



City of Gilroy

STAFF REPORT

Agenda Item Title:	Zoning Ordinance Update Progress Report
Meeting Date:	November 4, 2024
From:	Jimmy Forbis, City Administrator
Department:	Community Development
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Prepared By:	Cindy McCormick, Planning Manager

<u>STRATEGIC PLAN GOALS</u>	Not Applicable
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RECOMMENDATION

Receive the staff report and provide feedback.

EXECUTIVE SUMMARY

The Gilroy Planning Division of the Community Development Department is drafting amendments for a comprehensive update to Gilroy City Code, Chapter 30 (Zoning Ordinance). The City has traditionally completed a comprehensive code update following adoption of a new General Plan. For example, in November 2003 the City Council adopted a comprehensive update to the entire Zoning Ordinance following adoption of the 2020 General Plan in June 2002. In addition to minor amendments following the 2003 update, a major update was completed in 2013, followed by minor amendments between 2013 and 2024, to primarily address state legislation that affected City regulations (e.g., Accessory Dwelling Units).

The Gilroy 2040 General Plan was adopted in November 2020 and a comprehensive Zoning Ordinance update is being proposed.

Given the length and complexity of the Zoning Ordinance, the draft will be developed and presented to the general public, the Planning Commission, and the City Council, over a series of public meetings. It is anticipated that the public review process will take approximately nine months, followed by a recommendation by the Planning Commission in late summer / early fall 2025. During this time, staff will also be hosting

community meetings for public feedback on the more substantive sections of the Zoning Ordinance, including, for example, downtown uses and development standards. Staff will incorporate feedback from the Planning Commission and the public into a comprehensive draft that is anticipated to be presented to the City Council during the last quarter of the 2025 calendar year. In the meantime, staff will provide the City Council with periodic updates on the Zoning Ordinance update progress, including links to the draft sections of code that the Planning Commission has reviewed.

BACKGROUND

On September 5, 2024, Planning staff provided an introduction of the update to the public and the Planning Commission. To date, the Planning Commission has reviewed the following preliminary drafts: [Enactment and Administration](#), [Non-Conforming Uses and Structures](#), and [Application Procedures](#). The following drafts will be reviewed in the next few meetings: [Architectural and Site Review](#), [Conditional Use Permits](#), [Minor Use Permits](#), [Temporary Use Permits](#), and [Variances and Minor Deviation Permits](#). Because the Zoning Ordinance will have a completely new format, it is not possible to provide track changes. However, staff is providing a summary of the changes during each Planning Commission meeting (e.g., Section 30.1.030 [Application of the Zoning Ordinance] can now be found in Section 30.10.050 [Applicability]). When new provisions or substantive changes are proposed, these will be noted in the summary document for discussion at the public meeting.

ANALYSIS

While the General Plan sets forth a wide-ranging and long-term vision for the City, the Zoning Ordinance is the primary tool used to implement General Plan goals and policies, through guidance and regulation of land use development. The current Zoning Ordinance lacks regulations for new General Plan land uses including the new City Gateway District, Industrial Park, Employment Center and Mixed-Use districts. The update is also intended to implement community goals identified in the General Plan, including but not limited to ensuring orderly development and land use compatibility, housing needs, employment needs, recreational opportunities, commercial growth, and downtown revitalization.

The update will also address noise impacting residential properties and drive-throughs near residential areas.

In addition to addressing new land uses and policies adopted under the new General Plan, the update is intended to be responsive to needs identified by the Planning Division in their daily interactions with residents and businesses. For example, new provisions in the Temporary Use Permit Division will allow existing businesses to expand while applying for planning and building permits. The City's current regulations generally restrict temporary uses to 30 or fewer days.

The update will also include a new format intended to make the Zoning Ordinance more user-friendly by adding subtitles for easy navigation, clarifying or revising language to limit misinterpretation and adding figures to better depict standards. The new Zoning Ordinance will also provide more transparency to the public regarding how City staff and decision makers process and make decisions on development applications.

PUBLIC OUTREACH

On September 12, 2024, the City advertised the zoning update in the Gilroy Dispatch. A dedicated website <https://www.cityofgilroy.org/1004/Zoning-Code-Update> has also been created and will be updated as new preliminary drafts are developed and reviewed by the Planning Commission. Staff also intends to conduct more extensive outreach to the business community, residential stakeholders, and other stakeholders who must comply with the Zoning Code (e.g., development standards and downtown uses). These community meetings will most likely be virtual to supplement the in-person meetings being held by the Planning Commission.

NEXT STEPS

In addition to the planning permit drafts linked in the background section, the Planning Commission will review the remaining planning permit drafts, including but not limited to Historic Resource Permits and Planned Development Permits. Future meetings will introduce preliminary drafts of the more substantive sections of the Zoning Ordinance, including definitions; zoning districts, allowed uses, and development standards; standards applicable to all zones (e.g., noise standards); and standards for specific land uses (e.g., drive-through facilities). Once all preliminary drafts have been reviewed and revised pursuant to Planning Commission direction, a comprehensive draft of the entire ordinance will be brought back to the Commission for a recommendation to the City Council. In the meantime, staff will provide the City Council with periodic updates on the Zoning Ordinance update progress.