

City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Ken MacNab, Senior Planner
VIA: Charlene Gallina, Director of Planning & Building
DATE: May 20, 2008
SUBJECT: Zoning Ordinance Text Amendment – ZO 2008-02
Limited Increase in Lot Coverage in the R-1 Zoning District

APPROVAL FOR FORWARDING:


James C. McCann, City Manager

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ISSUE: Consideration of a Zoning Ordinance Text Amendment, initiated by the City of Calistoga, amending Chapter 17.38 General Provisions and Exceptions of the Calistoga Municipal Code to allow limited increases in lot coverage within the R-1 (single-family residential) Zoning District. This proposal will affect all parcels within City limits that are zoned "R-1".

RECOMMENDATION:

Introduce the Ordinance and waive first reading.

BACKGROUND:

On February 13, 2008, the Planning Commission initiated a review of the purpose, definition and application of the City's lot coverage standards for buildings and structures within residential zoning districts. The review was initiated out of concern that the City's lot coverage regulations may be too restrictive or inadequately defined and applied. The Planning Commission received a presentation from staff on the purpose and application of the lot coverage standard and received written and oral comments from the public. The Planning Commission concurred with staff's interpretation and practices for implementing the lot coverage standard, but concluded that there was need for some flexibility in applying the standard to secondary or

23 ancillary structures on single-family properties. The Commission directed staff to
24 prepare alternative approaches for amending the zoning ordinance to allow limited
25 increases in lot coverage for accessory buildings and structures.

26
27 On April 9, 2008, the Planning Commission conducted a public hearing at which the
28 alternative approaches for allowing limited increases in lot coverage were considered.
29 Staff reviewed alternative approaches with the Planning Commission in a three part
30 presentation addressing the type of accessory structures to be regulated, the amount of
31 percentage increase to be allowed by zoning district, and provisions for crediting certain
32 forms of development. After deliberations and in consideration of written and oral
33 comments received from the public, the Planning Commission directed staff to prepare
34 a text amendment to Chapter 17.38 General Provisions and Exceptions of the Zoning
35 Ordinance that would allow additional lot coverage for accessory structures under the
36 following conditions:

- 37
- 38 1. The subject accessory structure is located on property within in the R-1
39 Single-Family Residential zoning district.
 - 40
41 2. The subject accessory structure is designed in accordance with the
42 following criteria:
 - 43
44 A. The structure is aesthetically integrated with the primary building on
45 the property or will not be visible from a public right-of-way.
 - 46
47 B. The structure has been designed to minimize physical and visual
48 intrusion on adjacent properties.
 - 49
50 3. A percentage increase in lot coverage of up to 5% may be approved
51 administratively for accessory structures meeting all of the conditions
52 above.
 - 53
54 4. A percentage increase in lot coverage of up to 7% may be allowed for
55 accessory structures with notification of neighboring property owners prior
56 to approval. If substantial concern is raised by the neighborhood, the
57 request for additional coverage would be scheduled for a public hearing
58 before the Planning Commission.

59
60 On April 23, 2008, the Planning Commission held a public hearing to review the draft text
61 amendment. The Planning Commission received a presentation from staff and took
62 written and oral comments from the public. At the conclusion of its deliberations, the

63 Planning Commission passed a resolution recommending that the City Council approve
64 an amendment to Chapter 17.38 General Provisions and Exceptions of the Calistoga
65 Municipal Code to allow limited increases in lot coverage within the R-1 zoning district.

66

67 **DISCUSSION:**

68

69 Lot coverage is one of several zoning standards used to regulate the intensity of site
70 development (others standards include minimum lot area, height limits, floor area ratio
71 and setbacks). Specifically, lot coverage regulates the amount of lot area that can be
72 developed with buildings or structures. It is expressed in terms of a maximum
73 percentage and is calculated based on the size of the lot.

74

75 The establishment of lot coverage standards is based on the type of use and/or desired
76 character of an area as defined by the General Plan. In general, less lot coverage is
77 allowed in single-family neighborhoods in order to maintain a less intense development
78 pattern, to allow a certain degree of openness (exposure to light and air), and to
79 minimize physical and visual intrusion. Higher density residential and commercial areas
80 are allowed greater coverage to accommodate the more intensive nature and needs of
81 these forms of development.

82

83 Staff believes that the recommended changes will accomplish the Planning
84 Commission's desire to allow some limited flexibility for accessory buildings and
85 structures within the R-1 Zoning District. Staff further believes that the proposed
86 amendment has the necessary provisions to ensure that potential impacts to
87 neighborhood character are minimized. Therefore, staff recommends approval of the
88 proposed amendment.

89

90 **ENVIRONMENTAL REVIEW:**

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92 This action has been reviewed pursuant to the California Environmental Quality Act
93 (CEQA) and determined that this activity is covered by the general rule that CEQA
94 applies only to projects, which have the potential for causing a significant effect on the
95 environment, and where it can be seen with certainty that there is no possibility that the
96 action being contemplated, a minor revision to the General Provisions and Exceptions
97 Chapter of the Zoning Ordinance, will have any impact on the environment (Section
98 15061(b)(3)).

99

100 **FISCAL IMPACT:**

101

102 The adoption of this Ordinance will create no direct fiscal impacts.

103 **ATTACHMENTS:**

104

105 1. Draft Ordinance

106 2. Planning Commission Resolution PC 2008-16

107 3. Minute Excerpt and Staff Report of the April 23, 2008 Planning Commission
108 meeting.

109 4. Staff Report of the April 9, 2008 Planning Commission meeting.

110

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA AMENDING TITLE 17.38, GENERAL PROVISIONS AND EXCEPTIONS OF THE MUNICIPAL CODE, SPECIFICALLY ADDING SUBSECTION (G) TO SECTION 17.38.050 TO ALLOW LIMITED INCREASES IN LOT COVERAGE WITHIN THE R-1 ZONING DISTRICT

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3
4 The City Council of the City of Calistoga does hereby ordain as follows:
5

6 **SECTION ONE:**
7

8 **WHEREAS**, the City Council finds that the City's Zoning Ordinance and Zoning Map
9 were adopted by Ordinance No. 460 on February 5, 1991; and
10

11 **WHEREAS**, the Planning Commission considered the proposed revisions to the
12 City's lot coverage regulations at its regular meetings of April 9 and April 23, 2008. Prior to
13 taking action on the application, the Planning Commission received written and oral reports
14 by the staff, and received public testimony; and
15

16 **WHEREAS**, the Planning Commission held duly noticed public hearings on this
17 Zoning Ordinance Text Amendment on April 9 and April 23, 2008 and adopted Resolution
18 No. 2008-14 forwarding a recommendation of an approval of this Ordinance by the City
19 Council; and
20

21 **WHEREAS**, the City Council of the City of Calistoga has reviewed and considered
22 this text amendment at its regular meeting on May 20, 2008 as one of its items of business,
23 noticed in accordance with Government Code Section 65090, this Ordinance to be adopted
24 in accordance with Code Section 65850, to include the written and oral staff report,
25 proposed findings and comments received from the general public and interested agencies
26 and parties; and
27

28 **WHEREAS**, the City Council finds that the proposed revisions will provide flexibility
29 in allowing accessory structures that have limited visual or physical impacts; and
30

31 **WHEREAS**, the City Council finds that the proposed revisions provide a streamlined
32 approach to processing applications and preserves the qualities that make the community
33 unique in manner that is consistent with the General Plan's desire to ensure a small town
34 character; and
35

36 **WHEREAS**, this action has been determined to not be subject to the California
37 Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA
38 Guidelines.
39
40
41

42 **SECTION TWO:**

43
44 Subsection (G) is hereby added to Section 17.38.050 in Chapter 17.38 General
45 Provisions and Exceptions of the Calistoga Municipal Code to read in its entirety as follows:

46
47 G. Additional lot coverage for attached or detached accessory structures located in the
48 R-1 zone may be allowed in accordance with the following provisions:

49
50 1. An increase of up to 5% above the maximum lot coverage provided for in
51 CMC 17.16.040 may be approved by the Planning and Building Director for
52 attached or detached accessory structures that meet the following design
53 criteria:

54
55 a. The accessory structure is aesthetically integrated with the primary
56 building on the property or will not be visible from a public right-of-way.

57
58 b. The accessory structure has been designed to minimize physical and
59 visual intrusion on adjacent properties.

60
61 2. An increase of up to 7% above the maximum lot coverage provided for in
62 CMC 17.16.040 may be approved for attached or detached accessory
63 structures meeting the design criteria in subsection (G)(1) of this section,
64 subject to the following procedure:

65
66 a. Written notice of a proposal to exceed the maximum lot coverage provided
67 for in CMC 17.16.040 by more than 5% but not greater than 7% shall be
68 mailed to all property owners within 300 feet of the subject site. Such
69 notice shall be given not less than 10 days before the date the Planning
70 and Building Director approves the proposal.

71
72 b. If the Planning and Building Director determines that there is substantial
73 concern expressed by surrounding property owners the proposal shall be
74 referred to the Planning Commission for review and approval at a public
75 hearing.

76
77 3. At the discretion of the Planning and Building Director, any proposal to
78 exceed the maximum lot coverage pursuant to subsection (G)(1) or (G)(2) of
79 this section may be referred to the Planning Commission for review and
80 approval at a public hearing.

81 **SECTION THREE:**

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83
84 If any section or portion of this ordinance is for any reason held to be invalid and/or
85 unconstitutional by a court of competent jurisdiction, such decision shall not affect the
86 validity of the remaining portions of this ordinance.
87

88 **SECTION FOUR:**

89
90 **THIS ORDINANCE** shall take effect thirty (30) days after its passage and before the
91 expiration of fifteen (15) days after its passage, shall be published in accordance with law,
92 in a newspaper of general circulation published and circulated in the City of Calistoga.

93
94 **THIS ORDINANCE** was introduced with the first reading waived at the City of
95 Calistoga City of Council meeting of the _____ day of _____, 2008 and was passed
96 and adopted at a regular meeting of the Calistoga City Council on the _____ day of
97 _____, 2008 by the following vote:

98
99 **AYES:**

100
101 **NOES:**

102
103 **ABSENT/ABSTAIN:**

104
105 _____
106 **JACK GINGLES, Mayor**

107 **ATTEST:**

108
109 _____
110
111 **SUSAN SNEDDON, City Clerk**

CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2008-16

A RESOLUTION FORWARDING A RECOMMENDATION TO THE CITY COUNCIL FOR THE ADOPTION OF AN ORDINANCE AMENDING TITLE 17.38, GENERAL PROVISIONS AND EXCEPTIONS OF THE MUNICIPAL CODE, SPECIFICALLY ADDING SECTION 17.38.050(G) WHICH ALLOWS LIMITED INCREASES IN LOT COVERAGE WITHIN THE R-1 ZONING DISTRICT (ZO 2008-02)

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WHEREAS, the Planning Commission considered the proposed revisions to the City's lot coverage regulations at its regular meeting on April 9, 2008. Prior to taking action on the application, the Planning Commission received written and oral reports by the staff, and received public testimony; and

WHEREAS, the Planning Commission finds the proposed amendment to the City's lot coverage regulations as provided for in Exhibit A is necessary and proper for enhancing use and enjoyment of residential property; and

WHEREAS, the Planning Commission finds that the proposed revisions will provide flexibility in allowing accessory structures that have limited visual or physical impacts; and

WHEREAS, the Planning Commission finds that the proposed revisions provides a streamlined approach to processing applications and preserves the qualities that make the community unique in manner that is consistent with the General Plan's desire to ensure a small town character; and

WHEREAS, the Planning Commission has been determined this action to not be subject to the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED by the City of Calistoga Planning Commission that, based on the above findings, the proposed amendment pertaining to fence heights and materials is forwarded to the City Council with a recommendation of adoption.

PASSED, APPROVED, AND ADOPTED on April 23, 2008, by the following vote of the Calistoga Planning Commission:

- AYES:
- NOES:
- ABSENT/ABSTAIN

Jeff Manfredi, Chair

ATTEST: _____
Kathleen Guill
Secretary to the Planning Commission

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE
PLANNING COMMISSION

FROM: KEN MACNAB, SENIOR PLANNER

MEETING DATE: APRIL 23, 2008

SUBJECT: ZONING ORDINANCE (ZO 2008-02) AMENDMENT –
GENERAL PROVISION FOR ALLOWING A LIMITED
INCREASE IN LOT COVERAGE WITHIN RESIDENTIAL
ZONING DISTRICTS

1 **REQUEST:**
2

3 **ZO 2008-02:** Continued public hearing to consider a Zoning Ordinance Text
4 Amendment, initiated by the City of Calistoga, amending Chapter 17.38 General
5 Provisions and Exceptions of the Calistoga Municipal Code to allow limited
6 increases in lot coverage within residential zoning districts. This proposed action
7 is exempt from the California Environmental Quality Act (CEQA) under Section
8 15061(b)(3) of the CEQA Guidelines.
9

10 **BACKGROUND:**
11

12 At the February 13, 2008, Planning Commission meeting the Planning
13 Commission reviewed the purpose, definition and application of lot coverage
14 standards for buildings and structures within residential zoning districts. The
15 Commission also received oral and written comments regarding the lot coverage
16 standard, including specific suggestions for revision. The Planning Commission
17 concurred with staff's interpretation and application of the lot coverage standard
18 but recognized a need for some flexibility in applying the standard to secondary
19 or ancillary structures. At the conclusion of the meeting, the Planning
20 Commission directed staff to prepare several alternatives for amending the
21 Zoning Ordinance to allow for limited increases in lot coverage for such
22 structures.
23

24 On April 9, 2008, the Planning Commission conducted a public hearing at which
25 the alternative approaches for allowing limited increases in lot coverage were
26 considered. Staff reviewed the alternatives with the Planning Commission in a
27 three part presentation addressing the type of accessory structures to be

28 regulated, the amount of percentage increase to be allowed by zoning district,
29 and provisions for crediting certain forms of development. After deliberations and
30 in consideration of written and oral comments received from the public, the
31 Planning Commission directed staff to prepare an amendment to Chapter 17.38
32 General Provisions and Exceptions of the Zoning Ordinance that would allow
33 additional lot coverage for accessory structures under the following conditions:

- 34
- 35 1. The subject accessory structure is located on property within in the R-1
36 Single-Family Residential zoning district.
 - 37
 - 38 2. The subject accessory structure is designed in accordance with the
39 following criteria:
 - 40
 - 41 A. The structure is aesthetically integrated with the primary building on
42 the property or will not be visible from a public right-of-way.
 - 43
 - 44 B. The structure has been designed to minimize physical and visual
45 intrusion on adjacent properties.
 - 46
 - 47 3. A percentage increase in lot coverage of up to 5% may be approved
48 administratively for accessory structures meeting all of the conditions
49 above.
 - 50
 - 51 4. A percentage increase in lot coverage of up to 7% may be allowed for
52 accessory structures with notification of neighboring property owners prior
53 to approval¹. If substantial concern is raised by the neighborhood, the
54 request for additional coverage would be scheduled for a public hearing
55 before the Planning Commission.
 - 56

57 **PROPOSED TEXT AMENDMENT**

58

59 To implement the direction provided by the Planning Commission at the April 9,
60 2008 meeting, staff proposes that the following subsection be added to Section
61 17.38.050 (Accessory structure standards) of Chapter 17.38 General Provisions
62 and Exceptions of the Zoning Ordinance, reading as follows:

63

¹ The Planning Commission had requested staff to investigate requiring on-site measures for management of storm water runoff as a condition for granting a 7% increase in lot coverage. Currently, the Public Works Department encourages developments to use California Stormwater Quality Association (CASQA) Best Management Practices (BMP's), which call for bioswales, bioretention ponds, and other stormwater infiltration practices. Following Napa County's lead in developing and formalizing post-construction BMP's, the Public Works Department anticipates having a City BMP ordinance in place in about a year. Given this, staff has not included storm water management as a criterion for consideration in granting a 7% increase in lot coverage.

64 "G. Additional lot coverage for attached or detached accessory structures
65 located in the R-1 zone may be allowed in accordance with the following
66 provisions:
67

68 1. An increase of up to 5% above the maximum lot coverage
69 provided for in CMC 17.16.040 may be approved by the Planning and
70 Building Director for attached or detached accessory structures that meet
71 the following design criteria:
72

73 a. The accessory structure is aesthetically integrated with the
74 primary building on the property or will not be visible from a
75 public right-of-way.
76

77 b. The accessory structure has been designed to minimize
78 physical and visual intrusion on adjacent properties.
79

80 2. An increase of up to 7% above the maximum lot coverage
81 provided for in CMC 17.16.040 may be approved for attached or detached
82 accessory structures meeting the design criteria in subsection (G)(1) of
83 this section, subject to the following procedure:
84

85 a. Written notice of a proposal to exceed the maximum lot
86 coverage provided for in CMC 17.16.040 by more than 5%
87 but not greater than 7% shall be mailed to all property
88 owners within 300 feet of the subject site. Such notice shall
89 be given not less than 10 days before the date the Planning
90 and Building Director approves the proposal.
91

92 b. If the Planning and Building Director determines that there is
93 substantial concern expressed by surrounding property
94 owners the proposal shall be referred to the Planning
95 Commission for review and approval at a public hearing.
96

97 3. At the discretion of the Planning and Building Director, any
98 proposal to exceed the maximum lot coverage pursuant to subsection
99 (G)(1) or (G)(2) of this section may be referred to the Planning
100 Commission for review and approval at a public hearing."
101

102 **ENVIRONMENTAL REVIEW**

103
104
105 This action has been reviewed pursuant to the California Environmental Quality
106 Act (CEQA) and determined that this activity is covered by the general rule that
107 CEQA applies only to projects, which have the potential for causing a significant

108 effect on the environment, and where it can be seen with certainty that there is
109 no possibility that the action being contemplated, a minor revision to the General
110 Provisions and Exceptions Chapter of the Zoning Ordinance, will have any
111 impact on the environment (Section 15061(b)(3)).
112

113 **RECOMMENDATION**

114
115 A. Staff recommends that the Planning Commission adopt Planning
116 Commission Resolution PC 2008-16 recommending to the City Council
117 approval of a Zoning Ordinance Text Amendment (ZO 2008-02) amending
118 Chapter 17.38 General Provisions and Exceptions of the Calistoga
119 Municipal Code to allow limited increases in lot coverage within the R-1
120 zoning district.
121

122
123 **SUGGESTED MOTION**

124
125 **Zoning Ordinance Text Amendment**

126
127 I move that the Planning Commission adopt Planning Commission Resolution PC
128 2008-16 recommending to the City Council approval of a Zoning Ordinance Text
129 Amendment (ZO 2008-02) amending Chapter 17.38 General Provisions and
130 Exceptions of the Calistoga Municipal Code to allow limited increases in lot
131 coverage within the R-1 zoning district.
132

133
134 **NOTE:** The applicant or any interested person is reminded that the Calistoga
135 Municipal Code provides for a ten (10) calendar day appeal period. If there is a
136 disagreement with the Planning Commission, an appeal to the City Council may be
137 filed. The appropriate forms and applicable fee must be submitted prior to 5:00
138 p.m. on or before the tenth calendar day following the Commission's final
139 determination.
140

141 **ATTACHMENTS**

142
143 A. PC Resolution No. 2008-16
144 B. Minutes from the April 9, 2008 Planning Commission meeting.
145 C. Staff Report from the April 9, 2008 Planning Commission meeting.

**CITY OF CALISTOGA
PLANNING COMMISSION
REGULAR MEETING MINUTE EXCERPT
April 23, 2008**

1 **A. ROLL CALL**

2 **Present:** Chairman Jeff Manfredi, Vice-Chairman Clayton Creager, Commissioners Carol Bush,
3 Paul Coates, and Nicholas Kite. **Staff Present:** Charlene Gallina, Planning and Building Director,
4 Kenneth MacNab, Senior Planner, and Kathleen Guill, Planning Commission Secretary. **Absent:**
5 Erik Lundquist, Associate Planner.
6

7 **H. PUBLIC HEARING**
8

9 2. **ZO 2008-02.** Consideration of a Zoning Ordinance Text Amendment, initiated by the City of
10 Calistoga, Chapter 17.38 General Provisions and Exceptions of the Calistoga Municipal Code, in
11 order to allow limited increases in lot coverage within residential zoning districts. This proposed
12 action is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of
13 the CEQA Guidelines.
14

15 **Planner MacNab** reported this was a continued discussion from the regular Planning Commission
16 meeting of April 9th, where the Commission concurred with staff's interpretation and application of
17 the lot coverage standard recognizing a need for some flexibility in applying the standard to
18 secondary or ancillary structures. Planner MacNab reviewed the four recommended changes to the
19 General Provisions and Exceptions of the Zoning Ordinance, reference page 2 of 4 in the April 23,
20 2008 Staff Report, highlighting item three allowing the Planning Director to be given discretion to
21 administratively approve an increase of lot coverage within the R1 Zoning District up to 5% for
22 accessory structures should she feel it is appropriate. In conclusion Staff recommended approval of
23 Resolution PC 2008-16 proposing an addition to Chapter 17.38 General Provisions and Exceptions
24 of the Zoning Ordinance, sub section code 17.38.050 (Accessory structure standards) with
25 conditions as described in the Staff Report.
26

27 **Chairman Manfredi**, referenced the resolution Exhibit C page 5 of 10, stating this exhibit should be
28 put in all future packets whenever we have discussion related to height measurement because it
29 was very helpful.
30

31 **Commissioner Kite** stated the report was excellent, another piece of great staff work.
32

33 **Chairman Manfredi** thanked staff for a clear and concise report and called to open the public
34 portion of the hearing. With no response from the audience the public hearing was closed.
35

36 There was motion by **Commissioner Kite**, seconded by **Commissioner Coates** to Adopt Planning
37 Commission Resolution PC 2008-16 recommending to the City Council approval of a Zoning
38 Ordinance Text Amendment (ZO 2008-02) amending Chapter 17.38 General Provisions and
39 Exceptions of the Calistoga Municipal Code to allow limited increases in lot coverage within the R-1
40 zoning district. **Motion carried: 5-0-0-0.**
41
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44 Kathleen Guill
45 Planning Commission Secretary

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE
PLANNING COMMISSION

FROM: KEN MACNAB, SENIOR PLANNER

MEETING DATE: APRIL 9, 2008

SUBJECT: ZONING ORDINANCE (ZO 2008-02) AMENDMENT –
GENERAL PROVISION FOR ALLOWING A LIMITED
INCREASE IN LOT COVERAGE WITHIN RESIDENTIAL
ZONING DISTRICTS

1 **REQUEST:**
2

3 **ZO 2008-02:** Consideration of a Zoning Ordinance Text Amendment, initiated by
4 the City of Calistoga, amending Chapter 17.38 General Provisions and
5 Exceptions of the Calistoga Municipal Code to allow limited increases in lot
6 coverage within residential zoning districts. This proposed action is exempt from
7 the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of
8 the CEQA Guidelines.
9

10 **BACKGROUND:**
11

12 At the February 13, 2008, Planning Commission meeting the Planning
13 Commission reviewed the purpose, definition and application of lot coverage
14 standards for buildings and structures within residential zoning districts. The
15 Commission also received oral and written comments regarding the lot coverage
16 standard, including specific suggestions for revision. The Planning Commission
17 concurred with staff's interpretation and application of the lot coverage standard
18 but recognized a need for some flexibility in applying the standard to secondary
19 or ancillary structures. At the conclusion of the meeting, the Planning
20 Commission directed staff to prepare several alternatives for amending the
21 Zoning Ordinance to allow for limited increases in lot coverage for such
22 structures. This report presents three possible approaches for an amendment.
23 With final direction from the Commission, staff will prepare a draft text
24 amendment to the Zoning Ordinance for the Commission to review and
25 recommend to the City Council for consideration.
26
27

28 **DISCUSSION AND ANALYSIS**

29
30 The discussion of alternatives is presented in three parts. Part 1 outlines three
31 alternatives for regulating additional lot coverage. Part 2 presents a range of
32 percentage increases and suggestions for application. Part 3 reviews additional
33 "credit" provisions discussed by the Planning Commission at the February 13,
34 2008 meeting and suggests an alternative for addressing/providing credit.

35
36 **Part 1: Regulatory Alternatives**

37
38 The alternatives for allowing additional lot coverage for certain structures have
39 been developed based on the following interests (as identified by staff from the
40 Planning Commission's discussion on February 13, 2008):

- 41
42 a. The base lot coverage standard specified for each residential zoning
43 district is generally appropriate and should be retained.
44
45 b. There is a need to accommodate construction of accessory structures
46 that enhance the use and enjoyment of residential property and that
47 have limited physical or visual presence/impact.
48
49 c. Unlimited lot coverage would be detrimental to achieving and/or
50 maintaining the desired character of an area as defined by the City's
51 General Plan.

52
53 To achieve these interests, staff suggests adding provisions to Chapter 17.38
54 General Provisions and Exceptions of the Zoning Ordinance that would allow
55 additional lot coverage for accessory structures with certain limitations. This
56 approach, as opposed to amending the standards of each individual residential
57 zoning district, is being recommended because accessory structures are
58 permitted in all residential zoning districts and can be collectively regulated as a
59 "class" of improvement.

60
61 **Alternative 1: Allow a Limited Increase in Lot Coverage for Shade
62 Structures¹ Only.**

63
64 Discussion

65 In this alternative a provision would be added to Chapter 17.38 that allows a
66 percentage increase in lot coverage for shade structures meeting the following
67 criteria:

¹ A shade structure is generally defined as a permanent structure built above patios or decks, usually of posts, roof or trellis, to provide a shaded area on the patio or deck. This alternative would require that a formal definition of shade structure be added to the Zoning Ordinance.

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1. The proposed structure is open on at least three of its sides.
 2. The height of the proposed structure does not exceed ten feet.

73 This alternative is the most restrictive of the three being presented because it
74 allows an increase for shade structures only. Accessory structures or buildings
75 other than a shade structure (such as a shed, carport, detached or guest room)
76 would be counted against the base lot coverage standard for the zoning district.
77

78
79 **Alternative 2: Allow a Limited Increase in Lot Coverage for All Accessory**
80 **Buildings or Structures**

81
82 Discussion:

83 In this alternative a provision would be added to Chapter 17.38 that allows a
84 percentage increase in lot coverage for any accessory building or structure. No
85 additional criteria (other than compliance with applicable zoning regulations such
86 as height and setbacks) would be required.
87

88 This alternative would be the least restrictive of the three as it would permit an
89 increase for all accessory buildings or structures without additional regulation.
90

91
92 **Alternative 3: Allow a Limited Increase in Lot Coverage for All Accessory**
93 **Buildings or Structures Subject to Performance Criteria**

94
95 Discussion:

96 In this alternative a provision would be added to Chapter 17.38 that allows a
97 percentage increase in lot coverage for any accessory building or structure
98 meeting the following criteria:
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1. The building or structure is integrated with the primary building on the property or will not be visible from a public right-of-way.
 2. The building or structure has been designed to minimize physical and visual intrusion on adjacent properties.

106 This alternative would provide the public with some guidance for designing and
107 siting accessory buildings and structures and would also allow staff to exercise
108 some discretion in determining whether a proposed increase in lot coverage is
109 consistent with the purpose and objectives of the standard.
110
111

112 **Part 2: Range of Percentage Increase**

113

114 Table 1 below lists the City's residential zoning districts, average lot sizes and
 115 base lot coverage standards. The table also quantifies the average amount of
 116 coverage allowed by the base zone standard and the additional amount of
 117 coverage that would be allowed at varying percentage increases.

118

119

120

121

TABLE 1 – SUMMARY OF LOT COVERAGE BY ZONING DISTRICT

Zone	Base Zone Maximum Coverage (%)	Average Lot Size ²	Average Coverage Allowed by Base Zone Standard	Additional Increase for Accessory Structures		
				3%	5%	7%
RR-H	40	142,000	56,800	4,260	7,100	9,940
RR	30	131,000 ³	39,300	3,930	6,550	9,170
R-1-10	30	18,500 ³	5,550	555	925	1,295
R-1	30	7,200 ⁴	2,160	216	360	504
R-2	none	n/a	n/a	n/a	n/a	n/a
R-3	40	12,000	4,800	360	600	840
MHP	75 ⁵	n/a	n/a	n/a	n/a	n/a

NOTES

¹ Unless noted otherwise, all figures shown in square feet; ² Based on Data from Napa County Assessor's Office; ³ Includes parcels with potential for subdivision; ⁴ Average developed based on typical single-family lot; ⁵ State standard supercedes local zoning

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Discussion

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Table 1 above shows that there is a broad range in allowable coverage among the City's residential zoning districts. The relatively large size of parcels located in the Rural Residential (RR) and Rural Residential-Hillside (RR-H) zoning districts allows for what appears to be an ample amount of coverage for both primary uses (residence) and secondary uses (outbuildings). In consideration of the purpose and intent these districts, staff recommends that both zoning districts be excluded from any provision allowing an additional increase in lot coverage.

137 The Mobile Home Park (MHP) zoning district allows for the greatest percentage
138 of lot coverage (75%). Because lot coverage (and other siting and development
139 standards for lots in mobile home parks) is regulated by State law, staff
140 recommends that the Mobile Home Park (MHP) zoning district also be excluded
141 from provisions allowing additional coverage.

142
143 The zoning districts in which additional lot coverage could have the greatest
144 potential to impact character and livability are the Single Family Residential (R-1)
145 and Residential/Professional Office (R-3) districts. These districts are located /
146 applied in more traditional neighborhood areas and are characterized by smaller
147 lot sizes. To assist with the evaluation of what an appropriate percentage
148 increase in lot coverage might be staff has prepared a list of common accessory
149 structures and their associated square footage (Table 2) to help the Commission
150 equate / visualize potential increases in square footage with structural mass.

151
152
153 **TABLE 2 – SQUARE FEET OF COMMON ACCESSORY STRUCTURES**

154

Structure	Square Feet	% Coverage of R-1 Lot ¹
Garden Shed	120	1.7%
Patio (10' x 15')	150	2.1%
Spa Gazebo	196	2.7%
Car Port (single car)	200	2.8%
Two Car Garage	484	6.7%

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163 ¹ An "R-1 Lot" is 7,200 square foot lot located in a single-family residential
164 zoning district.

165
166 **Part 3: Additional "Credit" Provisions**

167
168 During discussion of the lot coverage issue at the February 13, 2008 meeting,
169 the Planning Commission expressed an interest in giving coverage "credit" for
170 structures attached to a building that has eaves and for structures that discharge
171 roof-collected storm water on-site (as opposed to conveying it to public storm
172 system). An analysis of each is provided below based on staff's understanding
173 of the Commission's interest.

174
175 **Credit for Eave Area**

176 The eave area credit would be given to structures without eaves that are
177 attached to a building or structure with eaves. The rationale for this credit is that
178 the first two feet (or 24 inches) of eave for the building is not counted as
179 coverage for the building and therefore should not be counted as coverage for
180 the structure. The additional amount of lot coverage that would be gained /

181 allowed will of course vary from lot to lot. Staff estimates a range between 40
182 and 80 square feet total on average depending on building orientation. A
183 hypothetical example of how this credit could factor into the total coverage
184 allowed for a 7,200 square foot single-family lot is provided below:

185		
186	Permitted Base Zone Coverage (30%)	: 2,160 sf
187		
188	Additional Coverage for Shade Structure (5%)	: 360 sf
189		
190	Credit for Attachment to Building w/Eaves	: 60 sf
191		
192		TOTAL LOT COVERAGE : 2,580 sf (35.8%)
193		

194 In the example above, 420 square feet of additional lot area would be allowed
195 under the additional coverage provision and eave credit, close to the equivalent
196 of a two car garage.

197

198 Credit for On-Site Discharge of Storm Water

199 One benefit of limiting lot coverage is that it helps to limit the amount of
200 impervious surface area on a lot. Limiting impervious surface area, or ensuring a
201 minimal amount of pervious surface area allows for natural infiltration and
202 cleansing of storm water. While the City does not require that a minimum
203 amount of pervious surface area be provided, the Commission discussed the
204 possibility of acknowledging the benefits of natural infiltration by granting
205 additional coverage allowance for structures with a pervious ground surface or
206 for structures/sites that do not convey collected storm water into a public storm
207 system.

208

209 Staff has no specific recommendation on what an appropriate level of credit
210 would be for a structure with a pervious ground surfaces. Staff would advise
211 that any amount of credit given here should be considered in the context of other
212 lot coverage allowances and total permitted coverage.

213

214 Alternative to "Credit" Provision

215 In consideration of the potential challenges to administering a "credit" provision,
216 staff would like to suggest an alternative for the Commission's consideration.
217 Instead of allowing a "per square foot" credit for existing eave area or for
218 pervious ground surface area, staff proposes that credit for these conditions be
219 addressed by establishing a two-tier system for granting additional lot coverage.
220 The tiers would consist of a base level percentage that would be granted
221 administratively and an additional or secondary percentage that would be
222 granted through a notice and hearing procedure similar to the process used for
223 approving second dwelling units (refer to Section 17.37.040 of the Zoning
224 Ordinance). The base level tier would be set at a percentage increase that the

225 Planning Commission believes is generally appropriate for accessory structures.
226 The secondary tier would allow an additional percentage increase above the
227 base level tier but would require notification of neighboring property owners prior
228 to approval. If substantial concern was raised by the neighborhood, the request
229 for additional coverage would be scheduled for a public hearing before the
230 Planning Commission. It should be noted that any proposed additions beyond
231 the requested tier requirements would require the processing of a Variance by
232 the Planning Commission.

233

234 **PUBLIC COMMENT**

235

236 To date, only one written public comment has been received on this proposed
237 text amendment. Staff has attached comments received by Mr. Paul Knoblich
238 dated March 28, 2008. (Refer to Attachment 1)

239

240 **RECOMMENDATION**

241

242 Staff recommends that the Planning Commission review the alternatives
243 presented in this staff report, identify a preferred alternative, and direct staff to
244 prepare a draft text amendment to the Zoning Ordinance for Commission review
245 and recommendation to the City Council for at the April 23, 2008 Planning
246 Commission meeting.

247

248 **SUGGESTED MOTION:**

249

250 I move that the Planning Commission continue the public hearing for item Zoning
251 Ordinance Amendment (ZO 2008-02) to the meeting of April 23, 2008.

252

253 **ATTACHMENTS**

254

- 255 1. Correspondence from Paul Knoblich dated March 28, 2008
- 256 2. Minutes from February 13, 2008 Planning Commission meeting.
- 257 3. Staff Report from February 13, 2008 Planning Commission meeting.