



AGENDA
CITY OF ROCKLIN PLANNING COMMISSION
DATE: May 15, 2018
TIME: 6:30 PM
PLACE: Council Chambers, 3970 Rocklin Road
www.rocklin.ca.us

MEETING PROCEDURES AND STANDARDS OF DECORUM

Citizens may address the Planning Commission on any items on the agenda, when the item is considered. Citizens wishing to speak may request recognition from the presiding officer by raising his or her hand and stepping to the podium when requested to do so. Although not required, speakers are requested to identify themselves by stating their name and city of residence for the official record.

For items not listed on the agenda, any person may do so under "Citizens Addressing the Planning Commission on non-agenda items." Three to five-minute time limits may be placed on citizen comments. As a reminder, the Brown Act does not permit the Commission to take action on items not on the agenda.

All remarks shall be addressed to the Commission as a body and not to any member thereof, or to staff, or to the public. No person, other than a member of the Commission, and the person having the floor, shall be permitted to enter into any discussion without the permission of the presiding officer.

Whenever any group of persons wishes to address the Commission on the same subject matter, it shall be proper for the Chairman to request that a spokesperson be chosen.

Any person who disrupts the meeting of the Commission, may be barred by the Chairman from further audience before the Commission during that meeting.

WRITINGS RECEIVED AFTER AGENDA POSTING

Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at City Hall, 3970 Rocklin Road, Rocklin, during normal business hours. These writings will also be available for review at the planning commission meeting in the public access binder located on the table at the back of the Council Chambers. If you have questions related to this agenda, please call 916-625-5160.

WRITTEN MATERIAL INTRODUCED INTO THE RECORD

Any citizen wishing to introduce written material into the record at the hearing on any item is requested to provide a copy of the written material to the Planning Department prior to the hearing date so that the material may be distributed to the Planning Commission prior to the hearing.

AMERICANS WITH DISABILITIES ACT

In compliance with the Americans with Disabilities Act, the City of Rocklin encourages those with disabilities to participate fully in the public hearing process. If you have a special need in order to allow you to attend or participate in our public hearing process or programs, please contact our office at (916) 625-5160 well in advance of the public hearing or program you wish to attend so that we may make every reasonable effort to accommodate you.

COURT CHALLENGES AND APPEAL PERIOD

Court challenges to any public hearing items may be limited to only those issues which are raised at the public hearing described in the notice or in written correspondence delivered to the City at or prior to the public hearing. (Government Code Section 65009)

There is a 10-day appeal period for most Planning Commission decisions. However, a Planning Commission approval of a tentative parcel map has a 15-day appeal period. Appeals can be made by any interested party upon payment of the appropriate fee and submittal of the appeal request to the Rocklin City Clerk or the Planning Department, 3970 Rocklin Road, Rocklin.

ELECTRONIC PRESENTATIONS

All persons with electronic presentations for public meetings will be required to bring their own laptop or other form of standalone device that is HDMI or VGA compatible. It is further recommended that presenters arrive early to test their presentations. The City is not responsible for the compatibility or operation of non-city devices or the functionality of non-city presentations.

FURTHER INFORMATION

Any person interested in an agenda item may contact the Planning Staff prior to the meeting date, at 3970 Rocklin Road, Rocklin, CA 95677 or by phoning (916) 625-5160 for further information.

POSTING OF AGENDA

In accordance with Government Code Section 54954.2(a) this agenda was posted on the City's bulletin board at City Hall, 3970 Rocklin Road, Rocklin, and City of Rocklin website at www.rocklin.ca.us.

AGENDA

1. **Meeting Called to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Minutes**
5. **Correspondence**
6. **Citizens Addressing the Commission on Non Agenda Items**

CONSENT ITEMS

None

PUBLIC HEARINGS

7. **CONTINUED FROM MAY 1, 2018**
AAA BUILDING AT SECRET RAVINE
DESIGN REVIEW, DR2018-0001
USE PERMIT, U2018-0001

This application is a request for approval of a Design Review and a Use Permit to allow the construction and operation of a 6,800 square foot AAA auto repair facility on a vacant pad within the existing Center at Secret Ravine. The use would be light general maintenance service for vehicles. This would include oil changes, battery replacement, tire replacement/rotation, etc. The use would not include any heavy repair, such as engine replacement or auto body work. The subject site is a vacant pad within the Center at Secret Ravine, located at 5530 Schriber Way. APN 045-053-081. The property is zoned Planned Development Commercial (PD-C). The General Plan designation is Retail Commercial (RC).

A preliminary review of this project pursuant to the California Environmental Quality Act (CEQA) has identified that the project may rely on the previously approved Mitigated Negative Declaration for the Center at Secret Ravine project adopted by City Council in 2011 (Reso 2011-144).

The applicant is RSC Engineering, Inc. The property owner is Donahue Schriber Realty Group, LP.

- a. Resolution of the Planning Commission of the City of Rocklin Approving a Design Review (AAA Building At Secret Ravine / DR2018-0001)
- b. Resolution of the Planning Commission of the City of Rocklin Approving a Use Permit (AAA Building At Secret Ravine / U2018-0001)

**8. KNIGHTS WAY TENTATIVE PARCEL MAP
DIVISION OF LAND, DL2018-0001**

This application is a request for approval of a Tentative Parcel Map to allow the division of a 0.33± acre parcel into two parcels. Parcel 1 is proposed at 0.20± acres and Parcel 2 at 0.13± acres. The property is currently developed with a single family residence and accessory structure. The subject site is located at 4925 Knights Way, approximately 110 feet northeast of the intersection of Knights Way and Sceptre Drive, south of Park Drive. APN 367-100-027. The property is zoned Planned Development Residential, 6 Dwelling Units/Acre (PD-6). The General Plan designation is Medium Density Residential (MDR).

A preliminary review of this project, pursuant to the California Environmental Quality Act (CEQA) Section 15315 Minor Land Division, has tentatively identified a Categorical Exemption as the appropriate level of environmental review for this project.

The applicant is Timothy G. Blair, P.L.S. with Surveyors Group, Inc. The property owner is Ron and Leilani Spell.

- a. Resolution Of The Planning Commission Of The City Of Rocklin Approving A Notice Of Exemption (Knights Way Tentative Parcel Map / DL2018-0001)
- b. Resolution Of The Planning Commission Of The City Of Rocklin Approving A Tentative Parcel Map (Knights Way Tentative Parcel Map / DL2018-0001)

**9. RMC COMMERCIAL MARIJUANA USE
ZONING ORDINANCE AMENDMENT, ZOA2018-0002**

The proposed project would amend certain sections of Title 17 - Zoning of the Rocklin Municipal Code related to the regulation of Marijuana.

The proposed revisions to the Rocklin Municipal Code are not “projects” under CEQA because they do not result in a direct or reasonably foreseeable indirect physical change in the environment, nor do they authorize the construction of any new structures or other physical changes to the environment. Therefore, this action is exempt under sections 15060(c)(2) and (3), 15061(b)(3), 15262, and 15378 of the State CEQA Guidelines.

The proposed Amendment to the Rocklin Municipal Code was initiated by the City of Rocklin and would be effective City-wide.

- a. Resolution Of The Planning Commission Of The City Of Rocklin Recommending Approval Of An Ordinance Of The City Council Of The City Of Rocklin To Repeal And Re-Enact Chapter 17.81, Delete Certain Sections Of Title 17 Of The Rocklin Municipal Code, And Repeal Ordinance 1080 Regarding Regulation Of Marijuana (ZOA2018-0002)

NON PUBLIC HEARINGS

10. **Presentations and Informational Items**
11. **Reports and Discussion Items from Planning Commissioners**
12. **Reports from City Staff**
13. **Adjournment**



City of Rocklin Economic and Community Development Department

**Planning Commission
STAFF REPORT**

AAA Building at Secret Ravine

**Design Review, DR2018-0001
Use Permit, U2018-0001**

May 15, 2018

Recommendation

Subject to the recommended conditions of approval, staff recommends the Planning Commission approve the following:

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN APPROVING A USE PERMIT (AAA Building at Secret Ravine / U2018-0001)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN APPROVING A DESIGN REVIEW (AAA Building at Secret Ravine / DR2018-0001)

Proposal/Application Request

This application is a request for approval of a Design Review and a Use Permit to allow the construction and operation of a 6,800 square foot AAA auto repair facility on a vacant pad within the existing Center at Secret Ravine. The use would allow light vehicle services, to include oil changes, battery replacement, tire replacement/rotation, etc. The use would not include any heavy repair, such as engine replacement or auto body work.

ANALYSIS

General Site Information

The subject site is a vacant pad within the Center at Secret Ravine, located at 5530 Schriber Way. Assessor Parcel Number (APN) 045-053-081.

Figure 1 – Aerial Vicinity Map



Owner/Applicant

The applicant is RSC Engineering, Inc. The property owner is Donahue Schriber Realty Group, LP.

Background and Site Characteristics

The project area was annexed in to the City of Rocklin as a part of the Sierra College Annexation in 2003. Historically, the project site was used for farming and grazing. The site has been designated and zoned for commercial development since annexation.

On October 11, 2011, the City Council approved the Center at Secret Ravine project, which included a Tentative Parcel Map to subdivide the site into four parcels; a General

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Development Plan to establish the zoning and design guidelines (similar to Rocklin Crossings commercial center to the north); a Design Review/Oak Tree Preservation Permit to approve the Center's site design, landscaping, and architecture and remove oaks trees; and a Use Permit to allow outside storage and sales.

In 2014, the City approved the Shell Gas Station at the Center at Secret Ravine, which allowed construction and operation of an approximately 2,900 square foot gasoline service station, convenience store, and drive-in carwash on the Center's northwestern parcel (Parcel 1). To date, this is the only building to be constructed within the Center at Secret Ravine, although the drive aisles, landscaping, and building pads were constructed for the entire center in 2015/2016.

Approving Authority

The Center Secret Ravine General Development Plan (PDG) contains goals and requirements to be implemented for construction within the Center at Secret Ravine development. The PDG contains specific development standards and design guidelines, and states that future buildings to be constructed within the center shall be reviewed for consistency with these guidelines.

If a project is determined to be consistent with design guidelines and standards, the PDG allows staff to approve Design Reviews within the center administratively. However, because the proposed project also includes a Conditional Use Permit, which requires Planning Commission approval, the Design Review has been included with this entitlement package and the full project is subject to approval by the Planning Commission.

General Plan and Zoning Compatibility

The project site is designated as Retail Commercial (RC) in the Rocklin General Plan and is zoned Planned Development Commercial (PD-C) within the Center at Secret Ravine General Development Plan. The proposed project is compatible with the existing General Plan designation and Zoning, subject to issuance of a Use Permit as described below.

Use Permit

The proposed facility would be a 6,800 square foot AAA Car Care Center. The front portion of the building would be used for business services, including reception, a waiting area, restrooms, employee areas, etc. The rear portion would include 8 automotive repair service bays, as well as storage and utilities.

The use would provide light general maintenance services for vehicles, to include oil changes, tire replacement/rotation/alignment, belt repair, battery replacement, etc. The facility would not offer any heavy repair, such as engine replacement, transmissions, painting, or auto body repair/work. It is anticipated that automotive repair operations would occur Monday through Friday from 7:30 AM to 5:30 PM and Saturday from 8 AM to 5 PM.

The Center at Secret Ravine General Development Plan lists “Auto Repair (Light)” as a conditionally permitted use within the PD-C zoning district. Therefore, the proposed use would be allowed within the PD-C zoning district, subject to approval of the proposed Use Permit by the Planning Commission.

Noise

As stated previously, the project includes light automotive repair uses, which are identified as a conditionally permitted use within the Center at Secret Ravine General Development Plan. Because light automotive repair can generate noise levels that have the potential to exceed City noise standards, and because the properties to the south and east are designated for High Density Residential development, which is considered to be a sensitive noise receptor, the City requested an acoustical analysis of the AAA Building at Secret Ravine project.

The firm of Saxelby Acoustics, a Sacramento area consulting firm with recognized expertise in acoustical studies, prepared an acoustical study for the proposed AAA Building at Secret Ravine project, dated February 13, 2018. The report quantified the existing ambient noise environment on the project using a continuous noise measurement survey. It was determined that the average measured hourly noise level was 54 dBA Ldn and the average measured hourly noise level for the daytime (7:00 a.m. – 10:00 p.m.) was 50 dBA.

Based upon the City of Rocklin General Plan Noise Element standards, hourly noise level limits of 55 dBA are applicable to the project, which would operate during normal daytime hours. Saxelby Acoustics conducted noise measurements at a nearby AAA operation which indicated a typical hour of activity resulted in an average noise level of 55 dBA at a distance of 60 feet from the service doors. Based upon the conducted modeling, the predicted noise levels at the adjacent property designated for High Density Residential uses was 43 dBA, which complies with the City’s daytime noise level standard of 55 dBA and is 7 dB less than the existing average daytime ambient noise level of 50 dBA.

In conclusion, after analyzing the potential for noise impacts from the AAA Building at Secret Ravine project, it was determined that the project would comply with the City of Rocklin's daytime noise level standard without any additional mitigation required. The AAA Building at Secret Ravine project is not anticipated to result in new significant noise impacts beyond those which were analyzed in the Center at Secret Ravine Mitigated Negative Declaration, which was prepared in 2011. See the Environmental Determination section below for additional information.

Design Review

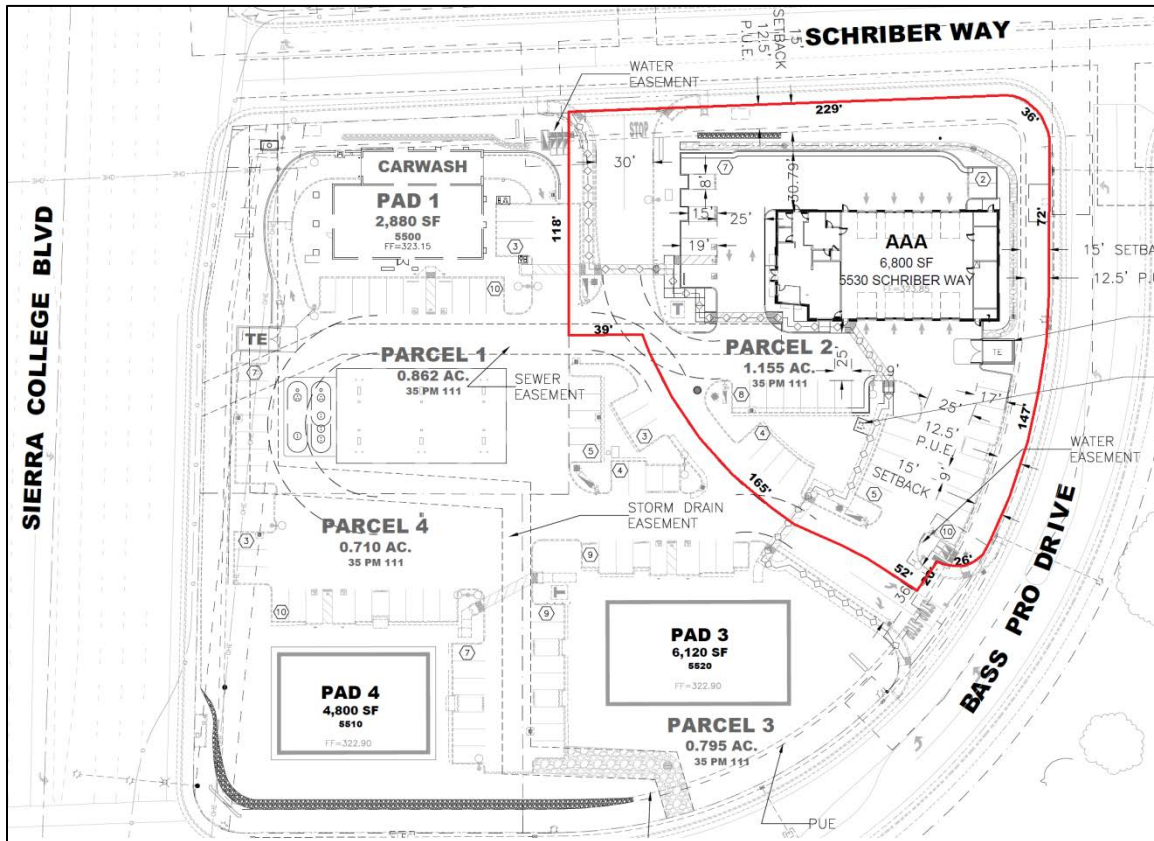
General Site Layout

The project site is currently comprised of a single parcel within the previously-approved Center at Secret Ravine development. The facility would be located on Parcel 2 (see **Figure 3**). The site would be accessed by two existing driveways off of Schriber Way and Bass Pro Drive. No offsite improvements have been proposed.

While the majority of the site improvements throughout the center have already been completed, the proposed project would involve the demolition and redevelopment of a small portion of the existing parking lot and associated improvements to allow access to the proposed service bays on the north side of the building. The parking lot and landscaping modifications are consistent with the Center Secret Ravine General Development Plan and the proposed building location would not encroach into the required 15-foot setback.

The modifications would remove 14 parking spaces along the southern portion of the existing pad and relocate 7 of these spaces to the western side of the proposed building and 2 of these spaces to the north side of the building (see Parking section below for additional information). The project would also realign an existing drainage swale around the proposed parking area. The drainage would not be impacted as a result of this realignment. Modifications have been reviewed by the City Engineer and have been determined to be consistent with City standards.

Figure 3 – Overall Site Plan

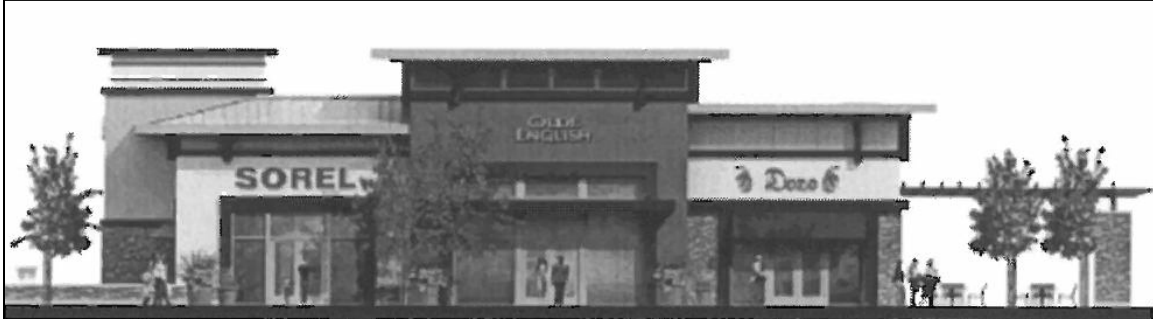


Project Architecture

The project site is not located within any of the City's adopted Architectural Districts, and is therefore subject only to the architectural requirements of the Citywide Design Review Guidelines and the Municipal Code, as well as the specific design regulations within the Center at Secret Ravine General Development Plan.

According to the General Development Plan, exterior elements of buildings within the center should be informal and asymmetrical. The use of natural looking materials, low-pitched and gable roof elements, towers, battered pilasters of natural or manufactured stone and strong horizontal compositional emphasis should be considered in the design of the primary Building elevations. See **Figure 4** for an example of building architecture which was envisioned by the design guidelines of the General Development Plan.

Figure 4 – Center at Secret Ravine Architectural Example



The proposed building would include parapet walls with varied roof heights. The parapet heights would screen roof mounted equipment from adjacent roadways and properties. The building would utilize stone veneer and a stucco finish and would feature strong horizontal elements which would help to break the building plane. Spandrel glass is proposed to be utilized in several areas to create faux windows to give further interest to the building and aluminum and glass rollup doors would be installed at the service bays. The building would also feature steel canopies over the building entrances. See **Figures 5, 6, and 7** for the building renderings.

Figure 5 – Southwest Elevation



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Figure 6 – Southeast Elevation



Figure 7 – Northeast Elevation



Colors and Materials

The project proposes to utilize primarily cream-colored stucco with olive accents along the main faces of the building, with cobalt blue accents on the upper parapets and the steel canopies over the entrances. Stone veneer would be used on the base of all building sides, as well as the primary material on certain walls. The proposed colors and materials are consistent with those listed in the General Development Plan, as well as with those which were installed on the existing Shell Gas Station on Parcel 1.

As proposed, staff considers the proposed building architecture, including colors and materials, to be consistent with the design guidelines included within the Secret Ravine General Development Plan.

Parking

The Center at Secret Ravine has shared parking and access throughout. Per the Rocklin Municipal Code (RMC) and the General Development Plan, the Center is required to provide for a minimum of 5 parking spaces per 1,000 square feet of floor area for all uses. As discussed previously, the project would result in a net decrease of 5 parking spaces, leaving a total of 106 parking spaces within the center. This is sufficient parking to accommodate the existing, proposed, and anticipated future development within the center in compliance with the RMC and General Development Plan standard.

Landscaping

The approved General Development Plan requires a minimum of 15-foot of landscaping around the perimeter of the project. Most of the specific landscaping requirements are consistent with the typical requirements of the Rocklin Municipal Code and design guidelines.

When the drive aisles and infrastructure for the center were constructed in 2015/2016, the majority of the landscaping was planted consistent with the PDG. However, as noted previously, the project proposes some modifications to the existing parking lot in order to allow access to the service bays on the north side of the building. As a result of this, some landscaping modifications have been proposed, including screening around the proposed trash enclosure, and the planting of an additional tree and other vegetation in the new parking areas of the site. These modifications are shown in color on the preliminary landscape plan included in the project packet (Exhibit A of the Design Review Resolution). The project has been conditioned that all landscaping modifications shall comply with Citywide landscaping requirements, as well as the requirements of the

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approved General Development Plan, and will be reviewed for consistency with the existing center.

Signage

The Center at Secret Ravine project included approval of Signage Guidelines for the totality of the center. All future signage within the center resulting from this project will be required to be consistent with the existing Center at Secret Ravine Signage Guidelines. Any signage shown on the building renderings and elevations are for illustrative purposes only.

Environmental Determination

In 2011, a Mitigated Negative Declaration (MND) for the Center at Secret Ravine project was approved per City Council Resolution 2011-144. A project-specific analysis was conducted and potential impacts of the Center at Secret Ravine project were identified in the MND document. The MND addressed the development and occupation of a retail commercial center consisting of four separate buildings with a maximum overall total of approximately 23,600 square feet; the specific makeup of the tenants of the retail commercial center was not known at the time. In the years since the project was approved, the site has been pad graded and there is one current tenant, a 2,880 +/- square foot Shell gasoline service station, convenience store and drive-through carwash. The AAA Building at Secret Ravine project represents the development and occupation of one of the previously identified tenant spaces within the Center at Secret Ravine retail center.

The Center at Secret Ravine MND evaluated the potential environmental impacts of the development of the AAA Building at Secret Ravine project which included the same project area and same size and number of parcels and buildings. Because the AAA Building at Secret Ravine project will introduce development into the same project area that is consistent with what was anticipated by the original project, and the development would be consistent with the surrounding existing and anticipated development and the project does not include any aspects that would introduce new or increased environmental impacts (see the Noise discussion above), it was determined that the prior MND would be appropriate to rely upon for purposes of CEQA compliance. Based on a 15162 analysis of the project (**Attachment 1**), no new significant environmental impacts would occur and no substantial increases in the severity of previously identified significant effects would be anticipated. None of the conditions described in CEQA Guidelines sections 15162, 15163 and 15164 calling for the preparation of a supplement, subsequent or addendum to a negative declaration or EIR

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are present, and therefore, no subsequent or EIR or supplemental EIR or addendum to an EIR is required pursuant to CEQA.

In summary, the analysis conducted to determine if further environmental review would be necessary has resulted in the determination that the AAA Building at Secret Ravine project does not result in any environmental impacts beyond those that were previously identified and no further environmental review is necessary.

Attachments:

- 1) CEQA Analysis - 15162

Prepared by Nathan Anderson, Senior Planner

AAA Building at Secret Ravine
Conditional Use Permit and Design Review
15162 Analysis

PROJECT DESCRIPTION:

The AAA Building at Secret Ravine consists of a request for a conditional use permit and design review for a 6,800 +/- square foot AAA auto repair facility within the existing Center at Secret Ravine retail center. The previously approved Center at Secret Ravine project consisted of Design Review, Conditional Use Permit, Oak Tree Preservation Plan Permit, Tentative Parcel Map and General Development Plan entitlements that established land use/development criteria, subdivided the property into four parcels, and allowed the development and operation of a 23,600 +/- square feet retail commercial center on a 4.9 +/- acre site. The AAA Building at Secret Ravine project does not modify the location, size or number of parcels or buildings from the previously approved Center at Secret Ravine retail center.

PRIOR ENVIRONMENTAL REVIEW:

In 2011, a Mitigated Negative Declaration (MND) for the Center at Secret Ravine project was approved per City Council Resolution 2011-144. A project specific analysis was conducted and potential impacts of the Center at Secret Ravine project were identified in the MND document. The MND addressed the development and occupation of a retail commercial center consisting of four separate buildings with an overall total of approximately 23,600 square feet; the specific makeup of the tenants of the retail commercial center was not known at the time. Since the project was approved, the site has been pad graded and there is one current tenant, a 2,880 +/- square foot Shell gasoline service station, convenience store and drive-through carwash. The AAA Building at Secret Ravine project represents the development and occupation of one of the previously identified tenant spaces within the Center at Secret Ravine retail center.

RELIANCE ON PRIOR ENVIRONMENTAL REVIEW:

The potential environmental impacts of the Center at Secret Ravine project was analyzed as required by the California Environmental Quality Act (CEQA) in a Mitigated Negative Declaration, which was previously approved by the Rocklin City Council acting as the lead agency through Resolution 2011-144. Once a project has been approved, the lead agency's role in project approvals is completed, unless further discretionary approval on that project is required. In this case, because the AAA Building at Secret Ravine project is requesting additional land use entitlements (Design Review and Conditional Use Permit) and further discretionary approval, the City must examine the adequacy of the prior environmental review.

Public Resources Code section 21166 and Section 15162 provide the framework for analysis of the adequacy of prior environmental review of a subsequent project. The questions that must be addressed when making a determination of whether further environmental review would be necessary are as follows:

1) Do Proposed Changes Involve New Significant Impacts?

Pursuant to Section 15162(a)(1) of the CEQA Guidelines, will substantial changes represented by the current project result in new significant impacts that have not already been considered and mitigated by the prior environmental review or a substantial increase in the severity of a previously identified significant impact?

2) Are There Any New Circumstances Involving New Impacts?

Pursuant to Section 15162(a)(2) of the CEQA Guidelines, have there been substantial changes to the project site or vicinity (circumstances under which the project is undertaken) which have occurred subsequent to the prior environmental document, which would result in the current project having new significant environmental impacts that were not considered in the prior environmental document or that substantially increase the severity of a previously identified impact?

3) Is There Any New Information Requiring New Analysis or Verification?

Pursuant to Section 15162(a)(3)(A-D) of the CEQA Guidelines, is there new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental document was adopted as complete that is now available requiring an update to the analysis of the previous environmental document to verify that the environmental conclusions and mitigations remain valid? If the new information shows that:

- (A) The project will have one or more significant effects not discussed in the prior environmental documents; or
- (B) That significant effects previously examined will be substantially more severe than shown in the prior environmental documents; or
- (C) That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) That mitigation measures or alternative which are considerably different from those analyzed in the prior environmental documents would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative, then the preparation of a subsequent or supplemental EIR would be required.

If the additional analysis completed finds that the conclusions of the prior environmental documents remain the same and no new significant impacts are identified, or identified environmental impacts are not found to be more severe, or additional mitigation is not necessary, then no additional environmental documentation (supplemental or subsequent EIR or subsequent negative declaration) is required.

COMPARISON OF THE PREVIOUSLY APPROVED CENTER AT SECRET RAVINE PROJECT AND ITS MND:

The adopted Center at Secret Ravine MND addressed the development of the Center at Secret Ravine project site as follows:

- Design Review (DR-2009-02) to evaluate the landscaping, architectural designs, colors and materials;
- General Development Plan (PDG-2009-01) to establish the development standards for the proposed zone district;
- Conditional Use Permit (U-2009-02) to allow outdoor storage and outdoor display
- Tentative Parcel Map (DL-2009-03) to allow the subdivision of 4.9+/- acres into 4 parcels;
- Oak Tree Preservation Plan Permit (TRE-2009-05) to allow for the removal of impacted oak trees and to mitigate impacts to oak trees.

The AAA Building at Secret Ravine project involves the development and occupation of one of the previously identified tenant spaces, therefore it involves the same land area and building development that was previously considered and analyzed.

IMPACT ANALYSIS:

- 1) Aesthetics – the AAA Building at Secret Ravine project will introduce the same development into the project area that is consistent with what was anticipated by the original project. Development of the project is consistent with the surrounding existing and anticipated development and does not include any aspects that would introduce new aesthetic impacts.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project does not involve any changes, it is not anticipated to result in new significant aesthetic impacts or substantially more severe aesthetic impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant aesthetic impacts or substantially more severe aesthetic impacts, and there is no new information requiring new analysis or verification. The analysis of aesthetics impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 2) Agricultural Resources –the AAA Building at Secret Ravine project will occur in a location that was previously designated as Grazing land and now designated as Urban and Built-Up land, and it is not located within or adjacent to land in productive agriculture or lands zoned for agricultural uses or timberland production and do not introduce any new agricultural resources impacts.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project does not involve any changes from what was previously approved, it is not anticipated to result in new significant agricultural resources impacts or substantially more severe agricultural resources impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant

agricultural resources impacts or substantially more severe agricultural resources impacts, and there is no new information requiring new analysis or verification. The analysis of agricultural resources impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 3) Air Quality - the AAA Building at Secret Ravine project will result in similar construction and operational air quality emissions due to no changes in the number or size of the parcels or in the number of anticipated buildings and the associated vehicle trips generated by the project. The project will result in similar construction and operational air quality emissions due to no changes in the construction footprint area and no changes in the number of parcels and buildings and associated vehicle trips generated by the project.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project does not involve any changes from what was previously approved, it is not anticipated to result in new significant air quality impacts or substantially more severe air quality impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant air quality impacts or substantially more severe air quality impacts, and there is no new information requiring new analysis or verification. The analysis of air quality impacts within the Center at Secret Ravine MND is applicable to AAA Building at Secret Ravine project, and no further analysis is required.

- 4) Biological Resources - the AAA Building at Secret Ravine project will result in development in the same footprint area as was previously analyzed and approved and that subsequently was graded for pad development and is currently occupied by one tenant building.

In conclusion, when comparing AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project does not involve any changes from what was previously approved, it is not anticipated to result in new significant biological resources impacts or substantially more severe biological resources impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant biological resources impacts or substantially more severe biological resources impacts, and there is no new information requiring new analysis or verification. The analysis of biological resources impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 5) Cultural Resources - the AAA Building at Secret Ravine project will result in development in the same footprint area as was previously analyzed and approved and that subsequently was graded for pad development and is currently occupied by one tenant building.

In conclusion, when comparing the AAA Building at Secret Ravine to the Center at Secret Ravine MND analysis, because the project does not involve any changes from what was previously approved, it is not anticipated to result in new significant cultural resources impacts or substantially more severe cultural resources impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant cultural resources impacts or substantially more severe cultural resources impacts, and there is no

new information requiring new analysis or verification. The analysis of cultural resources impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 6) Geology and Soils - the AAA Building at Secret Ravine project will result in development that is consistent with the development that was anticipated with the original project. The development associated with the AAA Building at Secret Ravine project would be subject to compliance with the City's development review process and the City's Improvement Standards and Standard Specifications and the Uniform Building Code which will reduce any potential geology and soils impacts to a less than significant level.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the does not involve any changes from what was previously approved, it is not anticipated to result in new significant geology and soils impacts or substantially more severe geology and soils impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant geology and soils impacts or substantially more severe geology and soils impacts, and there is no new information requiring new analysis or verification. The analysis of geology and soils impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 7) Greenhouse Gas Emissions - the AAA Building at Secret Ravine project will result in development that is consistent with the development that was anticipated with the original project due to no changes in the number or size of the parcels or in the number of anticipated buildings and associated vehicle trips generated by the project. The project will result in similar construction and operational air quality/greenhouse gas emissions due to no changes in the construction footprint area and no changes in the number of parcels and buildings and associated vehicle trips generated by the project.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project does not involve any changes from what was previously approved, it is not anticipated to result in new significant greenhouse gas emissions impacts or substantially more severe greenhouse gas emissions impacts; there are no new circumstances involving new significant greenhouse gas emissions impacts or substantially more severe greenhouse gas emissions impacts, and there is no new information requiring new analysis or verification. The analysis of greenhouse gas emissions impacts above is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 8) Hazards and Hazardous Materials - the AAA Building at Secret Ravine project will result in development that is consistent with the development that was anticipated with the original project. Development associated with the AAA Building at Secret Ravine project would be subject to compliance with various Federal, State, and local laws and regulations (including but not limited to Titles 8 and 22 of the Code of California Regulations, Uniform Fire Code, and Chapter 6.95 of the California Health and Safety Code) addressing hazardous materials management and environmental protection which will reduce any hazardous materials management and

environmental protection impacts to a less than significant level. The AAA Building at Secret Ravine project does not include any unusual uses of hazardous materials. In addition, the project is not on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the project site is not located within an airport land use plan or within the vicinity of a private airstrip, the project's design and layout will not impair or physically interfere with the street system emergency evacuation route or impede an emergency evacuation plan, and the project was reviewed by the Rocklin Fire Department and was designed with adequate emergency access for use by the Rocklin Fire Department to reduce the risk of loss, injury or death involving wildland fires.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project does not involve any changes from what was previously approved, it is not anticipated to result in new significant hazards and hazardous materials impacts or substantially more severe hazards and hazardous materials impacts that have not already been considered by the Center at Secret Ravine MND; there are no new circumstances involving new significant hazards and hazardous materials impacts or substantially more hazards and hazardous materials impacts, and there is no new information requiring new analysis or verification. The analysis of hazards and hazardous materials impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 9) Hydrology and Water Quality - the AAA Building at Secret Ravine project will result in development that is consistent with the development that was anticipated with the original project. Development associated with the AAA Building at Secret Ravine project would also be subject to the mitigation measures incorporated into Rocklin General Plan goals and policies, the City's Grading and Erosion and Sedimentation Control Ordinance (Rocklin Municipal Code, Chapter 15.28), the Stormwater Runoff Pollution Control Ordinance (Rocklin Municipal Code, Chapter 8.30), and the City's Improvement Standards to reduce impacts to hydrology and water quality to a less than significant level. In addition, the developable portions of the AAA Building at Secret Ravine project are located in flood zone X, which indicates that the project is not located within a 100-year flood hazard area and outside of the 500-year flood hazard area. The project site is not located within the potential inundation area of any dam or levee failure, nor is the project site located sufficiently near any significant bodies of water or steep hillsides to be at risk from inundation by a seiche, tsunami, or mudflow. Therefore, the project will not expose people or structures to a significant risk or loss, injury, or death as a result of flooding and a less than significant flood exposure impact would be anticipated.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project not involve any changes from what was previously approved, it is not anticipated to result in new significant hydrology and water quality impacts or substantially more severe hydrology and water quality impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant hydrology and water quality impacts or substantially more hydrology and water quality impacts, and there is no new information requiring new analysis or verification. The analysis of hydrology and water quality impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 10) Land Use and Planning - the AAA Building at Secret Ravine project will result in development that is consistent with the development that was anticipated with the original project and that is consistent with the City's General Plan and Zoning Ordinance. The construction of the AAA Building at Secret Ravine project would not physically divide an established community and would be compatible with nearby existing and anticipated land uses.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project does not involve any changes from what was previously approved, it is not anticipated to result in new significant land use and planning impacts or substantially more severe land use and planning impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant land use and planning impacts or substantially more land use and planning impacts, and there is no new information requiring new analysis or verification. The analysis of land use and planning impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 11) Mineral Resources - the AAA Building at Secret Ravine project will result in development that is consistent with the development that was anticipated with the original project. Development associated with AAA Building at Secret Ravine project would occur on sites that do not contain known mineral resources and the project is not anticipated to have a mineral resources impact.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project does not involve any changes from what was previously approved, it is not anticipated to result in new significant mineral resources impacts or substantially more severe mineral resources impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant mineral resources impacts or substantially more mineral resources impacts, and there is no new information requiring new analysis or verification. The analysis of mineral resources impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 12) Noise - the AAA Building at Secret Ravine project includes light automotive repair uses which are identified as a conditionally permitted use within the Center at Secret Ravine General Development Plan. As noted above, the Center at Secret Ravine MND addressed the development and occupation of a retail commercial complex consisting of four separate buildings with an overall total of approximately 23,600 square feet, but the specific makeup of the tenants of the retail commercial complex was not known at the time. Because light automotive repair can generate noise levels that could be in exceedance of City noise standards, and the property to the south and east is designated for High Density Residential development which is considered to be a sensitive noise receptor, the City requested an acoustical analysis of the AAA Building at Secret Ravine project.

The firm of Saxelby Acoustics, a Sacramento area consulting firm with recognized expertise in acoustical studies, prepared an acoustical study for the proposed AAA Building at Secret Ravine

project. The report, dated February 13, 2018, is available for review during normal business hours at the City of Rocklin Planning Department, 3970 Rocklin Road, Rocklin, CA and is incorporated into this 15162 Analysis by this reference. City staff has reviewed the documentation and is also aware that Saxelby Acoustics has a professional reputation that makes its conclusions presumptively credible and prepared in good faith. Based on its review of the analysis and these other considerations, City staff accepts the conclusions in the Saxelby Acoustics report, which is summarized below.

The existing ambient noise environment on the project site was quantified using a continuous noise measurement survey and it was determined that the average measured hourly noise level was 54 dBA Ldn and the average measured hourly noise level for the daytime (7:00 a.m. – 10:00 p.m.) was 50 dBA. Based upon the City of Rocklin General Plan Noise Element standards, hourly noise level limits of 55 dBA are applicable to the project which would operate during normal daytime hours. Saxelby Acoustics conducted noise measurements at a nearby AAA operation which indicated a typical hour of activity resulted in an average noise level of 55 dBA at a distance of 60 feet from the service doors. Based upon the conducted modeling, the predicted noise levels at the adjacent property designated for High Density Residential uses was 43 dBA, which complies with the City's daytime noise level standard of 55 dBA and is 7 dB less than the existing average daytime ambient noise level of 50 dBA.

In conclusion, after analyzing the potential for noise impacts from the AAA Building at Secret Ravine project, it was determined that the project would comply with the City of Rocklin's daytime noise level standard without any additional mitigation required. The AAA Building at Secret Ravine project is not anticipated to result in new significant noise impacts or substantially more severe noise impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant noise impacts or substantially more noise impacts, and there is no new information requiring new analysis or verification. The analysis of noise impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 13) Population and Housing - the AAA Building at Secret Ravine project will result in development that is consistent with the development that was anticipated with the original Center at Secret Ravine project. The AAA Building at Secret Ravine project would not introduce unplanned growth or displace substantial numbers of people. In addition, the AAA Building at Secret Ravine project is not considered to induce substantial population growth because it includes the same number of parcels and buildings as was previously contemplated and it is located in an area that has already been planned for urban uses.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project does not involve any changes from what was previously approved, it is not anticipated to result in new significant population and housing impacts or substantially more severe population and housing impacts that have not already been considered by the Center at Secret Ravine MND; there are no new circumstances involving new significant population and housing impacts or substantially more population and housing impacts, and there is no new information requiring new analysis or verification. The analysis of population and

housing impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 14) Public Services - the AAA Building at Secret Ravine project will result in development that is consistent with the development that was anticipated with the original project. Development associated with AAA Building at Secret Ravine project would not increase the need for fire protection, police patrol and police services to the site beyond what was previously contemplated, and the need for other public facilities would not be created by the project.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the does not involve any changes from what was previously approved, it is not anticipated to result in new significant public services impacts or substantially more severe public services impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant public services impacts or substantially more public services impacts, and there is no new information requiring new analysis or verification. The analysis of public services impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 15) Transportation/Traffic – the AAA Building at Secret Ravine project will result in development that is consistent with the development that was anticipated with the original project. Development associated with the AAA Building at Secret Ravine project will not result in an increase in the number of automobile trips generated by the previously approved project because there are no changes in the number or size of the parcels or in the number of anticipated buildings number and associated vehicle trips generated by the project from what was previously approved.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the project does not involve any changes from what was previously approved, it is not anticipated to result in new significant transportation/traffic impacts or substantially more severe transportation/traffic impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant transportation/traffic impacts or substantially more severe transportation/traffic impacts, and there is no new information requiring new analysis or verification. The analysis of transportation/traffic impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

- 16) Tribal Cultural Resources – the AAA Building at Secret Ravine project will result in development in the same footprint area as was previously anticipated. While the Center at Secret Ravine MND was prepared and adopted prior to the requirement to address tribal cultural resources in CEQA documents, because Public Resources Code section 21080.3.3 requires consultation to occur prior to the release of a negative declaration, mitigated negative declaration or EIR for a project and the City intends to rely upon the previous MND for the AAA Building at Secret Ravine project, there is no opportunity to incorporate additional mitigation measures for the protection of tribal cultural resources.

- 17) Utilities and Service Systems - the AAA Building at Secret Ravine project will result in development that is consistent with the development that was anticipated with the original project. Development associated with the AAA Building at Secret Ravine project would not increase the need for utilities and service systems to the site beyond what was previously contemplated, and the need for other utilities and public services would not be created by the project.

In conclusion, when comparing the AAA Building at Secret Ravine project to the Center at Secret Ravine MND analysis, because the does not involve any changes from what was previously approved, it is not anticipated to result in new significant utilities and service systems impacts or substantially more severe utilities and service systems impacts that have not already been considered by the prior Center at Secret Ravine MND; there are no new circumstances involving new significant utilities and service systems impacts or substantially more utilities and service systems impacts, and there is no new information requiring new analysis or verification. The analysis of utilities and service systems impacts within the Center at Secret Ravine MND is applicable to the AAA Building at Secret Ravine project, and no further analysis is required.

CONCLUSION:

The Center at Secret Ravine MND evaluated the potential environmental impacts of the development of the AAA Building at Secret Ravine project which included the same project area and same size and number of parcels and buildings. Because the AAA Building at Secret Ravine project will introduce the same development into the same project area that is consistent with what was anticipated by the original project, and the development would be consistent with the surrounding existing and anticipated development and the project does not include any aspects that would introduce new or increased environmental impacts, it was determined that the prior MND would be appropriate to rely upon for purposes of CEQA compliance. Based on the analysis provided above, no new significant environmental impacts would occur and no substantial increases in the severity of previously identified significant effects would be anticipated. None of the conditions described in CEQA Guidelines sections 15162, 15163 and 15164 calling for the preparation of a supplement, subsequent or addendum to a negative declaration or EIR are present, and therefore, no subsequent or EIR or supplemental EIR or addendum to an EIR is required pursuant to CEQA.

In summary, the analysis conducted to determine if further environmental review would be necessary has resulted in the determination that the AAA Building at Secret Ravine project does not result in any environmental impacts beyond those that were previously identified and no further environmental review is necessary.

RESOLUTION NO. PC-2018-

RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ROCKLIN APPROVING A CONDITIONAL USE PERMIT
FOR AN AUTO REPAIR (LIGHT) USE(AAA Building at Secret Ravine / U2018-0001)

The Planning Commission of the City of Rocklin does resolve as follows:

Section 1. The Planning Commission of the City of Rocklin finds and determines that:

A. This Conditional Use Permit allows construction and operation of an Auto Repair (Light) use for the AAA Building at Secret Ravine project. Assessor's Parcel Number 045-053-081.

B. The development of the project site was analyzed as required by the California Environmental Quality Act (CEQA) as a part of the Center at Secret Ravine Initial Study/Mitigated Negative Declaration of Environmental Impacts (MND), approved and certified by City Council Resolution No. 2011-144. Pursuant to Section 15162 of the CEQA Guidelines, no further environmental review of the AAA Building at Secret Ravine project is required, nor should be conducted, since the project is within the scope of the Center at Secret Ravine MND which adequately describe these activities for purposes of CEQA for the following reasons:

- i) No new significant environmental impacts nor any substantial increase in the severity of previously identified significant impacts will occur from the AAA Building at Secret Ravine project;
- ii) No substantial changes occur with respect to the circumstances under which the project will be undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts.
- iii) No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete shows any of the following:
 - a. That the project will have one or more significant effects not discussed in the previous MND;
 - b. That significant effects previously examined will be substantially more severe than shown in the previous MND;

- c. That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.
- d. That mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects of the environment, but the project proponents declined to adopt the mitigation measure or alternative.

C. The establishment, maintenance, and operation of the proposed uses and buildings or structures will not, under the circumstances of this particular case, be detrimental or injurious to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, to property and improvements in the neighborhood, or to the general welfare of the City.

D. The project is consistent with the Retail Commercial (RC) General Plan designation, and is allowed within the Planned Development Commercial (PD-C) zoning district of the Center at Secret Ravine General Development Plan through issuance of a conditional use permit. The establishment, operation, and maintenance of the use is consistent with the goals, policies, and land use designations in the General Plan and with all zoning standards, regulations, and restrictions applicable to the property.

Section 2. The Conditional Use Permit for construction and operation of an Auto Repair (Light) facility (AAA Building at Secret Ravine / U2018-0001) as depicted and further described in Exhibit A of the concurrent design review (DR2018-0001) approved via Planning Commission Resolution No. PC- and included therein, subject to the conditions listed below. The approved Exhibit A of the concurrent design review (DR2018-0001) shall govern the design and construction of the project. Any condition directly addressing an element incorporated into Exhibit A of the concurrent design review (DR2018-0001) shall be controlling and shall modify Exhibit A of the concurrent design review (DR2018-0001). All other plans, specifications, details, and information contained within Exhibit A of the concurrent design review (DR2018-0001) shall be specifically applicable to the project and shall be construed as if directly stated within the conditions for approval. Unless otherwise expressly stated, the applicant / developer shall be solely responsible for satisfying each condition prior a final Building Permit Inspection, Issuance of a Certificate of Occupancy, or initiation of use as is applicable. The agency and / or City department(s) responsible for ensuring implementation of each condition is indicated in parenthesis with each condition.

A. Notice to Applicant of Fees & Exaction Appeal Period

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code §66020, the applicant will be legally barred from later challenging such exactions.

B. Conditions

1. Operation

- a. Approval of this conditional use permit does not relieve the applicant from the requirement to obtain subsequent permits and approvals, as applicable. Prior to issuance of a Building Permit, the applicant shall work with the Building and Fire Departments, as well as applicable utility providers, to ensure that all requirements have been met. (MULTIPLE)
- b. All vehicle maintenance and repair activities shall be conducted entirely within the building. (PLANNING)
- c. The AAA Building at Secret Ravine shall operate consistent with the Project Narrative, included as Exhibit A. Deviations from these operations shall be reviewed by the Community Development Director for substantial compliance. Operational deviations which are not considered substantially compliant may require further review and approval by the original approving authority. (PLANNING)
- d. Use of a public address or loud speaker system that can be heard outside of the building when service or man doors are open is prohibited. (PLANNING)

2. Outdoor Display and Storage

- a. All incidental and miscellaneous outdoor storage areas shall be approved by the Community Development Director and shall be completely screened from public view by a decorative masonry or concrete wall or approved equal. All gates shall be solid and view obstructing, constructed of metal or other durable and sturdy materials acceptable to the Economic and Community Development Director. (PLANNING)

- b. No overnight storage of vehicles shall be permitted outside of the building.
(PLANNING)

3. Maintenance

- a. The property owner(s) shall remove within 72 hours all graffiti placed on any fence, wall, existing building, paved area or structure on the property consistent with the provisions of Rocklin Municipal Code Section 9.32. Prior to removal of said graffiti, the property owner shall report the graffiti vandalism to the Rocklin Police Department. (PLANNING, POLICE)
- b. The project, including but not limited to paving, landscaping, structures, and improvements shall be maintained by the property owner(s), to the standard of similarly situated properties in equivalent use zones, to the satisfaction of the Economic and Community Development Director.
(PLANNING)

4. Indemnification and Duty to Defend

Within 30 days of approval of this entitlement by the City, the developer shall execute an Indemnity Agreement, approved by the City Attorney's Office, to indemnify, defend, reimburse, and hold harmless the City of Rocklin and its agents, officers and employees from any claim, action, or proceeding against the City of Rocklin to set aside, void or annul an approval of the entitlement by the City's planning commission or City Council, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the applicant of any such claim, action or proceeding, and the City will cooperate in the defense of the claim, action or proceeding. Unless waived by the City, no further processing, permitting, implementation, plan checking or inspections related to the subdivision or parcel map shall be performed by the City if the Indemnity Agreement has not been fully executed within 30 days. (CITY ATTORNEY)

5. Validity

- a. This entitlement shall expire two years from the date of approval unless prior to that date a building permit has been issued or a time extension has been granted. (PLANNING)
- b. This entitlement shall not be considered valid and approved unless and until the concurrent Design Review (DR2018-0001) has been approved.
(PLANNING)

PASSED AND ADOPTED this 15th day of May, 2018, by the following roll call vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

Pierre Martinez, Chairperson

ATTEST:

Secretary

EXHIBIT A

Project Narrative – AAA Building at Secret Ravine
Conditional Use Permit (U2018-0001)

The proposed facility would be a 6,800 square foot AAA Car Care Center. The front portion of the building would be used for business services, including reception, a waiting area, restrooms, employee areas, etc. The rear portion would include 8 automotive repair service bays, as well as storage and utilities.

The use would provide light general maintenance services for vehicles, to include oil changes, tire replacement/rotation/alignment, belt repair, battery replacement, etc. The facility would not offer any heavy repair, such as engine replacement, transmissions, painting, or auto body repair/work.

It is anticipated that automotive repair operations would occur Monday through Friday from 7:30 AM to 5:30 PM and Saturday from 8 AM to 5 PM.

RESOLUTION NO. PC-2018-

RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ROCKLIN APPROVING A DESIGN REVIEW(AAA Building at Secret Ravine / DR2018-0001)

The Planning Commission of the City of Rocklin does resolve as follows:

Section 1. The Planning Commission of the City of Rocklin finds and determines that:

A. Design Review (DR2018-0001) approves the development of a 6,800 square foot AAA auto repair facility on a vacant pad within the existing Center at Secret Ravine, as well as minor modifications to the parking lot associated with the project. Assessor's Parcel Number 045-053-081.

B. The development of the project site was analyzed as required by the California Environmental Quality Act (CEQA) as a part of the Center at Secret Ravine Initial Study/Mitigated Negative Declaration of Environmental Impacts (MND), approved and certified by City Council Resolution No. 2011-144. Pursuant to Section 15162 of the CEQA Guidelines, no further environmental review of the AAA Building at Secret Ravine project is required, nor should be conducted, since the project is within the scope of the Center at Secret Ravine MND which adequately describe these activities for purposes of CEQA for the following reasons:

- i) No new significant environmental impacts nor any substantial increase in the severity of previously identified significant impacts will occur from the AAA Building at Secret Ravine project;
- ii) No substantial changes occur with respect to the circumstances under which the project will be undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts.
- iii) No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete shows any of the following:
 - a. That the project will have one or more significant effects not discussed in the previous MND;

- b. That significant effects previously examined will be substantially more severe than shown in the previous MND;
- c. That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.
- d. That mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects of the environment, but the project proponents declined to adopt the mitigation measure or alternative.

C. The design of the site is compatible with surrounding development, natural features and constraints.

D. The height, bulk, area, color scheme and materials of the buildings and structures are compatible with surrounding development.

E. Adverse light and glare impacts upon adjoining properties have been eliminated or reduced to a less than significant level by consideration and modification of the location and height of light standards, orientation of exterior lighting fixtures, and conditioning the project to use light fixtures that will direct light downward.

F. The landscaping design is compatible with existing nonresidential development in the area and has been designed with provisions for minimizing water usage and maintenance needs.

G. The parking design, including ingress and egress traffic patterns, is compatible with the surrounding development and the public street patterns.

H. The design of the site and buildings or structures is consistent with the goals, policies, and land use designations in the General Plan and with all zoning standards, regulations, and restrictions applicable to the property.

Section 2. The Design Review for the AAA Building at Secret Ravine / DR2018-0001 as depicted in Exhibit A, attached hereto and by this reference incorporated herein, is hereby approved subject to the conditions listed below. Unless expressly stated otherwise, the applicant is solely responsible for satisfying each condition prior to occupancy of the structure. The approved Exhibit A shall govern the design and construction of the project. Any condition directly addressing an element incorporated into Exhibit A shall be controlling and shall modify Exhibit A. All other plans, specifications, details, and information contained within Exhibit A shall be specifically applicable to the project and shall be construed as if directly stated within

the condition for approval. Unless expressly stated otherwise, the applicant is solely responsible for satisfying each condition prior to issuance of the building permit. The agency and/or City department(s) responsible for ensuring implementation of each condition is indicated in parenthesis with each condition.

A. Notice to Applicant of Fees & Exaction Appeal Period

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code §66020, the applicant will be legally barred from later challenging such exactions.

B. Conditions

1. Utilities

- a. All utilities, including but not limited to water, sewer, telephone, gas, electricity, and conduit for cable television shall be provided to the project in compliance with all-applicable standards and requirements of the applicable provider. (APPLICABLE UTILITY)
- b. The applicant shall install a trash enclosure with solid metal gates, as indicated in Exhibit A, to the satisfaction of the Economic and Community Development Director. The location and design of trash enclosures shall provide for a minimum clear width and gate opening of 14 feet and gates designed to clear adjacent curbing to the satisfaction of Recology Auburn Placer. The colors and materials of the trash enclosure shall match the existing trash enclosure for the Shell Gas Station, located within the same center. The existing structure is tan split-faced masonry with a decorative cap. (RECOLOGY AUBURN PLACER, ENGINEERING, BUILDING, PLANNING)

2. Schools

The following conditions shall be satisfied to mitigate the impact of the proposed development on school facilities (LOOMIS UNION SCHOOL DISTRICT, BUILDING):

- a. At the time of issuance of a building permit, the developer shall pay to the Loomis Union School District all fees required under Education Code section 17620 and Government Code Section 65995, to the satisfaction of the Rocklin Unified School District.
- b. The above condition shall be waived by the City Council if the applicant and the District reach agreement to mitigate the impacts on the school facilities caused by the proposed development and jointly request in writing that the condition be waived.

3. Fire

- a. Improvement plans shall show the location and size of fire hydrants and water mains in conformance with the standards and requirements of the Rocklin Fire Chief and PCWA. (PCWA, ENGINEERING, FIRE)

4. Improvements / Improvement Plans

Prior to any grading, site improvements, or other construction activities associated with this project improvement plans shall be prepared consistent with the exhibits and conditions incorporated as a part of this entitlement, and in compliance with all applicable city standards, for the review and approval of the City Engineer.

Improvement plans shall be valid for a period of two years from date of approval by the City Engineer. If substantial work has not been commenced within that time, or if the work is not diligently pursued to completion thereafter, the City Engineer may require the improvement plans to be resubmitted and/or modified to reflect changes in the standard specifications or other circumstances.

The project improvement plans shall include the following:
(ENGINEERING, PLANNING, PUBLIC SERVICES)

- a. All on-site standard improvements, including but not limited to:
 - i) Paving, curbs (including concrete curbs to contain all landscape areas adjacent to vehicle parking areas or travel lanes), gutters, sidewalks, drainage improvements, irrigation improvements (main lines and distribution where located under paved areas), utility improvements, parking lot and site lights, fire hydrants, retaining walls, fences, pilasters, enhanced pavement treatments, trash enclosures, etc.

- ii) All necessary easements for drainage, access, utilities, etc. shall be shown and offered for dedication (or Irrevocable Offer of Dedication provided) with the improvement plans.
 - iii) To the extent possible underground facilities such as but not limited to electrical, gas, water, drainage, and irrigation lines shall be located outside of or to the edge of areas designated for landscaping so as to minimize impacts to the viability of these areas.
 - iv) Rough grading, erosion control, and hydroseeding (with a drought tolerant mix of wild flowers and grasses), as deemed appropriate by the City Engineer, for all areas disturbed by grading of the project site but not developed.
- b. A detailed parking lot striping plan designed per City standards, which indicates all parking spaces, aisles, entrances, and exits in substantial conformance with Exhibit A. (ENGINEERING, PLANNING)
- c. Prior to any grading or construction activities including issuance of improvement plans, the developer shall submit a design-level soil investigation for the review and approval of the City Engineer and Chief Building Official that evaluates soil and rock conditions, particularly the potential for expansive soils. The professional engineer that prepared the soil investigation shall recommend appropriate roadway construction and foundation techniques and other best practices that are to be implemented by the project during construction. These techniques and practices shall address expansive soils or other geological concerns requiring remediation, including but not limited to:
 - Recommendations for building pad and footing construction;
 - Use of soil stabilizers or other additives; and
 - Recommendations for surface drainage.
- d. Provisions for dust control, re-vegetation of disturbed areas, and erosion control, in conformance with the requirements of the City of Rocklin, including but not limited to the following (which shall be included in the project notes on the improvement plans):
 - i) The prime contractor shall submit to the District a comprehensive inventory (e.g., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used in aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the District prior to

the new equipment being utilized. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.

- ii) During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (e.g., gasoline, biodiesel, natural gas) generators to minimize the use of temporary diesel power generators.
- iii) During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.
- iv) Traffic speeds on all unpaved road surfaces shall be posted at 15 mph or less.
- v) All grading operations shall be suspended when fugitive dust emissions exceed District Rule 228-Fugitive Dust limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis.
- vi) Fugitive dust emissions shall not exceed 40% opacity and shall not go beyond the property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas, the developer shall ensure such agents are controlled so as not to exceed District Rule 228-Fugitive Dust limitations.
- vii) The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall “wet broom” the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt mud or debris is carried over to adjacent public thoroughfares.
- viii) The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties.
- ix) The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.

- x) All construction equipment shall be maintained in clean condition.
- xi) Chemical soil stabilizers, vegetative mats, or other appropriate best management practices, in accordance with manufacturers' specifications, shall be applied to all-inactive construction areas (previously graded areas which remain inactive for 96 hours).
- xii) All exposed surfaces shall be revegetated as quickly as feasible.
- xiii) If fill dirt is brought to or exported from the construction site, tarps or soil stabilizers shall be placed on the dirt piles to minimize dust problems.
- xiv) Water shall be applied to control fugitive dust, as needed, to prevent impacts offsite. Operational water trucks shall be onsite to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
- xv) Processes that discharge 2 pounds per day or more of air contaminants, as defined by California State Health and Safety Code Section 39013, to the atmosphere may require a permit. Developers / Contractors should contact the PCAPCD prior to construction or use of equipment and obtain any necessary permits.
- xvi) In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the City).
- xvii) Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours.
- xviii) Open burning of any kind shall be prohibited. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site.

- xix) Any diesel powered equipment used during project construction shall be Air Resources Board (ARB) certified.
- e. The following noise conditions shall be included in the notes on the face of the improvement plans: (ENGINEERING)
 - i) All “self-powered” construction equipment and stationary noise sources (e.g. pumps, electrical generators, etc.) shall be equipped with noise control devices (e.g. mufflers). (ENGINEERING, BUILDING)
 - i) Equipment “warm-up” areas, water storage tanks, equipment storage areas, and stationary noise-generating machinery (e.g. pumps, electrical generators, etc.) shall be located away from the existing residences and other sensitive noise receptors to the extent feasible. (ENGINEERING, BUILDING)
 - ii) All phases of project development shall be subject to the City of Rocklin Construction Noise Guidelines, including restricting construction-related noise generating activities within or near residential areas to between 7:00 a.m. and 7:00 p.m. on weekdays, between 8:00 a.m. and 7:00 p.m. on weekends. The Economic and Community Development Director may grant exceptions to the Construction Noise Guidelines if, in the opinion of the Economic and Community Development Director, special and unusual circumstances exist that make strict adherence to the Construction Noise Guidelines infeasible. (ENGINEERING, BUILDING)
- f. The following cultural resource condition shall be included in the project notes on the improvement plans, to the satisfaction of the City Engineer:

If an inadvertent discovery of cultural materials (e.g., unusual amounts of shell, charcoal, animal bone, bottle glass, ceramics, burned soil, structure/building remains) is made during project-related construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist, the Environmental Services Manager and the Native American Heritage Commission shall be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per CEQA (i.e., whether it is a historical resource, a unique archaeological resource, or a unique paleontological resource) and shall develop specific measures to ensure preservation of the resource or to mitigate impacts to the resource if it cannot feasibly be preserved in light of costs, logistics, technological considerations, the location of the find, and the extent to which

avoidance and/or preservation of the find is consistent or inconsistent with the design and objectives of the project. Specific measures for significant or potentially significant resources would include, but are not necessarily limited to, preservation in place, in-field documentation, archival research, subsurface testing, and excavation. The specific type of measure necessary would be determined according to evidence indicating degrees of resource integrity, spatial and temporal extent, and cultural associations, and would be developed in a manner consistent with CEQA guidelines for preserving or otherwise mitigating impacts to archaeological and cultural artifacts.

In the event of the accidental discovery or recognition of any human remains, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains, until compliance with the provisions of Sections 15064.5 (e)(1) and (2) of the CEQA Guidelines, as well as Public Resources Code Section 5097.98, has occurred. If any human remains are discovered, all work shall stop in the immediate vicinity of the find and the County Coroner shall be notified, according to Section 7050.5 of the California Health and Safety Code. The City's Environmental Services Manager shall also be notified. If the remains are Native American, the Coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendant. The descendant will then recommend to the landowner appropriate disposition of the remains and any grave goods, and the landowner shall comply with the requirements of AB2641 (2006). (ENVIRONMENTAL SERVICES, ENGINEERING)

5. Landscaping

- a. Final landscape plans shall be provided by the developer and approved by the Director of Economic and Community Development. The landscape plans shall comply with the following requirements: (PLANNING)

- i) The landscaping plan shall be prepared by a landscape architect and shall include:

- 1) A legend of the common and botanical names of specific plant materials to be used. The legend should indicate the container size of plant materials, the size at maturity, and include a graphic symbol for each plant type:

Shrubs shall be a minimum of five (5) gallon and trees a minimum of fifteen (15) gallon and meet the minimum height specified by the American Standards for Nursery

Stock. Groundcover spacing shall be sufficient to achieve adequate cover upon establishment of the plants.

- 2) A section diagram of proposed tree staking.
- 3) An irrigation plan including an automatic irrigation system. The plan shall include drip irrigation wherever possible.
- 4) Documentation and verification that the proposed parking lot landscaping will achieve 50% shading at maturity (15 years from planting) or project plans shall be modified to provide for 1 parking lot shade tree to be located every 5 parking spaces, to the satisfaction of the Economic and Community Development Director.
- 5) The landscape plan shall be certified by the landscape architect that the plan meets the requirements of the Water Conservation in Landscaping Act. Government Code §65591, et seq.
- 6) The landscape plan shall be in compliance with the Center at Secret Ravine General Development Plan.

- b. The parking lot lighting plan shall be designed to accommodate shade trees and provide for illumination of the parking areas. Light standards and underground utilities shall be located such that required parking lot shade trees can still be planted.
- c. All landscaping shall be installed and the landscape architect shall certify, in writing, that the landscaping and irrigation system have been installed in full compliance with the approved plans prior to issuance of a Certificate of Occupancy. (PLANNING)

6. Architecture

- a. The architecture of the buildings, including finishes and details, shall be in substantial conformance with Exhibit A. (PLANNING)
- b. All wall-mounted mechanical equipment and conduit shall be color-matched to the adjacent building color to minimize its visibility, to the satisfaction of the Economic and Community Development Director. (PLANNING)
- c. The back side and returns on the taller parapet walls shall be finished to match the front side of the parapet walls in material and color. (PLANNING)

7. Lighting

The lighting design plan shall be approved by the Economic and Community Development Director for compliance with this condition. (PLANNING)

- a. All exterior lighting shall be designed and installed to avoid adverse glare on adjacent properties and to incorporate “dark sky” provisions. Cut-off decorative lighting fixtures, or equivalent, shall be used for parking lot and building mounted lighting and mounted such that all light is projected directly toward the ground.
- b. The lighting shall be reviewed and revised if needed to avoid “hot spots” under the parking lot lights and to eliminate light spill over the property lines that exceeds 0.1 foot candles.
- c. Light poles shall match those used on the adjacent Shell Gas Station in design, height, and color.
- d. Building mounted light fixtures shall match those used on the adjacent Shell Gas Station in design, size, and color.

8. Signs

All signage shown in Exhibit A is for illustrative purposes only. Signage shall conform to the Rocklin Municipal Code and the Center at Secret Ravine Signage Guidelines, or as determined substantially similar by the Economic and Community Development Director.

9. Screening of Mechanical Equipment

- a. All mechanical equipment, whether ground- or roof -mounted, shall be screened from view from all public rights-of-way and the design of the screening shall be in harmony with the architectural design of the building, to the satisfaction of the Economic and Community Development Director. (PLANNING)
- b. The appearance of large utility features such as double detector check valves shall be minimized through the use of utility blankets or other acceptable screening methods. The developer shall also demonstrate that these facilities have been moved as far as possible from the public right-of-way. (PLANNING)

10. Air Quality

- a. Electrical receptacles shall be installed in the exterior walls of the building(s) in this project to promote the use of electrical landscaping equipment. (BUILDING, PLANNING)
- b. Low nitrous oxide (NOx) natural gas hot water heaters shall be installed if gas hot water heaters are to be used in this project. (BUILDING, PLANNING)

11. Security

- a. Prior to building permit issuance, the applicant shall prepare a security plan for review by the Rocklin Police Department, and shall provide the Rocklin Police Department with the names and telephone numbers of a responsible party to contact. (PLANNING, POLICE)
- b. Prior to occupancy of each building, the property owner shall obtain and maintain at all times, an Alarm System Permit for each security system installed and operated in the center, if any, in accord with the requirements of Chapter 9.44 of the Rocklin Municipal Code. (POLICE)

12. Indemnification and Duty to Defend

Within 30 days of approval of this entitlement by the City, the developer shall execute an Indemnity Agreement, approved by the City Attorney's Office, to indemnify, defend, reimburse, and hold harmless the City of Rocklin and its agents, officers and employees from any claim, action, or proceeding against the City of Rocklin to set aside, void or annul an approval of the entitlement by the City's planning commission or City Council, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the applicant of any such claim, action or proceeding, and the City will cooperate in the defense of the claim, action or proceeding. Unless waived by the City, no further processing, permitting, implementation, plan checking or inspections related to the subdivision or parcel map shall be performed by the City if the Indemnity Agreement has not been fully executed within 30 days. (CITY ATTORNEY)

13. Validity

- a. This entitlement shall expire two years from the date of approval unless prior to that date a building permit has been issued or a time extension has been granted. (PLANNING)

- b. This entitlement shall not be considered valid and approved unless and until the concurrent Use Permit (U2018-0001) has been approved. (PLANNING)

PASSED AND ADOPTED this 15th day of May, 2018, by the following roll call vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

Pierre Martinez, Chairman

ATTEST:

Secretary

EXHIBIT A

AAA Building at Secret Ravine / DR2018-0001



PROJECT NO:	195-001
DRAWN BY:	RSC Eng
CHECKED BY:	RSC Eng
DESIGNED BY:	RSC Eng

AAA
THE CENTER AT SECRET RAVINE
5530 SCHRIBER WAY
CITY OF ROCKLIN, CA

SHEET TITLE
**OVERALL
SITE PLAN**

SHEET NO.
SP2
2 OF 1

DATE: APRIL 9, 201





CONCEPTUAL DESIGN - SOUTHWEST CORNER



CONCEPTUAL DESIGN - SOUTHEAST CORNER



CONCEPTUAL DESIGN - NORTHEAST CORNER



2710 Sutton Boulevard
St. Louis, Missouri 63143
www.adg-stl.com
P:: 314.644.1234
F:: 314.644.4373



- KEYNOTES**
- 1 STOREFRONT - 2" ANODIZED ALUMINUM MULLIONS WITH DUAL GLAZED HIGH PERFORMANCE VISION GLASS
 - 2 SPANDREL GLASS - DUAL PANE WITH OPAQ-COAT ON THE 4TH SURFACE
 - 3 ALUMINUM AND GLASS STOREFRONT DOORS
 - 4 HOLLOW METAL DOOR
 - 5 10'-0" X 12'-0" ROLL UP DOOR
 - 6 AAA SIGNAGE
 - 7 STEEL C-CHANNEL CANOPY (CA-01)
 - 8 PRECAST CONCRETE LINTEL (PC-01)
 - 9 PRECAST CONCRETE SILL (PC-02)
 - 10 STONE VENEER (SV-01)
 - 11 STUCCO - EXTERIOR FINISH WITH 1/2" REVEAL, PAINTED (PT-01)
 - 12 STUCCO - SMOOTH FINISH WITH 1/2" REVEAL, PAINTED (PT-02)
 - 13 STUCCO - SMOOTH FINISH WITH 1/2" REVEAL, PAINTED (PT-03)
 - 14 STUCCO TRIM - PAINTED (PT-04)
 - 15 PRE-FINISHED METAL COPING - COLOR TO MATCH (PT-04)
 - 16 WALL MOUNTED SCONCE LIGHT - MATCH EXISTING LIGHT FIXTURE ON ADJACENT SHELL BUILDING IN DESIGN, SIZE, AND COLOR.



PROPOSED NEW BUILDING
SIERRA COLLEGE BOULEVARD & SCHRIBER WAY
ROCKLIN, CALIFORNIA 95765
REVISED MARCH 26, 2018
SHEET 6 OF 15



2710 Sutton Boulevard
St. Louis, Missouri 63143
www.adg-stl.com
P:: 314.644.1234
F:: 314.644.4373

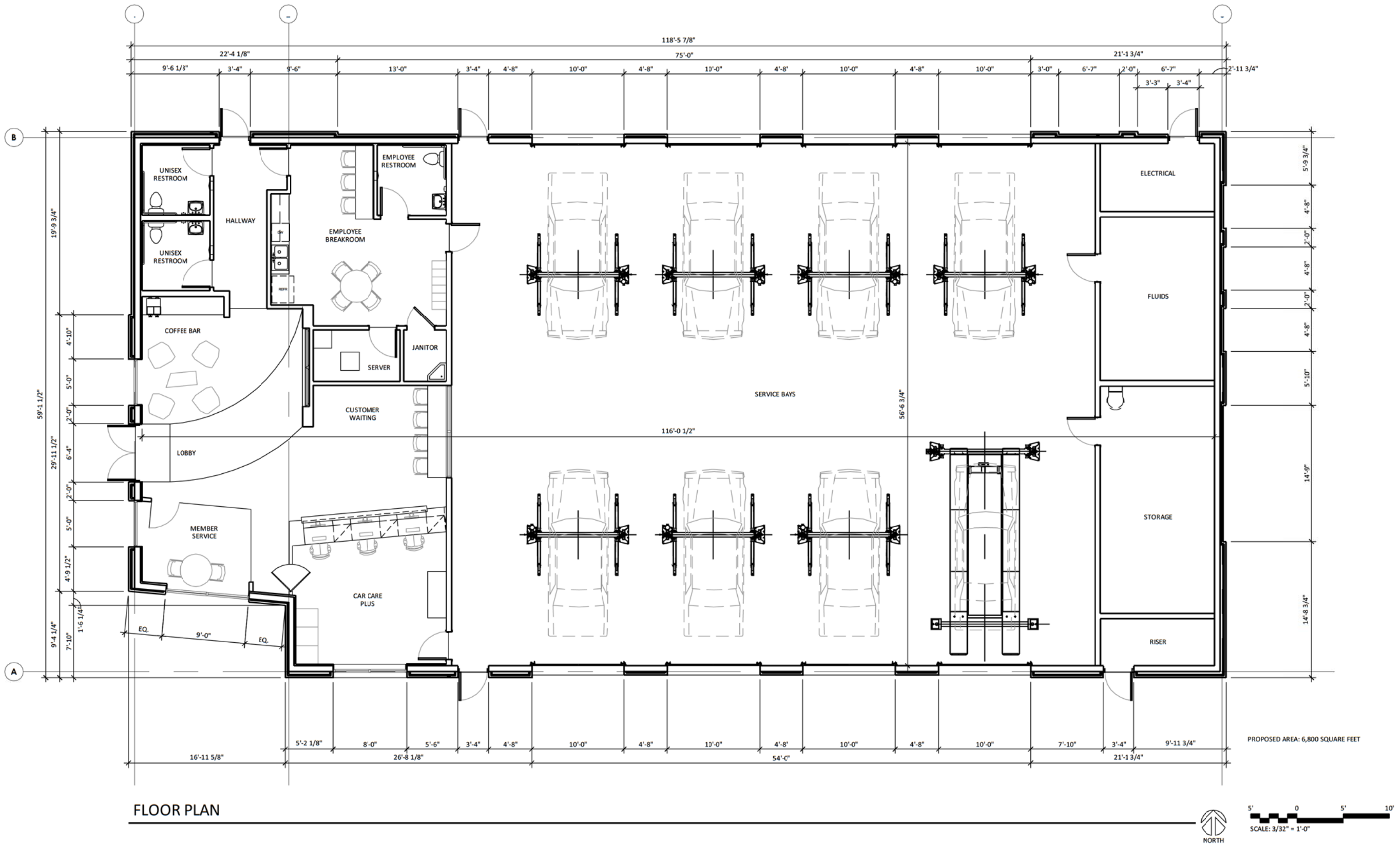


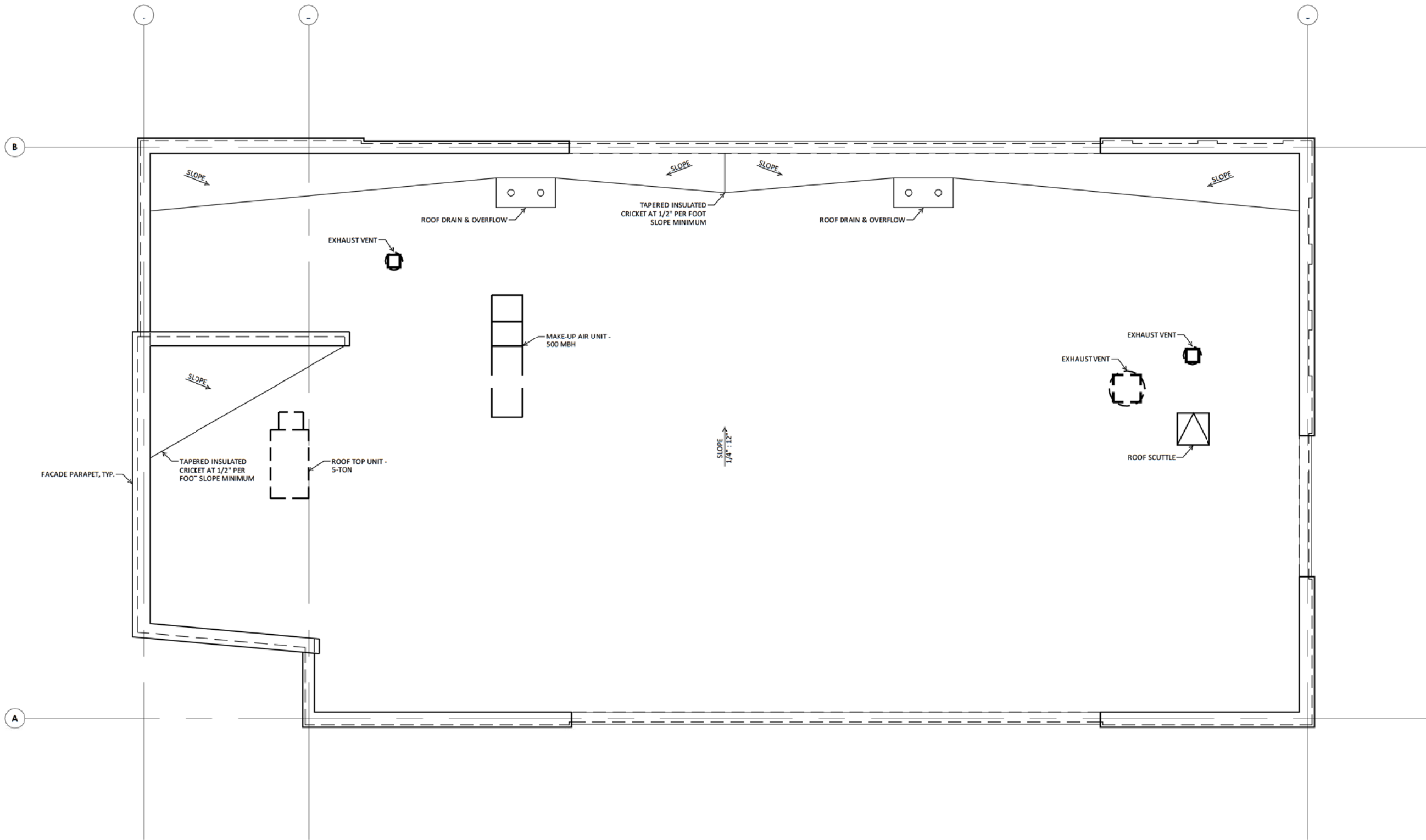
- KEYNOTES
- 1 HOLLOW METAL DOOR
 - 2 10'-0" X 12'-0" ROLL UP DOOR
 - 3 AAA SIGNAGE
 - 4 PRECAST CONCRETE SILL (PC-02)
 - 5 STONE VENEER (SV-01)
 - 6 STUCCO - EXTERIOR FINISH WITH 1/2" REVEAL, PAINTED (PT-01)
 - 7 STUCCO - SMOOTH FINISH WITH 1/2" REVEAL, PAINTED (PT-02)
 - 8 STUCCO - SMOOTH FINISH WITH 1/2" REVEAL, PAINTED (PT-03)
 - 9 STUCCO TRIM - PAINTED (PT-04)
 - 10 PRE-FINISHED METAL COPING - COLOR TO MATCH (PT-04)
 - 11 WALL MOUNTED SCONCE LIGHT - MATCH EXISTING LIGHT FIXTURE ON ADJACENT SHELL BUILDING IN DESIGN, SIZE, AND COLOR.
 - 12 BACK SIDE & RETURNS ON THE TALLER PARAPET WALLS TO BE FINISHED TO MATCH THE FRONT SIDE OF THE PARAPET WALLS IN MATERIAL & COLOR.



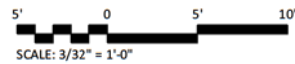
PROPOSED NEW BUILDING

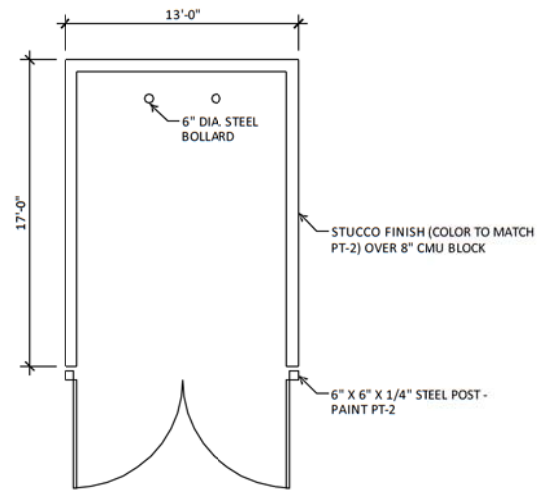
SIERRA COLLEGE BOULEVARD & SCHRIBER WAY
ROCKLIN, CALIFORNIA 95765
REVISED MARCH 26, 2018
SHEET 7 OF 15





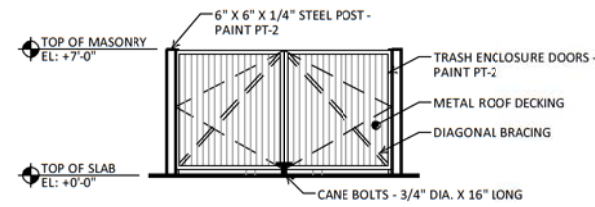
ROOF PLAN
SCALE: 3/32" = 1'-0"





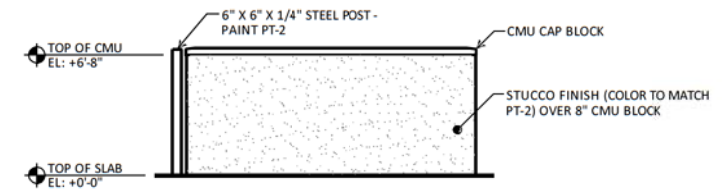
TRASH ENCLOSURE PLAN

SCALE: 3/32" = 1'-0"



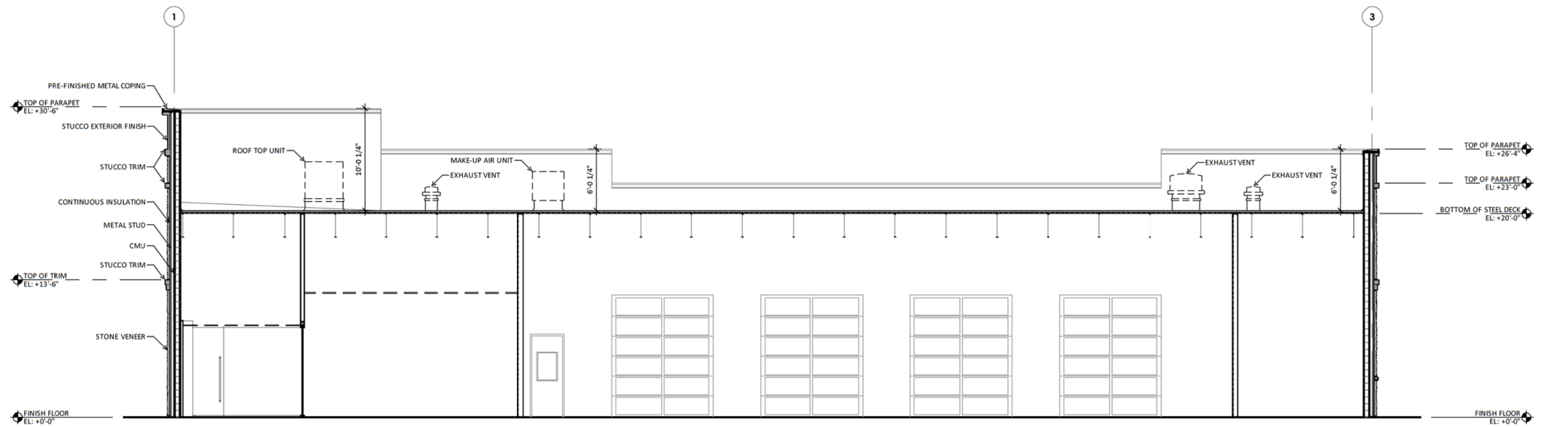
TRASH ENCLOSURE FRONT ELEVATION

SCALE: 3/32" = 1'-0"



TRASH ENCLOSURE SIDE ELEVATION

SCALE: 3/32" = 1'-0"



SECTION

SCALE: 3/32" = 1'-0"

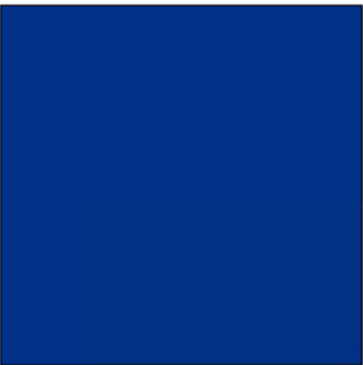
5' 0 5' 10'
SCALE: 3/32" = 1'-0"

LEGEND

PAINT

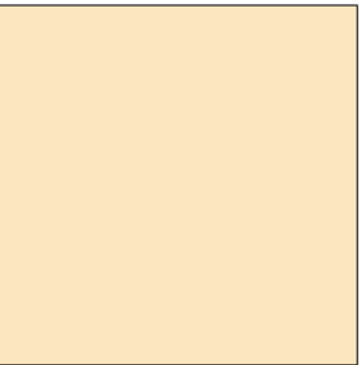
PT 01

AAA BLUE
PANTONE
287



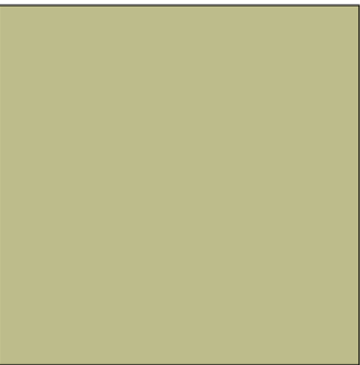
PT 02

GLIDDEN PROFESSIONAL
VANILLA CREAM
41YY 83-214



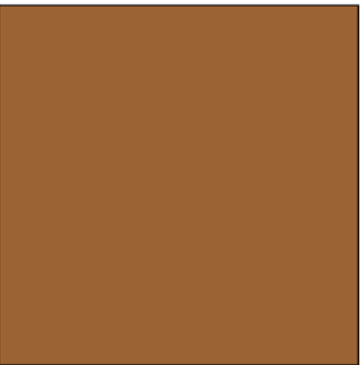
PT 03

GLIDDEN PROFESSIONAL
SERENGETI PLAIN
90YY 48/455



PT 04

GLIDDEN PROFESSIONAL
ANTIQUÉ GOLD
90YR / 16-406



STONE VENEER

ST 01

ELDORADO STONE
MOUNTAIN LEDGE
PIONEER



PRECAST TRIM

PC 01

CASTCRETE
PRECAST CONCRETE LINTEL

PC 02

CASTCRETE
PRECAST CONCRETE SILL

CANOPY

CA 01

MAPES
STEEL C-CHANNEL CANOPY
COLOR TO MATCH PT-01



2710 Sutton Boulevard
St. Louis, Missouri 63143
www.adg-stl.com
P:: 314.644.1234
F:: 314.644.4373



CUSHMAN &
WAKEFIELD

PROPOSED NEW BUILDING

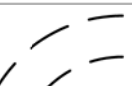
SIERRA COLLEGE BOULEVARD & SCHRIER WAY
ROCKLIN, CALIFORNIA 95765

DECEMBER 5, 2017


SHEET 11 OF 15

Packet Pg. 59


LEGEND




DENOTES FIRE TRUCK TURNING RADI (36' INSIDE, 50' OUTSIDE)




DENOTES FIRE 20' WIDE ACCESS ROUTE



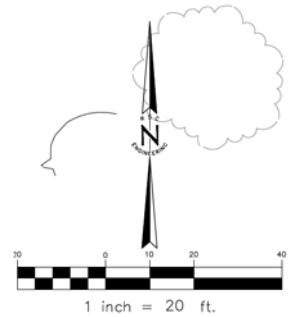
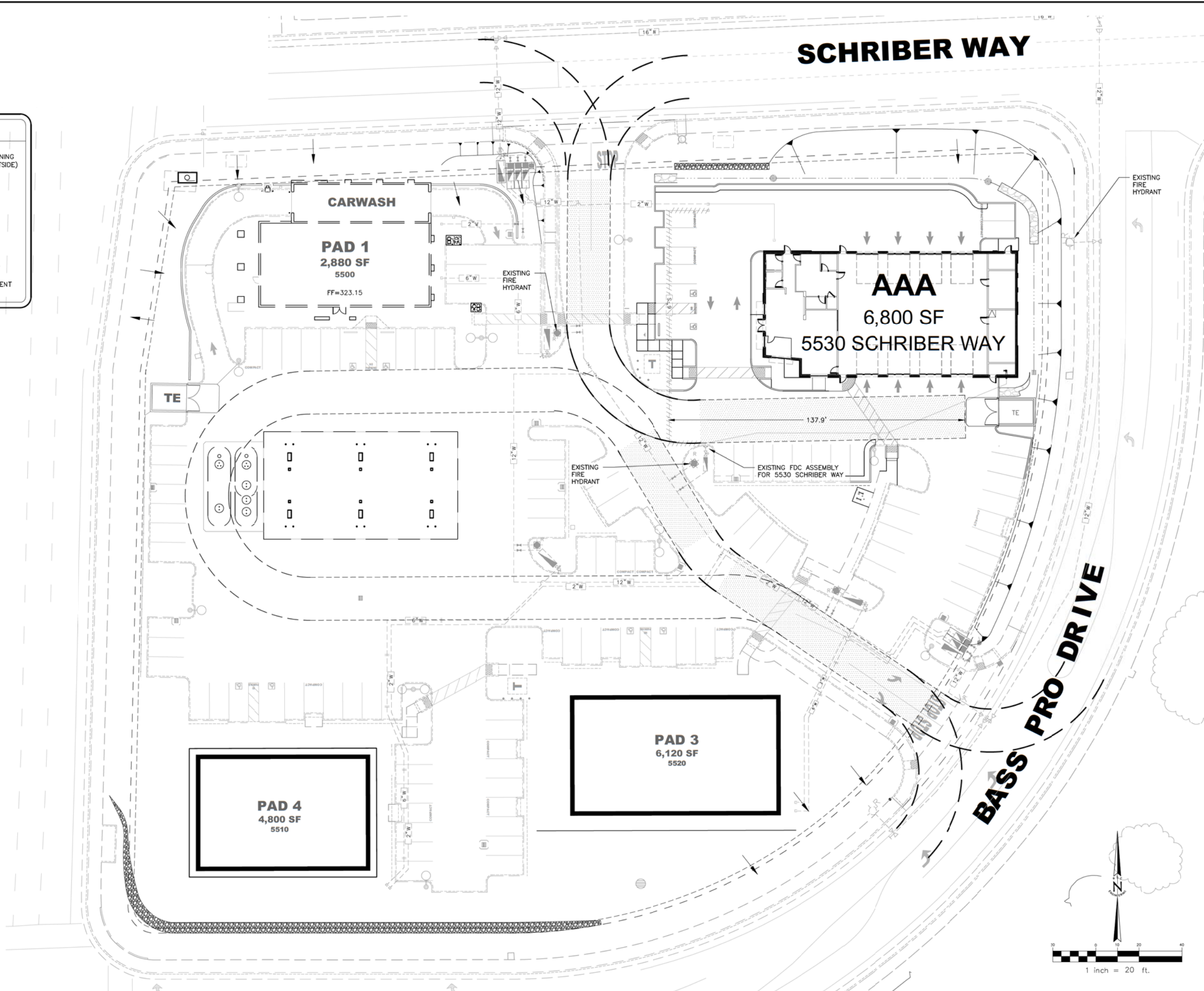
PROPOSED BOLLARD



PROPOSED FIRE HYDRANT



PROPOSED FIRE DEPARTMENT CONNECTION





REV	NO.	DESCRIPTION	DATE





RSC ENGINEERING
2250 Douglas Blvd, Suite 150
Roseville, CA 95651
PH: 916.788.2854 FAX: 916.788.4408

PROJECT NO: 195-001
DRAWN BY: RSC Eng
CHECKED BY: RSC Eng
DESIGNED BY: RSC Eng

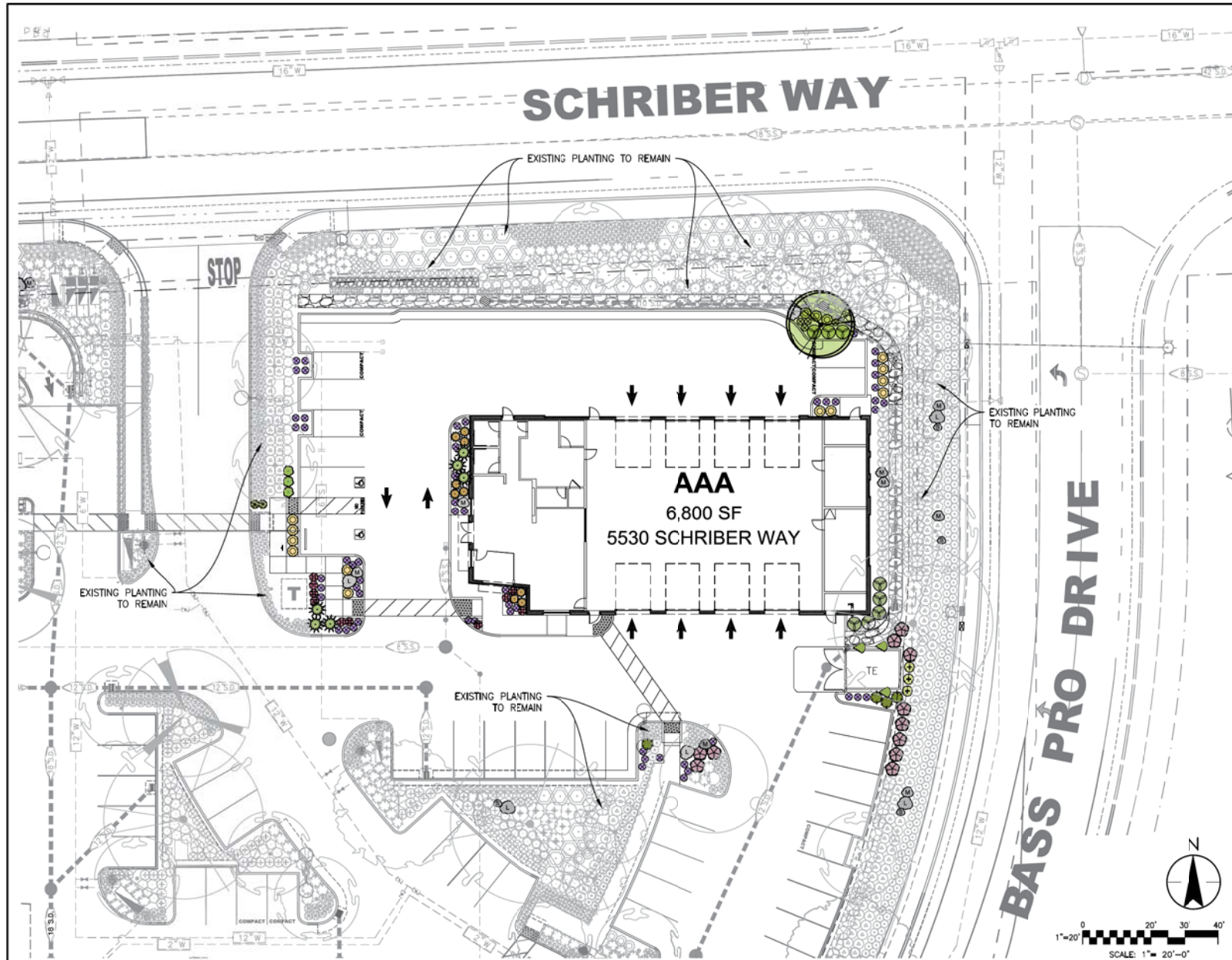
AAA
THE CENTER AT SECRET RAVINE
5530 SCHRIBER WAY
CITY OF ROCKLIN, CA

SHEET TITLE
FIRE ACCESS PLAN EXHIBIT

SHEET NO.
FA1
OF 1

DATE: APRIL 9, 2018

Agenda Item #7.b.



PLANTING LEGEND

TREES	BOTANICAL NAME	COMMON NAME	CONT	SIZE	HxW	WATER	QTY
	ACER BUERGERIANUM	TRIDENT MAPLE	15 GAL	20'x20'		MEDIUM	1
SHRUBS	BOTANICAL NAME	COMMON NAME	CONT	SIZE	HxW	WATER	QTY
	CALAMAGROSIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	5 GAL	4'x3'		LOW	9
	DIETES IRIDIOIDES	AFRICAN IRIS	5 GAL	4'x4'		LOW	4
	HEMEROCALLIS X HYBRIDS	DAYLILY HYBRIDS	5 GAL	2'x3'		LOW	2
	JUNIPERUS HORIZONTALIS 'WILTONII'	BLUE RUG JUNIPER	1 GAL	1'x5'		LOW	8
	LAVANDULA ANGUSTIFOLIA 'HIDCOTE'	HIDCOTE LAVENDER	5 GAL	2'x2'		LOW	60
	NANDINA DOMESTICA 'FIRE POWER'	FIREPOWER NANDINA	5 GAL	2'x3'		LOW	10
	NANDINA DOMESTICA 'GULF STREAM' TM	HEAVENLY BAMBOO	5 GAL	3'x3'		LOW	3
	NASSELLA TENUISSIMA	TEXAS NEEDLE GRASS	5 GAL	2'x3'		LOW	3
	PENNISETUM ALOPECUROIDES 'HAMELN'	HAMELN DWARF FOUNTAIN GRASS	5 GAL	3'x3'		LOW	16
	PHORMIUM TENAX 'RUBRUM'	NEW ZEALAND FLAX	5 GAL	4'x4'		LOW	11
	PHORMIUM TENAX 'SUNDOWNER'	NEW ZEALAND FLAX	5 GAL	5'x5'		LOW	6
VINE/ESPAlier	BOTANICAL NAME	COMMON NAME	CONT	SIZE	HxW	WATER	QTY
	FICUS PUMILA	CREEPING FIG	5 GAL	6'x8'		MEDIUM	3

BOULDER LEGEND

BOULDERS	SIZE	INSTALLATION
	4'-5' GRANITE BOULDER	1/3 BURIED, MIN. SOURCE LOCALLY.
	3'-4' GRANITE BOULDER	1/3 BURIED, MIN. SOURCE LOCALLY.

LANDSCAPE AREA CALCULATION

LANDSCAPE AREA	
TOTAL PARCEL AREA (SF)	50,312
TOTAL LANDSCAPE AREA (SF)	13,847
20% LANDSCAPE AREA REQUIREMENT (SF):	10,062
TOTAL PERCENTAGE OF LANDSCAPE AREA PROVIDED:	28%

DESIGN INTENT

- DESIGN INTENT IS TO CREATE VISUAL INTEREST THROUGH THE VARIOUS SEASONS OF THE YEAR, WHILE CHOOSING HEARTY, DROUGHT-TOLERANT PLANT SPECIES. PARKING LOT PLANTING AREAS ARE DESIGNED TO BE COLORFUL AND ORNAMENTAL, WHILE BLENDING IN WITH THE PERIMETER SITE PLANTING WHICH HAS ALREADY BEEN INSTALLED.
- THIS PROJECT CONSISTS OF INSTALLATION OF NEW DROUGHT TOLERANT SHRUBS AND TREES WITH WATER EFFICIENT SUB-SURFACE DRIP IRRIGATION. THE SITE IS CURRENTLY OPERATING WITH A WEATHER BASED "SMART" IRRIGATION CONTROLLER, WHICH WILL FURTHER SAVE LANDSCAPE WATER USE.
- ALL LOCAL CODES AND ORDINANCES SHALL BE COMPLIED WITH. IF THERE IS A CONFLICT, THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY IN WRITING. ALL WORK AND MATERIALS SHALL COMPLY WITH THE CITY OF ROCKLIN'S CONSTRUCTION SPECIFICATIONS, LATEST EDITION AND THE PROJECT SPECIFICATIONS.
- ALL PLANT MATERIAL SHALL MAINTAIN A THREE FOOT (3') CLEARANCE AROUND ALL FIRE DEPARTMENT APPARATUS.
- CONTRACTOR SHALL SUBMIT A SOIL SAMPLE OF TOPSOIL TO BE IMPORTED AND HAVE THE SAMPLE ANALYZED BY A REPUTABLE FIRM FOR REQUIRED SOIL AMENDMENTS.
- ALL PLANTING AREAS SHALL BE GRADED AND PLANTED FOR POSITIVE DRAINAGE AWAY FROM STRUCTURES, WALLS, AND FENCES.
- ALL TREES SHALL BE PLANTED A MINIMUM OF 5' FROM EXISTING UNDERGROUND UTILITIES.
- ALL MATERIALS AND WORK WITHIN THE RIGHT-OF-WAY SHALL MEET REQUIREMENTS OF THE UNIFORM BUILDING CODE, NATIONAL ELECTRICAL CODE, UNIFORM PLUMBING CODE AND ALL OTHER GOVERNING AGENCIES AND THE LATEST EDITION OF STANDARD CONSTRUCTION SPECIFICATIONS AND IMPROVEMENT STANDARDS OF THE CITY OF ROCKLIN. ANY DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE OWNER.

☒ I AGREE TO COMPLY WITH THE CRITERIA OF THE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLY THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN PLANS.

LANDSCAPE ARCHITECT
12.15.2017
DATE



Stantec
535 Colorado Blvd, Suite 450
Sacramento, CA 95814
Tel. 916.442.3230
Fax. 916.442.3249
www.stantec.com

Revised	By	Date	Issued
1	STANTEC	12.15.17	1

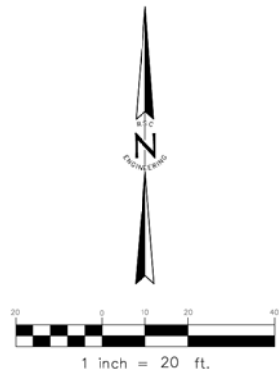
Client/Project
DONAHUE SCHRIBER
THE CENTER AT SECRET RAVINE
AAA - 5530 SCHRIBER WAY
ROCKLIN, CA


Permit-Seal

PRELIMINARY PLANTING PLAN

Agenda Item #7.b.

Project Number:		184731401	
File Name:		2042/184731401	
JJ/CM:	PM	JJ	12.15.17
Don:	Child	Don:	MM.DD.YY
Drawing No.		L-1	
Revision		Sheet	



Luminaire Schedule						
Symbol	Label	Arrangement	LLF	Lum. Watts	Qty	Description
	S4	SINGLE	0.750	452	5	Visionaire - MON-2 T4-400PS-SEG - 25' Pole on 2.5' Base
	S3	SINGLE	0.750	452	1	Visionaire - MON-2 T3-400PS-VLFG-SEG - 25' Pole on 2.5' Base
	D5	BACK-BACK	0.750	452	5	Visionaire - MONTEREY SIZE 2 T5-400PS PULSE START - 25' Pole on 2.5' Base

Monterey Specifications

Housing

- High quality one piece 880 spun aluminum shade and durable cast aluminum top cap. Three housing sizes.
- All external hardware is stainless steel.

Lens and Door Assembly

- One piece, 125 spun aluminum removable door assembly.
- Lens is clear tempered that glass, secured by galvanized lens retainers. Fully gasketed with a form fitting one piece premium extruded silicone gasket to provide complete weather and insect protection.

Optical System

- High performance vertical lens, multi-faceted, segmented, 95% reflectance anodized aluminum reflectors. Computer numerical control (CNC) cut and bent for manufacturing precision and consistency. Available in five IES distribution patterns.
- Field rotatable reflector (except Type V).

Quick-Guard® Finish

- Aluminum frame components are chemically pretreated with a multi stage weather and finished with an electrocatalytic applied, thermoset polyester powder coat textured paint with a minimum of 3 to 5 mils thickness. Finish is oven baked at a temperature of 400 degrees Fahrenheit to provide maximum adherence and finish hardness. All finishes are available in standard and custom colors.

Mounting

- Monterey mounts to a wide selection of decorative and custom mounting arms for both pole and wall mount applications. (See Decorative Arms section of catalog). Monterey can replace existing cobra head fixtures with accessory MAP-01 Mast Arm Fitter for mast arms.

Electrical Assembly

- All ballasts are premium CWA or HPA autotransformers, available in Metal Halide, High Pressure Sodium and Pulse Start. Ballast is capable of providing consistent lamp starting down to -20 degrees Fahrenheit. Ballast is factory wired and tapped to voltage specifications. Modular ballast assembly is easily removable with keyhole slots and quick disconnects.
- Socket is a glazed porcelain medium or mogul base with nickel plated contacts, rated at 40V (80V for 1000 watt) and 600V.

Options

- Features available with a variety of options, including photo cell, photo receptacle with shorting cap, convex glass lens and fusing.

Listings

- **Monterey** is suitable for wet locations.
- **Dark Sky Friendly®** certified by the International Dark Sky-sociation. (Flat Lens models with Type II or Type V reflectors).







Mast Arm & Pole Detail

MAP-01 Mast Arm Fitter Dimensions

*The MAP-01 is designed to slip over 2 3/8\"/>

EPA

Fixture with Bracket

						
MON-1	1.3	2.3	2.6	3.5	3.0	4.2
MON-2	2.6	4.7	5.2	7.0	6.0	8.4
MON-3	3.5	6.3	7.0	9.5	8.1	11.2

SHEET NO.
PH
OF



City of Rocklin Economic and Community Development Department

**Planning Commission
STAFF REPORT**

Knights Way

Tentative Parcel Map, DL2018-0001

May 15, 2018

Recommendation

Staff recommends the Planning Commission approve the following:

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN APPROVING A NOTICE OF EXEMPTION (Knights Way Tentative Parcel Map / DL2018-0001)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN APPROVING A TENTATIVE PARCEL MAP (Knights Way Tentative Parcel Map / DL2018-0001)

Proposal

This application is a request for approval of tentative parcel map to allow the subdivision of an approximately 0.33 acre lot into two parcels. Parcel 1 is proposed at 0.19± acres and Parcel 2 at 0.14± acres. The property is currently developed with a single family residence and accessory structure.

Owner/Applicant

The applicant is: Timothy Blair, P.L.S. with Surveyors Group Inc.

The owners are: Ron and Leilani Spell et al

Location

The subject property is located at 4925 Knights Way, south of Park Drive, approximately 110 feet northeast of the intersection of Knights Way and Sceptre Drive. APN: 367-100-027.

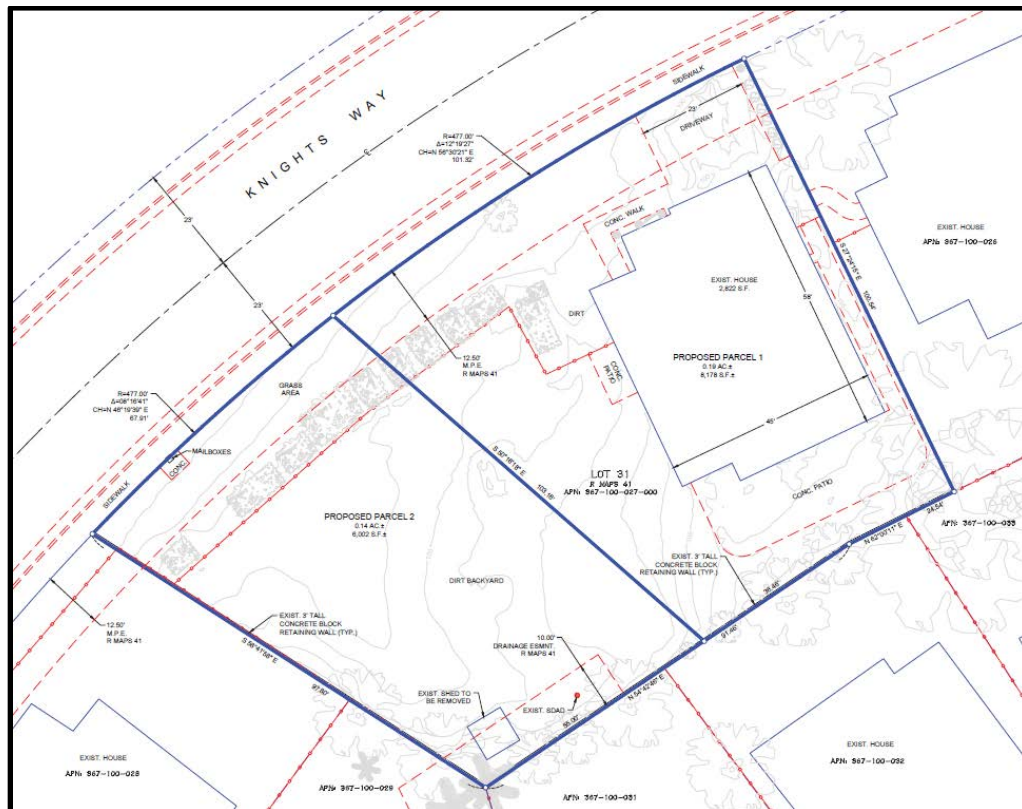
Table 1 – Surrounding Uses

	General Plan	Zoning	Existing Land Use
Project Site:	Medium Density Residential (MDR)	Planned Development Residential – 6 dwelling units/acre (PD-6)	Existing single-family home
North:	MDR	PD-6	Existing single-family homes
South:	MDR	PD-6	Existing single family homes
East:	MDR	PD-6	Existing single family homes
West:	MDR	PD-6	Existing single family homes

Tentative Parcel Map

The proposed parcel map would allow for the division of a 14,180 square foot (0.33± acres) property into two single-family residential lots. Parcel 1, is proposed to be 8,178 square feet and Parcel 2 is proposed to be 6,002 square feet. The proposed Tentative Parcel Map is included as **Figure 2**.

Figure 2 – Proposed Tentative Parcel Map



*Planning Commission Staff Report
Knights Way Tentative Parcel Map / DL2018-0001
May 15, 2018
Page 4*

All required street improvements have been installed and all utilities are already provided to the site and have sufficient capacity to serve the additional lot.

General Plan and Zoning Compliance

The project site is designated in the City's General Plan as Medium Density Residential (MDR) which is intended to provide areas for single-family homes on urban lots at a density of 3.5-8.4 dwelling units/acre.

The zoning of the project site is Planned Development Residential – 6 Dwelling Units/Acre (PD-6). The minimum lot size in this PD-6 zone is 5,500 square feet. The proposed lots sizes of 8,178 and 6,002 square feet meet the minimum lot size. The minimum lot width is 55 feet for interior lots. The proposed lot width for Parcel 1 is an average of 81 feet (101.32' at the street frontage) and Parcel 2 is an average of 61.5 feet (67.91' at the street frontage).

The proposed lot sizes are consistent with the minimum requirements of the PD-6 zoning district and as such, the project is consistent with the applicable general plan and zone.

Land Use Compatibility

The two single-family residential lots that would be created by the approval of this application would be similar in size and, per the existing zoning, have the same land uses as the properties in the surrounding residential neighborhood. Therefore, staff found the proposed project to be compatible with adjacent land uses and development of the area.

Environmental Determination

The City of Rocklin's Environmental Coordinator has reviewed the proposed project and determined that it is categorically exempt from review under the California Environmental Quality Act pursuant to Section 15315 - Minor Land Divisions. For a more in-depth discussion of the environmental evaluation and conclusion, please refer to the Notice of Exemption attached to the Resolution.

Summary

Given the above, staff does not believe that there would be any significant impact to the surrounding neighborhood resulting from the approval of the proposed parcel map. Staff therefore recommends that the Planning Commission approve the project, subject to findings and conditions of approval.

Prepared by Shauna Nauman, Assistant Planner

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RESOLUTION NO. 2018-

RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ROCKLIN APPROVING A NOTICE OF EXEMPTION
(Knights Way Tentative Parcel Map/DL2018-0001)

WHEREAS, the City of Rocklin’s Environmental Coordinator has reviewed the Knights Way Tentative Parcel Map DL2018-0001) (“Project”) and determined that it is exempt from review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15315 – Minor Land Divisions; and

WHEREAS, a Notice of Exemption has been prepared for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Rocklin as follows:

Section 1. Based on the review and determination of the Environmental Coordinator, the Planning Commission of the City of Rocklin finds that the Project is exempt from review under the California Environmental Quality Act.

Section 2. A Notice of Exemption is hereby approved for the Project.

Section 3. Upon approval of the Project by the Planning Commission, the Environmental Coordinator may file the Notice of Exemption with the County Clerk of Placer County and, if the Project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to the provisions of Section 21152(b) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

PASSED AND ADOPTED this ____ day of _____, 2018, by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:

Chairman

ATTEST:

Secretary

NOTICE OF EXEMPTION

TO: County Clerk, County of Placer
2954 Richardson Blvd.
Auburn, CA 95604-5228

FROM: City of Rocklin
ECD Department
3970 Rocklin Road
Rocklin, CA 95677

Project Title: Knights Way Tentative Parcel Map (DL2018-0001)

Project Location - Specific: The subject site is located at 4925 Knights Way, approximately 110 feet northeast of the intersection of Knights Way and Sceptre Drive, south of Park Drive; APN 367-100-027.

Project Location - City: Rocklin, CA; **County:** Placer

Description of Nature, Purpose and Beneficiaries of Project: The project is a request for approval of a Tentative Parcel Map to allow the division of a 0.33± acre lot into two parcels consistent with the existing zoning standards. The property is currently developed with a single family residence and accessory structure.

Name of Public Agency Approving Project: City of Rocklin

Name of Person or Agency Carrying Out Project: The applicant is Timothy G. Blair, P.L.S. with Surveyors Group, Inc., 9001 Foothills Blvd., Suite 170, Roseville, CA 95747, (916) 789-0822. The property owners are Ron and Leilani Spell.

Exempt Status (Check one)

☒ x Categorical Exemption (California Code of Regulations Sec. 15300 et seq.): 15315 Minor Land Division.

Reasons why the project is exempt: The project consists of a tentative parcel map to allow the division of one existing parcel into two smaller parcels, as further described above. Class 15 exemptions consist of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope of greater than 20 percent. This division of one parcel into two smaller parcels is: located in an area zoned for Residential; will result in four or fewer parcels; is in conformance with the General Plan designation of Medium Density Residential and zoning of Planned Development Residential, 6 dwelling units/acre (PD-6); no variances or exceptions are required; all services and access to the proposed parcels to local standards are available; the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20%.

Therefore, the project is considered to be exempt pursuant to Class 15 of the CEQA Guidelines.

Contact Person: Marc Mondell, Economic and Community Development Department Director

Date received for Filing: _____

Signature: _____
Marc Mondell, Economic and Community Development Department Director

RESOLUTION NO. PC-2018-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN
APPROVING A TENTATIVE PARCEL MAP
(Knights Way Tentative Parcel Map / DL2018-0001)

The Planning Commission of the City of Rocklin does resolve as follows:

Section 1. The Planning Commission of the City of Rocklin finds and determines that:

A. Tentative Parcel Map (DL2018-0001) allows the subdivision of an approximately 0.33 acre parcel, located at 4925 Knights Way (APN: 367-100-027), into two residential lots.

B. A Categorical Exemption of environmental impacts has been approved for this project via Planning Commission Resolution No. PC-2018- .

C. The Planning Commission has considered the effect of the approval of this subdivision on the housing needs of the region, and has balanced those needs against the public service needs of its residents and available fiscal and environmental resources.

D. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the zoning classification on the property.

E. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the objectives, policies, general land uses and programs in the City of Rocklin's General Plan.

F. The site is physically suitable for the proposed type and density of development.

G. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, nor will they substantially and avoidably injure fish or wildlife or their habitat.

H. The design of the subdivision and type of improvements will not cause serious public health problems.

I. The design of the subdivision and type of improvements will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

J. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.

Section 2. The tentative parcel map for a property on Knights Way (DL2018-0001), as depicted in Exhibit A, attached hereto and by this reference incorporated herein, is hereby approved, subject to the conditions listed below. The approved Exhibit A shall govern the design and construction of the project. Any condition directly addressing an element incorporated into Exhibit A shall be controlling and shall modify Exhibit A. All other plans, specifications, details, and information contained within Exhibit A shall be specifically applicable to the project and shall be construed as if directly stated within the conditions for approval. Unless otherwise expressly stated, the applicant / developer shall be solely responsible for satisfying each condition, and each of these conditions must be satisfied prior to or concurrently with the submittal of the final map with the City Engineer. The agency and / or City department(s) responsible for ensuring implementation of each condition is indicated in parenthesis with each condition.

A. Notice to Applicant of Fees & Exaction Appeal Period

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code §66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice, complying with all the requirements of Government Code §66020, the applicant will be legally barred from later challenging such exactions.

B. Conditions

1. Utilities

- a. Water – Water service shall be provided to the subdivision from Placer County Water Agency (PCWA) in compliance with all applicable PCWA standards and requirements. All necessary easements shall be shown and offered (or Irrevocable Offer of Dedication provided) on or with the parcel map. (PCWA ENGINEERING)
- b. Sewer – Sewer service shall be provided to the subdivision from South Placer Municipal Utility District (SPMUD) in compliance with all applicable SPMUD standards and requirements. All necessary easements shall be shown and offered (or Irrevocable Offer of Dedication provided) on or with the parcel map. (SPMUD, ENGINEERING)

- c. Telephone, Gas, and Electricity – Telephone, gas and electrical service shall be provided to the subdivision from Surewest/AT&T, and Pacific Gas & Electric (PG&E). (ENGINEERING)
- d. Postal Service – Mailbox locations shall be determined by the local postmaster. A letter from the local postmaster verifying all requirements have been met shall be filed with the City Engineer. (ENGINEERING).

2. Schools

- a. Financing: The following conditions shall be satisfied to mitigate the impact of the proposed development on school facilities (ROCKLIN UNIFIED SCHOOL DISTRICT, BUILDING):
 - i. At the time of issuance of a building permit, the developer shall pay to the Rocklin Unified School District all fees required under Education Code section 17620 and Government Code Section 65995, to the satisfaction of the Rocklin Unified School District.

3. Parks

- a. Park fees shall be paid as required by Rocklin Municipal Code Chapter 17.71 and Chapter 16.28 for Parcel 2. The amount of the fee per dwelling unit is \$1,985.00. (ENGINEERING)

4. Removal of Accessory Building

- a. Prior to recordation of the final map, the existing shed located at the southwest corner of Parcel 2 shall be removed as shown on the tentative parcel map.

5. Validity

This entitlement shall expire three years from the date of approval unless prior to that date a final map has been issued or a time extension has been granted. (PLANNING)

PASSED AND ADOPTED this __day of __, 2018, by the following roll call vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

Chairman

ATTEST:

Secretary

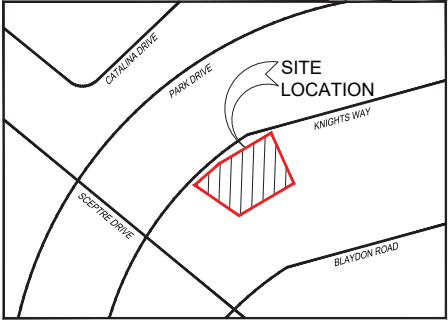
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EXHIBIT A

Available at the Community Development Department, Planning Division

4925 KNIGHTS WAY
LOT 31 - R MAPS 41
TENTATIVE PARCEL MAP
A.P.N.: 367-100-027-000
4925 KNIGHTS WAY - ROCKLIN, CALIFORNIA

EXHIBIT A
DL2018-0001



OWNER: RON & LEILANI SPELL
4925 KNIGHTS WAY
ROCKLIN, CA 95765
(916) 673-8223

SURVEYOR: SURVEYORS GROUP, INC.
9001 FOOTHILLS BLVD., SUITE 170
ROSEVILLE, CA 95747
(916) 789-0822

ELECTRICITY & GAS: PG&E
FIRE PROTECTION: ROCKLIN CITY FIRE DEPARTMENT
SEWER: SOUTH PLACER MUNICIPAL UTILITY DISTRICT
WATER: PLACER COUNTY WATER AGENCY
TELEPHONE: AT&T
SCHOOL DISTRICT: ROCKLIN UNIFIED SCHOOL DISTRICT

GENERAL PLAN DESIGNATION / ZONING:
PD-6 - PLAN DEVELOPMENT RESIDENTIAL
(DWELLING UNIT/ACRE)(PHASE III R-41)

EXISTING USE: SINGLE FAMILY RESIDENTIAL, HALF PLEX
PROPOSED USE: SINGLE FAMILY RESIDENTIAL, HALF PLEX

ASSESSOR PARCEL NUMBER: APN: 367-100-027-000
PROPERTY ADDRESS: 4925 KNIGHTS WAY, ROCKLIN, CA
LAND AREA: 0.33 AC.± OR 14,180± SQUARE FEET

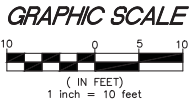
PROPOSED PARCELS:
PARCEL 1 - 0.19 AC.±, OR 8,178 S.F.
PARCEL 2 - 0.14 AC.±, OR 6,002 S.F.

ABBREVIATIONS:

- AC. - ACRES
- APN: - ASSESSOR'S PARCEL NUMBER
- CONC. - CONCRETE
- ESMNT. - EASEMENT
- EXIST. - EXISTING
- FNC - FENCE
- M.P.E. - MULTIPURPOSE EASEMENT
- PM - PARCEL MAP
- SDAD - STORM DRAIN AREA DRAIN
- S.F. - SQUARE FEET
- TYP. - TYPICAL

LEGEND

- FENCE LINE
- DIMENSION POINT
- OAK TREE
- POPLAR TREE
- PALM TREE
- ROSE BUSHES
- SHRUBS



TITLE
TENTATIVE PARCEL MAP
LOT 31 - R MAPS 41
A.P.N.: 367-100-027-000
4925 KNIGHTS WAY - ROCKLIN, CALIFORNIA

SGI COMPANIES
SGI CIVIL & SGI 3D • SURVEYORS GROUP, INC.
9001 Foothills Blvd., Suite 170
Roseville, CA 95747
(916) 789-0822 (916) 789-0824 (Fax)
www.sgicompanies.com



City of Rocklin Economic and Community Development Department

**Planning Commission
STAFF REPORT**

MARIJUANA REGULATION

Zoning Ordinance Amendment, ZOA2018-0002

May 15, 2018

Recommendation

To facilitate Planning Commission discussion and possible action, the following documents have been provided:

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN RECOMMENDING APPROVAL OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN TO REPEAL AND RE-ENACT CHAPTER 17.81, DELETE CERTAIN SECTIONS OF TITLE 17 OF THE ROCKLIN MUNICIPAL CODE, AND REPEAL ORDINANCE 1080 REGARDING REGULATION OF MARIJUANA (ZOA2018-0002)

The Planning Commission's action would be a recommendation to the City Council.

Proposed Ordinance Amendment

This Ordinance Amendment includes the following:

- Delete section 17.04.348 defining "medical marijuana dispensary."
- Delete section 17.64.030.D. prohibiting a medical marijuana dispensary.
- Repeal existing Chapter 17.81 and re-enact amended Chapter 17.81 in its entirety.
- Repeal as of the effective date of this ordinance, the moratorium Ordinance No. 1080, Ordinance of the City Council of the City of Rocklin Extending Ordinance No. 1079 Placing a Moratorium on All Commercial Marijuana Land Uses in the City of Rocklin.

Proponent

The proposed Zoning Ordinance Amendment was initiated by the City of Rocklin.

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Marijuana (ZOA2018-0002)
May 15, 2018
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Location

The proposed Zoning Ordinance Amendment would apply Citywide.

Background

On November 8, 2016, California voters approved Proposition 64, an initiative known as the Control, Regulate and Tax Adult Use of Marijuana Act (“AUMA”). Subject to local and state restrictions and regulations, AUMA generally legalized the nonmedical, recreational use of marijuana by persons 21 years of age and over, and legalized all associated commercial marijuana businesses and uses, subject to state and local regulations.

On August 8, 2017, the City Council adopted an initial 45-day urgency interim ordinance, prohibiting all commercial marijuana land uses, until new City regulations were developed in response to AUMA. On September 12, 2017, the City Council extended the urgency ordinance prohibiting all commercial marijuana land uses until August 8, 2018.

On March 27, 2018, the City Council provided direction to staff to develop new City regulations that would continue to prohibit all outdoor cultivation of marijuana and to prohibit all commercial marijuana activity within the City of Rocklin.

The AUMA created a comprehensive dual state and local regulatory and licensing scheme governing commercial nonmedical marijuana activities, including the commercial cultivation, testing, manufacturing, and distribution of nonmedical marijuana. Under the AUMA cities and counties may continue to prohibit all outdoor personal cultivation of nonmedical marijuana. Indoor cultivation of marijuana for personal use is however specifically allowed under AUMA. For each single private residence, AUMA allows indoor personal cultivation of up to six marijuana plants subject to reasonable regulations adopted by the local jurisdiction.

Adoption of the AUMA left California with two separate licensing and regulatory schemes for medicinal and recreational, or adult use, of marijuana. To rectify this on June 27, 2017, Governor Brown signed Senate Bill 94, a “cannabis trailer bill” to the Budget Act of 2017 consolidating into one regulatory scheme commercial medicinal marijuana activity and commercial adult-use marijuana activity known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”). Together AUMA and MAUCRSA establish a comprehensive system of licensing and enforcement program for commercial marijuana activities overseen by the State Agency known as the Bureau of Cannabis Control, a division of the California Department of Consumer Affairs.

With that clarification the State developed regulations and began issuing State licenses under AUMA on January 1, 2018. Under this dual licensing structure, cities and counties may adopt

*Planning Commission Staff Report
Marijuana (ZOA2018-0002)
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Page 3*

local ordinances regulating or completely prohibiting marijuana businesses and commercial activities. Without both a state permit and compliance with any applicable local regulations, which may or may not permit the marijuana business, a commercial marijuana business cannot operate within a city or county.

Analysis

Under previously existing law, the City had expressly prohibited all commercial medical marijuana dispensaries and distribution of medical marijuana. Due to the legalization of commercial businesses and uses of marijuana other than for medicinal purposes under AUMA, the City is updating its marijuana ordinance, Chapter 17.81., to be consistent with current State regulations.

Consistent with City Council direction on March 27, 2018, Staff recommends prohibiting all commercial marijuana activity, which includes medical marijuana dispensaries. Commercial marijuana activities are defined to include:

- All commercial marijuana activities, whether for medicinal and adult-use purposes, including cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, grading, marketing, packaging, labeling, transportation, distribution, dispensary, including a medical marijuana dispensary, delivery, or sale of marijuana and marijuana products.
- Commercial marijuana activities are prohibited whether conducted by a person, business, or entity, for-profit or non-profit.
- All commercial marijuana activities are prohibited whether or not they have a license from the State.

Staff recommends deleting Section 17.04.348 defining “medical marijuana dispensary” and Section 17.64.030.D. prohibiting a medical marijuana dispensary and incorporating the definition and prohibition into the re-enacted Section 17.81.030, Commercial cannabis activity prohibited. Chapter 17.81 – Marijuana Cultivation would be deleted in its entirety to be incorporated into and replaced by a new Chapter 17.81 titled “Marijuana Regulation”.

The City of Rocklin previously prohibited all outdoor cultivation of marijuana and limited indoor cultivation of marijuana. The new state laws enacted by AUMA allow a person to cultivate up to six plants indoors for personal use. While the City cannot completely prohibit this use, AUMA allows cities to impose reasonable regulations on such indoor personal cultivation. Consistent with City Council direction, Staff recommends continuing the ban on all outdoor cultivation of marijuana and amending the ordinance to continue to allow indoor cultivation of marijuana

consistent with state law to be limited to no more than six marijuana plants and subject to reasonable regulation to include:

- No more than six marijuana plants may be grown indoors within a residential structure that is “fully enclosed and secure” located on a residential parcel.
- Marijuana cultivation lighting shall not exceed one thousand two hundred (1,200) watts and shall comply with the California Building, Electrical and Fire Codes.
- The use of gas products, including, without limitation, CO₂, butane, propane, and natural gas, or generators for marijuana cultivation or processing is prohibited.
- There shall be no evidence of marijuana cultivation outside the fully enclosed and secure structure.
- The authorized grower shall reside full-time in the residence where the marijuana cultivation occurs.
- The authorized grower shall not participate in marijuana cultivation in any other residential location within the city of Rocklin.
- The residence shall maintain fully functional and usable kitchen, bathrooms, and primary bedrooms for their intended use by the resident authorized grower, and not be used primarily and exclusively for marijuana cultivation.
- Any structure used must have a ventilation and filtration system installed that shall prevent marijuana plant odors from exiting the structure.
- The owners of the property may prohibit the growing of marijuana on their property.
- The area in which marijuana is cultivated within a residential structure or accessory structure shall be set back a minimum of five (5) feet from all property lines.

Staff recommends the inclusion of additional definitions and the revision of some of the existing definitions in the revised Marijuana Regulations to provide greater clarity and to better comply with the state laws enacted by AUMA.

The amendment deletes the prior Enforcement Section 17.81.080 and replaces it with amended language in a new Violation Section 17.81.070 that provides for administrative penalties for any violations of the marijuana ordinance of \$1,000 for each violation per day. These penalties would differ from the typical administrative penalties used by Code Compliance of \$100 for the first violation, \$250 for the second violation, and \$500 for all subsequent violations within a twelve month period that were adopted by Council on March 13, 2018 through approval of Ordinance 1090.

*Planning Commission Staff Report
Marijuana (ZOA2018-0002)
May 15, 2018
Page 5*

The proposed modifications to the Municipal Code are included in strike/add format, with proposed deletions shown with ~~strikeout~~ and additions shown with an underline in Attachment 1.

Finally, this ordinance amendment would repeal, as of its effective date, the moratorium Ordinance No. 1080, Ordinance of the City Council of the City of Rocklin Extending Ordinance No. 1079 Placing a Moratorium on All Commercial Marijuana Land Uses in the City of Rocklin as adoption of the proposed amendments to the municipal code would supersede the need for a moratorium.

Environmental Determination

The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.”

The proposed revisions to the Rocklin Municipal Code are not “projects” under CEQA because they do not result in a direct or reasonably foreseeable indirect physical change in the environment, nor do they authorize the construction of any new structures or other physical changes to the environment. Therefore, this action is exempt under sections 15060(c)(2) and (3), 15061(b)(3), and 15378 of the State CEQA Guidelines.

Recommendation

Staff recommends that the Planning Commission recommend to the Rocklin City Council approval of the proposed amendments of the Rocklin Municipal Code Title 17 and the repeal of urgency Ordinance 1060 regarding marijuana.

Attachments

- 1) Proposed Amendments to the Rocklin Municipal Code

P:\PUBLIC PLANNING FILES__ PROJECT FILES\RMC-Marijuana\Meeting Packets\PC 5-15-18\01 RMC - Marijuana PC SR - final.docx

Attachment 1

Proposed Amendments to the Rocklin Municipal Code

Note: All proposed modifications to the Municipal Code are included in ~~strike~~/add format, with proposed deletions shown with ~~strikeout~~ and additions shown with an underline.

Section 17.04.348 shall be repealed in its entirety:

~~17.04.348 – Medical marijuana dispensary.~~

~~"Medical marijuana dispensary" or "dispensary" means any facility or location where medical marijuana is made available to and/or distributed by or to three or more of the following: a primary caregiver, a qualified patient, or a person with an identification card, in strict accordance with California Health and Safety Code Section 11362.5 et seq. A "medical marijuana dispensary" shall not include the following uses, as long as the location of such uses are otherwise regulated by this code or applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code Section 11362.5 et seq.~~

Section 17.64.030.D. shall be repealed in its entirety:

Section 17.64. Special and prohibited uses.

17.64.030 – Prohibited uses.

~~D. — Medical marijuana dispensary.~~

Chapter 17.81 shall be repealed in its entirety:

~~Chapter 17.81 — MARIJUANA CULTIVATION~~

Sections:

~~17.81.010 — Purpose and applicability.~~

~~The council finds as follows:~~

- ~~A. Purpose. The purpose and intent of this section is to regulate the cultivation of marijuana in a manner that protects the health, safety and welfare of the community. This section is not intended to interfere with a patient's right to medical marijuana, as provided for in California Health & Safety Code Section 11362, nor does it criminalize medical marijuana possession or cultivation by specifically defined classifications of persons, pursuant to state law. This section is not intended to give any person independent legal authority to grow marijuana; it is intended simply to impose zoning restrictions on the cultivation of marijuana when it is authorized by California state law for medical or other purposes.~~
- ~~B. Applicability. No part of this ordinance shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. § 800 et seq., nor to otherwise permit any activity that is prohibited under that Act or any other local, state or federal law, statute, rule or regulation. The cultivation of marijuana in the city of Rocklin is controlled by the provisions of this section of the zoning code.~~

~~17.81.020 — Definitions.~~

~~As used herein the following definitions shall apply:~~

- ~~A. "Authorized grower" means a person who is authorized by federal or state law to grow marijuana for personal use or medical use in compliance with local, state or federal laws authorizing such marijuana cultivation.~~
- ~~B. "Cultivation" means the planting, growing, harvesting, drying, or processing of marijuana plants or any part thereof.~~
- ~~C. "Enforcement Official" means the community development director, chief of police, or city of Rocklin Code Enforcement Officer, or his or her designee respectively.~~
- ~~D. "Fully enclosed and secure structure" means a space within a building that complies with the California Building Code ("CBC"), as adopted in the city of Rocklin, or if exempt from the permit requirements of the CBC, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors. Walls and roofs must be constructed of solid materials that cannot be easily broken through, such as two inch by four inch nominal or thicker studs overlaid with three eighths inch or thicker plywood or the equivalent. Plastic sheeting, regardless of~~

~~gauge, or similar products do not satisfy this requirement. If indoor grow lights or air filtration systems are used, they must comply with the California building, electrical, and fire codes as adopted in the city of Rocklin.~~

- ~~E. "Immature marijuana plant" means a marijuana plant, whether male or female, that has not yet flowered and which does not yet have buds that are readily observed by unaided visual examination.~~
- ~~F. "Indoors" means within a fully enclosed and secure structure as that structure is defined above in subsection D.~~
- ~~G. "Mature marijuana plant" means a marijuana plant, whether male or female, that has flowered and which has buds that are readily observed by unaided visual examination.~~
- ~~H. "Outdoor" means any location within the city of Rocklin that is not within a fully enclosed and secure structure.~~
- ~~I. "Parcel" means property assigned a separate parcel number by the Placer County assessor.~~

~~17.81.030 Outdoor cultivation.~~

~~It is hereby declared to be unlawful, a public nuisance, and a violation of this chapter for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the city of Rocklin to cause or allow such premises to be used for the outdoor cultivation of marijuana plants.~~

~~17.81.040 Cultivation of marijuana; regulations for residential zones.~~

- ~~A. When authorized by state law, an individual shall be allowed to cultivate marijuana in residential zones, subject to the following regulations:~~
 - ~~1. The marijuana cultivation area shall not exceed fifty square feet and not exceed ten feet in height per residence.~~
 - ~~2. Marijuana cultivation lighting shall not exceed one thousand two hundred watts.~~
 - ~~3. The use of gas products (CO2, butane, etc.) for marijuana cultivation or processing is prohibited.~~
 - ~~4. From a public right of way, there shall be no exterior evidence of marijuana cultivation either within or outside the residence.~~
 - ~~5. The authorized grower shall reside in the residence where the marijuana cultivation occurs.~~
 - ~~6. The authorized grower shall not participate in marijuana cultivation in any other residential location within the city of Rocklin.~~
 - ~~7. The residence shall maintain kitchen, bathrooms, and primary bedrooms for their intended use and not be used primarily and exclusively for marijuana cultivation.~~

- ~~8. The marijuana cultivation area shall be in compliance with the current, adopted edition of the California Building Code § 1203.4 Natural Ventilation or § 402.3 Mechanical Ventilation (or its equivalent(s)).~~
 - ~~9. The building official may require additional specific standards to meet the California Building Code and Fire Code, including but not limited to installation of fire suppression sprinklers.~~
 - ~~10. The marijuana cultivation area shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or other impacts, or be hazardous due to use or storage of materials, processes, products or wastes.~~
- ~~B. Any proposed marijuana cultivation by an authorized grower that does not meet the grow area standard of Section 17.81.040 (A)(1) shall require the written determination of the city manager, or his or her designee, of the need for additional cultivation area.~~
- ~~1. Documentation, such as a physician's recommendation or verification of more than one authorized grower living in the residence, shall be submitted with the request showing why the cultivation area standard is not feasible.~~
 - ~~2. The request for determination shall include written permission from the property owner and no determination and authorization for additional area of marijuana cultivation shall issue without the written permission of the property owner.~~
 - ~~3. An approved marijuana cultivation area that exceeds fifty square feet shall conform to the following standards:~~
 - ~~a. Shall be in compliance with Section 17.81.040 A.1 10 above.~~
 - ~~b. The marijuana cultivation area shall not exceed an additional fifty square feet for a total of one hundred square feet per residence and shall not exceed ten feet in height per residence.~~

~~17.81.050 Indoor cultivation of marijuana restricted to authorized growers.~~

~~It is hereby declared to be unlawful, a public nuisance and a violation of this chapter for any person owning, leasing, occupying, or having charge or possession of any parcel within the city of Rocklin to cause or allow such parcel to be used for the cultivation of marijuana, unless the person is authorized by state law to grow marijuana, and such authorized grower is complying with all requirements of this section.~~

~~17.81.060 Public nuisance prohibited.~~

~~It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within the city of Rocklin to create a public nuisance in the course of cultivating marijuana plants or any part thereof in any location, indoor or outdoor. A public nuisance may be deemed to exist, if such activity produces:~~

- ~~A. Odors which are disturbing to people of normal sensitivity residing or present on adjacent or nearby property or areas open to the public.~~
- ~~B. Repeated responses to the parcel from law enforcement officers,~~
- ~~C. A repeated disruption to the free passage of persons or vehicles in the neighborhood, excessive noise which is disturbing to people of normal sensitivity on adjacent or nearby property or areas open to the public~~
- ~~D. Any other impacts on the neighborhood which are disruptive of normal activity in the area.~~

~~17.81.070 Violation.~~

~~Cultivation of marijuana on any parcel within the city that does not comply with this chapter constitutes a violation of the zoning ordinance and is subject to the penalties and enforcement as provided in Section 17.81.080 of this chapter, and Chapter 17.88 of this Title 17.~~

~~17.81.080 Enforcement.~~

- ~~A. Public Nuisance. The violation of this section is hereby declared to be a public nuisance.~~
- ~~B. Abatement. A violation of this section may be abated by the city attorney by the prosecution of a civil action for injunctive relief and by the summary abatement procedure set forth in subsection C of this section.~~
- ~~C. Summary Abatement Procedure.~~
 - ~~1. The enforcement official is hereby authorized to order the abatement of any violation of this section by issuing a notice and order to abate which shall:~~
 - ~~a. Describe the location of and the specific conditions which represent a violation of this section and the actions required to abate the violation.~~
 - ~~b. Describe the evidence relied upon to determine that a violation exists, provided that the enforcement official may withhold the identity of a witness to protect the witness from injury or harassment, if such action is reasonable under the circumstances.~~
 - ~~c. State the date and time by which the required abatement actions must be completed.~~
 - ~~d. State that to avoid the civil penalty provided in subsection C.4. of this section and further enforcement action, the enforcement official must receive consent to inspect the premises where the violation exists to verify that the violation has been abated by the established deadline.~~
 - ~~e. State that the owner or occupant of the property where the violation is located has a right to appeal the notice to abate by filing a written notice of appeal with the city clerk no later than five business days from the service of the notice. The~~

~~notice of appeal must include an address, telephone number, fax number, if available, and e-mail address, if available. The city may rely on any of these for service or notice purposes. If an adequate written appeal is timely filed, the owner or occupant will be entitled to a hearing as provided in subsection C.3. of this section.~~

~~f. State that the order to abate the violation becomes final if a timely appeal is not filed or upon the issuance of a written decision after the appeal hearing is conducted in accordance with subsection C.3 of this section.~~

~~g. State that a final order of abatement may be enforced by application to the superior court for an inspection and/or abatement warrant or other court order.~~

~~h. State that a final order to abate the nuisance will subject the property owner and the occupant to a civil penalty of five hundred dollars for each day that the violation continues after the date by which the violation must be abated as specified in the notice and order to abate. The penalty may be recovered through an ordinary civil action, or in connection with an application for an inspection or nuisance abatement warrant.~~

~~2. The notice described in subsection C.1 of this section shall be served in the same manner as a summons in a civil action in accordance with article 3 (commencing with section 415.10) of chapter 4 of title 5 of part 2 of the Code of Civil Procedure, or by certified mail, return receipt requested, at the option of the city. If the owner of record, after diligent search cannot be found, the notice may be served by posting a copy thereof in a conspicuous place upon the property for a period of not less than ten days and publication thereof in a newspaper of general circulation pursuant to Government Code section 6062.~~

~~3. Not sooner than five business days after a notice of appeal is filed with the city clerk, a hearing shall be held before the city manager or a hearing officer designated by the city manager to hear such appeals. The appellant shall be given notice of the date, time and place of the hearing not less than five days in advance. The notice may be given by telephone, fax, e-mail, personal service or posting on the property. At the hearing, the enforcement official shall present evidence of the violation, which may include, but is not limited to, incident and police reports, witness statements, photographs, and the testimony of witnesses. The property owner and the occupant of the property where the violation is alleged to exist shall have the right to present evidence and argument in their behalf and to examine and cross-examine witnesses. The property owner and property occupant are entitled at their own expense to representation of their choice. At the conclusion of the hearing, the city manager or hearing officer shall render a written decision which may be served by regular first class mail on the appellants.~~

~~4. A final notice and order to abate the nuisance will subject the property owner or owners and any occupant or occupants of the property who are cultivating marijuana in violation of this section to a civil penalty of five hundred dollars for each day that~~

~~the violation continues after the date by which the violation must be abated as specified in the final notice and order to abate.~~

- ~~5. The enforcement official or the city manager or hearing officer hearing an appeal pursuant to subsection C.3. of this section may reduce the daily rate of the civil penalty for good cause. The party subject to the civil penalty shall have the burden of establishing good cause, which may include, but is not limited to, a consideration of the nature and severity of the violation, whether it is a repeat offense, the public nuisance impacts caused by the violation, and the violator's ability to pay. The daily penalty shall continue until the violation is abated. The penalty may be recovered through an ordinary civil action, or in connection with an application for an inspection or nuisance abatement warrant.~~

~~17.81.090. Penalties not exclusive.~~

~~The remedies and penalties provided herein are cumulative, alternative and nonexclusive. The use of one does not prevent the use of any other criminal, civil, or administrative remedy or penalty authorized by, or set forth in, the Rocklin Municipal Code. None of the penalties or remedies authorized by, or set forth in, the Rocklin Municipal Code shall prevent the city from using any other penalty or remedy under state statute which may be available to enforce this section or to abate a public nuisance.~~

Chapter 17.81 shall be re-enacted as amended:

Chapter 17.81 - MARIJUANA REGULATION

Sections:

17.81.010 - Purpose and applicability.

The council finds as follows:

- A. Purpose. The purpose and intent of this chapter is to prohibit all commercial marijuana activities, all outdoor marijuana cultivation, and reasonably regulate the indoor cultivation of marijuana for personal use within the City of Rocklin in a manner that protects the health, safety and welfare of the community.
- B. Applicability. No part of this ordinance shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. § 800 et seq., nor to otherwise permit any activity that is prohibited under that Act or any other local, state or federal law, statute, rule or regulation.

17.81.020 - Definitions.

For purposes of this chapter, the following definitions shall apply:

- A. "Accessory Structure" means a structure which is clearly incidental and secondary to the principal structure and is significantly smaller in area than the principle structure and does not change the character of the principal structure or the principal use of the primary structure. An accessory structure must be a fully enclosed and secure structure.
- B. "Adult-use" cannabis and "adult-use" cannabis products shall have the meaning as set forth and regulated in the Medicinal and Adult-Use Cannabis Regulations and Safety Act ("MAUCRSA") codified in Business and Professions Code section 26000 et seq., as may be amended from time to time.
- C. "Authorized grower" means a person twenty-one years and older who is authorized by, and in compliance with, state law to grow marijuana indoors for personal medical use or personal non-medical use. Authorized grower also means a person eighteen years and older who is a qualified patient, as that term is described in Health and Safety Code section 11362.5.
- D. "Cannabis" or "marijuana," which terms may be used interchangeable, shall have the meaning set forth in Business and Professions Code section 26001(f), as may be amended from time to time, and includes "cannabis products" as defined by Business and Professions Code section 26001(i). The term "marijuana" shall also include "medical marijuana" as defined in California Health and Safety Code section 11362.5 and "medical cannabis," and "medical cannabis product" as defined in California Business and Professions Code section 26001 (ai).
- E. "Commercial cannabis activity" shall have the meaning set forth in Business and Professions Code section 26001(k), as may be amended from time to time, and includes the following commercial activities, whether for medicinal and adult-use purposes, cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, grading, marketing, packaging, labeling, transportation, distribution, dispensary, including a medical marijuana dispensary, delivery, or sale of marijuana and marijuana products, whether or not by a person, business, or entity, for-profit or non-profit, and whether or not conducted with a license issued in accordance with Division 10 of the Business and Professions Code (section 26000 et seq.).
- F. "Cultivation" shall have the meaning set forth in Business and Professions Code section 26001(l), as may be amended from time to time, and includes the planting, growing, harvesting, drying, curing, grading, trimming, processing, or storage of any marijuana plants or any part thereof for either medicinal or adult use.

- G. "Delivery" shall have the meaning set forth in Business and Professions Code section 26001(p), as may be amended from time to time, and means the commercial delivery, transfer or transport, of cannabis or cannabis product to a customer, or arranging for the delivery, transfer or transport, or the use of any technology platform to arrange for or facilitate the commercial delivery, transfer or transport of medical marijuana, adult-use cannabis, all cannabis edibles, and/or any and all cannabis products to or from any location within the jurisdictional limits of the City of Rocklin, and any and all associated business and/or operational activities.
- H. "Enforcement Official" means the Economic and Community Development Director, Chief of Police, or City of Rocklin Code Enforcement Officer, or his or her designee respectively.
- I. "Fully enclosed and secure structure" means a space within a building that complies with the California Building Code ("CBSC"), as adopted in the city of Rocklin, or if exempt from the permit requirements of the CBSC, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors. In order to qualify as a fully enclosed and secure structure, the walls and roofs must be constructed of solid materials that cannot be easily broken through, such as two inch by four inch nominal or thicker studs overlaid with three-eighths inch or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products are not considered solid materials.
- J. "Indoor" means within a fully enclosed and secure structure.
- K. "Medical cannabis" or "medicinal cannabis product" shall have the meaning set forth in Business and Professions Code section 26001(ai), as may be amended from time to time, and includes cannabis or cannabis product, respectively, intended to be sold for use pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code, by a medicinal cannabis patient in California who possesses a physician's recommendation.
- L. "Medical marijuana dispensary" or "dispensary" means any facility or location where medical marijuana is made available to and/or distributed by or to three or more of the following: a primary caregiver, a qualified patient, or a person with an identification card, in strict accordance with California Health and Safety Code Section 11362.5 et seq. A "medical marijuana dispensary" shall not include the following uses, as long as the location of such uses are otherwise regulated by this code or applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life-

threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code Section 11362.5 et seq.

M. "Outdoor" means any location within the city of Rocklin that is not within a fully enclosed and secure structure.

N. "Parcel" means any parcel of real property that may be separately sold in compliance with the Subdivision Map Act (section 66410, et seq. of the Government Code).

O. "Primary caregiver" means a "primary caregiver" as defined in Section 11362.7(d) of the Health and Safety Code.

P. "Residential structure" means any building or portion thereof legally existing which contains living facilities, including provisions for sleeping, eating, cooking and sanitation on a parcel located within a residential zoning district.

17.81.030 – Commercial cannabis activity prohibited.

Commercial cannabis activity by any person or entity is prohibited in all zones within the city of Rocklin. Any commercial cannabis activity that takes place within the city of Rocklin is hereby declared to be unlawful, a public nuisance and a violation of this chapter.

17.81.040 - Outdoor cultivation prohibited.

The outdoor cultivation of marijuana is prohibited in all zones within the city of Rocklin. It is hereby declared to be unlawful, a public nuisance, and a violation of this chapter for any person owning, leasing, occupying, or having charge or possession of any parcel within the city of Rocklin to cause or allow such parcel to be used for the outdoor cultivation of marijuana.

17.81.050 – Indoor cultivation of marijuana for personal use.

The indoor cultivation of no more than six marijuana plants shall be allowed for personal, non-commercial use when authorized by state law subject to the following regulations:

- A. Locations Permitted. Cultivation of marijuana is prohibited in all zones except residential zones.
- B. Minimum Standards. The indoor cultivation of non-commercial marijuana in a residential zone shall only be conducted within a private residential structure or

accessory structure which is a fully enclosed and secure structure conforming to the following minimum standards:

1. No more than six marijuana plants on a parcel.
2. Marijuana cultivation lighting shall not exceed one thousand two hundred (1,200) watts and shall comply with the California Building, Electrical and Fire Codes as adopted by the city, including the applicable ventilation or air filtration requirements.
3. The use of gas products, including, without limitation, CO2, butane, propane, and natural gas, or generators for marijuana cultivation or processing is prohibited.
4. There shall be no evidence of marijuana cultivation outside the residence, or outside the accessory structure, from the public right-of-way, including, but not limited to, any marijuana plants, equipment used in the growing and cultivation operation, and any light emanating from cultivation lighting.
5. The authorized grower shall reside full-time in the residence where the marijuana cultivation occurs.
6. The authorized grower shall not participate in marijuana cultivation in any other residential location within the city of Rocklin.
7. The residence shall maintain fully functional and usable kitchen, bathrooms, and primary bedrooms for their intended use by the resident authorized grower, and not be used primarily and exclusively for marijuana cultivation.
8. Any fully enclosed and secure structure used for the cultivation of marijuana must have a ventilation and filtration system installed that shall prevent marijuana plant odors from exiting the interior of the residential structure, the accessory structure, or the residential unit, and that shall comply with the building regulations of the City of Rocklin Municipal Code.
9. Nothing in this chapter shall prohibit an owner of a residential structure, or its accessory structure, from prohibiting the growing of marijuana on his or her property.
10. The area in which marijuana is cultivated within a residential structure or accessory structure shall be set back a minimum of five (5) feet from all property lines.

17.81.060 - Indoor cultivation of marijuana restricted to authorized growers.

It is hereby declared to be unlawful, a public nuisance and a violation of this chapter for any person owning, leasing, occupying, or having charge or possession of any parcel within the city of Rocklin to cause or allow such parcel to be used for the cultivation of marijuana, unless the person is authorized by state law to grow marijuana, and such authorized grower is complying with all requirements of this chapter.

17.81.070 - Violation.

- A. Any person or entity that violates any provision of this chapter shall be guilty of a separate offense for each and every day during any portion of which any person or entity commits, continues, licenses, or causes a violation thereof, and shall be punished accordingly.
- B. Any violation of this chapter is punishable as a misdemeanor.
- C. A violation of this chapter is subject to administrative citation and fine pursuant to Chapter 1.14. Notwithstanding section 1.14.024, the administrative citation amount for violating any provision of this chapter shall be one thousand dollars (\$1,000) for each violation.
- D. It is unlawful and a public nuisance to violate any of the provision of this chapter and may be enforced and/or abated pursuant to Chapter 1.16 of this Municipal Code and/or under state law.
- E. The violation of any provision of this chapter shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief.

17.81.080. - Penalties not exclusive.

The remedies and penalties provided herein are cumulative, alternative and nonexclusive. The use of one does not prevent the use of any other criminal, civil, or administrative remedy or penalty authorized by, or set forth in, the Rocklin Municipal Code. None of the penalties or remedies authorized by, or set forth in, the Rocklin Municipal Code shall prevent the city from using any other penalty or remedy under state statute which may be available to enforce this chapter or to abate a public nuisance.

P:\PUBLIC PLANNING FILES__ PROJECT FILES\RMC-Marijuana\Meeting Packets\PC 5-15-18\01a Proposed Amendments to the RMC ATT 1 - final.docx

RESOLUTION NO. PC-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROCKLIN
RECOMMENDING APPROVAL OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
ROCKLIN TO REPEAL AND RE-ENACT CHAPTER 17.81, DELETE CERTAIN SECTIONS OF
TITLE 17 OF THE ROCKLIN MUNICIPAL CODE, AND REPEAL ORDINANCE 1080 REGARDING
REGULATION OF MARIJUANA (ZOA2018-0002)

The Planning Commission of the City of Rocklin does resolve as follows:

Section 1. The Planning Commission of the City of Rocklin finds and determines that:

A. On November 8, 2016, California voters approved Proposition 64, commonly known as the Adult Use or Marijuana Act ("AUMA").

B. On June 27, 2017, the Governor signed into law Senate Bill 94, entitled the Medical and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"), codified in Business and Professions Code section 26000 et seq., to reconcile the regulation of medical marijuana and to implement AUMA.

C. AUMA and MAUCRSA, provide the city the continued authority to regulate certain marijuana uses and activities.

D. Government Code sections 65850(a) and 65850(c)(4) provide the authority of the City of Rocklin to regulate by ordinance the uses of land and the intensity or land use.

E. On August 8, 2017, the City Council adopted an initial 45-day urgency interim ordinance, prohibiting all commercial marijuana land uses, until new City regulations were developed in response to AUMA. On September 12, 2017, the City Council extended the urgency ordinance prohibiting all commercial marijuana land uses until August 8, 2018. On March 27, 2018, the City Council provided direction to staff to continue to prohibit all outdoor cultivation of marijuana and to prohibit all commercial marijuana activity within the City of Rocklin.

F. It is the intention of the City Council of the City of Rocklin that nothing in this ordinance be deemed to conflict with the federal Controlled Substances Act (21 U.S.C. §841) by permitting or otherwise allowing any activity which is prohibited under the Act.

G. There is evidence of an increased incidence of crime-related secondary impacts in locations associated with marijuana cultivation facilities and marijuana businesses and activities, which is contrary to policies that are intended to promote and maintain the public's health, safety, and welfare.

H. It is the purpose and intent of this ordinance to ensure that marijuana grown for non-commercial medical purposes, or non-commercial adult-use, remains secure and does not find its way to illicit markets.

I. It is the purpose and intent of this ordinance to allow indoor cultivation of marijuana in accordance with state law in a manner that is not inconsistent with the health, safety, and well-being of the City and its residents

J. The proposed amendments to the Rocklin Municipal Code are not “projects” under CEQA, and are therefore exempt under sections 15060(c)(2) and (3), 15061(b)(3), 15262, and 15378 of the State CEQA Guidelines.

K. The proposed amendments to the Rocklin Municipal Code are consistent with and implement the policies of the City of Rocklin's General Plan, including the Housing Element.

L. The proposed amendments to the Rocklin Municipal Code are not likely to create serious health problems or create nuisances on or near affected properties.

M. The Planning Commission has considered the effect of the proposed amendments to the Rocklin Municipal Code on the housing needs of the region and has balanced those needs against the public service needs of its residents and available fiscal and environmental resources.

Section 2. The Planning Commission of the City of Rocklin hereby recommends approval of the Ordinance attached hereto as Exhibit 1 and incorporated by reference herein.

PASSED AND ADOPTED this 15th day of May, 2018, by the following roll call vote:

AYES: Commissioners
 NOES: Commissioners
 ABSENT: Commissioners
 ABSTAIN: Commissioners

 Chairman

ATTEST:

 Secretary

P:\PUBLIC PLANNING FILES__ PROJECT FILES\RMC-Marijuana\Meeting Packets\PC 5-15-18\02 RMC - Marijuana PC
 Reso Z2018-0002 - final.doc

EXHIBIT 1

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN TO REPEAL AND RE-ENACT
CHAPTER 17.81, DELETE CERTAIN SECTIONS OF TITLE 17 OF THE ROCKLIN MUNICIPAL
CODE, AND REPEAL ORDINANCE 1080 REGARDING REGULATION OF MARIJUANA
(ZOA2018-0002)

The City Council of the City of Rocklin does ordain as follows:

Section 1. **Findings.**

A. On November 8, 2016, California voters approved Proposition 64, commonly known as the Adult Use or Marijuana Act ("AUMA").

B. On June 27, 2017, the Governor signed into law Senate Bill 94, entitled the Medical and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"), codified in Business and Professions Code section 26000 et seq., to reconcile the regulation of medical marijuana and to implement AUMA.

C. AUMA and MAUCRSA, provide the city the continued authority to regulate certain marijuana uses and activities.

D. Government Code sections 65850(a) and 65850(c)(4) provide the authority of the City of Rocklin to regulate by ordinance the uses of land and the intensity or land use.

E. On August 8, 2017, the City Council adopted an initial 45-day urgency interim ordinance, prohibiting all commercial marijuana land uses, until new City regulations were developed in response to AUMA. On September 12, 2017, the City Council extended the urgency ordinance prohibiting all commercial marijuana land uses until August 8, 2018. On March 27, 2018, the City Council provided direction to staff to continue to prohibit all outdoor cultivation of marijuana and to prohibit all commercial marijuana activity within the City of Rocklin.

F. It is the intention of the City Council of the City of Rocklin that nothing in this ordinance be deemed to conflict with the federal Controlled Substances Act (21 U.S.C. §841) by permitting or otherwise allowing any activity which is prohibited under the Act.

G. There is evidence of an increased incidence of crime-related secondary impacts in locations associated with marijuana cultivation facilities and marijuana businesses and activities, which is contrary to policies that are intended to promote and maintain the public's health, safety, and welfare.

H. It is the purpose and intent of this ordinance to ensure that marijuana grown for non-commercial medical purposes, or non-commercial adult-use, remains secure and does not find its way to illicit markets.

I. It is the purpose and intent of this ordinance to allow indoor cultivation of marijuana in accordance with state law in a manner that is not inconsistent with the health, safety, and well-being of the City and its residents

J. The proposed amendments to the Rocklin Municipal Code are consistent with and implement the policies of the City of Rocklin's General Plan, including the Housing Element.

K. The proposed amendments to the Rocklin Municipal Code are not likely to create serious health problems or create nuisances on or near affected properties.

L. The Planning Commission has considered the effect of the proposed amendments to the Rocklin Municipal Code on the housing needs of the region and has balanced those needs against the public service needs of its residents and available fiscal and environmental resources.

Section 2. **Authority.** The City Council enacts this ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution and Government Code Section 37100.

Section 3. **Repeal.** **Section 17.04.348 of Chapter 7.04 - DEFINITIONS** is hereby repealed.

Section 4. **Repeal.** **Subsection 17.64.030.D of Chapter 17.64 – SPECIAL AND PROHIBITED USES** is hereby repealed.

Section 5. **Repeal and Re-Enact.** **Chapter 17.81 – MARIJUANA CULTIVATION** is hereby repealed and re-enacted to read as follows:

Chapter 17.81 - MARIJUANA REGULATION

Sections:

17.81.010 - Purpose and applicability.

The council finds as follows:

- A. Purpose. The purpose and intent of this chapter is to prohibit all commercial marijuana activities, all outdoor marijuana cultivation, and reasonably regulate the indoor cultivation of marijuana for personal use within the City of Rocklin in a manner that protects the health, safety and welfare of the community.

- B. Applicability. No part of this ordinance shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. § 800 et seq., nor to otherwise permit any activity that is prohibited under that Act or any other local, state or federal law, statute, rule or regulation.

17.81.020 - Definitions.

For purposes of this chapter, the following definitions shall apply:

- A. "Accessory Structure" means a structure which is clearly incidental and secondary to the principal structure and is significantly smaller in area than the principle structure and does not change the character of the principal structure or the principal use of the primary structure. An accessory structure must be a fully enclosed and secure structure.
- B. "Adult-use" cannabis and "adult-use" cannabis products shall have the meaning as set forth and regulated in the Medicinal and Adult-Use Cannabis Regulations and Safety Act ("MAUCRSA") codified in Business and Professions Code section 26000 et seq., as may be amended from time to time.
- C. "Authorized grower" means a person twenty-one years and older who is authorized by, and in compliance with, state law to grow marijuana indoors for personal medical use or personal non-medical use. Authorized grower also means a person eighteen years and older who is a qualified patient, as that term is described in Health and Safety Code section 11362.5.
- D. "Cannabis" or "marijuana," which terms may be used interchangeable, shall have the meaning set forth in Business and Professions Code section 26001(f), as may be amended from time to time, and includes "cannabis products" as defined by Business and Professions Code section 26001(i). The term "marijuana" shall also include "medical marijuana" as defined in California Health and Safety Code section 11362.5 and "medical cannabis," and "medical cannabis product" as defined in California Business and Professions Code section 26001 (ai).
- E. "Commercial cannabis activity" shall have the meaning set forth in Business and Professions Code section 26001(k), as may be amended from time to time, and includes the following commercial activities, whether for medicinal and adult-use purposes, cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, grading, marketing, packaging, labeling, transportation, distribution, dispensary, including a medical marijuana dispensary, delivery, or sale of marijuana and marijuana products, whether or not by a person, business, or entity, for-profit or non-profit, and whether or not

conducted with a license issued in accordance with Division 10 of the Business and Professions Code (section 26000 *et seq.*).

- F. "Cultivation" shall have the meaning set forth in Business and Professions Code section 26001(l), as may be amended from time to time, and includes the planting, growing, harvesting, drying, curing, grading, trimming, processing, or storage of any marijuana plants or any part thereof for either medicinal or adult use.
- G. "Delivery" shall have the meaning set forth in Business and Professions Code section 26001(p), as may be amended from time to time, and means the commercial delivery, transfer or transport, of cannabis or cannabis product to a customer, or arranging for the delivery, transfer or transport, or the use of any technology platform to arrange for or facilitate the commercial delivery, transfer or transport of medical marijuana, adult-use cannabis, all cannabis edibles, and/or any and all cannabis products to or from any location within the jurisdictional limits of the City of Rocklin, and any and all associated business and/or operational activities.
- H. "Enforcement Official" means the Economic and Community Development Director, Chief of Police, or City of Rocklin Code Enforcement Officer, or his or her designee respectively.
- I. "Fully enclosed and secure structure" means a space within a building that complies with the California Building Code ("CBSC"), as adopted in the city of Rocklin, or if exempt from the permit requirements of the CBSC, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors. In order to qualify as a fully enclosed and secure structure, the walls and roofs must be constructed of solid materials that cannot be easily broken through, such as two inch by four inch nominal or thicker studs overlaid with three-eighths inch or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products are not considered solid materials.
- J. "Indoor" means within a fully enclosed and secure structure.
- K. "Medical cannabis" or "medicinal cannabis product" shall have the meaning set forth in Business and Professions Code section 26001(ai), as may be amended from time to time, and includes cannabis or cannabis product, respectively, intended to be sold for use pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code, by a medicinal cannabis patient in California who possesses a physician's recommendation.

- L. "Medical marijuana dispensary" or "dispensary" means any facility or location where medical marijuana is made available to and/or distributed by or to three or more of the following: a primary caregiver, a qualified patient, or a person with an identification card, in strict accordance with California Health and Safety Code Section 11362.5 et seq. A "medical marijuana dispensary" shall not include the following uses, as long as the location of such uses are otherwise regulated by this code or applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code Section 11362.5 et seq.
- M. "Outdoor" means any location within the city of Rocklin that is not within a fully enclosed and secure structure.
- N. "Parcel" means any parcel of real property that may be separately sold in compliance with the Subdivision Map Act (section 66410, et seq. of the Government Code).
- O. "Primary caregiver" means a "primary caregiver" as defined in Section 11362.7(d) of the Health and Safety Code.
- P. "Residential structure" means any building or portion thereof legally existing which contains living facilities, including provisions for sleeping, eating, cooking and sanitation on a parcel located within a residential zoning district.

17.81.030 – Commercial cannabis activity prohibited.

Commercial cannabis activity by any person or entity is prohibited in all zones within the city of Rocklin. Any commercial cannabis activity that takes place within the city of Rocklin is hereby declared to be unlawful, a public nuisance and a violation of this chapter.

17.81.040 - Outdoor cultivation prohibited.

The outdoor cultivation of marijuana is prohibited in all zones within the city of Rocklin. It is hereby declared to be unlawful, a public nuisance, and a violation of this chapter for any person owning, leasing, occupying, or having charge or possession of any parcel within the city of Rocklin to cause or allow such parcel to be used for the outdoor cultivation of marijuana.

17.81.050 – Indoor cultivation of marijuana for personal use.

The indoor cultivation of no more than six marijuana plants shall be allowed for personal, non-commercial use when authorized by state law subject to the following regulations:

- A. Locations Permitted. Cultivation of marijuana is prohibited in all zones except residential zones.
- B. Minimum Standards. The indoor cultivation of non-commercial marijuana in a residential zone shall only be conducted within a private residential structure or accessory structure which is a fully enclosed and secure structure conforming to the following minimum standards:
 - 1. No more than six marijuana plants on a parcel.
 - 2. Marijuana cultivation lighting shall not exceed one thousand two hundred (1,200) watts and shall comply with the California Building, Electrical and Fire Codes as adopted by the city, including the applicable ventilation or air filtration requirements.
 - 3. The use of gas products, including, without limitation, CO₂, butane, propane, and natural gas, or generators for marijuana cultivation or processing is prohibited.
 - 4. There shall be no evidence of marijuana cultivation outside the residence, or outside the accessory structure, from the public right-of-way, including, but not limited to, any marijuana plants, equipment used in the growing and cultivation operation, and any light emanating from cultivation lighting.
 - 5. The authorized grower shall reside full-time in the residence where the marijuana cultivation occurs.
 - 6. The authorized grower shall not participate in marijuana cultivation in any other residential location within the city of Rocklin.
 - 7. The residence shall maintain fully functional and usable kitchen, bathrooms, and primary bedrooms for their intended use by the resident authorized grower, and not be used primarily and exclusively for marijuana cultivation.
 - 8. Any fully enclosed and secure structure used for the cultivation of marijuana must have a ventilation and filtration system installed that shall prevent marijuana plant odors from exiting the interior of the residential structure, the accessory structure, or the residential unit, and that shall comply with the building regulations of the City of Rocklin Municipal Code.

9. Nothing in this chapter shall prohibit an owner of a residential structure, or its accessory structure, from prohibiting the growing of marijuana on his or her property.
10. The area in which marijuana is cultivated within a residential structure or accessory structure shall be set back a minimum of five (5) feet from all property lines.

17.81.060 - Indoor cultivation of marijuana restricted to authorized growers.

It is hereby declared to be unlawful, a public nuisance and a violation of this chapter for any person owning, leasing, occupying, or having charge or possession of any parcel within the city of Rocklin to cause or allow such parcel to be used for the cultivation of marijuana, unless the person is authorized by state law to grow marijuana, and such authorized grower is complying with all requirements of this chapter.

17.81.070 - Violation.

- A. Any person or entity that violates any provision of this chapter shall be guilty of a separate offense for each and every day during any portion of which any person or entity commits, continues, licenses, or causes a violation thereof, and shall be punished accordingly.
- B. Any violation of this chapter is punishable as a misdemeanor.
- C. A violation of this chapter is subject to administrative citation and fine pursuant to Chapter 1.14. Notwithstanding section 1.14.024, the administrative citation amount for violating any provision of this chapter shall be one thousand dollars (\$1,000) for each violation.
- D. It is unlawful and a public nuisance to violate any of the provision of this chapter and may be enforced and/or abated pursuant to Chapter 1.16 of this Municipal Code and/or under state law.
- E. The violation of any provision of this chapter shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief.

17.81.080. - Penalties not exclusive.

The remedies and penalties provided herein are cumulative, alternative and nonexclusive. The use of one does not prevent the use of any other criminal, civil, or administrative remedy or penalty authorized by, or set forth in, the Rocklin Municipal Code. None of the penalties or remedies authorized by, or set forth in, the Rocklin Municipal Code shall prevent the city from using any other penalty or remedy under state statute which may be available to enforce this chapter or to abate a public nuisance.

Section 6. Severability. If any section, sub-section, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. City Council hereby declares that it would have adopted the Ordinance and each section, sub-section, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases or portions to be declared invalid or unconstitutional.

Section 7. Repeal of Ordinance 1080. The City Council hereby finds that with the adoption of this ordinance the moratorium Ordinance No. 1080, Ordinance of the City Council of the City of Rocklin Extending Ordinance No. 1079 Placing a Moratorium on All Commercial Marijuana Land Uses in the City of Rocklin is no longer needed and therefore, upon the effective date of this ordinance, Ordinance No. 1080 is repealed.

Section 8. Environmental. The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060, subdivision (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical changed in the environment) and 15061, subdivision (b)(3) (there is no possibility the activity in question may have a significant effect on the environment).

Section 9. Effective Date. This ordinance shall take effect 30 days after the day of its adoption.

Section 10. Publication. Within 15 days of the passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Council members voting for and against the ordinance, to be published in the Placer Herald. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within 15 days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Council members voting for and against the ordinance, to be published in the Placer Herald, and shall post in the office of the City Clerk a certified copy of the full text of the ordinance, along with the names of those City Council members voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36933(c)(1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Rocklin held
on _____, 2018, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers
ABSTAIN: Councilmembers

PASSED AND ADOPTED at a regular meeting of the City Council of the City of
Rocklin held on _____, 2018, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

Scott Yuill, Mayor

ATTEST:

Barbara Ivanusich, City Clerk

First Reading:
Second Reading:
Effective Date: