

Planning Commission Staff Report

January 23, 2013
Item 6.b.

SUBJECT: P12-1786

APPLICANT: City of Pleasanton

PURPOSE: Application to amend various chapters of Title 18 of the Pleasanton Municipal Code to comply with California Government Code Sections 65583 and 65589.5 and with the 2012 Pleasanton General Plan Housing Element pertaining to emergency homeless shelters and supportive and transitional housing.

GENERAL PLAN: Housing Element Policy 46, Programs 46.1 and 46.2

ZONING: Various

LOCATION: Citywide

EXHIBITS:

- A. Proposed Code Amendments, (redline)
- B. California Statutory References:
Government Code sections 65582, 65583 and 65589.5
- C. Pleasanton Housing Element Background Report, February 2012, excerpted Section D on homeless needs and analysis of sites
- D. Eastern Alameda County, 2011 Human Services Needs Assessment, excerpted section on homeless needs
- E. Map of RM Multi Family Residential district
- F. Map of C-S Service Commercial and C-C Central Commercial districts
- G. Map of proposed SF Service Facilities overlay district
- H. Notification letter sent to property owners in the proposed SF Service Facilities overlay district
- I. Memorandum from Department of Housing and Community Development on Senate Bill 2

BACKGROUND

The subject application is a City-initiated amendment to the Pleasanton Municipal Code. The purpose of the amendment is to implement the Pleasanton Housing Element by amending the zoning regulations to facilitate the development of homeless shelters, supportive housing and transitional housing as required by state law. The amendment would allow homeless shelters in a new overlay zone applied to selected areas currently zoned C-S Service Commercial. This use would be allowed subject to specific development standards which are included in the amendment. It would also clarify City code related to supportive and transitional housing in zoning districts that allow residential uses. Currently there are no known proposals to establish a homeless shelter in Pleasanton. The intention of this amendment is to establish clear regulations that are in compliance with the housing element and state law.

The City's housing element was adopted on February 13, 2012, and includes programs 46.1 and 46.2 of Policy 46, as follows:

Policy 46: Revise the Zoning Title of the Pleasanton Municipal Code to address Senate Bill 2 (SB 2; 2007).

Program 46.1: Conduct public outreach and revise the Zoning Title of the Pleasanton Municipal Code within one year of the adoption of the Housing Element to accommodate emergency shelters consistent with SB 2. The zoning district proposed to accommodate this use as a permitted use is the C-S (Service Commercial) zone. The zoning amendment will also establish objective development standards to encourage and facilitate the use, and will subject shelters to the same development standards that apply to other permitted uses in this district.

Program 46.2: Conduct public outreach and revise the Zoning Title of the Pleasanton Municipal Code within one year of adoption of the Housing Element to accommodate supportive and transitional housing consistent with SB 2. The Zoning Ordinance will be amended to permit transitional and supportive housing as a residential use and subject to the development regulations that apply to other dwellings of the same type in the same zone.

This proposed amendment would implement the housing element by bringing the zoning regulations into compliance with the requirements of SB 2 codified in California Government Code sections 65582, 65583 and 65589.5 (see statutory references in Exhibit B). SB 2 was enacted in 2007 to address homelessness statewide. The bill modifies the government code in relation to local planning and mandates that local jurisdictions provide for emergency homeless shelters and supportive and transitional housing in their zoning regulations. The following requirements are among the mandates:

- Cities and counties must identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit.
- Emergency shelters may only be subject to the same standards that apply to residential or commercial development within the same zone -- except that certain objective development and management standards may be applied.
- Transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

For a fuller discussion of SB 2 see Exhibit I, Memorandum from Department of Housing and Community Development on Senate Bill 2.

Housing for homeless individuals and families is identified as a need by the Pleasanton Housing Element Background Report, Section D (February 2012) attached as Exhibit C. Based on the 2009 Alameda Countywide Homeless Count, the background report estimates that the city needs enough shelter beds to accommodate 24 to 51 persons. The need to address homelessness is further underscored by the Eastern Alameda County Human Services Needs Assessment, approved by the Pleasanton City Council on June 5, 2012, and attached as Exhibit D. This needs assessment states that human service providers are seeing an increase in the Tri-Valley area of individuals and families seeking shelter and services, and there is a particular need for shelter beds for men, homeless fathers and teenage sons. More recent Alameda County counts estimated that 130 people in Pleasanton lost their housing during the 12 months of 2010.

Definitions and Use of Terms

The California Health and Safety Code, Section 50801(e), defines emergency shelter as follows:

"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."

"Emergency shelter" and "homeless shelter" are used interchangeably in state law. While the housing element and SB 2 use the term "emergency shelter", this staff report and the proposed text amendments use the term "homeless shelter" so as to avoid confusion with the type of emergency shelters established in the event of a disaster.

Homeless shelters provide only temporary quarters and are not considered a residential use of property. They are normally funded and operated through public and non-profit agencies. Depending upon the need, shelters may be specialized for a certain sector of the population such as women with children, men only, victims of domestic violence, etc. Shelters for victims of domestic violence are operated anonymously to protect

clients from further violence. Shelters may also be operated seasonally during periods of bad weather only.

In Health and Safety Code Section 50675.14(b)(2) the state defines supportive housing as follows:

"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population and that is linked to onsite or offsite services that assist 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.

Supportive housing is targeted for low income individuals who are disabled, have chronic health problems, are being treated for substance abuse, or individuals exiting from an institutional facility.

Transitional housing is defined by the subsection 50675.2(h) of the Health and Safety Code as follows:

"Transitional housing" means buildings configured as rental housing development, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

Supportive and transitional housing are linked to services to assist the residents. They are considered residential uses and may take a variety of physical forms. The key difference between the two is that transitional housing is short-term and intended to assist people to become stable and independent. Supportive housing is for people who have a long-term disability for which services may be provided indefinitely. Supportive and transitional housing commonly take the form of individual dwelling units in scattered locations throughout a community, located where residential uses are allowed. They may also be operated as group homes or single room occupancy buildings. Senior care facilities and nursing homes are classified by the state as residential care facilities, and are not within the definition of supportive or transitional housing.

Among the most common forms of supportive housing and transitional housing are individual dwelling units that are occupied by six persons or less. This could be six or fewer unrelated people residing in a group home, a family that has moved out of a shelter and needs temporary support, or disabled individuals that require on-going support. Regardless of the form, under the California Community Care Facilities Act housing for six or fewer persons must be regulated the same as other similar residential uses. This means, for example, that occupancy of a one-family dwelling as supportive or transitional housing of six or fewer persons is a permitted use in any zone that permits one-family dwellings.

Although it is not specified in the current code, the City treats supportive and transitional housing as residential uses. They are permitted where other residential uses of the same type (e.g. single-family, multi-family) are permitted, as required by law. This amendment would result in explicit regulations regarding the permitting of supportive and transitional housing.

PROPOSED TEXT AMENDMENTS

As proposed, the subject code amendment would modify text in eight chapters of Title 18 of the Pleasanton Municipal Code. In addition, two new chapters are proposed which would define locations, procedures and standards for homeless shelters, supportive housing and transitional housing. The amendments are summarized below. A redline document of proposed text changes is included as Exhibit A.

Definitions for "homeless shelter", "supportive housing" and "transitional housing" that are consistent with above Health and Safety Code definitions would be added to Chapter 18.08 Definitions. The current definition of "charitable institution" would be updated for language and clarity.

Service Facility Overlay District would be added to the list of zoning districts in Chapter 18.24 Districts Generally. (The proposed overlay map, Exhibit G, is described in more detail on page 8 of this report.)

Supportive housing and transitional housing that provide shelter for six or fewer persons in a dwelling unit would be added as permitted uses in all zones where residential is a permitted use. These include A Agricultural, R-1 One-Family Residential, RM Multi-Family Residential, C-C Central Commercial and H-P-D Hillside Planned Development. Supportive housing and transitional housing with more than six persons per dwelling unit would be added as a permitted use in the RM Multi-Family Residential district and within PUDs that reference the RM district (see map, Exhibit E).

Charitable institutions that may include temporary shelter for transient persons will continue to be conditionally permitted in the C-C Central Commercial district, the C-S Commercial Service district, and PUDs that reference C-C and C-S (see map, Exhibit F).

A new chapter (18.82) will establish a new overlay district to provide the locations, procedures and standards for permitting homeless shelters without a conditional use permit or other discretionary permit. State law allows for the inclusion of certain standards for shelters. They are described below in the discussion section of this report. Within the overlay district new construction or renovation of a building for a homeless shelter, provided it meets the standards, would be approved ministerially with a zoning certificate, and no discretionary judgment.

Parking requirements for homeless shelters would be added to Chapter 18.88 Off Street Parking Facilities. The proposed requirement is one parking space for every 4 beds,

plus one parking space for each employee vehicle on the largest shift, plus one parking space for each company vehicle.

A new Chapter 18.107 is proposed to establish procedures and standards for supportive housing and transitional housing. New construction, renovations and occupancy of residential buildings for supportive or transitional housing would be subject to the same approval procedures for a similar form of housing in the same zone.

DISCUSSION

The purpose of this proposed amendment is to implement Policy 46 and Programs 46.1 and 46.2 of the housing element, and thereby bring Pleasanton's zoning regulations into compliance with state law with respect to homeless shelters and supportive and transitional housing.

Existing Conditions

As indicated in the introduction, there is a demonstrated need to provide local shelter and services for homeless individuals in the community.

Homeless shelters

While there are currently no homeless shelters within the city limits, Pleasanton has partnered with Livermore, Dublin and Alameda County in acquiring and rehabilitating a homeless shelter located in the City of Livermore. This shelter, Sojourner House, was open in 2002 and is operated by Tri-Valley Haven. It provides temporary shelter for homeless families in a safe environment and has a 16-bed capacity. On-site staff is available 24 hours a day, seven days a week. Residents agree to assume responsibility for achieving the goal of self-sufficiency. They start with a 30-day agreement and stays may be extended to a maximum of six months. Shelter staff provide case management services including counseling, childcare services, and life skills development such as budgeting, smoking cessation, résumé writing, interview skills, nutrition and anger management. Clients also receive assistance in securing both affordable, stable housing and a means to support themselves. Sojourner House also offers parenting classes and community transition and homelessness prevention programs. Clients are screened for history of violence, there are written ground rules, a nightly curfew, a crises line, and a policy of zero tolerance for violence.

Tri-Valley Haven also operates a domestic violence shelter in Livermore for women and children. It has 30 beds and is in a safe and confidential location. Also in Livermore, Shepherd's Gate provides for women and children and has a capacity to shelter 80 people. Shepherds Gate is operated by a faith-based non-profit organization.

The Livermore shelters described above have little or no impact upon their neighborhoods. Because the property is well maintained few neighbors to Sojourner House are aware that it is a shelter. The crime prevention office of the Livermore Police Department reports that disturbances associated with these existing homeless shelters are not significant.

Homeless shelters in California are not required to be licensed, although there are usually standards established under their funding agreements. Any future homeless shelter in Pleasanton would require funding from a government or non-profit agency. Federal funding to build new shelters is currently very limited. Since the adoption of the federal Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act in 2009, there is an emphasis on 'rapid re-housing' by minimizing shelter stays or moving the homeless directly into transitional or supportive housing.

Supportive and Transitional Housing

The exact number and location of supportive and transitional housing facilities currently in Pleasanton is unknown because they are not required to be licensed locally. However, state licensing records show three adult group residential homes with Pleasanton addresses. In addition, City records show that there are six addresses, with a total of 22 rental units, where affordable rents are provided for the disabled or individuals with special needs. Support services are linked to these units as needed.

Pleasanton Police Department records were reviewed to determine if these adult group homes and affordable units for the disabled have been associated with any disturbances that may have affected their neighborhoods. Over a period of the past five years there were a total of 21 calls responded to by the police department, as shown in the table below. These police calls were not concentrated in any one location but the majority were associated with the three residential group homes.

Police calls to existing supported units - 2007 to 2012

Type of police call	Number of calls
Missing person (resident left on their own)	5
Code 5150*	8
General incident	1
Incident not related to residents, false report, or unfounded complaint	7
Total calls	21

* Police code 5150 refers to a section of the California Welfare and Institutions Code which allows an officer to involuntarily confine a person deemed to have a mental disorder that makes them a danger to themselves and/or others.

Put in perspective, in 2011 alone the total calls for service received citywide by the Pleasanton Police Department exceeded 72,000. These 6 addresses with supported units each generated an average of just 0.7 calls a year.

Current Zoning Regulations

Homeless shelters, supportive housing and transitional housing are not currently defined in the zoning regulations. Nor are there corresponding land use classifications or any zoning districts where these uses are explicitly allowed. In Chapter 18.08 Definitions, the code does define "charitable institution" as follows:

"Charitable institution" means a nonprofit institution devoted to the housing, training or care of children, or of aged, indigent, handicapped or underprivileged persons, but not including lodging houses or dormitories providing temporary quarters for transient persons, organizations devoted to collecting or salvaging new or used materials, or organizations, devoted principally to distributing food, clothing or supplies on a charitable basis.

"Charitable institutions" are allowed as either a permitted use or conditionally permitted use in a number of zoning districts and, as defined, do not include temporary quarters for transient persons. However, for the C-C Central Commercial and C-S Service Commercial districts the meaning of charitable institution is expanded to include *"lodging houses or dormitories providing temporary quarters for transient persons, organizations devoted to collecting or salvaging new or used materials, or organizations, devoted principally to distributing food, clothing or supplies on a charitable basis and other similar charitable operations"*. This expanded use is currently conditionally permitted in the C-C Central Commercial and C-S Services Commercial districts. Therefore the current zoning regulations conditionally permits temporary quarters for transient persons associated with a charitable institution in the C-C and C-S zones and in PUDs that reference those zones.

Proposed Amendments

To implement programs 46.1 and 46.2 of the housing element the code must be amended to specifically describe homeless shelters, supportive housing, and transitional housing. Definitions consistent with state definitions are proposed. The additional proposed amendments are structured to resolve three basic questions within the confines of the law:

- Locations: In which zones should these uses be allowed?
- Procedures: What should be the review and approval procedures?
- Development Standards: What standards specific to the uses should be applied?

Homeless shelters

Locations. State law requires that the city identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. Program 46.1 of the housing element identifies the C-S district, and PUDs that reference the C-S district, as the zoning district proposed to accommodate this use. The Housing Element Background Report (Exhibit C) provides a map of the C-S district, including PUDs that reference the C-S district, and an analysis of six properties showing capacity to accommodate homeless shelters within the C-S district. The report identifies six sites within the C-S zone that are either vacant or occupied by buildings that could

be converted to a shelter. All six sites are within a half mile of retail services and public transportation.

Staff has reviewed the properties and recommends that an overlay district be used within the C-S district to establish a zone where any future application to establish a homeless shelter would be permitted without discretionary approval, provided it complies with established standards. The overlay district would be applied to the two largest C-S areas where there may be more localized employment opportunities for shelter clients, and where the identified potential sites are most viable. These two areas capture the five largest potential sites. As discussed in the background report, individually these five sites have the potential to meet the city's need for shelter beds. The proposed SF Service Facilities overlay district is shown in Exhibit G.

Charitable institutions would continue to be conditionally permitted in the C-C and C-S districts (Exhibit F). In the C-S district outside of the proposed overlay district the establishment of homeless shelters, as defined by the California Health and Safety Code, would be conditionally permitted as well.

In summary, it is proposed that homeless shelters be a permitted use within a new homeless shelter overlay district in targeted portions of the C-S district, and that charitable institutions that include temporary quarters for transient persons remain as a conditionally permitted use in C-C, C-S, and PUDs that reference C-C and C-S.

Procedures. Proposals to develop a homeless shelter in the overlay zone must not be subject to discretionary review or public noticing. A zoning certificate will be required prior to application for a building permit. To obtain a zoning certificate a project applicant must submit materials to demonstrate that the proposed shelter is in compliance with the zoning regulations, including development standards required for the zone and standards specifically for homeless shelters, as discussed below.

Development Standards. State law limits the kind of development standards that may be applied to homeless shelters. The city cannot impose more restrictive standards than what is required for the zone, such as minimum setbacks, maximum building height, etc. However, there are provisions for establishing certain standards that promote the use, are objective and predictable, and would not render a shelter project infeasible. The standards must not require discretionary judgment. The permitted topics for which state law allows standards are:

- Maximum number of beds or persons permitted to be served by the facility
- Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone
- Size and location of exterior and interior on-site waiting and client intake areas
- Provision of on-site management
- Proximity to other emergency shelters provided that emergency shelters are not required to be more than 300 feet apart.
- Length of stay

- Lighting
- Security during hours that the emergency shelter is in operation.

The development standards proposed for homeless shelters in Pleasanton are discussed below:

1. *Basic development standards. A homeless shelter shall conform to all property development standards of the zoning district in which it is located, except as modified by this section.*

This confirms that, although a shelter is subject to additional standards, it would still be subject to the development standards that apply to the zoning district in which it is located. In this case the standards of the base zone and the overlay zone would apply.

2. *Maximum number of beds. A homeless shelter shall contain a maximum of 50 beds to provide over-night accommodation for a maximum of 50 persons. In addition a homeless shelter shall not exceed a ratio of one bed for each 400 square feet of lot area.*

The maximum number of beds is based upon the estimated need of 24 to 51 shelter beds. There would be no requirement to provide the maximum of 50 beds, yet with 50 beds the city's need could be accommodated within only one shelter.

3. *Off-street parking. A homeless shelter shall provide one parking space for every four beds plus one parking space for each employee on the largest shift, plus one parking space for each company vehicle. Otherwise off-street parking shall comply with all applicable provisions of Chapter 18.88 of this title.*

State law allows that off-street parking requirements for shelters may be based upon the estimated need, provided the standard does not require more parking than would normally be required for a similar use. For comparison, currently the parking requirement for hospitals, nursing homes, and charitable institutions is two parking spaces for each three beds, one space for each two employees, and one space for each staff doctor. Motels, hotels, lodging houses and private clubs require one space for each guest sleeping room or for each two beds, whichever is greater, plus one space for each two employees. It may be assumed that each shelter employee would need a parking space so the proposed employee parking requirement is higher than these two examples. Most homeless families will have a car while most homeless individuals will not so estimating parking need is not an exact science. A general rule of thumb is .35 cars per bed, which is one space for every three beds. However some existing shelters in other communities provide less than one space for every four beds. Staff suggests that one space for every four beds be established as a minimum requirement.

4. *Length of stay. No individual or family shall reside in a homeless shelter for more than 90 consecutive days. Extensions up to a total stay of 180 days may be provided if no alternative housing is available.*

State regulations establish a maximum stay at 180 days. Some other communities establish shorter stays but it is recommended that the length of stay be similar to nearby shelters to avoid preference of one shelter over another. The length of stay at Sojourner

House is based on an initial 30-day contract. After 30 days each client is evaluated on a month to month bases for a maximum stay of 180 days. The average stay is between three and four months.

5. *Concentration of use. The proposed shelter must be more than 300 feet from any other homeless shelter.*

A 300-foot radius is the minimum allowed by state law.

6. *Exterior and interior client areas and facilities.*

The following facilities are required:

- a. *A waiting and client intake area of not less than 10 square feet per bed;*
- b. *A lockable storage facility for each resident;*
- c. *Separate toilets and bathing facilities for men and women, unless shelter is limited to only one sex;*
- d. *Central kitchen and dining room;*

The development may provide one or more of the following specific common facilities for the exclusive use of residents and staff:

- e. *Recreation room;*
- f. *Counseling center;*
- g. *Childcare facilities;*
- h. *Other support services;*
- i. *Administrative office for staff;*
- j. *If outdoor designated smoking area is provided it must be compliant with city smoking regulations pursuant to Chapter 9.24 and not visible from a public street.*
- k. *Outdoor activity areas provided they are separate from any designated smoking area and not visible from a public street.*

The required and permitted facilities listed above are based upon recommendations from shelter operators, best practices, and examples of homeless shelter provisions for other cities.

7. *Trash and recycling storage area. All trash and refuse shall be contained completely within a trash enclosure and screened from view. The trash enclosure shall be sized to accommodate both trash and recycling containers.*

This standard is one of the City's standard conditions applied to development projects.

8. *Provision of on-site management and security. On-site management and on-site security shall be provided during the hours when the homeless shelter is in operation. One staff person who is trained in shelter management, including safety and responding to emergencies and incidents, is considered sufficient management and security. The operator shall provide to the City (and update as needed) a name and 24-hour contact telephone number for the person responsible for the facility.*

Continuous on-site staffing is considered standard for shelter management. The police department requested that a 24-hour contact number be required.

9. *Noise. The use shall be conducted in compliance with the City noise regulations pursuant to Chapter 9.04.*
10. *Lighting. For security purposes the use shall comply with the minimum lighting requirements for commercial buildings as provided in Chapter 20.36, and to the provisions of subsection 18.44.080(D).*

Standards 9 and 10 confirm that noise and lighting must be in conformance with the City's noise and lighting standards.

11. *Homeless shelter management plan. The operator of a homeless shelter shall prepare a management plan that includes, as applicable, the following: staff training to meet the needs of shelter residents; community outreach; adequate security measures to protect shelter residents and surrounding uses; services provided to assist residents with obtaining permanent shelter and income; active participation with the Alameda County Continuum of Care or equivalent; and screening of residents to ensure compatibility with services provided at or through the shelter.*

The management plan will be reviewed by staff to ensure it includes the appropriate components and will not be used for discretionary judgment.

12. *Food service. All food service must comply with the food safety program of the Alameda County Department of Public Health.*

As the City does not regulate food operations, this requires compliance with County programs.

Supportive and Transitional Housing

State law mandates that zoning must allow supportive and transitional housing and they must be described in the zoning code. The permit procedures and any development standards cannot render the uses infeasible.

Locations. As previously discussed, supportive housing and transitional housing that provide shelter for six or fewer must be regulated the same as other similar residential uses. For supportive and transitional housing providing shelter for greater than six persons, it is recommended that the RM Multi Family Residential district and PUDs that reference the RM district be the zone where the uses are permitted. Please refer to map of the RM district in Exhibit E.

Procedures: The permitting of supportive housing and transitional housing would be the same as for housing of the same type in the same zone. For example, a proposal for four unit apartment building to house eight persons in a supported living environment would be permitted in the RM district as a multi-family dwelling.

Development Standards: Transitional housing and supportive housing will be considered a residential use of property, and subject to those restrictions that apply to other residential dwellings of the same type in the same zone. The following standards are proposed for inclusion in Chapter 18.107 (Supportive Housing and Transitional Housing):

1. On-site or off-site services are provided to assist supportive housing residents in retaining housing, improving their health status, and maximizing their ability to live, and where possible, work in the community.
2. Off-street parking is provided in accordance with Chapter 18.88 (Off-Street Parking and Loading Regulations).
3. All new construction or conversion of existing structures complies with Chapter 18.20 (Design Review).
4. All other applicable provisions of this title are met.

For supportive and transitional housing the services are linked with the use. The proposed text amendments would not preclude any other dwelling from receiving in-home services.

OUTREACH AND PUBLIC NOTICE

A focus group meeting was held on October 26, 2012 with housing and human services providers to discuss shelter operations and receive feedback on draft procedures and standards. Six participants attended. They provided information about local shelters and operational considerations, and gave comments on draft language.

Owners of property in the proposed SF Service Facilities overlay district received a letter describing the propose amendments and the potential impact on their properties (see Exhibit H).

Notices regarding the proposed code amendment and related Planning Commission public hearing were mailed on January 11, 2013 to properties within 1,000 feet of the proposed SF Service Facilities overlay zone and published in The Valley Times on January 13, 2013.

Phone calls were received from three individuals who had questions about the proposal. All three were satisfied with staff's answers, particularly when it was clarified that there is currently no proposal to establish a homeless shelter. One caller suggested that there may be a better location for the overlay district. One email was received expressing general support and requesting additional information.

ENVIRONMENTAL ASSESSMENT

The adoption of the 2012 Housing Element was part of the project which was described in the Supplemental Environmental Impact Report certified by the City Council on January 4, 2012. The proposed changes to the Pleasanton Municipal Code shown in Exhibit A constitute implementation of Programs 46.1 and 46.2 of the Housing Element and are therefore consistent with the Housing Element project as described and analyzed in the certified SEIR. Therefore, no further environmental assessment need be conducted to adopt this code amendment.

CONCLUSION

The proposed text amendment addresses the need to provide for the homeless and those in need of service-supported housing. If adopted they would establish zoning regulations and standards that facilitate the establishment of homeless shelters and supportive and transitional housing as required by state law. These changes to the Pleasanton Municipal Code will implement Programs 46.1 and 46.2 of the Pleasanton Housing Element and bring the zoning regulations into compliance with California Government Code sections 65582, 65583 and 65589.5.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution recommending approval of P12-1786 to the City Council.

Consulting Planner: Deborah Diamond
Planning Manger: Janice Stern, (925) 931-5606, jstern@ci.pleasanton.ca.us

Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

TEXT AMENDMENTS

The proposed text amendments to Title 18 of the Pleasanton Municipal Code is detailed below. Text in bold red with underline (e.g., **example**) is proposed text. Text in red with strikethrough is proposed to be deleted (e.g., ~~example~~).

Title 18
ZONING

Chapters

[Two new chapters added]

18.80 Core Area Overlay District

18.82 SF Service Facilities Overlay District

18.84 Site, Yard, Bulk, usable open space and Landscaping Regulations

18.106 Second Units

18.107 Supportive Housing and Transitional Housing

18.108 Trailers and Trailer Parks

Chapter 18.24**DISTRICTS GENERALLY**

18.24.010 Designated.

[Add to list of zoning districts]

SF Service facilities overlay district

Chapter 18.08**DEFINITIONS**

18.08.235 Home occupation.

18.08.237 Homeless shelter.

18.08.240 Hotel.

18.08.550 Structure, main.

18.08.552 Supportive housing.

18.08.555 Swimming pool.

18.08.565 Trailer park.

18.08.568 Transitional housing.

18.08.570 Transmission lines.

18.08.100 Charitable institution.

“Charitable institution” means a nonprofit institution devoted to the housing, training or care of children, or of aged, indigent, ~~handicapped~~ **disabled** or underprivileged persons, but **does** not ~~including~~

EXHIBIT A

Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

include the following: lodging houses or dormitories providing temporary quarters for transient persons, **or** organizations devoted to collecting or salvaging new or used materials, or organizations, devoted principally to distributing food, clothing or supplies on a charitable basis.

18.08.237 Homeless shelter.

"Homeless shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less. (See California Health and Safety Code Section 50801(e)).

18.08.552 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 onsite or offsite services that assist 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. (See California Health and Safety Code 50675.14(b)(2))

18.08.568 Transitional housing.

"Transitional housing" means buildings configured as rental housing development, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (See California Health and Safety Code 50675.2(h))

Chapter 18.28

A AGRICULTURAL DISTRICT

18.28.030 Permitted uses.

The following uses shall be permitted in the A district:

- A. One-family dwellings, second units and farm employee housing for persons employed on the premises. Not more than one dwelling unit, other than farm employee housing or a second unit, shall be permitted on each site;
- B. Field and truck crops and horticultural specialties;
- C. Home occupations conducted in accord with the regulations prescribed in Chapter 18.104 of this title;
- D. Livestock and poultry raising for private, noncommercial use, and private kennels and stables, provided that any building or enclosure in which animals or fowl, except household pets, are contained shall be at least 100 feet from any R, O, C, I-P or P district;
- E. Nurseries, greenhouses and botanical conservatories;
- F. Orchards and vineyards;
- G. Photovoltaic facilities;

EXHIBIT A

Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

H. Accessory structures and uses located on the same site with a permitted use, including barns, stables, coops, tank houses, storage tanks, windmills (not including wind energy facilities), other farm outbuildings, private garages and carports, or guesthouse or accessory living quarters without a kitchen for each dwelling on the site, storehouses, garden structures, greenhouses, recreation rooms and hobby shops, and storage of petroleum products for persons residing on the site and the following accessory structures and uses located on the same site with a permitted use or with a conditional use which has been granted a use permit in accord with the provisions of Chapter 18.124 of this title:

1. Emergency standby electricity generator, fuel cell, and/or battery facilities provided that the facilities shall be tested from 8:00 a.m. to 5:00 p.m. Monday through Friday or from 10:00 a.m. to 12:00 noon on Saturday or Sunday only; the facilities shall not be tested for more than one hour during any day, and no testing shall be on federal holidays or on "Spare The Air Days" in Alameda County;
2. Portable, temporary electricity generator, fuel cell, or battery facilities;
3. Photovoltaic facilities;
4. Small electricity generator facilities that meet the following criteria:
 - a. The fuel source for the generators shall be natural gas, bio diesel, or the byproduct of an approved cogeneration or combined cycle facility;
 - b. The facilities shall use the best available control technology to reduce air pollution;
 - c. The facilities shall not create any objectionable odors at any point outside of the property plane where the facilities are located;
 - d. The facilities shall not exceed a noise level of 45 dBA at any point on any residentially zoned property outside of the property plane where the facilities are located; and
 - e. On a site with fuel cell facilities, small electricity generator facilities shall not be permitted unless the aggregate wattage of the two facilities is less than one megawatt. If the aggregate wattage of the two facilities is one megawatt or greater, the small electricity generator facilities shall be subject to all requirements and processes prescribed in this title for medium or large electricity generator facilities, whichever is the most applicable, in the subject zoning district;
 - f. The facilities shall be cogeneration or combined cycle facilities, if feasible;
5. Small fuel cell facilities that meet the following criteria:
 - a. The facilities shall not create any objectionable odors at any point outside of the property plane where the facilities are located;
 - b. The fuel cell facilities shall not exceed a noise level of 45 dBA at any point on any residentially zoned property outside of the property plane where the facilities are located;
 - c. On a site with electricity generator facilities, small fuel cell facilities shall not be permitted unless the aggregate wattage of the two facilities is less than one megawatt. If the aggregate wattage of the two facilities is one megawatt or greater, the small fuel cell

EXHIBIT A

Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

facilities shall be subject to all requirements and processes prescribed in this title for medium or large fuel cell facilities, whichever is the most applicable, in the subject zoning district;

Small fuel cell facilities are encouraged to be cogeneration or combined cycle facilities;

- I. Administrative offices for on site and off site agricultural activities which are clearly ancillary to the agricultural pursuits taking place on the site;
- J. Small family daycare homes;

K. Supportive housing that provides shelter for 6 or fewer persons in a dwelling unit, subject to the provisions of Chapter 18.107;

L. Transitional housing that provides shelter for 6 or fewer persons in a dwelling unit, subject to the provisions of Chapter 18.107.

Chapter 18.28

R-1 ONE-FAMILY RESIDENTIAL DISTRICTS

18.32.030 Permitted uses.

The following uses shall be permitted in the R-1 district:

- A. One-family dwellings in which not more than two guest sleeping rooms may be used for lodging or boarding.
- B. Raising of fruit and nut trees, vegetables and horticultural specialties.
- C. Temporary subdivision sales offices conducted in accord with the regulations prescribed in Chapter 18.116 of this title.
- D. Accessory structures located on the same site with a permitted use, including private garages and carports, one guesthouse or accessory living quarters without a kitchen, storehouse, garden structures, greenhouses, recreation rooms and hobby areas within an enclosed structure and the following accessory structures and uses located on the same site with a permitted use or with a conditional use which has been granted a use permit in accord with the provisions of Chapter 18.124 of this title:
 - 1. Emergency standby electricity generator, fuel cell, and/or battery facilities provided that the facilities shall be tested from 8:00 a.m. to 5:00 p.m. Monday through Friday or from 10:00 a.m. to 12:00 noon on Saturday or Sunday only; the facilities shall not be tested for more than one hour during any day and no testing shall be on federal holidays or on "Spare The Air Days" in Alameda County;
 - 2. Portable, temporary electricity generator, fuel cell, or battery facilities in the R-1-40,000 district;
 - 3. Photovoltaic facilities.
- E. Private stable for the keeping of two horses on a site not less than 40,000 square feet in area, except that one additional horse may be kept for each additional 40,000 square feet of site areas, provided that no stable shall be located closer than 50 feet to any property line, closer than 50 feet to any dwelling on the site, or closer than 100 feet to any other dwelling.

EXHIBIT A

Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

- F. Household pets including up to six female chickens.
 - G. Small family daycare homes.
 - H. Second units meeting the requirements in Chapter 18.106 of this title.
 - I. Supportive housing that provides shelter for 6 or fewer persons in a dwelling unit, subject to the provisions of Chapter 18.107.**
 - J. Transitional housing that provides shelter for 6 or fewer persons in a dwelling unit, subject to the provisions of Chapter 18.107.**
-

Chapter 18.36

RM MULTI-FAMILY RESIDENTIAL DISTRICTS

18.36.030 Permitted uses.

The following uses shall be permitted in the RM multi-family residential districts:

- A. One-family dwellings in which not more than two guest sleeping rooms may be used for lodging or boarding.
- B. Multi-family dwellings.
- C. Combinations of attached or detached dwellings, including duplexes, multi-family dwellings, dwelling groups, row houses and townhouses.
- D. Nursing homes and senior care/assisted living facilities for not more than three patients if located a minimum of 300 feet away from any personal wireless service facility approved after the adoption of the city's personal wireless service facility ordinance, Chapter 18.110 of this title, not including those personal wireless service facilities exempted in Section 18.110.010 of this title.
- E. Accessory structures and uses located on the same site as a permitted use and the following accessory structures and uses located on the same site with a permitted use or with a conditional use which has been granted a use permit in accord with the provisions of Chapter 18.124 of this title:
 - 1. Emergency standby electricity generator, fuel cell, and/or battery facilities provided that the facilities shall be tested from 8:00 a.m. to 5:00 p.m. Monday through Friday or from 10:00 a.m. to 12:00 noon on Saturday or Sunday only; the facilities shall not be tested for more than one hour during any day, and no testing shall be on federal holidays or on "Spare The Air Days" in Alameda County;
 - 2. Photovoltaic facilities.
- F. Not more than two weaned household pets, excepting fish and caged birds.
- G. Small family daycare homes.
- H. Second units meeting the requirements in Chapter 18.106 of this title.
- I. Supportive housing, subject to the provisions of Chapter 18.107.**
- J. Transitional housing, subject to the provisions of Chapter 18.107.**

EXHIBIT A

Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

Chapter 18.44

C COMMERCIAL DISTRICTS

Table 18.44.090

PERMITTED AND CONDITIONAL USES

The following uses shall be permitted uses or conditional uses in a C district where the symbol "P" for permitted use, "C" for conditional use, or "TC" for temporary conditional use appears in the column beneath the C district:							
Note:							
* Uses which are part of a completely enclosed mall complex, all activities take place entirely indoors.							
** Uses on peripheral sites physically separated from a central enclosed mall.							
	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
Charitable institutions and operations, including, but not limited to, lodging houses or dormitories providing temporary quarters for transient persons, organizations devoted to collecting or salvaging new or used materials, or organizations devoted principally to distributing food, clothing and other similar charitable operations				C	C		
<u>Homeless shelters shall be conditionally permitted in CS except that within the SF Service Facilities overlay district homeless shelters that meet the requirements set forth in Chapter 18.82 shall be a permitted use.</u>					C		
<u>Supportive housing that provides shelter for 6 or fewer persons in a dwelling unit, and that meets the standards of Chapter 18.107.</u>				P			
<u>Transitional housing that provides shelter for 6 or fewer persons in a dwelling unit, and that meets the standards of Chapter 18.107.</u>				P			

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Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

Chapter 18.76

H-P-D HILLSIDE PLANNED DEVELOPMENT DISTRICT

18.76.020 Permitted uses.

The following uses may be permitted in the H-P-D district:

- A. Single-family dwellings and planned unit developments;
- B. Recreation facilities, either for general public use or for the exclusive use of the residents of the subdivision or series of subdivisions of which the recreation facilities are a part;
- C. Recreational vehicle storage, stables, day nurseries, child care centers and managerial offices where any such use is owned by and used exclusively for the residents of the subdivision or series of subdivisions which contain such use;
- D. Schools, public or private, attendance at which satisfied the compulsory laws of the state;
- E. Churches and similar religious institutions; and
- F. Public facilities, such as administrative offices and similar uses, but not including storage yards, corporation yards, or similar uses;
- G. Supportive housing that provides shelter for 6 or fewer persons in a dwelling unit, subject to the provisions of Chapter 18.107;**
- H. Transitional housing that provides shelter for 6 or fewer persons in a dwelling unit, subject to the provisions of Chapter 18.107;**
- I. Other uses accessory to any permitted use.**

Chapter 18.82

SF SERVICE FACILITIES OVERLAY DISTRICT

18.82.010 Purposes.

The purpose of this chapter is to provide locations, procedures and standards to facilitate the establishment of homeless shelters within the SF Service Facilities overlay district area.

The further purpose of this chapter is to comply with the requirements of Senate Bill 02 (2007) codified in California Government Code sections 65582, 65583 and 65589.5.

18.82.020 Area designation.

The SF Service Facilities overlay district shall include the area designated on the map in Exhibit A at the end of this chapter.

18.82.030 Applicability.

Within the SF Service Facilities overlay district all homeless shelters as defined in this Title and that conform to the standards specified in this Chapter, shall be a permitted use without a conditional use permit or other discretionary permit. Otherwise, all regulations of the underlying

EXHIBIT A

Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

base district shall apply. For properties within the SF overlay district that have an approved PUD development plan, the uses and standards of the PUD shall apply, except that homeless shelters shall be a permitted use without a conditional use permit, or other discretionary permit.

18.82.040 Permitting procedures and standards.

A. Permitted use. Within the SF overlay district a homeless shelter that meets all of the standards provided in subsection 18.82.040 (B) shall be approved ministerially with a zoning certificate, without discretionary review or a public hearing.

1. The application for a zoning certificate for a homeless shelter shall be submitted to the planning division and shall include:
 - a. Plot plan (drawn to scale) showing the dimensions of the lot on which the homeless shelter will be located; the location and dimension of setbacks of all existing and proposed structures on the proposed site; all easements; building envelopes; and parking for the project site; and
 - b. Floor plans of the entire structure or structures with each room dimensioned, the resulting floor area calculated for each room, and calculation of the total floor area. The use of each room shall be identified; and
 - c. A homeless shelter management plan as required in subsection B of this section; and
 - d. Any additional drawings or statements demonstrating compliance with the standards required by subsection B of this section.
2. The zoning certificate shall document compliance of the homeless shelter with this chapter and shall be kept on file in the Community Development Department for the duration of the operation of the homeless shelter.

B. Required standards for homeless shelters.

1. Basic development standards. A homeless shelter shall conform to all property development standards of the zoning district in which it is located, except as modified by this section.
2. Maximum number of beds. A homeless shelter shall contain a maximum of 50 beds to provide over-night accommodation for a maximum of 50 persons. In addition a homeless shelter shall not exceed a ratio of one bed for each 400 square feet of lot area.
3. Off-street parking. A homeless shelter shall provide one parking space for every 4 beds plus one parking space for each employee on the largest shift, plus one parking space for each company vehicle. Otherwise off-street parking shall comply with all applicable provisions of Chapter 18.88 of this title.
4. Length of stay. No individual or family shall reside in a homeless shelter for more than 90 consecutive days. Extensions up to a total stay of 180 days may be provided if no alternative housing is available.

EXHIBIT A

Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

5. Concentration of use. The proposed shelter must be more than 300 feet from any other homeless shelter.
6. Exterior and interior client areas and facilities.

The following facilities are required:

 - a. A waiting and client intake area of not less than 10 square feet per bed;
 - b. A lockable storage facility for each resident;
 - c. Separate toilets and bathing facilities for men and women, unless shelter is limited to only one sex;
 - d. Central kitchen and dining room;

The development may provide one or more of the following specific common facilities for the exclusive use of residents and staff:

 - e. Recreation room;
 - f. Counseling center;
 - g. Childcare facilities;
 - h. Other support services;
 - i. Administrative office for staff;
 - j. If outdoor designated smoking area is provided it must be compliant with city smoking regulations pursuant to Chapter 9.24 and not visible from a public street.
 - k. Outdoor activity areas, provided they are separate from any designated smoking area and not visible from a public street.
7. Trash and recycling storage area. All trash and refuse shall be contained completely within a trash enclosure and screened from view. The trash enclosure shall be sized to accommodate both trash and recycling containers.
8. Provision of on-site management and security. On-site management and on-site security shall be provided during the hours when the homeless shelter is in operation. The operator shall provide to the City (on an ongoing basis) a name and 24-hour contact telephone number for the person responsible for the facility.
9. Noise. The use shall be conducted in compliance with the city noise regulations pursuant to Chapter 9.04.
10. Lighting. For security purposes the use shall comply with the minimum lighting requirements for commercial buildings as provided in Chapter 20.36, and to the provisions of subsection 18.44.080(D).
11. Homeless shelter management plan. The operator of a homeless shelter shall prepare a management plan that includes, as applicable, the following: staff training to meet the needs of shelter residents; community outreach; adequate security measures to protect shelter residents and surrounding uses; services provided to assist residents with obtaining permanent shelter and income; active participation with the Alameda County Continuum of Care or equivalent; and screening of residents to ensure compatibility with services provided at or through the shelter.

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Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

12. Food service. All food service must comply with the requirements of the Alameda County Department of Environmental Health Food Safety Division.

EXHIBIT A

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Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

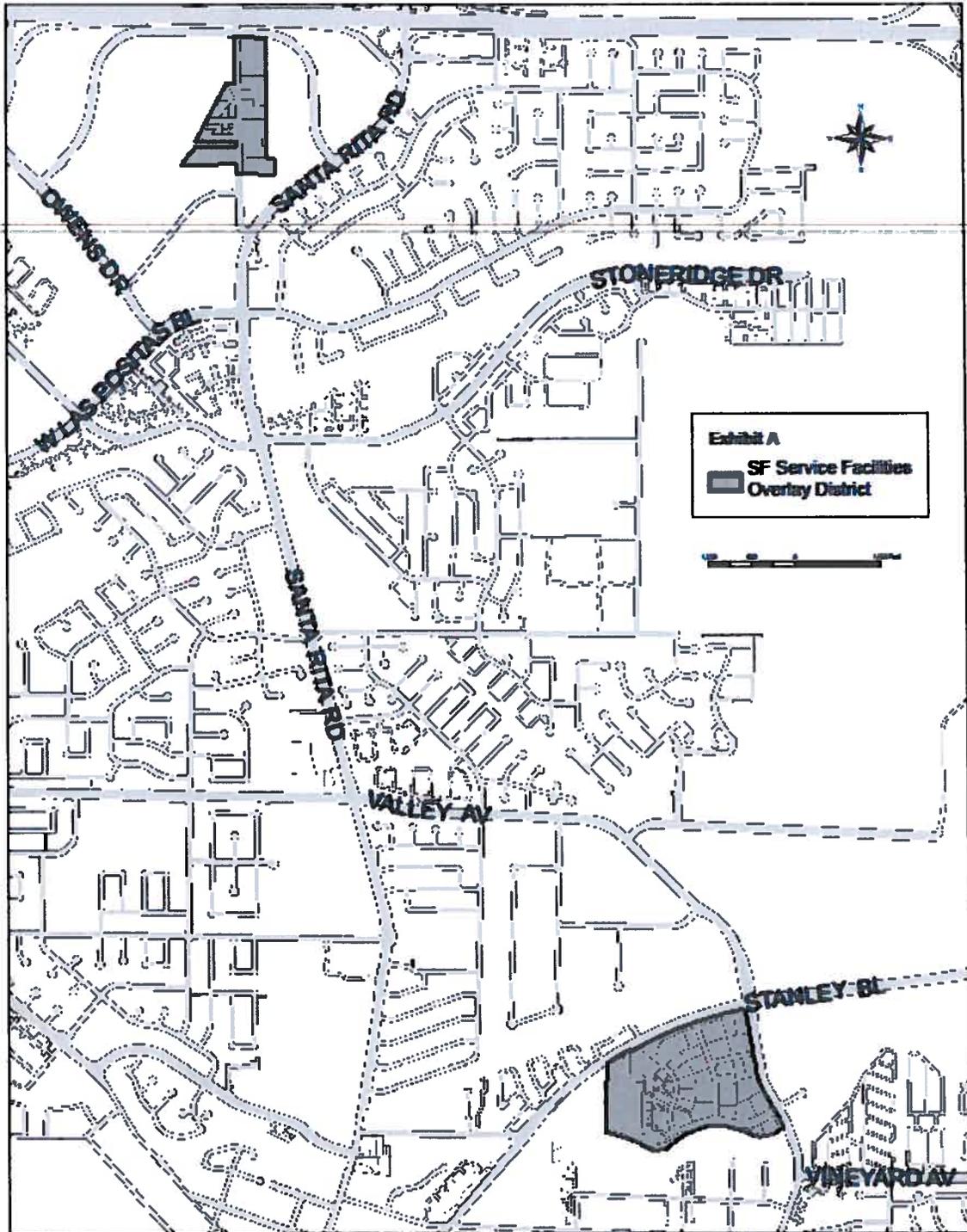


EXHIBIT A

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Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

Chapter 18.88

OFF STREET PARKING FACILITIES

18.88.030 Schedule of off street parking requirements.

[Note: subsections A, B, C, E and F are not proposed to be changed.]

D. Places of Assembly and Public Uses not in the C-N or C-R District.

1. Auditoriums, churches, private clubs and lodge halls, community centers, mortuaries, sports arenas and stadiums, theaters, auction establishments and other places of public assembly, including church, school and college auditoriums—one space for each six seats or one space for each 60 square feet of floor area usable for seating if seats are not fixed, in all facilities in which simultaneous use is probable as determined by the zoning administrator. Where subsection E of this section requires a greater number of spaces on the site of a church, school or college, that subsection shall apply and the requirements of this subsection shall be waived.
2. Bowling alleys and pool halls—five spaces for each alley; two spaces for each billiard or pool table.
3. Dance halls—one space for each 50 square feet of gross floor area used for dancing.
4. **Homeless shelters---one parking space for every 4 beds plus one parking space for each employee on the largest shift, plus one parking space for each company vehicle.**
- ~~4~~5. Hospitals, sanitariums, nursing homes and charitable and religious institutions providing sleeping accommodations—two spaces for each three beds, one space for each two employees, and one space for each staff doctor.
- ~~5~~6. Libraries, museums, art galleries and similar uses—one space for each 600 square feet of gross floor area and one space for each employee.
- ~~6~~7. Post offices—one space for each 600 square feet of gross floor area and one space for each employee.
- ~~7~~8. Cemeteries, columbariums and crematories—one space for each employee, plus the number of additional spaces prescribed by the zoning administrator.
- ~~8~~9. Public buildings and grounds other than schools and administrative offices—one space for each employee, plus the number of additional spaces prescribed by the zoning administrator.
- ~~9~~10. Public utility structures and installations—one space for each employee on the maximum shift, plus the number of additional spaces prescribed by the zoning administrator.
- ~~10~~11. Bus depots, railroad stations and yards, airports and heliports, and other transportation and terminal facilities—one space for each employee, plus the number of additional spaces prescribed by the zoning administrator.

EXHIBIT A

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Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

Chapter 18.107

SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING

18.107.010 Purposes.

The purpose of this chapter is to provide procedures and standards to encourage and facilitate the establishment of supportive housing and transitional housing.

The further purpose of this chapter is to comply with the requirements of Senate Bill 02 (2007) codified in California Government Code sections 65582, 65583 and 65589.5.

18.107.020 Applicability.

All supportive housing and transitional housing shall comply with the provisions of this chapter.

18.107.030 Supportive housing - Permitting procedures and standards.

A. Supportive housing shall be considered a residential use for which only the restrictions that apply to other residential uses of the same type in the same zone shall be applied.

B. Supportive Housing with 6 or Fewer Persons in a Dwelling Unit. Supportive housing that provides shelter for 6 or fewer persons in a dwelling unit shall be a permitted use in the A (Agricultural), R-1 (One Family Residential), RM (Multi-Family Residential), C-C (Central Commercial), H-P-D (Hillside Planned Development) and comparable PUD (Planned Unit Development) zoning districts if the following development standards and regulations are met:

1. On-site or off-site services are provided to assist supportive housing residents in retaining housing, improving their health status, and maximizing their ability to live, and where possible, work in the community.
2. Off-street parking is provided in accordance with Chapter 18.88 (Off-Street Parking and Loading Regulations).
3. All new construction or conversion of existing structures complies with Chapter 18.20 (Design Review).
4. All other applicable provisions of this title are met.

C. Supportive Housing with More than 6 Persons in a Dwelling Unit. Supportive housing that provides shelter for more than 6 persons in a dwelling unit shall be a permitted use in the RM (Multi-Family Residential) zoning district if the following development standards and regulations are met:

1. On-site or off-site services are provided to assist supportive housing residents in retaining housing, improving their health status, and maximizing their ability to live, and where possible, work in the community.
2. Off-street parking is provided in accordance with Chapter 18.88 (Off-Street Parking and Loading Regulations).

EXHIBIT A

Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

3. All new construction or conversion of existing structures complies with Chapter 18.20 (Design Review).
4. All other applicable provisions of this title are met.
5. To calculate the maximum allowed residential density for group supportive housing the first six beds shall be deemed equivalent to one dwelling unit. Thereafter every three beds shall be deemed equivalent to one dwelling unit.

18.107.040 Transitional housing - Permitting procedures and standards.

- A. Transitional housing is to be considered a residential use for which only the restrictions that apply to other residential uses of the same type in the same zone shall be applied.
- B. Transitional Housing with 6 or Fewer Persons in a Dwelling Unit. Transitional Housing that provides shelter for 6 or fewer persons in a dwelling unit shall be a permitted use in the A (Agricultural), R-1 (One Family Residential), R-M (Multi-Family Residential), C-C (Central Commercial), H-P-D (Hillside Planned Development) and comparable PUD (Planned Unit Development) zoning districts if the following development standards and regulations are met:
 1. The housing is operated under specific program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at a predetermined future point in time which shall be no less than 6 months.
 2. Off-street parking is provided in accordance with Chapter 18.88 (Off-Street Parking and Loading Regulations).
 3. All new construction or conversion of existing structures complies with Chapter 18.20 (Design Review).
 4. All other applicable provisions of this title are met.
- C. Transitional Housing with More than 6 Persons in a Dwelling Unit. Transitional housing that provides shelter for more than 6 persons in a dwelling unit shall be a permitted use in the RM (Multi-Family Residential) zoning district if the following development standards and regulations are met:
 1. The housing is operated under specific program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at a predetermined future point in time which shall be no less than 6 months.
 2. Off-street parking is provided in accordance with Chapter 18.88 (Off-Street Parking and Loading Regulations).
 3. All new construction or conversion of existing structures complies with Chapter 18.20 (Design Review).
 4. All other applicable provisions of this title are met.

EXHIBIT A

Proposed Code Amendment, Redline

Title 18 (List of Chapters), Chapter 18.08 (Definitions), Chapter 18.24 (Districts Generally), Chapter 18.28 (A Agricultural District), Chapter 18.32 (R-1 One-Family Residential District), Chapter 18.36 (RM Multi-Family Residential Districts), Chapter 18.44 (C Commercial Districts), Chapter 18.76 (H-P-D Hillside Planned Development District), New Chapter 18.82 (SF Service Facilities Overlay District), Chapter 18.88 (Off Street Parking Facilities), New Chapter 18.107 (Supportive Housing and Transitional Housing)

5. To calculate the maximum allowed residential density for group transitional housing the first six beds shall be deemed equivalent to one dwelling unit. Thereafter every three beds shall be deemed equivalent to one dwelling unit.
