

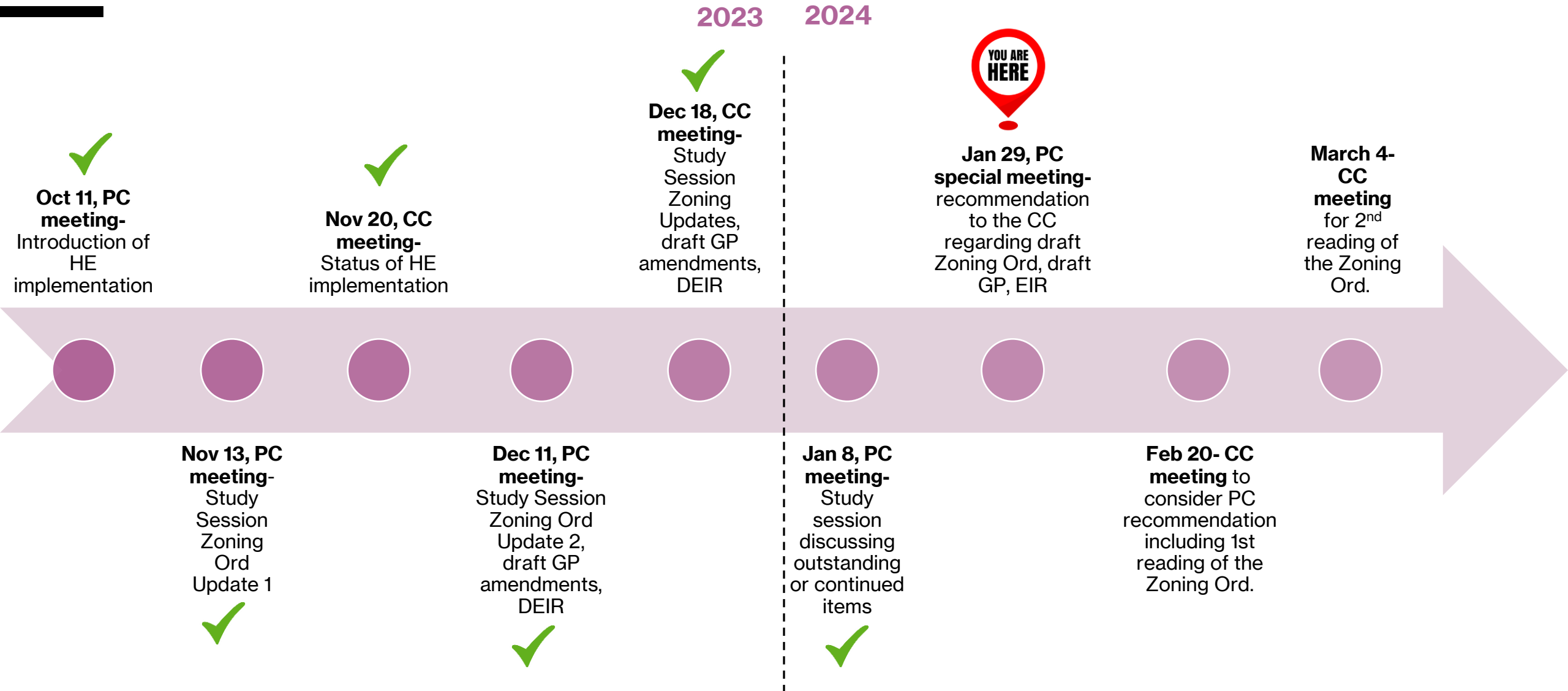


PUBLIC HEARING: AMENDMENTS TO THE ZONING ORDINANCE

**Special meeting of the
Planning Commission**

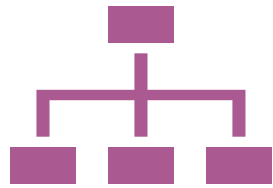
January 29, 2024

HE Implementation Schedule



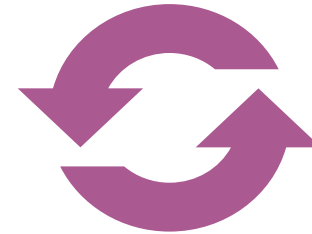
HE Implementation Summary – Zoning Ordinance Amendments

- Revisions to City Code Chapter 17 - Planning and Land Use
- HE Programs: 1.D, 1.E, 1.F, 1.G, 1.H, 1.J, 1.M, 1.P, 1.R, 4.I, 4.L, 4.N, 4.O, 4.P, 4.Q, 4.V, 5.H, and 5.L
- State Laws: State Density Bonus Law, SB 9, and AB 1308



New Divisions

- 17.52: Density Bonus, and
- 17.54: Urban Lot Splits and Two-Unit Housing Developments.



Updated Divisions

- 17.02: Title; Intent; City Charter
- 17.20: Zone A Single-family residential
- 17.22: Zone B Public Facilities
- 17.24: Zone C Multi-family residential
- 17.26: Zone D Commercial and Mixed-Use
- 17.28: Zone E Single family residential estate
- 17.30: Parking
- 17.40: Residential Rentals
- 17.67 Ministerial Design Review Permits
- 17.90: Definitions and Measurements



Draft Amendments Summarized....

Added New Division Implementing State Density Bonus

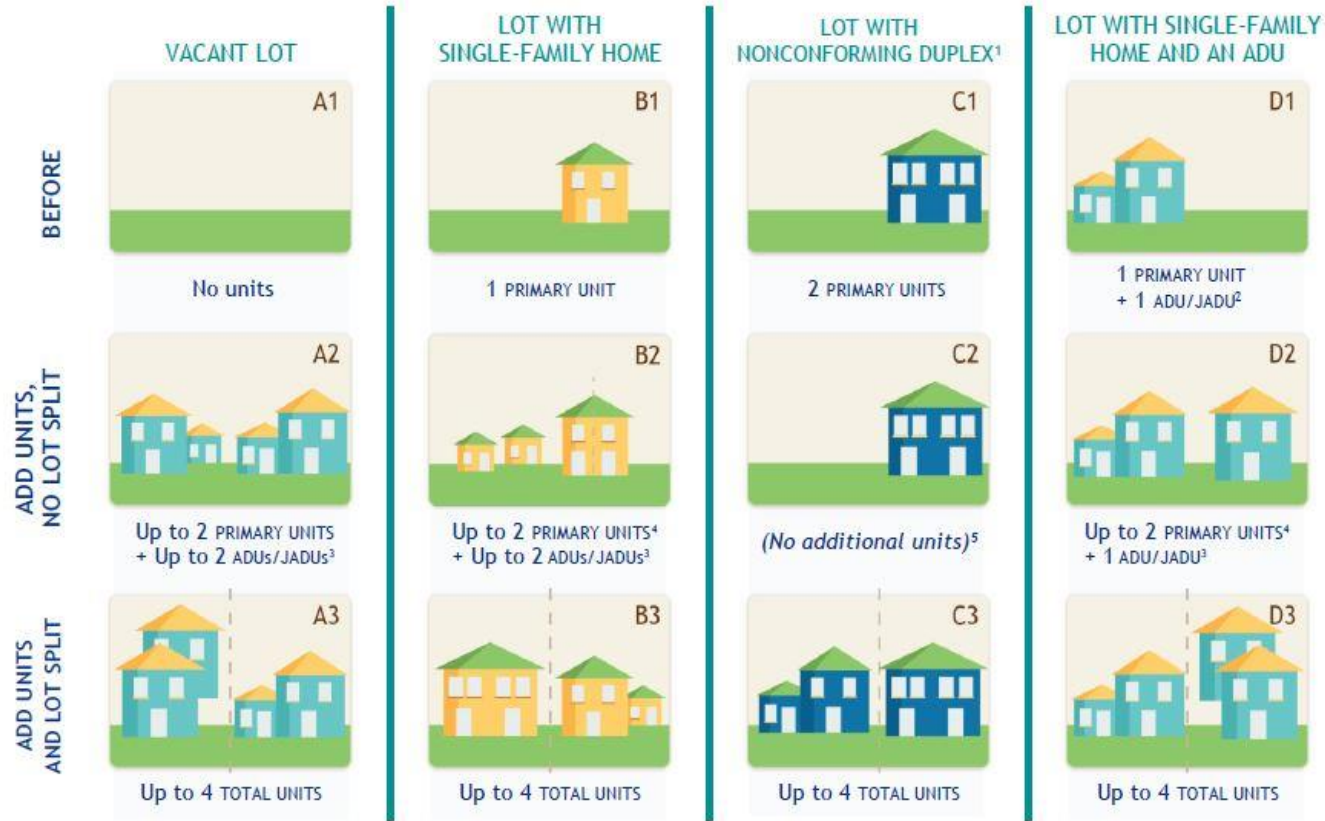
- Implement the State Density Bonus Law.
- A developer who meets the requirements of the State law is entitled to receive a density bonus and other benefits as a matter of right.
- Development size of at least 5 units meets the Density Bonus Law's eligibility criteria.
- Allows for up to 5 concessions or waivers.
- Requests must be submitted concurrent with the housing development application.



Added New Division Implementing SB 9

WHAT CAN I DO ON MY LOT?

Add new homes to existing parcel • Divide existing house into multiple units • Divide parcel and add homes
 Illustrations are based on a preliminary analysis of the law. Details are subject to change and are for informational purposes only.
 See the following page for qualification details and limitations.



SB 9: Urban Lot Splits and Two-Unit Housing Developments

- Ministerial approval
- Objective development and zoning standards
- 1200 sq.ft. min lot size (60/40) split and min 800 sq.ft. unit size
- Up to 4 units, including ADUs
- 1 parking space per primary unit

Draft City Code Planning & Land Use Divisions: Division 17.54

Revised the “Intent” Section of City Code and All Following Zoning Districts

- Provide consistency with the Housing Element
- Reflect City’s goals for diverse housing types

Draft City Code Planning and Land Use Division/Section: 17.20.010, 17.22.010, 17.24.010,
17.26.010, 17.28.010

Allowed New Permitted Uses in All Zones

Permitted Uses: Permitted by Right

- Manufactured and mobile homes - *All zones*
- Low barrier Navigation Centers - *All zones*
- Transitional and Supportive Housing - *All zones*
- Licensed Residential Care Facilities or Group Home for up to 6 residents - *All zones*
- Unlicensed Residential Care Facilities or Group Homes - *All zones*
- Small Family Day Care Home - *Zones B, C, D and E*
- Employee housing for up to 6 people - *All zones*
- Religious institution affiliated housing development and emergency shelters - *Zone A*
- Multi-family residential development, including senior and disabled housing - *Zone B*
- Multi-family residential development, including senior housing, disabled housing, co-housing, and single room occupancy (SRO) as part of mixed-use - *Zone D.*

Draft City Code Planning and Land Use Division/Section: 17.20.020, 17.22.020, 17.24.020, 17.26.020 and 17.28.020.

Allowed New Conditional Uses in All Zones

Conditional Uses: Uses not allowed as a matter of right, but through a public hearing process

- Large Family Day Care Home - *Zones A, B, C, D and E*
- Licensed Residential Care Facilities or Group Home for more than 7 residents - *All zones*
- Single room occupancy (SRO) and co-housing developments - *Zone C.*
- Commercial portion of mixed-use development - *Zone D*

Draft City Code Planning and Land Use Division/Section: 17.20.030, 17.22.030, 17.24.030,
17.26.030, 17.28.030

Revised Development Standards and Regulations for All Zones

Development standards guide development, protect and promote public health, safety, and general welfare, reflect the Housing Element's goals, and comply with State law.

- Add development standards for all the new permitted and conditional uses to be allowed in land use zones.
- Side and Rear yard setbacks for multi-family residential and similar group residential reduced to 4 feet.
- Maximum height for multi-family residential development or similar group uses in zones C and D is proposed to be 45 feet (which is typically equivalent to 4 stories) with additional step back requirements for 2 or higher stories when the lots are smaller in size, allowing greater separation.
- Street yard setback for parcels in zone C is proposed to be reduced to 15 feet.
- Add provisions that allow for SB 9 development in zones A and E.

Draft City Code Planning and Land Use Division/Section: 17.22.040, 17.24.040, 17.26.050, 17.28.040

Revised Development Standards and Regulations for All Zones

- Increased allowable lot coverage, reduced landscape coverage, elimination of FAR standards, requirement of 2-bedroom unit, and addition of density standards in multi-family residential or similar group uses.
- Housing Element Program 1.E: This program calls for requiring the construction of an ADU or JADU with the construction of a new residence, whether on vacant property or on any property that is proposed to be redeveloped, when the property meets certain size thresholds. Draft regulations:
 - Lot size threshold: 5,000 square feet.
 - ADU construction to be required when a new residence is proposed on a vacant property and when a remodel of an existing residence is proposed where 70% or more of the structure is demolished, unless the remodel or reconstruction is required due to earthquake, fire, flood, accident, or other act of nature .

Draft City Code Planning and Land Use Division/Section: 17.22.040, 17.24.040, 17.26.050, 17.28.040

Revised Parking Standards and Regulations Division 17.30

- Amendments required by specific **Housing Element Programs: 1.F, 1.G, 1.H, 1.J, 4.L, 4.Q**
- **State Law Assembly Bill (AB) 1308** (Government Code Section 65863.3): Prohibits enforcing minimum parking requirements applicable to single-family residences for projects remodeling, renovating or adding to a single-family residence, as long as the project does not exceed applicable zoning regulations.
 - Applicable zoning regulations: FAR, lot coverage and structure height
 - Eliminates bedroom-based parking standards
 - Cannot use parking requirements to limit the scope of remodeling, renovation, or addition projects to single-family residences.
- Amendments require 1 parking space for every primary unit developed under SB 9.

Draft City Code Planning and Land Use Division: 17.30

Revised Parking Standards and Regulations Division 17.30

- Parking waivers for multi-family residential or similar group residential uses reserved for low-income households.
- Eliminate need for non-tandem parking for multi-family or similar group residential uses.
- Add parking standards for senior housing, disabled persons housing, religious institution affiliated housing, single-room occupancies and co-housing; in addition to revised standards to multi-family development.
- Add guest or management parking for multi-family or similar group residential uses.

Revised Residential Rentals Division 17.40

- Adds clarification that short-term rentals are not permitted under a housing unit developed under SB 9.

Draft City Code Planning & Land Use Divisions: 17.40.010, 17.40.030

Revised Division 17.67 Ministerial Design Review Permits

- Staff proposes revisions that allow ministerial design review of development projects that meet the State's eligibility criteria for ministerial review.

In addition to SB 35, the State requires ministerial review for projects submitted under SB 6 (A project proposed under SB 6 may be either a 100-percent residential project or a mixed-use project where at least 50 percent of the square footage is dedicated to residential uses) and AB 2011 (AB 2011 creates a CEQA-exempt, ministerial approval process for multifamily housing developments on sites within a zone where office, retail or parking are the principally permitted use.).

Draft City Code Planning & Land Use Divisions: 17.67.030.A, 17.67.060.A

Revised Definitions and Measurements Division 17.90

- HE Program 5.L.
- Add definitions for the new terms used throughout this round of revisions.

Draft City Code Planning & Land Use Divisions: 17.90.010, 17.90.020

Next Steps



The Planning Commission's recommendation on the EIR, General Plan amendments and Zoning Ordinance amendments will be considered by the City Council. The tentative date for the public hearing and first reading by the City Council is Tuesday, February 20, 2024.