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TO: Planning Commission Agenda of: January 27, 2011

FROM: Peter N. Maurer, Principal Planner Item No.: 10

DATE: January 7, 2011

RE: Zoning Ordinance Update – Article 3

Background:

This memo is the second in a series describing the organization and major points of the Administrative Draft of the Zoning Ordinance update. It focuses on Article 3. If the Commission completed its review and discussion of Article 2 at the January 13, 2011 hearing, review of Article 3 will begin. Otherwise, staff proposes to complete review of Article 2 then with time permitting, begin discussion of Article 3.

Discussion of Article 3:

Article 3 is titled “Site Planning and Project Design Standards.” It contains the development standards that apply to various uses other than the standards by zone that are contained in Article 2. These include general height limit requirements, measurement requirements for lots sizes and setbacks, and standards for fences and gates. There are separate Chapters for affordable housing incentives, flood damage prevention, landscaping, lighting, parking and loading, signs, noise, and oak woodland conservation. Specific issues with each of these sections will be discussed below.

Chapter 17.30 – General Development Standards:

This chapter begins with a purpose statement then addresses some fundamental provisions of how lots and setbacks are measured, exceptions to the standards, special setbacks such as corner lots, fire safe requirements, agricultural protection, mineral resource protection, and riparian setbacks. Sections are provided that describe how building height is calculated, and provisions for fencing and gates. A placeholder is provided for future development of an ordinance to address the General Plan measures for ridgeline development and 30% slope requirements.

Differences between the current code and the proposed draft include the following:

- General purpose statement describing why such standards are in place (17.30.010)

- Description of how lots are measured, including a diagram. This includes provisions for when gross versus net acreage may be used, how a flag lot is measured, measurement of lot width, and a provision for lot size averaging (17.30.020).
- Provisions to clarify how setbacks are measured for corner lots and other odd-shaped parcels (17.30.030).
- Codification of the 30-foot fire safe setback requirement for lots greater than 1 acre (17.30.030.D).
- New provision for mineral resource protection setback based on Policy 7.2.2.3 (17.30.030.G)
- New provisions for riparian setbacks based on Policy 7.3.3.4 (17.30.030.H)
- Clarification of fencing requirements, especially cross-visibility provisions to ensure fencing does not block sight distance at intersections (17.30.050)
- Maintenance provisions for improvements that are required on common areas (17.30.080)

Chapter 17.31 – Affordable Housing Density Bonus

This is a new provision that was adopted as a separate ordinance in 2009, Ord. No. 4816. No changes are proposed.

Chapter 17.32 – Flood Damage Prevention

This chapter also carries over the recently adopted update to the flood ordinance without changes other than some modifications to the definitions to conform to the glossary. It was adopted in 2008 as Ord. No. 4791.

Chapter 17.33 – Landscaping Standards

This chapter brings together existing landscaping requirements from the current code (parking, R&D zone requirements, and water conserving landscaping) and adds new provisions based on state law to implement the Model Water Efficient Landscaping Ordinance (Gov. Code §65591 et seq.) Existing provisions that required minimum landscape buffers along property boundaries, road frontages, and internal to parking lots have been merged with the water conservation provisions of state law.

Differences between the current code and the draft ordinance include:

- A list of definitions required under the water efficiency provisions (17.33.030)
- Flexibility to address unique site conditions (17.33.040.D)
- An increase in landscape buffer width from 5' to 10' and an increase in the number of plants (17.33.050.A & B)
- Provisions for ensuring visibility at intersections and driveway encroachments (17.33.050.A.1)
- Drought-tolerant plantings required (17.33.050.B.6)
- Provisions for substituting artwork or water features for landscaping (17.33.050.B.9)

- Shade calculations for parking lots (17.33.050.C) Note: This was a provision in the R&D zone previously and has been expanded to cover all parking lots. Exceptions for solar panels are also provided in this section.
- Water efficiency requirements as required by state law including a certification requirement from the local water district (17.33.090)

Chapter 17.34 – Outdoor Lighting

Chapter 17.34 expands on the existing outdoor lighting provisions of Section 17.14.170 of the existing code to address deficiencies in the current code. These changes include:

- Clearer definitions have been provided (17.34.020)
- Establishes specific lumen requirements for each applicable zone and the Planning Concept Area (Table 17.34.020.1 and 17.34.040)
- Provides specific exemptions for certain types of residential lighting and regulates lighting for outdoor sports facilities, including utilizing the current practice of requiring full cut-off (17.34.050)

17.35 – Parking and Loading

The parking and loading standards have been carried over from the existing Chapter 17.18, while addressing deficiencies in the existing code. Changes include the following:

- Adjusting the parking matrix to correspond with the use types provided in Article 2 (17.35.040)
- Providing different surfacing standards for high-, medium-, and low-turnover uses (17.35.050)
- Adjust loading bay standards based on intensity of use (17.35.060)
- Reductions in parking to encourage rear-lot parking and on-street parking where available (17.35.050.B)
- Clearer shared parking provisions (17.35.050.B.3)
- Provisions for bicycle parking and drive-through facilities (17.35.050.G & H)

17.36 – Signs

Existing provisions of the code have been carried over to Chapter 17.36. A comprehensive update to the sign provisions is anticipated after adoption of the general zoning ordinance update.

17.37 – Noise Standards

This is a new provision, intended to implement the provisions of the Public Health, Safety, and Noise Element of the General Plan, and to supplement Chapter 9.16 of the County Code. The standards are taken from Tables 6-1 through 6-5 of the General Plan. The tables were adjusted to reflect zone designations and use types rather than General Plan land use designations, but are intended to be consistent with and implement the General Plan.

17.38 – Oak Woodlands Conservation

The provisions of the Oak Woodlands Management Plan and its implementing ordinance have been carried over into this chapter unchanged, except that the fee provisions are in a separate Article (Article 7).