



Planning Commission

AGENDA REPORT

Date: April 30, 2024

To: Planning Commission

From: David Sanchez, Director of Community Development

Submitted by: Mike Cepak, Associate Planner

Subject: Zoning Ordinance Text Amendment for Pet Cemetery Use in the P-O Zone

BACKGROUND

On August 24, 2023, staff presented a request from Ivy Lawn Memorial Park & Funeral Home (Ivy Lawn) to the Economic Development Land Use Committee (EDLUC) for a Zoning Ordinance Text Amendment (ZOA) to allow pet cemeteries in the Professional Office (P-O) Zone. Ivy Lawn owns and operates the mortuary along with the historic Wendell P. Daily House at the rear of the property, located at 1075-1077 E. Daily Drive. During this meeting, the Committee requested additional information from staff and to bring the item back for further consideration.

On October 26, 2023, staff presented the EDLUC with the additional information requested by the Committee. In presenting the information, staff determined that the proposed pet cemetery use is not consistent with the General Plan, Camarillo Municipal Code (CMC), and does not align with the Economic Development Strategic Plan (EDSP). At the conclusion of the meeting, Committee members expressed both consideration for the use but continued to raise a number of questions and concerns in relation to the compatibility of the proposed use with its surroundings.

Staff analysis presented at the two EDLUC meetings is provided in the reports, dated August 24, 2023 and October 26, 2023 (Attachments 4 and 5).

PUBLIC HEARING NOTICE

A Notice of Public Hearing on the proposed Zoning Ordinance Amendment has been advertised for the Planning Commission meeting of April 30, 2024, posted at Camarillo City Hall, as well as on the website (www.cityofcamarillo.org), and published in a newspaper of general circulation for the area (Camarillo Acorn).

DISCUSSION

Ivy Lawn purchased what was previously the Griffin Family Funeral Chapel and Residence located at 1075-1077 E. Daily Drive in 2023. In their submittal, the Applicant stated the relevance of the proposed text amendment to their specific property. Ivy Lawn intends on utilizing the unimproved portion of their lot between the mortuary located to the front of the property and the residence sited in the back. The Applicant is seeking a ZOA to allow the specific use to take place on their private property however, the ZOA would apply to all properties located within the P-O Zone. For an overview of the City's P-O zoned properties, please refer to the attached P-O Zone Map (Attachment 2).

Although the potential impact extends to the entire P-O Zone, staff identified two additional potential sites aside from the property on Daily Drive. The sites include the vacant lot on the corner of Mission Oaks Boulevard and Adolfo Road and the vacant lot at the southwest corner of Pleasant Valley Road and Pancho Road. The remainder of P-O zoned properties have already been developed for office use however could be redeveloped in the future. Allowing a pet cemetery in the P-O Zone, could remove potential development sites that can be otherwise utilized for other office related uses. Additionally, the presence of internments on a site is likely to present challenges for any future redevelopment.

Current Cemetery Zoning

The proposed ZOA from Ivy Lawn is a request to allow pet cemeteries in the P-O Zone. The P-O Zone does not permit cemetery uses but does allow for mortuaries. The CMC permits cemeteries in the Rural Exclusive Residential (R-E), Open Space (O-S), and the Single-Family Residential (R-1) Zones, subject to review and approval of a Conditional Use Permit (CUP) by the Planning Commission.

Staff researched other pet cemeteries located in California and their surrounding uses. The majority of the pet cemeteries were located in rural residential areas, adjacent to a freeway, open space, industrial, or other cemetery uses.

General Plan Inconsistencies

Within the City, properties that are zoned P-O have an underlying General Plan designation of either Public or Office. The Public designation is intended to facilitate uses such as but not limited to "parks, schools, libraries, police, and fire facilities" (Land Use Element, page 4.18).

The Land Use Element indicates that the Office designation is intended for, "the grouping of the medical and dental professions, lawyers, engineers, architects and other similar services. Medical clinics, banks, savings and loans, real estate, insurance, utility offices and facilities for other administrative functions related to the operation of both private and

public corporations are also included in this classification.” (Land Use Element, page 4.15)

Based on staff analysis, a pet cemetery use is not consistent with the underlying General Plan land use designations of the P-O Zone because:

- The Public designation is intended to facilitate uses such as but not limited to “parks, schools, libraries, police, and fire facilities”.
- The Office designation is intended to serve the categories of professional, medical and administrative functions.
- Commercial development principle on page 4.13, states, “Ensure compatibility by preventing the intrusion of incompatible uses within commercial areas”. The proposed ZOA would affect all P-O zoned properties throughout the city and a pet cemetery would be incompatible with existing office development.

Zoning Code Inconsistencies

The P-O Zone allows for a variety of uses that broadly fit in the financial institutions, general office, business administration and professional uses categories. A list of all uses permitted in the P-O Zone is attached (Attachment 3).

CMC Section 19.22.010 states that the P-O Zone should provide “a method whereby land may be designed and developed as a unit for professional administrative offices, and to produce an environment of stable desirable character” and “to produce professional administrative office developments that meet modern standards.”

Based on staff analysis, a pet cemetery does not meet the intent of the P-O Zone because:

- A pet cemetery is not consistent with the intent of the P-O Zone because it does not provide for “professional administrative uses.”
- A pet cemetery would be incompatible with existing and future uses that surround the P-O Zone because the proposed use would not be “in harmony with the existing or potential development of the surrounding neighborhoods.”
- Development of a pet cemetery in the P-O Zone would not be compatible with surrounding uses that are developed with office uses. Future redevelopment could also be constrained due to land use incompatibility issues.

Economic Development Strategic Plan Inconsistencies

The Economic Development Strategic Plan (EDSP) considers office and business parks as a Strategy Group Action Item and seeks to “maximize options for future office/business park development including reuse/redevelopment of existing properties” (Real Estate/Community Development Strategy Group Action Item e.). The Proposed use will not meet the intent of the EDPS because its nature will not result in the creation of an office/business park environment and because the proposed use retains the potential to

impede any such future development on site. Finally, pet cemetery uses are subject to applicable laws and regulations, compliance with which retains the potential to curtail any future redevelopment opportunities on-site.

Council Goals & Objectives inconsistencies

The proposed use will not conform with the 2023/24 Council Goals & Objectives because:

- The Economic Development Objective 1 stipulates that the City should *“Aggressively implement the City’s adopted Economic Development Strategic Plan”* and the proposed use has been determined to be in conflict with the EDSP, and
- The Economic Development Land Use and Transportation Goal stipulates that *“It is the goal of the City Council to plan appropriate land uses...”* and the proposed use has been determined to be in conflict with the General Plan Land Use Element.

Environmental Review

The proposed Ordinance is exempt from the California Environmental Quality Act (“CEQA”) under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; “CEQA”) for the following reasons: (1) it will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2)); (2) the proposed action, by itself, does not constitute a “project” as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378).; and (3) the project will be rejected or disapproved. Therefore, no further environmental review is necessary

RECOMMENDATION

1. Find that the proposed Zoning Ordinance Text Amendment is exempt from the California Environmental Quality Act.(CEQA) under the State CEQA Guidelines Sections 15060(c)(2) and 15378.
2. Find that the proposed Zoning Ordinance Text Amendment to Chapter 19.22 of the CMC for Pet Cemetery Use in P-O Zone does not align with the intent of the General Plan, the Camarillo Municipal Code and the Economic Development Strategic Plan and recommend denial of a ZOA to permit pet cemeteries in the P-O Zone to the City Council.

ATTACHMENTS

1. Resolution
2. Request from Ivy Lawn
3. Uses Currently Permitted in the P-O Zone
4. August 24, 2023 EDLUC Report,
5. October 26, 2023 EDLUC Report

Zoning Ordinance Text Amendment for Pet Cemetery use in the P-O Zone

April 30, 2024

Page 5 of 5

6. P-O Zone Map
7. Public Hearing Notice

REFERENCE MATERIALS – AVAILABLE FOR REVIEW AT CITY HALL

None