

Jackson Planning Commission

Minutes

Regular Meeting of July 05, 2005

COMMISSION MEMBERS PRESENT:

Dave Butow,
Warren Carleton, Vice-Chair
Rosemary Faulkner
Wayne Garibaldi, Chairman
Terri Works

CITY STAFF PRESENT:

Susan Peters, City Planner
Candy Collins, Accounting Assistant

COMMISSION MEMBERS ABSENT:

CITY STAFF ABSENT:

Chairman Garibaldi called the meeting to order at 7:00 p.m.

1. Public Matters Not on the Agenda.

None.

2. Approval of Minutes of March 21, 2005, April 18, 2005, May 2, 2005 and May 16, 2005.

Moved by Commission Works and seconded by Vice-Chair Carleton and unanimously carried to approve the minutes of March 21, 2005. April 18, 2005, May 2, 2005 and May 16, 2005.

3. Workshop – Zoning Ordinance.

City Planner Peters: Stated at the March 21, 2005 Planning Commission Meeting, staff provided information on the Town of Truckee Development Code. After reviewing different agencies and getting some opinions from a variety of people, staff felt that Truckee Development Code would be a good template to use for the City's update of the zoning ordinance. The update is to bring the zoning into accordance with the land use element. Typically what is done is, once a general plan element is adopted, the zoning is reviewed and brought into accordance with that general plan. The land use was adopted and rescinded, but we're still going to update the zoning ordinance as if it was approved. Both the zoning ordinance, the land use element and the amendments to the circulation element will all be reviewed under a master environmental impact report and then determinations will be made on each of those items.

The purpose of tonight's workshop is to begin the review of the Zoning Ordinance Update. It's pretty big, so it was decided that it would probably be easier if it was broken down into segments. This first portion of the Zoning Ordinance includes kind of the guts of the zoning code that includes development standards, building ratios and what you can and can't do in each zone, The general provisions and all the regulations that should be in a comprehensive zoning ordinance. If these look good, we will put them aside and move onto the next segment, which will likely include some of the overlay issues, the creek overlay, the historic overlay, and how we're going to apply zoning to those

general plan designations. We will be touching on grading, landscaping, parking, etc. We'll put together another package once we get through this one.

Chairman Garibaldi opened the Public workshop.

City Planner Peters stated that as we go through these segments, please stop me if you have questions.

Commissioner Works requested that all the pages numbered.

City Planner Peters apologized for the oversight on the numbered pages and plans on the next meeting to have the entire Truckee's 400 + pages available on her computer and will bring that with a projector to make it easier for changes as we go and for referral.

City Planner Peters responded to Commissioner Work's inquiry about what the EIR is doing to look at the Gen. Plan, by answering that the EIR that is being done is called a **Master Environmental Impact Report**. It will review the Land Use Element Update, the Zoning Ordinance Update and the Circulation Element Update. It does not include any review of projects that may be affected by this, like Jackson Hills. They are responsible for their own review.

In response to Chairman Garibaldi and other Council members in regards to the term used in this document RE: Planning Director – will be changed to City Planner, which is Susan Peter's Title. This will also be confirmed with City Manager Daly and City Attorney Gibson.

Chairman Garibaldi wanted to know if she wants the typos brought to her attention.

City Planner Peters: responded with Yes, because it is such a big document, that it would help.

Starting with Title 17.01.010- Title

This Title is and may be cited as the City of Jackson Zoning and Development Code, Title 17 of the City of Jackson Municipal Code, **hereafter referred to as "this Development Code."**

The following typos and changes were made:

17.01.020 - Purposes of Development Code

Under C. Enhance and maintain the relationship between the citizens of the City Of Jackson, our environment, and the city's many **attributes, essential** for a continued high quality of life.

17.01.040 - Applicability of the Development Code

Under B Issuance of construction permits

2. **The City Planner** determines that the parcel was legally created in compliance with the Subdivision Map Act and Article V (Subdivisions), as applicable at the time the parcel was created, or Chapter 17.86 (Lot Line Adjustments).

Under D Occupancy of a site, structure, or vehicle for dwelling purposes.

Commissioner Faulkner questioned whether this included RV, especially those used by security personnel. City Planner Peters responded with yes, and she would flag this area to make sure this is better defined.

Under F Effect of Development Code changes on projects in progress

2. **Approved projects.** Any approved development for which construction has not begun as of the effective date of this Development Code or amendment, may still be constructed as approved, as long as all of the following standards are met:

Under e. The City Planner **or his/her designee** may approve minor changes to the project based on compliance with the requirements and standards of this Development Code if the changes

For example, the City Planner may approve minor changes to the number, design, and/or specifications of parking spaces if such changes are consistent with the parking requirements of this Development Code, parking was not specifically identified in the staff report as an issue for discussion, and parking was not specifically considered by the review authority as an issue for discussion or deliberation. **The City Planner shall prepare an administrative report for the Planning Commission explaining any project minor changes.**

3. Approved projects not requiring construction.

Under c. **Taking (4) and (5) out from under c and becoming their own 4 & 5.** to read as:

4. Approved subdivisions not yet recorded. Any approved subdivision for which a Parcel or Final Map has not been recorded as of the effective date of this Development Code or amendment, may still have a Parcel or Final Map recorded in compliance with the approved Tentative Map, as long as recordation occurs before the expiration of the Tentative Map (Section 17.96.130, Tentative Map Time Limits) or, where applicable, before the expiration of any approved time extension granted under Section 17.96.150 (Extensions of Time for Tentative Maps).

5. Projects under construction. A structure that is under construction on the effective date of this Development Code or any amendment, need not be changed to satisfy any new or different requirements of this Development Code, provided that the approved use of the site shall be established, including the completion of all structures and other features of the project as shown on the approved permit, before the expiration of any applicable land use permit, or time extension granted in compliance with Section 17.84.050 (Time Limits, Phasing, and Extensions).

Under H. Conflicting permits and licenses to be void. All **new** permits or licenses shall be issued by the City in compliance with the provisions of this Development Code. Any permit or license issued in conflict with this Development Code shall be void.

17.02.030 - Exemptions from Land Use Permit Requirements

Under A --- **This section is highlighted as well as other areas highlighted to remind City Planner Peters that she needs to be consistent on modifying these areas.**

3. The activity or use will not result in any exterior improvements, modifications, or alterations to structures located in the **-HC district.** Example: Since we do not have a HP district this was changed to read HC (Historic Corridor) district.

Under B. Exempt activities and uses

City Planner Peters will look closer at these and clean the wording up.

Under 5. Residential activities, uses and structures.

This section to be modified to include the setbacks.

b. Fences and walls. Residential fences and walls are exempt from land use permit requirements as provided by Section 17.30.070 (Fences, Walls, and Hedges).

Jim Laughton: Wants this area to be specifically addressed. Unhappy with the COA and the outcome regarding the fence on the Woodside Homes. Feels the fence is short and not what he was led to believe would be the outcome. He was assured that the fence would be all the way around. This is why he feels this needs to be addressed, so that future homeowners aren't disgruntled with the outcome.

City Planner Peters: Assured Jim that she has this area flagged and will address this area further. Will address the subdivision portion, which is not before them tonight, but will make sure it's put in this portion. It will be made clear when subdivisions are created.

Under f. Spas, hot tubs, and fish ponds.

Need to talk about pools

This was section added. **g. Greenhouses, playhouses and tree houses.** Greenhouses, playhouses and tree houses that do not exceed 120 square feet in total area shall comply with the front, side, and rear setback requirements established by Article II (Zoning Districts and Allowable Land Uses) for the applicable zoning district, or Section 17.58.210 (Residential Accessory Uses and Structures), where applicable.

Under 7. Utility infrastructure. The erection, construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities (i.e., water, gas, electric, telecommunication, supply or disposal systems, including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, etc.), **shall be**

permitted in any zoning district. This does not include structures, electrical substations which receive electricity at 100,000 volts or greater, and electrical distribution lines of 100,000 volts or greater. Satellite, cellular telephone, wireless communications, and other antennas are subject to Section 17.58.250 (Telecommunications Facilities). (Section in bold was reworded)

17.02.050 - Additional Permits or Approvals May be Required

An allowed land use that is exempt from a **land use permit**, or has been granted a **land use permit**, may still be required to obtain other issued permits before the use is constructed, or otherwise established and put into operation. Nothing in this Chapter shall eliminate the need to obtain any permits or approvals required by:

City Planner Peters state she would check to see if **land use permit entitlement**- would work on the above paragraph.

- A. Other provisions of the Municipal Code, including: Building Permits, Grading Permits, or other construction permits if they are required by Title 15; any Encroachment Permit required by Title 13; or subdivision approval if required by Article V (Subdivisions)

17.03.020 - Rules of Interpretation

C. Calculations - Rounding. The calculations were broken down for a better understanding.

1. Minimum lot area, maximum density. The fractional/decimal results of calculations of the number of parcels or residential units allowed through subdivision or a land use permit based on a minimum lot area or maximum density requirement shall be rounded down to the next lowest whole number. For example, the RM zoning district would allow a parcel to be proposed for development with up to 1 apartment residential unit per 2,000 square feet of site area, which would allow up to 21 dwelling units on a one-acre (43,560 square foot) parcel ($43,560/2,000 = 34.85$, rounded down to 21).

Article II – Zoning Districts and Allowable Land Use.

Table 2-1 Zoning Districts.

City Planner Peters will make a cross-reference table using the old Zoning Map Symbols (re: R-1, R-2 etc.) and this current Zoning Map Symbols (re: RS, RL, etc.) The new Zoning Codes will use Truckee's because a lot of jurisdictions are using these symbols. After this is established it will be posted on the City's Web Page.

17.06.040 – Zoning District Regulations

Commissioners discovered that pages were duplicated and some of the pages and charts were missing from this section. City Planner Peters will unravel the mystery and correct this area.

City Planner Peters will also try to have other sections ready ahead of time for the commissioners to view prior to next meeting.

Chapter 17.07 - Residential Zoning Districts

17.07.030 - Residential Zoning District Land Uses and Permit Requirement

City Planner Peters has included a section referring to MASTER USE TABLE, which is not included in this copy and will probably be taken out because she didn't find a Table in the Truckee Zoning.

City Planner Peters addressed Chairman Garibaldi's concern of leaving out some things that they may have wanted to keep by informing him that the EIR will do some of that and she will summarize some of those changes also.

17.07.050 - Minimum Lot Area and Maximum Density

City Planner Peters responded to Commissioner Carleton the square footage for RM needed to be changed from 2,000 sq.ft. to 1,500 sq.ft.

For example, the maximum number of units allowed on a 1-acre site in the RM district would be calculated as 1 unit to **1,500 square feet** or 21 units allowed.

Chairman Garibaldi called for a recess at 8:55 p.m.

Chairman Garibaldi reconvened the meeting at 9:05 p.m.

City Planner Peters indicated that the section:

Chapter 17.12 – Commercial, Office, and Industrial Zoning Districts

Needs to have more in the residential section with descriptions about the Residential Agricultural on what it does and does not allow. There also needs to discussion about home occupation, child-care establishments, etc. There needs to discussion on businesses to be allowed with a Conditional Use Permit in the home, because there's so much of this happening right now. This will probably be done in a table format also.

17.12.020 - Purposes of Commercial, Office, and Industrial Districts

Under:

The hierarchy from less to more dense is as follows: **PO, LC, HC, C, and I.**

C: HC - Historic Commercial - The "HC" designation is applied to the downtown area of the City where the bulk of the commercial activities are related to tourism and the buildings are historic. Proposed uses in the HC land use designation would include any use allowed in the **Limited Commercial** and Professional Office designations along with retail or wholesale stores or businesses not involving any kind of manufacture, processing or treatment of products other than that which is clearly incidental o the retail business conducted on the premises. Residential

uses are allowed in within this designation. (**Neighborhood Commercial was replaced with Limited Commercial**).

City Planner Peters responded to Jim Laughton under section:

17.07.050 - Minimum Lot Area and Maximum Density

**** I think this whole section can be reduced down to a statement referring the reader to our Inclusionary Housing Policy and our Resource Constraints and Priority Allocation Policy. ****

A. Density Incentives. The maximum density requirements established by this section may be increased by the Planning Commission, subject to the following standards.

1. The Planning Commission shall find that the density increase is proportional to the benefit provided by the project, including exemplary design and environmental sensitivity, and compliance with the other provisions of this Section.

2. Density may be increased by five percent of the maximum density up to a maximum of 15 percent, based on each/any of the following project features:

a. Lands are dedicated for public open space, public access, and/or public recreation beyond that necessary for the project;

b. The project will provide enhanced public facilities which are needed by the City beyond those required for the project as mitigation measures (for example, transit facilities).

3. No increased density shall be granted unless the City Engineer first determines that the increased project density will not create unmitigable traffic circulation impacts in the site vicinity or elsewhere in the City.

City Planner Peters responded to Commissioner Works on Table 2-6 (Now 2-5) stating that she would go back over these tables and do the clarifications and add to this table at the bottom, (These uses are allowed with a conditional use permit).

17.12.040 – Commercial, Office, and Industrial District General Development Standards

Under table 2-6 (now 2-7)- Height limits

City Planner Peters wants to check on the existing heights of our buildings now, and will add to this table on height limits. She will also bring back some numbers on how high 2,3, and 4 stories are where there may be exceptions if it meets certain criteria.

This section will be continued to next meeting. July 18, 2005

City Planner Peters indicated that she hoped to complete this Zoning Ordinance Update by the end of August with some possibilities of special meetings to help complete in time. `

4. ADMINISTRATIVE REPORTS.

None.

Adjourn 9:32 pm.

Attest:

Candy Collins, Accounting Assistant

Date Approved: 08-29-05