

ITEM 5.3

CITY MANAGER'S REPORT DECEMBER 9, 2019 CITY COUNCIL REGULAR MEETING

ITEM: PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER MUNICIPAL CODE TEXT AMENDMENT TA-19-141

RECOMMENDATION: Council to Consider the Following:

1. Hold a Public Hearing; and
2. First Reading and Introduction of an Ordinance to Amend the Zoning Code, Title 17 of the Lathrop Municipal Code, to Implement the Housing Element of the General Plan. The Amendments to the Municipal Code Include the Following:
 - Sections 17.36.020 And 17.62.032, and Table 17.61.1 are Revised to Limit Development of Single Family Units on Sites Designated for High Density Residential Uses.
 - Section 17.68.010 is Revised to Permit Manufactured Housing in the Same Manner as Single Family Homes.
 - Section 17.36.050.D. Is Revised to Identify Densities for the RM Zone that are Consistent with the Densities Allowed in the General Plan Land Use Element.

Project Summary and Recommendation:

The City is in the process of updating the Housing Element to meet the State deadline for the current update, which addresses the 5th cycle with a planning period through 2023. As part of the Housing Element Update, the City and its consultant have identified a number of programs for implementation, as described below.

Staff recommends that the City Council consider all information presented at the public hearing, consider all public testimony, and if determined to be appropriate, adopt an Ordinance to amend the Zoning Ordinance, Title 17 of the Municipal Code adopting Municipal Code Text Amendment TA-19-141 to implement the Housing Element of the General Plan.

Project Background and Proposed Zoning Amendment:

The proposed Zoning Ordinance amendments implement the 2019 Housing Element programs related to accommodating a variety of housing types and removing constraints to the development of housing. Each amendment is described below.

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MUNICIPAL CODE TEXT AMENDMENT TA-19-141**

- Sections 17.36.020 and 17.62.032, and Table 17.61.1 (Attachments #2-4) are revised to limit development of single family units on sites designated for high density residential uses (2019 Housing Element Program 2p).
- Section 17.68.010 (Attachment #5) is revised to permit manufactured housing in the same manner as single family homes (2019 Housing Element Program 2q).
- Section 17.36.050.D (Attachment #6) is revised to identify densities for the RM zone that are consistent with the densities allowed in the General Plan Land Use Element (2019 Housing Element Program 2r).

Environmental:

The proposed Municipal Code text amendments would not result in any significant environmental impacts. The potential effects associated with adoption and implementation of the amendments to Title 17 have been reviewed and have been determined to be exempt from the California Environmental Quality Act as it meets with the criteria established in Section 15061(b)(3) of the CEQA Guidelines because there will be no physical changes to the environment.

Public Notice

A Notice of Public Hearing was advertised in the Manteca Bulletin on November 27, 2019. Staff also mailed the public hearing notice to all individuals that have requested to receive notice of actions taken by the City relative to the General Plan. In addition, the meeting agenda was posted at our designated posting locations in the City. As of the writing of this report, no comments were received in favor or against the proposed project.

At their regular meeting of November 20, 2019, the Planning Commission voted unanimously (4-0), one absent, to recommend the City Council adopt Municipal Code Text Amendment TA-19-141 to amend the Zoning Ordinance, Title 17 of the Municipal Code, to implement the Housing Element of the General Plan

RECOMMENDATIONS:

The Planning Commission and staff recommend that the City Council consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, take the following actions:

- Introduce an Ordinance adopting amendments to Title 17 of the Lathrop Municipal Code to implement the 2019 Housing Element programs related to accommodating a variety of housing types and removing constraints to the development of housing.


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Attachments:

1. Ordinance to Adopt the Municipal Code Text Amendment TA-19-141
2. Section 17.36.020 – Residential Multifamily Permitted Uses Mark Up
3. Section 17.62.032 – Central Lathrop Permitted Uses Mark Up
4. Table 17.61.1 – Stewart Tract/River Islands Permitted Uses Table Mark Up
5. Section 17.68.010 – Manufactured Housing Mark Up
6. Section 17.36.050.D - Residential Multifamily Density Mark Up
7. Planning Commission Resolution 19-12

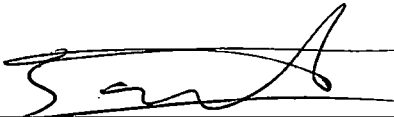
**CITY MANAGERS REPORT
DECEMBER 9, 2019 CITY COUNCIL REGULAR MEETING
MUNICIPAL CODE TEXT AMENDMENT TA-19-141**

APPROVALS:




Mark Melssner
Community Development Director

11-25-19
Date



Salvador Navarrete
City Attorney

12-1-19
Date



Stephen J. Salvatore
City Manager

12-3-19
Date

ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP ADOPTING MUNICIPAL CODE TEXT AMENDMENT TA-19-141 TO AMEND THE ZONING ORDINANCE, TITLE 17 OF THE LATHROP MUNICIPAL CODE, TO IMPLEMENT THE HOUSING ELEMENT OF THE GENERAL PLAN

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public meeting on November 20, 2019, at which they adopted PC Resolution No. 19-12 recommending the City Council adopt Municipal Code Text Amendment TA-19-141 pursuant to the Lathrop Municipal Code; and

WHEREAS, the City of Lathrop City Council held a duly noticed public hearing at a regular meeting on December 9, 2019 to review and consider Municipal Code Text Amendment TA-19-141; and

WHEREAS, the proposed text amendment is Citywide and affects all applicable properties in the City; and

WHEREAS, Chapter 17.124 of the Lathrop Municipal Code mandates the transmittal of a recommendation to the City Council by resolution; and

WHEREAS, the proposed text amendment is exempt according to the California Environmental Quality Act (CEQA) Article 5 §15061 by the "General Rule" that CEQA applies only to projects that have a potential for causing a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the City Council finds that the proposed text amendment is consistent with applicable provisions of the Lathrop General Plan and will implement the City's Housing Element goals by clarifying development standards and removing constraints to housing development as described in the Staff Report; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the City Council has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend the City Council adopt Municipal Code Text Amendment No. TA-19-141 as shown in Attachments "2", "3", "4", "5" and "6", incorporated by reference herein.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LATHROP DOES
HEREBY ORDAIN AS FOLLOWS:**

Section 1. The Lathrop Municipal Code is hereby amended as shown in Municipal Code Text Amendment No. TA-19-141 as shown in Attachments "2", "3", "4", "5", and "6", incorporated by reference herein.

Section 2. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. Severability. If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 4. Effective Date. This Ordinance shall take legal effect 30 days from and after the date of its passage.

Section 5. Publication. The City Clerk shall certify to the adoption of this ordinance and shall publish a summary thereof and post a certified copy of the full ordinance in the office of the City Clerk at least five days prior to the adoption of the proposed ordinance; and within fifteen days after adoption, the City Clerk shall publish a summary of the ordinance with the names of the members of the City of Lathrop City Council voting for and against the same.

THIS ORDINANCE was regularly introduced at a meeting of the City Council of the City of Lathrop on the 9th day of December, 2019 and was PASSED AND ADOPTED at a regular meeting of the City Council of the City of Lathrop on this ____th day of _____, 2020, by the following vote:

AYES:

NOES:

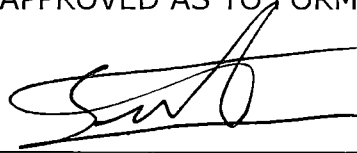
ABSTAIN:

ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:



Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

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Chapter 17.36 RM MULTIFAMILY RESIDENTIAL DISTRICT

17.36.20 Permitted uses

- A. One-family dwellings limited to:
 - 1. a single family dwelling replacing an existing single family dwelling on a one for one basis,
 - 2. a single family dwelling on an existing lot of 8,000 square feet or less, or
 - 3. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households; Multifamily dwellings;
- B. A small family day care home, a substance abuse recovery facility or a small residential care home, as provided in Section 17.32.020;
- C. Fenced or enclosed swimming pools for either individual, family or communal use on an exclusive noncommercial basis; provided, that no swimming pool shall be located within a utility easement or a front yard;
- D. Incidental and accessory structures and uses located on the same site with a permitted use;
- E. Other uses which are added to this list according to the procedure in Section 17.16.020;
- F. The keeping of animals in accordance with the standards of Chapter 17.28;
- G. Emergency shelters, in accordance with the provisions of Chapter 17.74. (Ord. 16-365 § 1; Ord. 92-96; Ord. 92-73)

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Chapter 17.62 CENTRAL LATHROP ZONING DISTRICTS

17.62.032 Permitted Uses

- A. One-family dwellings limited to:
 - 1. a single family dwelling replacing an existing single family dwelling on a one for one basis,
 - 2. a single family dwelling on an existing lot of 8,000 square feet or less, or
 - 3. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households;
Multifamily dwellings;

- B. Two or more single-family dwellings proposed for the same site limited to:
 - 1. one of the single family dwellings is replacing an existing single family dwelling on a one for one basis,
 - 2. the dwellings are on an existing lot of 8,000 square feet or less, or
 - 3. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households;

- C. Multi-family dwellings, flats, townhouses or apartments;

- D. Duplexes;

- E. Artist's studios; live/work units;

- F. A small family day care home, a substance abuse recovery facility, or a small residential care home as provided in Section 17.32.020 of the Lathrop Zoning Code;

- G. Fenced or enclosed swimming pools for either individual, family or communal use or an exclusive non-commercial basis, provided that no swimming pool shall be located within a utility easement or a front yard;

- H. Incidental and accessory structures and uses on the same site as a permitted use;

- I. Neighborhood parks;

- J. Open space;

- K. Public or private playgrounds;

- L. The keeping of animals in accordance with Chapter 17.28 of the Lathrop Zoning Code;

M. Other uses added to this list according to the procedures in Section 17.16.020 of the Lathrop Zoning Code. (Ord. 16-365 § 1; Ord. 04-245 § 3)

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.61 RIVER ISLANDS ZONING DISTRICTS

TABLE 17.61.1

Stewart Tract—River Islands Zoning Districts and Permitted Uses ¹

Land Use	RL-RI	RM-RI	RH-RI ²	MU	CR	CN	RCO
AGRICULTURAL USES							
Raising of field crops (including cotton), vegetables, horticultural specialties and rangelands					C		P
Raising of fruit and nut trees, vines and cotton on land for which Swainson's Hawk Mitigation has been paid					P		P
Raising of fruit and nut trees, vines and cotton on land for which Swainson's Hawk Mitigation has not been paid							
Raising of livestock					C		
Breeding, hatching, raising and fattening of fowl and/or rabbits					C		
Barns, stables and other farm-type out-buildings					C		
Coops for fowl; bee-keeping structures					C		
RESIDENTIAL USES							
SF detached	P	P	P	P			
SF attached	P	P	P	P			
MF attached	P	P	P	P	C		
Mobile homes	PA	C					
Second housing units	PA	PA	PA				
Apartments/hotels			C	P			
Small family day care home (eight or fewer children)	P	P	P	P			

17.61.1 Table: Stewart Tract /River
Islands Zoning Districts and Permitted Use

Large family day care home (nine to fourteen children)	P	P	P	P			
Private garages and carports when not on the same lot as a residential unit	PA	PA	PA	PA			
Recreation rooms and hobby rooms or shops when not on the same lot as a residential unit	C	C	C	C			
Residential care home, small	P	P	P	P			
Residential care home, large		C					
Storehouses; garden structures; greenhouses	PA	PA	PA	PA			
Fenced or enclosed private swimming pools or tennis courts	PA	PA	PA	PA			
Home occupations	PA	PA	PA	PA			
Model home display areas	PA	PA	PA	PA			
COMMERCIAL USES							
Adult entertainment				C			
Apparel				P	C	P	
Arcades				C		C	
Art and antiques				P			
Arts and crafts schools/colleges				P	C		
Art galleries	C	C	C	P	C	P	
Art supply				P		P	
Auction rooms				P			
Auto and motorcycle dealerships				C	C		
Automobile and tractor repair and maintenance				C	C		
Automobile supply (no repair or installation)				C		P	
Bakery goods				P	P	P	
Banks and other lending institutions				P	P	P	
Banquet facility				P	C		
Bars, cocktail lounges, nightclubs				C			
Barbershops and beauty shops				P		P	
Bicycle shops				P		P	
Billiard and pool halls				P			
Blacksmiths				P			
Blueprint and photocopy				P	C		
Boat sales and services				P		C	

17.61.1 Table: Stewart Tract /River
Islands Zoning Districts and Permitted Use

Book binderies				P		
Books and rental libraries				P		P
Bowling alleys				C		PA
Business, professional and trade schools and colleges				P	C	
Cafeterias				P	P	
Camera equipment and supplies				P		P
Candy and confectionaries				P		P
Card rooms				C		
Carpenters/cabinetmakers				P		
Carpeting and flooring				P		
Catering				P	C	
Christmas tree or pumpkin sales				PA		P
Clothing cleaning (Pick-up and delivery, dry cleaning within enclosed machines; self serve laundromats)				P	P	P
Clothing and costume rental				P		
Convenience stores (max. 5,000 square feet)				P	C	P
Commercial small business offices (not more than 8,000 square feet)				P	P	P
Copying and mailing businesses				P	P	P
Dairy products				P		P
Dance halls				C		
Day spas				P		
Department stores				P	C	
Drapery				P		P
Drive-through restaurants, pharmacies and dry cleaning				C	C	C
Drugs				P		P
Dry goods				P		P
Electrical small appliance repair				P		P
Employment agencies				P	P	P
Exterminators				C		
Factory outlets				C		
Farmers' markets				C		
Florists				P	P	P
Food market; delicatessen				P	P	P
Furniture stores				P		
Garden supplies and nurseries				P		P

17.61.1 Table: Stewart Tract /River
Islands Zoning Districts and Permitted Use

(provided that all equipment, supplies, merchandise other than plants and mulch shall be kept within completely enclosed building)						
Gifts, novelties and souvenirs				P		P
Glass installation				P		
Gunsmith				P		
Gymnasium and health studios				C	C	
Hardware				P		P
Health foods				P		P
Hobby supplies				P		P
Home furnishings				P		
Home improvement supplies				P		
Hospitals and sanitariums				C	C	
Hotels and motels				PA	PA	
Household repair shops				P		P
Ice dispensers (outdoor)				P		P
Inns (temporary accommodations with accessory recreation and commercial facilities)				PA	PA	
Interior decoration				P		
Jewelry				P		
Kennels				C	P	
Kiosks				C	C	
Leather goods and luggage				P		
Liquor (packaged)				C		
Locksmith				P		P
Massage (with city license)				C		
Medical and orthopedic supplies				P		
Meeting halls				P		
Messenger offices				P		
Millinery				P		
Musical instruments & supplies				P		
Music and dance studios				P		
News and magazine stands				P	P	P
Office and business machines stores				P	P	
Outdoor cafes				P	P	P
Paint and wallpaper				P		
Pet and bird stores and pet grooming (but not pet				P		

17.61.1 Table: Stewart Tract /River
Islands Zoning Districts and Permitted Use

boarding)							
Pawn shops				C			
Photographic supplies				P			
Photographic studios				P	P		
Picture framing				P			
Post/delivery offices				P	P	P	
Pressing of wearing apparel				P	P	P	
Printing				P	P	P	
Private clubs and lounges				PA		PA	
Publishers				P			
Public and private non-profit charitable institutions				P			
Radio, television and film broadcasting/studios				P	P		
Radio, television and audio-visual equipment sales and repair				P			
Reading rooms				P			
Retail stores larger than 75,000 square feet				C	C		
Restaurants, including cafes				P	P	P	
Scientific instrument stores				P			
Secretarial services				P	P		
Self-service laundry and dry cleaning				P		P	
Self-service carwash				C			
Service station, excluding automotive repair services not included in the definition of "service station", provided that all operations, except the sale of gasoline, shall be conducted in a building enclosed on three sides				C	C	C	
Self storage facilities				C	C		
Shoes				P		P	
Shoe repair				P		P	
Skating rinks				P			
Small animal hospitals and clinics; veterinarian offices				C	P	C	
Soda fountains				P	P	P	
Sporting goods (excluding incidental boat sales, resales and camper sales)				P			
Sports arenas within				C	C		

17.61.1 Table: Stewart Tract /River
Islands Zoning Districts and Permitted Use

buildings							
Stamps and coins				P			
Stationers				P	P	P	
Storage buildings incidental to a permitted use				PA	PA	PA	
Supermarkets				P			
Tailoring and dressmaking				P		P	
Taxidermists				P			
Theaters and auditoriums, including movie theaters and performing arts				PA	C		
Thrift shops; second hand stores				C			
Theme parks				C	C		
Tobacconists				P			
Tool or cutlery sharpening or grinding				P		P	
Toys				P			
Transit stations				C	C	C	
Travel agents				P	P	P	
Upholsterers				P			
Variety stores				P		P	
Vending machines within enclosed areas				P	P	P	
Video stores (subject to the limitation of Chapter 5.08)				P		P	
Warehouse style retail					C		
Wedding chapels				P			
OFFICE USES							
Professional offices, business and administrative offices		C	C	P	P	P	
Research & development offices				P	P		
Financial services				P	P		
INDUSTRIAL USES							
Warehousing					X		
Light industrial and related uses					X		
Heavy industrial and related uses					X		
MEDICAL USES							
Elderly care facilities; assisted living facilities; nursing homes and rest homes except as provided				C	C	C	

17.61.1 Table: Stewart Tract /River Islands Zoning Districts and Permitted Use

under Section 17.34.040							
Medical clinic				C	C	P	
Medical or dental office building				P	P	P	
Medical and orthopedic appliance stores				P			
CIVIC/COMMUNITY USES							
Bus depots; transit stations (with storage elsewhere)				C	C	C	
City offices				P	PA	PA	
Administrative centers and courts				P	P		
Community center	C	C	C	P	P		
Convention centers				C	C		
Fire station	C	C	C	C	C	C	
Libraries	C	C	C	C	C		
Mortuaries, columbariums and crematoriums				C	C		
Police station	C	C	C	C	C		
Post office				P	C		
Religious facilities and schools	C	C	C	C	C	PA	
Private schools and other educational facilities	C	C	C	C	C	PA	
Public schools and other educational facilities	C	C	C	C	C	PA	
Public and private charitable institutions	C	C	C	C	C		
Substance abuse recovery facility for six or fewer persons	P	P	P				
State authorized, certified or licensed family care facility, foster home or group home serving six or fewer persons	P (sm) C (lg)	P (sm) C (lg)	P (sm) C (lg)				
PARKS & OPEN SPACE							
Boat dock - individual	P	P	P	P	P	P	
Boat dock - group	C	C	C	C	C	C	
Boat rental facility	C	C	C	C	C	P	
Gas dock and associated gasoline storage facilities				C		C	
Pony rings, race tracks, riding stables							C
Public and private parks and playgrounds and such	P	P	P	P	P	PA	C

17.61.1 Table: Stewart Tract /River
Islands Zoning Districts and Permitted Use

Flood control, water pumping stations/reservoirs; elevated pressure tanks; irrigation ditches/ canals; settling and water conservation recharge basins; drainage ponds; streets & roads as necessary for access to permitted uses	P	P	P	P	P	P	P
Parking lots and garages improved in conformity with the standards prescribed for off-street parking facilities			C	P	P	C	
Underground storage tanks for petroleum or oils				P			
Other uses added to this list by the Planning Commission according to the procedure in Section 17.16.020	PA	PA	PA	PA	PA	PA	PA

1 P = Permitted uses; PA = Permitted but administrative approval required; C = Conditional uses, administrative approval required; X = Prohibited use

2 Single family detached dwellings are limited to:

- a. a single family home replacing an existing single family unit on a one for one basis,
- b. a single family home on an existing lot of 8,000 square feet or less, or
- c. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households.

None of the above applies when the box is blank.

(Ord. 16-365 § 1)

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.68 MANUFACTURED HOUSING

17.68.010

Application.

“The provisions of this chapter shall apply to all single-family ~~dwellings~~ manufactured housing and mobilehomes on permanent foundations, which shall be allowed subject to the same permit requirements and standards as a single family home in all districts that allow single family homes and shall also be subject to the standards identified in Section 17.68.020 listed as permitted uses ~~within any zoning district that permits residential uses.~~”

New text is shown by underline; deleted text is shown by ~~strikethrough~~

Chapter 17.36. MULTIFAMILY RESIDENTIAL DISTRICT

17.36.50 Property development standards.

A. Fences, walls and hedges shall conform to the provisions of Chapter 17.92.

B. Site Area. The minimum site area in the RM-3, RM-2 and RM-1.5 districts shall be six thousand (6,000) square feet. The minimum site area in the RM-MH8 district shall be five acres (see Section 17.72.030)

C. Site Area Per Dwelling Unit. The minimum site area shall be as follows:

District	Area per Unit
RM-MH8	3,000 sq. ft.
RM-3	3,000 sq. ft.
RM-2	2,000 sq. ft.
RM-1.5	1,500 sq. ft.

D. "Density. The allowable density for the RM multifamily residential districts shall be as identified below ~~a minimum of eight to a maximum of fifteen (15) dwelling units per net acre~~, per the city's general plan:

RM-MH8: a minimum of one (1) and a maximum of eight (8) units per acre

RM-3: a minimum of eight (8) and a maximum of fifteen (15) units per acre

RM-2: a minimum of sixteen (16) and a maximum of twenty-five (25) units per acre

RM-1.5: a minimum of sixteen (16) and a maximum of twenty-five (25) units per acre

E. Frontage, Width and Depth of Site.

1. Each site, other than for a mobilehome in a mobilehome park, shall not have less than fifty (50) feet of frontage on a public street, except that those sites which front on a cul-de-sac or loop-out street may have a frontage of not less than forty (40) feet, provided the width of the site, as measured along the front yard setback line, is at least sixty (60) feet.

2. The minimum width of each site, other than for a mobilehome park, shall be fifty (50) feet.

3. The minimum depth of each site, other than for a mobilehome in a mobilehome park, shall be eighty

(80) feet.

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 19-12**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING CITY COUNCIL ADOPT MUNICIPAL CODE TEXT
AMENDMENT TA-19-141 TO AMEND THE ZONING ORDINANCE, TITLE 17 OF
THE LATHROP MUNICIPAL CODE, TO IMPLEMENT THE HOUSING ELEMENT
OF THE GENERAL PLAN**

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public meeting to consider a text amendment pursuant to the Lathrop Municipal Code; and

WHEREAS, the proposed text amendment is Citywide and affects all applicable properties in the City; and

WHEREAS, Chapter 17.124 of the Lathrop Municipal Code mandates the transmittal of a recommendation to the City Council by resolution; and

WHEREAS, the proposed text amendment is exempt according to the California Environmental Quality Act (CEQA) Article 5 §15061 by the "General Rule" that CEQA applies only to projects that have a potential for causing a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the Planning Commission finds that the proposed text amendment is consistent with applicable provisions of the Lathrop General Plan and will implement the City's Housing Element goals by clarifying development standards and removing constraints to housing development as described in the Staff Report; and

WHEREAS, the Planning Commission held a duly noticed public hearing on November 20, 2019 regarding the Housing Element Update, including the changes requested by HCD, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend the City Council adopt Municipal Code Text Amendment No. TA-19-141 as shown in Exhibit 1, incorporated by reference herein.

PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at this regular meeting on the 20th day of November, 2019, by the following vote:

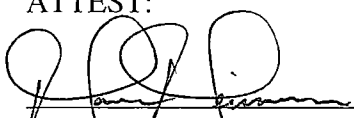
AYES: Gatto, Ralmilay, Dresser, Ishihara

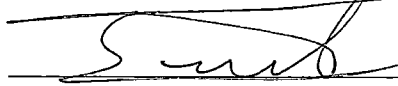
NOES: Rhodes

ABSTAIN: None

ABSENT: None


Bennie Gatto, Chair

ATTEST:

Mark Meissner, Secretary

APPROVED AS TO FORM:

Salvador Navarrete, City Attorney

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 19-12
EXHIBIT 1**

Municipal Code Text Amendment TA-19-141 will amend Municipal Code Title 17, Zoning Ordinance, as shown below.

1. Section 17.36.020, Paragraph A is revised as follows:

- A. One-family dwellings limited to:
 - 1. a single family dwelling replacing an existing single family dwelling on a one for one basis,
 - 2. a single family dwelling on an existing lot of 8,000 square feet or less, or
 - 3. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households;

2. Section 17.62.032, Paragraphs A and B, is revised as follows:

- A. One-family dwellings limited to:
 - 1. a single family dwelling replacing an existing single family unit on a one for one basis,
 - 2. a single family dwelling on an existing lot of 8,000 square feet or less, or
 - 3. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households;

- B. Two or more single-family dwellings proposed for the same site limited to:
 - 1. one of the single family dwellings is replacing an existing single family dwelling on a one for one basis,
 - 2. the dwellings are on an existing lot of 8,000 square feet or less, or
 - 3. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households;

3. The heading row of Table 17.61.1 is revised to add a footnote to the RH-RI category as shown below.

TABLE 17.61.1
Stewart Tract—River Islands Zoning Districts and Permitted Uses ¹

Land Use	RL-RI	RM-RI	RH-RI ²	MU	CR	CN	RCO
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4. The following footnote is added to Table 17.61.1:

² Single family detached dwellings are limited to:

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 19-12
EXHIBIT 1**

- a. a single family home replacing an existing single family unit on a one for one basis,
- b. a single family home on an existing lot of 8,000 square feet or less, or
- c. single family dwellings that are part of a housing development with the majority of units affordable to extremely low, very low, and/or low income households.

5. *Section 17.68.010 is revised as follows:*

17.68.010 Application.

“The provisions of this chapter shall apply to all single-family-dwellingsmanufactured housing and mobilehomes on permanent foundations, which shall be allowed subject to the same permit requirements and standards as a single family home in all districts that allow single family homes and shall also be subject to the standards identified in Section 17.68.020~~listed as permitted uses within any zoning district that permits residential uses.~~”

6. *Section 17.36.050, Paragraph D, is revised as follows:*

D. “Density. The allowable density for the RM multifamily residential districts shall be as identified below~~a minimum of eight to a maximum of fifteen (15) dwelling units per net acre, per the city’s general plan:~~

RM-MH8: a minimum of one (1) and a maximum of eight (8) units per acre

RM-3: a minimum of eight (8) and a maximum of fifteen (15) units per acre

RM-2: a minimum of sixteen (16) and a maximum of twenty-five (25) units per acre

RM-1.5: a minimum of sixteen (16) and a maximum of twenty-five (25) units per acre

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