



**CITY OF PLACERVILLE PLANNING COMMISSION
STAFF REPORT**

ITEM: 6.2

**PLANNING COMMISSION
NOVEMBER 7, 2017 AGENDA
DEVELOPMENT SERVICES STAFF REPORT
PREPARED BY: PIERRE RIVAS, DEVELOPMENT SERVICES DIRECTOR**

SUBJECT: Zoning Ordinance Text Amendments – Modifications to Section 10-4-3: *Yards* to Chapter 4 *General Regulations* of Title 10 (Zone Change 10-02) (*continued from June 6, 2017, June 20, 2017, August 15, 2017, September 19, 2017, and October 17, 2017 Planning Commission meetings*).

RECOMMENDATION:

1. Conduct a Public Hearing to receive comment regarding the request.
2. Recommend to City Council to approve the text amendments to Title 10 *Placerville Zoning Ordinance*, Chapter 4 *General Regulations* modifying Section 10-4-3; adding the definition of recreational vehicle to Section 10-1-4 *Definitions* of the Zoning Ordinance.

The Draft Ordinance is provided as **Exhibit A** of this report.

Background:

The Planning Commission held hearings on the staff recommended changes on June 6, 2017 and October 17, 2017 Planning Commission meetings and considered public input.

Following Commission deliberation on the draft ordinance, the Commission amended (C)2(d) of subsection I of Exhibit A of staff's October 17, 2017 report as follows:

“(C)2(d) Parking or storage of vehicles, boats, utility trailers, equipment and similar items are permitted within a paved or graveled driveway accessible via a permitted encroachment.”

The Commission recommended the addition of language in the appropriate part of subsection I of Exhibit A as follows:

“Recreational vehicles, as defined, shall be permissible in any yard provided their placement meet minimum yard setback requirements.”

The Commission also retained Subsection (C)3 of staff's October 17, 2017 draft as follows:

“Fences, walls, or hedges which exceed the requirements of this subsection shall be subject to the Variance procedure set forth in Sections 10-3-5 and 10-3-6 of this Title.”

These changes by the Commission have been incorporated into Section 10-4-3 as shown in Exhibit A as follows:



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(I) Recreational vehicles, as defined, shall be permissible in any yard provided their placement meets minimum yard setback requirements.

(J) Parking within the front yard: The parking or storage of vehicles, boats, utility trailers, equipment and similar items are permitted within a paved or graveled driveway accessible via a permitted encroachment.

(K) Fences, walls, or hedges which exceed the requirements of this subsection shall be subject to the Variance procedure set forth in Sections 10-3-5 and 10-3-6 of this Title.

The Planning Commission added the definition of “recreational vehicle” to City Code Section 10-1-4 to read:

10-1-4: RECREATIONAL VEHICLE: A vehicular-type unit primarily designed as temporary living quarters for recreational or travel use and which either has its own motive power or is mounted on or drawn by another vehicle. Examples of recreation vehicles are: travel trailer, camping trailer, truck camper, motor home, and park trailer. "Recreation vehicle" does not include mobile or manufactured homes.

Note that staff researched the correct identification of “trailed home” and substituted it with “park trailer.”

Environmental Review - CEQA: These draft ordinance amendments are categorically exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment. A project that would otherwise fall within a categorical exemption is not exempt if “there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances” (CEQA Guidelines Section 15300.2(c)). No evidence has been presented of unusual circumstances that would create a reasonable possibility that the ordinance would have a significant effect on the environment.

Staff Recommended Planning Commission Action:

1. Conduct a Public Hearing to receive comment regarding the request.
2. Recommend to City Council to approve the text amendments to Title 10 *Placerville Zoning Ordinance*, Chapter 4 *General Regulations* adding Section 10-4-18 of the Zoning Ordinance (City Code Title 10), under ZC 2010-02.

Exhibit A: Draft Ordinance

Exhibit B: Draft Findings

EXHIBIT A

Planning Commission Recommended Modifications
To Zoning Code Section 10-4-3 *Yards*
November 7, 2017

Recommendation: Modify Section 10-4-3 entitled *Yards*, adding Subsection (I) “Parking within the front yard”; and the addition of the definition of “recreational vehicle” to the Zoning Ordinance Section 10-1-4 *Definitions* as follows:

I. Amend the language of City Code Section 10-4-3 *Yards* adding subsections (I), (J), and (K) as shown as underlined text:

10-4-3: **YARDS:** No structure shall be constructed on any yard required by this chapter unless in compliance with all the following requirements:

- (A) Zone regulations imposed on minimum parcel width shall not apply to a parcel of record, or a parcel divided and conveyed by valid deed, or written contract of sale executed before the effective date of such provision made applicable to such parcel; if such parcel has less than the minimum required width, the minimum side yard required in all residential zones is reduced to five feet (5'); provided, that the structure is not higher than one and one-half ($1\frac{1}{2}$) stories; if such parcel fronts streets on two (2) adjoining sides, the minimum front yard required in all residential zones is reduced to ten feet (10') on one of the streets.
- (B) An unenclosed and uncovered patio, terrace, swimming pool, stairway or landing not higher than three feet (3') above the natural ground level may be located on the required yards. Cornice, eaves, canopy, chimney, fire escape, unenclosed and uncovered balcony, patio, terrace, stairway or landing and other similar projections or overhangs higher than three feet (3') above the natural ground level, may extend into the required yards to a distance of not more than two feet (2').
- (C) A fence, wall or hedge not higher than six feet (6') above the natural ground level, may be located on the required yards; provided, that in all residential zones such fence, wall or hedge is not higher than three feet (3') above the natural ground level on corner parcels fronting on two (2) or more intersecting streets, within a triangle formed by the intersecting rights of way and a line drawn between points on such rights of way thirty feet (30') distant from their point of intersection.
- (D) Detached accessory structures not higher than one story or twelve feet (12') may be located on the required rear yard up to five feet (5') of the rear parcel line.
- (E) Where more than one-half ($\frac{1}{2}$) the building sites along the same side of the street in the same zone have been improved with buildings, the required front yard is the average of the front yards in improved building sites within three hundred feet (300') in each direction.
- (F) On corner parcels the side yard abutting the street shall be one-half ($\frac{1}{2}$) the distance of the required front yard for the zone with a minimum distance of ten feet (10'). (Ord. 1474, 1-8-1991)
- (G) On corner parcels the development services director shall determine which portions of the parcel are the front, side and rear yards.

(H) On irregular shaped parcels the development services director shall determine which portions of the parcel are the front, side and rear yards. (Ord. 1474, 1-8-1991; amd. Ord. 1654, 6-25-2013)

(I) Recreational vehicles, as defined, shall be permissible in any yard provided their placement meets minimum yard setback requirements.

(J) Parking within the front yard: The parking or storage of vehicles, boats, utility trailers, equipment and similar items are permitted within a paved or graveled driveway accessible via a permitted encroachment.

(K) Fences, walls, or hedges which exceed the requirements of this subsection shall be subject to the Variance procedure set forth in Sections 10-3-5 and 10-3-6 of this Title.

II. Add the definition of “recreational vehicle” to City Code Section 10-1-4 to read:

10-1-4: RECREATIONAL VEHICLE: A vehicular-type unit primarily designed as temporary living quarters for recreational or travel use and which either has its own motive power or is mounted on or drawn by another vehicle. Examples of recreation vehicles are: travel trailer, camping trailer, truck camper, motor home, and park trailer. "Recreation vehicle" does not include mobile or manufactured homes.

EXHIBIT B

FINDINGS

Staff recommends that the Commission make the following findings:

1. Make the finding that this request, with regard to yards, is consistent with the following General Plan Community Design Element Goals and Policies:
 - A. Goal C, which states: *“To protect and enhance to the visual quality and neighborhood integrity of residential areas.”*
 - B. Goal C, Policy 1, which states: *“The City shall promote and protect residential neighborhoods from incompatible uses.”*
 - C. Goal C, Policy 6, which states: *“The City shall encourage proper maintenance of homes, buildings, and yards to provide the best possible visual quality in each neighborhood.”*
 - D. Goal D, which states: *“To upgrade the visual qualities and functional efficiency of Placerville’s local streets.”*

2. The modifications to the Placerville City Code with respect to the regulation of fence, wall, and hedge location and height within the front yard; and restriction of the parking and storage of vehicles, RVs, boats, trailers and equipment, etc., within the front yard is necessary for the safety, health and welfare of the community.