

**ITEM V-A:            ZONING ORDINANCE AMENDMENT – LANDSCAPING WITHIN SETBACK AREAS -  
FILE #PL16-0022**

**REQUEST**

Staff requests that the Planning Commission consider, accept public testimony, and recommend the City Council amend Chapter 19.10 of the Roseville Municipal Code (RMC), relating to landscaping within residential setback areas. Also proposed is an amendment to the RMC Title 11 related to parking vehicles on unimproved surfaces and parking commercial vehicles on residential property. Both of these revisions to RMC will work in concert to prevent the unlawful parking on unimproved surfaces within the City. These Ordinance amendments will help reduce blight and public nuisances, which have been observed in many of the City's residential neighborhoods.

**SUMMARY RECOMMENDATION**

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

- A. Recommend that the City Council amend Chapter 19.10 of the RMC relating to landscaping within residential setback areas.

**BACKGROUND**

The City's Code Enforcement Division continually receives complaints regarding vehicles parking on residential landscaping within the City. The problem is especially prevalent in some of the City's Infill areas. This situation detracts from the visual appeal of the City's residential neighborhoods as well as the character of the area.

Beginning in early 2015, the City Council requested Development Services Staff (including Code Enforcement) to focus efforts on improving the visual appearance of the City's Infill areas. Specifically, the City Council has asked Code Enforcement to develop a task force consisting of the City's Police, Building, Planning, Refuse, Attorney's Office and other Departments to provide assistance to these neighborhoods in an effort to reduce blight and public nuisances.

*Proposed Ordinance Amendments*

The proposed revisions to Chapter 19.10 of the Zoning Ordinance will assist in the effort to maintain the visual character of residential areas in the City, by limiting the amount of paved parking areas on residential properties. The proposed revisions would limit the amount of impervious surfaces a property owner could install within the front and street side yard setback area of a residential lot. The Ordinance would allow a maximum of 50% of both setback areas to be covered with impervious surfaces. In addition to limiting the amount of parking areas on a residential lot, the proposed Ordinance would also require landscaping to be maintained and irrigated. These requirements together seek to maintain the aesthetic character of the City's residential areas by limiting the amount of paved parking areas and maintaining front and street side yard landscaping on residentially zoned property.

In addition to the paving requirements being added to the Zoning Ordinance, Code Enforcement Staff is proposing changes to RMC Title 11 (Vehicles & Traffic) to prevent the parking of vehicles on unimproved surfaces throughout the City. This provision would make it unlawful to park on unimproved surfaces such as a front lawn or street side lawn area. The proposed section would allow vehicles to park only upon

improved surfaces. The changes to Chapter 11.10 would work in concert with the proposed restrictions on paved surfaces in the Zoning Ordinance to limit the areas that may be used for parking within front and street side setback areas.

The final change to the Vehicle and Traffic Section (Title 11) is to prohibit the parking of commercial vehicles on private property. Commercial Vehicles are defined by the California Vehicle Code as a vehicle which is used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property. Currently, Chapter 11.20.060 of the RMC prohibits any commercial vehicle with a gross weight of 10,000 pounds or more from parking on City streets in residential zones, unless they are making a delivery for a building project. The proposed Ordinance would extend this prohibition to parking a commercial vehicle on residentially zoned, private property. Recreational Vehicles (RV's) are defined by the California Vehicle Code as "Motor Vehicles" and not "Commercial Vehicles". Therefore, RV parking would not be affected by this amendment.

Development Services Staff has experienced issues with commercial vehicles parking on private property in several recent code enforcement cases. This situation can cause impacts to surrounding properties including visual and noise impacts, as well as safety concerns. As such, Staff supports the adoption of the vehicle code amendment.

#### *Surrounding Jurisdictions*

Staff has researched other local agencies' parking ordinances and found that many surrounding jurisdictions have an Ordinance in place that prohibits the parking of vehicles on unimproved surfaces. Rocklin, Lincoln, the City of Sacramento, Sacramento County and Rancho Cordova all have these types of Ordinances established. In fact, the proposed language for the City's Ordinance was modeled after the City of Sacramento. This Ordinance has been well received and is easy to enforce according to City of Sacramento Staff.

#### **CONCLUSION**

Adoption of the proposed Amendments to Title 11 and 19 will assist the City in maintaining the aesthetic character of its residential areas. Other surrounding jurisdictions have successfully implemented similar ordinances with support from their respective communities. Staff therefore recommends that the Planning Commission review the proposed Roseville Municipal Code text amendments to Title 11, and recommend the City Council adopt the Amendments to Zoning Ordinance Chapter 19.10.

#### **ENVIRONMENTAL DETERMINATION**

The California Environmental Quality Act (CEQA) does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines §15061(b)(3)). The City of Roseville Zoning Ordinance Amendment – Landscaping within Setback Areas project does not include the potential for a significant environmental effect, and therefore is not subject to CEQA.

#### **RECOMMENDATION**

The Planning Division recommends that the Planning Commission:

- A. Recommend that the City Council adopt the Zoning Ordinance Amendment to Chapter 19.10 relating to landscaping within residential setback areas.

**EXHIBITS**

- A. Proposed Ordinance Amending Chapters 11.20 & 19.10 of the Roseville Municipal Code (Parking and Residential Development Standards)