



STAFF REPORT

TO: Planning Commission
FROM: Marianne Nockles-Lockwood, Planner
DATE: August 26, 2014
SUBJECT: Town of Loomis Zoning Ordinance Amendments to Comply with the 2013-2021 Housing Element

BACKGROUND: The 2013-2021 Housing Element Update was adopted by the Council on February 28, 2014 in compliance with state law.

The Housing Element Update identified amendments that would have to be made to the Zoning Ordinance in order for the two documents to be consistent and for the Zoning Ordinance to comply with State housing law and SB 2 State law requirements.

The Zoning Ordinance will be amended in the following areas. The addition of three (3) new definitions and the modification of one (1) existing definition in the GLOSSARY (13.80.020), the addition of a new zoning district (13.24.020), the addition of two (2) new residential uses as P (Permitted) uses in Table 2-2 and the addition of a note (13.24.030), the modification of one (1) commercial use from UP (Use Permit) to P (Permitted) with Specific Use Regulations in Table 2-6 (13.26.030), and the addition of Section 13.42.245 Specific Land Use Regulations for Emergency shelters. The Zoning Map will be amended to include a new category in the LEGEND and the affected parcels marked on the map.

GLOSSARY amendments

1. New definition

“Extremely Low-Income” as defined by Section 50093 of the California Health and Safety Code.

Definition to be inserted into 13.80.020 – Definitions of specialized terms and phrases under **affordable rent**.

3. Extremely low income means thirty percent of the median income as defined by state law (Health and Safety Code Section 50106) and the HUD income limits.

2. Existing definition to be expanded in Zoning Ordinance to comply with SB 2.

“Emergency shelter”, as defined by Section 50801 (e) of the California Health and Safety Code, will have the following information added to the existing definition.

Emergency shelter means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

3. New definition to be included in Zoning Ordinance to comply with SB 2.

“Supportive housing” as defined by Section 50675.14(b)(2) of the California Health and Safety Code.

Supportive housing means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

4. New definition to be included in Zoning Ordinance to comply with SB 2.

“Transitional housing” as defined by Section 50675.2(h) of the California Health and Safety Code.

Transitional housing means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

5. New zoning district to be included in Zoning Ordinance to comply with New Program 10 of Housing Element in Section 13.24.020 – Purposes of residential zoning districts.

G. RH –20 (High Density Residential – 20 units per acre minimum) Zoning District. The purpose of this overlay zoning district is to provide adequate sites for a minimum of 129 very low and low-income units at a minimum of 20 units per acre “by right” (without conditional use permit or other discretionary action). The RH-20 zoning district is an overlay district that is applied to a portion of “The Village at Loomis” project site. It provides flexibility in site planning by allowing up to 7 acres of the project to be developed with high density residential. Alternative standards to the RH development standards in 13.24.040 Table 2-4 and the RH Specific Use Regulations in 13.42.250 may be considered in order to achieve the goal of meeting affordable housing requirements. The RH-20 zoning district is consistent with and implements the 2013-2021 Housing Element of the General Plan. (Resolution #14-02, 2014)

TABLE amendments

1. Chapter 13.24 Residential Zoning Districts Table 2-2 to be amended by: adding the terms *Supportive housing* and *Transitional housing* to the LAND USE column and inserting *P* in all PERMIT REQUIRED BY DISTRICT columns; and, inserting a (3) after the RH in the PERMIT REQUIRED BY DISTRICT column and adding a Note (3) *See 13.24.020 G for RH-20 zone district definition.*
2. Chapter 13.26 Commercial Zoning Districts Table 2-6 to be amended by changing UP to P in the CC and CG columns under Emergency shelter. The number "13.42.245" to be inserted into the Specific Use Regulations column.

STANDARDS FOR SPECIFIC LAND USES amendments

Chapter `13.42 Standards for Specific Land Uses to be amended by inserting a new section "13.42.245 Residential uses –Emergency shelter".

13.42.245 Residential uses –Emergency shelter

This section establishes standards for the development of new emergency shelters.

- A. *Emergency shelters are as defined by Section 50801 (e) of the CA Health and Safety Code as "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay."*
- B. *All emergency shelters and operations shall be conducted within a building. No exterior operations shall be allowed.*
- C. *Emergency shelters shall be in compliance with all building codes, fire standards, and parking standards for the CC and CG zone districts.*
- D. *Emergency shelters shall be in compliance will all county and State health and safety requirements for food, medical, and other supportive services if these are provided on-site.*
- E. *Emergency shelters shall provide on-site waiting and intake areas that are screened from public view.*
- F. *There shall be at least one (1) staff member of the emergency shelter on-site at all times while temporary residents are present.*
- G. *Security lights shall be provided to the satisfaction of the Planning Director.*
- H. *The applicant shall coordinate with the Town and the Placer County Sheriff Department to prepare a security plan for the facility. The name(s) and contact information for responsible parties shall be provided.*
- I. *Emergency shelters shall establish and maintain set hours for client intake/discharge. Said hours shall be posted at the entry to the facility.*
- J. *Emergency shelters shall maintain a minimum 300-foot separation from other Emergency shelters.*

ZONING MAP amendments

The Zoning Map to be amended by the addition of a new category to the LEGEND: “RH-20 – High Density Residential” and the affected parcels marked on the map as shown on **Exhibit A Zoning Ordinance Amendment**.

ENVIRONMENTAL REVIEW: Pursuant to CEQA, a Negative Declaration was approved by the Town Council for the Housing Element Update. The Update identified areas within the Zoning Ordinance that would have to be amended for consistency between the documents. The Zoning Ordinance Amendments are technical changes to implement the document. There are no specific project(s) proposed or otherwise associated with this action, so there is no direct or reasonably foreseeable indirect physical change to the environment. As such, no further environmental documentation is required pursuant to Section 15060(c)(2) of the California Environmental Quality Act (CEQA) Guidelines.

REQUESTED ACTION: The Planning Commission should consider the staff report, the proposed amendments, and any written or oral public comment. The Planning Commission should then approve Resolution 14-03 recommending that the Town Council approve the amendments to the Zoning Ordinance in order to complete the tasks identified in the 2013-2021 Housing Element Update.

RESOLUTION NO. 14-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS RECOMMENDING APPROVAL OF ZONING ORDINANCE AMENDMENTS TO BE CONSISTENT WITH THE ADOPTED 2013-2021 HOUSING ELEMENT

WHEREAS, the Town of Loomis, the applicant, has proposed Zoning Ordinance amendments to be consistent with the adopted Housing Element. These amendments consist of: the addition of three (3) new definitions and the modification of one (1) existing definition in the GLOSSARY (13.80.020), the addition of a new zoning district (13.24.020), the addition of two (2) new residential uses as P (Permitted) uses in Table 2-2 and the addition of a note (13.24.030), the modification of one (1) commercial use from UP (Use Permit) to P (Permitted) with Specific Use Regulations in Table 2-6 (13.26.030), and the addition of Section 13.42.245 Specific Land Use Regulations for Emergency shelters. The Zoning Map is amended to include a new category in the LEGEND and the affected parcels marked on the map which is included in this resolution as Exhibit A and is incorporated by reference; and

WHEREAS, on January 28, 2014, a public hearing was held to review the draft 2013-2021 Housing Element Update and to discuss the changes in the goals, policies, and programs from the previous elements, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, at that public hearing, the Planning Commission was informed that it would be necessary to amend the Zoning Ordinance for consistency with the Housing Element; and

WHEREAS, the Planning Commission recommended approval of the Housing Element to the Town Council and the Council subsequently adopted the Housing Element on February 11, 2014; and

WHEREAS, on August 26, 2014, the Planning Commission conducted a public hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff reports relating to said zoning ordinance revision, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

NOW THEREFORE, the Planning Commission of the Town of Loomis, at its meeting of August 26, 2014, did find and resolve as follows:

1. Pursuant to CEQA, a Negative Declaration was approved by the Town Council for the Housing Element Update. The Update identified areas within the Zoning Ordinance that would have to be amended for consistency between the documents. The Zoning Ordinance Amendments are technical changes to

implement the document. There are no specific project(s) proposed or otherwise associated with this action, so there is no direct or reasonably foreseeable indirect physical change to the environment. As such, no further environmental documentation is required pursuant to Section 15060(c)(2) of the California Environmental Quality Act (CEQA) Guidelines.

2. The proposed Project is consistent with the goals and policies of the Town of Loomis and is recommended for approval by the Town Council.

ADOPTED this 26th day of August, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Michael Hogan, Chairman

Marianne Nockles-Lockwood, Planner

ORDINANCE NO. ____

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING ORDINANCE TO BE CONSISTENT WITH THE ADOPTED 2013-2021 HOUSING ELEMENT

WHEREAS, the Town of Loomis wishes to amend specified portions of its Zoning Ordinance dealing with housing in order to be consistent with the 2013-2021 Housing Element of the General Plan adopted February 11, 2014;

NOW, THEREFORE, the Loomis Town Council does ordain as follows:

Section 1. Amendments:

Chapter 13.24, Section 13.24.020 – Purposes of residential zoning districts is amended to include a new district G.

G. RH –20 (High Density Residential – 20 units per acre minimum) Zoning District. The purpose of this overlay zoning district is to provide adequate sites for a minimum of 129 very low and low-income units at a minimum of 20 units per acre “by right” (without conditional use permit or other discretionary action). The RH-20 zoning district is an overlay district that is applied to a portion of “The Village at Loomis” project site. It provides flexibility in site planning by allowing up to 7 acres of the project to be developed with high density residential. Alternative standards to the RH development standards in 13.24.040 Table 2-4 and the RH Specific Use Regulations in 13.42.250 may be considered in order to achieve the goal of meeting affordable housing requirements. The RH-20 zoning district is consistent with and implements the 2013-2021 Housing Element of the General Plan. (TC Resolution #14...., 2014)

Chapter 13.24 Residential Zoning Districts Table 2-2 is amended by: adding the terms Supportive housing and Transitional housing to the LAND USE column and inserting P in all PERMIT REQUIRED BY DISTRICT columns; and, inserting a (3) after the RH in the PERMIT REQUIRED BY DISTRICT column and adding a Note (3) See 13.24.020 G for RH-20 zone district.

Table follows.

TABLE 2-2 Allowed Land Uses and Permit Requirements for Residential Zoning Districts	P	Permitted Use, Zoning Clearance required					
	MUP	Minor Use Permit required					
	UP	Use Permit required					
	S	Permit requirement set by Specific Use Regulations					
	—	Use not allowed					
LAND USE ⁽¹⁾	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	RA	RE	RR	RS	RM	RH ⁽³⁾	
AGRICULTURAL AND OPEN SPACE USES							
Agricultural accessory structure	P	P	P	—	—	—	13.42.040
Animal keeping	S	S	S	S	S	S	13.42.060
Crop production, horticulture, orchard, vineyard	p ⁽²⁾	p ⁽²⁾	p ⁽²⁾	—	—	—	
Plant nursery, retail	MUP	MUP	—	—	—	—	13.42.180
Plant nursery, wholesale, 5 acres or less	MUP	MUP	MUP	—	—	—	13.42.180

TABLE 2-2 Allowed Land Uses and Permit Requirements for Residential Zoning Districts	P	Permitted Use, Zoning Clearance required					
	MUP	Minor Use Permit required					
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	—	Use not allowed					
LAND USE ⁽¹⁾	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
	RA	RE	RR	RS	RM	RH ⁽³⁾	
AGRICULTURAL AND OPEN SPACE USES							
Plant nursery, wholesale, more than 5 acres	MUP	MUP	—	—	—	—	13.42.180
Storage of petroleum products for on-site use	P	P	—	—	—	—	
Winery	UP	UP	—	—	—	—	13.42.290
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES							
Club, lodge, private meeting hall	UP	UP	UP	—	—	—	
Golf course, country club	UP	UP	UP	UP	—	—	
Equestrian facilities	UP	UP	UP	—	—	—	
Parks and playgrounds, public	P	P	P	P	P	P	
Private residential recreation facility	MUP	MUP	MUP	MUP	MUP	MUP	
Religious facility	UP	UP	UP	UP	UP	UP	13.42.230
RESIDENTIAL USES (4)							
Carriage house	—	—	—	P	P	—	13.42.270
Home occupation	P	P	P	P	P	P	13.42.120
Household pets (see also "animal keeping" above)	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	13.42.060
Mobile home - In mobile home park	P	P	P	P	P	P	13.42.160
Mobile home - Outside of mobile home park	P	P	P	P	P	P	13.42.150
Mobile home - Special needs	MUP	MUP	MUP	MUP	—	—	13.42.170
Mobile home park	UP	UP	UP	UP	UP	UP	13.42.160
Multifamily housing, 2 units	—	—	—	UP	P	P	13.42.250
Multifamily housing, 3 to 5 units	—	—	—	—	P	P	13.42.250
Multifamily housing, 6 to 9 units	—	—	—	—	MUP	P	13.42.250
Multifamily housing, 10 or more units	—	—	—	—	UP	MUP	13.42.250
Organizational house (sorority, monastery, etc.)	UP	—	—	—	UP	UP	
Residential accessory use or structure	P	P	P	P	P	P	13.42.260
Residential care facility, 6 or fewer clients	P	P	P	P	P	P	
Residential care facility, 7 or more clients	—	—	UP	UP	UP	UP	
Residential care facility for the elderly (RCFE)	—	UP	UP	UP	UP	UP	13.42.240
Residential care facility for the elderly (RCFE), 6 or fewer	P	P	P	P	P	P	
Residential care facility for the elderly (RCFE), 7 or more clients	UP	UP	UP	UP	UP	UP	
Rooming or boarding house	—	—	—	—	UP	UP	
Second unit	P	P	P	P	P	—	13.42.270
Single-family dwelling	P	P	P	P	P	—	
Zero lot line single-family dwelling	—	—	—	P	—	—	13.42.300

Key to Zoning District Symbols

RA	Residential Agricultural	RS	Single-Family Residential
RE	Residential Estate	RM	Medium Density Residential
RR	Rural Residential	RH	High Density Residential

Notes:

- (1) See Division 8 for land use definitions.
- (2) Zoning clearance not required if the use complies with all other applicable town approval requirements and standards.

(3) See 13.24.020 G for RH-20 zone district

(4) Supportive and Transitional Housing shall be subject only to those restrictions that apply to other residential dwellings of the same type (e.g. single family, multifamily) in the same zone.

Chapter 13.26 Commercial Zoning Districts Table 2-6 is amended by changing UP to P in the CC and CT columns under Emergency shelter. The number "13.42.245" is inserted into the Specific Use Regulations column.

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Zoning Districts	P	Permitted Use, Zoning Clearance required				
	MUP	Minor Use Permit required				
	UP	Use Permit required				
	S	Permit requirement set by Specific Use Regulations				
	—	Use not allowed				
LAND USE ⁽¹⁾	PERMIT REQUIRED BY DISTRICT				Specific Use Regulations	
	CO ⁽⁶⁾	CG ⁽⁶⁾	CC ⁽⁶⁾	CT ⁽⁷⁾		
INDUSTRY, MANUFACTURING AND PROCESSING, WHOLESALE						
Agricultural product processing	—	—	MUP	—		
Laboratory - Medical, analytical (not experimental)	UP	P	—	—		
Recycling - Reverse vending machines	—	P	—	P	13.42.210	
Recycling - Small collection facility	—	MUP ⁽⁴⁾	—	P	13.42.210	
Winery ^{(8), (9)}	—	UP	UP	—	13.42.290	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES						
Auction	—	—	P	—		
Bar/tavern	—	S	S	S	13.42.050	
Club, lodge, private meeting hall	UP	UP	UP ⁽³⁾	MUP	13.26.070(C)	
Commercial recreation facility - Indoor	—	MUP	MUP	MUP		
Commercial recreation facility - Outdoor	—	—	—	UP		
Community center	—	P	P	MUP	13.26.070(C)	
Conference/convention facility	—	—	—	UP		
Equestrian facility	—	—	—	UP	13.26.070(C)	
Fitness/health facility	P	P	P ⁽³⁾	P		
Library, museum	—	—	P	MUP		
Night club	—	—	UP	UP	13.42.050	
Park, playground	P	P	P	P		
Religious facility	P	P	—	P	13.42.230 13.26.070(C)	
School - Elementary, middle, secondary	UP	UP	UP ⁽³⁾	—		
School - Specialized education/training	UP	UP	UP ⁽³⁾	UP	13.26.070(C)	
Sports and entertainment assembly facility	—	—	—	UP		
Studio - Art, dance, martial arts, music, etc.	—	P	P	P		
Theater, auditorium	—	UP	UP	UP		
RESIDENTIAL USES(8)						
Emergency shelter	—	UP P	UP P	—	13.42.245	
Home occupation	P	P	P	P	13.42.120	
Household pets	P ⁽⁵⁾	P ⁽⁵⁾	P ⁽⁵⁾	P ⁽⁵⁾	13.42.060	
Live/work unit	—	MUP	MUP	—	13.42.130	
Multifamily housing	—	MUP	UP	—	13.42.250	
Multifamily housing in a mixed-use structure	P	P	P	P	13.42.140	
Residential care facility for the elderly (RCFE)	UP	—	—	UP	13.42.240 13.26.070(C)	
Residential care facility, 7 or more clients	UP	—	—	—		

(8) Supportive and Transitional Housing shall be subject only to those restrictions that apply to other residential dwellings of the same type (e.g. single family, multifamily) in the same zone

Chapter 13.42 Standards for Specific Land Uses is amended by inserting a new section "13.42.245 Residential uses –Emergency shelter".

13.42.245 Residential uses –Emergency shelter

This section establishes standards for the development of new emergency shelters.

- K. Emergency shelters are as defined by Section 50801 (e) of the CA Health and Safety Code as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.”*
- L. All emergency shelters and operations shall be conducted within a building. No exterior operations shall be allowed.*
- M. Emergency shelters shall be in compliance with all building codes, fire standards, and parking standards for the CC and CG zone districts.*
- N. Emergency shelters shall be in compliance will all county and State health and safety requirements for food, medical, and other supportive services if these are provided on-site.*
- O. Emergency shelters shall provide on-site waiting and intake areas that are screened from public view.*
- P. There shall be at least one (1) staff member of the emergency shelter on-site at all times while temporary residents are present.*
- Q. Security lights shall be provided to the satisfaction of the Planning Director.*
- R. The applicant shall coordinate with the Town and the Placer County Sheriff Department to prepare a security plan for the facility. The name(s) and contact information for responsible parties shall be provided.*
- S. Emergency shelters shall establish and maintain set hours for client intake/discharge. Said hours shall be posted at the entry to the facility.*

Emergency shelters shall maintain a minimum 300-foot separation from other Emergency shelters.

Chapter 13.80 Definitions, Section 13.80.020 – Definitions of specialized terms and phrases is amended by inserting a new definition under affordable rent.

- 1. **Extremely low income** means thirty percent of the median income as defined by state law (Health and Safety Code Section 50106) and the HUD income limits.*

Chapter 13.80 Definitions, Section 13.80.020 – Definitions of specialized terms and phrases is amended by having the following information added to the existing definition of Emergency shelter.

***Emergency shelter** means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.*

Chapter 13.80 Definitions, Section 13.80.020 – Definitions of specialized terms and phrases is amended by inserting a new definition for Supportive housing.

Supportive housing means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Chapter 13.80 Definitions, Section 13.80.020 – Definitions of specialized terms and phrases is amended by inserting a new definition for Transitional housing.

Transitional housing means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

The Zoning Map is amended by the addition of a new category to the LEGEND: “RH-20 – High Density Residential” and the affected parcels marked on the map as shown on **Exhibit A Zoning Ordinance Amendment** which is incorporated by reference.

Section 2. The adoption of this ordinance is proposed for approval under a previously approved Negative Declaration for the 2013-2031 Housing Element Update prepared by staff and circulated as required by CEQA statute.

The Town Clerk shall cause this Ordinance to be published as required by law in the Loomis News, a newspaper of general circulation and posted at three (3) locations within (15) days of the certification to be entered in the Book of Ordinances of the Town.

The foregoing Ordinance was introduced at a regular meeting of the Council of the Town of Loomis duly held on the _____ 2014 and was approved and enacted at a duly held regular meeting or adjourned meeting of the Council held on the _____ by the following roll call vote:

AYES:
NOES:
ABSENT:

Mayor

ATTEST:

APPROVED AS TO FORM:

