

**AGENDA  
CITY OF IONE  
PLANNING COMMISSION MEETING**

*Mark Hopkins, Chairman  
Amber Hoiska, Vice Chairman  
Mark Gebhardt, Commissioner  
Michael Politi, Commissioner  
Larry Rhoades, Commissioner*

**Public Teleconference Line: 1-312-757-3121  
Access Code: 209-315-293  
<https://global.gotomeeting.com/join/209315293>**

**In Compliance with the Governor's Executive Order N-25-20, the City of Ione will be Conducting its meeting via teleconference. While this meeting will still be conducted in-person at 1 E. Main Street, we strongly encourage the public to participate from home by calling-in using the following number:**

**Tuesday, August 11, 2020 at 6:00 p.m.  
City Council Chambers, 1 E. Main Street, Ione 95640**

**PLEASE LIMIT PUBLIC COMMENT/TESTIMONY TO FOUR MINUTES**  
**Government Code 54954.3**

The Ione Planning Commission welcomes, appreciates, and encourages participation in the Ione Planning Commission Meeting. The Planning Commission reserves the right to reasonably limit the total time for public comment on any particular noticed agenda item as it may deem necessary.

Full staff reports and associated documents are available for public review at the Office of the City Clerk, City Hall, 1 E. Main Street, Ione, California. Hard copies may be obtained for \$3.60 for pages 1-5 and \$.45 for each additional page. Documents that are not available when the agenda is posted will be made cents per page. Documents that are not available when the agenda is posted, will be made available for public review at the meeting.

**AGENDA**

- A. CALL TO ORDER: 6:00 PM**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. APPROVAL OF AGENDA**
- E. PRESENTATIONS/ANNOUNCEMENTS: None**
- F. PUBLIC COMMENT: EACH SPEAKER IS LIMITED TO 4 MINUTES**

*This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. Persons may address the Ione Planning Commission at this time on any subject within the jurisdiction of the Ione Planning Commission. **Please be mindful of the 4 minute time limit per person.***

*Pursuant to the Brown Act, the Planning Commission may not take action or engage in a detailed discussion on an item that does not appear on the Agenda. However, matters that require Commission action will be referred to staff for a report and/or recommendation for possible action at a future Commission meeting.*

*Is there any person in the audience who wishes to address the Commission at this time?*

**G. PUBLIC HEARING:**

- 1. Zoning Text Amendment (ZTA2020-001) – Adoption of Resolution No. PC2020-05 recommending that the City Council adopt an ordinance amending Title 17 Zoning, Chapter 17.38, Table 17.38.040-1 Development Standards for Accessory Structures** -proposed amendment to the City of Lone Zoning Ordinance development standards to achieve consistency with California 2019 Building Code Section R302, Table R302.1(2), Footnote(a) which provides an exception to the distance required between an accessory structure and a property line.

**H. REGULAR AGENDA: None**

**I. CITY PLANNER REPORTS/PLANNING COMMISSIONER REPORTS/FUTURE AGENDA ITEMS**

**J. ADJOURNMENT**

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**NOTICE REGARDING APPEALS**

Pursuant to §17.16.060 of the Zoning Code, appeals of a final action by the Planning Commission must be filed with the City Clerk no later than ten calendar days after the day on which the final action was taken, along with the appropriate fee.

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**NOTICE REGARDING CHALLENGES TO DECISIONS**

Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, this public hearing.

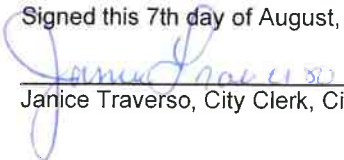
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**ADA COMPLIANCE STATEMENT**

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk Janice Traverso at (209) 274-2412, 102. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

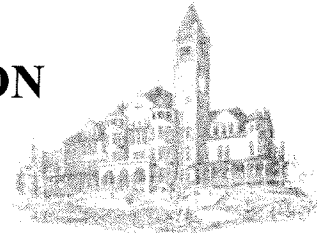
I, Janice Traverso, the City Clerk of the City of Lone, declare under the penalty that the foregoing agenda for the August 11, 2020 regular meeting of the Lone Planning Commission was posted on August 7, 2020 at the office of the City of Lone, City Hall at 1 East Main Street, Lone, CA 95640 and was available for public review at that location.

Signed this 7th day of August, 2020 at Lone, California

  
Janice Traverso, City Clerk, City of Lone



## **CITY OF IONE PLANNING COMMISSION STAFF REPORT**



**DATE:** AUGUST 11, 2020

**TO:** HONORABLE PLANNING COMMISSION

**FROM:** APRIL WOODEN, CITY PLANNER

**SUBJECT:** ZONING TEXT AMENDMENT – TABLE 17.38.040-1  
DEVELOPMENT STANDARDS FOR ACCESSORY STRUCTURES

### **STAFF RECOMMENDED ACTION:**

Staff recommends that the Planning Commission:

1. Receive the staff report;
2. Hold the public hearing;
3. Discuss the proposed ordinance; and
4. Adopt Resolution No. PC2020-05 recommending approval of the ordinance to the City Council.

### **BACKGROUND:**

During a public hearing on a request for a variance to allow the construction of an accessory structure closer to a property line than is permitted under the current accessory structure development standards in the Zoning Code, it was noted that a recent change in the building code allows for such a reduced setback when certain conditions are met. It was the direction of the Planning Commission that the City Planner present a text amendment to the City's Zoning Code that would be consistent with the change in the building code.

The consistency can be achieved simply by amending Title 17, Chapter 17.38, Table 17.38.040-1 Development Standards for Accessory Structures.

### **ANALYSIS:**

The building code has already created an exception for accessory structure setbacks when certain criteria are met. It makes sense that the City's development standards would be consistent with this provision of the building code.

By amending Table 17.38.040-1 Development Standards for Accessory Structures (below), the consistency can be achieved. Text with strikethrough would be removed and underlined text would be added.

<b>Table 17.38.040-1: Development Standards for Accessory Structures</b>					
Accessory Structure	Minimum Setback Distance from Property Line			Minimum Distance Between Structures	Maximum Height
	Front	Street Side	Interior (Including rear)		
Accessory Buildings					
≤ 120 s.f. and < 8 ft. tall	60% or 90 ft., whichever is less <sup>2</sup>	10 ft. <sup>3</sup>	3 ft.	No minimum <sup>5</sup>	8 ft.
≤ 120 s.f. and ≥ 8 ft. tall	60% or 90 ft., whichever is less <sup>2</sup>	10 ft. <sup>3</sup>	5 ft. <sup>6</sup>	No minimum <sup>5</sup>	16 ft.
> 120 s.f. and fully enclosed	60% or 90 ft., whichever is less <sup>2</sup>	10 ft. <sup>3</sup>	5 ft. <sup>6</sup>	No minimum <sup>5</sup>	35 ft./2 stories
> 120 s.f. and w/limited/no enclosure	60% or 90 ft., whichever is less <sup>2</sup>	10 ft. <sup>3</sup>	5 ft.	No minimum <sup>5</sup>	35 ft./2 stories
Landscape Features	No minimum	10 ft.	3 ft.	No minimum <sup>5</sup>	16 ft.
Pools/spas	Same as for Primary Structure	5 ft. <sup>4</sup>	5 ft. <sup>4</sup>	5 ft.	16 ft.
Deck/Patio	No minimum	No minimum	No minimum	No minimum <sup>5</sup>	No minimum
Play Equipment	Same as for Primary Structure	10 ft.	3 ft.	No minimum <sup>5</sup>	16 ft.

Notes:

1. Detached garages may be attached to a main building and may encroach into the required rear yard for the main building by not more than 15 feet if:

- It is less than 600 square feet in area;
- It shares a common wall of not less than five feet in length with the main building or is not located not more than six feet from the main building; and
- It is connected to the main building by a roof of not less than five feet in width.

2. An accessory structure may be located within the front 60 percent of the lot if it is screened from view by a fence or landscaping and is located a minimum of ten feet behind said screening.

3. On reverse corner lots, the street side yard setback shall be the same as the front yard setback for the adjacent key lot.

4. Measurement from water's edge. Related equipment shall be set back a minimum of three feet from all side and rear property lines.

5. See the city-adopted building code for separation requirements.

6. Interior setback may be reduced to 3 feet when located on a lot within a residential subdivision where:

• all dwellings are equipped throughout with an automatic sprinkler system installed in accordance with Section R313;

• the accessory structure is used only for the storage of motor vehicles; and

• the lot adjacent to the reduced setback is located within the same subdivision and provides an open setback yard that is 6 feet or more in width on the opposite side of the property line OR the property adjacent to the reduced setback is a street or similar non-habitable use.

#### **LEGAL REVIEW:**

The attached ordinance has been reviewed by the City Attorney's office.

#### **ENVIRONMENTAL REVIEW:**

Staff has determined that the proposed ordinance is statutorily exempt from CEQA review. The proposed revisions are exempt from review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines (Section 15303) *New Construction or Conversion of Small Structures*. Upon adoption of the ordinance a Notice of Exemption will be filed.

#### **RECOMMENDED ACTION:**

Staff recommends that the Planning Commission adopt Resolution No. PC2020-05 recommending to the City Council adoption of Ordinance No. 521, An Ordinance of the City Council of the City of Ione Amending the City of Ione Municipal Code Title 17 Zoning, Chapter 17.38, Table 17.38.040-1 Development Standards for Accessory Structures.

#### **ATTACHMENTS:**

A. Draft Ordinance No. 521: An Ordinance of the City Council of the City of Ione Amending the City of Ione Municipal Code Title 17 Zoning, Chapter 17.38, Table 17.38.040-1 Development Standards for Accessory Structures.

B. Resolution No. PC2020-05: A Resolution of the City of Ione Planning Commission recommending that the City Council adopt an Ordinance amending Title 17 Zoning, Chapter 17.38, Table 17.38.040-1 Development Standards for Accessory Structures.

**RESOLUTION NO. PC2020-05**

**A RESOLUTION OF THE CITY OF IONE PLANNING COMMISSION  
RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE  
AMENDING TITLE 17 ZONING, CHAPTER 17.38, TABLE 17.38.040-1  
DEVELOPMENT STANDARDS FOR ACCESSORY STRUCTURES**

**WHEREAS**, the City maintains a Zoning Code, incorporated as Title 17 of the Municipal Code, as an implementation tool of the General Plan, which regulates the allowed uses, setbacks, parking regulations, and other requirements for development in the City; and

**WHEREAS**, a recent change in the Building Code provides for an exception regarding minimum setbacks for accessory buildings; and

**WHEREAS**, subsequent to careful review and consideration, the Planning Commission determined that the text of the zoning ordinance should be amended to be consistent with this Building Code exception; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing to accept and consider public comments, and to review and consider such amendment to the Zoning Code, as described in Attachment A, Draft Ordinance - Revised Table 17.38.040-1 on August 11, 2020; and

**WHEREAS**, the proposed revisions are exempt from review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines (Section 15303) *New Construction or Conversion of Small Structures*.

**NOW THEREFORE BE IT RESOLVED**, that the Planning Commission hereby forwards a recommendation that the City Council approve an ordinance (Attachment A) amending the Municipal Code Title 17 Zoning, Chapter 17.38, Table 17.38.040-1 Development Standards for Accessory Structures.

The foregoing Resolution of the Planning Commission of the City of Ione was duly introduced and adopted by the Planning Commission at its regular meeting on August 11, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Janice Traverso, City Clerk

ATTACHMENT A

CITY OF IONE

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IONE  
AMENDING TITLE 17 ZONING, CHAPTER 17.38, TABLE 17.38.040-1  
DEVELOPMENT STANDARDS FOR ACCESSORY STRUCTURES

**WHEREAS**, the City of Ione maintains a Zoning Code, incorporated as Title 17 of the Municipal Code, as an implementation tool of the General Plan, which regulates the allowed uses, setbacks, parking regulations, and other requirements for development in the City of Ione; and

**WHEREAS**, a recent change in the Building Code provides for an exception regarding minimum setbacks for accessory buildings; and

**WHEREAS**, subsequent to careful review and consideration, the Planning Commission determined that the text of the zoning ordinance should be amended to be consistent with this Building Code exception; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing to accept and consider public comments, and to review and consider such amendment to the Zoning Code, as described in Attachment A, Draft Ordinance - Revised Table 17.38.040-1 on August 11, 2020; and

**WHEREAS**, the proposed revisions are exempt from review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines (Section 15303) *New Construction or Conversion of Small Structures*; and

**WHEREAS**, the proposed amendments are consistent with the General Plan and create consistency in land use regulation.

**NOW THEREFORE BE IT ORDAINED**, that the City Council of the City of Ione, State of California, does hereby amend Title 17 Zoning, Chapter 17.38, Table 17.38.040-1 Development Standards for Accessory Structures as set forth below:

Section 1: Revised Table 17.38.040-1: Development Standards for Accessory Structures

<b>Table 17.38.040-1: Development Standards for Accessory Structures</b>					
Accessory Structure	Minimum Setback Distance from Property Line			Minimum Distance Between Structures	Maximum Height
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4. Measurement from water's edge. Related equipment shall be set back a minimum of three feet from all side and rear property lines.

5. See the city-adopted building code for separation requirements.



6. Interior setback may be reduced to 3 feet when located on a lot within a residential subdivision where:

- all dwellings are equipped throughout with an automatic sprinkler system installed in accordance with Section R313;
- the accessory structure is used only for the storage of motor vehicles; and
- the lot adjacent to the reduced setback is located within the same subdivision and provides an open setback yard that is 6 feet or more in width on the opposite side of the property line OR the property adjacent to the reduced setback is a street or similar non-habitable use.

### Section 2: No Mandatory Duty of Care

This ordinance is not intended to, and shall not be construed or given effect as to impose upon the City of Ione, or any officer or employee thereof, a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

### Section 3: Severability

If any provision of this ordinance, or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without said invalidated provision or application, and to this end the provisions of this ordinance are severable. The City Council of the City of Ione hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof, and intends that the invalid portions should be severed and the remainder of the ordinance enforced.

### Section 4: Environmental Review

The City Council of the City of Ione hereby finds this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines (Section 15303) *New Construction or Conversion of Small Structures*; and A Notice of Exemption will be prepared.

### Section 5: Prior Violations

Neither the adoption of this ordinance, nor the repeal or amendment by this ordinance of any ordinance, or part or portion of any ordinance, previously in effect in the City of Ione, or within the territory comprising the City, shall in any manner affect the prosecution of a violation of any ordinance, which violation was committed prior to the effective date of this ordinance, nor shall the adoption of this ordinance be construed as a waiver of any license, fee, penalty, or the penal provisions applicable to any violation of such ordinances.

### Section 6: Effective Date

This ordinance shall be effective 30 days following its adoption by the City Council of the City of Ione. A summary of this ordinance shall, within fifteen (15) days after passage, be published

in accordance with Section 36933 of the Government Code of the State of California, with the names of the City Council members voting for and against it.

INTRODUCED at a regular meeting of the City Council of the City of Ione on the \_\_\_\_\_ day of \_\_\_\_\_, 2020; and

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by the following vote:

AYES: Councilmembers: \_\_\_\_\_

NOES: Councilmembers: \_\_\_\_\_

ABSENT: Councilmembers: \_\_\_\_\_

ABSTAIN: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
DIANE WRATTEN, MAYOR  
CITY OF IONE

ATTEST:

\_\_\_\_\_  
Janice Traverso, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
David A. Prentice, City Attorney