

“Placerville, a Unique Historical Past Forging into a Golden Future “

City Manager’s Report
September 9, 2014 City Council Meeting
Prepared By: Andrew Painter, City Planner



Item#: 9.2

Subject: Introduce and waive the first reading of an Ordinance entitled AN ORDINANCE AMENDING PROVISIONS OF TITLE 10: ZONING ORDINANCE OF THE PLACERVILLE CITY CODE TO ALLOW FOR SINGLE ROOM OCCUPANCY UNITS AND FACILITIES

Background: On February 11, 2014, the Placerville City Council adopted Resolution No. 8168 that approved the 2013-2021 General Plan Housing Element. A Housing Element is a state required component of a general plan, subject to the requirements of state law. On March 5, 2014 the California Department of Housing and Community Development informed the City by letter that the Housing Element is in full compliance with the state Housing Element law.

The Housing Element is a planning document. It contains the City’s housing goals, policies and implementation programs that comprise the City’s strategy for meeting the City’s housing needs identified within the Housing Element. In addition, the Element includes housing strategies to reduce potential constraints to the maintenance, development and improvement of housing within the Element’s eight-year planning period. To implement the housing strategy, a total of twenty-eight (28) programs were identified in the Housing Element. One such program is Program 4. Single-Room Occupancy Units. Program 4 requires the City to revise the Zoning Ordinance to define single-room occupancy (SRO) units, identify the zones in which they are permitted and establish regulatory standards to meet the stated objective within Program 4, to increase opportunities for the development of housing affordable to lower-income households. This program was identified for implementation within one-year of Housing Element adoption.

According to the California Department of Housing and Community Development (HCD), SRO units and their facilities provide a housing option for lower income individuals, persons with disabilities, the elderly, or the former homeless who find housing in traditional apartments or single-family residences unaffordable, and unsuitable. These populations are described in the Housing Element and state housing law as “special needs” groups. Program 4 when implemented would assist the City is meeting the following Housing Element goals and policies:

Goal B: To facilitate the development of housing for special needs households.

Policy 4: The City shall encourage housing that is affordable to the local workforce by identifying funding sources and potential sites that would make the production of such housing financially feasible.

Goal C: To facilitate the development of housing affordable to lower- and moderate-income households.

Policy 3: The City will review the Zoning Ordinance, permit processes, and development fees to identify and remove potential constraints to the development of a range of housing for all income levels and needs.

On March 11, 2014, City Council adopted Resolution of Intention 2014-03 that directed staff to initiate Zoning Ordinance amendments to implement Program 4, along with Program 6. Employee Housing, and Program 8. Transitional and Supportive Housing Zoning Amendments.

On May 6, 2014, the Planning Commission conducted a public hearing to receive public comment regarding staff's draft amendments to the Zoning Ordinance to implement Program 4. The Commission recommended unanimously that the City Council approve the proposed ordinance, as revised by the Planning Commission.

Planning Commission and Staff Recommended Changes to the Zoning Ordinance:

Exhibit A contains the Planning Commission and staff recommended ordinance to implement Program 4. The ordinance would add definitions of a "Single-Room Occupancy Unit" and a "Single-Room Occupancy Facility" to Section 10-1-4 of the Zoning Code. In addition, Section 10-4-8: Single-Room Occupancy (SRO) Facilities, would be added. Section 10-4-8 would establish development standards and processing regulations for SRO facility uses to ensure that minimal living accommodation standards for dining, sleeping, storage, living, accessory use areas, bicycle parking and management requirements for SRO facilities are provided and maintained, as there are no state standards specifically for an SRO unit or facility.

A purpose of the City's multi-family residential zones (e.g. Section 10-5-9: R-2, Section 10-5-10: R-3, Section 10-5-11: R-4, and Section 10-5-12: R-5) is to provide for the development of duplexes and multi-family residential uses at densities between eight (8) and twenty (20) dwelling units per acre. The ordinance would add the SRO facility use to the list of permitted uses within each of the multi-family zones, subject to Section 10-4-9: Site Plan Review. SRO facilities, as defined and regulated under Section 10-4-8, would share similarities to apartment buildings or complexes in that they would accommodate multiple families in one facility.

The ordinance would also add the SRO facility use to the list of conditional uses authorized with a Conditional Use Permit and Site Plan Review within Section 10-5-15: CBD (Central Business District), and Section 10-5-15: C (Commercial) zones. The CBD and C zones are located within the City's Main Street and Placerville Drive corridors, in close proximity to employment, services, retail and transit. The CBD and C zones permit commercial uses, but also include multi-family residential uses located above or below the ground floor.

The ordinance would also add under Section 10-4-4: Parking and Loading the SRO facility use to the list of uses requiring onsite parking at the ratio of one stall per three (3) single-room occupancy units. This ratio is similar to others required by cities and counties in California.

Environmental Review - CEQA: These text amendments to the Placerville Zoning Code are categorically exempt from environmental review per Section 15061(b) (3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment. When it

can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Public Notice: Public notice was provided consistent with state law and the City's Municipal Code, with notice published in the Mountain Democrat on Friday, August 29, 2014 and on the City's website on Thursday, August 28, 2014.

Options: Amend the ordinance, then introduce and waive the first reading; or, table discussion of the ordinance and provide direction to staff to revise the ordinance for consideration by the City Council.

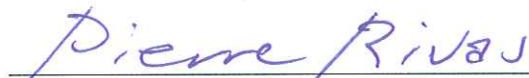
Cost: Negligible upfront costs associated with generating copies of the document for Council consideration, public notice mailing, Mountain Democrat public notice and codifying publications.

Budget Impact: The cost of Staff time associated with the implementation of Program 4 of the City's 2013-2021 Housing Element is absorbed by the Development Services' existing operating budget. Long-range expenditure requirements are unforeseen.

Recommendation: Introduce and waive the first reading of an Ordinance entitled AN ORDINANCE AMENDING PROVISIONS OF TITLE 10: ZONING ORDINANCE OF THE PLACERVILLE CITY CODE TO ALLOW FOR SINGLE ROOM OCCUPANCY UNITS AND FACILITIES.



M. Cleve Morris, City Manager



Pierre Rivas, Director
Development Services Department

Attachment:

Exhibit A: AN ORDINANCE AMENDING PROVISIONS OF TITLE 10: ZONING ORDINANCE OF THE PLACERVILLE CITY CODE TO ALLOW FOR SINGLE ROOM OCCUPANCY UNITS AND FACILITIES

ORDINANCE NO. _____

AN ORDINANCE AMENDING PROVISIONS OF TITLE 10: ZONING ORDINANCE OF THE PLACERVILLE CITY CODE TO ALLOW FOR SINGLE ROOM OCCUPANCY UNITS AND FACILITIES

WHEREAS, on February 11, 2014, the Placerville City Council adopted Resolution No. 8168, approving the 2013-2021 Housing Element of the Placerville General Plan - General Plan Amendment (GPA) 2013-01, that included Program 4: Single-Room Occupancy Units; and

WHEREAS, said Housing Element policies call for revisions to the Placerville Zoning Code in order for the Code to conform to State legislative direction; and

WHEREAS, said Housing Element was found to be in full compliance with State housing element law (Article 10.6 of the Government Code) by the California Department of Housing and Community Development on March 5, 2014; and

WHEREAS, on March 11, 2014, City Council adopted Resolution of Intention 2014-03 that directed staff to initiate Zoning Ordinance amendments to implement Housing Element Program 4: Single-Room Occupancy Units; and

WHEREAS, on April 17, 2014, the El Dorado County Airport Land Use Commission (ALUC) completed its review of Zone Change (ZC) 2014-03, finding that it is consistent with the Placerville Airport Land Use Compatibility Plan; and

WHEREAS, on May 6, 2014, following a public hearing, the Placerville Planning Commission recommended that the City Council adopt ZC 2014-03, specific to Single-Room Occupancy Units and Facilities; and

WHEREAS, on September 9, the City Council held a duly noticed public hearing and weighed the evidence presented therein, including staff's report; and

WHEREAS, Zone Change 2014-03 is categorically exempt from environmental review per Section 15061(b) (3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment; when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

NOW, THEREFORE, the City Council of the City of Placerville does ordain as follows:

SECTION 1. Purpose and Authority

The purpose of this ordinance is to amend Title 10, the Placerville Zoning Ordinance, of the Placerville City Code.

SECTION 2. Findings:

1. That the Planning Commission held a public hearing on May 6, 2014 to receive comments, consider the zoning amendments for ZC 2014-03, and make its recommendation to City Council.
2. On April 17, 2014, the ALUC completed its review of ZC 2014-03 finding that it is consistent with the Placerville Airport Land Use Compatibility Plan.
3. That the proposed amendments are in general conformance with the City of Placerville General Plan, including the 2013-2021 Housing Element, Land Use Element and the Health and Safety Element.
4. That the public necessity, convenience and general welfare require the adoption of the proposed amendments, in that, the proposed zoning ordinance amendments are necessary for the City to comply with the state Housing Element law.
5. That the text amendments to the Placerville Zoning Code are categorically exempt from environmental review per Section 15061(b) (3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment; when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 3. Action – Amend Section 10-1-4: Definitions, of the Placerville Zoning Ordinance.

Section 10-1-4 is hereby amended as follows, inserted in alphabetical order. *Proposed language to be added is shown with underlines.*

SINGLE-ROOM OCCUPANCY FACILITY: A residential building including six (6) or more Single-Room Occupancy units, meeting the Development Standards within Section 10-4-8 of this Title, along with the General Regulations within the allowed zones. A Single-Room Occupancy Facility does not include, community care facilities, residential care facilities, residential service facilities, rooming or boarding houses, hotels and motels, bed and breakfast establishments.

SINGLE-ROOM OCCUPANCY (SRO) UNIT: A residential living space which is a component of an SRO facility, as defined, and meeting the Development Standards within Section 10-4-8 of this Title.

SECTION 4. Action – Add Section 10-4-8: Single-Room Occupancy Facilities, to the Placerville Zoning Ordinance.

Section 10-4-8: Single Room Occupancy Facilities is hereby added as follows.

- (A) Purpose: The provisions of this section are intended to accommodate the development of permanent, affordable housing for small households, persons with disabilities, the elderly, the former homeless or lower income individuals.

(B) Location: A Single Room Occupancy (SRO) Facility shall comply with the requirements of this Section, where allowed by Chapter 5: Zone Regulations, along with the General Regulations within the allowed zones.

(C) Project review and approval: A proposed SRO Facility shall require Site Plan Review in compliance with Section 10-4-9. Where specified in this Title, an SRO Facility shall require approval of a Conditional Use Permit in compliance with Sections 10-3-3 and 10-3-6.

(D) Development Standards:

1. Single Room Occupancy Facilities

(a) Common area: Four square feet per living unit shall be provided, with at least 200 square feet in area of interior common space, excluding cleaning supply room, laundry facilities and common hallways.

(b) Laundry facilities: Laundry facilities must be provided in a separate room at the ratio of one washer and one dryer for every twenty units or fractional number thereof, with at least one washer and dryer per floor.

(c) Cleaning supply room: A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO Facility.

(d) Bicycle Parking: A minimum of one (1) bicycle parking space shall be provided for every three (3) SRO units.

(e) Trash Enclosure: An SRO Facility shall provide a trash enclosure, subject to the criteria of Section 10-4-9 (Site Plan Review).

(f) Vehicle Parking: Off street parking shall be provided consistent with Section 10-4-4(E)22.

2. Single Room Occupancy Units

(a) Unit size: An SRO unit shall have a minimum size of 150 square feet and a maximum of 400 square feet.

(b) Occupancy: An SRO unit shall accommodate a maximum of two persons.

(c) Bathroom: An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink and bathtub, shower or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the California Building Code for congregate residences with at least one full bathroom per floor.

- (d) Kitchen: An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator and a stove, range top or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.
- (e) Closet: Each SRO unit shall have a separate closet.
- (f) Code compliance: SRO units shall comply with all requirements of the California Building Code.
- (E) Accessibility: All SRO units and facilities shall comply with all applicable accessibility and adaptability requirements. All common areas shall be fully accessible.
- (F) Management:
 - 1. Facility Management: An SRO Facility with 25 or more units shall provide on-site management. An SRO Facility with less than 25 units shall provide a management office on-site.
 - 2. Management Plan: A management plan shall be submitted with the required Conditional Use Permit and/or Site Plan Review application for an SRO Facility and shall be approved by the Planning Commission, or City Council upon appeal. The management plan must address management and operation of the facility, rental procedures, safety and security of residents and building maintenance.
- (G) Tenancy: Tenancy of SRO units shall be limited to 30 or more days.
- (H) Existing Structures: An existing structure may be converted to an SRO Facility, consistent with the provisions of this Section and the development standards of the Zone Regulations of the zones in which the SRO is an authorized use.
- (I) Business License: The organization or company operating the SRO facility shall obtain a city business license before commencing operations, in accordance with Title 5, Chapter 1 of City Code.

SECTION 5. Action - Amend Subsection (E) of Section 10-4-4: Parking and Loading of the Placerville Zoning Ordinance.

Section 10-4-4(E) is amended to read as follows.

- (E) The following minimum number of parking stalls shall be required, to serve the uses or buildings listed:
 - 22. Single-Room Occupancy Facility: One stall per three (3) single-room occupancy units, plus one additional stall if on-site management office is required per subsection (F) of this Section.

SECTION 6. Action – Amend Subsection (C) of Section 10-4-9: Site Plan Review of the Placerville Zoning Ordinance.

Section 10-4-9(C) is amended to read as follows.

- (C) Site Plan Review Required: The Planning Commission shall review each application for a building permit in the following land use categories:

11. Single-room occupancy facilities.

SECTION 7. Action – Amend Subsection (B) of Section 10-5-9: R-2, Multi-Family Residential Zone of the Placerville Zoning Ordinance.

Section 10-5-9(B) is amended to read as follows.

- (B) Permitted Uses: The following uses and their accessory uses are permitted outright:

7. Single-room occupancy facilities.

SECTION 8. Action – Amend Subsection (B) of Section 10-5-10: R-3, Multi-Family Residential Zone of the Placerville Zoning Ordinance.

Section 10-5-10(B) is amended to read as follows.

- (B) Permitted Uses: The following uses and their accessory uses are permitted outright:

7. Single-room occupancy facilities.

SECTION 9. Action – Amend Subsection (B) of Section 10-5-11: R-4, Multi-Family Residential Zone of the Placerville Zoning Ordinance.

Section 10-5-11(B) is amended to read as follows.

- (B) Permitted Uses: The following uses and their accessory uses are permitted outright:

7. Single-room occupancy facilities.

SECTION 10. Action – Amend Subsection (B) of Section 10-5-12: R-5, Multi-Family Residential Zone of the Placerville Zoning Ordinance.

Section 10-5-12(B) is amended to read as follows.

- (B) Permitted Uses: The following uses and their accessory uses are permitted outright:

7. Single-room occupancy facilities.

SECTION 11. Action – Amend Subsection (C) of Section 10-5-14: CBD, Central Business District Zone of the Placerville Zoning Ordinance.

Section 10-5-14(C) is amended to read as follows.

(C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:

7. Single-room occupancy facilities when above or below the ground floor.

SECTION 12. Action – Amend Subsection (C) of Section 10-5-15: C, Commercial Zone of the Placerville Zoning Ordinance.

Section 10-5-15(C) is amended to read as follows.

(C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:

11. Single-room occupancy facilities when above or below the ground floor.

SECTION 13. Effective Date.

This ordinance shall become effective on and after the thirtieth (30th) day following adoption.

INTRODUCED on September 9, 2014, and **PASSED AND ADOPTED** on _____, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:

ATTEST:

Mayor Carl Hagen

Susan Zito, CMC, City Clerk