



AGENDA
CITY OF ROCKLIN PLANNING COMMISSION
DATE: March 21, 2017
TIME: 6:30 PM
PLACE: Council Chambers, 3970 Rocklin Road
www.rocklin.ca.us

CITIZENS ADDRESSING THE COMMISSION

Citizens may address the Planning Commission on any items on the agenda, when the item is considered. Citizens wishing to speak may request recognition from the presiding officer by raising his or her hand and stepping to the podium when requested to do so. An opportunity will be provided for citizens wishing to speak on non-agenda items to similarly request recognition and address the Planning Commission. Three to five-minute time limits may be placed on citizen comments.

All persons with electronic presentations for public meetings will be required to bring their own laptop or other form of standalone device that is HDMI or VGA compatible. It is further recommended that presenters arrive early to test their presentations. The City is not responsible for the compatibility or operation of non-city devices or the functionality of non-city presentations.

ACCOMMODATING THOSE INDIVIDUALS WITH SPECIAL NEEDS

In compliance with the Americans with Disabilities Act, the City of Rocklin encourages those with disabilities to participate fully in the public hearing process. If you have a special need in order to allow you to attend or participate in our public hearing process or programs, please contact our office at (916) 625-5160 well in advance of the public hearing or program you wish to attend so that we may make every reasonable effort to accommodate you.

WRITTEN MATERIAL INTRODUCED INTO THE RECORD

Any citizen wishing to introduce written material into the record at the hearing on any item is requested to provide a copy of the written material to the Planning Department prior to the hearing date so that the material may be distributed to the Planning Commission prior to the hearing.

COURT CHALLENGES AND APPEAL PERIOD

Court challenges to any public hearing items may be limited to only those issues which are raised at the public hearing described in the notice or in written correspondence delivered to the City at or prior to the public hearing. (Government Code Section 65009)

There is a 10-day appeal period for most Planning Commission decisions. However, a Planning Commission approval of a tentative parcel map has a 15-day appeal period. Appeals can be made by any interested party upon payment of the appropriate fee and submittal of the appeal request to the Rocklin City Clerk or the Planning Department, 3970 Rocklin Road, Rocklin.

FURTHER INFORMATION

Any person interested in an agenda item may contact the Planning Staff prior to the meeting date, at 3970 Rocklin Road, Rocklin, CA 95677 or by phoning (916) 625-5160 for further information.

Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the Community Development Department, 3970 Rocklin Road, First Floor, Rocklin, during normal business hours. These writings will also be available for review at the Planning Commission meeting in the public access binder located at the back table in the Council Chambers.

INTRODUCTION

- 1. Meeting Called to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Minutes**
 - a. Minutes of February 7, 2017
 - b. Minutes of March 7, 2017
- 5. Correspondence**
- 6. Citizens Addressing the Commission on Non Agenda Items**

CONSENT ITEMS

PUBLIC HEARINGS

7. ROCKLIN PARK SENIOR LIVING TIME EXTENSION CONDITIONAL USE PERMIT, U-2013-03

This application is a request for approval of a two-year time extension of a previously approved Conditional Use Permit, U-2013-03, which allows for the conversion of the existing Rocklin Park Hotel to operate as a senior living facility, including independent and assisted living. The subject property is located at 5450 China Garden Road, approximately 0.35 miles from the intersection of Aguilar Road and China Garden Road. APN 045-110-067.

The project was previously found to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines through Resolution PC-2013-64.

The property owner and the applicant is Omkar Rocklin, Inc.

- a. Resolution of the Planning Commission of the City of Rocklin Approving a Two-Year Time Extension for Conditional Use Permit, U-2013-03, (Pc-2013-65) to Allow the Conversion of the Rocklin Park Hotel for the Operation of a Senior Living Facility (Rocklin Park Senior Living Time Extension / U-2013-03)

8. PUBLIC NOTICING AMENDMENT ZONING ORDINANCE AMENDMENT, ZOA2017-0001

The proposed project would amend certain sections of Titles 16 and 17 of the Rocklin Municipal Code to modify public hearing noticing requirements to increase the required noticing radius above the minimum requirements of the State of California.

The proposed revisions to the Rocklin Municipal Code are not “projects” under CEQA because they do not result in a direct or reasonably foreseeable indirect physical change in the environment, nor do they authorize the construction of any new structures or other physical changes to the environment. Therefore, this action is exempt under sections 15060(c)(2) and (3), 15061(b)(3), 15262, and 15378 of the State CEQA Guidelines.

The proposed Zoning Ordinance Amendment was initiated by the City of Rocklin and would be effective City-wide.

- a. Resolution of the Planning Commission of the City of Rocklin Recommending Approval of an Ordinance of the City Council of the City of Rocklin to Modify Sections of Titles 16 And 17 of the Rocklin Municipal Code Regarding Requirements For Public Hearing Noticing Requirements (ZOA2017-0001)

NON PUBLIC HEARINGS

9. Informational Items and Presentations

- a. None

10. Reports and Discussion Items from Planning Commissioners

11. Reports from City Staff

12. Adjournment

CITY OF ROCKLIN
 MINUTES OF THE PLANNING COMMISSION MEETING

February 7, 2017
 Rocklin Council Chambers
 Rocklin Administration Building
 3970 Rocklin Road
 (www.rocklin.ca.us)

1. Meeting Called to Order at 6:30 p.m.
2. Pledge of Allegiance was led by Commissioner McKenzie .
3. Roll Call

Chairman Sloan
 Vice Chairman Martinez
 Commissioner McKenzie
 Commissioner Whitmore

Others Present:

DeeAnne Gillick, Interim City Attorney
 Bret Finning, Planning Services Manager
 Laura Webster, Director of Long Range Planning
 Marc Mondell, Director of Economic & Community Development
 Terry Stemple, Planning Commission Secretary

About 7 others

4. **Minutes** – Minutes of December 20, 2016 were approved as submitted.
5. **Correspondence** - None
6. **Citizens Addressing the Commission on Non Agenda Items** – None

CONSENT ITEMS

PUBLIC HEARINGS

8. **CONTINUED FROM JANUARY 17, 2017**

GENERAL PLAN CONSISTENCY FINDINGS FOR EXCESS CITY PROPERTIES – WEST OAKS WEST OF SUNSET/FORMER FIRE STATION SITE (APN 365-020-030)

Bret Finning presented the staff report.

The Commission had questions for staff regarding:

- Alternative parking layouts
- General plan designation and zoning

The Commission had no questions for the applicant.

The hearing was opened to the public for comment. There being none, the hearing was closed.

Commission Deliberation/Discussion:

Commissioner McKenzie stated that he still has concerns. His concerns include the proximity to open space, Kathy Lund Park and Pleasant Grove Creek. He feels the site should be retained by the City. He cannot support staff’s findings.

Commissioner Martinez stated he is satisfied with the staff report presented. He would like the City to require any applicant to bring a Design Review with any General Plan Amendments/Rezone to address compatibility issues.

Commissioner Whitmore supports staff’s findings. He also supports requiring a Design Review.

Commissioner Sloan explained he has a similar view and feels the City performed their due-diligence. He supports staff’s findings.

On a motion by Commissioner Martinez and seconded by Commissioner Whitmore, Resolution of the Planning Commission of the City of Rocklin Making Findings Under Government Code Section 65402 (General Plan Consistency Finding (West Oaks West of Sunset/Former Fire Station Site/APN 365-020-030) was approved by the following vote:

AYES: Martinez, Whitmore, Sloan
 NOES: McKenzie
 ABSENT: None
 ABSTAIN: None

NON PUBLIC HEARINGS

10. Informational Items and Presentations

- a. None

11. Reports and Discussion Items from Planning Commissioners

- a. None

12. Reports from City Staff

- a. Council will be interviewing for Planning Commissioner on February 9th.
- b. The meeting of February 21st has been cancelled.
- c. DeeAnne Gillick announced that a new City Attorney has been hired and will be starting in a couple of weeks.
- d. Marc Mondell explained that the new noticing requirements to notice 600’ feet instead of 300’ will be coming to a future meeting.
- e. The City Council approved the step toward implementing the Rocklin Adventures project, which will come to the Planning Commission in the future for a Use Permit.

f. Members have been appointed to the Architectural Design Guidelines Committee.

13. Adjournment

There being no further business brought before the Commission, the meeting was adjourned at 6:54 p.m.

Respectfully submitted,

Terry Stemple
Assistant City Clerk

*Approved at the regularly scheduled
Meeting of _____, 2017*

P:\PUBLIC PLANNING FILES\Terry\2017 Meetings\02.07.17\02.07.17 minutes.docx

**CITY OF ROCKLIN
MINUTES OF THE PLANNING COMMISSION MEETING**

March 7, 2017
Rocklin Council Chambers
Rocklin Administration Building
3970 Rocklin Road
(www.rocklin.ca.us)

1. Meeting Called to Order at 6:30 p.m.
2. Pledge of Allegiance was led by Commissioner Martinez .
3. Roll Call

Chairman Sloan
Vice Chairman Martinez
Commissioner McKenzie
Commissioner Whitmore – excused

Others Present:

DeeAnne Gillick, Deputy City Attorney
Bret Finning, Planning Services Manager
Nathan Anderson, Associate Planner
Dave Palmer, City Engineer
Marc Mondell, Director of Economic & Community Development
Terry Stemple, Planning Commission Secretary

About 4 others

4. Minutes – None
5. Correspondence - None
6. Citizens Addressing the Commission on Non Agenda Items – None

CONSENT ITEMS

PUBLIC HEARINGS

**7. SPRING VALLEY PARCEL MAP
TENTATIVE PARCEL MAP, DL2017-0002**

This application is a request for approval of a Tentative Parcel Map to allow the division of one (1) approximately 17-acre lot into two (2) large lot parcels of 11.3 acres (Parcel 1) and 5.8 acres (Parcel 2). The subject property is generally located east of University Avenue and south of Whitney Ranch Parkway in northwestern Rocklin. Assessor Parcel Number: 017-081-085.

The City of Rocklin’s Environmental Coordinator has reviewed the proposed project and determined that it is categorically exempt from review under the California Environmental Quality Act pursuant to Section 15315 - Minor Land Divisions.

The applicant is Woodside Homes of Northern California, LP. The property owner is Spring Valley – Rocklin LP.

The Commission waived the staff report presentation and had no questions for staff.

The applicant, Jim Bayless, Woodside Homes, thanked staff and explained that the reason for the parcel map is simply for financing purposes.

The Commission had no questions for the applicant.

The hearing was opened to the public for comment. There being none, the hearing was closed.

Commission Deliberation/Discussion:

Commissioner Martinez stated that the Notice of Exemption is the appropriate environmental determination and that it is consistent with the general plan and zoning. He supports the project.

Commissioner McKenzie stated he supports the project.

Chairman Sloan stated he agrees that the project is consistent with the general plan and zoning and supports the project.

On a motion by Commissioner Martinez and seconded by Commissioner McKenzie, Resolution of the Planning Commission of the City of Rocklin Approving a Notice of Exemption (Spring Valley Tentative Parcel Map / DL2017-0002) was approved by the following vote:

AYES: Martinez, McKenzie, Sloan
NOES: None
ABSENT: Whitmore
ABSTAIN: None

On a motion by Commissioner Martinez and seconded by Commissioner McKenzie, Resolution of the Planning Commission of the City of Rocklin Approving a Tentative Parcel Map (Spring Valley Tentative Parcel Map / DL2017-0002) was approved by the following vote:

AYES: Martinez, McKenzie, Sloan
NOES: None
ABSENT: Whitmore
ABSTAIN: None

NON PUBLIC HEARINGS

8. Informational Items and Presentations

- a. None

9. Reports and Discussion Items from Planning Commissioners

- a. Commissioner McKenzie thanked staff for researching the sign at the new Taco Bell

10. Reports from City Staff

Bret Finning, Planning Services Manager told the Planning Commission that Michele Vass had been selected by the City Council to fill the vacancy on the Commission and that she would be starting at the meeting of March 21, 2017.

Marc Mondell reminded the Commissioners about the Rocklin Adventures open house meeting on Wednesday, March 8th at 5:30pm.

DeeAnne Gillick, Deputy City Attorney announced that the new City Attorney, Steve Rudolph, has started.

11. Adjournment

There being no further business brought before the Commission, the meeting was adjourned at 6:39 p.m.

Respectfully submitted,

Terry Stemple
Assistant City Clerk

*Approved at the regularly scheduled
Meeting of _____, 2017*



City of Rocklin Community Development Department

Planning Commission STAFF REPORT

Rocklin Park Senior Living Time Extension Conditional Use Permit, U-2013-03

March 21, 2017

Recommendation

Staff recommends that the Planning Commission approve the following:

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN APPROVING A TWO-YEAR TIME EXTENSION FOR CONDITIONAL USE PERMIT, U-2013-03, (PC-2013-65) TO ALLOW THE CONVERSION OF THE ROCKLIN PARK HOTEL FOR THE OPERATION OF A SENIOR LIVING FACILITY (Rocklin Park Senior Living Time Extension / U-2013-03)

Application Request

This application is a request for approval of a two-year time extension of a previously approved Conditional Use Permit, U-2013-03, which allows for the conversion of the existing Rocklin Park Hotel to operate as a senior living facility, including independent and assisted living.

Location

The subject property is located at 5450 China Garden Road, approximately 0.35 miles southwest of the intersection of Aguilar Road and China Garden Road. The site is approximately 8.39 acres and is developed with the Rocklin Park Hotel. The Assessor Parcel Number (APN) is 045-110-067.

Figure 1 – Project Vicinity



Owner/Applicant

The property owner/applicant is Omkar Rocklin, Inc.

Background and Site Characteristics

The Planning Commission approved a Conditional Use Permit (U-2013-03) on December 3, 2013 via Resolution No. PC-2013-65 to convert the Rocklin Park Hotel into a senior care facility (**Attachment A**). The project scope allowed for the conversion of the interior of the existing hotel and associated grounds for use as an independent and assisted living facility. No exterior building or site modifications were originally proposed as part of that project; therefore, no Design Review entitlement was required.

In September 2015, the applicant applied for a Conditional Use Permit modification and Design Review to construct a 10,167 square-foot memory care building on the site, and to convert the existing outdoor pool area into an enclosed kitchen and dining area. Due to the fact that these modifications are outside of the scope of the originally-approved project, they will require approval by the Planning Commission. The project has been

*Planning Commission Staff Report
Rocklin Park Senior Living CUP Time Extension
March 21, 2017
Page 3*

through two rounds of comments with staff, and is currently on hold at the applicant's request pending resubmittal.

In 2016, the applicant requested a one-year time extension to the original Conditional Use Permit to allow for the processing of the modification. This was approved on February 2, 2016 via Resolution PC-2016-05 (**Attachment B**).

Because the project is once again nearing the expiration, another extension has been requested. This time, the applicant is requesting a two-year time extension to the original Conditional Use Permit to allow sufficient time to process the new project entitlements, and maintain the ability to convert the existing hotel into a senior living facility as originally approved, if the applicant chooses.

Environmental Determination

The project was previously determined to be exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines through Planning Commission Resolution PC-2013-64; the requested time extension is within the scope of the prior CEQA exempt determination.

General Plan and Zoning Compliance

The property is zoned Planned Development Commercial (PD-C) and the underlying General Plan designation is Retail Commercial (RC). The proposed senior community (independent and assisted living care facility) is considered acceptable upon approval of a conditional use permit. Staff reviewed the proposed project and found that it is consistent with both the Zoning Ordinance and General Plan.

Recommendation

Based on the analysis presented above, Staff recommends that the Planning Commission approve a 24-month time extension as requested.

Attachment A – Rocklin Park Senior Living Approval Resolution PC-2013-65
Attachment B – Rocklin Park Senior Living Extension Resolution PC-2016-05

Prepared by Nathan Anderson, Associate Planner

Attachment 1
Rocklin Park Senior Living Approval Resolution PC-2013-65

RESOLUTION NO. PC-2013-65

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN APPROVING A
CONDITIONAL USE PERMIT TO ALLOW THE CONVERSION OF THE ROCKLIN PARK HOTEL
INTO AND FOR THE OPERATION OF A SENIOR LIVING FACILITY IN A PD-C ZONE(Rocklin Park Senior Living / U-2013-03)

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. Conditional Use Permit U-2013-03) allows the conversion of an existing hotel and the operation of an approximately 67 unit / 49,250 square foot +/- independent and assisted living facility in the PD-C zone on an approximately 8.9 acre site located at 5450 China Garden Road, approximately 0.35 miles from the intersection of Aguilar Road and China Garden Road. Assessor's Parcel Number 045-110-067.

B. A Notice of Exemption has been approved for this project via Planning Commission Resolution No. PC-2013-64

C. The establishment, maintenance, and operation of the proposed uses and buildings or structures will not, under the circumstances of this particular case, be detrimental or injurious to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, to property and improvements in the neighborhood, or to the general welfare of the City.

D. The establishment, operation, and maintenance of the uses and buildings or structures is consistent with the goals, policies, and land use designations in the General Plan and with all zoning standards, regulations, and restrictions applicable to the property.

Section 2. The conditional use permit for Rocklin Park Senior Living (U-2013-03) is hereby approved as depicted and further described in Exhibit A, attached hereto and by this reference incorporated herein, subject to the conditions listed below. Unless expressly stated otherwise, the applicant/developer shall be solely responsible for satisfying each condition and the conditions must be satisfied prior to issuance of the building permit, or issuance of certificate of occupancy as determined by the Economic and Community Development Director. The agency and/or City department(s) responsible for ensuring implementation of each condition is indicated in parenthesis with each condition.

A. Notice to Applicant of Fees & Exaction Appeal Period

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code §66020, the applicant will be legally barred from later challenging such exactions.

B. Conditions

1. Maintenance

- a. The property owner shall remove within 72 hours all graffiti placed on any fence, wall, existing building, paved area or structure on the property consistent with the provisions of Rocklin Municipal Code Section 9.32. Prior to removal of said graffiti, the property owner shall report the graffiti vandalism to the Rocklin Police Department. (PLANNING, POLICE)
- b. The project, including but not limited to paving, landscaping, structures, and improvements shall be maintained by the property owners, to the standard of similarly situated properties in equivalent use zones, to the satisfaction of the Economic and Community Development Director. (PLANNING)
- c. The outdoor activity/recreation areas shall be maintained free of trash and any other debris, to the satisfaction of the Economic and Community Development Director. (PLANNING)

2. Excessive Emergency Response

To minimize impacts to City emergency responders, the care facility operators shall, prior to issuance of a certificate of occupancy for the building, meet with the City to discuss appropriate response levels and strategies to eliminate excessive calls for service. If at any time it is determined that excessive calls for service are occurring, appropriate cost reimbursement to the City will be implemented. Costs to be charged for excessive calls for service shall be the costs reasonably borne as set forth in Rocklin Municipal Code Section 3.32.040.

Excessive calls for service are those calls for non-medical emergencies commonly known as “lift assist” or “pick up and put back” calls.

To avoid charges for excessive calls for service, it is recommended that care facilities have qualified medical personnel on site that can determine if a medical emergency exist, or if it is simply a “lift assist” or “pick up and put back” call. If a medical emergency exists, a 9-1-1 call shall be placed to the dispatch center and first responders will respond to provide emergency medical care and treatment. If the situation is determined to be a “lift assist” or “pick up and put back” where there is no perceived injury, the facility shall have trained personnel on site to provide appropriate assistance to its resident. (BUILDING, FIRE)

3. Shuttle Service for Residents

The facility operator shall provide ongoing regularly scheduled shuttle service for the benefit of the facility’s residents to the satisfaction of the Economic and Community Development Director. (PLANNING)

4. Exterior Lighting

The applicant shall work with staff to ensure that adverse glare on adjacent properties from all exterior light fixtures is reduced, to the satisfaction of the Economic and Community Development Director. Exterior lights, including but not limited to the balcony porch lights, shall be modified (e.g. shielded or by other method) as needed to be down-lit such that all light is projected directly toward the ground. (PLANNING)

5. Validity

This entitlement shall expire two years from the date of approval unless prior to that date a building permit has been issued or a time extension has been granted. (PLANNING)

PASSED AND ADOPTED this 3rd day of December, 2013, by the following roll call vote:

AYES: Commissioners: Whitmore, McKenzie, Martinez

NOES: Commissioners: None

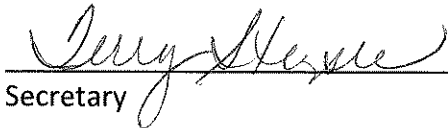
ABSENT: Commissioners: Shirhall, Coleman

ABSTAIN: Commissioners: None



Pierre Martinez, Chairperson

ATTEST:



Secretary

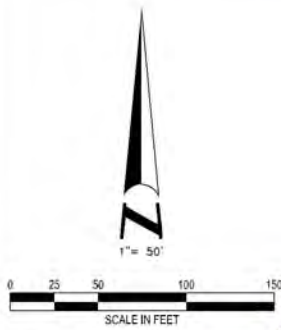
P:\PUBLIC PLANNING FILES\Dara__Rocklin Park Senior Living\Rocklin Park Senior Living PC reso (U-2013-03) -PC COA.doc

EXHIBIT A

Conditional Use Permit
(U-2013-03)

Available at the Economic and Community Development Department, Planning Division

VICINITY MAP-N.T.S.



ALTA\ACSM LAND TITLE SURVEY

DESCRIPTION

Parcel One:
 Parcel Two, AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED 'ROCKLIN PARK HOTEL', FILED FOR RECORD NOVEMBER 16, 2009 IN BOOK 33 OF PARCEL MAPS, PAGE 63, PLACER COUNTY RECORDS.
 Parcel Two:
 NON-EXCLUSIVE EASEMENTS FOR VEHICULAR AND PEDESTRIAN INGRESS, EGRESS AND ACCESS AND VEHICULAR PARKING AS CREATED IN THAT CERTAIN 'DECLARATION OF RECIPROCAL EASEMENTS APPURTENANT AND RESTRICTIONS' EXECUTED BY ROCKLIN PARK HOTEL LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED NOVEMBER 16, 2009 AS INSTRUMENT NO. 2009-0123899-00, PLZCER COUNTY RECORDS.

NOTES

THIS MAP WAS PREPARED IN ACCORDANCE WITH FIRST AMERICAN TITLE COMPANY TITLE INSURANCE COMPANY REPORT NO. NCS-419835-H01, DATED NOVEMBER 10, 2009, AND DEPICTS THE REAL PROPERTY AND PLOTTABLE ENCUMBRANCES DESCRIBED THEREIN, ITEMS PERTAINING TO TAXES, FINANCING, LIENS AND OTHER INTANGIBLE TITLE MATTERS ARE BEYOND THE SCOPE OF THIS SURVEY AND ARE NOT REPRESENTED HEREON.
 BASIS OF BEARINGS: THE CENTERLINE OF HIDDEN GLENN DRIVE, AS SHOWN ON THAT CERTAIN PARCEL MAP ENTITLED 'SECRET RAVINE ESTATES', RECORDED IN BOOK 6, PAGE 51, TAKEN AS N 57°29'38" E, AND WAS ESTABLISHED FROM FOUND MONUMENTS SHOWN HEREON.
 STREET ADDRESS: 5450 CHINA GARDEN ROAD, ROCKLIN, CA
 ASSESSOR'S PARCEL NUMBER: 045-110-067-000
 LAND AREA: 389,862 SQUARE FEET, OR 8.95 ACRES.
 ZONING: PD-C (Planned Development Commercial)
 SETBACKS: Front-5', Rear-10', Interior-5'-None, Street-5' 10"
 FLOOD ZONE: 'X'-Community Parcel No. 09061C0477 G-Dated: November 21, 2001
 PARKING SPACES: 152 REGULAR SPACES AND 6 HANDICAP PARKING SPACES
 SOME UNDERGROUND UTILITY INFORMATION SHOWN HEREON MAY HAVE BEEN OBTAINED FROM OUTSIDE SOURCES. MORROW SURVEYING MAKES NO WARRANTY ON THE RELIABILITY OF SAID INFORMATION.
 ZONING AND SETBACK INFORMATION SHOWN HEREON WAS PROVIDED BY THE APPLICABLE PUBLIC AGENCY, AND PERTAIN TO CURRENT REGULATIONS ONLY. SAID REGULATIONS WERE NOT NECESSARILY IN FORCE AT THE TIME OF CONSTRUCTION OF THE FACILITY SHOWN HEREON.
 THE PROPERTY SHOWN AND DEPICTED HEREON IS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE FOLLOWING RECORD DOCUMENTS. REFER TO COMPLETE DOCUMENT FOR FULL DETAILS:
 9) AN EASEMENT TO BUILD, CONSTRUCT, RECONSTRUCT AND TO OPERATE AND MAINTAIN PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED MARCH 21, 1991 AS INSTRUMENT NO. 91-015141 OF OFFICIAL RECORDS. SHOWN HEREON.
 10) AN EASEMENT FOR SLOPE AND INCIDENTAL PURPOSES, RECORDED MARCH 21, 1991 AS INSTRUMENT NO. 91-015147 OF OFFICIAL RECORDS. SHOWN HEREON.
 11) AN EASEMENT FOR DRAINAGE AND INCIDENTAL PURPOSES, RECORDED MARCH 21, 1991 AS INSTRUMENT NO. 91-015149 OF OFFICIAL RECORDS. SHOWN HEREON.
 15) P.U.E AND PRIVATE STORM DRAIN EASEMENT PER MAP RECORDED NOVEMBER 16, 2006 IN BOOK 33, PAGE 63 OF PARCEL MAPS. SHOWN HEREON.
 17) DECLARATION OF RECIPROCAL EASEMENT AND RESTRICTIONS PER INSTRUMENT NO. 2006-123899 OF OFFICIAL RECORDS. BLANKET IN NATURE.

LEGEND

- FOUND MONUMENT AS DESCRIBED
- DIMENSION POINT-NOTHING FOUND OR SET
- ⊕ SEWER CLEANOUT
- ⊙ SEWER MANHOLE
- ⊕ DRAIN MANHOLE
- ⊕ DRAIN INLET
- ⊕ PULL BOX
- ⊕ JOINT UTILITY POLE
- ⊕ LIGHT
- ⊕ WATER VALVE
- ⊕ FIRE HYDRANT
- ⊕ WATER RISER
- ⊕ WATER BOX OR METER
- ⊕ FLAG POLE
- N.A.P.O.T.S. Not A Part of This Survey
- PM Parcel Map
- TE Trash Enclosure
- RR Rail Road
- P.U.E Public Utility Easement
- SD Storm Drain
- E Electric Vault

SURVEYOR'S CERTIFICATION*

TO COMM 2005-08 China Garden Road Limited partnership, a Delaware Limited Partnership, AND First American Title Company:
 THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH 'MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA\ACSM LAND TITLE SURVEYS', JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 2, 3, 4, 5, 6, 8, 9, 10, 11A, AND 16 OF TABLE A THEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNS FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF CALIFORNIA, THE RELATIVE POSITIONAL ACCURACY OF THE SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED HEREON.

DATE:

MATT D. MORROW L.S. 8501

APPROVED

Laura Webster

U-2013-03 Exhibit A

Packet Pg. 19

1255 Starboard Drive
 West Sacramento
 California, 95691
 (916) 372-8124
 adamz@morrowsurveying.com

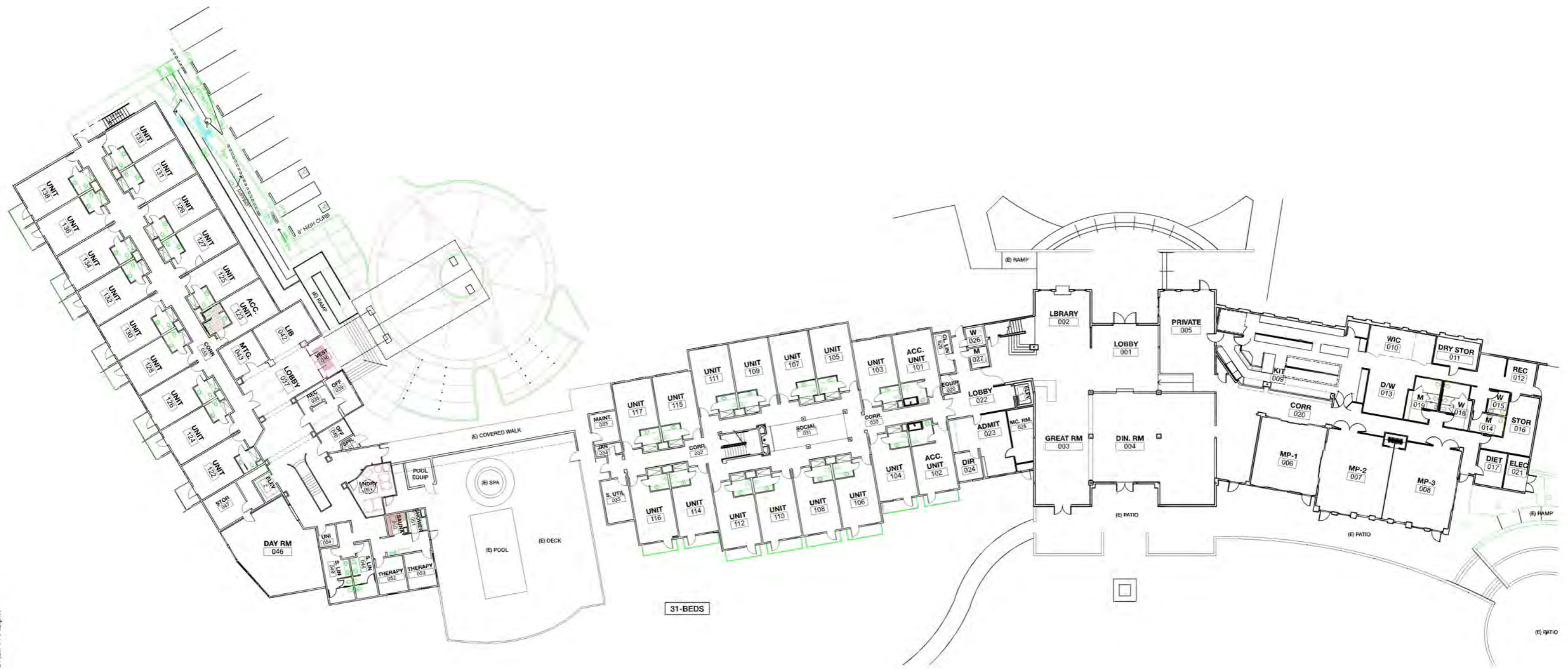


ALTA\ACSM Land Title Survey
 Prepared for:
 NAI BT Hospitality

Rocklin Park Hotel
 5450 China Garden Road
 City Of Rocklin
 County of Placer

Date: December 15, 2009
 Scale: 1" = 50'
 Sheet 1 of 1
 Field Book:
 Dwg. No. 5188-001 AZ

Agenda Item #7.



31-BEDS

1 FIRST FLOOR PLAN
 A-1 SCALE: 1/8" = 1'-0"

PROPOSED ASSISTED LIVING FACILITY

5450 CHINA GARDEN ROAD
 ROCKLIN, CA-95677



Architecture | Planning | Interiors
 www.skinc.com
 SKL Associates, Inc.
 925.480.2711
 3018 Willow Pass Road, Ste 204
 Concord, CA 94519

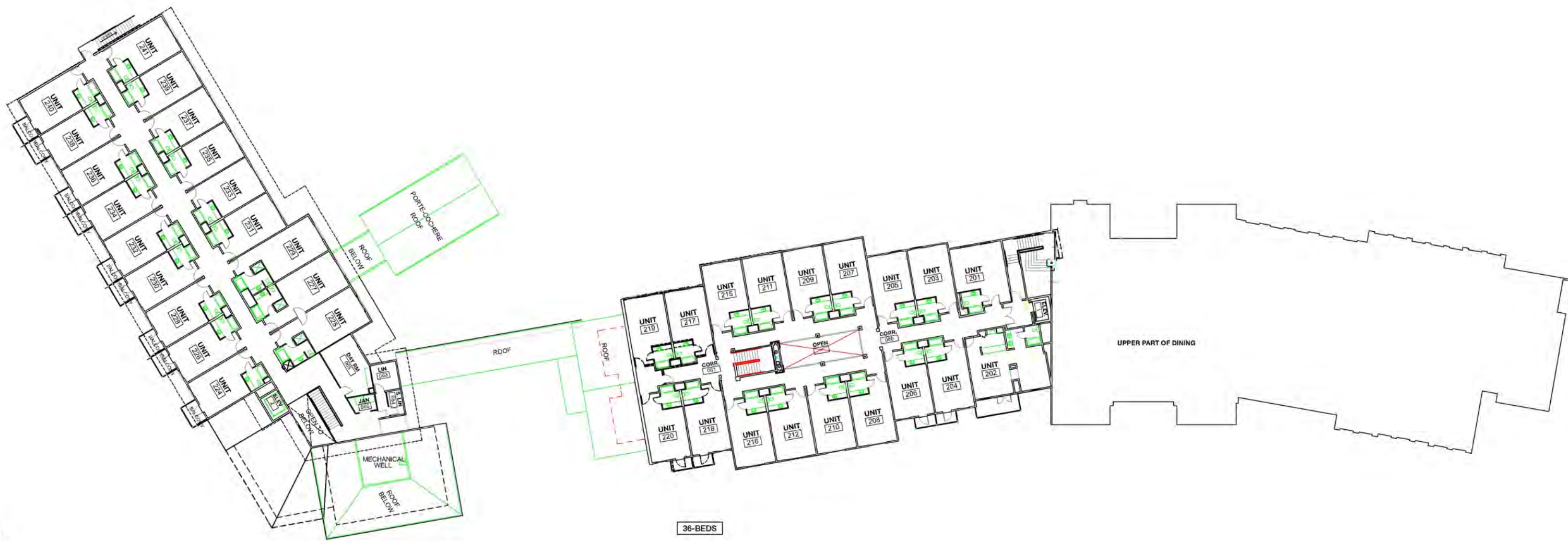
PRELIMINARY
 SUBJECT TO CHANGE
USE-PERMIT
 ISSUED FOR

MARK	DATE	DESCRIPTION

FIRST FLOOR PLAN

PROJECT NO: 12009
 MODEL FILE: A-1.pln
 DRAWN BY: SLL
 CHK'D BY:
 DATE: 02-2-2015





1 SECOND FLOOR PLAN
 A-2 SCALE: 1/8" = 1'-0"

PROPOSED ASSISTED LIVING FACILITY

5450 CHINA GARDEN ROAD
ROCKLIN, CA-95677



Architecture | Planning | Interiors
 www.sklinc.com
 SKL Associates, Inc.
 209.868.2711
 3015 Willow/Pine Road, Ste 200
 Concord, CA 94519

PRELIMINARY
 SUBJECT TO CHANGE

USE-PERMIT

ISSUED FOR:

MARK	DATE	DESCRIPTION

SECOND FLOOR PLAN

PROJECT NO.: 2009
 MODEL FILE: IAL.pln
 DRAWN BY: SKL
 CHK'D BY:
 DATE: 02-2-2011

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Attachment 2
Rocklin Park Senior Living Extension Resolution PC-2016-02

RESOLUTION NO. PC-2016-05

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN APPROVING A ONE-YEAR TIME EXTENSION FOR CONDITIONAL USE PERMIT, U-2013-03, (PC-2013-65) TO ALLOW THE CONVERSION OF THE ROCKLIN PARK HOTEL FOR THE OPERATION OF A SENIOR LIVING FACILITY

(Rocklin Park Senior Living Time Extension / U2016-0001)

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. Conditional Use Permit (U-2013-03), approved via Planning Commission Resolution No. PC-2013-65, allows for the conversion of an existing hotel and the operation of an approximately 67-unit / 49,250-square-foot independent and assisted living facility in the PD-C zone on an approximately 8.9 acre site located at 5450 China Garden Road, approximately 0.35 miles from the intersection of Aguilar Road and China Garden Road. Assessor's Parcel Number 045-110-067.

B. A Notice of Exemption has been approved for this project via Planning Commission Resolution No. PC-2013-64.

C. The establishment, maintenance, and operation of the proposed uses and buildings or structures will not, under the circumstances of this particular case, be detrimental or injurious to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, to property and improvements in the neighborhood, or to the general welfare of the City.

D. The establishment, operation, and maintenance of the uses and buildings or structures is consistent with the goals, policies, and land use designations in the General Plan and with all zoning standards, regulations, and restrictions applicable to the property.

Section 2. The one-year extension of time for the Rocklin Park Senior Living conditional use permit (U-2016-0001 / PC-2013-65), as depicted and further described in Exhibit A, attached hereto and by this reference incorporated herein, is hereby approved subject to the terms and conditions in the previous approval. Unless expressly stated otherwise, the applicant/developer shall be solely responsible for satisfying each condition and the conditions must be satisfied prior to issuance of the building permit, or issuance of certificate of occupancy as determined by the Economic and Community Development Director. The agency and/or City department(s)

responsible for ensuring implementation of each condition is indicated in parenthesis with each condition.

A. Notice to Applicant of Fees & Exaction Appeal Period

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code §66020, the applicant will be legally barred from later challenging such exactions.

B. Conditions

1. Validity

This entitlement (U-2016-0001 / PC-2013-65) shall expire one year from the date of approval unless prior to that date a building permit has been issued or a time extension has been granted. (PLANNING)

PASSED AND ADOPTED this 2nd day of February, 2016, by the following roll call vote:

AYES:	Commissioners:	Broadway, Martinez, Whitmore, McKenzie
NOES:	Commissioners:	None
ABSENT:	Commissioners:	Sloan
ABSTAIN:	Commissioners:	None

Gregg McKenzie, Chairperson

ATTEST:

Secretary

EXHIBIT A

Available at the Economic and Community Development Department, Planning Division

RESOLUTION NO. PC-2017-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN APPROVING A TWO-YEAR TIME EXTENSION FOR CONDITIONAL USE PERMIT, U-2013-03, (PC-2013-65) TO ALLOW THE CONVERSION OF THE ROCKLIN PARK HOTEL FOR THE OPERATION OF A SENIOR LIVING FACILITY

(Rocklin Park Senior Living Time Extension / U2013-03)

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. Conditional Use Permit (U-2013-03), approved via Planning Commission Resolution No. PC-2013-65, allows for the conversion of an existing hotel and the operation of an approximately 67-unit / 49,250-square-foot independent and assisted living facility in the PD-C zone on an approximately 8.9 acre site located at 5450 China Garden Road, approximately 0.35 miles from the intersection of Aguilar Road and China Garden Road. Assessor's Parcel Number 045-110-067.

B. Planning Commission Resolution No. PC-2016-05 was approved on February 2, 2016 granted a one-year extension of time for U-2013-03 / PC-2013-36.

B. A Notice of Exemption has been approved for this project via Planning Commission Resolution No. PC-2013-64.

C. The establishment, maintenance, and operation of the proposed uses and buildings or structures will not, under the circumstances of this particular case, be detrimental or injurious to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, to property and improvements in the neighborhood, or to the general welfare of the City.

D. The establishment, operation, and maintenance of the uses and buildings or structures is consistent with the goals, policies, and land use designations in the General Plan and with all zoning standards, regulations, and restrictions applicable to the property.

Section 2. The two-year extension of time for the Rocklin Park Senior Living conditional use permit (U-2016-0001 / PC-2013-65), as depicted and further described in Exhibit A, attached hereto and by this reference incorporated herein, is hereby approved subject to the terms and conditions in the previous approval. Unless expressly stated otherwise, the applicant/developer shall be solely responsible for satisfying each condition and the conditions must be satisfied prior to issuance of the

building permit, or issuance of certificate of occupancy as determined by the Economic and Community Development Director. The agency and/or City department(s) responsible for ensuring implementation of each condition is indicated in parenthesis with each condition.

A. Notice to Applicant of Fees & Exaction Appeal Period

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code §66020, the applicant will be legally barred from later challenging such exactions.

B. Conditions

1. Validity

This entitlement shall extend the expiration date of PC-2013-36 for conditional use permit U-2013-03 by two years to December 3, 2018, unless prior to that date a building permit has been issued or a futher time extension has been granted. (PLANNING)

PASSED AND ADOPTED this day of March, 2017, by the following roll call vote:

- AYES: Commissioners:
- NOES: Commissioners:
- ABSENT: Commissioners:
- ABSTAIN: Commissioners:

Carl Sloan, Chairperson

ATTEST:

Secretary



City of Rocklin Economic and Community Development Department

**Planning Commission
STAFF REPORT**

Public Noticing Amendment

Zoning Ordinance Amendment, ZOA2017-0001

March 21, 2017

Recommendation

To facilitate Planning Commission discussion and possible action, the following documents have been provided:

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN RECOMMENDING APPROVAL OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN TO MODIFY SECTIONS OF TITLES 16 AND 17 OF THE ROCKLIN MUNICIPAL CODE REGARDING REQUIREMENTS FOR PUBLIC HEARING NOTICING REQUIREMENTS ([ZOA2017-0001](#))

The Planning Commission's action is a recommendation to the City Council.

Proponent

The proposed Zoning Ordinance Amendment was initiated by the City of Rocklin.

Location

The proposed Zoning Ordinance Amendment would apply Citywide.

Background

On November 29, 2016, the Rocklin City Council approved amendments to Titles 16 and 17 of the Municipal Code to modify public hearing noticing requirements for consistency with Section 65091 of the Government Code. This section states that notices for all public hearings shall be mailed or delivered at least 10 days prior to the hearing to all owners of real property within 300 feet of the real property that is subject to the hearing, as shown on the latest equalized assessment roll.

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Project Noticing (ZOA2017-0001)
March 21, 2017
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At the approval hearing for the updates, as part of the deliberations, the Council expressed an interest in modifying the noticing requirements to broaden the radius to 600 feet. The City had utilized this larger noticing radius until 2011, at which time it was reduced to 300 feet. The Council requested that staff review the noticing requirements of other jurisdictions within the area and prepare a report comparing the regulations.

On January 24, 2017, staff presented a memorandum to the City Council regarding the requested noticing comparison (**Attachment 1**). According to the report, seven of the ten comparator jurisdictions had chosen to comply with the 300 foot requirement set forth in State law. However, Elk Grove, Rancho Cordova, and the City of Sacramento had all chosen to expand their noticing area and mail public hearing notices to all property owners within 500 feet of a project site. In addition, some jurisdictions provided additional caveats to increase noticing requirements for some entitlements, or if the number of property owners receiving notices fell below a specific number.

Following deliberation, the Rocklin City Council directed staff to prepare amendments to Rocklin Municipal Code Titles 16 and 17 to increase public notice mailing radius requirements from 300 feet to a minimum of 600 feet. In addition, the amendments would state that a minimum of 40 parcels shall be required to be notified. If this minimum standard could not be met based on the 600 foot noticing radius, the notification distance shall be increased in 50-foot increments until a list of at least 40 parcels is compiled. Staff has prepared draft amendments to the Rocklin Municipal Code to increase the noticing area from 300 feet to 600 feet and a minimum of 40 parcels for consideration by the Planning Commission and the City Council, as discussed below.

The City Council also directed staff to investigate the following; each is followed by staff's response to date:

- 1) Use of larger posting signs: Staff is investigating the purchase of larger signs for posting of routine projects and the logistics of their use. The signs currently in use are 4 square feet; based on the Council's discussion staff's goal is to utilize signs that are at least half again as large, 6.5 square feet. The use of larger signs may require Economic and Community Development to request assistance from Public Services in putting signs up and taking them down.
- 2) Establish a policy for the number and placement of signs on a project site: Staff is proposing to use a minimum of one sign per project street frontage. Projects with a street frontage in excess of 500 feet would be posted with a minimum of two (2) standard signs or one (1) oversized sign (16 square feet).

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- 3) Establish process on the City Website whereby individuals could sign up to receive automatic notification when new public hearing notices are posted: Immediately after the City Council meeting on January 24th staff modified the City website to allow interested persons to sign up to receive automatic notification any time an new public hearing notice is posted to the City website.

Analysis

Public noticing requirements are regulated within several chapters of the Municipal Code; typically organized by the section of the applicable entitlement. As stated previously, these regulations were updated in November 2016 to be consistent with current regulations of the Government Code.

Instead of modifying only the sections which contain the noticing requirements, staff is proposing to amend the Code in include a new section within Chapter 17.02 – General Provisions. This new section (17.02.080 – Project Hearings and Noticing) would specifically regulate noticing requirements. All previous references to noticing would be amended to reference Section 17.02.080.

Section 17.02.080 is proposed to be included as follows:

17.02.080 – Project Hearings and Noticing

Notice of public hearings which are required by Titles 16 and 17 of the Rocklin Municipal Code, to be noticed pursuant to this section, shall be implemented consistent with the following requirements.

- A. Pursuant to Section 65091 of the California Government Code, not less than ten (10) days before the scheduled date of a hearing, public notice shall be given of such hearing in the manner listed herein. The notice shall state the date, time, and place of the hearing, identify the hearing body, provide a general explanation of the matter to be considered, and provide a general description of the real property, if any, which is the subject of the hearing.
- B. Notice of the public hearing shall be mailed to the owners of nearby property as required by California Planning and Zoning Law except that the noticing area shall be expanded to a radius of six hundred (600) feet of the exterior boundaries of the property involved in the application, using for this purpose the last known name and address of such owners as shown upon the current tax assessor's records. The noticing information shall be current within six (6) months of the hearing date. Exceptions to this mailing requirement are as follows:

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- 1) A minimum of forty (40) parcels shall be notified. If this minimum standard is not met, the notification radius shall be increased in fifty (50) foot increments until a list of at least forty (40) parcels is compiled.

In addition, several references to noticing which currently exist within the Municipal Code shall be modified to state the following:

Noticing shall be consistent with the requirements of 17.02.080.

The chapters which would be modified are as follows:

- Chapter 16.16 – Tentative Map
- Chapter 17.60 – PD Zone
- Chapter 17.63 – Special Events
- Chapter 17.70 – Conditional Use Permits and Variances
- Chapter 17.72 – Design Review
- Chapter 17.82 – Amendments
- Chapter 17.90 – General Plan Amendment and Specific Plans
- Chapter 17.92 – Development Agreements

All proposed modifications to the Municipal Code are included in ~~strike~~/add format, with proposed deletions shown with ~~strikeout~~ and additions shown with an underline in **Attachment 2**.

Environmental Determination

The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.”

The proposed revisions to the Rocklin Municipal Code are not “projects” under CEQA because they do not result in a direct or reasonably foreseeable indirect physical change in the environment, nor do they authorize the construction of any new structures or other physical changes to the environment. Therefore, this action is exempt under sections 15060(c)(2) and (3), 15061(b)(3), 15262, and 15378 of the State CEQA Guidelines.

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Recommendation

Staff recommends that the Planning Commission recommend to the Rocklin City Council approval of the proposed amendments of the Rocklin Municipal Code Titles 16 and 17 to modify public hearing noticing requirements.

Attachments

- 1) Project Noticing City Council Memorandum – January 24, 2017
- 2) Proposed Amendments to the Rocklin Municipal Code



CITY MEMORANDUM

DATE: January 24, 2017

TO: Mayor and Council Members

FROM: Marc Mondell, Economic and Community Development Director
Bret Finning, Planning Services Manager

SUBJECT: Project Noticing

Department: Economic and Community Development

On December 13, 2016 the City Council discussed the possibility of changing the City's standard for mailing of public hearing notices from the current requirement of sending notices to all owners of real property located within 300 feet of the boundaries of a project site, consistent with the minimum requirements of State law, to 600 feet. Council indicated conceptual support for the proposal but asked for additional information on the noticing practices of Rocklin and other area jurisdictions prior to making a decision.

Today the City of Rocklin complies with the State requirements by mailing public hearing notices to all owners of real property located within 300 feet of the boundaries of a project site and publishes the notices in the Placer Herald a minimum of 10 days prior to the public hearing. In addition, Rocklin also posts information about new project applications on the City's website once it has been deemed complete for processing, copies of all public hearing notices are posted outside of City Hall and on the City website, and at least one 24"x24" sign is posted on the project site to alert the public that a public hearing has been scheduled (larger signs are used for projects that staff has reason to believe will be of significant interest to the public). Taken as a whole the City of Rocklin's current practice for noticing public hearings exceeds the States minimum requirements and appears to go beyond the practices of many of the other jurisdictions in the area, see Attachment 1 – Comparative Noticing Provisions.

Like most jurisdictions in the Sacramento area, Rocklin's codes related to noticing generally defer to, or are written to be consistent with, minimum state requirements which typically require one of both of the following depending upon the type of entitlement being considered:

- Publish notice in a paper of local circulation 10 days prior to the public hearing; and
- Mail a notice to all real property owners, utilities, and service providers 10 days prior to the public hearing.

Other provisions of State code, such as the California Environmental Quality Act (CEQA) also address the noticing processes, and dictate various issues such as how long in advance of a

City Council Report – Project Noticing

January 24, 2017

Page 2

hearing the public notices must be sent out, or require that certain interest groups, such as Native American Tribal entities, be given special notice of certain types of projects. These State requirements will always supersede, modify, or be in addition to the minimum standards established by the Government Code sections or by any local jurisdiction. Information regarding specific State Codes related to the public notice requirements are included with this memo, as Attachment 2, for the Council's use and information.

Pursuant to the Council's request for information on the practices of other area jurisdictions staff has conducted a cursory review of noticing requirements listed in the Municipal Codes of ten other jurisdictions in the greater Sacramento area for comparison. Staff only looked at notice requirements related to entitlements typical of the development process and not Special Event Permits and the like. Generally speaking, seven of the ten comparator jurisdictions have chosen, like Rocklin, to comply with the 300 foot requirement set forth in State law for most types of entitlements and publish the notice in the local paper 10 days prior to the public hearing unless a longer publication period is required by CEQA or other provisions of State Code. Elk Grove, Rancho Cordova and the City of Sacramento have all chosen to expand their noticing area and mail public hearing notices to all property owners within 500 feet of a project site.

The exceptions to the general rule noted above are that the cities of Citrus Heights and Lincoln have both chosen to mail public hearing notices for subdivisions only, to all property owners within 500 feet of a project site. Likewise Placer County has chosen to mail public hearing notices for Development Agreements only, to all property owners within 600 feet of a project site. The county also posts copies of public hearing notices on the project site and at two nearby public facilities. The Town of Loomis sends public hearing notices for privately proposed General Plan Amendments only to all property owners in the Town limits. Within 30 days of the receipt of an application the City of Elk Grove posts notice on its website that an application has been received and the nature of the application. Elk Grove also has a standard that a minimum of 30 parcel owners must receive notice of a given project even if that requires expanding the noticing radius. In addition that City requires a noticing radius of 1000 to 2000 feet for projects proposed in certain rurally designated areas, for new specific plans, and for all projects requiring an EIR. Finally the City of West Sacramento mails a request for comment for Design Review projects to all property owners within 500 feet of a project site and posts a 17" x 17" sign on the site in lieu of a public hearing notice. They also have the option of posting public hearing notices at 500 foot intervals along all frontages of sites proposed for zone changes. It is possible that some of these jurisdictions have additional noticing practices that are not clearly reflected in their municipal codes or readily apparent on their websites.

With regard to the various noticing practices the following points should be kept in mind:

1. Having different noticing area requirement for different types of entitlements greatly increases the opportunity for error and / or the likelihood that all projects will be held to the greater standard to prevent an error.
2. Larger noticing areas increase the cost for applicants to generate mailing lists.

3. Larger noticing areas increase the costs to the jurisdiction in staff time and postage to prepare and mail out notices.
4. Jurisdictions often utilize the minimum State requirements as they are presumed to be well founded and represent easily understood practice to achieve the goals set by the State. Local governments cannot do less than the state requirement but may adopt standards that exceed state requirements
5. Uniform practices between jurisdictions make is easier for developers and the public to understand and comply with the requirements.
6. Where only one jurisdiction has requirements that are significantly different from the surrounding jurisdictions it may be perceived as a disadvantage to doing business in that jurisdiction thereby discouraging investment.

Staff requests that the City Council provide direction on what revisions, if any, are desired to the City's current public hearing notification practices so that we may prepare the appropriate documents to bring back for approval at a future hearing.

Attachments

Attachment 1 - Comparative Noticing Provisions

Attachment 2 - State Code Sections Related to Public Notification of Development Entitlements

Ricky A. Horst, City Manager
Reviewed for Content

DeeAnne Gillick, Interim City Attorney
Reviewed for Legal Sufficiency

Proposed Amendments to the Rocklin Municipal Code

Note: All proposed modifications to the Municipal Code are included in strike/add format, with proposed deletions shown with ~~strikeout~~ and additions shown with an underline.

Section 16.16.150 of Chapter 16.16 – Tentative Map shall be amended to read:

Section 16.16.150 – Public hearing – Notice.

~~The planning director shall give notice of the public hearing as required by Section 66451.3 of the Government Code. In addition, mailed notice of the time and place of the hearing, and a general description of the location of the subdivision, shall be given to the owners of real property lying within three hundred feet of the exterior boundaries of the subdivision, as their names appear on the last equalized assessment roll.~~

Noticing shall be consistent with the requirements of 17.02.080.

Section 17.02.080 of Chapter 17.02 – General Provisions shall be added as follows:

17.02.080 – Public Hearings and Noticing.

Notice of public hearings which are required by Titles 16 and 17 of the Rocklin Municipal Code, to be noticed pursuant to this section, shall be implemented consistent with the following requirements.

- A. Pursuant to Section 65091 of the California Government Code, not less than ten (10) days before the scheduled date of a hearing, public notice shall be given of such hearing in the manner listed herein. The notice shall state the date, time, and place of the hearing, identify the hearing body, provide a general explanation of the matter to be considered, and provide a general description of the real property, if any, which is the subject of the hearing.
- B. Notice of the public hearing shall be mailed to the owners of nearby property as required by California Planning and Zoning Law except that the noticing area shall be expanded to a radius of six hundred (600) feet of the exterior boundaries of the property involved in the application, using for this purpose the last known name and address of such owners as shown upon the current tax assessor's records. The noticing information shall be current within six (6) months of the hearing date. Exceptions to this mailing requirement are as follows:
 - 1) A minimum of forty (40) parcels shall be notified. If this minimum standard is not met, the notification radius shall be increased in fifty (50) foot increments until a list of at least forty (40) parcels is compiled.

Section 17.60.045 of Chapter 17.60 – PD Zone shall be amended to read:

Section 17.60.045 – Public Noticing.

Noticing shall be consistent with the requirements of 17.02.080.

Section 17.63.070(B) of Chapter 17.63 – Special Events shall be amended to read:

- B. For special events determined by the planning director to require city council review, a noticed public hearing shall be held by the city council. ~~Not less than twenty one days prior to the hearing, the council shall give notice thereof by mail to all property owners within three hundred feet of the proposed special event site.~~ Noticing shall be consistent with the requirements of 17.02.080. The notice shall include a description of the proposed use and its location, and the date, hour and place of the hearing. At the conclusion of the hearing, the city council shall grant, grant with conditions, or deny the application. The decisions of the city council shall be in writing, setting forth the findings of facts supporting the decision, and shall be served on the applicant within ten days.

Section 17.70.040 of Chapter 17.70 – Conditional Use Permits and Variances shall be amended to read:

Section 17.70.040 – Public Noticing.

~~A minimum of ten (10) days before the scheduled date of a hearing, public notice shall be mailed or delivered to all owners of real property, as shown on the latest equalized assessment roll, within 300 feet of the exterior boundaries of the real property that is the subject of the hearing, unless a larger noticing radius is required by state law.~~

Noticing shall be consistent with the requirements of 17.02.080.

Section 17.72.060 of Chapter 17.72 – Design Review shall be amended to read:

Section 17.72.060 – Public Noticing.

~~A minimum of ten (10) days before the scheduled date of a hearing, public notice shall be mailed or delivered to all owners of real property, as shown on the latest equalized assessment roll, within 300 feet of the exterior boundaries of the real property that is the subject of the hearing, unless a larger noticing radius is required by state law.~~

Noticing shall be consistent with the requirements of 17.02.080.

Section 17.82.040 of Chapter 17.82 – Amendments shall be amended to read:

Section 17.82.040 – Planning Commission – Public Noticing.

~~A minimum of ten (10) days before the scheduled date of a hearing, public notice shall be mailed or delivered to all owners of real property, as shown on the latest~~

~~equalized assessment roll, within 300 feet of the exterior boundaries of the real property that is the subject of the hearing, unless a larger noticing radius is required by state law.~~

Noticing shall be consistent with the requirements of 17.02.080.

Section 17.90.060(B) of Chapter 17.90 – General Plan Amendments and Specific Plans shall be amended to read:

Section 17.90.060 – General Plan Amendment – Planning Commission Review.

~~B. A minimum of ten (10) days before the scheduled date of a hearing, public notice shall be mailed or delivered to all owners of real property, as shown on the latest equalized assessment roll, within 300 feet of the exterior boundaries of the real property that is the subject of the hearing, unless a larger noticing radius is required by state law.~~

B. Noticing shall be consistent with the requirements of 17.02.080.

Section 17.90.070(B) of Chapter 17.90 – General Plan Amendments and Specific Plans shall be amended to read:

Section 17.90.070 – General Plan Amendment – Council Review.

B. At its next regular meeting after receipt of the resolution of the planning commission, the council shall set a public hearing on the proposed amendment(s) to the general plan not more than thirty days thereafter and shall give notice ~~of the hearing as prescribed by Government Code Section 65355~~ consistent with the requirements of 17.02.080.

Section 17.90.100(C) of Chapter 17.90 – General Plan Amendments and Specific Plans shall be amended to read:

Section 17.90.100 – Specific Plan – Planning Commission Review.

C. The planning commission shall hold at least one public hearing on the specific plan and provide notice ~~as required by Government Code Section 65500~~ consistent with the requirements of 17.02.080. The hearing may be continued from time to time.

Section 17.90.110(B) of Chapter 17.90 – General Plan Amendments and Specific Plans shall be amended to read:

Section 17.90.110 – Specific Plan – Council Action.

B. At its next regular meeting after receipt of the recommendation of the planning commission, the council shall set a public hearing on the specific plan not more than thirty days thereafter and shall give notice of the hearing ~~as required by Government Code Section 65503~~ consistent with the requirements of 17.02.080.

Section 17.92.140(A) of Chapter 17.92 – Development Agreements shall be amended to read:

Section 17.92.140 – Public Noticing

- A. ~~A minimum of ten (10) days before the scheduled date of a hearing, public notice shall be mailed or delivered to all owners of real property, as shown on the latest equalized assessment roll, within 300 feet of the exterior boundaries of the real property that is the subject of the hearing, unless a larger noticing radius is required by state law.~~
- A. Noticing shall be consistent with the requirements of 17.02.080.

RESOLUTION NO. PC-2017-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN
RECOMMENDING APPROVAL OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
ROCKLIN TO MODIFY SECTIONS OF TITLES 16 AND 17 OF THE ROCKLIN MUNICIPAL CODE
REGARDING PUBLIC HEARING NOTICING REQUIREMENTS (ZOA2017-0001)

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. On January 24, 2017 the Rocklin City Council directed staff to prepare an amendment of the Rocklin Municipal Code to modify Titles 16 and 17 regarding requirements for public hearing noticing requirements.

B. The proposed amendments to the Rocklin Municipal Code are not “projects” under CEQA, and are therefore exempt under sections 15060(c)(2) and (3), 15061(b)(3), 15262, and 15378 of the State CEQA Guidelines.

C. The proposed amendments to the Rocklin Municipal Code are consistent with and implement the policies of the City of Rocklin's General Plan, including the Housing Element.

D. The proposed amendments to the Rocklin Municipal Code are not likely to create serious health problems or create nuisances on or near affected properties.

E. The Planning Commission has considered the effect of the proposed amendments to the Rocklin Municipal Code 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.

Section 2. The Planning Commission of the City of Rocklin hereby recommends approval of the Ordinance attached hereto as Exhibit 1 and incorporated by reference herein.

PASSED AND ADOPTED this 21st day of March, 2017, by the following roll call
vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

ABSTAIN: Commissioners

Chairman

ATTEST:

Secretary

EXHIBIT 1

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN
TO MODIFY SECTIONS OF TITLES 16 AND 17 OF THE ROCKLIN MUNICIPAL CODE
REGARDING PUBLIC HEARING NOTICING REQUIREMENTS

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. On January 24, 2017, the Rocklin City Council directed staff to initiate an amendment of the Rocklin Municipal Code to modify Titles 16 and 17 to update public hearing noticing requirements.
 - B. The proposed amendments to the Rocklin Municipal Code are not “projects” under CEQA, and are therefore exempt under sections 15060(c)(2) and (3), 15061(b)(3), 15262, and 15378 of the State CEQA Guidelines..
 - C. The proposed amendments to the Rocklin Municipal Code are consistent with and implement the policies of the City of Rocklin's General Plan, including the Housing Element.
 - D. The proposed amendments to the Rocklin Municipal Code are not likely to create serious health problems or create nuisances on or near affected properties.
 - E. The City Council has considered the effect of the proposed amendments to the Rocklin Municipal Code 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.

Section 2. **Section 16.16.050 of Chapter 16.16 – Tentative Map** shall be amended to read:

Section 16.16.150 – Public hearing – Notice.

Noticing shall be consistent with the requirements of 17.02.080.

Section 3. **Section 17.02.080 of Chapter 17.02 – General Provisions** shall be added as follows:

17.02.080 – Public Hearings and Noticing.

Notice of public hearings which are required by Titles 16 and 17 of the Rocklin Municipal Code, to be noticed pursuant to this section, shall be implemented consistent with the following requirements.

- A. Pursuant to Section 65091 of the California Government Code, not less than ten (10) days before the scheduled date of a hearing, public notice shall be given of such hearing in the manner listed herein. The notice shall state the date, time, and place of the hearing, identify the hearing body, provide a general explanation of the matter to be considered, and provide a general description of the real property, if any, which is the subject of the hearing.
- B. Notice of the public hearing shall be mailed to the owners of nearby property as required by California Planning and Zoning Law except that the noticing area shall be expanded to a radius of six hundred (600) feet of the exterior boundaries of the property involved in the application, using for this purpose the last known name and address of such owners as shown upon the current tax assessor's records. The noticing information shall be current within six (6) months of the hearing date. Exceptions to this mailing requirement are as follows:
 - 1) A minimum of forty (40) parcels shall be notified. If this minimum standard is not met, the notification radius shall be increased in fifty (50) foot increments until a list of at least forty (40) parcels is compiled.

Section 4. **Section 17.60.045 of Chapter 17.60 – PD Zone** shall be amended to read:

Section 17.60.045 – Public Noticing.

Noticing shall be consistent with the requirements of 17.02.080.

Section 5. **Section 17.63.070(B) of Chapter 17.63 – Special Events** shall be amended to read:

- B. For special events determined by the planning director to require city council review, a noticed public hearing shall be held by the city council. Noticing shall be consistent with the requirements of 17.02.080. The notice shall include a description of the proposed use and its location, and the date, hour and place of the hearing. At the conclusion of the hearing, the city council shall grant, grant with conditions, or deny the application. The decisions of the city council shall be in writing, setting forth the findings of facts supporting the decision, and shall be served on the applicant within ten days.

Section 6. **Section 17.70.040 of Chapter 17.70 – Conditional Use Permits and Variances** shall be amended to read:

Section 17.70.040 – Public Noticing.

Noticing shall be consistent with the requirements of 17.02.080.

Section 7. **Section 17.72.060 of Chapter 17.72 – Design Review** shall be amended to read:

Section 17.72.060 – Public Noticing.

Noticing shall be consistent with the requirements of 17.02.080.

Section 8. **Section 17.82.040 of Chapter 17.82 – Amendments** shall be amended to read:

Section 17.82.040 – Planning Commission – Public Noticing.

Noticing shall be consistent with the requirements of 17.02.080.

Section 9. **Section 17.90.060(B) of Chapter 17.90 – General Plan Amendments and Specific Plans** shall be amended to read:

Section 17.90.060 – General Plan Amendment – Planning Commission Review.

B. Noticing shall be consistent with the requirements of 17.02.080.

Section 10. **Section 17.90.070(B) of Chapter 17.90 – General Plan Amendments and Specific Plans** shall be amended to read:

Section 17.90.070 – General Plan Amendment – Council Review.

B. At its next regular meeting after receipt of the resolution of the planning commission, the council shall set a public hearing on the proposed amendment(s) to the general plan not more than thirty days thereafter and shall give notice consistent with the requirements of 17.02.080.

Section 11. **Section 17.90.100(C) of Chapter 17.90 – General Plan Amendments and Specific Plans** shall be amended to read:

Section 17.90.100 – Specific Plan – Planning Commission Review.

C. The planning commission shall hold at least one public hearing on the specific plan and provide notice consistent with the requirements of 17.02.080. The hearing may be continued from time to time.

Section 12. **Section 17.90.110(B) of Chapter 17.90 – General Plan Amendments and Specific Plans** shall be amended to read:

Section 17.90.110 – Specific Plan – Council Action.

- C. At its next regular meeting after receipt of the recommendation of the planning commission, the council shall set a public hearing on the specific plan not more than thirty days thereafter and shall give notice consistent with the requirements of 17.02.080.

Section 13. **Section 17.92.140(A) of Chapter 17.92 – Development Agreements** shall be amended to read:

Section 17.92.140 – Public Noticing

- A. Noticing shall be consistent with the requirements of 17.02.080.

Section 14. Within fifteen days of passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Councilmembers 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 fifteen days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Councilmembers 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 City Councilmembers 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 _____, 2017, by the following vote:

AYES: Councilmembers:
 NOES: Councilmembers:
 ABSENT: Councilmembers
 ABSTAIN: Councilmembers

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rocklin held on _____, 2017, by the following vote:

AYES: Councilmembers:
 NOES: Councilmembers:

ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

Greg Janda, Mayor

ATTEST:

Barbara Ivanusich, City Clerk

First Reading:
Second Reading:
Effective Date: