

ZONING TEXT AMENDMENT NO. 18-003

Zoning and Subdivision Ordinance Update

January 22, 2019

REQUEST:

Zoning Text Amendment (ZTA) No. 18-003:

- Amend five chapters of Zoning and Subdivision Ordinance (ZSO)
 - Chapter 203 (Definitions)
 - Chapter 204 (Use Classifications)
 - Chapter 211 (Commercial Districts)
 - Chapter 214 (Public-Semipublic District)
 - Chapter 231 (Off-Street Parking and Loading Provisions)
- Reorganize certain entitlement applications to a lower hearing body
- Codify existing policies
- Clarify sections of the ZSO

ANALYSIS

❖ Change in the approving body:

- Section 211.04 - Cultural Institutions – PC to Director if 5,000 s.f. or less
- Section 211.04 - Government Offices (CV District only) – PC to ZA
- Section 211.04 - Public Safety Facilities – PC to ZA
- Section 211.04 - Eating and Drinking Establishments within 300 feet of residential (no alcohol, live entertainment or dancing) – Director to permitted by right
- Section 211.04 – Food and Beverage Sales – PC/ZA (typo) to permitted by right.
- Section 211.04 - Personal Enrichment Services – ZA to Director if greater than 5,000 s.f.
- Section 211.04 - Tattoo Establishments (CG District only) - PC to ZA

❖ Land use issues related to these uses are typically straight forward.

❖ Reduce processing time of non-controversial applications.

ANALYSIS

- ❖ Codify Existing Policies:
 - Section 203.06 - Coverage, Lot or Site - Add that square footage of all building projections are included.
- ❖ By codifying this policy in the ZSO, the information is readily accessible to staff and the public.

ANALYSIS

❖ Cleanup and Clarification:

- Section 203.06 – Assisted Living Facility – add definition
- Section 203.06 – Guest House – delete definition
- Section 203.06 – Setback Line – clarify setbacks measured from ultimate ROW.
- Section 204.08(D) – Add Assisted Living under Convalescent Facilities use classification for clarification.
- Section 204.10(T) and (U) – Add Offices, Medical and Dental separate from Offices, Business and Professional due to different parking requirements.
- Section 204.10(X) – Add permanent/semi-permanent make-up (microblading) and non-medical medspas to Personal Services given nature of uses.
- Section 204.10(GG) – Add Office for Vehicle Retail Sales/Wholesale to be consistent with DMV.
- Section 211.04 – Animal Sales and Services – add reference to Muni Code regarding distance for kennels from residential use.

ANALYSIS

❖ Cleanup and Clarification:

- Section 211.04 – Eating/Drinking Est. with alcohol – delete (Y) regarding Neigh. Notif. (NN) since CUP required.
- Section 211.04 – Eating/Drinking Est. with outdoor dining – delete (Y) regarding NN since (X) already identifies approval process.
- Section 211.04 – Offices, Medical and Dental – add use classification permitted by right.
- Section 211.04 – Offices for Vehicle Equipment Sales & Rentals – add use classification permitted by right.
- Section 211.06 – Development Standards – change FAR in CV to 0.5 to match General Plan.
- Section 214.06 – Convalescent Facilities – add use classification in PS District by CUP from PC.

ANALYSIS

❖ Cleanup and Clarification:

- Section 231.04 – Parking –
 - Add parking requirement for Convalescent Facilities including Skilled Nursing, Assisted Living, and Continuing Care Retirement Communities.
 - Clarify parking for Eating/Drinking Est. with 12 seats or less.

RECOMMENDATION

Planning Commission and staff recommend approval of ZTA No. 18-003 with findings based upon the following:

- Improves clarity, addresses deficiencies, and keeps code current.
- Improves customer service by providing a prompt and cost effective review process.
- Consistent with General Plan goals and policies.



END