



## MEMORANDUM

### City of Angels City Council

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**Date:** July 1, 2025

**To:** City of Angels City Council

**From:** Amy Augustine, AICP – City Planner

**Re:** **Introduce, Waive the First Reading by Substitution of Title, Hold a Public Hearing, and set July 15, 2025, for a second reading to consider Ordinance 548 amending the setbacks in the Industrial Zoning District**

#### **RECOMMENDATION**

Introduce, Waive the First Reading by Substitution of Title, Hold a Public Hearing, and set July 15, 2025, for a second reading to consider Ordinance 548 amending the setbacks in the Industrial Zoning District.

#### **BACKGROUND**

The City's municipal code currently establishes front setbacks for all of its zoning districts based upon a set distance from the front parcel boundary. Existing front setbacks in the various zoning districts per the municipal code are:

- 0 feet (Historical Commercial, Community Commercial, Greenhorn Creek Commercial zoning districts)
- 5 feet (Business Attraction and Expansion)
- 10 feet (Shopping Center Commercial)
- 20 feet in all other zoning districts (Industrial, Residential estate, Single-family residential, medium density residential, multi-family residential) except in Greenhorn Creek Residential and Medium-Density Residential: Planned Development where reduced front setbacks (to 10 feet) are allowed for properties with a side-loaded garage.

This code amendment proposes to change the setback for the industrial zoning district and instead of using a front setback, establish the setback based upon the established right-of-way of the adjacent roadway. The City has few industrially zoned parcels. Most are located along Murphys Grade Road (MGR) in and around the PG&E substation. One is located along SR 4 at Foundry Lane.

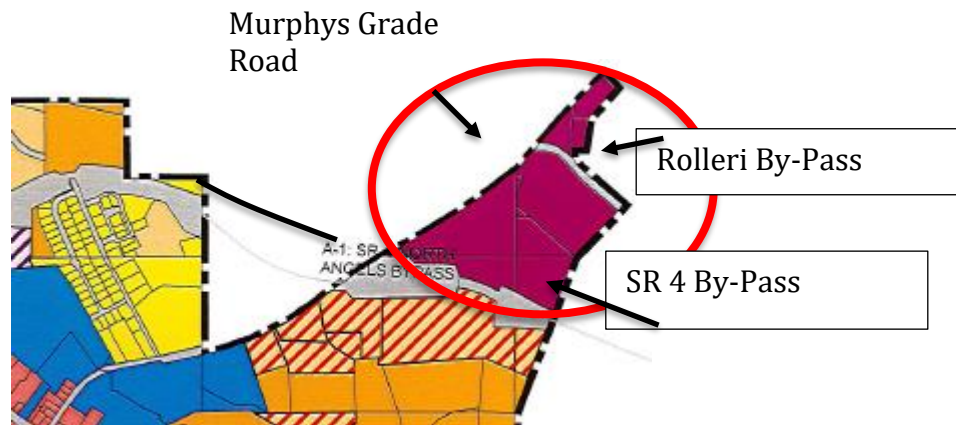
Under the proposed code amendment, for example, MGR is identified as a Major Arterial in Angels Camp 2020 General Plan. Per City Standards, a Major Arterial road requires an 80-foot right-of way. Pursuant to the proposed code amendment, front setbacks for industrial parcels along MGR would become forty feet from the centerline of the roadway (one-half the required right-of-way for MGR to allow for construction to a major arterial), assuming an 80-foot right-of-way has already been dedicated along the frontage of the parcel.

All Industrially zoned parcels in the City front on MGR northeast of the SR 4 By-pass with a single parcel zoned Industrial: Planned Development (I:PD) at Foundry/State Route 4 (i.e., California Electric Steel). Both MGR and SR 4 have relatively wide rights-of-way compared to other roadways in the City. Existing developments within these limited numbers may wish to expand their businesses in the future, but some are constrained by

20-foot front setbacks from the front property line. Setbacks of less than 20 feet from the front property line could, therefore, be appropriate where such development would not interfere with existing and planned future development of these roadways while allowing for additional developable area on site.

On May 8, 2025, the Planning Commission passed Resolution of Intent 25-06 recommending to the City Council approval of the attached amendments.

Figure 1: Industrially-zoned parcels along Murphys Grade Road



## **ANALYSIS**

Pursuant to Angels Municipal Code Section 17.90.040, decisions pertaining to code amendments shall be made upon the following findings of fact:

- A. The proposed change or amendment is consistent with the City of Angels Municipal Code; and
- B. The proposed change or amendment is consistent with the City of Angels General Plan; and
- C. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the city.

## **Findings A– Consistency with the Angels Camp Municipal Code**

The purposes and intent of the Industrial (I) Zoning District, per Angels Municipal Code Section 17.33.010 are to:

*...provide for manufacturing, processing, assembly, storage, distribution and other businesses including those that may require outdoor storage and including auto repair facilities and similar heavy industrial uses.*

*Generally, uses under this designation may be incompatible with other land uses due to noise, appearance, traffic, odors or similar characteristics. Light industrial uses that may be compatible with other land uses will generally be in the business attraction and expansion (BAE) zoning district.*

*Generally, land zoned industrial will be concentrated in industrial parks isolated from other land uses by*

*topography, major thoroughfares or other natural barriers. Industrial land uses will be in areas that are not highly visible from State Route 4, State Route 49 or other major thoroughfares. Those areas designated for industrial use that are visible from major transportation routes shall require appropriate screening to reduce visibility. Given the concentrated nature of development in the city and potential for land uses incompatible with neighboring properties, the extensive development of new heavy industrial uses is expected to be limited.*

As noted, the primary purpose of the district is to allow for heavy industrial uses generally located in areas with limited visibility from State Routes 4 and 49. Where visible from State Route 4 or 49, screening is required to reduce visibility. Amending the setback could allow some industrially-zoned parcels additional building area on site, while maintaining sufficient setbacks for roadways while maintaining the requirement for screening.

More importantly, in comparison to other non-residential zoning districts (Business Attraction and Expansion, Community Commercial, Greenhorn Creek Commercial, Shopping Center Commercial) where front setbacks are zero to 10 feet, industrial zones are more constrained with a much larger setback. Given the relatively isolated location of the city's industrially zoned parcels and their limited number, a reduced front setback could increase the ability of industrially-zoned parcels to achieve their stated purposes while maintaining aesthetics.

Based on the preceding, Finding A may be made.

#### **Finding B – Consistency with the General Plan**

Pertinent General Plan goals, policies, and programs include:

Implementation Program

#### **3.A.i Identify Preferred and Support Construction of Adopted Routes to Serve Future Land Uses**

*Undertake studies of alternative transportation routes and identify and adopt preferred routes and proposed rights-of-way widths for new roadways or extensions. Support construction of adopted routes to serve future planned land uses or to better serve existing land uses including, but not limited to the roadways identified and described in 2020 General Plan **Appendix 3D**. Design shall comply with the circulation guidelines established in **Program 3.A.m**.*

**Response:** It is noted that an amendment to a zero-foot setback (rather than a setback based on the adjacent roadway) was contemplated in keeping with other non-residential properties. However, in consultation with the City Engineer, it was determined that the preservation of the future roadway right-of-way should be given primary consideration. Therefore, the setback is instead based on the adjacent road right-of-way consistent with this general plan program.

**Goal 10A** *Maintain and enhance the city's economic vitality while conserving the city's social, cultural, environmental, and aesthetic resources.*

**Goal 10C** *Promote a wide variety of economic opportunities consistent with the city's social, cultural, environmental, and aesthetic resources.*

**Response:** As noted under Finding A, given the relatively isolated location of the city's industrially zoned parcels and their limited number, a reduced front setback could increase the ability of industrially-zoned parcels to achieve their stated purposes (and economic development) while maintaining aesthetics.

Based on the preceding, B may be made.

**Finding C. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the city.**

Because the proposed setbacks in the industrial zoning district will be based upon the existing and planned roadway design of the adjacent transportation route, the adjacent transportation route will be preserved for the health, safety and general welfare of the city while allowing for maximum development potential of the city's limited industrial parcels.

Based on the preceding, Finding C can be made.

**FISCAL IMPACT:**

Amending the industrial setback from 20 feet from the front parcel boundary to instead be measured from the centerline of the adjacent road right-of-way per the roadway's general plan classification, could allow for increased industrial production and increased economic development while maintaining sufficient right-of-way for existing and planned roadways. Impacts to the general fund are not anticipated.

**ENVIRONMENTAL FINDING:**

Individual industrial projects would be subject to review pursuant to the Angels Municipal Code based on individual project design and location at such time as a specific project and location is proposed. Until such time as a project is proposed, no direct or indirect physical changes to the environment may be determined and the project is therefore exempt pursuant Section 15378 (Definition of a Project) of the State and City guidelines for the implementation of the California Environmental Quality Act (CEQA).

**ATTACHMENTS:**

- A. Planning Commission Resolution of Intent 25-06
- B. Ordinance 548 with proposed amendments