



# *Camarillo City Council*

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## **AGENDA REPORT**

Date: August 14, 2024

To: Honorable Mayor and City Councilmembers

From: Greg Ramirez, City Manager

Submitted by: David Sanchez, Director of Community Development

Subject: Proposed Zoning Ordinance Text Amendment to Allow Pet Cemetery Uses in the Professional Office (P-O) Zone

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## **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 rescheduled the item for further consideration.

On October 26, 2023, staff presented the EDLUC with the additional information requested by the Committee. During the presentation staff clarified that a pet cemetery use is inconsistent with the General Plan, the Camarillo Municipal Code (CMC), and does not align with the Economic Development Strategic Plan (EDSP). At the conclusion of the meeting, Committee members expressed consideration for the use but continued to raise a number of questions and concerns in relation to the compatibility of the use with its surroundings. The EDLUC reports from August 24, 2023, and October 26, 2023, are attached to this report (Attachments 2 and 3).

On April 30, 2024, staff presented the request from Ivy Lawn for a ZOA to allow pet cemeteries in the P-O Zone to the Planning Commission. Following staff's presentation and receiving public comments, the Commissioners expressed concerns about the proposed use's compatibility and the potential for the cemetery use to restrict future redevelopment. The Planning Commission voted unanimously (3-0) (with two Commissioner's absent) to recommend a denial of the request to the City Council.

The Planning Commission report, resolution and minutes from the April 30, 2024, meeting are attached to this report (Attachments 4, 5 and 6).

## **PUBLIC HEARING NOTICE**

A Notice of Public Hearing on the proposed Zoning Ordinance Amendment was advertised for the City Council meeting of June 26, 2024, posted at Camarillo City Hall and the Camarillo Library, as well as on the website ([www.cityofcamarillo.org](http://www.cityofcamarillo.org)), and published in a newspaper of general circulation for the area (Camarillo Acorn). The item was continued at the meeting to a date uncertain.

The item was subsequently rescheduled for the August 14, 2024, City Council meeting. The noticing followed the exact same procedure and methodology of that of the June 26, 2024 City Council meeting.

## **DISCUSSION**

Ivy Lawn purchased what was previously the Griffin Family Funeral Chapel and Residence in 2023. The Applicant is requesting a ZOA to permit a pet cemetery on their private property, as it is currently not permitted in the zone. This ZOA, if approved, will apply to all properties located within the P-O Zone. For an overview of the City's P-O zoned properties, refer to the attached map (Attachment 7).

If the P-O Zone is amended to permit pet cemeteries, the use will be permitted throughout the entire P-O Zone, including the vacant lots on the corner of Mission Oaks Boulevard and Adolfo Road and at the southwest corner of Pleasant Valley Road and Pancho Road. The remaining P-O zoned properties have already been developed for office use but may potentially be redeveloped. Allowing a pet cemetery in the P-O Zone will eliminate potential development sites that might otherwise be utilized for other commercial office related uses. Additionally, the presence of internments on a site is likely to create challenges for any future redevelopment.

### Current Cemetery Zoning

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 is intended 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 8).

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 will be incompatible with existing and future uses that surround the P-O Zone because the proposed use will not be “in harmony with the existing or potential development of the surrounding neighborhoods.”
- Development of a pet cemetery in the P-O Zone will 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.). A pet cemetery does not meet the intent of the EDPS because its nature will not result in the creation of an office/business park environment and may impede future redevelopment. Finally, pet cemetery uses are subject to applicable State 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 does not support 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 is not consistent with the General Plan Land Use Element.

### **FISCAL IMPACT**

None.

### **CEQA DETERMINATIONS**

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. Adopt a resolution of denial of a Zoning Ordinance Text Amendment to allow pet cemetery uses in the P-O Zone.

### **ATTACHMENTS**

1. Resolution
2. August 24, 2023 EDLUC Report,
3. October 26, 2023 EDLUC Report
4. Planning Commission Agenda Report
5. Planning Commission Resolution
6. Planning Commission Minutes
7. P-O Zone Map
8. Uses Currently Permitted in the P-O Zone
9. Request from Ivy Lawn
10. Public Hearing Notice

### **REFERENCE MATERIALS – AVAILABLE FOR REVIEW AT CITY HALL**

None.