

ITEM V-A: ORDINANCE AMENDMENT - ZONING ORDINANCE AND DOWNTOWN CODE UPDATE
- FILE# PL14-0459

REQUEST

Planning staff proposes modifications to the Zoning Ordinance that include administrative updates, the correction of errors and typos, clarification of intent, and modifications to the document format to ensure consistency. Other proposed modifications include new text to modify Section 19.22 (Accessory Structures) and 19.64 (Temporary Uses). The Downtown Code is being amended to update the entitlement required for Nightclub establishments within the Vernon Street and Historic Districts.

Applicant: City of Roseville, Planning Division

SUMMARY RECOMMENDATION

The Planning Division recommends that the Planning Commission take the following action:

- A. Review the proposed Amendments; and
- B. Recommend the City Council adopt the Negative Declaration and proposed Amendments to the Zoning Ordinance and Downtown Code.

SUMMARY OF PREVIOUS DISCUSSIONS AND ACTIONS

The last comprehensive update to the Zoning Ordinance was completed in 2008. As Staff uses the Ordinance we discover needed corrections and are continuously looking for process improvement opportunities. In addition, since the last update in 2008, several items have been brought forward to the Planning Commission and City Council who provided direction to staff to revisit certain parts of the Zoning Ordinance and Downtown Code. The discussion below will highlight the proposed changes and Staff's review of the proposed amendments.

ZONING ORDINANCE

Some of the proposed changes are corrections of typos and administrative corrections such as the change from Planning Director to Planning Manager. These changes can be found in Attachment 1 to the Initial Study. The more substantive changes will be discussed below.

Chapter 19.22 – Accessory Uses and Structures

Staff is proposing various changes to this Chapter that are related to fence heights and setbacks for patio covers and unenclosed structures. The Zoning Ordinance currently allows a six-foot tall fence within the rear and side yard of residential properties. This standard was derived from the California Building Code which has recently changed the requirement for residential fences. The Building Code now allows a seven-foot tall fence for residential properties without a building permit. Staff is proposing to allow for the increase in fence height to align with the Building Code and allow greater privacy for residential property owners who choose to take advantage of the new fence height requirement.

The proposed change for unenclosed structures such as patio covers, arbors and trellis features relates to the setbacks for these structures. The changes would clarify current practice and allow unenclosed structures which are less than seven feet in height to be located within the required five-

foot side and rear setback. The reason for this change is that the impact on neighboring properties is substantially reduced when the structure is lower than the adjacent fence. A similar exception currently exists for enclosed structures, such as sheds. The proposed change will align the enclosed and unenclosed accessory structure regulations. In addition to these changes, regulations for landscape features, mailboxes and exceptions for architectural features have been added to the accessory structure section.

Chapter 19.26.030(A)(4) – Parking for Personal Services

The Commission will recall that in October of 2012 a parking reduction was requested and approved by the Planning Commission for the Palisades Plaza commercial center. The Planning Commission’s decision was appealed and City Council, who denied the appeal. However, the Council directed Staff to examine the parking requirement for large salons. During the analysis of the parking reduction a neighboring business owner identified a potential concern with the parking requirement for a large salon and personal service studio within the center. The business model for this type of salon is different than a typical salon. Individual stylists and other professionals lease individual “studioettes” from the owner of the salon. Each unit is a self-contained space with a sink, chairs and supplies for stylists. Bathrooms, waiting areas and laundry service are shared between studios.

The concern regarding this business model is that the sharing of studios and the size of the business (6,000 s.f.) creates a greater parking demand than a typical personal service use which requires 1 parking space per 300 square feet of floor area. A typical salon could be anywhere from 1,000 square feet to 2,500 square feet in floor area. The table below compares two typical personal service use types in Roseville and two of the larger salons, as well as the number of required spaces for each use.

Table 1: Typical Salons within Roseville

Name	Address	Sq. Ft.	# Chairs	# Sinks	Parking Spaces Required (1/300)
Great Clips	8690 Sierra College Bl.	1500	7	2	5
Salon 4 Hair	5005 Foothills Bl.	823	9	4	3
Studio Salons	9010 Fairway Dr.	6000	30	30	20
Studio 55	1426 E. Roseville Pw.	6440	30	30	21

As directed by Council, Staff researched other potential methods to calculate the parking requirements for salons. Some surrounding jurisdictions utilize a 1 space per 200 sq. ft. or 1 space per 250 sq. ft. parking requirement for personal service use types. Another method of calculating parking requirements would be one space per chair or sink. The table below compares the several different methods for calculating parking requirements for the businesses listed above.

Table 2: Methods for calculating parking requirements

Name	Sf. Ft.	1 space / 300 sq. ft.	1 space / 250 sq. ft.	1 space / 200 sq. ft.	1 space / chair	1 space / sink
Great Clips	1500	5	6	8	7	2
Salon 4 Hair	823	3	3	4	9	4
Studio Salons	6000	20	24	30	30	30
Studio 55	6440	21	26	32	31	30

Table 2 above demonstrates that for a typical salon (1,000 s.f. – 2000 s.f.) while there is a difference between the different methods of calculating required parking, there would not be a significant reduction in the number of parking spaces within a typical shopping center. However, the larger salons identified in the table would see a significant increase in the number of required parking spaces and the reduction of available parking spaces within a commercial center. If the City were to consider utilizing a different method for calculating required parking for salons it could strain the reserve parking supply of a retail center where smaller salons exist today without any parking issues.

Staff is only aware of two instances of this type of business within Roseville which are both listed in the table above. The Studio Salons business is located in the Fairway Plaza center at the corner of Stanford Ranch Rd. and Fairway Dr. Staff has visited this site on numerous occasions and we have not observed any parking issues or received complaints regarding this business since the salon began operating. As Staff researched other similar business within Roseville and surrounding jurisdictions we found that the mix of uses within Palisades Plaza and the parking constraints of the center were the cause of the perceived parking shortfall. In addition, several businesses within Palisades Plaza all share similar lunch hour peak periods, which has caused parking conflicts within the center.

While Palisades Plaza is a unique case within Roseville, Staff would note that a typical grocery or drug store anchored commercial center provides reserve parking spaces for peak times when additional parking is needed. These centers are planned with overflow or reciprocal parking opportunities which can handle peak demands. This is not the case with Palisades Plaza, which is constrained by the topography of the site from adding additional spaces.

Based on staff's research and past analysis of parking reductions we have concluded that parking reductions are a useful tool, and in the majority of cases have not created parking problems. Staff believes that the City can best avoid future parking problems by building any necessary reductions into a project's initial approval. During the entitlement stage a project is still flexible and fluid enough to incorporate any modifications to site or parking lot design or limitations on future uses that may be necessary to offset the reduced amount of parking provided. However, staff recognizes that there are situations in which an "after-the-fact" parking reduction may or may not be warranted. The Zoning Ordinance provides that in such cases the appropriateness of the reduction should be completely justified by the applicant. The analysis needs to be thorough and needs to address a number of factors such as:

- The size of the reduction requested;
- Types of uses;
- Operating characteristics and peak demand;
- Distribution of parking spaces and high demand uses; and
- The design and circulation of the parking lot.

Therefore, staff is not proposing to change the parking requirements for salon uses, as changing the parking requirement would impact smaller salons which are more prevalent. Additionally, the personal service parking requirement has only been an issue for one center, Palisades Plaza. Staff believes the parking issues at this center are related to the mix of uses (restaurant, medical offices and personal services) and the lack of overflow parking.

Chapter 19.64.030 – Temporary Uses

Staff is proposing modifications to allow temporary outdoor commercial sales events and promotions, Christmas tree lots, pumpkin sales and non-profit fundraising activities with a Zoning Clearance Certificate. Currently, the City has a similar process for commercial plaza events. These plaza events are held within retail centers or office complexes in open areas that can accommodate such events. These events do not impact parking, emergency access or pedestrian access for patrons of other

businesses within the center. The proposed changes will align the commercial sales event requirements with the City's plaza event process, thereby streamlining the process for businesses who wish to hold such events. The new process would also reduce the time and cost required to permit temporary events provided the criteria mentioned above can be met. These criteria will be evaluated prior to approval of a Zoning Clearance Certificate. Certain temporary uses will still require an Administrative Permit such as contractor's yards, off-site subdivision sales trailers and outdoor storage containers.

DOWNTOWN CODE

Chapters 2.3.2 & 7.4 – Nightclub Uses

Based on direction from Council, staff is proposing various changes to two chapters of the Downtown Code to allow Nightclub uses within the Vernon Street and Historic District with an Administrative Permit where the code previously required a Conditional Use Permit (CUP). Previous requests for CUPs for Nightclub uses by the owners of Sammy's Bar and Grill and the Opera House Saloon were approved within these districts. During the public hearings for both CUP applications, the Planning Commission and City Council recommended that Staff evaluate a more streamlined process for nightclub uses that require a CUP along Vernon Street and in the Historic District. This process should encourage a thorough review against the same criteria as a CUP, but also balance the cost and time to process the application. It would be Staff's goal to provide a thorough review while also encouraging entertainment businesses to locate within the City's Downtown area. Staff believes the Administrative Permit process will accomplish these goals and also allow the public the opportunity to provide input on these types of businesses. Property owners within 300 feet will be notified of the intent to approve applications for nightclub uses and can request a public hearing or appeal the decision.

CONCLUSION

At this time staff requests the Planning Commission review the proposed Amendments to both the Zoning Ordinance and Downtown Code. We also request that the Commission recommend approval of the Amendments to the City Council.

ENVIRONMENTAL DETERMINATION

An Initial Study and Negative Declaration were prepared in accordance with the provisions of the CEQA Guidelines as the environmental document for this project (Exhibit A). The Initial Study and Negative Declaration were posted for a 20-day public review and comment period, from August 22nd through September 11th, 2014. No comments have been received to date.

RECOMMENDATIONS

The Planning Division recommends that the Planning Commission take the following action:

- A. Review the proposed amendments for the Zoning Ordinance and Downtown Code; and
- B. Recommend the City Council adopt the Negative Declaration and adopt the amendments.

EXHIBIT

- A. Initial Study / Negative Declaration
 - Draft of Zoning Ordinance Amendment (redline/strikeout) – See Neg. Dec. Attachment 1
 - Draft of Downtown Code Amendment – See Neg. Dec. Attachment 2

Note to Applicant and/or Developer: Please contact the Planning Division staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Manager at, or prior to, the public hearing.