

ORDINANCE NO. 853

ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF ROCKLIN ADOPTING A GENERAL DEVELOPMENT PLAN
(Rock 8 Commercial / PDG-2000-10)

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. The general development plan (PDG-2000-10) establishes development criteria and design guidelines for approximately 3.499 acres located at the northeasterly corner of the intersection of Nightwatch Drive and Sierra College Boulevard.
- B. A negative declaration of environmental for this project has been certified (Resolution No. 2002-47).
- C. The proposed general development plan is consistent with the City of Rocklin's General Plan land use element which designates the site as Retail Commercial (RC).
- D. The proposed zoning and general development plan are consistent with and implement the policies of the City of Rocklin's General Plan, including the Housing Element. Specifically Land Use Policy Nos. 19, 20, 21, 22, & 23; Circulation Policy No. 13; and Public Services and Facilities Policy Nos. 1, & 7.
- E. The area is physically suited to the uses authorized in the proposed general development plan as it is relatively flat and located next to a major arterial street at a signalized intersection.
- F. The proposed general development plan is compatible with the land use/uses existing and permitted on the properties in the vicinity. The site is surrounded on three sides by residential development and is intended to provide neighborhood oriented commercial services for the benefit of these residential developments. The general development plan is intended and designed to prohibit incompatible land uses and establish development standards to ensure the compatibility of site layout and structure design with the surrounding residences by establishing, among other things building height limits and setback standards.
- G. The land use/uses, their density and intensity, allowed in the proposed general development plan are not likely to create serious health problems or create nuisances on properties in the vicinity. The proposed development standards and design guidelines together with compliance with adopted City development standards and specifications will ensure that no health problems or significant nuisance problems are created.


H. City has considered the effect of the proposed general development plan on the housing needs of the region and has balanced those needs against the public service needs of its residents and available fiscal and environmental resources. The project will have no impact on the existing or planned supply of housing in the City.

Section 2. The City Council of the City of Rocklin hereby approves adoption of the general development plan and design guidelines in the form attached hereto as Exhibit A, 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.

PASSED AND ADOPTED this 26th day February, 2002, by the following roll call vote:

AYES: Councilmembers: Lund, Storey, Hill, Magnuson, Yorde
NOES: Councilmembers: None
ABSENT: Councilmembers: None
ABSTAIN: Councilmembers: None




Ken Yorde, Mayor

ATTEST: 

City Clerk

First Reading: 2-20-02
Second Reading: 2-26-02
Effective Date: 3-26-02

The foregoing instrument is a
correct copy of the original document
on file in this office.

Attest: _____
City Clerk, City of Rocklin

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EXHIBIT A

GENERAL DEVELOPMENT PLAN (Rock 8 Commercial Area / PDG 2000-10)

PURPOSE

The Rock 8 Commercial area at the northeast corner of Sierra College Boulevard and Nightwatch Drive is a relatively small commercial site in close proximity to single family homes. As a result land use compatibility issues, such as noise and light impacts, late night parking lot activity, and visual intrusion of structures take on special significance. In addition the Rock 8 Commercial area is located next to Nightwatch Drive, the primary entrance to a large residential area. As such the aesthetic quality and character of any development in the General Development Plan area will have a significant impact on the perceived character of the neighborhood.

This General Development Plan is established per the provisions of Rocklin Municipal Code Chapter 17.60, "PD Zone". The General Development Plan is a best attempt to ensure that the compatibility issues of commercial development with the surrounding residential projects referenced above are addressed. This is achieved through the establishment of development criteria, design standards, specifying permissible, conditionally permissible, and prohibited potential commercial land uses, and the restriction of business hours within the General Development Plan area.

1. MAP

The map of the area included in the Rock 8 Commercial General Development Plan, PDG 97-02, is attached hereto and labeled Attachment A.

2. INTERPRETATION

All definitions and provisions of the Rocklin Municipal Code Title 17 (Zoning Ordinance) shall apply to this general development plan unless otherwise specified herein.

3. PERMITTED USES

1. Coin-operated laundry or pick-up station for laundry or dry cleaner
2. Personal services, including but not limited to, beauty salons and barber shops
3. Pet Shop/Grooming Services
4. Plant Nursery/Flower shop – indoor only
5. Offices, clinics, and financial institutions such as banks. ** See PC Res. No. PC-2016-01*
6. Restaurants and other eating establishments including ancillary sales of liquor for on-premise consumption.
7. Specialty food and / or beverage shops such as but not limited to coffee, ice cream, baked goods.
8. Retail sales
9. Retail food and / or beverage store, defined as follows: A retail or specialty store that does not include the sale of gasoline, the sale of hard liquors, or arcade and pinball type games.
10. Schools, public elementary and secondary.
11. The Community Development Director may determine certain uses or activities which are not explicitly stated above to be permitted uses, provided the use or activity has characteristics that are similar to one of the uses listed above.

4. CONDITIONALLY PERMITTED USES

The following uses are permitted subject to the issuance of a conditional use permit:

1. Any permitted use with outside sales, display, storage, or seating (in excess of four tables and eight chairs).
2. Any use operating between the hours of 11:00 p.m. and 6:00 a.m.
3. Day care center
4. Schools, private elementary and secondary.
5. Schools, specialized education and training.
6. Schools, college and university.
7. Veterinary clinic
8. Mobile pushcart vending facility
9. Exercise or athletic club; figure salon
10. Massage parlor
11. Dry cleaners with dry-cleaning performed on site
12. Public utility uses such as telephone switching stations, emergency water and sewer system pumps, etc that are entirely contained within a building.
13. The Community Development Director may determine certain uses or activities which are not explicitly stated above to be conditionally permitted uses, provided the use or activity has characteristics which are similar to one of the uses listed above.

*ALLOWED USE INFORMATION

RESOLUTION NO. PC-2006-01

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN
GRANTING AN APPEAL AND DETERMINING CELL MARQUE CORPORATION
IS A CLINIC/OFFICE USE UNDER THE PROVISIONS OF ORDINANCE 853
(Cell Marque Corporation / PDG-2000-10)**

The Planning Commission of the City of Rocklin does resolve as follows:

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

A. The Community Development Director and his designee made the determination that the Cell Marque Corporation is not a permitted or conditional use under the findings of Ordinance 853 because in their opinion Cell Marque Corporation is not a neighborhood oriented use.

B. The applicant filed a timely appeal of the Community Development Director's action with the asking the Planning Commission to overturn the Planning Director's findings. The appeal was heard at a public meeting on January 17, 2006, at which oral and documentary evidence was received into the record. The Planning Commission has considered all the evidence received.

C. On January 17, 2006, the Planning Commission granted the appeal of the Planning Director's determination and found that the Cell Marque Corporation's operational characteristics were consistent with those of a clinic or medical office use, both of which are a permitted use under the provisions of Ordinance 853.

Section 2. The Cell Marque Corporation is hereby approved as a permitted use under the provisions of Ordinance 853.

PASSED AND ADOPTED this 17th day of January, 2006, by the following roll call vote:

AYES:	Commissioners:	Shirhall, Coleman, Sully
NOES:	Commissioners:	Weibert
ABSENT:	Commissioners:	Menth
ABSTAIN:	Commissioners:	None


 Lynne Sully, Chair

5. PROHIBITED USES

The following uses are prohibited:

1. Auto repair, light and heavy.
2. Auto, marine, recreational vehicle, and motor cycle related sales and services
3. Service stations or gas stations
4. Arcades and similar establishments primarily engaged in the provision, on a fee per use basis, of billiard tables, electronic games, mechanical games, and other similar entertainment and gaming devices for on premise use.
5. Bowling alleys
6. Bars, pubs, and similar establishments primarily engaged in the sale of liquor for on-premise consumption.
7. Sales of hard liquor for off-premise consumption.
8. Drive-through facilities.
9. Public utility uses not entirely contained within a building, including equipment yards, storage yards, warehouses, or repair shops

6. DEVELOPMENT STANDARDS

A. Height Regulations

- i) The maximum height for principle buildings and structures shall be thirty feet, and the maximum number of stories shall be two.
- ii) Section 17.08.060, "Height regulation applicability – Exceptions", of the Rocklin Municipal Code shall not be applicable in the Rock 8 Commercial General Development Plan area.

B. Setbacks

No building or structure shall hereafter be erected or enlarged in the Rock 8 Commercial General Development Plan area unless the following setbacks are provided and maintained:

- i) There shall be a setback from all street rights-of-way of not less than fifteen feet.
- ii) There shall be a structure setback from residentially zoned properties of not less than ten feet for single-story buildings and 15 feet for two-story buildings.
- iii) No minimum setback is required between buildings and structures.

- iv) All parking lots and internal drive aisles shall be set back a minimum of ten feet from all streets and residentially zoned properties.

C. Off-street Parking

Off-street parking shall be provided subject to the regulations of Chapter 17.66. of the Rocklin Municipal Code.

D. Lot Standards

- i) Lot Area: The minimum area for each lot shall be ten thousand square feet.
- ii) Lot Width: The minimum lot width shall be one hundred feet.
- iii) Deviations from the above noted lot standards may be granted as part of a conditional use permit for development of the entire General Development Plan Area.

E. Signage

- i) All signage in the Rock 8 General Development Plan area shall be consistent with the provisions of the City of Rocklin Sign Ordinance and the design guidelines approved as a part of the General Development Plan.
- ii) The entire Rock 8 Commercial General Development Plan area shall be treated as one parcel / lot for purposes of implementing and enforcing the free standing signage provisions of the Rocklin Sign Ordinance.

F. Design Guidelines

Development within the Rock 8 General Development Plan area shall be consistent with the Rock 8 Design Guidelines, attached hereto and labeled Attachment B.

7. ATTACHMENTS

- A. General Development Plan Area Map
- B. Design Guidelines

ATTACHMENT B

Design Guidelines Rock 8 Commercial General Development Plan Area

PURPOSE AND APPLICABILITY

The following Design Guidelines are intended as a reference framework to assist the designer in understanding the City's goals and objectives for high quality development within the Rock 8 Commercial General Development Plan Area. The Design Guidelines are general and may be interpreted with some flexibility in their application. The guidelines will be utilized by the City to encourage the highest level of design quality while at the same time providing the flexibility necessary to encourage creativity on the part of project designers.

The provisions of these Guidelines shall apply to all properties located within the Rock 8 Commercial General Development Plan Area, as shown in Attachment 1. Any projects requiring a building permit within the Rock 8 Commercial General Development Plan Area shall adhere to these Guidelines where applicable.

1. Site Planning.
 - A) Where a structure is adjacent to residential uses, appropriate buffering techniques such as setbacks, screening, and landscaping shall be provided.
 - B) Buildings should be placed so that loading areas or undesirable facades and features face toward similar features on adjacent commercial structures rather than toward public areas or the streets. Loading areas should not be located so that they face residential areas.
 - C) Parking should be distributed in front and to the sides of retail structures.
2. Phasing.
 - A) If the project is to be phased, a phasing plan showing the sequence of site improvements shall be submitted for review and approval by the Community Development Director. The Community Development Director may place conditions on each phase, including but not limited to addressing the following issues: ensure adequate provision is made for life, health and safety considerations, on and off site circulation, parking, landscaping and design continuity and consistency, and accommodation for future phases.
 - B) Any areas that are disturbed but not actually developed with a given phase will be required to be hydroseeded with a drought tolerant, non-irrigated groundcover mix. Undeveloped building pads that are substantially surrounded by improved portions of the

project site shall be hydroseeded or landscaped with a low maintenance groundcover and provided with a temporary irrigation system to the satisfaction of the Community Development Director.

3. Parking and Circulation.

- A) Site access and internal circulation should be designed in a straightforward manner that emphasizes safety and efficiency consistent with the City of Rocklin Improvement Standards. The circulation system should be designed to reduce conflicts between vehicular and pedestrian traffic, provide for adequate on-site vehicular maneuvering and stacking areas; with special consideration given to potential conflicts where vehicles enter the site, as well as consideration for emergency vehicle access.
- B) Parking lots adjacent to and visible from public streets must provide screening from view through the use of rolling earth berms, low screen walls, changes in elevation, landscaping or combinations thereof, whenever possible, while not interfering with site distance at points of ingress and egress.
- C) Parking spaces should not block access for trash removal pick-up. The location of trash enclosures should not interfere with parking or circulation area.

4. Architectural Design.

A) Office and retail buildings can present many opportunities for designs that result in attractive buildings. For the purpose of establishing continuity and overall development quality, design guidelines are herein established for development within the Rock 8 Commercial General Development Plan area. The first structure(s) approved for this neighborhood commercial area shall be used as a model. All subsequent structures shall employ architectural styling, details, materials, color and massing strongly reflective of the first structure(s). These design criteria have been established to ensure conformance with the following objectives:

- i) Employ variety in structure forms, to create visual character and interest.
- ii) Avoid blank front and sidewall elevations on street or driveway frontages. These elevations should be articulated to provide architectural interest.
- iii) Entries to structures should portray a quality office or retail appearance while being architecturally tied into the overall mass and building composition.
- iv) Windows and doors should be used to establish character and interest by their rhythm and variety. Recessed openings help to provide depth and contrast on elevation planes.

- v) Sensitive alteration and use of colors and materials to produce diversity and enhance architectural forms.
- vi) Stagger the planes of exterior wall elevations to create pockets of light and shadow, providing relief from monotonous, uninterrupted expanses of wall, especially where the elevation of the building is visible from the public right-of-way.
- vii) Use of exterior finish materials that will withstand abuse by vandals or accidental damage.
- viii) Rolling shutter doors located on the inside of the building are the preferred method for providing large loading doors while keeping a clean, uncluttered appearance from the exterior.

Design elements that are undesirable and shall be avoided include:

- i) Highly reflective surfaces;
- ii) Large blank, unarticulated wall surfaces;
- iii) Unarticulated building facades;
- iv) Metal or wood siding.

B. Color

1. The color scheme for the Rock 8 Commercial General Development Plan area should consist of muted earth tones with brighter color accents. The basic color scheme shall be established with the approval of the first structure(s). Subsequent buildings shall use the same or complementary colors.
2. Wainscots of stone, brick, tile, or painted horizontal color bands should be utilized to add interest and break up vertical monotony.
3. Colors shall be combined on buildings to create variety and interest using subtle contrast. Schemes that combine extremely light and dark colors on adjacent surfaces should be avoided except for accent elements and detail.
4. The color and finish on exteriors of all elevations should be coordinated to provide a total continuity of design and should relate harmoniously to adjacent structures.

C. Roofs

The roof design should be considered as a component of the overall architectural design theme. Roofs within the Rock 8 Commercial General Development Plan area shall generally consist of built-up sheet products concealed behind extended exterior parapet walls that wrap completely around the building. Mechanical Equipment shall be located on roofs and hidden by roof wells or parapet walls.

Opportunities exist within retail sites to incorporate alternative decorative roofing elements on design features such as arcades, towers, and awnings. Appropriate materials for this purpose include:

1. Canvas or sheet metal awnings;
2. Standing seam metal;
3. Concrete or clay tile.

The following roof materials should not be used:

1. Corrugated metal (standing rib metal roofs are permitted);
2. Highly reflective surfaces;
3. Wood shingles;
4. Illuminated roofing.

5. Landscaping.

- A) Landscaping should be used to define areas by helping to focus on entrances to buildings, parking lots, loading areas, defining the edges of various land uses, providing transition between neighboring properties (buffering), and providing screening for outdoor storage, loading, and equipment areas.
- B) Landscaping should be in scale with adjacent buildings and be of appropriate size at maturity to accomplish its intended goals.
- C) Use of vines on walls is appropriate where feasible.
- D) Trees should be located throughout the parking lot and not simply at the ends of parking aisles. In order to be considered within the parking lots, trees should be located in planters that are bounded on at least three (3) sides by parking area paving and should be

spaced at one tree for every five parking stalls. Provision for the shading of the parking lot spaces by shade trees planted at a minimum of one for every five parking spaces.

- E) Landscaping should be protected from vehicular and pedestrian encroachment by raised planting surfaces, depressed walks, or the use of curbs.

6. Walls and Fences.

- A) Per the City of Rocklin Zoning Ordinance, Title 17 of the RMC, a masonry wall is required to be constructed on all property lines where a non-residential zone abuts a residential zone. Said wall shall be six (6) feet high above the pad elevation of the commercial development or the adjacent residential property, whichever is higher, and shall be constructed of tan or brown tone double sided split face block. Any wall shall include pilasters at the ends, corners, and equally spaced along the length of the wall.
- B) Masonry trash enclosures with solid metal gates shall be constructed to serve the project to the satisfaction of the Community Development Director. The location and size of the enclosure(s) shall be to the satisfaction of the Auburn-Placer Disposal Company, typically 10' deep and 11' wide, with a gated opening at least 10' wide.
- C) Walls may be used to screen automobiles, loading and storage areas, and utility structures.
- D) Walls should be designed to blend with the site's architecture and building color.
- E) All fencing shall be constructed of masonry, concrete, or where the fence is for security only and not serving as screen wrought iron may be used. All gates shall be constructed of durable materials.

7. Signs

All signage shall be consistent with the City of Rocklin Sign Ordinance, the sign criteria approved below, and specific sign design(s) approved by the Planning Commission. A City of Rocklin Sign Permit shall be obtained prior to installation of any sign.

A. Monument Signs:

- i. Monument signs shall be designed to architecturally resemble and reflect the structures in the project and provide for an opaque face with cut out, translucent, internally illuminated individual letters and logos.
- ii. All monument signs proposed, consistent with the Rocklin Sign Ordinance, shall use similar design, materials, and colors.

B. Building Mounted Signs:

- i. The general location for building mounted signage shall be established with the approval of the first structure in the Rock 8 Commercial General Development Plan area.
- ii. Letter – height and / or logo height shall not exceed 24”.
- iii. All building mounted signs shall consist of halo or internally illuminated individual letters and logos as established with the approval of the first structure in the Rock 8 Commercial General Development Plan area.

8. Lighting

A. All exterior lighting shall be designed to avoid adverse off-site glare on adjacent properties. Cut-off shoebox type lights, or equivalent, shall be used and mounted such that all light is projected directly toward the ground.

B. Maximum height for building and freestanding lighting should not exceed 20 feet.

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CITY OF ROCKLIN

MEMORANDUM

DATE: January 17, 2006

TO: Planning Commission

FROM: Sherri Abbas, Planning Services Manager

RE: Appeal of Land Use Determination
Cell Marque Inc.
6600 Sierra College Boulevard

SUMMARY AND RECOMMENDATION

The applicant is appealing staff's denial to allow the applicant, Cell Marque Corporation, to be considered a permitted use under the provisions of Ordinance 853. Staff has not included any resolutions within this staff report, but is instead seeking direction from the Commission for the preparation of the appropriate resolution. The Planning Commission may take one of the following actions;

1. Uphold staff's denial of the applicant's request to find the Cell Marque Corporation use consistent with Ordinance 853.
2. Grant the appeal and direct staff to prepare a resolution of approval finding the Cell Marque Corporation's use consistent with Ordinance 853.

BACKGROUND

In Summer 2005, the representatives for the Cell Marque Corporation contacted the City to request a determination as to whether their operation is a permitted use in the building located at 6600 Sierra College Boulevard. 6600 Sierra College Boulevard is the 2 story building located on the northeast corner of Nightwatch Drive and Sierra College Boulevard. The Cell Marque Corporation provides staining test kits for cancer detection. These test kits are used by hospitals and other medical practitioners. After much research and dialogue with the applicant, staff determined that the Cell Marque Corporation is not a permitted use and does not meet the intent of the zoning for that property based upon the findings in the ordinance. The applicant has appealed staff's determination.

DISCUSSION

Following the approval of the Rock 8 subdivision (which created the commercial lot on the corner of Nightwatch Drive and Sierra College Boulevard), the Planning Commission and Council directed staff to prepare a general development plan to limit the types of uses allowed on the corner to those found to be compatible with the surrounding neighborhood. In the end, the Council approved Ordinance 853 that lists permitted and conditional uses found to “provide neighborhood oriented commercial services for the benefit of these residential uses” (see Attachment 1)

The applicant believes that the Cell Marque operation falls into the category of office or clinic use, both of which are permitted. They feel, their operation has the same characteristics as these two uses. In an effort to further help staff understand what Cell Marque does, Mr. Paul Ardi, of the Cell Marque Corp., wrote the following description:

Cell Marque produces antibodies for diagnostic use (primarily to classify various types of cancer). At the heart of what we do is the R&D and testing activity that determines the performance of these antibodies. We then package, label, and ship these products – a typical product fits into a plastic vial that is similar in size to a food coloring bottle and the typical shipment weighs about one or two pounds. We ship to hospitals worldwide. Hours of operation are between 8:00 a.m. and 5 p.m. (Email dated October 6, 2005)

Staff found after meeting with the applicant, that the shipping component of the Cell Marque operation is no greater than any typical office building or function already permitted in the zone. However, after reviewing the above description, along with other material provided by the applicant, staff made the following determination;

We have concluded that your business is not a permitted use in the zone where 6600 Sierra College Blvd. is located. Our determination is based upon these findings;

1. Ordinance 853, which establishes the zoning for the site, states in the findings section that:

F. *The proposed general development plan is compatible with the land use/uses existing and permitted on the properties in the vicinity. The site is surrounded on three sides by residential development and is intended to provide neighborhood oriented commercial services for the benefit of these residential developments. The general development plan is intended and designed to prohibit incompatible land uses and establish development standards to ensure the compatibility of site layout and structure design with the surrounding residences by establishing, among other things building height limits and setback standards.*

Planning Commission Staff Report
Re: Cell Marque Appeal
January 17, 2006
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Your proposed use is not meant to provide a neighborhood oriented commercial service.

The applicant has decided to appeal staff's determination to the Planning Commission. Attached to this memorandum is a copy of the letter provided by the applicant outlining his findings for why the Cell Marque operation should be found to be consistent with ordinance 853 as a permitted use (see Attachment 2 and 3). While staff does not believe that Cell Marque is a permitted use in this location, it is a good business operation and would be a welcome addition to Rocklin.

Attachments:

1. Ordinance 853
2. Letter from Applicant
3. Cell Marque Corporation Information Presentation