

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ROCKLIN
AMENDING ROCKLIN MUNICIPAL CODE CHAPTER 17.08 SECTIONS 17.08.030 AND 17.08.090
PERTAINING TO SETBACKS AND ACCESSORY STRUCTURES AND ADDING SECTION 17.08.095
PERTAINING TO STRUCTURES OPEN ON THREE SIDES
(Patio Covers / ZOA2021-0001)

The City Council of the City of Rocklin does ordain as follows:

Section 1. Purpose. The purpose of this ordinance is to modify regulations addressing the construction of patio covers, arbors, and similar structures open on a least three sides on certain single-family residential properties within the City of Rocklin to provide for greater flexibility in their construction, and to clean up and clarify a provision related to encroachments into the rear yard setback in residential zones.

Section 2. Authority. The City Council enacts this ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution and Government Code section 37100.

Section 3. Amendment to Code. Section 17.08.030 of the Rocklin Municipal Code, "Setback applicability and measurement," subsection "C" is hereby amended to read as follows:

C. In all residential zones, the primary structure on any lot may project up to ten feet into the required rear yard setback designated by the regulations of this chapter for those zones or the applicable general development plan for planned development zones: provided, that the square footage lost from the projection is replaced by a yard or court located within the buildable portion of the lot. Unless otherwise permitted by the applicable zoning, the primary structure shall not be located less than five feet from the rear property line.

Section 4. Amendment to Code. Section 17.08.090 of the Rocklin Municipal Code is hereby amended to read as follows:

17.08.090 - Accessory Structures.

A. An accessory structure in any residential zone shall comply with the following:

1. Said structures shall be located to the rear or side of the main dwelling unit, not less than ten feet there from.
2. Said structures shall be a minimum of five feet from any interior side or rear property line and shall comply with the required front and street side yard setbacks as set forth in the applicable zoning.

B. Barns and stables, or any other building or structure used for the keeping of animals, shall be located on the rear one-half of the lot and not closer than twenty feet to any side or rear property line.

Section 5. **Addition to Code.** Section 17.08.095 of the Rocklin Municipal Code is hereby added to read as follows:

17.08.095 – Structures open on three sides.

- A. In all residential zones, a structure which is open on at least three sides, such as a patio cover, may encroach into the required rear yard setback up to fifteen feet from a rear wall of the principal structure, but in no case shall such a structure be located within five feet of the rear property line.
- B. Structures open on at least three sides, whether attached to the primary structure or detached, shall not count toward lot coverage, regardless of roofing type, and shall not require compensation for encroachment into the rear setback area.
- C. On all lots that are 6,000 square feet or less in area, structures that are open on at least three sides, whether attached or detached to the primary structure, shall comply with the following standards:
 - 1. The maximum height of said structures shall not exceed 10 feet, as measured from the adjacent finish grade to the highest point of the structure. The Community Development Director may approve a deviation from this standard when strict adherence to the standard would cause the structure to block an existing door or window.
 - 2. Said structures shall be constructed of fire resistant materials.

Section 6. **Severability.** If any section, sub-section, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, sub-section, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases or portions to be declared invalid or unconstitutional.

Section 7. **Environmental Analysis.** The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060, subdivision (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061, subdivision (b)(3) (there is no possibility the activity in question may have a significant effect on the environment).

Section 8. Effective Date. This ordinance shall take effect thirty (30) days after the day of its adoption.

Section 9. Publication. Within fifteen days of passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Council members voting for and against the ordinance, to be published in the Placer Herald. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within fifteen days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Council members voting for and against the ordinance, to be published in the Placer Herald, and shall post in the office of the City Clerk a certified copy of the City Council members voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36933(c)(1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Rocklin held on _____, 2021, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rocklin held on _____, 2021, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSENT:	Councilmembers:
ABSTAIN:	Councilmembers:

Jill Gayaldo, Mayor

ATTEST:

Hope Ithurnburn, City Clerk

First Reading:
Second Reading:
Effective Date: