



City Council of the City of El Centro

1275 Main Street
El Centro, CA 92243

Meeting: 09/17/24 11:30 AM
Department: Community Development
Category: Public Hearing
Prepared By: Andrea Montano
Department Head: Angel Hernandez

DOC ID: 6501

ADOPTED ACTION ITEM (ID # 6501)

Public Hearing to Consider the Recommendation of the Planning Commission Regarding the Phase II Zoning Ordinance Update

CITY MANAGER'S RECOMMENDATION:

Approve Ordinance No. 24- , AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CENTRO, CALIFORNIA, REPEALING AND READOPTING MUNICIPAL CODE CHAPTER 29 "ZONING" IN ITS ENTIRETY, AMENDING MUNICIPAL CODE CHAPTER 12 "GARBAGE, RUBBISH, AND OTHER SOLID WASTE," CHAPTER 18 "OFFENSES AND MISCELLANEOUS PROVISIONS," CHAPTER 23 "STREETS, SIDEWALKS, AND PUBLIC PLACES," AND CHAPTER 24 "SUBDIVISION REGULATIONS" TO MEET THE REQUIREMENTS OF CURRENT LAW.", waiving reading and approve as first reading and authorize City Clerk to place on the next agenda for second reading and adoption.

FISCAL IMPACT:

Not Applicable

STRATEGIC PLANNING PROGRAM 2022-2027 RELATION:

Goal 6: Economic Opportunity - Strengthen El Centro's resilience by diversifying the economy, recruiting new businesses, creating opportunities for business growth, retaining businesses, and maximizing efficiency.

Action 6.1: Update the Zoning Code to implement mixed-use zoning designation to facilitate residential development within existing commercial areas.

Action 6.2: Update the Zoning Code to allow artisan/small manufacturing uses, maker-spaces, and other types of cultural production uses as permitted uses in downtown.

Action 6.3: Update the Zoning Code to revise residential development standards to encourage infill residential development, innovative housing types, and mixed density development through modified parking and open space requirements.

Action 6.4: Update Zoning Ordinance to facilitate "pop-up" shops, restaurants, and events on vacant lots, vacant store-fronts, and on public property with a special emphasis in locations downtown.

Action 6.5: Update the Zoning Ordinance to allow the expansion of home occupation uses and/or creating a second tier of home occupation permit, which would allow for more intensive commercial activity while still retaining residential as the primary use.

DUE DILIGENCE CHECK FOR CONTRACTORS/CONSULTANTS: DID THE

DEPARTMENT VERIFY CURRENT EL CENTRO BUSINESS LICENSE, CONTRACTORS LICENSE, REFERENCE CHECKS, INSURANCE, ETC:

Not Applicable

BACKGROUND:

On June 15, 2021 the City of El Centro City Council approved the El Centro 2040 General Plan Update. The project updated the Land Use and Mobility Elements of the General Plan and adopted a new Environmental Justice Element. The Land Use Element, created new land use designations, overlays, and removed others. Also, on February 1, 2022 the City Council adopted the 6th Cycle Housing Element, which was certified by the Housing and Community Development Department. On November 15, 2022 the City Council approved the required changes to the ordinance under Phase I.

Phase II of the Zoning Ordinance update commenced in January 2023. This Phase of the focused on additional non-residential topics for compliance with the updated General Plan. In addition, it also revised several residential development standards in compliance with the Housing Element and General Plan. This item was recommended by the Planning Commission on July 23, 2024 to the Council for approval. In summary, updates to the El Centro Municipal Code clarify regulations, removes obsolete language, address community needs and align with both the General Plan and State Law.

DISCUSSION:

The changes municipal code may viewed online at:

<https://cityofelcentro.org/communitydevelopment/wp-content/uploads/sites/14/2024/09/Municipal-Code-Changes.pdf>.

In addition to Chapter 29 “Zoning” other chapters of the City’s Municipal Code are proposed for modification and are summarized below:

Chapter 12 - Garbage, Rubbish, and Solid Waste:

- o Clarifies requirements for all property and business owners
- o Secures receptacles, prohibits business use of public bins, allows shared enclosures

Chapters 18- Offenses, and Miscellaneous Provisions:

- o Updates fencing regulations, defines barbed wire, and sets permit requirements for hazardous fencing.

Chapter 23 - Streets, Sidewalks, and Public Places:

- o Introduces uniform roadway design standards for all city streets and alleys
- o Emphasizes speed reduction and General Plan consistency in traffic calming
- o Complete Streets Ordinance to enhance traffic safety and access for all, specifies design elements, and requires coordination between departments

Chapter 24 - Subdivision Regulations:

- o References Complete Streets article, clarifies lot design standards, and

removes redundant regulations

Chapter 29 - Zoning:

- o **Planned Unit Developments (PUD):** Allows smaller lots and diverse housing types in R-1 zone
- o **Allowable Land Uses:** Updates uses, permits, and expands Home Occupation Permit requirements
- o **Temporary Uses:** Clarifies and adds allowable uses, exemptions for certain events
- o **Accessory Dwelling Units (ADUs) and Junior ADUs:** Updates to reflect state law changes
- o **Open Space Standards:** Reduces requirements, allows flexibility for multi-unit projects between two to four units
- o **Design Standards:** Removes subjective language, updates carport, privacy, and parking area requirements
- o **Parking Requirements:** Allows tandem parking, modifies requirements
- o **Landscaping and Screening:** Revises standards, updates plant lists and spacing requirements
- o **Procedures:** Updates permitting procedures, changes approving body for large temporary uses to Planning Commission
- o **Definitions:** Updates and adds definitions, removes outdated terms
- o **Clarifications:** Corrects errors, adds references, and updates terminology
- o **Hazardous Fencing:** Requires Administrative Committee Review.

Environmental Compliance & Noticing Requirement - The City has determined that approval of this project is exempt from CEQA because it represents implementation of the 2040 General Plan and Housing Element, and relies on the program EIR for the 2040 General Plan Update for CEQA compliance for this General Plan text amendment, Zoning Code text amendment, and revised Zoning Map; thus, this activity is within the scope of the program approved earlier, and the program EIR prepared for the 2040 General Plan Update adequately describes this activity for the purpose of CEQA. A one quarter-page public hearing notice was published in the Imperial Valley Press on September 6, 2024. Notices were also posted at city facilities, and posted on the City of El Centro and Community Development Department's Facebook pages.

Required Findings & Analysis - An amendment to the Zoning Code requires the approval of specific criteria found in Section 29-328. That criteria and findings in support of Phase II of the Zoning Ordinance Update are as follows:

1. **Proposed zone ordinance amendment is in conformity with the City's General Plan, and other development policies of the City.**
The purpose of the project is complete the necessary changes under Phase II of the Zoning Text Amendments to conform the Zoning Ordinance with the goals and policies of the General Plan that was updated in June 15, 2021 and the Housing Element updated on February 1, 2022.
2. **Proposed zone ordinance amendment is appropriate for the affected project site with consideration given to access, size of parcel, relationship to similar or related land uses, and other considerations deemed relevant.**

The proposed Zoning Ordinance amendment will implement the goals and policies called for in the 2040 General Plan update and 6th Cycle Housing Element approved in June 2021 and February 2022. Both projects underwent significant study, analysis and public engagement to determine their appropriateness for the city.

3. **Proposed zone change is proper at this time and not likely detrimental to the adjacent properties or residents.**

The proposed zone ordinance amendment will not be detrimental to the adjacent properties. Any future land uses that could potentially be detrimental to the surrounding properties would be required to comply with conditions of approval to ensure land use compatibility.

CONCLUSION:

Approve Ordinance No. 24- , AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL CENTRO, CALIFORNIA, REPEALING AND READOPTING MUNICIPAL CODE CHAPTER 29 "ZONING" IN ITS ENTIRETY, AMENDING MUNICIPAL CODE CHAPTER 12 "GARBAGE, RUBBISH, AND OTHER SOLID WASTE," CHAPTER 18 "OFFENSES AND MISCELLANEOUS PROVISIONS," CHAPTER 23 "STREETS, SIDEWALKS, AND PUBLIC PLACES," AND CHAPTER 24 "SUBDIVISION REGULATIONS" TO MEET THE REQUIREMENTS OF CURRENT LAW."

ATTACHMENTS:

- Exhibit A - Ordinance (DOCX)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sonia Carter, Councilwoman
SECONDER:	Tomás Oliva, Councilman
AYES:	Garcia, Oliva, Cardenas-Singh, Marroquin, Carter