

COUNTY OF SACRAMENTO
CALIFORNIA

#51

For the Agenda of:
October 21, 2014
Timed: 2:30 p.m.

To: Board of Supervisors

From: Department of Community Development

Subject: PLNP2012-00092. Zoning Code Update, County-Wide Design Guidelines, And User Guide. Request To Adopt A Comprehensive Update To The Sacramento County Zoning Code, County-Wide Design Guidelines And User Guide; A General Plan Amendment To Amend The Zoning Consistency Matrix; An Amendment To Title 22 Of The County Code; An Amendment To Title IV Of The Zoning Code. Applicant: County Of Sacramento; APN: County-Wide; Environmental Document: Negative Declaration

Supervisory District(s): All

Contact: Tricia Stevens, Principal Planner, 874-2926

Overview

The Board of Supervisors held its first public hearing on the Sacramento County Development Code, a package comprised of the Zoning Code Update, the County-wide Design Guidelines and the User Guide, on October 7, 2014. The Board provided comments on a number of topics and requested that a series of workshops and hearings be scheduled prior to final action. The October 21, 2014 meeting is scheduled as a workshop. Staff proposes that the workshop focus on the Use Tables, hearing authority levels, use standards, and procedural matters. The November 4 meeting would focus on development standards and design guidelines and the November 12 meeting would focus on CPAC comments and all other outstanding items. If sufficient progress is made by November 12, then December 2 could be adoption; otherwise December 2 can be an additional hearing and final adoption could occur in January. The Board requested that the Community Planning Advisory Councils (CPAC's) review changes to the draft Zoning Code Update made since their initial consideration. These CPAC meetings are being set up and staff will report on their comments at the hearing of November 12.

Staff distributed copies of the draft Zoning Code to 10 libraries and issued a notification of the document's availability to over 2500 individuals on the Sacramento County News email distribution list. All documents are available on the County website at:

<http://www.per.saccounty.net/PlansandProjectsIn-progress/Pages/DevelopmentCodeUpdate.aspx>

Recommendations:

No action would be taken on October 21 as this meeting is scheduled as a workshop.

Measures/Evaluation

Approval of the Zoning Code update will streamline the development process by simplifying land use entitlements and reducing entitlement processing time; thereby promoting economic development. Approval will create a more user-friendly Zoning Code with clearer standards and greater flexibility, and will implement General Plan policies which promote mixed-use and sustainable development practices.

Fiscal Impact

Costs for both staff and consultant contracts for the Zoning Code Update have been included in the current FY 2014-15 budget.

BACKGROUND

At the October 7, 2014 meeting, the Board provided comments on a number of topics and requested that a series of workshops and hearings be scheduled prior to final action. The Board of Supervisors listened to testimony from six individuals. Currently, Board meetings to hear the Development Code are scheduled for November 4 and 15 and December 2. For all the Board meetings, staff will provide a list of questions, comments, and staff responses received both at the Board meetings and separately from Board members and others. Attachment A is the first series of comments and staff responses, including a portion of the comments from Supervisor MacGlashan since the October 7 meeting. This summary is a work in progress as staff continues to do research. Updates on particular items will be presented as progress is made.

This report focuses on several key items related to the Use Tables, hearing authority levels, use standards, and procedural matters.

- A. Hearing Authority Levels. Board members questioned some of the uses proposed to be lowered to either the Planning Commission or the Zoning Administrator. As indicated in the prior report, staff proposals were based on: a) the Board should be retained as the hearing authority for uses with regional impacts, while other use permits could be delegated to the Planning Commission, and b) the Zoning Administrator should be the hearing authority for uses that still need discretionary review, public noticing and a hearing, but tend to be less controversial. Staff has sought to strike a balance between streamlining the development process and the desire for public review of uses that may have some impact to a neighborhood or community in considering changes to the hearing authority.

Attachment B provides a full list of changes to the hearing authority, including recent changes made as part of the Planning Commission recommendation. For uses where the hearing authority is lowered to the Zoning Administrator, it should be noted that the hearing authority is automatically increased to the Planning Commission when the CPAC recommends denial of a project.

Some of the uses where concerns have been expressed include:

Board to Planning Commission:

- Service stations
- Golf driving ranges

Planning Commission to Zoning Administrator:

- Agricultural services
- Kennels
- Drive-through restaurants
- Outdoor recreation in agricultural zones

- B. Minor Use Permits. At the October 7 meeting, staff presented a list of uses that currently are permitted but, due to potential impacts to the surrounding area, should have more than a cursory review of land use at business license submittal. The Board had questions about the noticing and costs for minor use permits. The Board was concerned about the total cost, especially in the context of massage establishments. Staff will return to the Board of Supervisors at the conclusion of the process, possibly December 9, with a revised fee schedule based on new or modified processes. For minor use permits, the following tasks are required: a) intake and file set up, b) distribution to other departments as required, c) site visit, d) preparation of notices to property owners within 300 feet, e) monitoring of comments and requests for notices, f) inquiries from interested property owners and applicant, g) compliance with CEQA, and h) preparation of notice of decision and final noticing. Data from the recent restaurant zoning administrator action shows that 5.5 hours (a cost of \$962.50) was expended per project (based on 12 projects to date), excluding public noticing and compliance with CEQA. Assuming that some hours were associated with start-up of the new minor permit process and that ultimately lower level staff will be assigned a greater portion of future work, staff estimates that each minor use permit with noticing would average 6.5 hours, resulting in a fee of approximately \$1,000 to cover county costs.

Supervisor Peters asked that staff report back at the workshop on the two business license requirements (General and Special), how much they cost, who reviews and comments, how long the process takes and who enforces the license. The following information is provided to contrast the role of Planning and Environmental Review in the Business License review versus the greater review associated with processing of the new proposed Minor Permit.

The following is information received from Business Licensing staff. The Business License Program is 100 percent self-funded. The cost of a 3 year General Business License is \$166 and the cost of a 1 year Special Business License is \$166 with additional fees for fingerprinting and employee permits. The fees are based on the average cost for processing both General and Special Business Licenses for costs incurred by Finance, Planning and Environmental Review and Sheriff. The applications are reviewed by the Department of Finance for completeness, and data is entered into the Accela system. Once the application has been completed, it is electronically submitted to Planning and/or Sheriff for their review.

Major tasks for both license types are:

1. Direct and indirect costs of issuing a license (from application to issuance)
2. Maintain/monitor/regulate (expired list, field checks, update notices, etc.)
3. Outreach (for compliance)
4. Inquiries/complaints/questions/public information (includes web pages, handouts, Getting Down to Business, phone system, public counter, etc.)

5. Administration (supervision, timesheets, financial reporting, stats, evaluations, etc.)

Monitoring of the approval time for licenses reveals that the vast majority of the General Licenses take about two to four days for Planning staff to review, prepare conditions and recommend approval or denial to Business Licensing staff. The Planning and Environmental Review Division receives about 30 percent of the \$166 collected every three years. On average, staff spends 10 to 15 minutes on each application, specifically to confirm compliance with the Zoning Code, check for any existing zoning or building violations, and place standard conditions on each license. A small percent of the applications receive an inspection by Planning staff to check on site conditions for automotive uses, offices in industrial zones, and anything out of the ordinary. This can be compared to the 6.5 hours described above in the Minor Permit process.

The vast majority of the Special Licenses take about 30 to 45 days for review. The Sheriff is dependent upon the finger printing and results from the Department of Justice. The Finance Department issues the license within one working day after Sheriff review.

Enforcement is a combined effort between Code Enforcement, Building, Planning, Sheriff and Finance.

- C. Massage Establishments. At the October 7 meeting some Board members indicated that they are not inclined to require the minor use permit for massage establishments, while other Board members were interested in being able to enforce against the property owner. Staff is exploring several alternatives, and will present options to the Board at the workshop. These options are based on information from prior meetings with representatives from the massage industry who spoke at the Planning Commission and Board of Supervisors.
- D. Winter Sanctuary. Staff proposes alternative language that allows for short-term shelters in churches as part of the definition of churches, without any parameters on number of occupants, noting that any church would need to meet Fire Code requirements. The definition of church would read: “A *permanently located building, commonly used for religious worship and associated activities, excluding daily private schools, but includes incidental church-related uses including but not limited to a) short term shelters, and b) retail uses not to exceed 20 percent of the square footage devoted to the primary use.*” Staff is meeting with Sacramento Steps Forward and others on Friday, October 17, and will report back to the Board of Supervisors at the workshop.
- E. Room Rental and Vacation Rental. Board members requested more information about room and vacation rentals, in particular the Airbnb and VRBO rental models. The County’s Transit Occupancy Tax (TOT) applies to all transient lodging, including short-term room rentals with the owner in residence and vacation rentals where the entire home is rented without an owner or manager on-site. The current Zoning Code is silent on vacation

rentals. Below are four scenarios that are commonly regulated because of potential nuisance from number of persons, parking, trash collection, and noise. Long-term occupancy is defined as over 30 days while short-term occupancy is defined as 30 days or less.

- Rental of rooms for long-term occupancy. Per the draft Zoning Code, staff proposes an administrative permit if more than two rooms, and no more than five rooms, are rented with multiple lease agreements. Staff feels this requirement is important since single family neighborhoods were not built nor planned for multiple family uses. Enforcement will be on a complaint basis. This would apply to room rentals over 30 days and are not subject to TOT.
- Rental of rooms for short-term occupancy with owner/manager on-site. This type of rental is not currently addressed separately but falls under the general category of vacation rental. Staff proposes that short-term rentals be permitted with an annual administrative permit, and be limited to the rental of one room at a time to differentiate from a bed and breakfast inn. These rentals are currently subject to TOT.
- Vacation rentals, with no owner/manager on-site. This type of rental tends to create the most nuisances, such as number of persons, noise, trash collection, and parking, if not managed well. Many owners do not live in the area. The issues are most significant when special events are held, such as weddings or corporate events. Staff is proposing that an annual administrative permit be obtained in order to address such issues. These rentals are currently subject to TOT.
- Bed and Breakfast Inns. A conditional use permit by the zoning administrator is required in mixed use, residential, agricultural residential and agricultural zones for bed and breakfast inns, which under the staff proposal would include short-term rental of between two and five rooms. Over five rooms is considered a hotel and is not permitted in residential, agricultural-residential and agricultural zones.

A quick Airbnb search on the internet revealed that there are approximately 50 offers in Sacramento County. Business Licensing staff commented that there is not a high level of compliance with the TOT ordinance from vacation rentals, as there is only one residential rental that remits the TOT currently in Sacramento County.

This administrative permit would be similar to the temporary use permit for grand openings and carnivals that do not involve noticing or hearings, at an annual cost of approximately \$300. Staff can modify the draft Zoning Code to address these scenarios upon Board concurrence and direction.

The rising trend for home-based vacation rentals is gaining State-wide attention and there is growing regulation. Obviously, places like Lake Tahoe and Napa County attract more users and those communities have much more extensive regulations. The proposed County

regulation intends to protect single family residential neighborhoods while fostering tourism.

- F. Rural Institutional Findings. The draft Zoning Code proposes findings to address Board and community concerns about the scale of institutional uses in rural areas. These findings in the current draft require that churches and congregate care facilities, but not other institutional uses, be similar in scale and intensity to surrounding uses. Supervisor MacGlashan specifically expressed concerns, reflected from the community, about requests for congregate care facilities north of Oak Avenue in Orangevale and requested that staff add a finding similar to the following. Staff, therefore, recommends:

6. *Congregate care facilities may not be located north of Oak Avenue in the Orangevale Community Plan Area.*

Supervisor MacGlashan inquired about the approach to findings for other various rural institutional uses. As a starting point for discussion, staff recommends that the findings also apply to the following:

- Church or Other Religious Institution.
- Private Social Center, Social Club, Fraternal Hall/Lodge.
- Government Buildings other than State and Federal.
- Adult Day Care Center over 36 persons.
- Congregate Care Facility.
- Hospital, including Convalescent Hospital.
- Social Rehabilitation Center.

Staff recommends that the findings not apply to the following:

- Child care centers, as they serve the local community.
- Private Schools, as they could include trade or agriculturally based facilities, or be small scale to serve the local community.
- College or University, as they could include trade or agriculturally based facilities
- Parks and Open Space.
- Adult Day Care Centers fewer than 36 persons.
- Family Day Care Homes (including Large Family Day Care Homes up to 14 children).
- Residential Care Homes for more than six persons, as these facilities are residential in nature.
- Utility and Public Service Facility Uses, as they have their own list of criteria.

RECOMMENDATIONS

No action would be taken on October 21 as this meeting is scheduled as a workshop.

MEASURES/EVALUATION

PLNP2012-00092. Zoning Code Update, County-Wide Design Guidelines, And User Guide. Request To Adopt A Comprehensive Update To The Sacramento County Zoning Code, County-Wide Design Guidelines And User Guide; A General Plan Amendment To Amend The Zoning Consistency Matrix; An Amendment To Title 22 Of The County Code; An Amendment To Title IV Of The Zoning Code. Applicant: County Of Sacramento; APN: County-Wide; Environmental Document: Negative Declaration
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FINANCIAL ANALYSIS

Costs for both staff and consultant contracts for the Zoning Code Update have been included in the current FY 2014-15 budget.

Respectfully submitted,

LORI A. MOSS, Director
Department of Community Development

APPROVED:
BRADLEY J. HUDSON
County Executive

BY: _____
ROBERT B. LEONARD
Chief Deputy County Executive

Attachments:

1. List of Comments and Responses after Planning Commission Hearing October – December 2014
2. List of Changes to Hearing Authority Level

List of Comments and Responses after Planning Commission Hearing

October-December 2014

October 17, 2014 Version

A. Comments made by Board members at October 7, 2014 public hearing:

	Comment	Source	Topic	Zoning Code or Design Guidelines	Staff Response	Status ✓ = complete ○ = in progress
1.	What are the Amendments to Title 22?	MacGlashan	Design Guidelines		Amendments to Title 22 remove lot design standards and move them, as necessary, to the Single Family Design Guidelines	✓
2.	Dance Clubs vs. Dance Halls	Peters	Use Tables	Table 3.1 Com Use C.12	Dance Halls and Clubs are each defined on Page 7-14 but are regulated the same. Staff recommends combining the definitions to Dance Club.	✓
3.	Board members request to see all CPAC comments.	All	CPAC		Summary table sent via e-mail to CPAC and BOS on 10/10. Back to CPAC's in Oct/Nov. Report back to Board on Nov. 12.	○
4.	Are lot size exceptions still allowed?	Nottoli	Procedures	6.4.6.1.	Yes - Section 6.4.6.1 on page 6-34	✓
5.	Minor Use Permit Fees – what is it based on, number of hours?	All	Procedures	6.4.2	See Board letter for October 21	○
6.	Clarify reduced parking for adjacency to transit, bicycle and pedestrian facilities.	Serna	Parking		Discussion for November 4	○
7.	How can you tell if a yard is unkempt or brown because of drought?	Peters	Landscaping		Discussion for November 4	○
8.	Why reduce medical parking so much? Need more evidence.	Nottoli	Parking		Discussion for November 4	○

9.	Why reduce the setback between multi-family and single-family; explain how the privacy design guidelines work.	Nottoli Peters	Multi-family Standards		Discussion for November 4	○
10.	Concern about potential projects with no height limit. Should they be heard by Board? What are the criteria?	Nottoli	Multi-family Standards Hearing Level		Discussion for November 4	○
11.	Need more discussion on solid fencing height limit in AG and AR zones. Clarify setbacks for fencing in front yard.	Nottoli	Fencing		Discussion for November 12 after CPAC review	○
12.	Massage Establishments: two Supervisors indicated no support for MUP; two supervisors like that property owner (not just business owner) bear responsibility for the use via a MUP. Explore how to reduce costs. Can other physical features be inspected?	All	Use Tables	Table 3.1 Com A.3.g	See Board letter for October 21	○
13.	Can Use Permits be portable?	Nottoli	Procedures		Use Permits run with the land and are not portable to other properties, per County Counsel	✓
14.	CPAC appeal procedures – revised procedures need to be reviewed by CPAC’s.	All	Procedures		Discussion for November 12 after CPAC review	○
15.	More discussion on room rental permits.	MacGlashan	Use Tables	3.5.1.K	See Board letter for October 21	○
16.	More discussion on yard parking and need diagram.	Peters	Parking		Discussion for November 4	○
17.	Need design guidelines to avoid massive parking areas side-by-side in subdivisions.	Serna	Design Guidelines		Discussion for November 4	○
18.	Need diagram on accessory structures.	All	Accessory Structures		Discussion for November 4	○

B. Comments made by the public at Board public hearing:

No.	Comment	Source	Topic	ZC or DG	Staff Response	Status
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				Section		✓ = complete ○ = in progress
1.	Need copies at the Library.	Julie Linderman	Outreach		Delivered to libraries	✓
2.	Don't require MUP for massage. Rely on AB 1147 and law enforcement. Too costly for sole practitioners.	Massage industry reps	Use Tables		See Board letter for October 21	○
3.	Too much density.	Karen Klinger	Development Standards		Discussion for November 4	○

C. Comments made by Board members at briefings:

(Note: this is a partial list of comments by Supervisor MacGlashan; responses to other comments are forthcoming)

No.	Comment	Source	Topic	ZC or DG Section	Staff Response	Status ✓ = complete ○ = in progress
1.	Massage – tell story of what we're trying to solve.	Serna	Use Tables		See Board letter for October 7	✓
2.	Explain who wouldn't need a MUP on massage.	Nottoli	Use Tables	Table 3.1 Com A.3.g	See Board letter for October 7	✓
3.	Clarify eight units/acre design review requirement; address Bruce Walters comments.	Nottoli	Design Review	SF Design Guidelines	Discussion for November 4	○
4.	Would like to see Service Stations Driving Ranges to stay at Board.	Nottoli	Use Tables	Table 3.1 Com H.3 pg. 3-20	See Board letter for October 21	○
5.	Questioned whether the following should go from PC to ZA: ag services, kennels, drive-throughs, outdoor rec in ag zones,	Nottoli	Use Tables	Table 3.1 various sections	See Board letter for October 21	○
6.	Explain what regulations are existing versus new for massage.	Peters	Use Tables	Table 3.1 Com A.3.g	See Board letter for October 7	○
7.	Need clarifying language for room rental permits.	Serna	Use Standards	3.5.1.K	See Board letter for October 21	○

No.	Comment	Source	Topic	ZC or DG Section	Staff Response	Status ✓ = complete ○ = in progress
8.	Do room rental permits apply to Clean and Sober homes?	Yee	Use Standards	3.5.1.K	Yes, the room rental permit would apply to Clean and Sober homes if they involve separate rental agreements. This item needs additional research.	○
9.	Can minor use permits be non-transferrable?	Peters	Procedures		Courts have held that we can't limit the transferability of a use permit to a new owner.	✓
10.	Are jewelers in BP zone addressed?	Peters	Use Tables	Table 3.1. Com A.3	Would fall under Personal Services and permitted with a finding that the use is compatible with the office uses in the area.	✓
11.	Would like to see crowing fowl/roosters addressed sooner rather than later.	Peters	Incidental Ag Development Standards		On list of future Code amendment; staff will seek BOS direction on priorities.	✓
12.	Need stronger findings for rural institutional uses	MacGlashan	Use Standards	3.6.1.A 3.6.5.C Pg 3-59 and 3.61	See Board letter. Add finding for no rural institutional uses north of Oak Avenue in Orangevale and add to list of institutional uses to which this applies.	○
13.	Define discontinued use for non-conforming use	MacGlashan	Non-Conforming Uses	1 Pg 1-11, 1.9.	Add definition of discontinued use: "The use shall be considered discontinued if the building space is unoccupied or if land area is vacant."	✓
14.	Airports	MacGlashan		Table 3.1 D.1 Pg 3-24	Permitted subject to CUP; ZA CUP for private landing strips on AG zones.	✓

No.	Comment	Source	Topic	ZC or DG Section	Staff Response	Status ✓ = complete ○ = in progress
15.	Kill Floor vs. Slaughterhouse	MacGlashan	Use Tables	Pg 3-5 Pg 7-26 Pg 3-23 Table 3.1 Ag I. and Ind B. 10	Kill Floor is a small-scale operation and licensed by State, and is defined in Chapter 7. Neither prior nor draft ZC included definition of slaughterhouse which includes any facility where animals are slaughtered that is more extensive than that defined as a Kill Floor. Slaughterhouse is permitted in M-1 and M-2 with Board CUP. Staff recommends continuing to allow the small scale Kill Floor facilities with a ZA use permit in the Ag zones and AR-5 and AR-10 zones.	✓
16.	Hog Farms – Should they be permitted in Ag-Res (10, 5 and 2 acre zones) or Rec Reserve Zones?	MacGlashan	Use Tables	Page 3-5 Table 3.1 Ag H.	The proposal continues the limitation for up to 3 adult hogs in the AR-2 zone and no limit in the other ag zones, as a normal part of an agricultural area. Rec Reserve areas are typically ag areas. Staff is not aware of problems or complaints.	✓
17.	Are restaurants permitted in conjunction with wineries via a Use Permit	MacGlashan	Use Tables	Page 3-5 3.4.8	Not in agricultural areas, except that food (e.g. deli items) may be sold as an incidental use. Permitted in industrial if incidental to a business center, otherwise a CUP.	✓

No.	Comment	Source	Topic	ZC or DG Section	Staff Response	Status ✓ = complete ○ = in progress
18.	Food Processing Industry overlay zone and Canneries in the AG, UR and IR zones	MacGlashan	Use Tables	Page 3-5; Table 3.1 Ag N 3.4.10	This category was developed many years ago to attract a user in an ag area but was ultimately never used. Staff chose to continue to allow the ability to consider via a Board use permit and overlay zone in the event that a new food processing activity could be appropriate in the Ag zones, given food and farm focus. Otherwise, canneries are permitted in the industrial zones with a Board CUP.	✓
19.	Family Day Care Home – should this be permitted in an Apartment?	MacGlashan	Use Tables	Page 3-7 Table 3.1 Res A.5.	The standards, Section 3.5.1.F on page 3-51, require that both the small and large categories be in a “lawfully occupied single family dwelling”. Because we have single family homes on properties zoned for multi-family, staff recommends the use tables remain showing as a permitted use given that the standards do not allow in an apartment.	✓
20.	Residential Care Home in Ag-Res - is this an institutional use subject to Rural Institutional Findings?	MacGlashan		Pg 3-7 Table 3.1 Res A.8	Under the staff proposal, Care Homes are different than other institutional uses and residential in nature, and not subject to Findings. ZA use permit is required.	○
21.	Add footnote referencing State Law requirement that residential care homes under six persons be permitted.	MacGlashan	Use Tables	Pg 3-7, Footnote 12	Yes; staff will reference the fact that the County is required by State law to permit Residential Care Homes for 6 or fewer persons.	✓

No.	Comment	Source	Topic	ZC or DG Section	Staff Response	Status ✓ = complete ○ = in progress
22.	Why are Boarding houses allowed via a use permit to the ZA in the Industrial zones?	MacGlashan	Use Tables	Pg 3-7 Table 3.1 Res B.1	This is a change from the existing code; staff agrees that Boarding Houses are not appropriate in the industrial zones and recommends the CZ be deleted in those categories.	✓
23.	Why are Fraternity/Sorority houses allowed via a use permit to the Planning Commission in the AG zones?	MacGlashan	Use Tables	Pg 3-7 Table 3.1 Res B.4	Despite the fact that this is a carry-over from the existing code, staff agrees that fraternity/sorority houses are not appropriate in the agricultural zones and recommends the CP be deleted in those categories.	✓
24.	Concern regarding continued applications for urban institutional uses in Ag-res zones, particularly in Orangevale, north of Oak Avenue	MacGlashan	Use Tables	Page 3-8 thru 3-11	Add to the institutional use section that institutional uses cannot be applied for within Orangevale, north of Oak Avenue with exceptions found in the October 21 Board letter.	○
25.	Should colleges/universities be allowed in Ag-Res zones with a Planning Commission use permit?	MacGlashan	Use Tables	Pg 3-8 Table 3.1 Pub B.2.	Not a change from the current ZC. Because the definition is fairly broad and could include small trade or even agriculturally related schools, staff recommends allowing some flexibility with a use permit in the ag-res zones. Another option could be to elevate to a Board use permit in the ag-res zones.	○
26.	Do we want more small psychiatric facilities? Why in industrial zones?	MacGlashan	Use Tables	Pg 3-10 Table 3.1 Pub E.7	This provision is a carryover from the current ZC and allows a facility to apply for a CUP in industrial and C-O zones. Recommend to keep as it offers options.	✓
27.	Only ZA use permit for wireless in Residential, not PC?	MacGlashan	Use Tables	Pg 3-11 Table 3.1 Pub G.1	Per use standards in Section 3.6.7.A, this is only a ZA use permit for co-locations while new monopoles (3.6.7.A (4) (ii) require a PC use permit.	✓

No.	Comment	Source	Topic	ZC or DG Section	Staff Response	Status ✓ = complete ○ = in progress
28.	Ban or discourage the mono-pines and mono-palms.	MacGlashan	Use Standards	3.6.7.A	Add standards that mono-pines and mono-palms are highly discouraged and other designs such as flagpoles and slim-lines are preferred.	✓
29.	Why only a ZA use permit for animal grooming?	MacGlashan		Pg 3-11 1-a Table 3.1 Com A.1.a	These uses tend to be small scale operations, and are limited to small animals and up to five days short-term boarding for domestic animals.	✓
30.	A cattery requires a UP in Ag Zones but not a hog farm?	MacGlashan		Table 3.1 Com A.1.b.	Catteries tend to be commercial operations with traffic and parking issues. Hog farms are a customary agricultural use.	✓
31.	Number of dogs & cats per house, show definition.	MacGlashan		Section 7.3	Add definition of pets back into definition section: <i>“Any domesticated animal which is kept for pleasure, rather than utility or sale, in a cage, terrarium, aquarium, or other confinement within a primary dwelling; or, any fish or amphibian which is kept in a pond for pleasure, rather than utility or sale; or, any domestic dog (canis familiaris) or domestic cat (felis catus) kept or generally housed on property.”</i>	✓
32.	Why is tanning called out separately from beauty shop/spa?	MacGlashan		Pg 3-14 Table 3.1 Com A.3.b. and j.	Tanning salons are called out separately because they have at times been a front for illicit activities. A minor use permit is required in LC and GC zones. Tanning beds may be included in a spa as an incidental use.	✓

No.	Comment	Source	Topic	ZC or DG Section	Staff Response	Status ✓ = complete ○ = in progress
33.	Adult uses - what is the difference between a and b?	MacGlashan		Pg 3-15 Section 7.3	Adult uses are sexually-oriented businesses such as theaters and bookstores; adult-related uses are bathhouses, escort bureaus, modeling studios. Both are defined in Chapter 7.	✓
34.	Racetrack: Animal or vehicular? Or both?	MacGlashan		Pg 3-16 Section 7.3	Definition includes animals, vehicles or athletes.	✓
35.	General Financial Institutions – why a ZA UP in CMZ zone?	MacGlashan		Pg 3-17 Table 3.1 Com D.1	Change to permitted use in CMZ zone. This was an oversight.	✓
36.	Why allow secondary auto service stations in Res zones?	MacGlashan		Pg 3-20 Table 3.1 Com H.3	Secondary service stations defined in Chapter 7. Staff recommends retaining to allow in conjunction with convenience centers as this provides flexibility via a CUP.	✓
37.	What is moved building storage and why not allowed as accessory use in AG or AR?	MacGlashan		Pg 3-24 Table 3.1 Ind C.3	This is an industrial yard where moved buildings are stored. Appropriate for industrial zones only.	✓
38.	No mention of barns as accessory structures?	MacGlashan		Pg 3-28 Table 3.2 G 3.9.2.G	Barns are included as General Ag uses on pg 3-4 or incidental ag on Table 3.2. I. For clarification, amend G. to “General Accessory Structures” and reference barns in 3.9.2.G.	✓
39.	Why are cargo containers not allowed in RD zones as accessory uses?	MacGlashan		Pg 3-30 Table 3.2 T.	Per PC recommendation shown on revision sheet, cargo containers are permitted in RD zones with design review.	✓
40.	Why are remote tellers not allowed in RD zones as accessory uses?			PG 3-30 Table 3.2 U.	Remote tellers are associated with commercial and should not be allowed in RD zones.	✓
41.	Definition of short-term shelters?	MacGlashan		Pg 3-33	See separate discussion in Board Letter	○

No.	Comment	Source	Topic	ZC or DG Section	Staff Response	Status ✓ = complete ○ = in progress
42.	Room Rental: Difficult to enforce including payment of TOT. Don't combine. How is this difference from fraternal/sorority or boarding house?	MacGlashan		Pg 3-53	See Board Letter	○
43.	Dependent park districts	MacGlashan		Pg 3-63, 3.6.6B	Will add "dependent".	✓

Summary of Changes to Hearing Authorities for Entitlement Process Updated September 29, 2014

Board to Planning Commission	<ul style="list-style-type: none"> • Service Stations in Commercial Zones • Convenience Markets with Extended Hours in Commercial Zones • Fortune Tellers in Commercial Zones • Driving Ranges in Agricultural Zones • Structures in Commercial and Industrial Zones over 24 Feet Within 100 Feet of Single-family Zones • Specialty/Craft Breweries in Commercial and Industrial Zones
Planning Commission to Zoning Administrator	<ul style="list-style-type: none"> • Agricultural Supplies/Services in Agricultural Zones • Processing of Agricultural Products in Agricultural Zones • Private Social Centers in Residential, Agricultural and Agricultural-Residential Zones • Lodge/Fraternal Halls in Residential, Agricultural and Agricultural-Residential Zones • Private Schools in Residential, Agricultural and Agricultural-Residential Zones under 250 students • Small-scale Office Uses in RD Zones • Freestanding ATMs in Commercial Zones • Wholesale Distributor's Facility in Commercial Zones • Kennels in All Zones • Vet Hospitals in Agricultural and Agricultural-Residential Zones • Bed & Breakfasts in All Zones • Drive-up Windows in Commercial Zones if Located Within 300 feet of Residential • Video Arcades in Commercial Zones • Indoor and Outdoor Recreation Facilities under Certain Thresholds in Zones • RV/Boat Storage in Commercial Zones • Borrow Mining Operations in Agricultural Zones • Personal Uses in the BP and MP Zones • Retail Uses in the Industrial Zones • Small Solar Facilities (Commercial I Category) • Special Development Permits as Standalone
Zoning Administrator to Minor Use Permit	<ul style="list-style-type: none"> • Farmworker Housing (in Excess of State Allowance) in Agricultural Zones • Urban Beekeeping in Agricultural-Residential Zones • Gas/Oil Wells in AG Zones • Armored Car Services in Industrial Zones • Auto Rental Agencies in Commercial and Industrial Zones • Storage of Boats RVs and Vehicles in Industrial Zones • Minor Manufacturing in GC Zones • Exceed Yard Parking requirements

<p>Permitted Use to Minor Use Permit or Zoning Administrator Conditional Use Permit</p>	<ul style="list-style-type: none"> • Tattoo Shops in Commercial Zones • Check Cashing in Commercial Zones • Tanning in Commercial Zones • Massage Parlors in Commercial Zones • Pawn Shops in Commercial Zones • Tobacco Shops in Commercial Zones • Mobile/Manufactured Homes in RD Zones • Solid Fences over three feet in RD Zones • Internet Cafes (ZA CUP)
<p>Hearing Authority Remains at Board</p>	<ul style="list-style-type: none"> • Food Processing Industry in Agricultural Zones • Adult-related Establishments in Industrial Zones M-1 & M-2 • Race Tracks in Industrial Zone M-2 • Stadiums in Industrial M-1 & M-2 Zones and Recreation O & C-O Zones • Canneries in Industrial M-1 & M-2 • Animal Slaughter, Tannery and Rendering in Industrial M-1 & M-2 • Aircraft and Rocket Testing in Industrial M-2 • Solid Waste Facilities in Industrial M-2 • Billboards
<p>Planning Commission or Zoning Administrator to Permitted Use</p>	<ul style="list-style-type: none"> • Art Galleries in Industrial Zones • Indoor Recreation up to 200 Occupancy in Commercial Zones, except for indoor shooting ranges • Restaurants in Ind zones if part of a business park
<p>Not Permitted to Zoning Administrator or Planning Commission (Conditional Use Permit)</p>	<ul style="list-style-type: none"> • Retail In RD-20 and Above (ZA) • Small Wineries/Breweries in AR Zones (ZA) • Heavy Equipment Storage and Service and Major Recycling in IR Zone (PC)