



Municipal Code Text Amendment No. TA-22-143

City Council, November 14, 2022

Item 5.2

Summary



- ▶ Municipal Code Text Amendment No. TA-22-143 is a staff-initiated proposal to modify various sections of the Lathrop Municipal Code.
- ▶ The proposed amendments include integration of current City policies, Housing Element Program Implementation, State law and best practices within the Planning profession.

Background



- ▶ The City approved similar efforts and updated various sections of the Municipal Code in the following years:
 - 2013
 - 2016
 - 2017
 - 2019
 - 2021
 - 2022

Amendments



► Housing Element Program Implementation

- The Housing Element was adopted by City Council on December 9, 2019 and included a number of Policies and Implementation Programs to encourage development of a range of housing types for all levels of income.
- Program 1n stated:
 - *Revise the Zoning Code to require ministerial approval, which may include site plan review, for housing developments that include a minimum 20 percent of units affordable to lower income households.*

Amendments



► Housing Element Program Implementation

- To implement the program, the proposed amendment would update the following Chapters of the LMC:
 - Chapter 17.36: RM Multifamily Residential District;
 - Chapter 17.61: River Islands Zoning Districts; and
 - Chapter 17.62: Central Lathrop Zoning Districts.
- Added language to each Chapter:
 - *Housing developments that include a minimum 20 percent of units affordable to lower income households shall be ministerial and exempt from this section.*

Amendments



► Chapter 17.32 R One-Family Residential District

- The proposed amendment would remove the requirement for administrative review for Second Housing Units. Accessory Dwelling Units are permitted by-right (no special planning approval required).
- The proposed amendment would also remove the distance requirement for swimming pools from the front lot line.

Amendments



► Chapter 17.36 RM Multifamily Residential District

- In addition to implementing Program 1n, the proposed amendment would remove the “RM-1.5 District” from the Property Development Standards Section since there is no property in the City Limits with this Zoning designation.

Amendments



► Chapter 17.56 Planned Unit Development

- The proposed amendment would remove an antiquated process and streamlines the Planned Unit Development application process.
- In essence, the new process follows the same steps in adopting or amending the Zoning Ordinance and clarifies Planning Commission review and City Council approval.

Amendments



- ▶ Chapter 17.61 River Islands Zoning Districts
 - In addition to implementing Program 1n, the proposed amendment would update the Neighborhood Development Plan procedure to clarify the findings that the Planning Commission must make.

Amendments



- ▶ Chapter 17.62 Central Lathrop Zoning Districts
 - In addition to implementing Program 1n, the proposed amendment would modify the Permitted Use and Conditional Uses for the Neighborhood Commercial Zoning District and Specialty Commercial Zoning District to reclassify “Churches and other religious facilities” to “Assembly Uses”.
 - The proposed amendment would also remove the use “Christmas tree sales” from the Conditional Use list since temporary uses are already subject to the Administrative Approval of Certain Uses Chapter.

Amendments



► Chapter 17.108 Administrative Approval of Certain Uses

- The proposed amendment would add language to allow live entertainment held indoors, such as live bands, disc jockeys, karaoke, or similar activities when incremental to the primary use of an existing business.
- The amendment also removes the 30-day limit for TUP's providing more flexibility to various events sponsored by businesses and non-profit organizations.

Amendments



► New Chapter 17.19 Tattoo and Body Art Establishments

- On September 12, 2022, the City Council directed staff to prepare a Code Amendment to permit 1 Tattoo and Body Art Establishment in the City and to utilize distance requirement presented to Council.
- The proposed amendment would create a new Chapter titled “Tattoo and Body Art Establishments” that includes regulations for Tattoo and Body Art Establishments.

Amendments



- ▶ New Chapter 17.19 Tattoo and Body Art Establishments
 - The new Chapter includes definitions pursuant to the California Health and Safety Code, includes the maximum number allowed, provisions for distance requirements from sensitive uses, and confirms the zoning districts in which Tattoo and Body Art Establishments are permitted.















Amendments
















► New Chapter 17.19 Tattoo and Body Art Establishments

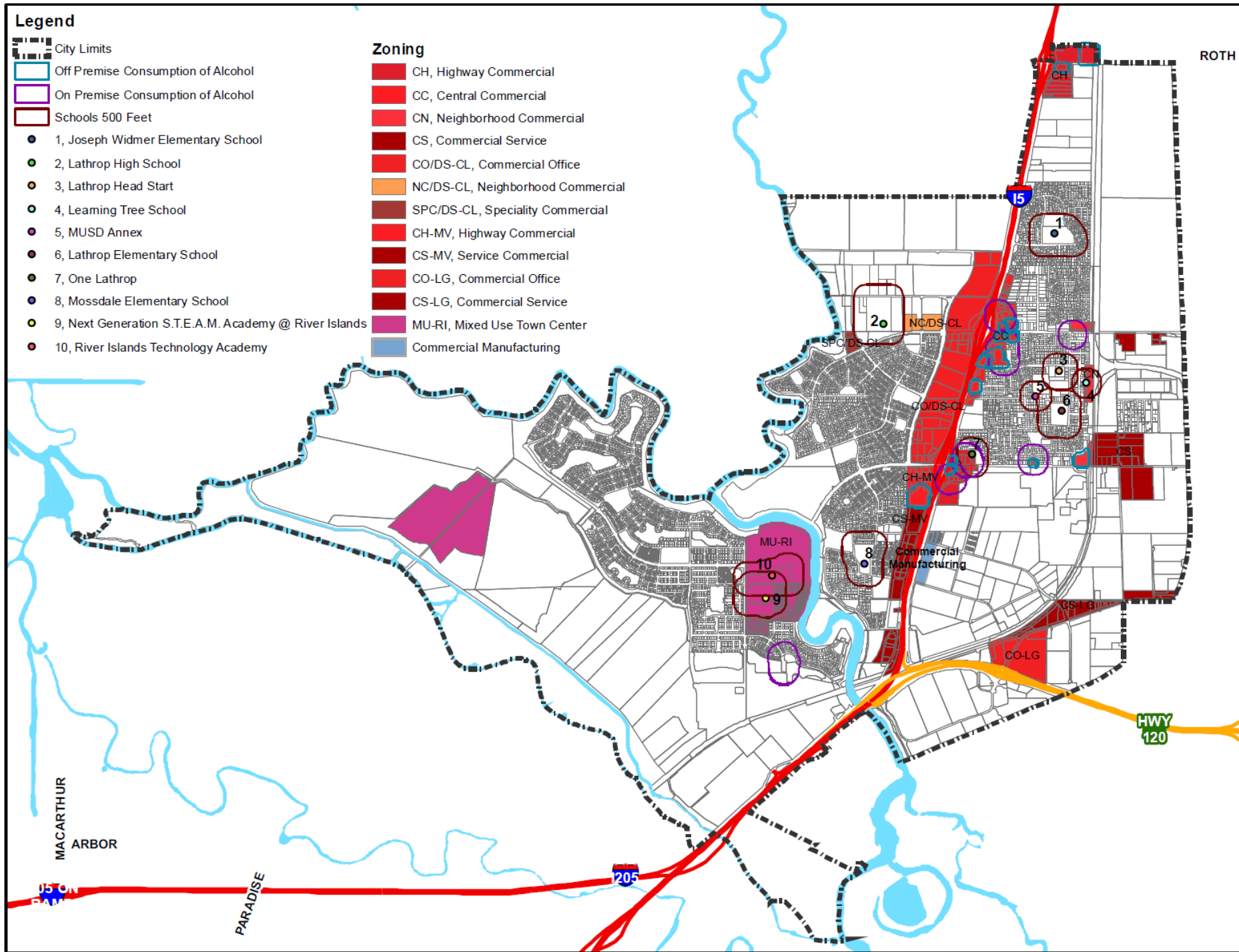
- Distance requirements:
 - 1,000 feet from another Tattoo and Body Art Establishment;
 - 500 from adult entertainment business;
 - 500 feet from any business selling alcoholic beverages for on premise consumption.
 - 100 feet from any business selling alcoholic beverages for off premise consumption.
 - 100 feet from any existing residential zone.
 - 500 feet from school, park, day care center, or family day care home.

Legend

-  City Limits
-  Off Premise Consumption of Alcohol
-  On Premise Consumption of Alcohol
-  Schools 500 Feet
-  1, Joseph Widmer Elementary School
-  2, Lathrop High School
-  3, Lathrop Head Start
-  4, Leaming Tree School
-  5, MUSD Annex
-  6, Lathrop Elementary School
-  7, One Lathrop
-  8, Mossdale Elementary School
-  9, Next Generation S.T.E.A.M. Academy @ River Islands
-  10, River Islands Technology Academy

Zoning

-  CH, Highway Commercial
-  CC, Central Commercial
-  CN, Neighborhood Commercial
-  CS, Commercial Service
-  CO/DS-CL, Commercial Office
-  NC/DS-CL, Neighborhood Commercial
-  SPC/DS-CL, Speciality Commercial
-  CH-MV, Highway Commercial
-  CS-MV, Service Commercial
-  CO-LG, Commercial Office
-  CS-LG, Commercial Service
-  MU-RI, Mixed Use Town Center
-  Commercial Manufacturing



Planning Commission



- At their regular meeting of October 19, 2022, the Planning Commission voted unanimously (4–0) to recommend the City Council adopt an Ordinance regarding the proposed amendments to the Lathrop Municipal Code.

CEQA



- ▶ The proposed Municipal Code Amendment is exempt according to CEQA Article 5 Section 15061 by the “Common Sense Exemption”.
- ▶ The amendment does not change the zoning designation on any individual property and does not affect existing land use or density.

Recommendation



- ▶ Staff and Planning Commission recommends the City Council conduct the following:
 - Conduct a Public Hearing; and
 - Introduce an Ordinance adopting various amendments to the Lathrop Municipal Code to modernize, simplify, and streamline various sections of Title 17, the Zoning Code.



Questions / Comments?