

**ITEM 6.2:      **ORDINANCE AMENDMENT – CITYWIDE – ZONING AND SUBDIVISION ORDINANCE  
LEGISLATIVE UPDATE 2025 – PL25-0221****

**REQUEST**

The request is a city-initiated update to Title 18 (Subdivision Ordinance) and Title 19 (Zoning Ordinance) of the Roseville Municipal Code (RMC) in response to state legislation passed in 2024 and to make minor corrections and maintenance updates. The request includes amendments to the following Zoning Ordinance sections: Section 19.08.090 (Commercial Use Types) to add a definition for microbreweries, update language from “coin-operated” to “pay-for-play” within the definition for amusement center, add permanent make-up/microblading to the types of uses categorized as Personal Services, and to include brewpubs as a type of convenience and full service eating establishment; Section 19.10.020 (Residential Zone Permitted Use Types) and Section 19.12.020 (Commercial Zone Permitted Use Types) to add footnotes specifying that administrative and office space not exceed 25% of the total floor area for supportive housing per changes to state law, and to add veterinary clinics as allowed with a Conditional Use Permit in the Regional Commercial zone district; Section 19.14.020 (Industrial Zone Permitted Use Types) to add microbreweries as an allowed use by right in all Industrial zones; Section 19.22.020 (Accessory Uses) to create specific regulations for the use and operation of portable on-demand (POD) storage containers within Residential zones; Section 19.22.030 (Permitted Accessory Structures to Dwelling Use Type) to add shipping containers as an accessory structure that is prohibited in Residential zones; Section 19.26.030 (Parking Space Requirements by Use Type) to allow parking reductions for eating and drinking establishments to be approved administratively; Chapter 19.28 (Residential Density Bonus) to incorporate changes to residential density bonuses per changes to state law; Chapter 19.33 (Commercial Corridor Specific Plans) to require a minimum density of 20 units/acre for multifamily uses in the Commercial Corridor Specific Plan Areas; Sections 19.60.060 (Accessory Dwelling Units) to specify that replacement parking is not required for ADUs if an uncovered parking space is demolished and that multifamily sites may have up to eight detached Accessory Dwelling units per changes to state law; Section 19.76.210 (Extension); Section 19.76.050 (Application Processing Procedures) to require all projects subject to public hearing post a project notification on-site; and Section 19.82.030 (Procedure) to allow Major Project Permit Extensions to be approved administratively. The project also includes amendments to the following Subdivision Ordinance sections: Chapter 18.05 (Tentative Map Applications – Ministerial) to further revise the Ministerial Maps eligibility criteria to include certain single-family zones. The amendments to the Subdivision Ordinance are to reflect changes in state law (Senate Bill 1123 of 2024).

Applicant – City of Roseville

**SUMMARY RECOMMENDATION**

The Planning Division recommends the Planning Commission take the following actions:

1. Consider the two (2) findings of fact and recommend City Council approve the Ordinance Amendment to Title 19 of the Roseville Municipal Code.
2. Review and comment on the Ordinance Amendment to Title 18 of the Roseville Municipal Code.

**SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues associated with this request.

## **BACKGROUND**

Each year, staff reviews the Zoning Ordinance to identify needed maintenance updates, including updates needed in response to legislation. The proposed updates identified for this annual update are relatively minor, and consist of the following changes (see Exhibit A and Exhibit B):

- **Section 19.08.090 and Section 19.14.020 (Commercial Use Types and Industrial Zone Permitted Use Types):** This update creates a definition for “microbreweries” that specifies a microbrewery produce less than 15,000 barrels of beer per year and sells at least 75% of its production off-site. This definition is from the Brewer’s Association and is also consistent with the definition used by other adjacent jurisdictions. Microbreweries are included in this update as a permitted use within all industrial zones. This update also modifies the definition of amusement center to use the words “pay-for-play” instead of the outdated phrase “coin-operated.” Additionally, this update adds permanent make-up/microblading as a category under the Personal Services use type, because this has become a common service offered by salons and there was a need for clarity in the Ordinance.
- **Section 19.10.020 and Section 19.12.020 (Residential Zone and Commercial Zone Permitted Use Types):** Pursuant to AB 1801, this update adds a footnote specifying that administrative and/or office space cannot occupy more than 25% of the total floor area of a supportive housing facility. This update also adds veterinary clinics as allowed within the Regional Commercial zone district with approval of a Conditional Use Permit. This is to create consistency within the use table as similar uses such as kennels are allowed with a Conditional Use Permit in the Regional Commercial zone.
- **Section 19.22.020 (Accessory Uses):** As a result of their increasing popularity, the Planning Division has received numerous inquiries from residents regarding operating standards for portable on-demand (POD) storage containers. This update creates specific regulations around the use and operation of POD storage containers located in residential zones, including allowable location(s) on a property, time limits, and condition and quality of the containers. Both the City and County of Sacramento have similar operational standards in their Zoning Ordinances.
- **Section 19.22.030 (Permitted Accessory Structures to Dwelling Use Type):** In recent years, the Planning Division has received applications requesting the use of shipping containers as accessory structures on residential property as well as complaints from residents regarding their use on neighboring properties. As shipping containers are not ordinarily and customarily associated with residential uses, this update adds them to the list of prohibited accessory structures in all residential zones.
- **Section 19.26.030 (Parking Space Requirements by Use Type):** This update allows for the Planning Manager to be the approving authority for parking reduction requests for Eating and Drinking Establishments, provided the reduction is less than 15% of the total parking for the property in which the establishment is located. Any reduction request of 15% or more shall still require the approval of the Planning Commission. The Planning Division is proposing this change due to the infrequent and low impact nature of this type of parking reduction, while also establishing a threshold that would necessitate a higher level of review.
- **Chapter 19.28 (Residential Density Bonus):** Pursuant to AB 2694 and AB 3116, updates to the Density Bonus section include the following: elder care facilities can now qualify for a density bonus; student housing must be exclusive to actively enrolled students to be eligible for a density bonus; an applicant may receive two incentives or concessions if at least 23% of units are for

lower income students in a student housing development; new density bonus percentages specific to student housing; and one bedroom student housing units no longer require any parking.

- **Chapter 19.33 (Commercial Corridor Specific Plans):** An amendment to this section is proposed to satisfy a request of the California Department of Housing and Community Development (HCD). As adopted, the Specific Plans do not specify a density for multifamily housing, allowing that to be determined by market demands and the requirements of the development and design standards of the plans. HCD is concerned that since the minimum density of the HDR land use is 13 units/acre, this could result in underbuilding of sites. Staff analysis of market conditions suggests it is extremely unlikely a commercial property would be redeveloped with a 13 unit/acre project (it is unlikely to be financially viable) and this outcome was not anticipated in the planning of the Commercial Corridors. However, to assuage this concern staff is recommending a footnote be added to the permitted use tables for each of the Corridor Plans specifying that multifamily uses in the Commercial Corridor Specific Plan Areas must have a minimum density of 20 units per acre, with the exception of parcels ½-acre or less in size with an existing single-family structure built before 2025. The exception is provided to protect the future intensification options for the handful of small sites zoned multifamily that already have a single-family home, where meeting a density of 20 units per acre would likely require demolition of the existing home or would otherwise involve cost-prohibitive improvements.
- **Chapter 19.60.060 (Accessory Dwelling Units):** Pursuant to SB 1211, this update specifies that replacement parking is not required if construction of an ADU demolishes a required parking space, and that a multifamily site may have up to eight detached ADUs if there are a minimum of eight existing multifamily units on the site. If there are fewer than eight multifamily units, the number of ADUs shall not exceed the number of existing multifamily units on a site. On a site with a proposed multifamily dwelling, only two new ADUs would be allowed.
- **Section 19.76.210 and Section 19.82.030 (Extension and Procedure):** This update allows for the Planning Manager to be the approving authority for a Major Project Permit Extension.
- **Section 19.76.050 (Application Processing Procedures):** This update requires that all applicants for projects that are subject to a public hearing must post a project notification on-site to the satisfaction of the Planning Division before the application may be deemed “complete”. Minimum criteria are provided in the update, including the allowable size and location(s) of the sign(s), as well as project and contact information that must be displayed.
- **Chapter 18.05 (Tentative Map Applications – Ministerial):** Pursuant to SB 1123, this update includes changes to the ministerial multifamily map process that was introduced in SB 684 in 2023, which allowed for ministerial approval of up to 10 lots on specific properties within a multifamily zone district (the City’s R3 zone district). The changes include the following:
  - A lower height limitation may not be imposed than already exists in the underlying zone district;
  - Existing homes may not be split onto separate parcels;
  - Minimum density requirements are reduced to 66% of the maximum allowed density, or 66% of the Housing Element default density if located within the Housing Element inventory, where previously it required meeting the maximum density;
  - Adds vacant single-family zoned parcels to the list of qualifying lands, provided it meets the following criteria:
    - Cannot be greater than 1.5 acres in size

- Cannot be considered vacant if it had occupied housing on it anytime within the last five years
- Newly created lots cannot be smaller than 1,200 square feet

Despite the revised eligibility criteria, the majority of both multi- and single-family zoned parcels in the City do not meet these minimum requirements and it is expected that only a small number of infill properties would be eligible for this process.

## **EVALUATION**

Section 19.86.050 of the City of Roseville Zoning Ordinance requires two findings be made in order to approve a zoning ordinance amendment. The two findings are listed below in ***italicized, bold*** text and are followed by an evaluation of the project in relation to the findings. There is no advisory body for Title 18, so staff is requesting the Planning Commission review and comment on changes to Title 18 and will pass those comments on to City Council.

- 1. The project is consistent with the public interest, health, safety, or welfare of the City.***
- 2. The project is consistent with the General Plan and any applicable specific plan of the City of Roseville.***

The proposed changes to the Zoning Ordinance are to bring the City's regulations into consistency with enacted state law and to make other needed maintenance updates. Annual maintenance updates ensure a clear set of regulations for both the public and for City staff. For these reasons, staff finds that the project is consistent with the public interest, health, safety, or welfare of the City and that the project is consistent with the General Plan and applicable Specific Plans.

The proposed changes to the Subdivision Ordinance are to bring the City's regulations into conformance with enacted state law. Senate Bill 1123 will come into effect on July 1, 2025 and the City will be required to comply with the resultant changes to the Government Code. Modifying the City's ordinances for consistency with these state laws establishes a clear set of regulations for both the public and for City staff. For these reasons, staff finds that the project is consistent with the public interest, health, safety, or welfare of the City and that the project is consistent with the General Plan and applicable specific plans.

## **PUBLIC OUTREACH**

Staff discussed the proposed amendments at the Roseville Coalition of Neighborhood Associations (RCONA) General Board meeting of February 20, 2025. RCONA Board members asked questions regarding the ministerial mapping process changes and the changes to the Accessory Dwelling Unit section, expressing concerns over the continued push for increased housing densities. To date, no additional comments or concerns have been received.

Consistent with noticing requirements for a citywide project a public hearing notice was published in the Press Tribune and was posted on the RCONA website.

## **ENVIRONMENTAL DETERMINATION**

The proposed Zoning Ordinance and Subdivision Ordinance amendments are policy and procedure-making activities, and the California Environmental Quality Act (CEQA) only applies to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. (CEQA Guidelines §15061(b)(3)).

## **RECOMMENDATION**

The Planning Division recommends the Planning Commission take the following actions:

- A. Consider the findings of fact as stated in the staff report and recommend City Council approve the **Title 19 ORDINANCE AMENDMENT – CITYWIDE – ZONING AND SUBDIVISION ORDINANCE LEGISLATIVE UPDATE 2025 – PL25-0221**.
- B. Review and comment on the **Title 18 ORDINANCE AMENDMENT – CITYWIDE – ZONING AND SUBDIVISION ORDINANCE LEGISLATIVE UPDATE 2025 – PL25-0221**.

## **Exhibits**

- A. Zoning Ordinance Redlines (RMC 19.08, 19.10, 19.12, 19.14, 19.22, 19.26, 19.28, 19.33, 19.60, 19.76 and 19.82)
- B. Subdivision Ordinance Redlines (RMC 18.05)

**Note to Applicant and/or Developer:** Please contact the Planning Division staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Manager at, or prior to, the public hearing.