



**PLANNING COMMISSION HEARING DATE: SEPTEMBER 14, 2017  
AGENDA ITEM NO.: 2**

## SUMMARY

<i>Case Numbers</i>	P17-0096 (GPA); P17-0180 (ZC Map); P17-0182 (ZC Text); and P17-0521 (SPA)
<i>Request</i>	To discuss the 2014-2021 Housing Element Implementation Plan and Rezoning Program. The Implementation Plan includes a General Plan Amendment, Zoning Map Amendment, Zoning Code Text Amendment, and an amendment to the University Avenue Specific Plan. It is intended to provide for multi-family residential and mixed-use development opportunities, and attain compliance with State law with regards to Accessory Dwelling Units, Single-Room Occupancies, and Emergency Shelters. The item is for discussion purposes only.
<i>Applicant</i>	City of Riverside, Community & Economic Development Dept.
<i>Project Location</i>	67 Candidate Sites, consisting of 300 parcels (Citywide)
<i>Ward</i>	Citywide
<i>Staff Planner</i>	Doug Darnell, AICP, Senior Planner; 951-826-5219; <a href="mailto:ddarnell@riversideca.gov">ddarnell@riversideca.gov</a>

## RECOMMENDATIONS

Staff recommends that the City Planning Commission:

1. Receive public comment, and provide input on the proposed Housing Element Implementation Program.

## PURPOSE

The purpose of this discussion item is to provide the Planning Commission with an opportunity to receive a staff report and comment on the Implementation Program. The discussion is also intended to provide an opportunity for public comment. The implementation efforts to be discussed include a review of (1) the list of sites to be rezoned as part of the Housing Element Rezoning Program; (2) Zoning Code text amendments; and (3) amendments to the University Avenue Specific Plan.

## BACKGROUND

### Overview

California law requires cities to adopt comprehensive, long-term general plans for their physical development, and requires that the general plan consist of statements of development policies, including those related to the provision of adequate housing (Housing Element). The law also requires that the housing element of the general plan be reviewed and approved by the California Department of Housing and Community Development (HCD). (Gov't Code Sec 65300 & 65302(c))

California law (Gov't Code Sec 65580-65590) stipulates the information that must be included in a housing element. It also requires cities to evaluate their housing elements every eight (8) years and determine its effectiveness in achieving state and regional housing goals and objectives (e.g., eight year "cycles"). To comply with the law, the City prepared the Draft 2014-2021 Housing Element Amendment to fulfill the State's 5<sup>th</sup> Cycle review period. On August 10, 2017 the Planning Commission recommended City Council adoption of the Draft 2014-2021 Housing Element, which will be considered at a public hearing before the Council on October 10, 2017.

State law also requires the Southern California Association of Governments (SCAG) to prepare a Regional Housing Needs Assessment (RHNA), which specifies the existing and projected regional housing needs within the Los Angeles region. The RHNA identifies the housing needs for persons at all income levels, and stipulates the number of housing units each jurisdiction must be able to accommodate in order to carry its "fair share" of regional growth. Cities are required to include the RHNA in their Housing Element analysis and implementation programs.

The 2014-2021 Housing Element analyzed whether the City of Riverside can accommodate its fair share of housing on properties currently zoned for multi-family housing, pursuant to the criteria established by state law. As discussed below, the analysis showed that the City does not have enough zoned property to accommodate its allocation of low and very low-income households; therefore the City is mandated to rezone properties to accommodate the unmet RHNA. The 2014-2021 Housing Element contains an implementation plan, which includes 300 properties (67 sites) that could be rezoned to accommodate the City's housing needs.

The 2014-2021 Housing Element also evaluates the City's compliance with other parts of California law, such as those related to transitional housing, supportive and emergency shelters, allowing multi-family housing "by right", accessory living units, and single room occupancies (SROs). These particular issues are addressed in the 2014-2021 Housing Element Implementation Program as Tools H-26, H-47 and H-53.

In addition to the two amendments described above, the City has initiated a "Specific Plan Amendment" to revise Chapter 6 of the University Avenue Specific Plan (UASP). This amendment is needed to bring the UASP into alignment with the Zoning Code updates. Similarly, the City has initiated a "General Plan Amendment" to revise the land use designations for a number of the sites identified in the Rezoning Program. This will ensure that the General Plan Land Use element is consistent with the proposed Zoning updates.

### Regional Housing Needs Assessment

As described above, SCAG prepares a Regional Housing Needs Assessment (RHNA) every eight years, and the RHNA stipulates the number of housing units each jurisdiction is expected to accommodate within the RHNA planning period. Additionally, the RNHA is broken down into

household affordability, and each jurisdiction is required to accommodate the number of lower-income households identified.

Riverside's 2014-2021 RHNA Allocation			
Income Level Category	Income as a Percentage of Median Family Income	RHNA Allocation (Units)	Percent of Total
Extremely Low-Income	30% or less	3,338	40%
Very Low-Income	31% to 50%		
Low-Income	51% to 80%		
Moderate-Income	81% to 120%	1,503	18%
Above Moderate	More than 120%	3,442	42%
TOTAL		8,283	100%

The City must show that it has the capacity to accommodate the construction of the number of lower-income households in the RHNA allocation (3,338 units). This is done by identifying vacant and underutilized properties that are zoned for higher density multi-family residential development, and demonstrating that these properties can accommodate the lower-income units allocated to the City. When doing the calculation, the City is able to subtract the number of lower-income units currently in production (i.e., under construction or to be constructed). If the amount of land currently zoned for multi-family is not adequate to cover the lower-income RHNA allocation, then the City must rezone properties to make up for the shortfall.

In addition to the 5<sup>th</sup> Cycle (2014-2021) Housing Element RHNA, the City was also allocated a fair share of housing as part of the 4<sup>th</sup> Cycle (2006-2014) Housing Element RHNA. The City failed to rezone the properties identified in the 4<sup>th</sup> Cycle Housing Element, therefore, per law, the unmet 4<sup>th</sup> Cycle allocation has been carried over to the 5<sup>th</sup> Cycle. The table below clarifies the City's current rezoning requirement, including both the remaining 4<sup>th</sup> and 5<sup>th</sup> cycle obligations.

Mandated Rezoning for Riverside's 2014-2021 Housing Element				
	DWELLING UNITS			
	4 <sup>th</sup> Cycle (2006-2014) Carry Over	5 <sup>th</sup> Cycle (2014-2021) RHNA	5 <sup>th</sup> Cycle (2014-2021) Credits	TOTAL
Lower-Income Allocation (Requirement)	2,739	3,338		6,077
Vacant & Under-Utilized Land Zoned for High Density Housing			(999)	(999)
Lower-Income Production			(311)	(311)
<b>5<sup>th</sup> Cycle Housing Element Rezoning Requirement</b>				<b>4,767</b>

### **Housing Element Rezoning Requirements**

To be in compliance with state law, the City must identify vacant and underutilized sites and rezone them to allow multi-family residential development. The amount of land that needs to be rezoned must provide an opportunity to construct a minimum of 4,767 dwelling units. Although the 4,767 units is derived from the fair share of lower-income units in the RHNA, the mandated rezoning does not mean that the properties must be developed with low-income housing. The rezoning merely provides the opportunity for the minimum number of low-income units to be built; what is ultimately constructed is dictated by the free market.

Although the construction of low-income housing is not required, the state does encourage the opportunity for affordable housing by requiring that the rezoning meet the following minimum criteria:

- The zones must provide for a minimum density of at least 24 units per acre;
- The rezoned properties must be able to accommodate at least 16 units; and
- At least 50 percent of the sites must be zoned exclusively for higher density residential (i.e., less than 50 percent can be mixed-use residential zones).

### **Edwards et al v. City of Riverside**

In early 2013, the City began an update of the 5<sup>th</sup> Cycle 2014-2021 Housing Element, as the due date for adoption under housing law was October 15, 2013. Unfortunately the 5<sup>th</sup> Cycle Housing Element was not completed or adopted. As a result, the City does not currently have a compliant housing element, and is not in compliance with state law.

In October 2016, a complaint was filed in the California Supreme Court against the City of Riverside for not complying with state law. In January 2017, the City entered into a settlement agreement that requires the 2014-2021 Housing Element to be adopted by the City Council by October 15, 2017, and the associated rezoning of properties (City's RHNA obligation) by December 15, 2017.

### **Airport Land Use Commission**

On August 10, 2017, The Riverside County Airport Land Use Commission (ALUC) determined that the Housing Element was consistent with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (ALUCP). This determination was contingent on the elimination of two sites that were being considered for rezoning in the Draft 5<sup>th</sup> Cycle 2014-2021 Housing Element Implementation Program (Appendix D). The sites were eliminated because the rezoning would have created a dwelling unit density that exceeded the ALUCP. Eliminating these two sites reduced the original number of potential rezone sites from 69 to 67. The sites eliminated comprise property described as "Gless Ranch."

The ALUC is also required to make a consistency determination on the Housing Element Implementation program (i.e, the Zoning Code and General Plan amendments). ALUC's determination on the Housing Element Implementation Program is anticipated for October 12, 2017.

## DISCUSSION

The following provides a description and analysis of the proposed 2014-2017 Housing Element implementation program, including the Rezoning Program:

### **Proposed Rezoning**

#### *Housing Element Compatible Zones*

To comply with California law, the City must implement the Rezoning Program contained within the 2014-2021 Housing Element (Appendix D). The program requires the rezoning of property to accommodate a minimum of 4,767 additional dwelling units, and that the rezoning comply with the criteria stipulated by housing element law.

There are four zones in the City's Zoning Code that allow the density of housing specified by HCD (i.e., a minimum of 24 dwelling units per acre). These zones are:

*Multiple-Family Residential (R-3-1500) Zone:* Intended for multiple family residences within a single structure, including apartments, town homes, and condominiums.

- o *Maximum Residential Density – 29 dwelling units per acre*

*R-4 - Multiple-Family Residential Zone:* Established to provide areas for higher density multiple family residences in areas readily served by public transit, and near commercial zones and other nonresidential areas that meet the everyday shopping, educational, health service and similar needs of residents.

- o *Maximum Residential Density – 40 dwelling units per acre*

*MU-V - Mixed Use – Village Zone:* Intended for medium to high-density residential development with retail, office and service uses at the street level to facilitate a pedestrian environment. Encourages new housing near commercial services, such as live/work and residential over retail.

- o *Maximum Residential Density – 30 dwelling units per acre*

*MU-U - Mixed Use – Urban Zone:* Provides opportunities for high-density residential development with commercial, office, institutional, and business uses emphasizing retail, entertainment and student-oriented activities. It is intended to facilitate the grouping of innovative housing options with employment uses, entertainment activities, and public gathering spaces, transit stations and other community amenities.

- o *Maximum Residential Density – 40 dwelling units per acre*

Each of the above zones has a maximum allowable density (dwelling unit per acre) that exceeds housing element law. However, for the purposes of showing the reasonable likelihood of accommodating the RHNA obligation, the City has calculated how many actual units would likely be constructed on a property based on its zone. For the Rezoning Program, the average densities were assumed as follows:

R-3-1500:	25 dwelling units per acre
R-4:	35 dwelling units per acre
MU-V:	30 dwelling units per acre times 0.7 (21 du/acre)
MU-U:	40 dwelling units per acre times 0.7 (28 du/acre)

## Rezoning Strategy

After determining which zones comply with the rezoning criteria under housing element law, the City developed a rezoning strategy that helped identify and prioritize the selection of sites for rezoning. The strategy considered existing City policy (i.e., rezoning that brings properties into compliance with existing General Plan land use designations), existing infrastructure and transit opportunities, and development constraints. The following summarizes the considerations that influenced the strategy:

- Large vacant sites consisting of vacant land with generally flat topography were identified. These sites are preferred since they have the greatest opportunity and likelihood of being developed with housing within the planning period.
- Given the limited supply of developable vacant land, the city identified non-vacant sites with a higher potential for redevelopment. These sites may have old or underutilized building(s) and improvements, have numerous vacant tenant spaces, or are only partially developed.
- Sites that currently have General Plan land use designation of Mixed Use, High Density Residential, or Very High Density Residential were prioritized. Because the General Plan land use designations envision higher density residential, a rezoning of these properties to be consistent with the General Plan would be consistent with already established City Council policy.
- Sites located along major corridors (e.g., Magnolia, and University Avenues, and Van Buren Boulevard) were prioritized.
- Sites located near services and amenities were prioritized. Services and amenities include public transit (e.g., Metrolink stations & bus routes/stops), community centers, hospitals, schools, universities and shopping areas.
- Infill sites in urbanized areas of the City with existing infrastructure were prioritized (i.e., where there are fully improved streets, curbs gutters and sidewalks, storm drains, and sewer).
- Sites that meet the criteria above were eliminated when they were constrained by other regulations, clearly incompatible adjacencies, or environmental issues. These constraints included open space areas, (e.g., arroyos, hills, & flood hazard areas, designated agricultural areas (including Agricultural Greenbelt subject to voter initiatives Proposition R and Measure C), inconsistencies with airport land use compatibility plans, areas that are undergoing planning efforts that could not be completed by December, 2017 (e.g., the Northside Specific Plan), and areas where higher density residential would be in direct conflict with industrial activities, such as the Hunter Business Park. Exhibit 2 depicts areas of the City where such constraints substantially limit the areas where multiple-family and mixed use zoning can occur.

A total of 67 Candidate Sites (300 properties) are identified in the 2014-2021 Housing Element, Appendix D. Many of these properties share common property lines (i.e., they are adjacent to each other). As a result, the City grouped these properties together into 67 distinct "Candidate Sites." For purposes of describing the Rezoning Program, the sites have been organized into four (4) general categories (groups), as described below:

- *Group 1 – Magnolia Avenue Specific Plan:* Within the Magnolia Avenue Specific Plan, approximately 14 sites (locations) totaling approximately 90 acres are identified as

candidates for rezoning to the Mixed Use-Village (MU-V) and Mixed Use-Urban (MU-U) Zones. The proposed zoning for these candidate sites (except for a 3.37-acre parcel) would be consistent with their existing MU-V and MU-U General Plan land use designations (approximately 86 acres of consistency zoning).

- o *Group 2 – University Avenue Specific Plan:* Within the University Avenue Specific Plan, approximately six (6) sites (locations) totaling approximately 13 acres are identified as candidates for rezoning to the MU-V and MU-U Zones. The proposed zoning for these candidate sites would be consistent with their existing MU-U and MU-V General Plan land use designations, therefore no General Plan Amendments are necessary for this group of sites.
- o *Group 3 – Candidate Sites Proposed for Mixed Use and not within a Specific Plan:* For areas not within the two specific plan areas mentioned above, seven (7) sites (locations) totaling approximately 81 acres are identified as candidates for rezoning to the MU-V and MU-U Zones. Five (5) sites within this group would be consistent with their existing MU-U or MU-V General Plan land use designations. Three (3) sites will require an associated General Plan Amendment to the MU-V or MU-U land use designations.
- o *Group 4 – Candidate Sites Proposed for Rezoning to Multi-Family Residential:* There are 40 sites (locations) totaling approximately 171 acres are identified as candidates for rezoning to the R-3-1500 Multiple-Family Residential or R-4 Multiple-Family Residential Zones. All but four (4) sites within this group will require a General Plan Amendment to the High Density Residential or Very High Density Residential land use designations.

Of the 67 sites, a total of 29 sites would be rezoned to be consistent with the existing General Plan. Of these, 20 are within the University Avenue and Magnolia Avenue Specific Plans. Exhibit 1 provides maps and tables that reflect the proposed Zoning and/or General Plan for each of the 67 candidate sites identified in the 2014-2021 Housing Element.

#### Sites Recommended for Rezoning

The City's Housing Element identifies 67 Candidate Sites (300 properties) that could be rezoned to accommodate the City's housing obligation under state law. If all 67 sites were rezoned, the City would achieve a "unit count" that significantly exceeds 4,767 units. However, staff anticipates that the potential unit count will be reduced significantly, as various factors will remove sites from the program. These factors include the following:

- Development entitlements. During the process of identifying suitable candidate sites for rezoning some sites have since been entitled for development. As a result, the properties are not likely to be available for the multi-family residential housing within the planning period, and therefore would not be viable sites under state law. Approximately a dozen of the 67 sites identified are already entitled or pending a development entitlement.
- Airport land use compatibility. There are several sites that are located within airport influence areas of the Riverside Municipal Airport, March Air Reserve Base/Inland Port Airport, and Flabob Airport. These sites are generally located within Airport Land Use Compatibility Plan Zones that should be compatible with the density of housing required by the state. As mentioned above, two sites have been eliminated as a result of airport land use compatibility constraints.
- California Department of Housing & Community Development (HCD). HCD is required by law to review the Housing Element Rezoning Program and determine if it meets the State's rezoning criteria. HCD is reviewing the City's Draft Housing Element, and certification is

pending. Staff anticipates that HCD may not determine that all of the proposed rezoning sites meet the minimum criteria to be counted towards the RHNA.

- Program Environmental Impact Report (PEIR). The rezoning of properties requires the City to prepare a Program Environmental Impact Report, which will analyze the environmental impacts associated with rezoning the Candidate Sites. The PEIR has been completed and is available for public review. The PEIR identifies sites that may have a significant and unavoidable physical impact on the environment, and therefore the proposed rezoning of these sites may not be appropriate.
- Community & property owner input.

### **Proposed Zoning Code Text Amendment**

The Housing Element Implementation Plan also includes Zoning Code text amendments necessary to achieve compliance with state law. The following summarizes the proposed Zoning Code text amendments:

- **Compliance with State Law:**
  - Senate Bill (SB-2)

This amendment would allow for, and treat supportive and transitional housing the same as any other residential use in zones where residential uses are permitted. To accomplish this, the following Zoning Code Chapters will be changed:

    - Chapter 19.150 - *Permitted Use Table*. Supportive and transitional housing will be permitted by right in residential zones. This is necessary to comply with State Senate Bill 2 (SB2).
    - Article X – *Definitions*. Definition titles are proposed to be changed to separate “Supportive and Transitional Housing from Emergency Shelter’s so that Emergency Shelters can be regulated separately, and continue to require a conditional use permit. These titles are also amended where they occur in the following Chapters:
    - Chapter 19.205 – Emergency Shelter Overlay.
    - Chapter 19.400 – Shelters – Drop-In, Permanent Emergency, Homeless or Transitional and other Chapters in Article VII where applicable.
    - Chapter 19.580 – Parking and Loading.
  - Assembly Bill 2634 - Single Room Occupancies

This amendment would allow for Single Room Occupancies (SRO’s) in compliance with Assembly Bill (AB 2634). The Zoning Code currently does not have a definition SRO’s. Article X - *Definitions* will be amended to add a definition of SRO’s consistent with the following Department of Housing and Community Development (HCD) approved definition:

*Single Room Occupancy (SRO) Unit* – A multi-unit housing development for very low income persons that typically consists of a single room and shared bath and also may include a shared common kitchen and common activity area.

Chapter 19.150, *Permitted Uses Table* is proposed to be amended to add SRO’s to the list of uses, and allow SRO’s subject to approval of a conditional use permit within the Mixed-Use Urban (MU-U) Zone only. Chapter 19.401, *Single Room Occupancies (SRO’s)* is proposed to establish the following development standards for SRO’s:

- Findings for compatibility with surrounding area

- Site location standards, including location along or near a major arterial and transit, and a minimum 300-foot separation between SRO's to minimize overconcentration.
  - Operation and development standards, including application of the multiple-family residential parking standards, common space requirements, and requirement for management plan subject to approval by the Housing Authority, and participation in the City's Crime Free Multi-Housing Program.
- Assembly Bill (AB 2299) & Senate Bill (SB 1069) Compliance - Accessory Dwelling Units  
Chapter 19.525 – *Second Dwelling Units* will be amended to comply with AB 2299 and SB 1069, which went into effect January 1, 2017. The new laws limit how local jurisdictions can regulate Accessory Dwelling Unit (formerly called Second Dwelling Units). Specific Amendments include:
  - Modifying standards related to lot size, unit size, and parking.
  - Allowing ADU's by right in Single-Family Residential Zones.
- **Design Review:** This amendment establishes an administrative design review procedure to allow stand-alone multiple-family residential development "by right" in Multiple-Family Residential and Mixed Use Zones, in conformance with Government Code Section 65880. The amendment includes:
  - The current Site Plan Review permit requirement is eliminated, and will be replaced with an administrative Design Review process.
  - Criteria is established including compliance with City Codes, compliance with Water Quality law, and compliance with the mitigation measures of the 2014-2021 Housing Element's certified PEIR.
- **Protecting Property Investment:** Amendments related to protecting private property investments are proposed as follows:
  - Chapter 19.080, *Nonconformities*. The proposed amendments related to nonconformities will provide greater flexibility in allowing for expansions, re-establishment and restoration of non-conforming uses, parcels, and structures including:
    - Eliminate the prohibition of development of multi-family residential units on non-conforming parcels in multiple-family residential zones (i.e., parcels less than 1-acre in size);
    - Increase the allowed time frame for re-establishing a non-conforming use if discontinued, from 180 days to 1 year. This amendment would also allow uses discontinued longer than 1 year to request re-establishment by conditional use permit;
    - Extend the period of time for restoration of destroyed structures (destruction of 50 % or less of fair market value – both residential and non-residential) from 180 days to 1 year.
    - Permit the reconstruction of destroyed non-residential structures (i.e., destruction exceeding 50 %) with the approval of a conditional use permit.
  - Article V: *Base Zones and the related Use and Development Provisions* Chapter 19.100 – *Residential Zones*. Proposed amendments would reduce the minimum lot size for Multiple-Family Residential Zones from the current 1 acre minimum size to 30,000 square feet. The Chapter would also be amended to eliminate the Site Plan

Review requirement for multiple-family residential uses, as state law requires “by right” approval of multi-family developments on Housing Element candidate sites.

- Chapter 19.150, *Permitted Uses Tables*. Change the table to indicate that multiple-family residential uses are permitted by right.
- Chapter 19.710, *Design Review* and Chapter 19.770, *Site Plan Review Permit*. Amendments are necessary to be consistent with the changes to Chapter 19.150 and 19.100, which would permit multi-family residential uses in multi-family residential zones by right.
- Chapter 19.475, *Drive-Thrus* and Chapter 19.150.020(B), *Incidental Uses Table*. These Chapters are proposed to be amendment to allow for drive-thrus in Mixed Use Zones (currently prohibited) subject to requirements that would serve to promote the desired character of areas with a vision for future mixed-use development. The proposed requirements would prohibit drive-thru pick-up windows on any building elevation facing a street, and require drive-thru lanes screened from view from adjacent streets.
- **Assemblies of People Non - Entertainment:** This amendment would allow dwelling units as an incidental use to Assemblies of People Non – Entertainment use, subject to approval of a Conditional Use Permit. Sections of the Code are proposed to be amended as follows:
  - Article X – Definitions. The definition of Assemblies of People – Non-Entertainment is expanded to include schools, day care centers, dwelling units, and temporary emergency shelters as incidental uses.
  - Amendments to Chapter 19.255 – Assemblies of People – Non-Entertainment would establish that dwelling units are allowed as an incidental use to Assemblies of People - Non-Entertainment, except for in industrial areas or “storefronts.”
  - Amend Chapter 19.740 to allow Temporary Emergency Shelter with a temporary use permit (TUP), and limit them to 180 days per calendar year.
- **Tiny Homes:** This amendment is intended to establish provisions for tiny homes. This would accommodate an alternative and affordable type of housing, and serve to increase the diversity of housing opportunities in the City. The proposed amendment would allow for Tiny Homes as follows:
  - Allow Tiny Homes by right as an accessory dwelling unit to a primary residence in the Residential Estate (RE) and Single-Family Residential (R1) Zones (The proposed definition of Accessory Dwelling Unit in *Article X – Definitions* now includes Tiny Homes as a type of accessory dwelling).
  - Allow Tiny Home Communities in the RR, RE, and R-1 Zones, subject to approval of a Planned Residential Development (PRD) permit.
  - Allow Tiny Homes as a type of dwelling unit permitted as an incidental use to Assemblies of People Non-Entertainment (dwelling units incidental to Assemblies of People Non-Entertainment subject to a Conditional Use Permit).
  - *Article X – Definitions* will be amended to include a definition of Tiny Homes.

## **University Avenue Specific Plan (UASP) Amendment**

For the Rezoning Program candidate sites located on University Avenue, Chapter 6 - Land Use Regulations (Land Use Table), of the University Avenue Specific Plan is proposed to be amended to add two new land use categories as follows (see Exhibit 5):

- *Mixed Use (5<sup>th</sup> Cycle Housing Element Rezoning Program Sites with Mixed Use Zoning)*. This land use would be permitted by right in all of the Specific Plan Sub districts.
- *Multiple-Family Residential (5<sup>th</sup> Cycle Housing Element Rezoning Program Sites with Mixed Use Zoning)*. This land use would be permitted by right in all of the Specific Plan Sub districts.

In support of the "Protecting Property Investment" Zoning Code Amendments described above, other UASP amendments include:

- Eliminating the 15-acre site requirement for Planned Mixed-Use Commercial/Residential Development.
- Updating outdated Zone references to reflect current Zones of the Zoning Code
- Removing outdated and overly restrictive Mixed Use development standards of the Specific Plan, and replace with language that refers to the Mixed Use Development of the Zoning Code as applicable to the underlying Mixed Use zone of a site, including allowing for restaurant drive-thru lanes subject to a Conditional Use Permit.

## **Proposed General Plan Amendment**

A General Plan Amendment is proposed in conjunction with the rezoning described above. The General Plan Amendment will reclassify some of the candidate sites to High Density Residential, Very High Density Residential, Mixed Use – Urban or Mixed Use – Village. The specific designation that a property will be changed to is contingent on the zone that is proposed to comply with state law. The purpose of the General Plan Amendment is to ensure that the General Plan and Zoning designations are consistent, and that they have been adequately considered in the Program Environmental Impact Report (PEIR) that has been prepared for the Rezoning Program. Please reference Exhibit 1 for maps and text depicting the various amendments proposed for each of the Candidate Sites.

## **NEXT STEPS**

The following milestone dates are anticipated for completing the rezoning of sites under the Housing Element Rezoning Program:

- September 1, 2017 through October 23, 2017: Public review and comment period for the Draft Program Environmental Impact Report.
- September 14, 2017 (6:00 PM): Second Planning Commission meeting to discuss the proposed Rezoning Program (no Planning Commission action taken).
- October 19, 2017: Planning Commission public hearing to take action on the proposed Rezoning Program.
- December 12, 2017: City Council Hearing. This action will complete requirements necessary for HCD certification of the Housing Element.

## ENVIRONMENTAL REVIEW

As of the date of completion of this report, a Draft Program Environmental Impact Report (PEIR) for this Project has been released for a 45-day public review and comment period (Comment Period from September 1, 2017 to October 16, 2017). The Draft PEIR and comments received will be considered at the October 19, 2017 Planning Commission meeting.

## EXHIBITS LIST

1. 2014-2021 Housing Element Rezoning Program Candidate Rezone Sites – Site Tables and Site Maps
2. Rezoning Constraints Map
3. Zoning Code Text Amendment Summary Table
4. Zoning Code Text Amendment Exhibits
  - a. Chapter 19.080 Nonconformities
  - b. Chapter 19.100 – Base Zones
  - c. Chapter 19.150.020(A) – Permitted Uses Table
  - d. Chapter 19.150.020(B) – Incidental Uses Table
  - e. Chapter 19.150.020(C) – Temporary Uses Table
  - f. Chapter 19.205 – Emergency Shelter Overlay
  - g. Chapter 19.255 – Assemblies of People – Non-Entertainment
  - h. Chapter 19.400 – Shelters - Emergency
  - i. Chapter 19.401 – Single Room Occupancies
  - j. Chapter 19.442 – Accessory Dwelling Units
  - k. Chapter 19.475 – Drive-Thrus
  - l. Chapter 19.580 – Parking and Loading
  - m. Chapter 19.710 – Design Review
  - n. Chapter 19.740 – Temporary Use Permit
  - o. Chapter 19.780 – Planned Residential Development
  - p. Article X - Definitions
5. University Avenue Specific Plan Amendment

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