



Desk Item

DATE: AUGUST 18, 2022
TO: PLANNING COMMISSION
FROM: CARMELA CAMPBELL, ECONOMIC AND
 COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: AMENDMENTS TO TITLE 18, ZONING, OF THE UNION CITY
 MUNICIPAL CODE TO UPDATE CHAPTERS 18.24, 18.31, 18.32, 18.34,
 AND 18.72 (AT-22-01)

Staff received questions/comments from a Planning Commissioner regarding the project. The following are the questions received and staff's responses (in *red italics*)

Commissioner Lew Comments

1. Exhibit B, page 2, 18.31.020D – should the definition for “primary dwelling unit” also include primary dwelling units that are proposed (included in the plan and not yet built) under an SB 9 project application? Please clarify.

For this definition, a primary dwelling unit would only include a unit that has already been constructed on the lot and not those that are planned and not yet built.

2. Exhibit B, page 2, 18.31.020F – rather than only referring readers to the California Government Code in the definition for “SB 9 Unit”, I recommend including the three types of units: Primary Unit, Accessory Dwelling Unit and Junior Accessory Dwelling Unit. This results in a user-friendly definition for readers.

An SB 9 unit is a unique, separate unit type and does not include other unit types.

3. Exhibit B, page 4, 18.31.060B – is the requirement for the property owner to occupy one of the housing units and not the applicant (if the applicant is not the owner)? Please clarify and correct, if necessary.

The language shall be modified to read:

“Applicant shall provide a signed affidavit on a form provided by the City stating the property owner intends to occupy one of the housing units on a resulting parcel as their principal residence for a minimum of three years from the date of the approval of the urban lot split, except this shall not apply to a community land trust or a qualified nonprofit corporation.”

4. Exhibit B, page 7, 18.31.100C.4, last line – should “properly” be “property”? Please clarify.

Noted, the edit will be made.

5. Exhibit B, page 18, 18.32.040A.6, 2nd line – I recommend inserting “and” between “yard area” and “be compatible.”

Noted, the edit will be made.

6. Exhibit B, page 23, 18.32.125B.1.a.iv – this list of projections ends with the word “or.” Is there something missing at the end of this list? Please clarify.

The language shall be modified to read

“iv. A projection such as a stoop, bay window, or overhang.”

7. Exhibit B, page 40, 18.100.040A – the table contains a list of permitted and conditionally permitted uses in residential areas. The eighth item shows the agriculture use is proposed to be changed to remove the reference to “18.32.020(K) Agricultural uses including nurseries” and replace it with the reference to “18.32.020(O)” which requires screening and noise level limits for mechanical equipment. However, 18.32.020(O) for mechanical equipment does not appear to be an appropriate permitted or conditionally permitted agricultural use in a residentially zoned area. Please explain this change.

Section 18.32.020 is receiving updates that affect the lettering of the permitted uses. See Page 11-17 of Exhibit B. The updated references in Section 18.100.040 are consistent with the proposed amendments to Section 18.32.020.

8. Exhibit B, page 40, 18.100.040A – the 11th item in this table shows a proposed change for “temporary subdivision sales office.” The referenced Section 18.32.020J for “temporary subdivision sales office” is being removed and replaced with 18.32.020N “repairs to automobiles and other vehicles or equipment” which seems unrelated to subdivision sales offices. Please explain this change. By the way, I referred to the Municipal Code that is available on the City’s website.

Section 18.32.020 is receiving updates that affect the lettering of the permitted uses. See Page 11-17 of Exhibit B. The updated references in Section 18.100.040 are consistent with the proposed amendments to Section 18.32.020.