

TO: JAMES L. APP, CITY MANAGER
FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR *BL*
SUBJECT: CODE AMENDMENT 99005 (MULTI-FAMILY DEVELOPMENT REGULATIONS)
DATE: MARCH 7, 2000

Needs: To consider a set of revisions to the Zoning Code's regulations governing development of multi-family housing. The purpose of the proposed revisions is to improve both the quality of life for City residents and improve the compatibility of multi-family development with the community at large.

Facts:

1. At its meeting of January 18, 2000, the City Council completed its review of a potential set of revisions and directed staff to initiate a code amendment for public hearings before the Planning Commission and City Council.
2. At its meeting of February 8, 2000, the Planning Commission reviewed a draft ordinance based on the topics discussed by the City Council. The Commission recommended that the Council approve the draft ordinance with two minor changes to the proposed revisions: (1) to allow studio apartments to have 1.5 parking spaces per unit (instead of 2 spaces) and (2) to prohibit the use of mansard roofs.
3. Attached is a table (also referred to as a matrix) that summarizes the Planning Commission's recommendations for revisions to zoning regulations.
4. The attached matrix includes estimates of the costs of implementing the revisions. The affect of the estimated increased costs will be discussed in the analysis, below.
5. Attached is an inventory of vacant land that is designated by the General Plan for multi-family residential use. The pending application for the Chandler Ranch property proposes an additional 434 multi-family units on a 43 acre site.
6. Following the Planning Commission's February 8 meeting, Dick Willhoit submitted some suggested text (copy attached) for maintenance regulations (regarding parking, use of garages, auto repair and basketball goals). The suggested text was taken from CC&R's for certain residential properties.
7. The proposed code amendment is subject to the California Environmental Quality Act (CEQA). An Initial Study has been conducted (copy on file in the Community Development Department), which concludes that the proposed code amendment will not have any significant effect on the environment and that no mitigation measures are necessary. It is proposed, therefore, that the City Council adopt a Negative Declaration for this code amendment.

Analysis and
Conclusion:

Both the Land Use and Housing Elements of the General Plan call for the City to take measures to increase the quality of housing. The present set of multi-family zoning regulations (for the R-2, R-3 and R-4 Zones) were adopted in 1995, as part of the City's efforts to implement General Plan policies. The current evaluation is consistent with that continuing effort.

Land Use and Housing Element policies also call for the City to evaluate development policies and regulations to ensure that they do not unnecessarily increase the cost of housing while striving to attain other important City objectives.

The list of proposed revisions contained in the attached table (matrix) reflects the consensus of the City Council, following a series of workshop meetings at both the Planning Commission and Council levels. The range of possible code revisions has been somewhat reduced from the list that was originally recommended by the Planning Commission on November 9, 1999. The Council has directed that two issues, inclusionary zoning and insulation standards, be further studied and brought back for reconsideration at a future date.

Estimates of the costs for the remaining code revisions are listed on the attached table and Cost Estimate Summary. The costs cited reflect expected development costs for each unit (adjustments to the market price of land are not reflected). The Cost Estimate Summary projects the effect of the per unit costs increases on monthly rents assuming that each \$1,000 in added development costs would, in turn, add between \$6 and \$10 to the monthly rent. The assumed cost to rent ratio was provided by local developers.

Please note the following regarding costs indicated on the attached Cost Estimate Summary:

- Some costs would only pertain to certain types of units (e.g. to studio and one-bedroom units or to senior units), or to the situation in which the Planning Commission determines that bike racks should be provided.
- Multi-family developments with 32 or more units will be required to provide either a recreation room or a day care center and may be required to provide a bus shelter. Therefore, such projects will have greater per unit development costs and concomitantly higher rents than developments with 31 or fewer units.

Not including any costs for extra parking spaces, bike racks or senior services, it is expected that the per unit costs for multi-family developments with 31 or fewer units will be increased by \$1,420 - \$1,570 causing rent increases of \$9 - \$16 per month.

- Similarly, the per unit costs for multi-family developments with 32 or more units will be increased by \$4,175 - \$4,325 causing rent increases of \$25 - \$43 per month.

A previous staff report indicated that the proposed increase in shared open space (from 300 sq ft per unit to 375 sq ft per unit) and of the proposed increase in number of parking spaces for studio and one-bedroom apartments (from 1.5 spaces per unit to 2 spaces per unit) could possibly cause a reduction in density (e.g. a unit may be "lost" in order to meet the increased parking and open space standards), resulting in a cost associated with foregone rental profit

from the “lost” unit. City staff has taken a closer look at the potential effects of the increases in parking and open space and has concluded that it should be possible to design apartment projects that meet the proposed new standards without a loss in allowable density.

Attached is a table entitled “Income and Rent” showing income groups, the maximum affordable rent (at 30% of household income) and affordability to low and very low income households. From this table, which is based on federal and state income standards, it can be seen that the expected monthly rent increases between \$9 and \$43 may have a slight effect on affordability to very low- and low-income households.

One means of compensating for the negative effect on affordability is to provide financial assistance to dwelling units or multi-family development projects that limit occupancy to low and very low income households. An example of such assistance might be a grant or loan of Redevelopment Low and Moderate Income Housing (LMIH) Funds. It is generally customary to require developers requesting such assistance to submit pro forma analyses that substantiate the need for the amount of assistance requested. California Redevelopment Law requires that rents for multi-family units assisted with LMIH funds be restricted to levels affordable to low and very low income households for a period of not less than 15 years. Cities and redevelopment agencies may, however, choose longer periods for such affordability restrictions.

Previous recommendations for new maintenance regulations were removed as it was discovered that existing ordinances and state law already addressed the recommendations. Municipal Code Section 9.06.030.B.9(d) provides that “Any personal property, object, device, decoration, design, fence, structure, clothesline, landscaping or vegetation which is unsightly by reason of its condition or its inappropriate location” is defined as a public nuisance that may be abated. Title 25, Section 42 of the California Code of Regulations requires that all apartment complexes with 16 or more units have on-site, resident managers.

Regarding the maintenance text suggested by Dick Willhoit:

- Parking Restrictions A and C (vehicles to be parked only in approved spaces and prohibitions on auto repair) are already addressed in the draft ordinance. The Council could choose to revise the ordinance text to incorporate some of the text in Willhoit’s examples.
- Parking Restriction B (prohibition on using garages for storage) and the prohibition on placement of basketball goals were not reviewed by the Planning Commission. State Law provides that all revisions to the Zoning Code must be reviewed by the Planning commission at a public hearing before they can be adopted by the City Council. Should Council desire to incorporate those suggestions, the draft ordinance would have to be remanded to the Planning Commission. Alternatively, these provisions could be reviewed when insulation and inclusionary zoning are brought back for discussion.

The draft ordinance includes the recommendations of the Planning Commission to require only 1.5 parking spaces for each studio apartment (instead of 2 spaces per unit) and to prohibit mansard roofs.

Policy

Reference: General Plan Elements; Zoning Code; 1999 Economic Strategy; California Health and Safety Code

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Impact: None.

Options: After consideration of all public testimony, that the City Council consider the following options:

- a. (1) Adopt the attached Resolution Approving a Negative Declaration for Code Amendment 99005.
- 2) Adopt the attached Ordinance Amending the Zoning Code to Revise Development Regulations Affecting Multiple Family Residential Development (includes Planning Commission's recommendations). The suggestions from Mr. Willhoit would be brought back at a latter date when the issues of insulation and inclusionary zoning are discussed.
- b. Amend, modify or reject the foregoing option.

Prepared By:



Ed Gallagher
Housing Programs Manager

Attachments:

1. Table of Revisions to Multi-Family Residential Regulations
2. Cost Estimates Summary
3. Income and Rent Table
4. Resolution Approving a Negative Declaration for Code Amendment 99005.
5. Ordinance Amending the Zoning Code to Revise Development Regulations Affecting Multiple Family Residential Development
6. Inventory of Vacant Multi-Family Residential Land
7. Suggested Maintenance Regulations filed by Dick Willhoit
8. Newspaper Notice of Public Hearing

TABLE OF POSSIBLE REVISIONS TO MULTIFAMILY RESIDENTIAL REGULATIONS

NOTES:

1. Per unit cost estimates are based on a 16 unit apartment complex. Some per unit costs may be lower for larger complexes.
2. All "Proposed Changes" reflect the consensus of the City Council as given January 18, 2000. On February 8 the Planning Commission reviewed the proposed changes and made two recommendations for further revisions: to the number of parking spaces per studio apartments and a prohibition on mansard roofs. Both of the Planning Commission's recommended changes are noted in bold type.

Standard	Current Code Requirement	Proposed Changes	Per Unit Estimated Cost
# of <u>resident</u> spaces per unit	1.5 spaces per studio or 1 bedroom unit	2 spaces per studio or 1 bedroom unit (Planning Commission recommended 1.5 spaces per studio unit and 2 spaces per 1 bedroom unit.)	\$250/ <i>studio or 1 bed-room unit</i> (assuming no units are lost to make room for extra parking)
RV/Boat Spaces	no requirement; no restrictions	Prohibit outdoor storage/parking in visitor spaces	No cost
Shared open space	<ul style="list-style-type: none"> • 300 sq ft per unit, which may be offset with private open space, which has 1.5 times the value of shared open space (e.g. 200 sq ft of private open space = 300 sq ft of shared open space). • slope must be 10% or less. • Minimum dimension is 15 feet. • may not include front or street side yard setbacks, rec. rooms, parking spaces or drives. 	<ul style="list-style-type: none"> • Add a provision that roof-top open space (e.g. deck over a garage) is not permitted as part of the calculation for shared open space. 	No cost
		<ul style="list-style-type: none"> • Increase open space ratios to 375 sq ft per unit 	No cost
Private open space	<ul style="list-style-type: none"> • may be provided in combination with, or as alternative to, shared open space. • patios must be fenced, have a minimum area of 100 sq ft and minimum dimension of 8 feet. • Balconies must have a minimum area of 50 sq ft (not including walkways to adjacent units) and a minimum dimension of 5 feet. 	Add a provision that roof-top open space (e.g. deck over a garage) is not permitted as part of the calculation for private open space.	No cost

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TABLE OF POSSIBLE REVISIONS TO MULTI-FAMILY RESIDENTIAL REGULATIONS

Standard	Current Code Requirement	Proposed Changes	Per Unit Estimated Cost
Amenities	May include: tot lots with play equipment, picnic areas with barbecue pits and tables, spas, pools, recreation rooms, basketball courts or half-courts, tennis courts. The # of amenities increases with the number of units.	<ul style="list-style-type: none"> • Add specific language about amenities (e.g. specify that tot lots must have play structures that include a slide, swings, monkey bars, etc.) • Add specific language to require that certain amenities (e.g. picnic tables, tot lots) must be well-landscaped to provide a pleasant environment for the users. 	<p>No cost</p> <p>No cost</p>
Recreation rooms	none required; an option as an amenity	<p>Require a recreation room with kitchen facilities for projects with 32 or more units; key size of building to number of units (e.g. 40 gross sq ft per unit, which would require a 32 unit project to have a 1,280 sq ft recreation room/building.)</p> <p>Provide that a day care center may be provided as an option in lieu of a recreation room</p>	\$2,640
Laundry rooms	none required	For projects with 5 or more units, either provide washer and dryer hook-ups in each unit <i>or</i> provide a laundry room with 1 washer and 1 dryer per 8 units for projects with 5 or more units (with fractions rounded to nearest whole number)	\$990 for laundry room; \$750 for hook-ups
Bus Shelters	No requirement; has been addressed as part of development plan review.	Add requirement that projects with 32 or more units install a green metal shelter, unless exempted by the Director of Administrative Services.	\$115/unit for 32 units (lesser per unit cost for projects with more than 32 units)
Bike racks	No requirements.	Require bike racks at the discretion of the Planning Commission.	\$50 per unit
Roofing materials	<ul style="list-style-type: none"> • Concrete or clay tile, fire-retardant wood shake, asphalt composition, crushed rock and metal roofing materials are permitted. • No restrictions, other than metal roofs cannot be reflective, glossy or polished. 	<ul style="list-style-type: none"> • Require that asphalt composition roofing be architectural quality (dimensioned/laminate). • Prohibit crushed rock. 	<p>No added cost for architectural comp. (DRC and PC have regularly required it.)</p> <p>No cost</p>

TABLE OF POSSIBLE REVISIONS TO MULTI-FAMILY RESIDENTIAL REGULATIONS

Standard	Current Code Requirement	Proposed Changes	Per Unit Estimated Cost
Storage rooms/ lockers	No requirement	For each unit, require a separate, enclosed lockable storage space at least 250 cu ft in area, reserved for the occupants of said unit. Said storage space may be located: <ul style="list-style-type: none"> • in a carport allocated to said unit; (If a garage is provided, the requirement is deemed to be met.) • attached to said unit, but accessible only from the exterior; or • elsewhere in the development. 	Up to \$820 for 32 sq ft (250 cu ft) area, if space is within a building. (Would likely be less for "boxes" in carports.)
Enrichment services for senior housing	none required	Require recreation programs, health-related services, transportation (van) services for projects with 32 or more units.	\$30 - \$50 per month rent increase
Front and street side yard setbacks	<ul style="list-style-type: none"> • 25 feet along arterial streets (except 15 feet along Spring Street) • 20 feet along collector streets • 15 feet along local streets 	Multi-family housing developments with two or more stories that face arterial streets shall be designed to minimize visual impacts associated with "walling-in" the street with relatively high vertical building planes. The appropriate method of design mitigation shall be at the discretion of the Planning Commission .	Cost is not expected to be significant
Interior side yard setback for front doors	<ul style="list-style-type: none"> • 5 feet for one unit; 10 feet for 2 or more units; • 5 feet from an alley 	<ul style="list-style-type: none"> • increase to 10 feet (for doorway) for 1 unit; • increase alley setback to 10 feet (for doorway) if front door faces alley. 	<p>No identified cost</p> <p>No identified cost</p>
Parking Lot Location	No restrictions; parking lots adjacent to streets must have 10 feet of landscaping between the lot and the street	Continue to allow parking lots along street frontages but require either a 3 foot high decorative masonry wall (at the 10 foot parking lot setback line) or a 3 foot high berm.	Cost of wall or landscaped berm <u>only</u> if project is designed with parking along street.
Screening for backflow valves, transformers, gas & electric meters	No requirement; has been addressed as part of development plan review.	Add requirements that these items be screened or placed underground in a manner to be determined by the DRC. (Gas and electric meters may be placed in unlocked cabinets.)	No added cost (has been a standard PD requirement).
Trash enclosures	Required; design and materials have been addressed as part of development plan review.	Add requirements that decorative masonry materials be used for projects with 5 or more units and that specify minimum numbers of bins/enclosures per # of units. Include enclosures for recyclables.	No added cost (has been a standard PD requirement).

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TABLE OF POSSIBLE REVISIONS TO MULTI-FAMILY RESIDENTIAL REGULATIONS

Standard	Current Code Requirement	Proposed Changes	Per Unit Estimated Cost
Defensible Space	No design parameters required	<ul style="list-style-type: none"> Limit buildings to 4-8 units (except in Senior apartments). Limit the number of units that share a common entrance to 4 (except in Senior apartments). Parking areas should be supervisable from one or more units. 	No identified cost
Second Story window and balcony orientation when adjacent to single family	No design parameters required	Require buildings to be designed so that 2nd story windows and balconies on multi-family to avoid directly facing single family residential zoning on adjacent property by either doubling the setback, use of windows above eye level, or elimination of direct view windows, or screening.	No cost
Roof design	No requirements; has been addressed as part of development plan review.	<ul style="list-style-type: none"> Prohibit flat roofs with parapets. Require minimum pitches (e.g. 5/12). The Planning Commission recommended prohibiting mansard roofs.	No cost. Insignificant cost
4-sided architecture	No requirements; has been addressed as part of development plan review on a case-by-case basis.	Require architectural articulation on all sides, or at least stating that Planning Commission may impose such a requirement.	Cost varies. Much articulation can be accomplished with inexpensive foam "plant-ons" before stucco is applied.
major auto repair (of own auto)	No prohibitions	Define major auto repair (major engine or transmission/ differential overhaul and body work) and prohibit in parking lots	No cost
Storage sheds	No prohibitions for sheds less than 120 sq ft in floor area.	Prohibit in front and street side yards and in parking lots; require DRC approval for projects with 5 or more units.	No cost
Definitions of single and multiple family units	Definitions for "Dwelling, single-family", Dwelling, two-family or duplex", "Dwelling, Multiple" and "Dwelling Groups" need to be updated and clarified.	<p>Define "dwelling unit", "single family dwelling" and "multiple family" to coincide with definitions in Table 21.16.200 (table of permitted and conditional uses) and delete the outdated definitions.</p> <ul style="list-style-type: none"> Ensure that single family type of dwellings are not subject to standards that are appropriate for apartments and attached condominiums. 	No cost
Fence materials	There are no restrictions on barbed wire, razor wire and electric fences	Prohibit those materials in residential zones, except on agriculture and single family (1/2 acre or larger lots) where animals may be kept. Razor wire is to be prohibited in all residential instances.	No cost

**MULTI-FAMILY REGULATIONS UPDATE
COST ESTIMATES SUMMARY**

Standard	Costs that Apply to		Conditional Costs	Conditions	See Note #
	All Projects	32+ Unit Projects			
Require 2 parking spaces per studio or 1 bedroom unit (instead of 1.5 spaces/unit)			\$250/unit (\$1.50/month)	only for studio and 1-Bedroom units	1
Recreation Room		\$2,640/unit			2
Laundry Facilities	\$600 - \$750/unit	\$600 - \$750/unit			3
Bus Shelters		\$115/unit			4
Bike racks			\$50/unit (\$0.30/month)	Only if Planning Commission requires bike racks for a project	5
Storage space (250 cu ft/unit)	\$820/unit	\$820/unit			6
Senior Services			\$30 - \$50/ month	Only for seniors-only projects	7
Total	\$1,420 - \$1,570/unit	\$4,175 - \$4,325/unit			
Rent Increase	\$9 - \$16/month	\$25 - \$43/month			8

NOTES/ASSUMPTIONS

1. Cost for additional 0.5 parking space is \$2.50/sq ft x 225 sq ft (5'x45' - includes backup area) for 2" AC over 6" base.
2. Cost for recreation room assumes 40 sq ft per unit x \$66/sq ft (Building Division).
3. Cost for laundry room assumes 120 sq ft for each 16 units: 8'x15' space for 2 washers; 2 dryers, 1 sink and folding shelf) x \$80/sq ft (Building Division)
4. Cost for bus shelter is \$3,700/shelter (Mike Compton) divided by 32 units; per unit cost will drop for projects with more than 32 units.
5. Cost for bike rack is for a 4 bike rack plus concrete slab (Cycle Safe, Inc.)
6. Cost for storage space assumes 32 sq ft (4'x8") "closet" built into a building (with exterior access).
7. Cost for senior services provided by Peoples' Self-Help Housing Corp. and Creston Village.
8. Rent increases are calculated at \$6 - \$10 per \$1,000 in per unit costs (figures given by developers).

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INCOME AND RENT

January 2000

Income Group	% of AMI	Household (HH) Size and Annual Income											
		1 person/HH		2 persons/HH		3 persons/HH		4 persons/HH		5 persons/HH		6 persons/HH	
		Income	Max Rent	Income	Max Rent	Income	Max Rent	Income	Max Rent	Income	Max Rent	Income	Max Rent
	30	10,050	250	11,500	290	12,950	320	14,400	360	15,550	390	16,700	420
	40	13,450	340	15,350	380	17,300	430	19,200	480	20,750	520	22,300	560
Very Low	50	16,800	420	19,200	480	21,600	540	24,000	600	25,900	650	27,850	700
	60	20,150	500	23,050	580	25,900	650	28,800	720	31,100	780	33,400	840
	70	23,500	590	26,900	670	30,250	760	33,600	840	36,300	910	39,000	980
Low	80	26,900	670	30,700	770	34,550	860	38,400	960	41,450	1,040	44,550	1,110
Median	100	33,600	840	38,400	960	43,200	1,080	48,000	1,200	51,850	1,300	55,700	1,390

NOTES:

1. AMI = Area (County) Median Income
2. Max Rent is monthly rent equal to 30% of household income.
3. Income levels are those determined by the U.S. Department of Housing and Urban Development (HUD) for SLO County for 1999.
4. Income Groups are those defined by California Health and Safety Code Sections 50079.5, 50093 and 50105.

AFFORDABILITY AT CURRENT RENTS (based on HUD and State Standards)

Rental Type	Rent Range	Persons per HH	Affordable to <u>Very Low</u> Income Households?	Affordable to <u>Low</u> Income Households?
Studio apartment rent range	440 - 525	1 - 2	not for 1 person HH; only @ 50% AMI for 2 person HH	Yes
1 bedroom apartment rent range	450 - 730	1 - 2	not for 1 person HH; only @ 50% AMI for 2 person HH	Yes, at lower end of rent price range
2 bedroom apartment rent range	575 - 795	2 - 4	No	Yes

AFFORDABILITY IF RENTS ARE RAISED \$9 - \$43/MONTH (based on HUD and State Standards)

Rental Type	Rent Range	Persons per HH	Affordable to <u>Very Low</u> Income Households?	Affordable to <u>Low</u> Income Households?
Studio apartment rent range	456 - 568	1 - 2	No	Yes, at lower end of rent price range
1 bedroom apartment rent range	466 - 773	1 - 2	No	Yes, at lower end of rent price range
2 bedroom apartment rent range	591 - 938	2 - 4	No	Yes, at lower end of rent price range

INVENTORY OF VACANT MULTI-FAMILY RESIDENTIAL LAND

APN	Book	Page	Lot	Sub Area	Base LUCAT	Overlay LUCAT	Zoning	Acres	Land Use	#DU			
										Exist	Pot ¹	Exp ²	
LOTS 2 ACRES OR GREATER IN AREA													
9	571	10	8		RMF-H		R-4,PD	10.00	SFR, vac land ne/o Creston & Sherwood	1	159	159	
8	381	01p	1		RMF-L		R-3,PD	5.90	vacant land (w/s Vine @36th)	0	47	24	
8	381	03p	1		RMF-L		R-3	2.90	vacant land (w/s Vine @36th)	0	23	12	
8	381	04p	1		RMF-L		R-3	9.70	vacant land (w/s Vine @36th)	0	77	39	
8	431	34	2		RMF-L		R-2	2.03	vacant land ("Mortuary" site)	0	16	8	
9	541	07	6		RMF-L		R-2	2.70	SF residence (w/o Ferro Lane)	1	20	15	
9	541	08	6		RMF-L		R-2	3.50	vacant land ("Devine" site, w/o Ferro Lane)	0	28	21	
9	611	42p	6		RMF-L	RD	R-2,PD	18.00	Former Meat Plant	0	144	108	
9	751	63	7		RMF-L		R-3,PD	2.34	vacant land next to Creston Village	0	18	14	
9	761	63p	7		RMF-L		R-2,PD	2.81	vacant land (Pcl 1 of PR 99-013, e/s S. River Rd)	0	23	17	
9	761	64p	7		RMF-L		R-2,PD	7.36	vacant land (PD 97012, n/o NOVA site)	0	44	33	
9	761	64p	7		RMF-L		R-2,PD	14.44	vacant land (TT 2047-63 lots, e/o NOVA site)	0	63	47	
25	391	57p	3		RMF-M	BASP	R-2,PD	8.50	vacant land (Willhoit, w/s/ Buena Vista Rd)	0	90	68	
LOTS 1-2 ACRES IN AREA											2	752	563
8	092	25	2		RMF-L		R-2	1.77	SF residence (s/s 24th @ Royal Ct)	1	13	7	
8	391	21	1		RMF-L		R-2,B-1	1.58	vacant lot (n/w/o Vine & 28th)	0	12	6	
9	256	07	2		RMF-L		R-2	0.52	3 vacant lots (drainage way included)	0	6	5	
9	256	08	2		RMF-L		R-2	0.92	5 vacant lots (drainage way included)	0	10	8	
9	441	14	5		RMF-L		R-2,B-3	0.99	vacant land (PR89-375: 2 lots app'd)	0	6	5	
9	451	10	5		RMF-L		R-1,B-3	1.00	SF residence (n/s Creston)	1	7	5	
9	451	12	5		RMF-L		R-1,B-3	1.00	SF residence (n/s Creston)	1	7	5	
9	451	17	5		RMF-L		R-1,B-3	0.84	vacant land (n/s Creston)	0	6	5	
9	451	19	5		RMF-L		R-1,B-3	1.00	SF residence (n/s Creston)	1	7	5	
9	451	22	5		RMF-L		R-1,B-3	1.00	vacant land (n/s Creston)	0	8	6	
9	451	28	5		RMF-L		R-1,B-3	1.00	SF residence (n/s Creston)	1	7	5	
9	451	30	5		RMF-L		R-1,B-3	1.00	vacant land (n/s Creston)	0	8	6	
9	531	24	6		RMF-L		R-2	0.90	2 lots (Capitol Hill)	0	7	5	
9	641	02	5		RMF-L		R-1	1.00	SF residence (n/s Creston)	1	7	5	
9	641	03	5		RMF-L		R-1	1.35	2 SF residences (n/s/ Creston)	2	8	6	
8	041	26	1		RMF-M	RD	R-4,PD	1.10	vacant land (ne/o 34th & Park)	0	13	7	
VACANT INFILL LOTS											8	132	90
8	092	36	2		RMF-L		R-2,PD	0.30	vacant lot	0	1	1	
8	092	39	2		RMF-L		R-2,PD	0.47	vacant lot	0	1	1	
8	152	18	2		RMF-L		R-2	0.16	vacant lot	0	2	1	
8	222	04	2		RMF-L	RD	R-2	0.16	vacant lot	0	2	1	
8	231	03	2		RMF-L	RD	R-2	0.08	vacant lot	0	1	1	
8	232	14	2		RMF-L	RD	R-2	0.06	vacant lot	0	1	1	
8	234	15	2		RMF-L	RD	R-2	0.16	vacant lot	0	2	1	
8	317	10	2		RMF-L		R-2	0.16	vacant lot	0	2	1	
8	391	08	1		RMF-L		R-2,B-1	0.36	vacant lot	0	3	2	
8	391	13	1		RMF-L		R-2,B-1	0.06	vacant lot	0	1	1	
8	391	24	1		RMF-L		R-2,B-1	0.43	vacant lot	0	3	2	
8	391	25	1		RMF-L		R-2,B-1	0.42	vacant lot	0	3	2	
9	252	10	2		RMF-L		R-2	0.27	vacant lot	0	2	1	
9	252	12	2		RMF-L		R-2	0.16	vacant lot	0	2	1	
9	252	13	2		RMF-L		R-2	0.16	vacant lot	0	2	1	
9	252	14	2		RMF-L		R-2	0.16	vacant lot	0	2	1	
9	252	15	2		RMF-L		R-2	0.16	vacant lot	0	2	1	
9	252	16	2		RMF-L		R-2	0.16	vacant lot	0	2	1	
9	282	20	2		RMF-L		R-2	0.21	vacant lot	0	2	1	
9	441	16	5		RMF-L		R-2,B-3	0.33	vacant land	0	3	2	
9	441	47	5		RMF-L		R-2,B-3	0.52	vacant land	0	3	2	
9	531	23	6		RMF-L		R-2	0.50	vacant lot	0	4	3	
9	531	28	6		RMF-L		R-2	0.30	2 vacant lots	0	2	2	
8	011	27	1		RMF-M	RD	R-3	0.12	vacant land	0	1	1	
8	011	35	1		RMF-M	RD	R-3	0.24	vacant land	0	3	2	
8	011	68	1		RMF-M	RD	R-3	0.08	vacant land	0	1	1	
8	031	03p	1		RMF-M	RD	R-4,PD	0.39	vacant land	0	4	3	
8	031	16	1		RMF-M	RD	R-4,PD	0.28	vacant land	0	3	2	
8	032	11	1		RMF-M	RD	R-4,PD	0.14	vacant land	0	2	2	
8	165	09	2		RMF-M	RD	R-3	0.29	vacant land	0	6	5	
8	172	13	2		RMF-M	RD	R-3	0.36	vacant land	0	6	5	
8	226	08	2		RMF-M	RD	R-3	0.16	vacant lot	0	3	2	
8	227	9p	2		RMF-M	RD	R-3	0.16	vacant land	0	3	2	
8	286	10	2		RMF-M	RD, OP	R-3/OP	0.08	vacant lot	0	1	1	
8	292	15	2		RMF-M	RD, OP	R-3/OP	0.16	vacant lot	0	3	2	
Total											10	968	707

NOTES: 1. Pot = potential # of units, which is based upon application of maximum allowable density to the *estimated* of the developable acreage of the parcel.

Such estimates do not account for density-limiting factors such as topography, oak woodlands or floodways.

2. EXP = expected # of units per the General Plan (50% of Pot for West Side lots, 75% of Pot for East Side lots).

MAINTENANCE TEXT SUGGESTED BY DICK WILLHOIT

E. The parties shall submit to the arbitration all written, documentary, or other evidence and oral testimony as is reasonably necessary for a proper resolution of the dispute. Copies of all written submittals shall be provided to the arbitrator(s) and the parties on each side. The arbitrator(s) shall conduct such hearings as (s)he/they consider necessary; may require the submission of briefs or points and authorities; and may submit written questions to the parties. The parties shall respond to such questions in writing. If a question is addressed to less than all of the parties, copies of the question and the answer thereto shall be served on the other parties.

F. At the hearing, any relevant evidence may be presented by any party and the formal rules of evidence applicable to judicial proceedings shall not govern. Evidence shall be admitted or excluded at the sole discretion of the arbitrator(s).

G. Except as provided above, the arbitration procedures set forth in the California Arbitration Act Statutes, CCP §§1282-1294.2, shall apply to the arbitration.

H. The arbitration shall proceed with due dispatch and a decision shall be rendered within sixty (60) days after appointment of the arbitrator(s). The arbitrator(s)' decision shall be in writing and in a form sufficient for entry of a judgment in any court of competent jurisdiction in the state of California.

I. Any decision of the arbitrator(s) shall be subject to the limitations set forth in the immediately succeeding paragraph:

1. The arbitrator(s) shall be authorized to provide all recognized remedies available in the law or equity for any cause of action that is the basis of any such arbitration. In no event shall the arbitrator(s)' award include any component for punitive or exemplary damages. The Complaining Party shall be obligated to pay any fee to initiate such arbitration, however, the costs of the arbitration proceeding, including attorney's fees, shall be borne as ultimately determined by the arbitrator(s).

4.6 MACHINERY AND EQUIPMENT.

A. No machinery or equipment of any kind shall be placed, operated or maintained upon or adjacent to any Unit except such machinery or equipment as is usual or customary in connection with the use, maintenance or repair of a suburban residence or appurtenant structures within the Development unless it has been approved by the Declarant and/or the Committee.

4.7 OFFENSIVE CONDUCT; NUISANCE.

A. No noxious or offensive activities shall be conducted within the Development. Nothing shall be done on or within the Development that may be or may become an annoyance or nuisance to the residents of the Development, or that in any way interferes with the quiet enjoyment of occupants of the Units.

4.8 PARKING RESTRICTIONS; USE OF GARAGES.

A. No vehicle shall be parked or left in the Development other than within an enclosed garage, on the appurtenant driveway or any designated guest or storage parking areas and at no time shall a motor vehicle of any kind be permitted on the front yard landscaping. With the exception of any of the objects listed herein that are parked in a garage, no boat, trailer, recreational vehicle, camper, truck in excess of three-quarter (3/4) tons gross carrying weight, or commercial vehicle shall be parked or left in the Development except for the purpose of loading or unloading the contents of same or their presence being required by construction activities.

B. shall be maintained in a neat and orderly condition and all garage doors shall remain closed except as is necessary to permit ingress and egress for vehicles or for the purpose of cleaning or working in the garage or the surrounding area. Any garages shall be used for the parking of vehicles only and shall not be converted for living, business, storage or recreational activities if doing so would preclude the parking of vehicles in same.

C. No motor vehicle shall be constructed, reconstructed or repaired within the Development and no dilapidated, inoperable or unlicensed vehicle, including vehicles without wheel(s) or an engine, shall be stored in the Development, unless screened from the view of any street or other Unit in the Development, provided, however, that the provisions of this Subsection 4.8C. shall not apply to emergency vehicle repairs.

4.9 PROHIBITION OF TIME SHARING.

A. No Unit in the Development shall be leased, subleased, occupied, rented, let, sublet, or used for or in connection with any time sharing agreement, plan, program or arrangement, including, without limitation, any so called "vacation license," "travel club," "extended vacation," or other membership or time interval ownership arrangement without the written approval of the Declarant. The term "time sharing" as used herein shall be deemed to include, but shall not be limited to, any agreement, plan program, or arrangement under which the right to use, occupy, or possess the Unit or Units or any portion thereof, rotates among various persons, either corporate, partnership, individual, or otherwise on a periodically recurring basis for value exchanged, whether monetary or like kind use privileges, according to a fixed or floating interval or period of time. This section shall not be construed to limit the personal use of any Unit or any portion thereof, by any Owner or his or her or its social or familial guests.

4.10 REASONABLE RIGHTS OF DEVELOPMENT.

A. Any rules, covenant, condition or restriction or any action by an Owner or association of Owners, that will unreasonably impede the Declarant's right to develop the Property in accordance with the Master Plan shall be invalid.

4.10 ~~RECREATIONAL VEHICLES.~~

~~A. No recreational vehicles or campers shall be parked or left in the Development other than within any designated storage or guest parking areas.~~

4.11 SIGNS.

A. Except as provided for in Subsection 6.11 of the Declaration, entitled, "GOLF CLUB SIGNS," no advertising signs or billboards shall be displayed on any Unit except that Owners may display on their Units any signs required by legal proceedings or a single "For Rent," "For Lease," or "For Sale" sign of reasonable dimensions and design. In addition, such signs as may be used by the Declarant, their designees or assigns, for the purpose of developing, selling and improving Units within the Development shall be permitted, but only for a period of time not to exceed the date on which the last Unit is sold by the Declarant and/or its designees or assigns.

4.12 SPORTS APPARATUS.

A. No portable or pole mounted basketball standard shall be constructed, erected, or maintained on or within the Development, s, provided that In addition, no fixed sports apparatus of any kind or nature may be attached to any structure in such a manner that it is visible from the ground level of any Unit or Street, shall be constructed, erected, or maintained on or within the Development.

4.13 USE OF VEHICLES.

A. No boat, truck, trailer, van, camper, recreational vehicle, or tent shall be used as a living area while located within the Development. However, trailers or temporary structures for use incidental to the initial construction of the Development or the initial sales of Units may be maintained within the Development, provided that such use does not unreasonably interfere with any Owners' use of the area. Such trailers or structures will be promptly removed upon completion of all initial construction and all initial sales.

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

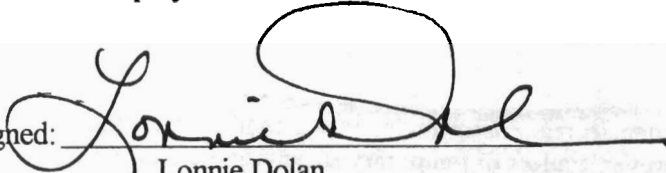
Newspaper: THE TRIBUNE

Date of Publication: January 26, 2000

Meeting Date: February 8, 2000
(Planning Commission)
March 7, 2000
(City Council)

Project: Code Amendment 99005 (To
revise regulations that establish
development standards for
multi-family housing)

I, Lonnie Dolan, employee of the Community
Development Department, Planning Division, of the City
of El Paso de Robles, do hereby certify that this notice is
a true copy of a published legal newspaper notice for the
above named project.

Signed: 
Lonnie Dolan

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Planning Commission and City Council of the City of El Paso de Robles will hold Public Hearings to consider Code Amendment 99005, initiated by The City of Paso Robles, to amend the Zoning Code (Title 21 of the Municipal Code) to revise regulations that establish development standards for multi-family housing. These hearings will take place in the Conference Room at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 pm on the following dates:
Planning Commission - Tuesday, February 8, 2000
City Council - Tuesday, March 7, 2000
All interested parties may appear and be heard at the above hearings.
At these hearings, the Planning Commission and City Council will consider adopting a Negative Declaration (a statement that there will be no significant environmental effects) in accordance with the provisions of the California Environmental Quality Act (CEQA).
The proposed Negative Declaration may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California between the date of publication of this notice and the date of the hearing.
Comments on the proposed Code Amendments and Negative Declaration may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the respective hearings.
If you challenge the Code Amendment in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or City Council at, or prior to, the public hearing.
Ed Gallagher, Housing Programs Manager
Jan. 26, 2000 5238193

RESOLUTION NO: 00-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING A NEGATIVE DECLARATION FOR CODE AMENDMENT 99005
(MULTI-FAMILY RESIDENTIAL DEVELOPMENT)

WHEREAS, the City has initiated Code Amendment 99005 to amend the City's Zoning Code regulations affecting development of multi-family residential, the intent of this code amendment being to improve the quality of life for residents of multi-family housing and the compatibility of multi-family residential development with other land uses; and

WHEREAS, an Initial Study was prepared for this project (on file in the Community Development Department), which proposed that a Negative Declaration be approved; and

WHEREAS, Public Notice of the proposed Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, public hearings were conducted by the Planning Commission on February 8, 2000 and by the City Council on March 7, 2000 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination for the proposed code amendment; and

WHEREAS, based on the information contained in the Initial Study prepared for this code amendment and testimony received as a result of the public notice, the City Council finds no substantial evidence that there would be a significant impact on the environment if the code amendment was approved.

NOW, THEREFORE, BE IT RESOLVED, that based on the City's independent judgment, the City Council of the City of El Paso de Robles does hereby approve a Negative Declaration for Code Amendment 99005 in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7^h day of March 2000 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Duane Picanco, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

ORDINANCE NO. _____ N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 21 (ZONING) OF THE MUNICIPAL CODE
TO REVISE DEVELOPMENT REGULATIONS AFFECTING MULTIPLE FAMILY RESIDENTIAL
DEVELOPMENT

WHEREAS, POLICY RES-8 of the Land Use Element of the General Plan for the City of Paso Robles, and its supporting programs, call for the City to update the zoning regulations for all multiple family residential zones to improve the development standards for multiple family residential to provide more usable open space (especially play areas for young children), better community appearance, and to encourage clustered multiple family residential development with increased yards/setbacks, passive and active open space; and

WHEREAS, Objective 4 of the Housing Element of the General Plan for the City of Paso Robles, and its supporting policies and programs, call for the City to amend the Zoning Code to update regulations and development standards for multiple family residential zones in order to ensure a high quality of design and character of housing and neighborhoods including

- a. Ensuring that new residential development does not pose any new or cumulative significant impacts to the natural environment or to public services or infrastructure;
- b. Ensuring that new residential development is designed to present a positive visual image to City gateways, scenic corridors and other vantage points;
- c. Requiring that housing developments provide appropriate amounts of on-site recreation amenities and open space; and

WHEREAS, at its meeting of February 8, 2000, the Planning Commission took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Recommended that the City Council adopt the proposed ordinance; and

WHEREAS, at its meeting of March 7, 2000, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Considered the recommendation of the Planning Commission regarding this code amendment;
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- d. Based on the information contained in the Initial Study, the City Council found that there would not be a significant impact on the environment as a result of the code amendment and adopted a Negative Declaration in accordance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This code amendment is consistent with the City's General Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 21.16I.030. (multi-family development regulations: permitted and conditional uses) is hereby amended to read as follows:

“21.16I.030 Permitted and conditional uses.

A. Uses permitted by right and subject to approval of a conditional use permit in the R-2, R-3 and R-4 districts shall be as listed in Section 21.16.200.

B. Subdivisions for single-family residential homes, including both detached and attached dwelling units, may be approved for properties in the R-2, R-3 or R-4 Districts at densities (number of dwelling units per acre) which conform with the densities permissible in the underlying R-2, R-3 or R-4 District.”

SECTION 2. Section 21.16I.160.A.1. (multi-family development regulations: front yard setbacks along arterial streets) is hereby amended to read as follows:

“1. From arterial streets: A minimum of twenty-five feet for all buildings. Exception: fifteen feet along Spring Street. On lots where the finished grade of multi-family developments with two or more stories will be at higher elevation than adjacent arterial streets, the Planning Commission may require increased front yard setbacks where necessary to minimize visual impacts associated with “walling-in” the street with relatively high vertical building planes.”

SECTION 3. Section 21.16I.160.B.1. (multi-family development regulations: street side yard setbacks along arterial streets) is hereby amended to read as follows:

“1. From arterial streets: A minimum of twenty-five feet for all buildings. Exception: fifteen feet along Spring Street. On lots where the finished grade of multi-family developments with two or more stories will be at higher elevation than adjacent arterial streets, the Planning Commission may require increased street side yard setbacks where necessary to minimize visual impacts associated with “walling-in” the street with relatively high vertical building planes.”

SECTION 4. Section 21.16I.160.C.1. (multi-family development regulations: interior side yard setbacks for main buildings) is hereby amended to read as follows:

“1. Main Buildings:

- a. One story: 5 feet;
- b. 2 stories: 10 feet;
- c. 3 stories: 15 feet;
- d. Where the front doors of two one or more units face a side yard, the doorways shall be set back 10 feet;
- e. From alleys: 5 feet, unless a door faces the alley, in which case the doorway shall be set back 10 feet;
- f. Where the side yard abuts existing or potential 20 foot deep rear yards of single family zoned property: 20 feet.”

SECTION 5. Section 21.16I.180 (multi-family development regulations: open space and recreational amenities) is hereby amended to read as follows:

“A. For each dwelling unit in a multiple family development, the equivalent of ~~300~~ 375 square feet of usable shared open space shall be provided on-site. As long as the requirements for recreational amenities set forth in subsection B, below, have been met, such open space may be private (for the exclusive use of the residents of one dwelling unit), shared (accessible to all of the residents of a development) or a combination of private and shared. Private open space shall have one and one-half times the value of shared open space. That is, a 200 square foot private open space area will be the equivalent of 300 square feet of shared open space. To be eligible for meeting the open space requirement, the conditions listed in subsections 1 and 2, below, must be met.

1. Private Open Space:

- a. Ground floor units: a patio enclosed with a 3-6 foot high fence with a minimum area of 100 square feet with a minimum dimension of 8 feet. No private open space shall be located within the front or street side yard setback.
- b. Upper floor units: a private balcony with a minimum area of 50 square feet with a minimum dimension of 5 feet. This area shall not include walkways to adjacent units.
- c. Roof-top open space (e.g. balcony or deck over a garage) is not eligible as part of the calculation for private open space.

2. Shared Open Space: Usable open space is that which meets the following criteria:

- a. Has a slope of 10 percent or less;
- b. Has a minimum dimension of 15 feet;
- c. Does not include minimum setbacks in front or street side yards, buildings, parking or drive areas;
- d. May include interior side and rear yards and court yards and areas for those recreational amenities required by subsection B, below.
- e. Roof-top open space (e.g. balcony or deck over a garage) is not eligible as part of the calculation for shared open space.

B. 1. Recreational amenities including, but not limited to, tot lots with play equipment, picnic areas with barbecue pits and tables, spas, pools, clubhouses or recreation rooms, basketball courts or half-courts, tennis courts shall be provided for multiple family residential development in accordance with the following schedule.

# of units	# of tot lots	# of other amenities
0 – 10	0	0
11 – 25	1	0
26 – 50	1	1
51 – 75	2	1
76 – 100	2	2
101 – 150	3	2
151 - 200	3	3

Multi-family residential developments ~~Multiple-family residential projects~~ consisting of more than 200 dwelling units shall provide tot lots and other amenities in the same ratios as indicated in the above table. The nature, design and adequacy of all recreation amenities shall be subject to Planning Commission approval as part of a development plan. Tot lots shall be located in areas that are safely-accessible and easily-supervised.

2. Each tot lot must include at least three play equipment features (e.g. slide, swings, monkey bars, etc.).
3. Amenities such as barbecue areas, picnic tables, adult supervision areas for tot lots shall be well-landscaped to provide a pleasant environment for the users.
4. Multi-family residential developments consisting of 32 or more dwelling units shall provide either a recreation room or a day care center. The minimum size of such a facility shall be no less than forty square feet for each dwelling unit in the development. If a day care center is provided, it shall be operated in accordance with State Law governing day care services.
5. In addition to the amenities required above, the Planning Commission may require provision of bike racks if a multi-family development is expected to have resident cyclists (e.g. children/students) and is located adjacent to a safe bikeway.

C. Elderly Housing:

Multiple family housing developments whose occupancy is restricted to the elderly shall be exempt from the numerical standards for open space and recreational set forth in subsections A and B. However, as part of approval of a site plan or development plan application, the Development Review Committee or Planning Commission may require lesser amounts of open space and recreational amenities as appropriate to the scale of a development.

2. Multiple family housing developments containing 32 or more dwelling units whose occupancy is restricted to the elderly shall provide enrichment services such as senior-oriented recreation programs, health-related services, and/or transportation (van) services.

SECTION 6. Section 21.16I.185 is hereby established to read as follows:

"21.16I.185 Other Amenities.

- A. Laundry rooms. Multi-family developments with 5 or more dwelling units shall either provide washer and dryer hook-ups in each unit or provide a laundry room (or rooms) with 1 washer and 1 dryer for every 8 dwelling units. (Fractions shall be rounded to nearest whole number.)
- B. Bus Shelters. A bus shelter shall be installed at each multi-family development with 32 or more dwelling units, unless exempted by the Director of Administrative Services. Reasons for such exemptions may include the existence of sufficient bus shelters in close proximity to the subject development or unlikelihood of bus routes being extended to the subject development. The type and design of the bus shelter shall conform to standards adopted by the City Council.
- C. Storage rooms/lockers. For each dwelling unit in a multi-family development, a separate, enclosed, lockable storage space at least 250 cubic feet in area shall be provided. Said storage space may be located:
 1. In a carport allocated to said unit (If a garage is provided to a dwelling unit, the storage requirement is deemed to be met.); or

2. Attached to said unit, but accessible only from the exterior; or

3. Elsewhere in the development (e.g. in a storage building)."

SECTION 7. Section 21.16I.210 (multi-family development regulations: general architectural requirements) is hereby amended to read as follows:

"21.16I.210 General Architectural Requirements.

A. The City may adopt design guidelines for multiple family residential development and, as a condition of approval of a site plan or development plan, require that new construction adhere to such guidelines.

B. All residential buildings shall adhere to the following architectural standards:

1. Roofs shall be constructed with concrete or clay tile, fire-retardant wood shake, architectural quality (dimensioned/laminate) asphalt composition, ~~crushed rock~~, or other similar roofing material. Metal roofing materials may be used provided that their surface is not reflective, glossy, polished. The Planning Commission may approve roof designs featuring gables, and hips, as appropriate to the site and the neighborhood in which a multi-family development will be located. The Planning Commission may require minimum pitches for gabled roofs (e.g. 5/12). Flat roofs with parapets and mansard roofs are not acceptable.

2. Siding shall consist of stucco, wood, masonite, brick, or other similar materials; reflective, glossy, polished, and/or corrugated/roll-formed type metal siding is prohibited. Plywood siding, including T-111, has proven to be ill-adapted to local climatic conditions, requiring a high rate of maintenance, and may not be used as siding for multiple family residential buildings, including accessory buildings.

3. Air conditioning and evaporative cooling systems shall not be mounted on the roof of any building or structure. Wall-mounted units may be allowed if integrated into the architecture in such a manner as to blend with the building design and not present a visual obstruction.

4. As appropriate to the site and the neighborhood in which a multi-family development will be located, the Planning Commission may require that multi-family dwellings be designed to provide architectural articulation on all sides.

5. In order to maximize residents' sense of control of the area around their homes and the overall safety of the neighborhood, the Planning Commission may require the following:

a. That multi-family buildings be limited to 4 to 8 dwelling units per building;

b. That a maximum of four dwelling units share a common entrance to a multi-family building.

Exception: Multi-family developments designed for exclusive occupancy by seniors (age 62 or older) may be exempted from such limitations.

6. The Planning Commission may require that multi-family buildings adjacent to single family zoning districts be designed so that second story windows and balconies avoid directly facing adjacent single family-zoned property by such means as doubling the setback, use of windows above eye level, elimination of direct view windows, or screening.

C. Detached accessory buildings shall conform to the following requirements:

1. Except for clubhouses or common recreation rooms, the gross floor area shall not exceed fifty (50) percent of the gross floor area, including any attached garage, of the main building, except by approval of a conditional use permit.
2. They shall be constructed to be architecturally compatible with the main building(s) in terms of materials, colors, and relief treatment for elevations and roofing materials. The Community Development Director or his/her designee shall make determinations of compatibility. Applicants may appeal a decision of the Community Development Director or his/her designee to the Development Review Committee.

SECTION 8. Section 21.16I.260 is hereby amended to read as follows:

~~21.16I.260 Enclosures for Trash Bins and Recycling Containers. Enclosures for trash bins and recycling containers shall be provided for all multiple family residential developments. The Planning Commission and Development Review Committee may specify the design, materials, number and placement of such enclosures to be provided for a development.~~

“21.16I.260 Site Design and Maintenance.

- A. Trash enclosures: Enclosures for trash bins and recycling containers shall be provided for all multiple family residential developments. Decorative masonry materials be used for enclosures in multifamily developments with five or more dwelling units. The Planning Commission may determine the minimum numbers of bins/enclosures for both trash bins and recycling containers for a multi-family development as a function of the proposed design.
- B. Backflow prevention valves, transformers, gas and electric meters shall be screened or placed underground in a manner to be determined by the Development Review Committee.
- C. Storage sheds shall not be placed in front and street side yards, nor in parking lots. Storage sheds placed in multi-family developments with five or more dwelling units shall be approved by the Development Review Committee.
- D. Major repair of vehicles and equipment, whether or not owned by residents is prohibited in parking lots, front and street side yards and open space areas. Major repair shall include major engine or transmission/differential overhaul and body work.

SECTION 9. Section 21.16I.270.C (multi-family development regulations: off-street parking, driveways and vehicle storage) is hereby amended to read as follows:

“21.16I.270 Off-street parking, driveways and vehicle storage.

- A. All uses shall provide off-street parking spaces, drives and facilities as required by Chapter 21.22 of this title.
- B. Driveways parallel to a street (such as circular driveways and hammerhead turnarounds) shall be designed to provide a minimum 10 foot wide landscaped setback between the street right-of-way and the parallel edge of the driveway closest to said street right-of-way.
- C. ~~No automobile, truck, motorcycle, recreational vehicle, boat, camper, trailer, farm equipment or similar vehicle or equipment shall be parked or stored between a dwelling and the street except on paved driveways.~~ Parking lots located between public streets and multi-family dwellings shall be screened with

either a 3 foot high decorative masonry wall (at the 10 foot parking lot setback line) or a 3 foot high landscaped earthen berm.

D. To maximize public safety, the Planning Commission may require that multi-family residential developments be designed so that parking lots may be viewed from one or more dwelling units.

E. Parking and storage for automobiles, trucks, motorcycles, recreational vehicles, boats, campers, trailers, farm equipment or similar vehicles or equipment shall be limited as follows:

1. For single family dwellings (in multi-family residential districts), such parking and storage shall comply with the provisions set forth in Section 21.16E.320.

2. For multi-family dwellings, such vehicles and equipment may only be parked or stored on paved parking spaces designated for residential units; they may not be parked or stored in parking spaces designated for visitors.

SECTION 10. Section 21.20.140 (general regulations for fences) is hereby amended to add subsection D to read as follows:

“D. Fence material limitations. In residential districts, barbed wire and electric fences may only be used on properties zoned for single family use (i.e. R-1 or R-A) that are at least one half acre in area or larger. In residential districts, razor wire may not be used for fencing.”

SECTION 11. Section 21.22.040.A.3. (parking space requirements for multi-family housing) is hereby amended to read as follows:

“3. Multi-family dwellings:

a. One and one-half spaces for each ~~studio and one-bedroom~~ unit,

b. Two spaces for each unit with ~~one~~ two or more bedrooms,

c. Visitor parking spaces: for all multi-family developments with more than five dwelling units per lot and condominium developments consisting of five or more dwelling units, one visitor parking space shall be provided for each five dwelling units; provided, that no more than fifty percent of the required resident parking spaces are in garages. If greater than fifty percent of the required resident parking spaces are in garages, the planning commission may require additional visitor parking spaces. Said visitor parking spaces shall be clearly marked as visitor spaces;”

SECTION 12. Section 21.22.060.A.1 (size of parking spaces for residential zones) is hereby amended to read as follows:

“1. Residential Zones. All covered (garage or carport) parking spaces required for residential use shall be at least ten feet in width, ~~not less than~~ and at least twenty feet in depth. The width of each required enclosed parking space may be reduced in order to accommodate columns and end walls where necessary; provided, that no such parking space shall have a width of less than nine feet six inches. Garage door openings shall be at least eight feet in width for each parking space within a garage. Uncovered parking spaces (for multi-family development) shall be at least nine feet in width.”

SECTION 13. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 14. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 15. Inconsistency. To the extent that the terms of provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 16. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on March 7, 2000 and passed and adopted by the City Council of the City of El Paso de Robles on the 21st day of March 2000 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Duane Picanco, Mayor

ATTEST

Sharilyn M. Ryan, Deputy City Clerk

