

CITY COUNCIL

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20221019-053

October 19, 2022

MEMORANDUM

TO: GAIL UEHARA
CLERK, COMMITTEE ON ZONING AND PLANNING

FROM: BRANDON ELEFANTE, CHAIR 
COMMITTEE ON ZONING AND PLANNING

SUBJECT: ZONING AND PLANNING CHAIR'S RECOMMENDATIONS ON PROPOSED
ADDITIONAL AMENDMENTS TO BILL 10, CD2 (2022)

Attached for consideration by the Zoning and Planning Committee are proposed recommendations by the Zoning and Planning Chair to the amendments offered for Bill 10, CD2 (2022) relating to the Land Use Ordinance.

Thank you!

Attachments: CC-310 (Councilmember Tupola's Proposed Amendments)
CC-313 (Council Chair Water's Proposed Amendments)

COUNCIL COM. 316
ZP

ZONING AND PLANNING CHAIR'S RECOMMENDATIONS ON CC-310 (2022)
Proposed Amendments to Bill 10 (2022), CD2
Relating to Use Regulations

TOTAL PAGES: 03
DATE: OCTOBER 13, 2022
COUNCILMEMBER: ANDRIA TUPOLA
STAFF CONTACT: BRAEDON WILKERSON

No.	Bill SEC.	ROH Section, Exhibit, or Figure and title	Page No.	Amendment Description	Amendment Text (in Ramseyer form)	Comments or Clarification	ZP Chair's Recommendation
1	3	Sec. 21-5.40-4(b)(7) Sec. 21-5.40-4 – Accessory agricultural (b) Agritourism – standards (7) Weddings and similar accessory destination events	15	Amending agritourism standards for weddings and similar accessory destination events.	(7) Weddings and similar accessory destination events [are subject to the following: (A) Events] must take place at a designated event space[;] (B) No more than two events may occur each week; (C) Attendance at each event is limited to no more than 50 individuals; (D) No more than 10 parking spaces associated with the event space are allowed, due to the limited road capacity in agricultural areas and to encourage shared ride and shuttle service to events. Full-size tour buses may not be used in connection with any wedding or other destination event; and (E) Predominantly open-air physical improvements associated with destination events, such as a roofed pavilion, are allowed; provided that the total floor area must not exceed 1,000 square feet].	Eliminating event frequency, attendance, parking, transportation, and physical improvement restrictions for weddings and similar accessory destination events.	Accept with modifications. Retain standards in paragraphs (A) and (E). Delete standards in paragraphs (B), (C), and (D).
2	3	Sec. 21-5.50-3(c)(2)(D) Sec. 21-5.50-3 – Accessory residential (c) Home occupation – standards (2) Permitted Home Occupations	27	Amending permitted home occupations standards.	(2) Permitted home occupations: Permitted activities include, but are not limited to: (A) Group instruction; (B) Sale of items produced by the household members; (C) Occasional grooming or boarding of animals with no more than five animals onsite per day; and (D) <u>Commercial weddings.</u>	Amending permitted home occupations standards to include commercial weddings.	Defer

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3	3	Sec. 21-5.50-3(c)(3)(D) Sec. 21-5.50-3 – Accessory residential (c) Home occupation – standards (3) Prohibited home occupations	27	Amending prohibited home occupations standards.	(3) Prohibited home occupations: Activities that are prohibited as a home occupation use include but are not limited to: (A) Commercial automobile repair and painting; (B) Routinely providing care, treatment, or boarding of animals in exchange for money, goods or services; (C) Uses and activities that are only permitted in the industrial zoning districts; [(D) Commercial weddings; (E)](D) Contractor storage yards; [(F)](E) Mail and package handling and delivery businesses; [(G)](F) Sale of guns and ammunition; and [(H)](G) Use of dwellings or zoning lots as a headquarters for the assembly of employees for instructions or other purposes, or to be dispatched for work to other locations.	Amending prohibited home occupations standards to exclude commercial weddings.	Defer

**ZONING AND PLANNING CHAIR'S RECOMMENDATIONS ON CC-310 (2022)
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No.	Bill SEC.	ROH Section, Exhibit, or Figure and title	Page No.	Amendment Description	Amendment Text (in Ramseyer form)	Comments or Clarification	ZP Chair's Recommendation
4	3	Sec. 21-5.60-6(c)(2)(E) Sec. 21-5.60-6 – Utility (c) Large – Standards (2) Wind Energy Generation (E)	42	Amending setback requirements for large utilities, specifically wind energy generation facilities.	(E) Large wind energy generation facilities must be set back from all property lines a minimum distance equal to the height of the facility, measured from the highest vertical extension of the facility; and a minimum distance of 1.25 miles from the property lines of any zoning lot located in the country, residential, apartment, apartment mixed use, or resort zoning districts; provided that the setback requirements in this paragraph only apply to new large wind energy generation facilities and do not apply to the repair, maintenance, or component replacement of any existing facility covered by a power purchase contract with an electric public utility during the <u>initial</u> term of the contract , including any renewal or extension thereof . Height includes the height of the tower or its vertical support structure and the farthest vertical extension of the tower.		Defer

ZONING AND PLANNING CHAIR'S RECOMMENDATIONS ON CC-313 (2022)
Proposed Amendments to Bill 10 (2022), CD2
Relating to Use Regulations

TOTAL PAGES: 1
DATE: October 14, 2022
COUNCILMEMBER: Waters
STAFF & PHONE EXT: Davin Aoyagi x85044

ITEM NO.	BILL SECTION	ROH SECTION, EXHIBIT, or FIGURE and TITLE	PG NO.	AMENDMENT DESCRIPTION	AMENDMENT TEXT (RAMSEYER NEW LANGUAGE)	COMMENTS OR CLARIFICATION	ZP CHAIR'S RECOMMENDATION
1	3	Sec. 21-5.70-3(a)(2)(C)(i) Lodging, Bed and breakfast home; Transient vacation unit – standards, Restrictions and standards,	51	Amends B&B and TVU requirements for carbon monoxide monitors.	(i) Functioning smoke [and carbon monoxide] detectors must be installed in each [transient occupant bedroom] room that is suitable and used for transient occupant sleeping accommodations, and each hallway connected to [a transient occupant bedroom;] such room. <u>In addition to smoke detectors, functioning carbon monoxide detectors must be installed in each room that is suitable and used for transient occupant sleeping accommodations, and each hallway connected to such room, if the room is served by natural gas, propane, or other combustible gas;</u>		Accept
2	63	Sec. 21-10.1 Definitions Agricultural processing, minor and major	172	Amends minor agricultural processing definition	"Agricultural processing" means processing local crops and local animal-related products essential to supporting a variety of agriculture uses for distribution to storage structures or wholesale and retail markets. (1) Minor: Processing crops and live animal by-products such as milk, eggs, and honey. <u>In the agricultural zoning districts, the term includes the processing of crops to produce malt beverages, distilled spirits, or wines.</u> (2) Major: Slaughtering and processing dead animals and associated by-products.		Accept
3	64	Sec. 21-10.1 Definitions Brewery, distillery, winery	191	Amends brewery, distillery, winery definition	"Brewery, distillery, winery" means a facility that produces malt beverages, distilled spirits, or wines. <u>The term does not include facilities that fall within the agricultural processing use.</u> (1) Minor: Producing a maximum of 10,000 barrels a year. The term includes the sale of malt beverages, distilled spirits, or wine for onsite consumption. (2) Major: Producing more than 10,000 barrels a year. The term includes guided tours and free tastings of malt beverages, distilled spirits, or wine produced onsite.		Accept