

## CITY OF RANCHO CORDOVA



### CITY COUNCIL MEETING

**5:30 PM – Special Meeting  
American River Room**

**Tuesday, February 25, 2020**

**City Hall  
2729 Prospect Park Drive, Rancho Cordova**

### AGENDA

**1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL**

Council Members Budge, Gatewood, McGarvey, Terry and Mayor Sander.

**2. PUBLIC COMMENT**

At a special meeting, citizens wishing to address the Council for any matter on the agenda may do so at the time the matter is discussed. Under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any item not on the agenda.

**3. SPECIAL MEETING ITEMS**

- 3.1. **Subject:** Discussion and Direction on Various Department Standards Related to Drive Through Establishments, Residential Setbacks, Off-Site Alcohol Sales Permits, Automotive Related Uses and High Intensity/High Visibility Uses Along Corridors.  
**Recommendation:** Receive a report on various development standards, and if needed, provide direction to staff on any potential Municipal Code amendments or provide policy direction on processing future projects related to the discussion topics.

**4. ADJOURNMENT**

#### ADDITIONAL INFORMATION

SPECIAL MEETINGS LISTED BELOW ARE SUBJECT TO CHANGE/CANCELLATION WITHOUT FURTHER NOTICE.

UNLESS THE COUNCIL ADOPTS A MOTION TO EXTEND THE MEETING, ANY ITEM THAT IS NOT INITIATED BEFORE 11:00 PM WILL BE CONTINUED TO THE NEXT DAY AT 5:30 PM OR SCHEDULED ON THE NEXT REGULAR MEETING AGENDA OF THE COUNCIL.

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Rancho Cordova City Hall.

The agenda items are accessible on the City's website at [www.cityofranchocordova.org](http://www.cityofranchocordova.org) on Thursdays or Fridays prior to the Regular City Council Meeting.

### **UPCOMING MEETINGS**

|                |                                                                   |
|----------------|-------------------------------------------------------------------|
| March 2, 2020  | 4:00 PM Special Meeting/Closed Session<br>5:30 PM Regular Meeting |
| March 16, 2020 | 4:00 PM Special Meeting/Regular Meeting                           |
| March 24, 2020 | 5:30 PM Special Meeting/Work Session                              |
| April 6, 2020  | 4:00 PM Special Meeting/Regular Meeting                           |
| April 14, 2020 | 5:30 PM Special Meeting/Work Session                              |
| April 20, 2020 | 5:30 PM Regular Meeting                                           |
| May 4, 2020    | 4:00 PM Special Meeting/Regular Meeting                           |
| May 12, 2020   | 5:30 PM Special Meeting/Work Session                              |

If you have any technical questions related to the agenda items, please contact City Hall at (916) 851-8700.

The Rancho Cordova City Council meeting will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, Consolidated Communications and AT&T U-Verse Systems. Closed Captioning will be available on the playback cablecast. A DVD copy is available from the City Clerk's Department and a webcast of this meeting will be available for viewing via video streaming from the City's website within 48 hours of adjournment of this meeting.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (916) 851-8720 at least 48 hours prior to the meeting.

### **CERTIFICATION OF POSTING OF AGENDA**

I, Stacy Leitner, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the February 25, 2020 Special Meeting of the Rancho Cordova City Council was posted and available for review on February 21, 2020 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city website at [www.cityofranchocordova.org](http://www.cityofranchocordova.org).

Signed February 21, 2020 at Rancho Cordova, California.



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Stacy Leitner, CMC  
City Clerk

# MEMORANDUM



**DATE:** February 25, 2020  
**TO:** Honorable Mayor and Council Members  
**FROM:** Darcy Goulart, Planning Manager  
**SUBJECT:** **DISCUSSION AND DIRECTION ON VARIOUS DEPARTMENT STANDARDS RELATED TO DRIVE THROUGH ESTABLISHMENTS, RESIDENTIAL SETBACKS, OFF-SITE ALCOHOL SALES PERMITS, AUTOMOTIVE RELATED USES AND HIGH INTENSITY/HIGH VISIBILITY USES ALONG CORRIDORS.**

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## **RECOMMENDATION**

Receive a report on various development standards and if needed, provide direction to staff on any potential Municipal Code amendments or provide policy direction on processing future projects related to the discussion topics.

## **RESULT OF RECOMMENDED ACTION**

No action will be taken by the City Council. Staff will provide an overview of the various development standards or issues for discussion. The City Council could then direct staff to prepare amendments to the Municipal Code to be brought back at a later date for consideration or provide policy direction on processing future projects related to the discussion topics.

## **BACKGROUND**

In recent months during Council meetings, questions have come up regarding development standards related to various topics. In an effort to ensure that the City's standards are meeting the goals and vision of the City Council, staff will be presenting some of these topics for discussion and potential direction to amend the Municipal Code if need be or provide policy direction on processing future projects related to the discussion topics. Below is a summary of the items that will be discussed at the work session. Staff will provide a more detailed discussion during the presentation.

## **DISCUSSION**

- ***Residential side yard setback*** - Staff is seeing an increase in small lot development, not just with recent projects, but requests to modify previously approved tentative maps as well. While smaller lots can provide an opportunity to offer a mix of product types, it often times is accompanied by a request to reduce the side yard setbacks once a design review for the homes is submitted. Most commonly, staff is reviewing requests

for five feet on one side and three feet on the other side. Five feet on one side ensures that there is ample room to store garbage cans. Over the years, developments in the City have been approved with as little as zero lot line on one side and three or five on the other. Most recently, a development proposed five feet on one side and three feet on the other, but was approved with side yard setbacks of five and four feet. Modifications to the side yard setback at the meeting can result in changes to house plans that may no longer be able to accommodate the new setback. As these types of development requests increase, staff would like to be able to provide applicants with a more definitive answer regarding side yard setbacks prior to taking the project forward to City Council.

- **Off-site Alcohol Permits** - There are two ways in which off-site alcohol sales is permitted within the City. Off-site sales requires a Conditional Use Permit (CUP). Additionally, when an establishment applies for an alcohol license through the Department of Alcohol Beverage Control (ABC), they will be informed if the area is over concentrated. If that is the case, a Public Convenience and Necessity (PCN) letter is required from the City. Both of these permits requires approval by the City Council. Recently there were questions raised regarding if the City has development standards related to alcohol sales such as limiting the hours that alcohol can be sold and prohibiting single serve bottles or cans. When reviewing these types of permits, staff from Planning and the Police Department work together in determining if additional conditions or restrictions are necessary. Generally if the request is coming from a new business, there typically isn't an overarching issue occurring that would have an impact on public welfare or morals to require conditions. However, there have been cases of existing businesses applying for a license and due to on-going enforcement activities, it has been requested to add conditions. In the case of the PCN, Council can determine that the public convenience will only be met if certain conditions are imposed. These conditions can be related to hours of sale, signage display, type and strength of beverages sold, etc. However, if conditions are requested, the findings shall clearly state that any public convenience is contingent upon the imposition of such conditions by ABC. Therefore, ABC would include the conditions on the alcohol license prior to issuance.
- **Drive Through standards** - Recently at a Council meeting, development standards were discussed in regards to the location of drive through lanes in relation to adjacent roadways. The current standards in the code and Design Guidelines do not prohibit or discourage locating a drive through lane adjacent to an existing roadway. Through the review process, staff does make sure that the minimum standards of the code are met to ensure safe on-site vehicle circulation and pedestrian travel. Additionally, through collaboration with the applicant, staff will request additional screening such as low decorative walls, additional landscaping and other decorative features to hide the lane as much as possible. If there is a better layout for the site that would relocate the lane elsewhere on the site, that is usually the first approach vs. masking it. However, Council can direct staff to draft additional development standards to be added to the code to

address the location of drive-through lanes if current practices and standards isn't sufficient.

- ***Automotive Related Uses*** - Within the Folsom Boulevard Specific Plan (FBSP) automotive uses are fairly limited in Commercial Mixed Use (CMU) and Office Industrial Mixed Use (OIMU) zones. However, the permissibility of some of these uses may no longer be in line with the Council's goals and vision for Folsom Blvd. Within the CMU zone, a transit station and terminal and auto parts stores are permitted by right. Auto/vehicles sales or rental, car washes and minor vehicle services require approval of a conditional use permit. Within the OIMU zone, all automotive uses are prohibited, except for a transit station and terminal. All other automotive related uses that aren't listed, are not allowed within the FBSP. One of the issues that staff has come across is that the definitions of a transit station or terminal and auto part stores, include operations that would otherwise require a CUP or not be permitted. For example, a transit station and terminal includes passenger stations for mass transit, but can also include maintenance and service for transit vehicles such as buses, taxis railway, etc. An auto parts store can include a store that sells new or used auto parts, tires and accessories. These types of establishments are also permitted to have minor part installation consistent with the vehicle services definition. This includes a tire installation, muffler or radiators, quick-lube, smog checks and self-service car washes. While this doesn't pose a huge issue for the OIMU zone where one would typically find similar industrial uses, a stand alone vehicle services shop in the CMU would normally require a CUP. However, if operated in conjunction with an auto parts store, it would be permitted by right. Staff is requesting the Council discuss this inconsistency and provide any direction on amending the FBSP if desired.
- ***High Intensity/High Visibility Uses Along Corridors*** - Along various major corridors within the City such as Folsom Blvd., Zinfandel and Sunrise, infill properties exist that can pose development challenges. These challenges may come in the form of compliance with existing Specific Plans or Special Planning Areas. An additional layer of complexity comes into play when these sites are located with a quarter mile of a transit station are would be considered a Transit Oriented Development (TOD) site, but may not be an ideal parcel or location to meet the objectives of a TOD development. An example of this, would be a potential high intensity/volume coffee user with a drive-through, is interested in locating their business on an infill parcel along Zinfandel in front of the Grocery Outlet. This location is developed with various users, some of which are also a higher volume or intensity users. While the use could be designed to meet required development standards and comply with TOD standards in that it would not be an auto centric use, it may not 100% meet the criteria of a TOD project. The built environment and small in-fill properties will continue to be a challenge along major corridors, especially when located near a transit station. Staff is seeking direction from Council on how they'd like to see these smaller, more challenging in-fill properties develop. More specifically, staff is also looking for some input on locating a high volume coffee use with a drive-through on the vacant parcel in front of the Grocery Outlet store.

**FISCAL IMPACT AND FUNDING SOURCE**

There is no Fiscal Impact.

**ATTACHMENT(S)**

1. Chapter 4.60 Regulation of Alcohol Sales
2. Section 23.910.030 Drive-through development standards

**Chapter 4.60  
REGULATION OF ALCOHOL SALES**

Sections:

[4.60.010 Application for determination of public convenience for sale of alcohol.](#)

[4.60.020 Review of applications.](#)

[4.60.030 Hearing required.](#)

**4.60.010 Application for determination of public convenience for sale of alcohol.**

Any person whose application for an on-sale or off-sale alcohol license is required by the Alcoholic Beverage Control Board of the state of California ("ABC") to be subject to a determination of public convenience by the city of Rancho Cordova may apply to the city for a determination that the public convenience would be served by the granting of such license. Such application shall be made on forms approved by the city manager, shall contain such information as required by that office and shall be filed with that office. At a minimum, any application shall contain that information required by Section 110-01 of the city of Rancho Cordova zoning code. The application shall be accompanied by payment of a fee to be established by resolution of the city council calculated to offset the costs of processing applications. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1024 § 1, 1996; SCC 1019 § 1, 1996].

**4.60.020 Review of applications.**

A. Upon receipt of an application for a determination of public convenience, the city manager shall refer such application to the planning department, the chief of police, the neighborhood services division, the building and safety department, the finance department and the appropriate community planning advisory council or municipal advisory council for review and comment.

B. The chief of police shall determine whether there are existing problems regarding criminal activity at the applicant premises or in the area surrounding the applicant premises. If the chief of police determines that there are such existing problems with criminal activity he shall report such problems, in writing, to the city manager and object to a determination of public convenience.

C. The planning department shall determine whether the applicant premises are within the appropriate land use designations and have received all required entitlements to permit the type of sale of alcoholic beverages described in the application. The department shall report its determination, in writing, to the city manager. No determination of public convenience shall be made if the department determines that the applicant premises is not within the appropriate land use designation and does not have all necessary land use entitlements.

D. The planning department shall also determine whether there is a pending zoning enforcement action regarding the applicant premises. If the department determines that there is a pending enforcement action, it shall report

such, in writing, to the city manager and shall object to a determination of public convenience.

E. The neighborhood services division shall determine whether there are existing violations of health regulations or a history of such violations at the applicant premises or against the applicant. If the division determines that there are such violations, it shall report such, in writing, to the city manager and shall object to a determination of public convenience.

F. The finance department shall determine whether any required business license has been issued and is in good standing for the applicant premises. If the department determines that a license is required and has not been issued or is not in good standing, it shall report such, in writing, to the city manager and shall object to a determination of public convenience.

G. The chief building official shall determine whether there are any building code violations at the applicant premises and shall report such, in writing, to the city manager and shall object to a determination of public convenience.

H. The city manager shall also determine whether any protests were lodged with the ABC in relation to the applicant's request for a license with that body.

I. The advisory council shall report any comments or objections which the council may have regarding any application which has been forwarded pursuant to this section.

J. If the written reports required by subsections (B), (C), (D), (E), (F) and (G) of this section are not received by the city manager within 15 days from the date the application is forwarded, it shall be presumed that there are no objections from those departments or divisions. [Ord. 38-2007 § 1 (Exh. 1(A), (C)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1024 § 1, 1996; SCC 1019 § 1, 1996].

#### **4.60.030 Hearing required.**

A. Proceedings regarding the public convenience of issuing a license for all applications shall be scheduled before the city council. Notice of the hearing shall be given in the same manner as required by Section 110-04 of the Rancho Cordova zoning code.

B. The hearing shall be held without regard to the technical rules of evidence and all persons desiring to appear shall be permitted to do so. The applicant shall be required to demonstrate, by substantial evidence, that the public convenience will be served by the issuance of a license. The applicant shall also be required to demonstrate, by substantial evidence, that the proposed sale of alcohol shall be accomplished in a manner to eliminate any objections received pursuant to this section.

C. The hearing may be continued from time to time. At the conclusion of the hearing, the city council shall determine whether the public convenience will be served by the issuance of a license for the applicant premises. The determination shall be reduced to writing by the clerk of the city council and shall be served by mail upon

the applicant.

D. The city council may determine that the public convenience will be met only if certain conditions are imposed upon any license issued by the Department of Alcoholic Beverage Control (ABC). Such conditions shall be included in the city council's decision and shall be communicated to the ABC.

1. The conditions may cover any matter relating to the privileges to be exercised under the license, the personal qualifications of the licensee, the conduct of the business or the condition of the premises, which will protect the public welfare and morals, including, but not limited to, the following:

- a. Restrictions as to hours of sale.
- b. Display of signs.
- c. Employment of the designated persons.
- d. Types and strengths of alcoholic beverages to be served where such types or strengths are otherwise limited by law.
- e. The personal conduct of the licensee.

2. If conditions are imposed, any finding of public convenience shall clearly state that it is contingent upon the imposition of such conditions by the ABC. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1024 § 1, 1996; SCC 1019 § 1, 1996].

**23.910.030 Drive-in and drive-through sales and service.**

A. Purpose. The purpose of this section is to regulate drive-through windows and remote tellers with development standards that address the mitigation of traffic, congestion, excessive pavement, pedestrian connections, litter, and noise.

B. Applicability. Development standards herein shall apply to all new facilities with drive-in and drive-through sales and services and will be reviewed in conjunction with the required conditional use permit and/or design review application.

C. Permit Requirements. Pursuant to Article 3 of this title (Zoning Districts, Allowable Uses, and General Development Standards), a conditional use permit is required for all drive-in and drive-through sales and services.

D. Required Findings. All of the findings below shall be made in order for the designated approving authority to approve a conditional use permit for a drive-in and drive-through sales and service use:

1. The design and location of the facility and lane will not contribute to increased congestion on public or private streets adjacent to the subject property.
2. The design and location of the facility and lane will not impede access to or exit from the parking lot serving the facility nor impair normal circulation within the parking lot.
3. The design and location of the facility will not create a nuisance for adjoining properties.

E. Development and Design Standards. The following standards shall be the minimum requirements for all drive-through windows and remote tellers. Deviations from these provisions may be considered through the issuance of a conditional use permit.

1. Drive-Through and Remote Teller Aisles. The minimum standards for drive-through aisles are as follows:
  - a. Aisles shall have a 12-foot minimum width on curves and an 11-foot minimum width on straight sections.
  - b. Aisles shall provide at least 180 feet of reservoir space for each facility, as measured from the service window or unit to the entry point into the drive-up lane. Nonfood and/or nonbeverage businesses may reduce the stacking space to a minimum of 60 feet. Exceptions may be granted by the designated approving authority when an applicant demonstrates that the required reservoir space is unnecessary.
  - c. Aisle entrances and exits shall be at least 25 feet from an intersection of public rights-of-way, measured at the closest intersecting curbs, and at least 25 feet from the curb-cut on an adjacent

property. When an aisle encroaches into the front yard and side street setbacks, 25 feet of landscaping shall be provided, with at least 10 feet of landscaping between the aisle and right-of-way. Exceptions may be granted by the designated approving authority when aisle pull-out spaces are provided.

d. Aisles shall be separated from the site's ingress and egress routes or access to a parking space.

e. Landscaping of Drive-Through Aisles. Landscaping of drive-through aisles shall be consistent with the requirements of RCMC 23.716.060(C) (Screening of Drive-Through Aisles).

2. Pedestrian Access and Crossings. Pedestrian access shall be provided from each abutting street to the primary entrance with a continuous, minimum four-foot-wide sidewalk or delineated walkway. Generally, pedestrian walkways should not intersect the drive-through aisles, but where they do the walkways shall have clear visibility and shall be delineated by textured and colored paving and shall be clearly signed to alert vehicles in the drive-through aisles.

3. Parking. Drive-up windows, remote tellers, and drive-through aisles shall be designed and constructed to be consistent with the requirements of Chapter 23.719 RCMC (Parking and Loading). The placement of drive-up windows, remote tellers, and drive-through aisles shall not be considered as justification for reducing the number of parking spaces which are otherwise required.

4. Congestion. The conditional use permit is revocable if congestion attributable to the facility regularly occurs on public streets or within the parking lot and the management cannot alleviate the situation.

5. Noise. Drive-up windows and their order stations with amplified sound shall be located to reduce the noise impact on adjacent property to less than 45 dB as measured at the nearest residential property line.

6. Signs. Signage for drive-up windows and remote tellers shall be consistent with the requirements of Chapter 23.743 RCMC (Signs).

7. Drive-through windows shall be visible from a public way to ensure that all activity can be viewed from an adjacent street. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.4.030)].