



STAFF REPORT

Community Development Department
 Planning Division
 6360 Fountain Square Dr.
 Citrus Heights, CA 95621
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 (916) 727-4740

Hearing Date: February 8, 2023

File Number: PLN-23-01

Application Type: Zoning Ordinance Update

Assessor's Parcel Number(s): Citywide

Prepared by: Eric Singer, Assistant Planner
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Project Name: Zoning Code Update – Various Chapters

Project Address: N/A

Gross Acreage: N/A

Net Acreage: N/A

Net Density: N/A

Current Zoning: N/A

Proposed Zoning: N/A

Surrounding Zoning:

Surrounding Land Use Designation

Actual Use:

On-site:

North:

South:

West:

East:

Not Applicable
Citywide

Environmental Status:

- Exempt Section 15061(b)(3)
- Negative Declaration
- Mitigated Negative Declaration

- Previous Negative Declaration
- Environmental Impact Report
- Previous Environmental Impact Report

Planning Department Recommendations:

- Recommend approval and forward to the City Council for final action
- Approve with conditions
- Denial

Applicant:

City of Citrus Heights
 Planning Division

Property Owner:

Citywide Ordinance

REQUEST

The Planning Division requests the Planning Commission review the attached proposed Zoning Code Amendments. The proposed amendments include changes to various chapters of the Zoning Code including Affordable Housing Incentives, Parking Requirements, Accessory Dwelling Unit (ADU) regulations, and Temporary Uses to remain in compliance with current state law. The Planning Commission's decision will be forwarded to the City Council for final action.

SUMMARY RECOMMENDATION

The Planning Division recommends the Planning Commission make the following motions:

Motion 1: Recommend the City Council adopt a Resolution to find the proposed amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the Guidelines in that adoption of the proposed Ordinance will not result in any impacts on the physical environment; and

Motion 2: Recommend the City Council adopt an Ordinance amending sections of Chapter 106 of the City of Citrus Heights Municipal Code (Zoning Code Section) as shown in Exhibit A.

BACKGROUND

The City's land use and zoning regulations are contained in Title 106 (Zoning) of the City's Municipal Code (hereinafter referred to as the Zoning Code). The Zoning Code carries out the policies of the General Plan by providing standards and guidelines for the continuing orderly development of the City.

On occasion, refinements to the Zoning Code are necessary to clarify existing standards, implement new ones, reflect changes in law, and address changing business types and their activities. Staff proposes to modify various section of the Zoning Code to reflect changes in state law as well as make necessary refinements, including changes to Affordable Housing Incentives, Parking Requirements, Accessory Dwelling Unit (ADU) regulations, and Temporary Uses. The approval of these amendments does not approve any development project. Rather, they amend and clarify the certain sections of the Zoning Code for consistency with state law.

PROJECT DESCRIPTION

This staff report includes a table of the proposed changes. The table lists the code section number, the topic and a brief discussion of the change. Exhibit A includes a complete list of the zoning amendments in underline/strikeout text format.

While many of the proposed changes are minor, special attention should be given to the key areas discussed below where the changes are more significant.

- **Affordable Housing Incentives (Density Bonus)** Due to changes in state law, the Zoning Code has to now include language that defines the maximum allowed density in any particular zone as "Base Density." Additionally, two new density bonuses must now be allowed for any project classified as a "Very Low Vehicle Travel Area." These bonuses include unlimited density and a 33 foot height increase for any 100% low income residential project pursuant to Assembly Bill 2334.
- **Parking Requirements** Per Assembly Bill 2097 that updates Government Code 65863.2, the City cannot require parking for any "residential, commercial or other development project" within ½ mile of public transit. Areas within one-half mile of a high-quality transit corridor are identified in the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) map, provided by SACOG (see Figure 1). A high-quality transit corridor has fixed route bus service with service

intervals of 15 minutes or less during peak commute hours. These rules do not apply to requirements for ADA parking spaces, EV charging spaces, or existing grandfathered contracts with a City to provide public parking.

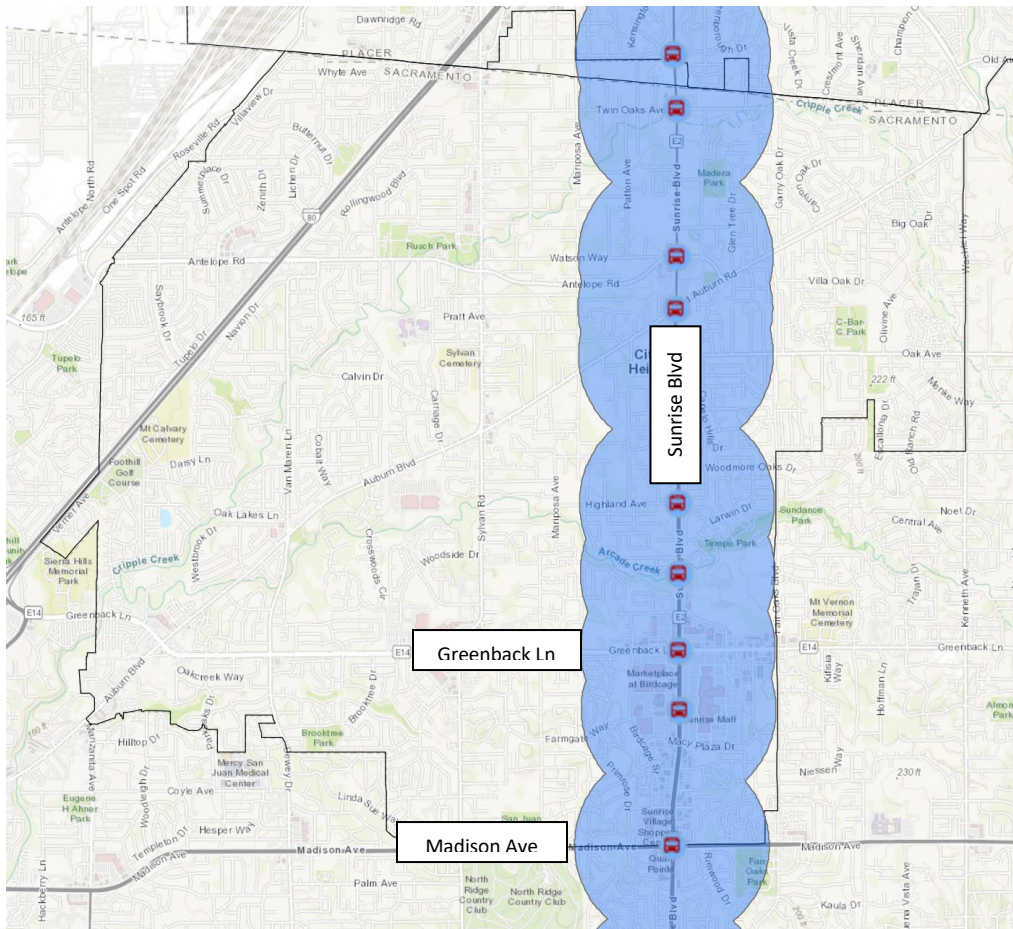


Figure 1: SACOG MTP/SCS Major Transit Stop Map

- **Accessory Dwelling Units** Changes have been made to ADU and JADU laws which clarify and expand on previous legislation. The two major changes that apply to the Zoning Code include:
 - Clarification that front yard setbacks cannot be applied to an attached or detached ADU if it would prohibit the construction of an ADU that is at least 800 square feet with 4-foot side and rear yard setbacks.
 - An increase in allowed height limits from 16 to 18 feet (plus an additional two feet to accommodate roof pitch to align with roof pitch of primary dwelling unit for a total of 20 feet) for detached ADUs. Attached ADUs are currently permitted at the height of the primary unit.

- **Temporary Vending Time Limits** Per Senate Bill 946, the City may not impose any time restrictions on temporary vending operations (food trucks, carts, mobile merchandise stands, etc.) within the public right-of-way. The City currently has a 180 day per calendar year limit on temporary vending, with longer time allowed through Minor Use Permit approval. The language in this section has been revised to clarify that the time limit for temporary vending on private property does not apply to vending in the right-of-way.

SUMMARY OF ALL CHANGES

The table below includes all the changes proposed for the Zoning Code Update.

Article 2 – Zoning Code Districts and Allowable Land Uses		
<i>Code Section</i>	<i>Topic</i>	<i>Change</i>
106.26.030	Allowed Land Uses for Commercial Zoning Districts	Now allow for a school (elementary, middle, or high school) in the BP (Business Professional) zoning district with approval of a Use Permit.
Article 3 – Site Planning and Project Design Standards		
<i>Code Section</i>	<i>Topic</i>	<i>Change</i>
106.30.040(E)	Creekside Development Standards	Cleans up language in various sections for clarification purposes
106.32.030	Allowed Density Bonuses	Includes definition of “base density” and clarifies that if there are any conflicts between the maximum allowed density outlined within the Zoning Code and General Plan or any Specific Plan, the greater density shall apply.
106.32.030(A)(1)(b)	Eligibility for Increased Bonuses	Adds additional density bonuses for any developments within a Very Low VMT Area per definition outlined in Government Code 65915 (See Attachment 1 for map).
106.36.030(E)	General Parking Regulations	Adds language regarding additional state-mandated parking exemptions per Govt. Code 65863.2, where no parking is required for any development within ½ mile of public transit.
Article 4 – Standards for Specific Land Uses		
<i>Code Section</i>	<i>Topic</i>	<i>Change</i>
106.42.010(D)(2)	Accessory Dwelling Unit Height Limits	Increases the height limit allowed for accessory dwelling units from 16 to 18 feet, plus an additional two feet to accommodate roof pitch to align with roof pitch of primary dwelling unit.
106.42.020(D)(8)	ADU Setbacks	Clarification that front yard setbacks cannot be applied to an attached or detached ADU if it would prohibit the construction of an ADU that is at least 800 square feet with 4-foot side and rear yard setbacks. Also cleans up language regarding height limits for ADUs to align with new standards.
106.42.200(D)(2)	Accessory Structure Height Limits	Cleans up language that clarifies allowance for an accessory structure over 16 feet in height with increased side and rear setbacks.
106.42.225	Small Lot Housing Product Projects	Clarifies that small lot housing projects may be either single-family or duplex units
106.42.250(C)(14)	Temporary Vending	Removes 180 day limit per calendar year on temporary vending per Senate Bill 946. Also clarifies mobile toilet and handwashing facilities for use by temporary vendors are subject to review and approval from the Community Development Director.

Article 8 – Glossary		
<i>Code Section</i>	<i>Topic</i>	<i>Change</i>
106.80.020	Definitions of Specialized Terms and Phrases	Added definitions for the following terms: ➤ Public Transit Expanded definitions for the following terms: ➤ Emergency shelter

CONCLUSION

The proposed Zoning Code amendment is consistent with the General Plan and will not be detrimental to the public interest, health, safety, convenience, or welfare of the city. The proposed modifications are intended to update the Zoning Code based on changing trends, new legal requirements or best practices; therefore, staff recommends approval of the amendments.

ENVIRONMENTAL DETERMINATION

This project is categorically exempt from the California Environmental Quality Act (CEQA Guidelines Section 15061(b)(3)) in that adoption of the proposed Ordinance will not result in any impacts on the physical environment; and under the general rule that the proposed amendments to the Municipal Code do not have the potential to have a significant effect on the environment.

RECOMMENDATION

The Planning Division recommends the Planning Commission make the following motions:

Motion 1: Recommend the City Council adopt a Resolution to find the proposed amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines; and

Motion 2: Recommend the City Council adopt an Ordinance amending sections of Chapter 106 of the City of Citrus Heights Municipal Code (Zoning Code Section) as shown in Exhibit A.

Exhibit A: Redline of Zoning Code Text

Attachment 1: SB 743 Map of “Very Low VMT” Areas