

**CITY OF PLACERVILLE
CITY COUNCIL
STAFF REPORT**

APPLICATION NO.: Zone Change 08-01

DATE: June 17, 2008

REQUEST: Various amendments to the Zoning Ordinance (City Code Title 10)

APPLICANT: City of Placerville

LOCATION: Citywide

ENVIRONMENTAL DOCUMENT: Categorical exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines.

RECOMMENDATION

1. The Planning Commission recommends that the City Council approve various text amendments to the Zoning Ordinance relating to manufactured housing on permanent foundations, community care facility uses, parking requirements for multi-family uses and the establishment of minimum parcel frontages for two zone designations, as submitted.
2. Introduce the attached ordinance, and waive the first reading of the ordinance.

PROPOSAL

The City of Placerville is requesting the City Council approve the Planning Commission recommended amendments to the Zoning Ordinance. The amendments would permit the use of manufactured housing on permanent foundations on single family parcels within the City, classifying a community care facility use as a permitted use within the RE, Estate Residential Zone, amending the minimum parking requirements for multi-family residential development, and establishing minimum parcel frontages for the R1-20,000, Single-Family Residential and the BP, Business - Professional zones.

BACKGROUND

The City Council approved in December 2004 a new General Plan Housing Element for the City (City Council Res. 7209). This document provides the City with a coordinated

and comprehensive strategy for promoting the production of safe and affordable housing within the City. To implement the goals and policies identified within the Housing Element, twenty four Housing Programs were recognized for achievement during the Housing Element's five year planning period. Program 13 identified potential constraints to housing development relating to manufactured housing, community care facilities, cumulative zoning and parking standards. Revisions to the Zoning Ordinance were further identified.

In 1991, an extensive City Code revision was completed to implement the City's newly adopted General Plan. It was discovered recently during the City's processing of a subdivision that an apparent oversight occurred during that process. There are two zoning districts, R1-20,000 and the BP, that do not have minimum parcel frontages regulations for newly created parcels.

REQUEST

Manufactured Homes

Per Govt. Code 65852.3, manufactured homes on permanent foundations must be allowed on lots zoned for site-built single family homes (single-family residential districts). It further permits a local legislative body to exempt from this requirement any place, building, or other object having a special character or special historical interest or value.

A dwelling unit is defined under City Code Section 10-4-1 as:

DWELLING UNIT: Building or self-contained portion thereof, designed, or used as living quarters for not more than one family; rental unit, such as in a motel, hotel or rooming house, containing cooking or housekeeping facilities; exclusive of mobile homes.

The City's definition of a dwelling unit does not include manufactured housing on permanent foundations. Since State law permits manufactured housing on single family zoned parcels, this was identified as a potential constraint to housing development. The request would revise the dwelling unit definition in City Code to include manufactured homes on permanent foundations. Figure 1 contains the revised definition. Since a dwelling, or dwelling unit, is a permitted use within all City designated single family residential zones, the revised dwelling unit definition will eliminate the potential constraint identified and it will comply with State law.

Community Care Facilities

A community care facility (CCF) is defined within City Code as:

COMMUNITY CARE FACILITY: Any facility, place or building which is maintained and operated to provide nonmedical residential care, day care or homefinding agency services for children, adults, or children and adults, including, but not

limited to the developmentally disabled, physically handicapped, mentally disordered, or incompetent persons.

A community care facility may provide incidental medical services. Community care facilities are broken down into three (3) subcategories as follows:

(A) Residential Facility: Any family home, group home, social rehabilitation facility or similar facility determined by the director, for twenty four (24) hour nonmedical care to persons in need of personal services, protection, supervision, assistance, guidance or training essential for sustaining the activities of daily living or for the protection of the individual.

(B) Day Care Center: Any facility which provides non-medical care to persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty four (24) hour basis.

(C) Homefinding Agency: Any individual or organization engaged in finding homes or other places for placement of persons of any age for temporary or permanent care or adoption.

Per state law, a CCF involving six or less individuals is considered a residential use of property and therefore shall be permitted in all residential zones. City Code permits a CCF use involving six or less individuals in all residential zones except for the RE, Estate Residential Zone. A community care facility involving seven or more individuals is a conditional use and may be requested in any zone.

Program 13 of the 2004 Housing Element calls out for the City to revise City Code to permit a Community Care Facility involving six or less individuals as a permitted use within the RE Zone. The request would make this amendment to the RE Zone therefore removing a housing constraint and bringing City Code into compliance with State law. The City Code provision requiring a conditional use permit for a CCF involving seven or more individuals would remain.

Parking Standards

Current City Code requires that residential uses provide parking in conjunction with the development. Single-family residential uses require two stalls per residence. Parking requirements for multi-family residential depends on the size of the dwelling unit. See below.

Single-family residence: two (2) spaces; multi-family: less than four hundred (400) square feet - one space; where more than thirty five percent (35%) of a development is comprised of units less than four hundred (400) square feet - one and one-half (1 1/2) spaces; four hundred one (401) to six hundred (600) square feet - one and one-half (1 1/2) spaces; six hundred one (601) square feet and larger - two (2) spaces.

Parking was identified within the 2004 Housing Element as a potential constraint to the construction of housing, especially affordable housing, due to its construction cost. Program 13 of the Housing Element states that the City will revise the zoning code to reflect off-street parking to meet the needs identified in the Institute of Transportation Engineers (ITE) Parking Generation Manual. Staff’s review of the ITE manual indicates that there are differences between the manual and existing City Code residential parking requirements. See Table 1.

Table 1. Comparison of ITE Parking Generation Manual and City Residential Uses

	ITE	City
Single-Family	1.83 stalls per unit	2 stalls per unit
Multi-Family	1.45 stalls/unit	<ul style="list-style-type: none"> • Less than 400 square feet: 1 stall per unit; • Where more than 35% of a development is comprised of units less than 400 square feet: 1.5 stalls per unit; • 401 to 600 square feet: 1.5 stalls per unit, and 601 square feet and larger: 2 stalls per unit.

Staff has not conducted a parking study of the City’s existing multi-family developments to determine capacity and use. Informal “windshield” surveys conducted on weekends where parking use is assumed as greatest need, gave Staff the impression that these developments as a whole have excess parking. The request would amend the parking requirements for Multi-Family uses, City Code Section 10-4-4(E), to be consistent with the ITE parking value of 1.5 parking stalls per unit. Should a multi-family residential project result in parking requirements that are less than a whole number, the parking fraction would be rounded up to the nearest whole number.

Cumulative Zoning

The Housing Element also identified possible constraints to the creation of multi-family residential uses due to the existing City Code that allow single-family uses to be permitted within multi-family zones. Since the adoption of the Housing Element, the City has approved the Stancil - Dover Tentative Subdivision Map off Forni Road that has an underlying R2 zoning. In addition, two single-family residential uses were built on vacant multi-family zoned parcels off Coloma Street, near Hillcrest Street. **Table 2** contains a list of single-family subdivisions within multi-family zoned parcels the Community Development Department is currently processing.

Staff is not requesting the cumulative zoning amendments to the City’s R2, R3 and R4 multi-family zone districts outlined in Program 13 of the Housing Element at this time. Staff’s recommendation is for the Council to defer this issue now and revisit it during the fall of 2008 due to the flat residential sales market, and that the code amendments would complicate the entitlement process for the submitted projects listed within **Table 2**.

Table 2. Pending Residential Subdivision within Multi-Family Zoned Properties

Project	Acreage and Zoning
Lumsden Ranch Subdivision - Planned Development	23 acre portion of 133 total acreage is zoned R3
Placerville Heritage Homes Subdivision - Planned Development	3.6 acres zoned R3
Placerville Cottages Subdivision - Planned Development	2.1 acres zoned R4
The Lodges At Creekside Subdivision - Planned Development	7.5 acres zoned R3

Minimum Parcel Frontage

Minimum parcel frontage is defined as the minimum width of the lot at the front yard setback line. It is used to ensure that proposed parcels within a land subdivision have a minimum frontage along a street or access right-of-way. The R1-20,000 (Single-Family Residential, 20,000 square foot minimum zone) and the BP (Business-Professional) zone classifications do not have minimum parcel frontage under each zone's "general regulations." Under all other zoning classifications within City Code, the minimum parcel frontage is equal to the minimum parcel width. Parcel width is measured not at the front yard setback line but at a point midway between the front and rear lot lines. Per City Code, the minimum parcel width for the R1-20,000 zone is 100'; for the BP zone the minimum parcel width is 60'. The request would amend both the R1-20,000 and the BP sections of City Code, establishing a 100' minimum parcel frontage for the R1-20,000 zone and a 60' minimum parcel frontage for the BP zone.

PLANNING COMMISSION REVIEW

On May 20, 2008, the Planning Commission conducted a public hearing on the above mentioned amendments to City Code. On a split 3-2 vote, the Commission recommended approval of the proposed code amendments. Chair De Aquino and Commissioner Wolfe dissented. Their concerns were the aesthetics of manufactured homes and the amount of grading necessary for their slab on grade foundation installation.

CEQA - ENVIRONMENTAL REVIEW

The draft ordinance amendment is categorically exempt from environmental review pursuant to 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. Because there is no possibility that the proposed Zoning Ordinance amendments may have a significant effect on the environment, this project is exempt from CEQA.

RECOMMENDED ACTION

Staff recommends the City Council approve the amendments to the Zoning Ordinance, adopting the Resolution prepared for Zone Change 08-01:

1. Adopt the Staff Report as part of the public record.
2. Make the following findings:
 - A. The City of Placerville ("City") adopted a revision to its General Plan Housing Element in 2004 that serves as a coordinated and comprehensive strategy for promoting the production of safe and affordable housing within the City.
 - B. The Housing Element identified potential constraints to the production of safe and affordable housing within the City.
 - C. Twenty four Housing Programs were recognized within the Housing Element to implement the goals and policies of the Element, of which Program 13 identified manufactured housing, community care facilities, cumulative zoning and parking standards as possible constraints to safe and affordable housing.
 - D. The project was determined to be categorically exempt from the California Environmental Quality Act per Section 15061(b) (3) of the California Environmental Quality Act (CEQA) Guidelines, in that there is no possibility that the proposed Zoning Ordinance amendments may have a significant effect on the environment.
3. Approve the requested amendments to the City Zoning Ordinance relating to manufactured housing, community care facilities, parking and minimum parcel frontage standards.
4. Introduce the attached ordinance, and waive the first reading of the ordinance.

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Table 3: Comparison Chart of Proposed Ordinance Amendments to the Current Zoning Ordinance

The following is a comparison of the proposed zoning ordinance amendments with the current zoning ordinance. Each proposed change is identified separately as underlined text and compared to its corresponding provision in the current ordinance. In some cases, the proposed change is a new provision.

Proposed Zoning Ordinance	Current Zoning Ordinance
Modify Section 10-1-4, Dwelling Unit, as follows: Building or self-contained portion thereof, designed, or used as living quarters for not more than one family; <u>a manufactured home on a permanent foundation system</u> ; rental unit, such as in a motel, hotel or rooming house, containing cooking or housekeeping facilities; exclusive of mobilehomes.	Section 10-1-4, Dwelling Unit: Building or self-contained portion thereof, designed, or used as living quarters for not more than one family; rental unit, such as in a motel, hotel or rooming house, containing cooking or housekeeping facilities; exclusive of mobilehomes.
Modify Section 10-4-4(E): Single-family residence, as follows: two (2) spaces; multi-family: <u>one and one half (1.5) spaces per dwelling unit</u> .	Section 10-4-4(E): Single-family residence: two (2) spaces; multi-family: less than four hundred (400) square feet - one space; where more than thirty five percent (35%) of a development is comprised of units less than four hundred (400) square feet - one and one-half (1 1/2) spaces; four hundred one (401) to six hundred (600) square feet - one and one-half (1 1/2) spaces; six hundred one (601) square feet and larger - two (2) spaces.
Add to Section 10-5-4: RE Estate Residential as follows: Residential Care Facilities and residential service facilities for six (6) or fewer residents provided said facility is locate at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities.	
Add to Section 10-5-6: (D) General Regulations as follows: <u>7. Minimum parcel frontage: One hundred feet (100')</u> .	
Add to Section 10-5-13: (F) General Regulations as follows: <u>12. Minimum parcel frontage: Sixty feet (60')</u> .	