

ORDINANCE NO. 579

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN
APPROVING THE REZONING
TO PLANNED DEVELOPMENT AND ADOPTION OF THE GENERAL
DEVELOPMENT PLAN
FOR FIVE STAR DEVELOPMENT Z-87-07

THE CITY COUNCIL OF THE CITY OF ROCKLIN DOES ORDAIN AS
FOLLOWS:

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

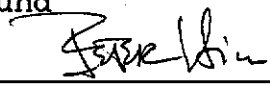
1. The City of Rocklin has considered the effect of the approval of this rezoning and General Development Plan on the housing needs of the region, and balanced those needs against the public service needs of its residents, and available fiscal and environmental resources.
2. The area is physically suited for the proposed land use in terms of topography and availability of services.
3. The proposed land uses are compatible with the land uses permitted in adjacent areas, providing the properties are developed in accordance with the General Plan policies and zoning Ordinance requirements.
4. The proposed zoning is not likely to create a nuisance to adjacent areas.
5. The proposed zoning will create an insignificant effect upon traffic, and City policies regulating street improvements will be imposed on the property.
6. The proposed zoning is consistent with and implements the policies as set forth in the City of Rocklin's Housing Element.

Section 2. The City Council of the City of Rocklin hereby approves Zoning Amendment Z-87-07, and adoption of the General Development Plan. as shown on Exhibit A, attached hereto and incorporated herein, subject to the following conditions:

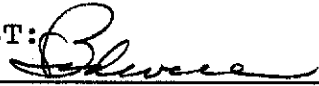
1. The rezoning approval be contingent upon the approval of the concurrent General Plan Amendment application (GPA-87-03).
2. Areas 13, 14, and 19 as shown on Exhibit A shall be designated as R1-6.
3. Uses allowed in Business Professional Areas 2, 16, and 18 shall be professional offices and clinics with no retail sales activities. Accessory retail uses can be considered under a use permit.
4. Uses allowed in commercial Areas 3, 11, 12 and 15 shall be the same as those allowed in the BP, C-1, C-2 and C-3 zones of the Rocklin Municipal Code.
5. Area 17 shall be designated for no more than six (6) dwelling units per acre with a requirement that there be no more than 50% tree removal over the entire parcel and that any number of trees removed over 20% shall be replaced at a 2:1 basis, minimum of 15 gallon trees.
6. Development of all areas excluding the single family areas shall require a specific plan use permit in accordance with Section 17.60.010 of the Rocklin Municipal Code.

PASSED AND ADOPTED THIS 9th day of February, 1988, by the following roll call vote:

AYES:	Councilmembers:	Huson, Mitchell, Hill
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Dominguez, Lund
ABSTAIN:	Councilmembers:	None



Mayor

ATTEST: 

City Clerk

First Reading: 1-26-88
Second Reading: 2-9-88
Effective Date: 3-9-88

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ORDINANCE NO. 704

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN
AMENDING SECTION 2(4) AND ADDING SECTION 2(7)
AND SECTION 2(8) TO ORDINANCE NO. 579
ADOPTING THE GENERAL DEVELOPMENT PLAN FOR
FIVE STAR DEVELOPMENT: PDG-87-03
(FIVE STAR AREA 3: PDG-94-02)

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

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

A. A negative declaration of environmental impacts for this project has been certified.

B. The proposed general development plan amendment is consistent with the City of Rocklin's General Plan land use element which designates the site as Retail Commercial.

C. The proposed general development plan amendment is consistent with and implements the policies of the City of Rocklin's General Plan, including the Housing Element.

D. The proposed area is physically suited to the uses authorized by the general development plan amendment.

E. The general development plan amendment is compatible with the land use/uses existing and permitted on the properties in the vicinity.

F. The land use/uses, and their density and intensity, allowed by the proposed general development plan amendment are not likely to create serious health problems or create nuisances on properties in the vicinity.

G. City has considered the effect of the proposed general development plan amendment 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.

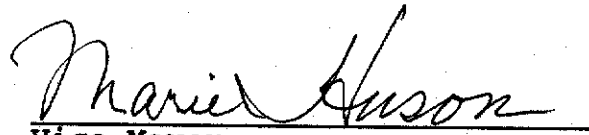
Section 2. The City Council of the City of Rocklin hereby approves the amendment to the General Development

Plan for Five Star Development, as shown on Exhibit A, attached hereto and incorporated by reference herein.

Section 3. 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 36993(c)(1) are met.

PASSED AND ADOPTED this 23rd day of August, 1994, by the following roll call vote:

AYES:	Councilmembers:	Lund, Huson, Yorde
NOES:	Councilmembers:	Dominguez
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	Magnuson


Vice Mayor

ATTEST:



City Clerk GDEVPAMT5394

First Reading : 7-12-94
Second Reading: 8-23-94
Effective Date: 9-23-94

EXHIBIT A

AMENDMENT TO ORDINANCE NO. 579
ADOPTING THE GENERAL DEVELOPMENT PLAN

Five Star Development Commercial Area 3
(PD(G) 94-02)

Section 1. Section 2(4) of City Council Ordinance No. 579 is amended to read as follows:

Uses allowed in commercial areas 11, 12, and 15 shall be the same as those allowed in the BP, C-1, C-2, and C-3 zones of the Rocklin Municipal Code.

Section 2. Section 2(7) is added to City Council Ordinance No. 579 to read as follows:

7. Uses within Area 3 of the Five Star Planned Development:

A. The following uses shall be permitted:

1) Retail business establishments; uses to be conducted within an enclosed building with no outside storage or display except that eating establishments shall be allowed one outside table and/or four (4) seats.

Antique store	Drug store	Restaurant, coffee shop
Arts & crafts, hobby shop	Flower shop	Retail food store*
Bakery, donut shop	Furniture store	Retail plant nursery
Bank	Gift shop	Second hand goods store
Book and periodical store	Hardware store	Soda fountain / ice cream shop
Business-professional office	Household appliance store	Toy store
Church	Jewelry store	Video store
Coin operated laundry, dry cleaner	Record, CD store	Wholesaling appurtenant to a permitted use.
Confectionery store		

*A retail food store located in the Five Star General Development Plan, Area 3, shall be defined as:

- "Retail food market" or "delicatessen" is a small retail food or specialty food store having no more than three thousand square feet of floor area. This store shall not include gasoline sales pumps, the sale of hard liquors, or arcade or pinball type games.

2) Personal service establishments; all uses to be conducted entirely within an enclosed building with no outside storage or display permitted.

Barber shop	Lodges & club houses	Radio, VCR, TV repair
Beauty shop	Photo shop	Schools
Day care center preschool	Photographer studio	Shoe repair
Exercise or athletic club / figure salon	Pick up station for laundry, dry cleaner	Veterinary clinic

B. The following uses shall require a use permit:

Any business operating between 10 pm and 7 am	Mobile push cart vending facility	Outdoor display, such as a plant nursery.
Funeral Home, Mortuary	Outdoor dining with more than one table or more than 4 chairs	Nursing Homes, Convalescent Hospital

C. The following uses shall be prohibited:

Arcade	Creamery	Mini-storage
Auto body / paint shop	Drive-thru restaurants	Outdoor storage & sales
Automobile repair shop, light or heavy	Dry cleaner / laundry plant (done on site)	Plumbing shop
Auto sales/service	Gasoline Station	Pub. utility buildings: storage yards, warehouses, shops)
Automobile service station	Heavy equipment sales & service	Sex oriented entertainment businesses
Billiard room	Indoor skating rink	Sheet metal shop
Bowling alley	Liquor store	Temp. businesses for recycling
Commercial parking lot	Locker plant	Theaters (movie)
Convenience store	Massage parlor	Tree surgeon establishments

D. Uses which are not listed in any of the above categories shall be subject to review by the Community Development Director, who shall assign the use to the appropriate category, based on the following findings:

- 1) That the use is substantially similar in character to a use or uses within the appropriate category of the General Development Plan and zoning applicable to the property;

Section 3. Section 2(8) is added to City Council Ordinance No. 579 to read as follows:

8. Marlee Way Driveways:

Use of the Marlee Way frontage for driveway access to the site is strongly discouraged, but may be approved upon a showing that it is necessary to provide proper and adequate access to the site; it can be designed to operate safely; and it is necessary to avoid traffic safety problems on Fairway Drive. If access is approved on this frontage, it shall be located on the western end of Marlee Way across from the residential lots that do not front on Marlee Way, provided that an emergency access to the site may be located anywhere on Marlee Way.

KHB/gbl
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Revised 7/14/94

ORDINANCE NO. 902

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN
APPROVING A GENERAL DEVELOPMENT PLAN AMENDMENT
(Five Star Village – Phase 3/ PDG-2005-02)

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

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

A. General Development Plan Amendment, PDG-2005-02, modifies the Five Star General Development Plan to create a special 13.3-acre sub-area for the Five Star Village Shopping Center (a.k.a. Five Star Plaza) with special land uses and parking standards applicable only therein.

B. A Negative Declaration of Environmental Impacts has been approved for this project via City Council Resolution No. 2005-368.

C. The proposed general development plan amendment is consistent with the City of Rocklin's General Plan land use element which designates the site as Retail Commercial.

D. The proposed general development plan amendment is consistent with and implements the policies of the City of Rocklin's General Plan, including the Housing Element.

E. The proposed area is physically suited to the uses authorized by the general development plan amendment.

F. The general development plan amendment is compatible with the land use/uses existing and permitted on the properties in the vicinity.

G. The land use/uses, and their density and intensity, allowed by the proposed general development plan amendment are not likely to create serious health problems or create nuisances on properties in the vicinity.

H. City has considered the effect of the proposed general development plan amendment 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 City Council of the City of Rocklin hereby approves General Development Plan Amendment (Five Star Village – Phase 3/ PDG-2005-02) to allow

modifications to the Five Star General Development Plan (Ordinance 579) as shown on Exhibit 1, attached hereto and incorporated by reference herein.

Section 3. 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.

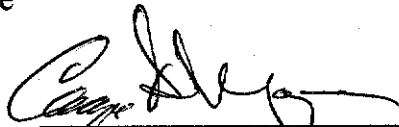
PASSED AND ADOPTED this 22nd day of November, 2005, by the following roll call vote:

AYES: Councilmembers: Lund, Hill, Storey, Yorde, Magnuson

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ABSTAIN: Councilmembers: None



George Magnuson, Mayor

ATTEST:



City Clerk

First Reading: 11/8/05
Second Reading: 11/22/05
Effective Date: 12/22/05

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EXHIBIT 1

AMENDMENT TO THE FIVE STAR GENERAL DEVELOPMENT PLAN ORDINANCE NO. 579 IS AMENDED AS FOLLOWS:

Section 1. Exhibit A of Ordinance No. 579 is hereby amended as indicated on Attachment A to create a 13.3 acre sub-area, 15a, comprised of the Five Star Village Shopping Center (a.k.a. Five Star Plaza) Assessors Parcel Number 016-350-049. The provisions of this amendment shall not be applicable to the remainder of commercial area 15.

Section 2. Section 2 (9) is hereby added to City Council Ordinance No. 579 to read as follows:

9. Within Area 15a. the following land uses provisions shall apply:

A. A minimum of 40% of the total building square footage within Area 15a. shall be occupied by the following land uses (all uses to be housed entirely within an enclosed building with no outside storage or display permitted):

1. Furniture Store
2. Carpet and / or flooring Store
3. Indoor vehicle sales (automobiles, boats, motorcycles, etc.)
4. Piano / organ store
5. Large appliance stores
6. "Outdoor Living" stores (i.e. stores specializing in the sales of patio furniture, fountains, BBQ's, and other similar items).
7. Antique Store
8. Consignment Store
9. Farm Supply & Feed Store.
10. Hardware store, Indoor Building & Landscaping Materials store.
11. Furniture and Appliance Rental
12. Indoor Plant Nursery
13. The Community Development Director may determine certain uses, which are not explicitly stated above to be permitted uses, provided the use is characterized by large bulk merchandise and low customer to floor area ratios similar to the uses listed above.

- B. A maximum of 60% of the total building square footage within Area 15a. may be occupied by the following land uses (all uses to be housed entirely within an enclosed building with no outside storage or display permitted):

1. Book store and periodical store;
2. Record store;
3. Stationery store;
4. Gift shop;
5. Flower shop;
6. Toy store;
7. Banks;
8. Restaurant / Restaurant & Bar less than 2,500 square feet;
9. Arts and crafts store, hobby shop;
10. Jewelry store;
11. Video store;
12. Personal Service Establishments such as a barber shop, beauty shop;
13. Photographic studio;
14. Dry cleaners / laundry;
15. Variety store;
16. Specialty Import Store (i.e. Cost Plus, Pier 1)
17. Grocery store, retail food store under 20,000 square feet;
18. Department Store / General Merchandise Store less than 55,000 square feet;
19. The Community Development Director may determine certain uses, which are not explicitly stated above to be permitted uses, provided the use is substantially similar and has similar characteristics to the uses listed above.

- C. The following uses shall be prohibited within Area 15a.:

1. Grocery store, retail food store over 20,000 square feet;
2. Theaters;
3. Drug Store;
4. Restaurant / Restaurant & Bar greater than 2,500 square feet;
5. Mortuary;
6. Billiard Room;
7. Department Store / General Merchandise Store greater than 55,000 square feet;
8. Exercise or athletic club;
9. Business or professional office;
10. Drive-through service windows;

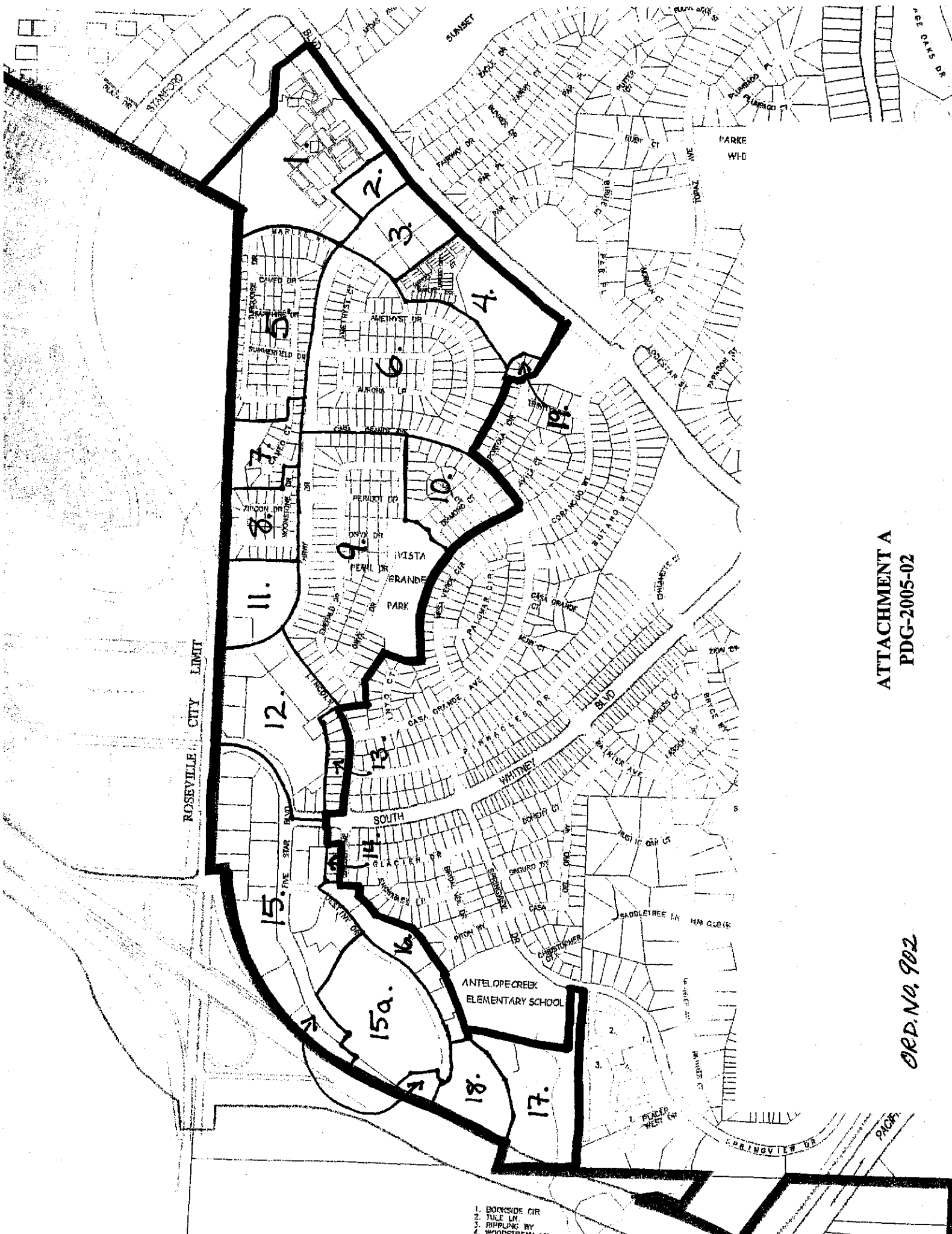
11. The Community Development Director may determine certain uses, which are not explicitly stated above to be prohibited uses, if characterized by high customer / tenant to floor area ratios similar to the uses listed above.

D. Off street parking within Area 15a. shall be provided as follows:

3.965 off street parking spaces shall be provided for every 1,000 gross square feet of floor area.

E. Maximum Building Height for principle buildings and structures within Area 15a. shall be forty feet and the maximum number of stories shall be 2, with the following exception:

With a use permit the maximum allowable height may be increased up to fifty feet, and maximum number of stories may be increased up to four.



ATTACHMENT A
PDG-2005-02

ORD. NO. 902

ORDINANCE NO. 939

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN
APPROVING A GENERAL DEVELOPMENT PLAN AMENDMENT
(Five Star Development – Area 16/ PDG-87-03A)

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

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

A. General Development Plan Amendment, PDG-87-03A, modifies the Five Star General Development Plan to include Funeral Homes and Mortuaries as a conditional use in the Planned Development-Business Professional (PD-BP) zone Area 16 only.

B. A Notice of Exemption has been approved for this Project pursuant to Resolution No. 2008- .

C. The proposed general development plan amendment is consistent with the City of Rocklin's General Plan land use element which designates the site as Retail Commercial.

D. The proposed general development plan amendment is consistent with and implements the policies of the City of Rocklin's General Plan, including the Housing Element.

E. The proposed area is physically suited to the uses authorized by the general development plan amendment.

F. The general development plan amendment is compatible with the land use/uses existing and permitted on the properties in the vicinity.

G. The land use/uses, and their density and intensity, allowed by the proposed general development plan amendment are not likely to create serious health problems or create nuisances on properties in the vicinity.

H. City has considered the effect of the proposed general development plan amendment 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 City Council of the City of Rocklin hereby approves General Development Plan Amendment (Five Star Development – Area 16/ PDG-87-03A) to allow modifications to the Five Star General Development Plan (Ordinance 579) as shown on Exhibit A, attached hereto and incorporated by reference herein.

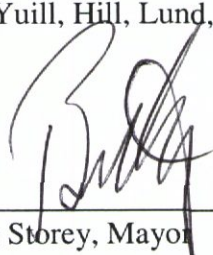
Section 3. Within fifteen days of passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Councilmembers voting for and against the ordinance, to be published in the Placer Herald. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within fifteen days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Councilmembers 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 City Councilmembers 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 August 26, 2008, by the following vote:

AYES:	Councilmembers:	Hill, Yuill, Lund, Magnuson, Storey
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rocklin held on September 9, 2008, by the following roll call vote:

AYES:	Councilmembers:	Magnuson, Yuill, Hill, Lund, Storey
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None



Brett Storey, Mayor

ATTEST:



Barbara Ivanusich, City Clerk

First Reading: 8/26/08

Second Reading: 9/9/08

Effective Date: 10/9/08

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EXHIBIT A

AMENDMENT TO THE FIVE STAR GENERAL DEVELOPMENT PLAN ORDINANCE NO. 579

Five Star Development – Area 16 PDG-87-03A

Section 1. Section 2 (3) of City Council Ordinance No. 579 is hereby amended to read as follows:

3. Uses allowed in Business Professional Areas 2, 16, and 18 shall be professional offices and clinics with no retail sales activities. Accessory retail uses can be considered under a use permit. In Area 16 only, funeral homes and mortuaries shall require a use permit; crematoriums are not allowed.