

ORDINANCE NO. 1023

ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF ROCKLIN ADDING CHAPTER 17.57 TO THE ROCKLIN ZONING CODE RELATING TO
ESTABLISHMENT OF THE AUTOMOTIVE OVERLAY ZONE
(Automotive Overlay Zone/ZOA-2014-0003)

The City Council of the City of Rocklin does ordain as follows:

Section 1. The City Council of the City of Rocklin finds and determines that:

A. A Notice of Exemption has been prepared for this project and approved via City Council Resolution No. 2015-25.

B. The continued vitality of established commercial areas is essential to the economic well-being of the city and to the needs of citizens.

C. Fees, project entitlement processes, zoning and development standards created primarily for standard retail uses have the unintended consequence of discouraging automotive related uses (including car, boat, RV, motorcycle and all-terrain vehicle sales) and do not provide flexibility to accommodate for the unique operational requirements of such businesses, such as the need for outdoor display.

D. Rocklin has a unique opportunity to capitalize on the growth of the local automotive market. For new dealerships wishing to serve the Placer County market, the Granite Drive and Sierra College Boulevard area has distinct advantages including easy freeway access, an existing concentration of dealerships, distinct high-end brands, and highly favorable demographics.

E. Creation of an Automotive Overlay Zone will ensure continued consistent application of use and design standards that have been proven successful, while also streamlining the process and adding flexibility to accommodate the unique need of automotive uses and promote the Granite Drive and Sierra College Boulevard areas as a premier location for automotive uses.

F. The area is physically suited to the uses authorized in the proposed zoning.

G. The uses and intensity allowed and regulated by the proposed Automotive Overlay Zone Ordinance Amendment (ZOA-2014-0003) is not likely to create serious health problems or create nuisances on properties in the vicinity.

H. The proposed zoning overlay is compatible with the land uses existing and permitted on the properties in the vicinity.

I. The uses allowed by the proposed Automotive Overlay Zoning Ordinance Amendment (ZOA-2014-0003) are consistent with and implement the goals and policies of the Rocklin General Plan including the following land use goals and policies:

1. Goal for Retail Commercial Land Use: To provide appropriately located areas for retail stores, professional offices, supportive commercial uses and amusement uses in a concentrated area for the convenience of the public and in mutually beneficial relationships with each other. Retail trade services should be grouped for comparison shopping. Easily accessible, compatible and geared for the neighborhood, local and regional needs.

2. Policies for Commercial Land Use

Policy LU-1, To promote flexibility and innovation in commercial land use through the use of planned unit developments, developer agreements, specific plans and other innovative development and planning techniques.

Policy LU-31, To promote and renew as needed, the Pacific Street, Rocklin Road, Sunset Boulevard, and Granite Drive business districts in order to provide diversified business opportunities.

Policy LU-32, Designate sufficient commercial land to meet the future needs of the City.

Policy LU-33, To ensure that adequate parking and access are included in approved commercial development plans.

Policy LU-36, Minimize conflicts between new commercial land uses and other land uses, especially residential, park, and recreational uses.

Policy LU-42, Encourage the development of regional shopping facilities within the City of Rocklin.

Policy LU-43, Attract job generating land uses that will provide a variety of employment opportunities for those who live, or are likely to live in the community or South Placer sub-region.

Policy LU-44, Continue programs that promote commercial uses to locate in Rocklin in areas designated for those purposes.

Section 2. The City Council of the City of Rocklin hereby approves the amendment of Title 17, the City of Rocklin Zoning Code, to add a new Chapter 17.57 creating an Automotive

Overlay Zone (ZOA-2014-0003) as shown on Exhibit A, and the application of the Automotive Overlay Zone to the properties shown on Exhibit B, as attached hereto and incorporated by reference herein.

Section 3. Within 15 days of the passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Council members voting for and against the ordinance, to be published in the Placer Herald. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within 15 days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Council members voting for and against the ordinance, to be published in the Placer Herald, and shall post in the office of the City Clerk a certified copy of the full text of the ordinance, along with the names of those City Council members voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36933(c)(1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Rocklin held on January 13, 2015, by the following vote:

AYES:	Councilmembers:	Butler, Yuill, Janda, Ruslin, Magnuson
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rocklin held on January 27, 2015, by the following vote:

AYES:	Councilmembers:	Yuill, Butler, Janda, Magnuson
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Ruslin
ABSTAIN:	Councilmembers:	None



George Magnuson, Mayor

ATTEST:



Barbara Ivanusich, City Clerk

First Reading: 1/13/15
Second Reading: 1/27/15
Effective Date: 1/26/15

EXHIBIT A

Chapter 17.57 - Automotive Overlay Zone

Sections:

17.57.010 - Automotive Overlay Zone

17.57.020 - Purpose and intent.

17.57.030 - Applicability; Conflicts

17.57.040 – Design Review Approval; Fees

17.57.050 – Permitted Uses

17.57.060 – Conditional Uses

17.57.070 – Special Standards.

17.57.080 - Appeal

17.57.010 - Automotive Overlay Zone.

This Chapter establishes the Automotive Overlay Zone. The creation of this overlay zone provides a mechanism for a person to propose an automotive related development (including autos, boats, RVs, motorcycles, all-terrain vehicles and other vehicles) that is beneficial to the community and implements the City's General Plan policy of flexibility and innovation in development and planning techniques. Development of property within the overlay zone is subject to the regulations of Title 17 as modified by this chapter. The properties included within the Automotive Overlay Zone shall be indicated on the approved zoning map depicting the Automotive Overlay Zone area.

17.57.020 - Purpose and intent.

This Automotive Overlay Zone is an opportunity to utilize an alternative zoning tool for those properties that are within the boundaries of the Automotive Overlay Zone. The property owner shall have the choice of developing property pursuant to the provisions of the underlying zone, or developing property pursuant to the provisions of this Chapter. It is the intent of the City Council to create an Automotive Overlay Zone that will provide for the following:

- A. Implement a streamlined entitlement review and approval process, and eliminate the need for a Conditional Use Permit for outdoor display for automotive related uses within the Automotive Overlay Zone area;
- B. Allow for greater flexibility in the application of the City's approved design guidelines and development standards within the overlay zone in a manner grounded in market realities and working with corporate requirements of automotive brands;

- C. Encourage new automotive related uses and the expansion or reinvestment of existing automotive uses within the Automotive Overlay Zone area making the regulatory process easier for the owners and tenants to negotiate;
- D. Create a vibrant commercial destination that attracts shoppers locally and from throughout the region, and provides local jobs;
- E. Allow for flexibility of design, and development of outcome-based design goals rather than specific design standards. The design goals should consider the unique characteristics of automotive uses while emphasizing quality design and development.
- F. Creation of the Automotive Overlay Zone will establish this area of Rocklin as a desirable location for automotive uses and provide a tool by which the City can attract additional automotive uses and encourage partnerships of existing automotive related businesses. This partnership will in turn provide a mechanism for automotive related businesses to market to potential customers.

17.57.030 – Applicability; Conflicts.

- A. The provisions of this Chapter 17.57 shall apply to those parcels indicated on the approved zoning map depicting the Automotive Overlay Zone area, and in a manner consistent with the identification of boundaries for other zones set forth in Title 17 and prior decisions of the City regarding the actual boundaries of properties within City land use zones.
- B. Conflict – Should a provision of this Chapter 17.57 conflict with any other provision of Title 17 of the Rocklin Municipal Code, or any other city resolutions, ordinances, or regulations of the city, this Chapter shall control.

17.57.040 – Design Review Approval; Fees.

- A. Pursuant to Chapter 17.72.020 (C), the City Council designates and authorizes the Community Development Director as the approving authority for design review approvals issued in conformance with this Chapter.
- B. The Community Development Director shall have approving authority for design review applications meeting the requirements set forth in subsections 1, 2 and 3 below;
 - 1. Modifications to an existing building including façade changes.

2. Expansions of an existing building or construction of new buildings that meet the following criteria;
 - a. Compatibility with existing architecture and structures.
 - b. The proposed construction matches or exceeds the level of quality for materials used on the existing buildings.
 - c. For expansions, square footage of addition is less than 50% of the existing building size and not more than 10,000 square feet.
 - d. For new building(s), square footage of new structure(s) does not exceed 10,000 square feet and is part of an existing project site that has previously received Design Review or Conditional Use Permit entitlements from the City.
 - e. Does not negatively affect site circulation or parking or encroach into required setbacks.
 - f. Provides additional parking as required pursuant to the Off-street Parking Standards, Section 17.57.060 (H).
 - g. Located on a parcel that is five acres or less in size.
 - h. Does not involve the use of significant amounts of hazardous substances.
3. Site Modifications that meet the following criteria;
 - a. Surfacing, resurfacing, or layout modification to existing parking areas that does not reduce the number of parking stalls required.
 - b. Additions, enhancements or rehabilitation of existing landscape areas or the removal or reduction of landscape areas for other approved site modifications.
 - c. ADA accessibility upgrades.
 - d. Replacement, repair or modification of fencing or walls.
4. Additions or expansions that do not meet the criteria above are subject to the standard Design Review process set forth in Chapter 17.72.

- C. The Community Development Director shall review the application for its compliance with the citywide design review guidelines and the conformity of the proposed project with the surrounding properties. The Community Development Director shall have the authority to, and shall take action to grant, grant with conditions, or deny the design review application based on the information contained in the application and any information obtained from the staff review of the project.

- D. Notwithstanding other provisions for fees adopted by city ordinance or resolution, the fees applicable to review and approval of entitlements issued in conformance with this chapter for projects within the Automotive Overlay zone shall be determined on the fully loaded hourly rate for city staff utilized to review and approve the project development entitlements, up to a maximum fee as follows:
 - 1. Design review approvals that meet criteria as set forth in Section 17.57.050(B)
\$3,500.00

 - 2. Environmental review (if applicable) \$3,000.00

- E. The Community Development Director shall prescribe the forms and documents to be filed for a permit under the provisions of the Automotive Overlay zone.

- F. The Community Development Director may act on the application without a formally noticed public hearing. Notice of a pending application pursuant to the Automotive Overlay zone regulations shall be posted on the proposed project site and on the city of Rocklin website. Such notice shall include a project description; specify that any interested person may view the application materials at the city of Rocklin offices during business hours; the ten-day time period when the public may submit written comments on the proposed project to the city; the date whereon the Community Development Director is expected to take action on the proposed project; and the date by which anyone may appeal the final action of the Community Development Director in the manner provided by Chapter 17.86.

17.57.050 – Permitted Uses.

In addition to the permitted uses allowed by the existing underlying zone of each parcel, the following uses shall be permitted uses in any commercial zone in the Automotive Overlay Zone Area:

- A. Automotive Dealership, including dealers selling cars, boats, RVs, motorcycles, all-terrain vehicles or any other automotive related uses sold by a dealer as defined by California Vehicle Code Section 285 including outdoor display of such product.

- B. Automobile Repair Shop (light or heavy); when incidental to an Automotive Dealership and located within the same structure or on the same property as an Automotive Dealership; or as a stand-alone use when the repair shop meets the following minimum standards:
1. Building is a minimum of 10,000 square feet.
 2. The use is fully enclosed within the building with no outdoor repairs or storage of equipment or materials related to the automobile repair, or outdoor storage of vehicles that are in visible disrepair or dirty, unless fully screened from view. Vehicles ready for customer pick up may be parked outside of the building in designated areas, subject to the review and approval of the parking plan and designated area by the community development director.
 3. Hours of operation are limited to 7 a.m. to 10 p.m.
 4. A noise study may be required if in the opinion of the Community Development Director there may be potential conflicts with sensitive receptors. If the noise study demonstrates that potential conflicts may occur, additional mitigation measures may be required.
- C. Automobile Body and Paint Shop when incidental to and located within the same structure or on the same property as an Automotive Dealership or an Automobile Repair Shop meeting the criteria set forth in Section 17.57.060 B.
1. Auto body shop operations shall be in conformance with all Placer County Air Pollution Control District's rule and regulations.
- D. Automobile Car Wash when incidental to an Automotive Dealership, Automobile Repair Shop or Automobile Body and Paint Shop and located within the same structure or on the same property.
1. The car wash must be fully enclosed within a building or screened from public view.
 2. All runoff must be directed into the sanitary sewer system.
- E. Automotive Rentals, excluding commercial truck rentals, when incidental to an Automotive Dealership and located within the same structure or on the same parcel as an Automotive Dealership and comprising less than 25% of the total building square footage and less than 25% of the total outdoor display area.

17.57.060 – Conditional Uses.

Conditional Uses. In addition to the conditional uses allowed by the existing underlying zone of each parcel, the following uses shall be conditional uses in any commercial zone in the Automotive Overlay Zone Area:

- A. Automobile Repair Shop (light or heavy); when it does not meet the criteria set forth in Section 17.57.060 B.
- B. Automobile Body and Paint Shop when it does not meet the criteria set forth in Section 17.57.060 C.
- C. Automotive Rentals. Except those incidental to an Automotive Dealership and meeting the criteria of Section 17.57.060 E.

17.57.070 – Special Standards.

To encourage economic development, reinvestment, and enhancement of the properties within the boundaries of the district the following special standards shall apply to all projects authorized under this chapter:

- A. Height Restrictions. The maximum height for principal buildings and structures shall be thirty-five feet and the maximum number of stories shall be two, however, the maximum allowable height and the maximum number of stories may be increased upon approval of a conditional use permit.
- B. Setbacks. Shall be the same as set forth in the underlying zone of the parcel, except that there shall be a minimum of thirty foot (30') setback required for all buildings from the property line adjacent to Interstate 80. Parking, landscaping, signs, vehicle displays, and similar features shall be allowed within the setback area only as approved as part of a Design Review Permit.
- C. Off-street Parking. Off-street parking shall be provided subject to the regulations of Chapter 17.66 of the Rocklin Municipal Code. Vehicle parking spaces used or set aside for display of automobiles for sale need not conform to standard parking space dimensions. Such areas shall be included as part of the design review permit application, and shall be subject to review as part of the design review process.
- D. Exterior Lighting.
 - 1. Lighting should be used to provide illumination for the security and safety of on-site areas such as parking, loading, shipping, and receiving, pathways, and working areas as well as contribute to the overall design of the building.

2. Exterior lighting shall be designed to avoid adverse off-site glare on adjacent properties or public roadways and to provide adequate security. The lighting design, including type, style and mounting system shall ensure no off-site glare.
 3. Maximum height for building and freestanding lighting shall not exceed 20 feet unless integrated as part of the architectural features of the building, signs or other design features and it can be effectively demonstrated that the lighting will not produce off-site glare.
- E. Noise. Any uses allowed within the Automotive Overlay Zone shall not use a public address system or an amplified sound system which can be heard outside of the building other than sound systems used for emergency purposes only. The design and layout of automotive uses that have service components shall be designed so that noise is directed away from any adjacent sensitive uses.
 - F. Dealership Test Driving. There shall be no test driving of automobiles, motorcycles or other vehicles within any residential subdivision.
 - G. Elevated Display Areas. Special display areas that are integrated with the overall project design and use quality materials coordinated with the building style are encouraged and will be subject to review as part of the design review process. The use of portable automobile ramps or metal scaffolding style ramps is prohibited.
 - H. Use of Portable Canopy Structures. The use of portable canopy structures shall be prohibited unless approved for temporary use as part of a Special Event Permit.
 - I. Maintenance. The project, including but not limited to paving, landscaping, structures and improvements shall be maintained by the property owner(s) to the satisfaction of the Community Development Director.
 - J. Deliveries. Delivery and off-loading of vehicles to any project site shall occur outside of the public right-of-way when possible. Automobile Dealerships shall provide designated off-loading areas on the project site unless otherwise approved as part of the design review process and to the satisfaction of the Public Services Director. The off-loading areas and path of travel shall be kept clear during expected delivery times.
 - K. Special Advertising Devices. Temporary signs and special advertising devices shall be regulated as set forth in the Rocklin Municipal Code, Section 17.75.070.
 - L. Inventory Maintenance. The use of a waterless washing/cleaning process is recommended. Washing or cleaning of vehicles using water shall be done in such a way as to minimize overspray and maximize water conservation. Runoff shall be

kept to a minimum and every effort should be made to avoid runoff on sidewalks in the public right of way. All runoff must be directed into the sanitary sewer system.

17.57.80 – Appeal.

Any person dissatisfied by an act or determination of the Community Development Director relating to the approval or denial of a project application under this Chapter, or the interpretation or enforcement of this Chapter, may appeal such act or determination to the planning commission as provided in Chapter 17.86.

