

ORDINANCE NO. 2020-021

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING CHAPTER 24.264, MANUFACTURING PLANNED DEVELOPMENT (M-P-D) ZONE – SECTION 24.264.030-SUBJECT TO A USE PERMIT

The Council of the City of San Buenaventura does ordain as follows:

Section 1. Amendment to Code. Chapter 24.264, “M-P-D Manufacturing Planned Development Zone” of the San Buenaventura Municipal Code is hereby amended to read as follows:

Chapter 24.264 – M-P-D Manufacturing Planned Development Zone

- Sec. 24.264.010. - Chapter Description.
- Sec. 24.264.020. - Uses Permitted.
- Sec. 24.264.030. - Same – Subject to use permit.
- Sec. 24.264.035. - Same – Subject to a director’s permit.
- Sec. 24.264.040. - Same – Incidental
- Sec. 24.264.050. - Same – Special Provisions.
- Sec. 24.264.060. - Standards– Density.
- Sec. 24.264.070. - Same – Height.
- Sec. 24.264.080. - Same – Yards.
- Sec. 24.264.090. - Same – Setbacks.
- Sec. 24.264.100. - Same – Other.
- Sec. 24.264.110. - Nonconformance.

Sec. 24.264.010. - Chapter description.

Chapter 24.264 establishes the M-P-D Manufacturing Planned Development (“M-P-D”) Zone and prescribes use types and other

regulations for this zone. Any applicable overlay zones described in chapters 24.300 through 24.399 may impose regulations in addition to those prescribed by this chapter for the M-P-D zone. In addition, development within the M-P-D zone may be subject to other special development tract regulations. The provisions of this chapter are intended to:

1. Provide areas in which a wide variety and complexity of industrial and manufacturing uses may function safely, efficiently, and harmoniously;
2. Regulate, with both general and specific development standards, a high level of site development and operational performance with due consideration to creating a quality industrial environment, enhancing views from main transportation routes, and protecting existing and future adjacent land uses.
3. Preserve the city's industrial base and protect industrial and improvements from encroachment of incompatible uses more properly located in other zoning districts.

Sec. 24.264.020. - Uses—Permitted.

The following use types are permitted subject to the provisions of this Chapter:

1. Residential.
None
2. General.
Administrative, Business, and Professional Services
Animal Sales and Services: Veterinary
Automotive and Accessories: Automotive Sales, Wholesale
Automotive and Accessories: Parking
Boating and Harbor Activities: Boat Building or Repair
Business and Professional Support
Construction Sales and Services: Building Contractor Yards
Cultural and Library Services
Dining Establishments: Ancillary Service
Dining Establishments: Fast Counter Service
Dining Establishments: Full Service
Dining Establishments: Take Out
Education Services: Commercial
Firearm and Ammunition Sales
Food and Fish Processing: Fish and Meat Processing

Food and Fish Processing: Food Processing
 Government Services
 Laundry Services
 Light Industrial
 Medical Services: Consulting
 Medical Services: Mobile Equipment
 Personal Storage
 Property Maintenance Services
 Recreation Services: Public Park and Playgrounds
 Recycling Services: Consumer Recycling Collection Points
 Repair Services, Appliance and Electronics
 Research or Laboratory Services
 Retail Sales
 Safety Services
 Utility or Equipment Substations
 Wholesaling and Distribution
 Wireless Telecommunications Facilities: Mini
 Wireless Telecommunications Facilities: Minor
 3. Agricultural.
 None

Sec. 24.264.030. - Same—Subject to a use permit.

The following use types may be permitted subject to the provisions of this chapter and further provided that a use permit is approved pursuant to chapter 24.520:

1. Residential.
Family Residential: Caretaker
2. General.
 Animal Sales and Services: Grooming and Pet Stores
 Automotive and Accessories: Automotive Repairs, Systems
 Automotive and Accessories: Cleaning
 Automotive and Accessories: Gasoline Sales
 Automotive and Accessories: Operable Vehicle Storage
 Community Meeting
 Day Care Centers
 Day Services Facility
 Education Services: General
 Group Care

Hazardous Waste Facility
Helicopter Landing Services
Oil Equipment Services: Heavy
Oil Equipment Services: Light
Recreation Services: Indoor Sports and Recreation
Recycling Services: Recycling Transfer
Transportation Services
3. Agricultural.
None

Sec. 24.264.035. - Same—Subject to a director's permit.

The following use types may be permitted, subject to the provisions of this chapter and further provided that a director's permit is approved pursuant to chapter 24.505:

1. Residential.
None
2. General.
Farmer's Market, Certified
Thrift stores
3. Agricultural.
None

Sec. 24.264.040. - Same—Incidental.

Incidental uses as defined in chapter 24.110 may be permitted.

Sec. 24.264.050. - Same—Special provisions.

Uses listed in Sections 24.264.020 through 24.264.040 are also subject to the following special provisions:

1. Design Review. Design review approval must be obtained to the extent required by Chapter 24.545.
2. Planned Development Permit. Approval of a planned development permit pursuant to Chapter 24.525 is required prior to initiation of a use on an undeveloped site, or prior to any construction of new structures or additions or alterations to existing structures in conjunction with, or in any way related to, the use types listed in Sections 24.264.020 and 24.264.030 except for the Recycling Services: Consumer Recycling

Collection Points and Wireless Telecommunications Facilities: Mini and Minor Use Types.

3. Temporary Uses. Temporary uses may be conducted only to the extent permitted by Chapter 24.120.

4. Family Residential: Caretaker. Caretaker's residences must comply with the provisions of Chapter 24.435.

5. Group Care. All Group Care uses must comply with the provisions of Chapter 24.435.

6. Dining Establishments: Fast Service, Drive-Up. All Dining Establishments: Fast Service, Drive-Up uses must comply with the provisions of Chapter 24.475.

7. Assembly Uses. All assembly uses must comply with the provisions of Chapter 24.480.

8. Recycling Services. Uses classified in the Recycling Services: Consumer Recycling Collection Points and Recycling Services: Recycling Transfer use types must comply with the provisions of Chapter 24.485.

9. Hazardous Waste Facility. All use classified within the Hazardous Waste Facility use type must comply with the provisions of Chapter 24.495.

10. Wireless Telecommunications Facilities: Minor. Uses classified within the Wireless Telecommunications Facilities: Minor use type shall require a director's permit pursuant to Chapter 24.505.

11. Firearm and Ammunition Sales. All uses, as defined by Section 24.115.3175, shall comply with Chapter 24.494.

Sec. 24.264.060. - Standards—Density.

A. Lot area. Each lot in this zone shall have a minimum area of 21,780 square feet.

B. Lot width. Each lot in this zone shall have a minimum average width of 125 feet.

C. Lot coverage. Not more than 50 percent of any lot in this zone shall be occupied by buildings or structures.

Sec. 24.264.070. - Same—Height.

A. Height determination. The height of buildings and other structures in the M-P-D zone shall be determined in accordance with section 24.405.040.

B. Maximum number of stories. Buildings and other structures in the M-P-D zone shall not exceed six stories.

C. Maximum height. Regardless of the number of stories comprising a building or structure, no portion of a building or other structure in the M-P-D zone shall exceed 75 feet in height except as provided in section 24.405.030.

Sec. 24.264.080. - Same—Yards.

Fences, walls, and other uses of yards in the M-P-D zone shall comply with the yard requirements contained in chapter 24.410.

Sec. 24.264.090. - Same—Setbacks.

Buildings and other structures, not including fences or walls, on a lot in the M-P-D zone shall comply with the following setback requirements:

1. Front setbacks. Each lot in this zone shall have a front setback of not less than 20 feet.

2. Side setbacks. Each lot in this zone shall have side setbacks as set forth in this subsection 2.:

a. For interior lots, there shall be a side setback of not less than ten feet.

b. For corner lots, there shall be a side setback of not less than 20 feet on the street side property line and not less than ten feet on each interior side.

3. Rear setbacks. Each lot in this zone shall have a rear setback of not less than 20 feet.

Sec. 24.264.100. - Same—Other.

The following development regulations and standards shall also apply within the M-P-D zone:

1. Parking. Offstreet parking shall be provided for all uses as required by chapter 24.415.

2. Signs. All signs must comply with the provisions of chapter 24.420.

3. Coastal development. All development within the CP Overlay zone must comply with the provisions of chapter 24.310 and chapter 24.515.

4. Floodplain Overlay Zones. All development within a designated Floodplain (FP) Overlay Zone must comply with the provisions of chapter 24.320 and chapter 24.530.

5. Access. All lots in this zone shall have frontage on a public street. No lots having vehicular access provided solely by access easements shall be permitted.

6. Landscaping. A minimum of 15 percent of the area for which a planned development permit has been issued shall be landscaped.

7. Open storage. Open storage areas shall be permitted only in those areas within the M-P-D zone which have been specifically identified as suitable for open storage uses by the decision-making authority, and only when incidental to a permitted use; provided that:

a. There shall be no open storage of any kind permitted in any front yard or street side yard;

b. The site location of any incidental open storage shall be specifically designated and approved by the decision-making authority as a condition of a planned development permit, and

c. All open storage areas shall be paved and completely enclosed by a solid fence or wall of no less than six feet in height, and no storage materials of any kind shall extend above said enclosure.

8. Retail activities. The total floor area of a use, other than uses within the Business and Professional Support use type, that is devoted to retail activities shall not exceed 35 percent of the gross floor area of any establishment nor shall retail activities occupy more than 20 percent of the gross floor area of any building or other structure on a particular site.

9. Displays for uses in the Automotive and Accessories Use Types category. Outdoor display of merchandise in conjunction with uses classified within the Automotive and Accessories: Gasoline Sales and Automotive and Accessories: Automotive Repairs, Systems use types may be permitted provided that all the following standards are met:

a. Lubricating materials. Not more than one day's supply of lubricating materials, computed on the basis of average daily sales, may be placed upon the pump island or within two feet of the pump island or primary building. All such lubricating materials must be displayed in appropriate racks.

b. Tire display. Not more than two enclosed tire storage or display cabinets are permitted. In lieu of tire cabinets, not more than four individual

new tires in appropriate open racks or stands may be displayed, provided that such racks or stands are located within two feet of the perimeter of the pump island or primary building.

c. Vending machines. Vending machines, including, but not limited to, soft drink dispensers or cigarette or candy vending machines, may be displayed within two feet of the perimeter of the primary building. Not more than four such machines are permitted.

10. Domestic animals. Domestic animals are permitted provided there are no more than four adult animals per establishment.

11. Livestock animals. Livestock animals are not permitted in the M-P-D zone.

12. Wild animals. Wild animals are not permitted in the M-P-D zone.

13. Performance standards. All development shall comply with the performance standards set forth in chapter 24.470.

14. Oil drilling. All oil drilling shall comply with the provisions of chapter 24.375.

15. Emergency Shelter Overlay Zone. all uses classified as an emergency shelter, with full supportive services, within a designated Shelter Overlay Zone must comply with the provisions of Chapter 24.318 and Chapter 24.437.

Sec. 24.264.110. - Nonconformance.

All nonconforming uses, nonconforming structures, and nonconforming lots are subject to the provisions of chapter 24.465.

Section 2. Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.


Section 3. CEQA Findings.

The Zoning Code Amendments are exempt from California Environmental Quality Act (CEQA) review by the "General Rule" that CEQA

applies only to projects that have a potential for causing a significant effect on the environment. CEQA Guidelines Section 15378 defines "project" as an action which has the potential to result in either a direct physical change to the environment, or a reasonably foreseeable indirect change.

The Ordinance Amendment is exempt from further environmental review per Sections 15061(b)(3) and 15308 of the California Environmental Quality Act (CEQA) Guidelines because it establishes further review and does not change development standards. Therefore, it can be foreseen with certainty that the Ordinance Amendment does not have the potential to directly or indirectly cause significant effects on the environment, because it does not authorize or allow development beyond that currently permitted by the Zoning Ordinance and the General Plan.

PASSED and ADOPTED this 3rd day of August, 2020.




Matt LaVere, Mayor

ATTEST:



ANTOINETTE M. MANN, MMC, CRM
CITY CLERK

APPROVED AS TO FORM
Gregory G. Diaz, City Attorney

By:  _____ 6/29/2020
Andrew Heglund Date
Senior Assistant City Attorney

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS.
CITY OF SAN BUENAVENTURA)

I, ANTOINETTE M. MANN, City Clerk of the City of San Buenaventura, DO HEREBY CERTIFY that the foregoing is a full, true, and correct copy of Ordinance No. 2020-021 that was introduced by said City Council at a regular meeting held July 13, 2020, and adopted by said City Council at a regular meeting held August 3, 2020, by the following vote:


AYES: Councilmembers Nasarenko, Brown, Friedman, Weir, Heitmann, Deputy Mayor Rubalcava and Mayor LaVere

NOES: None

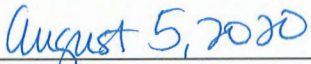
ABSENT: None

I further certify that said Ordinance No. 2020-021 was published as required by law in the VENTURA COUNTY STAR, a newspaper of general circulation printed and published in said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Buenaventura, California.



Antoinette M. Mann, MMC, CRM
City Clerk
City of San Buenaventura, California



Date Attested

