.19.020 17.22.030 17.25.020 17.34.020 17.106.030 (added definition of shipping container)	Clarified that outdoor storage can't be the primary use (i.e. no storage of delivery trucks on a lot where there is no business). Outdoor storage is not permitted on an undeveloped lot, unless it is adjacent to and under the same ownership as a developed lot. For all use types- Screen any outdoor storage, including shipping containers on all sides through a combination of building design, dense landscaping at least 6' high, and/or other solid screening material (i.e. siding, fencing). Outdoor storage that is not completely screened is not permitted. Operable and registered vehicles, boats, RV, etc. aren't considered outdoor storage that needs to be screened. Firewood for personal use or storage of building material not outdoor storage. Parking for oversize vehicles in accordance with 10.40.087 is permitted as an accessory use for a dwelling. Screened shipping containers are OK on all lots greater than 6,000 sq. ft., that meeting the lot standards re coverage, setbacks, etc.

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Increase fence height to 8' administratively	Staff question	17.34.030(C)(6)(d) 17.34.030(D)(4)(d)	Allow for approval of an administrative permit for increase in the height of a fence to feet (from 6' to 8') instead of planning commission approval.
Carport	Staff questions	17.34.030(C)(1), (D)(1), (E)(1)	Comply with snow load, wind load. No snow shedding onto neighbor. Don't need to maintain setbacks (for temporary carports). Building Dept. to review a set of plans
Residential Density Bonus	Per Housing Element	Chapter 17.43	Amended per the Housing Element to be consistent with State Law (Section 65915, 65915.5, 65915.7, and 65917)
Special Area and Specific Use Requirement	Staff Request	Chapter 17.46	Proposed to be deleted; is not referenced anywhere else in the Municipal Code.
Open Air Vending Mobile Vending	To address Farmer's Markets and Community Gardens	<b>17.50</b> 17.13.090(W) 17.16.020 17.19.020 17.22.020 17.34.020(E)(4) 17.106.030 (remove definition)  Deleted 5.06 Mobile Vending	Open Air Vending has been redefined to include Mobile Vending and includes Farmer's Markets. Open Air Vending is allowed as a primary use and accessory use with an Administrative Permit in commercial and industrial zoning designations. Not permitted on City property/right-of-way. Fee will be established with the Administrative Permit.
Short-Term Rental	Regulations for short-term rentals (VRBO, Airbnb).	<b>17.51</b> 17.13.080 17.13.080(I) 17.16.020 17.19.020 17.22.020 17.25.020	Allowed everywhere, subject to TOT and Administrative Permit. Standards include meeting building and safety codes, installing and maintenance of a smoke detector and carbon monoxide detector, providing off-street parking, no commercial activity quiet hours 10pm – 7am, no parties greater than the max allowed people (2 per bedroom plus 2 people), no unreasonable noise or disturbances. \$250 fee for violations. Allows for inspections.
Home Occupation Permit	Staff question	17.55.050	Home delivery; up to 2 regular deliveries OK for Tier A, any number of regular deliveries OK for Tier B, big vehicle deliveries for Tier C.

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Include provisions of Government Code Section 65852.2 re accessory dwelling units	Per Housing Element	<b>17.70</b> 17.13.030 17.13.080(A) 17.16.020 17.70.040J 17.19.020	Added Accessory Dwelling Unit as a Residential Use Type (replaced Second dwelling unit). Permitted in all residential zones.  It is not a requirement that one of the units be occupied by the property owner. Both units can be tenant-occupied.
Remove requirement for separate utilities for adding a 2 <sup>nd</sup> unit	Staff questions- has been a previous issue.	17.70.040(E)	No separate meter required.
Temporary RV Occupation	Per CC direction	17.73.030 17.73.030(4)	Added a clause that “a recreational vehicle, trailer, coach, or mobile home may be used as a temporary residence to accommodate visitors for a period of time not to exceed fourteen (14) days on a continual bases during any calendar year or 30 days on an intermittent basis during any calendar year on land owned or leased by the host an on which there is located a permanent dwelling occupied by the host. The property owner or host must obtain an administrative permit prior to occupancy of the recreational vehicle, trailer, coach, or mobile home.”
Free-standing bracket signs	Staff question	17.76.160(D)(12) 17.76.190(F)	Clarified that free-standing bracket signs are not permitted on corners, or away from building entrance.
Feather Signs	Staff question	17.76.160(C)(8)	Clarified that feather signs are not permitted on corners, or away from building entrance.
Variances	Staff question	17.82.020	Allow for variances that exceed the development standard by less than 10% to be processed administratively.
Administrative Permit Administrative Variance	Consistency	17.88.020 (AP) 17.82.020 (Variance)	Overall- expanded use of Administrative Permits (Community Care Facilities, Large in residential zones, Family Day Care Homes, Large in residential zones, Short-Term Rentals in all zones, Open Air Vending in commercial and industrial zones, Special Event, increase height of fence to 8’)  Took out the public hearing requirement for an admin permit (or waiving the public hearing) and admin variance.  Clarified Admin Variance.  Add findings for and Administrative Permit.  17.91 provides for appeals to Planning Commission or City Council.

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Findings for a Zoning Ordinance Amendment	Staff question	17.97.050	Add specific findings for approval of a zoning ordinance amendment.
Camping on City property		9.33	<p>8.40.030 allows for camping on City property with written permission from city manager. This would be for a single person. Added "Special event" to Section 9.33 Festivals. Applies to events that will require additional city services (law enforcement, fire, toilet facilities, traffic control, available of potable water) or the use of city-owned or managed property, street closure, etc.</p> <p>Overnight camping may be permitted when the camping event is sponsored by the city.</p> <p>City's Facility Use Policy will need to be updated so that language is the same.</p>