



AGENDA
CITY OF ROCKLIN PLANNING COMMISSION
DATE: October 3, 2017
TIME: 6:30 PM
PLACE: Council Chambers, 3970 Rocklin Road
www.rocklin.ca.us

MEETING PROCEDURES AND STANDARDS OF DECORUM

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. Although not required, speakers are requested to identify themselves by stating their name and city of residence for the official record.

For items not listed on the agenda, any person may do so under "Citizens Addressing the Planning Commission on non-agenda items." Three to five-minute time limits may be placed on citizen comments. As a reminder, the Brown Act does not permit the Commission to take action on items not on the agenda.

All remarks shall be addressed to the Commission as a body and not to any member thereof, or to staff, or to the public. No person, other than a member of the Commission, and the person having the floor, shall be permitted to enter into any discussion without the permission of the presiding officer.

Whenever any group of persons wishes to address the Commission on the same subject matter, it shall be proper for the Chairman to request that a spokesperson be chosen.

Any person who disrupts the meeting of the Commission, may be barred by the Chairman from further audience before the Commission during that meeting.

WRITINGS RECEIVED AFTER AGENDA POSTING

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 City Hall, 3970 Rocklin Road, Rocklin, during normal business hours. These writings will also be available for review at the planning commission meeting in the public access binder located on the table at the back of the Council Chambers. If you have questions related to this agenda, please call 916-625-5160.

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.

AMERICANS WITH DISABILITIES ACT

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.

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.

ELECTRONIC PRESENTATIONS

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.

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.

POSTING OF AGENDA

In accordance with Government Code Section 54954.2(a) this agenda was posted on the City's bulletin board at City Hall, 3970 Rocklin Road, Rocklin, and City of Rocklin website at www.rocklin.ca.us.

AGENDA

INTRODUCTION

1. **Meeting called to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Minutes**
 - a. August 10, 2017
5. **Correspondence**
6. **Citizens Addressing the Commission on Non Agenda Items**

CONSENT ITEMS

None

PUBLIC HEARINGS

7. **TENTATIVE MAP DEADLINES AND TIME EXTENSIONS AMENDMENT
ZONING ORDINANCE AMENDMENT, ZOA2017-0004**

The proposed project would amend certain sections of Title 16 - Subdivisions of the Rocklin Municipal Code to bring obsolete provisions into compliance with the California Subdivision Map Act.

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 Amendment to the Rocklin Municipal Code 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 To Modify Certain Sections Of Title 16 Of The Rocklin Municipal Code Regarding Tentative Map Deadlines, Time Extensions, And Vesting Tentative Maps (ZOA2017-0004)

**8. KENNELS AMENDMENT
ZONING ORDINANCE AMENDMENT, ZOA2017-0005**

The proposed project would amend certain sections of Title 6 – Animals and Title 17 - Zoning of the Rocklin Municipal Code to allow animal kennels in certain zoning districts.

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 Amendment to the Rocklin Municipal Code 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 Title 17 Of The Rocklin Municipal Code Regarding Kennels (ZOA2017-0005)

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
 SPECIAL PLANNING COMMISSION MEETING

August 10, 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 Martinez - *Excused*
 Commissioner McKenzie
 Commissioner Sloan
 Vice Chairman Whitmore
 Commissioner Vass

Others Present:

Marc Mondell, ECD Director
 DeeAnne Gillick, Deputy City Attorney
 Bret Finning, Planning Services Manager
 Dara Dungworth, Senior Planner
 Shauna Nauman, Assistant Planner
 David Mohlenbrok, Environmental Services Ops Manager
 Dave Palmer, City Engineer
 Laura Webster, Director of Long Range Planning
 Terry Stemple, Planning Commission Secretary

About 30 others

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

CONSENT ITEMS

None

PUBLIC HEARINGS

Commissioner Whitmore suggested that Item 9 be moved to the beginning of the public hearings.

7. THIS ITEM IS BEING CONTINUED TO AUGUST 15, 2017**STANFORD TERRACE CONDOMINIUMS
SUBDIVISION MAP, SD-2013-05
DESIGN REVIEW, DR-2013-12**

This application is a request for a re-approval of a prior Design Review and Tentative Subdivision Map to develop 119 townhomes on 7.3+/- acres. The subject property is approximately 7.3 +/- acres and is generally located on Stanford Ranch Road near the southwest intersection of Stanford Ranch Rd. and Sunset Blvd. APN 017-460-003. The property is zoned Planned Development 20 units per acre (PD-20). The General Plan designation is High Density Residential (HDR).

A Mitigated Negative Declaration of Environmental Impacts was previously approved by the Rocklin City Council through Resolution No. 2014-234. The project site is not on any of the lists enumerated under Section 65962.5 of the Government Code related to hazardous wastes.

The applicant is Chris Scerri with Golden State Lumber, Inc. The property owner is Golden State Lumber, Inc.

- a. Resolution of the Planning Commission of the City Of Rocklin Recommending Approval a Tentative Subdivision Map (Stanford Terrace Condominiums / SD-2013-05)
- b. Resolution of the Planning Commission of the City Of Rocklin Recommending Approval a Design Review For Multi-Family Residential Homes (Stanford Terrace Condominiums / DR-2013-12)

Item #9 was moved to be heard before Item #8

**9. GRACEPOINT ADVENTIST CHURCH SANCTUARY ADDITION TIME EXTENSION
DESIGN REVIEW, DR2014-0015
VARIANCE, V2014-0020**

This application is a request for approval of an extension of time for a previously approved Design Review, DR2014-0015, and Variance, V2014-0020), which allows for the development of a 23,910 square foot sanctuary addition to the existing church building with enhanced entry, a new driveway, new signage and new site landscaping. The approved variance allows the height to exceed the thirty-foot (30') maximum, specified in the C-1 (Neighborhood Commercial) zoning district, by eight feet (8') for a total maximum height allowed of thirty-eight feet (38'). The subject property is 3500 Sunset Boulevard, is located on the southerly corner of the intersection of Springview Drive and Sunset Boulevard. APN 016-030-023. The property is zoned Neighborhood Commercial (C-1) and Planned Development Commercial (PD-C). The General Plan designation is Business Professional (BP) and Retail Commercial (RC).

The project was previously determined to be exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines through Planning Commission Resolution PC-2015-28.

The property owner is Northern California Conference Association of Seventh Day Adventist. The applicant is Steve Jones of Kelly Architects.

Shauna Nauman, Assistant Planner, presented the staff report.

The Commission had questions for staff regarding:

1. Driveway

The Applicant did not address the Commission.

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:

On a motion by Commissioner Sloan and seconded by Commissioner Vass, Resolution Of The Planning Commission Of The City Of Rocklin Approving A Two-Year Time Extension For Design Review, DR2014-0015, (PC-2015-29) And Variance, V2014-0020 (PC-2015-30) To Allow The Development Of A Sanctuary Addition To An Existing Church Building And To Exceed The 30-Foot Height Limit (Gracepoint Adventist Church Time Extension / DR2014-0015 And V2014-0020) was approved by the following vote:

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

**8. ROCKLIN STATION
 DESIGN REVIEW, DR2016-0006
 OAK TREE PRESERVATION PLAN PERMIT, TRE2016-0003
 TENTATIVE PARCEL MAP, DL2016-0003
 CONDITIONAL USE PERMIT, U2016-0005**

This application is a request for approval of a Design Review, Oak Tree Preservation Plan Permit, and a Tentative Parcel Map to re-divide the existing four parcels into five commercial parcels and to allow the construction of a commercial center including an automotive service use, retail space, and restaurant spaces, some with drive-through window service and/or outdoor dining, and associated site improvements, including parking and landscaping, and a freeway pylon sign exceeding 30 feet in height. The subject site is located on the southwest corner of the Interstate 80 off-ramp and Sierra College Boulevard. APNs 045-051-015, -019, -020, -021. The property is zoned Planned Development Commercial (PD-C). The General Plan designation is Retail Commercial (RC).

Notice is hereby given that the City of Rocklin will consider adoption of a Mitigated Negative Declaration for the development project described above.

The applicant is Sam Thomas of Thomas Sierra, LLC. The property owners are Cecil Finegold Family Receiving Trust and Cecil Finegold Charitable Remainder Trust.

Dara Dungworth, Senior Planner, presented the staff report and referenced the two blue memos presented tonight.

The Commission had questions for staff regarding:

1. Storm drainage management
2. Signalization at intersection and Caltrans concerns

3. Dominguez Road connection
4. Compounding traffic of various projects along Sierra College Blvd.
5. Dominguez Overpass traffic model
6. Architectural Review Committee review
7. Discussions with staff on the architecture
8. Mitigation for oak trees being removed
9. Last review of mitigation fees

The applicant, Sam Thomas, Thomas Sierra LLC, addressed the Commission. He thanked staff for all their great efforts and mentioned that all members of the development team were there and available for questions.

The Commission had no questions for the applicant.

The hearing was opened to the public for comment.

1. Bill Pruitt, Elder at Lifehouse Church, explained he had 3 main concerns; widening of Sierra College Blvd., future secondary road, and reciprocal easements. He requested denial of the project.

There being no further comments, the public comment period was closed.

The Commission had additional questions for staff regarding

1. Page 133 - Widening of Sierra College Blvd – responsible party for costs
2. Future access roads
3. Discussion of location of future access road
4. Reciprocal parking and access easement burden
5. Clarification of the potential future easement
6. Utilities to be stubbed to future access point
7. Discussion of drive thru locations
8. Signage on rear of Les Schwab building
9. Signage for Habit Burger drive-thru queuing
10. Back side of Habit Burger a little barren
11. Public Art
12. Oak trees on perimeter of property being incorporated into project
13. Parking levels
14. Buses and big rig parking
15. Lifehouse Church – loss of 5400 square feet of property
16. Property owner once construction is complete

Commission Deliberation/Discussion:

Commissioner Sloan stated he had exparte communications with the applicant. He stated he did have some concerns with the site layout. He feels the architecture is strong and meets the design guidelines. He also feels the city has made an effort to accommodate the church property. He supports the project.

Commissioner McKenzie stated he had exparte communications with Lifehouse church. He thinks staff has adequately addressed his concerns with the signal at Schriber Way and Caltrans. He would like to see a few oak trees saved for aesthetic purposes, but knows the site doesn't lend itself for that. He mentioned that the word "parking" needs to be removed from the condition regarding reciprocal access and parking. He stated he would

be open to a condition regarding bus and motor coach parking, if the Commission is concerned. He concurs with Staff’s findings and supports the project.

Commissioner Vass stated she also had exparte communication with the church and the applicant. She feels comfortable with reciprocal easement. She likes the project and supports it.

Commissioner Whitmore had exparte communications with the church and the applicant. He stated his concerns are with the project design and oak tree preservation. Would like to see more harmony amongst the site. He doesn’t think the Cracker Barrel has enough parking, and does not support the idea of a condition regarding motor coaches. He feels it’s a failure to not keep some of the oak trees. Stated he would not vote in favor of the Design Review and Oak Tree Preservation Plan.

Sam Thomas, applicant, stated that they will try and keep the large oak tree at the entrance if it is healthy enough.

On a motion by Commissioner Vass and seconded by Commissioner Sloan, Resolution Of The Planning Commission Of The City Of Rocklin Approving A Mitigated Negative Declaration Of Environmental Impacts (Rocklin Station / DR2016-0006/TRE2016-0003, U2016-0005, DL2016-0003) was approved by the following vote:

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

On a motion by Commissioner Vass and seconded by Commissioner Sloan, Resolution Of The Planning Commission Of The City Of Rocklin Approving A Design Review And An Oak Tree Preservation Plan Permit (Rocklin Station / DR2016-0006/TRE2016-0003) was approved by the following vote with the addition of a condition to give the Community Development Director leeway to work with the applicant on keeping the one oak tree.

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

On a motion by Commissioner Vass and seconded by Commissioner Sloan, Resolution Of The Planning Commission Of The City Of Rocklin Approving A Conditional Use Permit For A Freeway-Oriented Sign That Exceeds The Maximum Height Allowed By The City Of Rocklin Municipal Code (17.75.050) (Rocklin Station / U2016-0005) was approved by the following vote including the finding in the blue memo:

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

On a motion by Commissioner Vass and seconded by Commissioner Sloan, Resolution Of The Planning Commission Of The City Of Rocklin Approving A Tentative Parcel Map (Rocklin Station / DL2016-0003) was approved by the following vote with the amendment to B.1.b striking “parking”:

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

At 8:24pm the Commission took a break and resumed at 8:27pm.

NON PUBLIC HEARINGS

10. Informational Items and Presentations - None

11. Reports and Discussion Items from Planning Commissioners - None

12. Reports from City Staff

- City Council approved the Design Review Modifications with minor revisions.
- September 5th meeting is probably cancelled.

13. Adjournment

There being no further business brought before the Commission, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Terry Stemple
Planning Commission Secretary

*Approved at the regularly scheduled
Meeting of*



City of Rocklin Economic and Community Development Department

**Planning Commission
STAFF REPORT**

Tentative Map Deadlines and Time Extensions

Zoning Ordinance Amendment, ZOA2017-0006

October 3, 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 TO MODIFY CERTAIN SECTIONS OF TITLE 16 OF THE ROCKLIN MUNICIPAL CODE REGARDING TENTATIVE MAP DEADLINES AND TIME EXTENSIONS (ZOA2017-0006)

Proponent

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

Location

The proposed Zoning Ordinance Amendment would apply Citywide.

Background

The Municipal Code currently requires Tentative Maps to be filed within 24 months from the date of approval. In addition, the Code also limits the length of any single Tentative Map extension period to 12 months. These periods of time are below those which are currently allowed by the Subdivision Map Act. Shorter approval periods have proven burdensome for

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Map Deadlines and Time Extensions (ZOA2017-0006)
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many projects, for both the original map life and extensions. These shorter time allowances have required the processing of multiple extensions for several individual projects, thereby requiring significant hours of staff processing and review/action by the original approving authority.

On June 13, 2017, the City Council approved a Resolution of Intent (ROI) directing staff to review and update various sections of the Rocklin Municipal Code, including the subdivision requirements, for clarity, internal consistency, and compliance with current Government Code regulations. As a first step in these efforts staff is bringing forward modifications to improve consistency with current Subdivision Map Act requirements, specifically with regard to these tentative map deadlines and extensions.

Analysis

Tentative Map Deadlines

With regard to Parcel Maps, *Chapter 16.20 – Parcel Maps* of the Rocklin Municipal Code (RMC) currently states the following:

16.20.040 – Filing deadline.

Within twenty-four months of the date of approval or conditional approval of a tentative map, the subdivider may cause a parcel map to be prepared and filed in accordance with the tentative map as approved in accordance with the provisions of this chapter and the Subdivision Map Act.

16.20.050 – Failure to file.

Failure to file a parcel map within twenty-four months of the date of approval or conditional approval of a tentative map, or within any extended period of time granted by the planning commission in accordance with the provisions of this chapter, shall terminate all proceedings. Before a parcel may thereafter be filed, a new tentative map shall be filed in accordance with the provisions of this chapter.

With regard to Subdivision Maps, *Chapter 16.24 – Final Map* of the RMC currently states the following:

16.24.030 – Deadline to file.

Within twenty-four months of the date of approval or conditional approval of the tentative map, or within such additional time as may be granted by the council, the subdivider may cause the proposed subdivision or any part thereof to be surveyed and a final map be prepared and filed as provided in this chapter and the Subdivision Map Act.

Section 66452.6(a)(1) of the Subdivision Map Act states that an approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or

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after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 12 months.

Due to fluctuations in the economy and other circumstances, many tentative maps have not been able to file within the 24-month period currently required by the RMC. Therefore, in accordance with Section 66452.6(a)(1) of the Subdivision Map Act, staff is proposing to extend the allowed filing deadline by 12 additional months to a total of 36 months. To accomplish these modifications, the following amendments are proposed in ~~strike~~/add format:

16.20.040 – Filing deadline.

Within ~~twenty-four~~ thirty-six months of the date of approval or conditional approval of a tentative map, the subdivider may cause a parcel map to be prepared and filed in accordance with the tentative map as approved in accordance with the provisions of this chapter and the Subdivision Map Act.

16.20.050 – Failure to file.

Failure to file a parcel map within ~~twenty-four~~ thirty-six months of the date of approval or conditional approval of a tentative map, or within any extended period of time granted by the planning commission in accordance with the provisions of this chapter, shall terminate all proceedings. Before a parcel may thereafter be filed, a new tentative map shall be filed in accordance with the provisions of this chapter.

16.24.030 – Deadline to file.

Within ~~twenty-four~~ thirty-six months of the date of approval or conditional approval of the tentative map, or within such additional time as may be granted by the council, the subdivider may cause the proposed subdivision or any part thereof to be surveyed and a final map be prepared and filed as provided in this chapter and the Subdivision Map Act.

Map Extensions

Regarding the extension of Tentative Parcel Maps, *Chapter 16.20 – Parcel Maps* of the RMC currently states the following:

16.20.060 – Extension of deadline.

- A. The commission may grant one or more extensions of time up to, but not exceeding a total of five years, beyond the initial twenty-four months allowed for the filing of a parcel map. No single extension shall be granted for longer than a twelve-month period. Applications for time extensions shall be made in writing to the planning department prior to the expiration of the tentative map. Upon submittal of a complete application to extend the map, the map shall be automatically extended for sixty days or until the application for the extension is approved, conditionally approved or denied. Any time extension granted shall be subject to the condition

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that the parcel map shall be prepared and improvements shall be constructed and installed in compliance with the requirements in effect at the time such extension is considered by the commission. A fee for processing any such extension shall be required in an amount to be determined by resolution of the council.

With regard to extensions of Subdivision Maps, *Chapter 16.24 – Final Map* of the RMC currently states the following:

16.24.040 – Failure to file–Extensions.

A. Failure to file a final map within the time specified in Section 16.24.030 shall terminate all proceedings, unless an extension of time to file has been granted by the council. The council may grant one or more extensions of time up to but not exceeding a total of an additional five years beyond the initial twenty-four months allowed for filing a final map. No single extension shall be granted for longer than a twelve month period. Applications for time extensions shall be made in writing to the planning department prior to the expiration of the tentative map. Upon submittal of a complete application to extend the map, the map shall be automatically extended for sixty days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. Any time extension granted shall be subject to the condition that the final map shall be prepared and improvements shall be constructed and installed in compliance with requirements in effect at the time such extension is considered by the council. A fee for processing any such extension of time shall be required in an amount to be determined by resolution of the council.

Subdivision Map Act Section 66452.6(e) states that the length of time which a map may be extended may be a period or periods not exceeding a total of six years. This period of extension shall be in addition to the period of original approval. There is no maximum period for any single extension, provided it does not exceed the allowed six-year period.

To allow additional time to process parcel and subdivision maps, in accordance with the Subdivision Map Act, staff is proposing to extend the allowed time for extensions to coincide with the maximum extension length allowed by Section 66452.6(e) of the Map Act, at the discretion of the designated approving authority. Therefore, an applicant applying for the extension would request the desired extension length (up to six years) and provide justification for this request. The approving authority would have the option to grant the extension for the full length of the requested period, grant an extension for a shorter period of time, or deny the extension request.

In addition, Sections 16.20.060 and 16.24.040 also include language which contradicts the allowances of the Subdivision Map Act with regard to requiring a new condition that the parcel map be prepared and improvements be constructed and installed in compliance with the requirements in effect at the time such extension is considered. Although granting an extension

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of the tentative map is discretionary under the Government Code, the courts have held that the local agency's discretion is limited to the length of the extension and that the local agency cannot add new conditions to the tentative map through the extension process. Therefore, pursuant to the advice of the City Attorney's Office, staff is proposing that this language be removed from both 16.20.060 and 16.24.040.

The following amendments are proposed in ~~strike~~/add format:

16.20.060 – Extension of deadline.

A. The commission may grant one or more extensions of time up to, but not exceeding a total of ~~five six~~ years, beyond the initial ~~twenty-four~~ thirty-six months allowed for the filing of a parcel map. No single extension shall be granted for longer than ~~a twelve month period~~ the maximum length of time allowed by the Subdivision Map Act. Applications for time extensions shall be made in writing to the planning department prior to the expiration of the tentative map. The application shall include the requested length of time of the extension and justification for the approval of the request. Upon submittal of a complete application to extend the map, the map shall be automatically extended ~~for sixty days or~~ until the application for the extension is approved, conditionally approved or denied. ~~Any time extension granted shall be subject to the condition that the parcel map shall be prepared and improvements shall be constructed and installed in compliance with the requirements in effect at the time such extension is considered by the commission.~~ A fee for processing any such extension shall be required in an amount to be determined by resolution of the council.

16.24.040 – Failure to file–Extensions.

A. Failure to file a final map within the time specified in Section 16.24.030 shall terminate all proceedings, unless an extension of time to file has been granted by the council. The council may grant one or more extensions of time up to but not exceeding a total of an additional ~~five six~~ years beyond the initial ~~twenty-four~~ thirty-six months allowed for filing a final map. No single extension shall be granted for longer than ~~a twelve month period~~ the maximum length of time allowed by the Subdivision Map Act. Applications for time extensions shall be made in writing to the planning department prior to the expiration of the tentative map. The application shall include the requested length of time of the extension and justification for the approval of the request. Upon submittal of a complete application to extend the map, the map shall be automatically extended ~~for sixty days or~~ until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. ~~Any time extension granted shall be subject to the condition that the final map shall be prepared and improvements shall be constructed and installed in compliance with requirements in effect at the time such extension is considered by the council.~~ A fee for processing any such extension of time shall be required in an amount to be

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determined by resolution of the council.

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.

Recommendation

Staff recommends that the Planning Commission recommend to the Rocklin City Council approval of the proposed amendments of the Rocklin Municipal Code Title 16 to modify tentative map deadlines and extensions.

RESOLUTION NO. PC-2017-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN
 RECOMMENDING APPROVAL OF AN ORDINANCE OF THE CITY COUNCIL TO MODIFY
 CERTAIN SECTIONS OF TITLE 16 OF THE ROCKLIN MUNICIPAL CODE REGARDING
 TENTATIVE MAP DEADLINES AND TIME EXTENSIONS
(ZOA2017-0006)

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 June 13, 2017 the Rocklin City Council directed staff to prepare an amendment of the Rocklin Municipal Code to modify certain sections of Title 16 regarding tentative map deadlines and time extensions.

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 3rd day of October, 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 CERTAIN SECTIONS OF TITLE 16 OF THE ROCKLIN MUNICIPAL
CODE REGARDING TENTATIVE MAP DEADLINES AND TIME EXTENSIONS

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

Section 1. Findings.

A. On June 13, 2017 the Rocklin City Council directed staff to prepare an amendment of the Rocklin Municipal Code to modify certain sections of Title 16 regarding tentative map deadlines and time extensions.

B. 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.

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

D. 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. Authority. The City Council enacts this ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution.

Section 3. Environmental. 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), and 15378 of the State CEQA Guidelines.

Section 4. Amendment of Chapter 16.20. Sections ***16.20.040***, ***16.20.050***, and ***16.20.060.A*** of ***Chapter 16.20 - Parcel Maps*** shall be amended to read as follows:

16.20.040 – Filing deadline.

Within thirty-six months of the date of approval or conditional approval of a tentative map, the subdivider may cause a parcel map to be prepared and filed in accordance with the tentative map as approved in accordance with the provisions of this chapter and the Subdivision Map Act.

16.20.050 – Failure to file.

Failure to file a parcel map within thirty-six months of the date of approval or conditional approval of a tentative map, or within any extended period of time granted by the planning commission in accordance with the provisions of this chapter, shall terminate all proceedings. Before a parcel may thereafter be filed, a new tentative map shall be filed in accordance with the provisions of this chapter.

16.20.060 – Extension of deadline.

A. The commission may grant one or more extensions of time up to, but not exceeding a total of five years, beyond the initial thirty-six months allowed for the filing of a parcel map. No single extension shall be granted for longer than the maximum length of time allowed by the Subdivision Map Act. Applications for time extensions shall be made in writing to the planning department prior to the expiration of the tentative map. The application shall include the requested length of time of the extension and justification for the approval of the request. Upon submittal of a complete application to extend the map, the map shall be automatically extended until the application for the extension is approved, conditionally approved or denied. A fee for processing any such extension shall be required in an amount to be determined by resolution of the council.

Section 5. Amendment of Chapter 16.24. Sections **16.24.030** and **16.24.040** of **Chapter 16.24 - Final Map** shall be amended to read as follows:

16.24.030 – Deadline to file.

Within thirty-six months of the date of approval or conditional approval of the tentative map, or within such additional time as may be granted by the council, the subdivider may cause the proposed subdivision or any part thereof to be surveyed and a final map be prepared and filed as provided in this chapter and the Subdivision Map Act.

16.24.040 – Failure to file—Extensions.

A. Failure to file a final map within the time specified in Section 16.24.030 shall terminate all proceedings, unless an extension of time to file has been granted by the council. The council may grant one or more extensions of time up to but not exceeding a total of an additional six years beyond the initial thirty-six months allowed for filing a final map. No single extension shall be granted for longer than the maximum length of time allowed by the Subdivision Map Act. Applications for time extensions shall be made in writing to the planning department prior to the expiration of the tentative map. The application shall include the requested length of time of the extension and justification for the approval of the request. Upon submittal of a complete application to extend the map, the map shall be automatically extended until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. A fee for processing any

such extension of time shall be required in an amount to be determined by resolution of the council.

Section 6. 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:



City of Rocklin Economic and Community Development Department

**Planning Commission
STAFF REPORT**

KENNELS

Zoning Ordinance Amendment, ZOA2017-0005

October 3, 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 TITLE 6 AND TITLE 17 OF THE ROCKLIN MUNICIPAL CODE REGARDING KENNELS (ZOA2017-0005)

The Planning Commission's action would be 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 August 11, 2009, the Rocklin City Council approved a Resolution of Intent which authorized staff to prepare amendments to Rocklin Municipal Code Titles 6 and 17 to allow kennels in certain zone districts. That initiative was sidetracked by other priorities; however staff recently had cause to revisit this issue and move proposed revisions forward for consideration.

Analysis

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Kennels (ZOA2017-0005)
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Nonconforming Lots

Kennels can be divided into two basic types breeding kennels where animals are kept for purposes of breeding and raising animals for sale and boarding kennels where animals are typically kept on a short term basis for medical or non-medical purposes. Examples of boarding for non-medical reasons would include boarding to ensure an animal is properly cared for while the owner is away at work or on vacation.

For many years kennels have been a prohibited land use anywhere in the City, the only exception being that veterinary clinics and hospitals were allowed to board animals for medical treatment. From time to time staff has received inquiries about the possibility of the City amending the Zoning Ordinance to allow kennels in some zone districts. Most recently a potential business owner has inquired about opening a kennel to board animals during the day while their owners are at work.

After researching how other jurisdictions regulate kennels uses staff is proposing that breeding kennels remain a prohibited use and that boarding kennels be allowed in all commercial and industrial zone districts. The reason for this distinction is that breeding kennels are largely insulated from outside scrutiny with only owners and employees typically having a reason to be on site making it difficult to note any problems that may exist. In contrast boarding kennels are largely self-monitoring as they typically have constant interaction with pet owners and therefore any problems are quickly corrected by market forces (people taking their business elsewhere) or by disgruntled customers bring issues to the attention of authorities.

The proposed amendment would amend Section 6.20.010 of Title 6 Animals to note that kennels are allowed as set forth in Title 17 zoning. In Title 17 definitions for kennels and veterinary clinics would be revised for clarity, Chapter 17.64 Special and Prohibited Uses would be modified to make clear that kennels for purposes of breeding and raising animals for sale would be a prohibited use and add a new Section 17.64.062 – Kennels to make clear where boarding kennels would be allowed, the process for approval or revocation of a kennel permit, and operational criteria for all kennels. Please see **Attachment 1** for specific text changes and language; all proposed modifications to the Municipal Code are noted in ~~strike~~/add format, with proposed deletions shown with ~~strikeout~~ and additions shown with an underline. This revision would allow boarding kennels to operate in all commercial and industrial zone districts within the City subject to issuance of an administrative permit by the Economic and Community Development Director parcels and the facilities ongoing compliance with specified operational criteria.

Environmental Determination

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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.

Recommendation

Staff recommends that the Planning Commission recommend to the Rocklin City Council approval of the proposed amendments of the Rocklin Municipal Code Titles 6 and 17 regarding kennels.

Attachments

- 1) Proposed Amendments to the Rocklin Municipal Code.

Proposed Amendments to the Rocklin Municipal Code To Allow Indoor Kennels In All Commercial and Industrial Zones

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.

The below proposed Municipal Code revisions provide that kennels, as defined, would be allowed in all commercial and industrial zones, if operated entirely indoors, and subject to the issuance of a permit by the Economic and Community Development Director.

Chapter 6 is revised to indicate where kennels may be permitted.

Chapter 17 is revised to change the definition of kennels and veterinary clinics, specify that kennels for breeding and raising of animals for sale is a prohibited use, and add a new section to note in which zones kennels are allowed, establish approval and revocation processes, and operation criteria kennels.

Chapter 6.20_KENNELS

6.20.010 Where Permitted ~~Prohibited~~.

Kennels shall only be allowed as set forth in Section 17.64. of the Rocklin Municipal Code ~~No person shall keep a kennel.~~

Chapter 17.04 - DEFINITIONS

17.04.290 Kennel.

"Kennel" is a commercial or non-commercial facility for the grooming, keeping, boarding or maintaining of four (4) or more dogs, cats, and / or other animals commonly considered as household pets over the age of four (4) months. A business that provides grooming services only with no boarding is classified as "personal services establishment." Pet stores are classified as retail establishments. Veterinary offices, clinics, and hospitals are not included within the definition of a kennel. ~~"Kennel" means a place where four or more animals over the age of four months are kept for sale or breeding or are boarded for commercial or noncommercial purposes.~~

17.04.625 Veterinary clinic.

"Veterinary clinic" means a facility for the care and medical treatment of household pets, ~~with boarding to be~~ and may include short term boarding, only within the building, for medical and non-medical purposes ~~and only in conjunction with medical treatment provided at the clinic.~~

**Proposed Amendments to the Rocklin Municipal Code To Allow Indoor Kennels
In All Commercial and Industrial Zones**

Veterinary facilities operating prior to the effective date of this definition may board animals as noted above regardless of any prohibition to such use in their conditional use permit, if any.

Chapter 17.64 SPECIAL AND PROHIBITED USES

Sections:

17.64.030 - Prohibited uses.

The following uses are prohibited in all zones, and no conditional use permit shall be issued therefor:

- A. Kennels for purposes of breeding and raising animals for sale;
- B. Junkyard;
- C. Refuse disposal site;
- D. Medical marijuana dispensary.

(Ord. 890 § 3, 2004; Ord. 889 § 3, 2004; Ord. 568 § 2, 1987; Ord. 336 § 7.01.020, 1977).

17.64.062 - Kennels.

A. Kennels, for boarding of animals for commercial or noncommercial purposes, except as specified in Section 17.64.030.A., is permitted in the following zone districts subject to issuance of an administrative permit by the Economic and Community Development Director and compliance with the criteria set forth in Section 17.64.062 B:

- 1. C-1: neighborhood commercial zone;
- 2. C-2: retail business zone;
- 3. C-3: general and service commercial zone;
- 4. C-4: limited general retail and service commercial zone;
- 5. C-H: highway commercial zone;
- 6. M-1: manufacturing zone;
- 7. M-2: heavy industrial zone;
- 8. Planned Development zone districts equivalent to the above.

B. Permit Approval / Modification / Revocation.

Proposed Amendments to the Rocklin Municipal Code To Allow Indoor Kennels In All Commercial and Industrial Zones

1. Consistent with the provisions of this Chapter the Economic and Community Development Director shall issue an administrative permit to operate a kennel if in the opinion of the Economic and Community Development Director the premises on which the kennel will be located is of has been improved and is of sufficient size to accommodate the number of animals which the owner of such kennel anticipates will be on the premises, without causing any disturbance or annoyance to persons in the surrounding area subject to ongoing compliance with the criteria set forth in this Chapter and any special conditions of approval deemed necessary they the Economic and Community Development Director.
 2. A permit to operate a kennel may be modified or revoked by the Economic and Community Development Director when he / she determines any of the following:
 - a) That the animals in the kennel are causing continual annoyance and disturbance to persons in the surrounding area;
 - b) That the animals within the kennel are not being given proper care;
 - c) That circumstances have changed since the issuance of the kennel license, and in view of such circumstances, the premises are no longer suitable for the operation of a kennel.
 3. Any person whose license to operate a kennel is denied, modified or revoked by the Economic and Community Development Director may appeal such determination in accordance with the procedures specified in Chapter 17.86 of this title..
- C. All Kennels shall comply with the following criteria:
1. The premises and surroundings are maintained in a clean and sanitary state;
 2. All animals housed in the facility are kept in good health, well fed, watered, and receive adequate care and exercise;
 3. The building or tenant space in which the kennel is located shall be improved and maintained such that animals housed therein do not cause regular annoyance and disturbance to persons in the surrounding area, including but limited to noise, odor, waste disposal, etc.;
 4. Use shall be conducted entirely within a building with no outside activities or storage;
 5. The facility shall comply with all applicable regulations and requirements of County and State agencies;
 6. The Economic and Community Development Director may place such conditions on the permit as may be necessary to protecting the public health, safety and welfare.

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 6 AND 17 OF THE ROCKLIN MUNICIPAL CODE
REGARDING KENNELS (ZOA2017-0005)

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 August 11, 2009 the Rocklin City Council approved a Resolution of Intent to initiate an amendment of the Rocklin Municipal Code to allow some types of kennels in the City of Rocklin.

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 day of , , 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 6 AND 17 OF THE ROCKLIN MUNICIPAL CODE
REGARDING KENNELS

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

Section 1. Findings.

A. On August 11, 2009 the Rocklin City Council approved a Resolution of Intent to initiate an amendment of the Rocklin Municipal Code to allow some types of Kennels in the City of Rocklin.

B. The proposed Zoning Ordinance Amendment would modify Title 6 and Title 7 to allow kennels for boarding of animals in commercial and industrial zone districts; kennels for breeding and raising animals for sale would remain prohibited.

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. Authority. The City Council enacts this ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution.

Section 3. Environmental. 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), and 15378 of the State CEQA Guidelines.

Section 4. Amendment of Section. **Section 6.20.010 of Chapter 6.20 - KENNELS** shall be amended to read:

6.20.010 - Where Permitted.

Kennels shall only be allowed as set forth in Section 17.64. of the Rocklin Municipal Code.

Section 3. Amendment of Section. Section 17.04.290 of Chapter 17.04
 - **DEFINTIONS** shall be amended to read:

17.04.290 - Kennel.

“Kennel” is a commercial or non-commercial facility for the grooming, keeping, boarding or maintaining of four (4) or more dogs, cats, and / or other animals commonly considered as household pets over the age of four (4) months. A business that provides grooming services only with no boarding is classified as “personal services establishment.” Pet stores are classified as retail establishments. Veterinary offices, clinics, and hospitals are not included within the definition of a kennel.

Section 4. Amendment of Section. Section 17.04.625 of Chapter 17.04
 – **DEFINITIONS** shall be amended to read:

17.04.625 Veterinary clinic.

"Veterinary clinic" means a facility for the care and medical treatment of household pets, and may include short term boarding, only within the building, for medical and non-medical purposes. Veterinary facilities operating prior to the effective date of this definition may board animals as noted above regardless of any prohibition to such use in their conditional use permit, if any.

Section 5. Amendment of Section. Section 17.64.030 of Chapter 17.64 – SPECIAL AND PROHIBITED USES shall be amended to read:

17.64.030 - Prohibited uses.

The following uses are prohibited in all zones, and no conditional use permit shall be issued therefor:

- A. Kennels for purposes of breeding and raising animals for sale;
- B. Junkyard;
- C. Refuse disposal site;
- D. Medical marijuana dispensary.

Section 6. New Section. Section 17.64.062 of Chapter 17.64 – SPECIAL AND PROHIBITED USES shall be added to read as follows:

17.64.062 - Kennels.

- A. Kennels, for boarding of animals for commercial or noncommercial purposes, except as specified in Section 17.64.030.A., is permitted in the following zone districts subject to issuance of an administrative permit by the Economic and Community Development Director and compliance with the criteria set forth in Section 17.64.062 B:
1. C-1: neighborhood commercial zone;
 2. C-2: retail business zone;
 3. C-3: general and service commercial zone;
 4. C-4: limited general retail and service commercial zone;
 5. C-H: highway commercial zone;
 6. M-1: manufacturing zone;
 7. M-2: heavy industrial zone;
 8. Planned Development zone districts equivalent to the above.
- B. Permit Approval / Modification / Revocation.
1. Consistent with the provisions of this Chapter the Economic and Community Development Director shall issue an administrative permit to operate a kennel if in the opinion of the Economic and Community Development Director the premises on which the kennel will be located is of has been improved and is of sufficient size to accommodate the number of animals which the owner of such kennel anticipates will be on the premises, without causing any disturbance or annoyance to persons in the surrounding area subject to ongoing compliance with the criteria set forth in this Chapter and any special conditions of approval deemed necessary they the Economic and Community Development Director.
 2. A permit to operate a kennel may be modified or revoked by the Economic and Community Development Director when he / she determine any of the following:
 - a) That the animals in the kennel are causing continual annoyance and disturbance to persons in the surrounding area;
 - b) That the animals within the kennel are not being given proper care;
 - c) That circumstances have changed since the issuance of the kennel license, and in view of such circumstances, the premises are no longer suitable for the operation of a kennel.
 3. Any person whose license to operate a kennel is denied, modified or revoked by the Economic and Community Development Director may appeal such determination in accordance with the procedures specified in Chapter 17.86 of this title.

- C. All Kennels shall comply with the following criteria:
1. The premises and surroundings are maintained in a clean and sanitary state;
 2. All animals housed in the facility are kept in good health, well fed, watered, and receive adequate care and exercise;
 3. The building or tenant space in which the kennel is located shall be improved and maintained such that animals housed therein do not cause regular annoyance and disturbance to persons in the surrounding area, including but limited to noise, odor, waste disposal, etc.;
 4. Use shall be conducted entirely within a building with no outside activities or storage;
 5. The facility shall comply with all applicable regulations and requirements of County and State agencies;
 6. The Economic and Community Development Director may place such conditions on the permit as may be necessary to protecting the public health, safety and welfare;

Section 5. Severability. If any section, sub-section, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. City Council hereby declares that it would have adopted the Ordinance and each section, sub-section, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases or portions to be declared invalid or unconstitutional.

Section 6. Effective Date. Within 15 days of the passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Council members voting for and against the ordinance, to be published in the Placer Herald. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within 15 days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Council members voting for and against the ordinance, to be published in the Placer Herald, and shall post in the office of the City Clerk a certified copy of the full text of the ordinance, along with the names of those City Council members voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36933(c)(1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Rocklin held on _____, 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:

Scott Yuill, Mayor

ATTEST:

Barbara Ivanusich, City Clerk

First Reading:
Second Reading:
Effective Date: