

**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLACERVILLE AMENDING TITLE X: CHAPTER 1, SECTION 4 (§10-1-4: DEFINITIONS; §10-4-9: SITE PLAN REVIEW); CHAPTER 5 SECTION 9 (§10-5-9: R-2, MULTI-FAMILY RESIDENTIAL ZONE); CHAPTER 5 SECTION 10 (§10-5-10: R-3, MULTI-FAMILY RESIDENTIAL ZONE); CHAPTER 5 SECTION 11: (§10-5-11: R-4, MULTI-FAMILY RESIDENTIAL ZONE), AND CHAPTER 5 SECTION 12 (§10-5-12: R-5 MULTI-FAMILY RESIDENTIAL ZONE SECTION) OF THE CITY OF PLACERVILLE MUNICIPAL CODE TO PROVIDE CLARIFICATION AND TO BRING IT INTO COMPLIANCE WITH STATE HOUSING LAW**

**WHEREAS**, California Government Code §65583.2(e) and (f) of the State Housing law, defined the population characteristics for a jurisdiction located within a Metropolitan Statistical Area (MSA) to be considered “metropolitan” or “suburban”; Metropolitan Statistical Areas and are defined by the U.S. Office of Management and Budget; and

**WHEREAS**, per Section 65583.2(f) of the California Government Code, a jurisdiction is considered metropolitan if the jurisdiction does not meet the requirements for "suburban area" above and is located in a MSA of 2,000,000 or greater in population, unless that jurisdiction's population is less than 25,000 in which case it is considered suburban; and

**WHEREAS**, the City of Placerville is located in the Sacramento—Arden-Arcade—Roseville, CA Metropolitan Statistical Area (MSA) that encompasses the complete counties and cities of El Dorado, Placer, Sacramento and Yolo; per the 2010 U.S. Census, the population for this MSA is 2,149,127; and

**WHEREAS**, per the 2010 U.S. Census the population of the City of Placerville was 10,389; and

**WHEREAS**, the City of Placerville’s population is less than 25,000, the City is considered “suburban” per State Planning Law; and

**WHEREAS**, California Government Code §65583.2(c), (h) and (i) of the State Housing law sets forth the minimum density and development standards for a jurisdiction classified as “suburban” that the State asserts is appropriate to accommodate housing for lower income household; minimum residential density requirement is twenty (20) dwelling units per acre (du/a) for local jurisdictions such as Placerville; and

**WHEREAS**, the City of Placerville’s intent to increase its maximum residential density allowance in accordance with State law was incorporated as Housing Program 24: High-Density Development into its amended 2008-2013 General Plan Housing Element (4<sup>th</sup> Cycle) which was re-adopted February 28, 2012 via Resolution No. 7975, and subsequently acknowledged by the State of California to be compliant; and

**WHEREAS**, the City Council of the City of Placerville on June 26, 2012, upon adoption of Resolution No. 8013, amended the language of the “High Density Residential (HD)” land use designation contained within the City of Placerville’s General Plan Land Use/Circulation Diagrams and Standards under Housing Program 24: High-Density Development, by adding the R-5 (High Density Multi-Family) zone district to the list of compatible zoning districts under the HD land use designation, setting the minimum site area per dwelling unit, and increased the density range within the HD land use designation from 4.01 to 16.00 dwelling units per gross acre to 4.01 to 20.00 dwelling units per acre; and

**WHEREAS**, on July 10, 2012 the Placerville City Council adopted Ordinance No. 1649 that amended Title 10: Zoning Ordinance of the Placerville Municipal Code, revising Section 10-5-9(B) and (C), Section 10-5-10(B) and (C) and Section 10-5-11(B) and (C), changing single-family residential uses from permitted use to conditional use, but permitting single-family residential use when findings can be made due to site circumstances that make the development of multi-family residential not practicable; and

**WHEREAS**, on August 14, 2012 the Placerville City Council adopted Ordinance No. 1651 that amended Title 10: Zoning Ordinance of the Placerville Municipal Code, adding Section 10-5-12: R-5, Multi-Family Residential Zone; and

**WHEREAS**, on February 11, 2014 the Placerville City Council adopted Resolution No. 8168 that approved General Plan Amendment 2013-01, otherwise known as the 2013-2021 Housing Element (5<sup>th</sup> Cycle), that involved an update to the Housing Element of the City's General Plan to ensure consistency with Government Code Section 65583 which states that a Housing Element is a mandatory element of the General Plan, and shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objective, financial resources, and schedule programs for the preservation, improvement, and development of housing within the planning area; and

**WHEREAS**, on September 23, 2014 the Placerville City Council adopted Ordinance No. 1665 that set the minimum and maximum density under the R-5 Zone (Section 10-5-12) at twenty (20) dwelling units to meet California Government Code §65583.2(h); it further qualified that density achieved shall be determined by the City based on site specific environmental constraints such as slope, water courses, road rights-of-way, easements, along with the development regulations (yards, building height, etc.), consistent with the General Plan as amended; and

**WHEREAS**, the City of Placerville was notified in a March 19, 2015 letter by the Department of Housing and Community Development, Division of Housing Policy Development (HCD) that the City's 5<sup>th</sup> Cycle no longer complies with State housing law, in that required rezoning of sites to accommodate 106 lower income units representing the housing need not met over the 4<sup>th</sup> Cycle Housing Element (2008-2013) update was not completed by the October 31, 2014 due date under State housing law; and

**WHEREAS**, HCD's March 19, 2015 letter further stated the City's effort under Ordinance 1665 to facilitate rezoning pursuant to Government Code §65583.2(h) and (i) to limit the density to both a minimum and maximum of twenty (20) dwelling units per acre can pose a potential constraint in not allowing flexibility and a range of densities to facilitate the development of multi-family housing; HCD suggested the City address this issue by amending the R-5 Zone to allow a range of densities (e.g. 20-25 units per acre); and

**WHEREAS**, the facilitation of the development of housing affordable to lower- and moderate-income households comprises Goal C of the 2013-2021 Housing Element (5th Cycle); and

**WHEREAS**, Policy 3 of Goal C of the 2013-2021 Housing Element calls for the City to review the Zoning Ordinance, permit processes, and development fees to identify and remove potential constraints to the development of a range of housing for all income levels and needs; and

**WHEREAS**, after reviewing the Zoning Ordinance the City has set forth amendments to the Zoning Ordinance that are necessary to provide clarity, to expand the range of housing for all income levels and to bring the Zoning Ordinance into consistency with State housing law; and

**WHEREAS**, the Planning Commission held a public hearing on January 19, 2016 to consider amendments to the Title 10 of the Municipal Code and recommended that the City Council approve the amendments to the Code; and

**WHEREAS**, the City Council of the City of Placerville held a public hearing on February 9, 2016 to consider adoption of the amendments to the Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACERVILLE DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. PURPOSE AND AUTHORITY.**

The purpose of this ordinance is to amend Title 10 of the Placerville City Code.

**SECTION 2. FINDINGS:**

1. That the proposed amendments are in general conformance with the City of Placerville General Plan, including the 2013-2021 Housing Element, Land Use Element and the Health and Safety Element.
2. That the public necessity, convenience and general welfare require the adoption of the proposed amendments, in that, the proposed zoning ordinance amendments are necessary for the City to comply with the State Housing Element law.
3. That the text amendments to the Placerville Zoning Code are categorically exempt from environmental review per Section 15061(b) (3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment, in that at present there are no lands designated R-5 (Multi-Family Residential) for the project to significantly affect the environment, in addition the expansion of housing opportunity types under the R-2, R-3 and R-4 Zones does not include amending the densities for the R-2, R-3 and R-4 Zones, therefore the activity is not subject to CEQA.

**SECTION 3: ACTION:** Amend Placerville City Code (Zoning Ordinance) §10-1-4: Definitions; §10-4-9: Site Plan Review; §10-5-9: R-2, Multi-Family Residential Zone; §10-5-10: R-3, Multi-Family Residential Zone; §10-5-11: R-4, Multi-Family Residential Zone, and §10-5-12: R-5 Multi-Family Residential Zone, with language to be added is shown with underlines and language to be removed struck through as shown in **Exhibit A**.

**INTRODUCED** at the regular meeting of the City Council of the City of Placerville on February 9, 2016 by motion of Councilmember \_\_\_\_\_, and seconded by Councilmember \_\_\_\_\_.

**PASSED, APPROVED AND ADOPTED**, by the City Council of the City of Placerville on the \_\_\_\_ day of \_\_\_\_\_ by the poll taken as follows:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST:

\_\_\_\_\_  
Mayor Trisha Wilkins

\_\_\_\_\_  
Kelly Witt, City Clerk

## Exhibit A

10-1-4: **DEFINITIONS:** Certain words and phrases, when used in this Ordinance, are defined as follows; unless the context of a particular provision clearly requires a different definition:

<b>CONDOMINIUM:</b>	A development consisting of an undivided interest in common for a portion of a parcel coupled with a separate interest in space in a residential or commercial building on the parcel.
<b>DWELLING, MULTI-FAMILY</b>	A building or portion thereof designed for occupancy by two (2) or more persons or households living independently of each other in separate units. Includes apartments, townhouses or similar buildings.
<b>DWELLING, SINGLE-FAMILY:</b>	A detached building designed exclusively for occupancy by, or occupied by, one household or family for residential purposes. This classification includes factory built, modular housing units constructed in compliance with the city adopted building code and mobilehomes/manufactured housing on permanent foundations.
<b>DWELLING, TOWNHOUSE</b>	A dwelling unit in a row of at least two (2) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more common walls.
<b>DWELLING UNIT, ATTACHED:</b>	A dwelling unit joined to one or more other dwellings by common vertical walls (e.g. duplex, triplex, townhouse, residential condominium, etc.).
<b>DWELLING UNIT, DETACHED:</b>	A dwelling unit that is not attached to any other dwelling by any physical means

10-4-9: **SITE PLAN REVIEW**

(C) Site Plan Review Required: The Planning Commission shall review each application for a building permit in the following land use categories:

12. All new construction of professional office conditional uses within the R-5 zone.

13. Multi-family residential housing structures or owner-occupied single-family residential housing structures under Section 10-5-12 (E) 3 within the R-5 zone.

Exceptions: The following shall not be subject to Site Plan Review:

4. Multi-family structures or owner-occupied single-family residential housing structures under Section 10-5-12 (E) 2 within the R-5 zone.

(E) Procedure: The following procedure shall govern the submission and review of site and building plans:

1. The following items must be submitted to the Development Services Department at least thirty (30) days prior to a regularly scheduled meeting of the Commission:
  - (a) An application for design review on forms prescribed by the Development Services Department.
  - (b) Ten (10) Copies of each of the following, as specified on application forms, or as prescribed by the Development Services Department:
    - (1) Plot plan drawn to a scale of not less than one inch equals twenty feet (1" = 20') showing dimensions and size of each lot to be built upon or otherwise used; the size, shape, and location of existing and proposed buildings; the location and layout of parking areas, parking spaces and driveways, drainage systems, finished contour of site.
    - (2) A landscaping plan including location of proposed plantings and screenings; proposed location of fences, signs and advertising structures.
    - (3) Exterior elevations of all sides of proposed new buildings and additions to existing buildings; exterior elevations or proposed remodeling or "face lifting". Elevations shall be drawn to a scale of not less than one-eighth inch equals one foot (1/8" = 1'). In the case of additions to existing buildings, photographs of existing buildings are required.
    - (4) Exterior color samples.
    - (5) Such other information, drawings, plans, or renderings that may be required by the Development Services Department to assist the Commission in arriving at a decision. The use of color renderings and photographs is encouraged.
    - ~~(6) Radius map and property owners list within three hundred feet (300') of proposed project, if the project involves alterations or improvements to the site.~~
    - (7)(6) Development Services Director or designated representative may at their discretion, waive certain submittal requirements when such information as required in Subsection (E)1 would not, in his opinion, assist in describing the proposed change. These waivers shall be reviewed by the Planning Commission.
2. Notification of applicant and adjacent property owners within three hundred feet (300') as shown on the last adopted tax roll. The Development Services Director shall specify the following within the notice:
  - (a) Type of development.
  - (b) Locational map.

- (c) Time in which comments are to be received in order to be considered by the Planning Commission.
- 3. Within sixty (60) days after the completion of the necessary environmental documents as per the City of Placerville's "Guidelines and Procedures for the Implementation of the California Environmental Quality Act of 1970" as amended; the Development Services Department shall refer the submittals, with its comments, to the Commission. The Commission shall act on the application within thirty (30) days after such referral, unless applicant requests, and the Commission grants an extension of time. If the Commission has not acted on the application within sixty (60) days, the application shall be deemed approved. Such mandatory approval shall not constitute violation of City ordinance.
- 4. The Development Services Department shall advise the applicant in writing of the time, date and place of the Commission's consideration of the application and of the final disposition thereof.
- 5. The decision of the Commission is final unless appealed as provided for in Section 10-3-7.

10-5-9: **R-2, LOW DENSITY MULTI-FAMILY RESIDENTIAL ZONE:**

(A) Purpose: The purpose of this Zone is to:

- 1. Provide for the development of duplexes and other types of residences, and multi-family dwellings in garden apartments, in areas properly located in relation to commercial and other residential areas, and where utilities, streets, sidewalks, transit, bikeways, schools, recreation areas and other necessary facilities can feasibly serve a high population density.
- 2. Create conditions conducive to a desirable multi-family residential environment, protect it from the encroachment of unrelated uses affecting the development of vacant land and detrimental to existing residences, and limit the continuance of such uses in existence in the area.
- 3. Ensure light, air, privacy and useable open spaces for residential living.
- 4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

- 1. Home occupations.
- 2. Multi-family dwelling units.
- 3. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities. (Ord. 1548B, 23 Jun 1998)

4. Secondary Dwelling Unit, subject to the requirements within City Code Section 10-4-12. (Ord. 1627, 9 Sep 2008)
5. Small and medium family day care home. (Ord. 1474, 8 Jan 1991)
6. ~~Single family dwelling unit and Employee housing-small when the Planning Commission finds that due to site circumstances, such as limited parcel area, irregular parcel size, topography, etc., the development of multi-family dwellings is not practicable.~~
7. Single-room occupancy facilities. (Ord. 1664, 23 Sept 2014)
8. Attached single-family dwelling units, including condominiums or townhouse dwellings, subject to the requirements of City Code Section 10-4-13: Attached Single-Family Dwellings and Section 10-4-9: Site Plan Review.

(C) Conditional Uses:

1. Uses stated in Section 10-3-4 of this Title.
2. Professional offices such as accountants, architects, dentists, lawyers, physicians, and engineers provided that development standards as listed in subsection 10-5-13(F) be incorporated with the proposed use.
3. Detached single-family dwelling, when the Planning Commission finds that due to site circumstances, such as limited parcel area, irregular parcel size, topography, etc., the development of multi-family dwellings is not practicable.
4. Mobile home parks. (Ord. 1649, 10 Jul 2012)

(D) General Regulations:

1. Maximum Density: Eight (8) dwelling units per acre.
2. Minimum Parcel Area: Six thousand (6,000) square feet or minimum lot area shall be two thousand (2,000) square feet when proposed with various forms of attached single-family dwellings.
3. Minimum Parcel Area per Dwelling Unit: Two thousand (2,000) square feet.
4. Maximum Parcel Coverage: No more than sixty percent (60%) of the total lot shall be devoted to main and accessory building area, parking area, driveway and covered patio area.
5. Minimum Parcel Width: Sixty feet (60') or twenty feet (20') when proposed with attached single-family dwelling.
6. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of the parcel or ten feet (10') whichever is less; rear, fifteen feet (15'); or zero feet (0') setback for all yards where common wall or party wall exist with attached single-family dwellings.
7. Maximum Building Height: Forty feet (40').

8. Minimum room areas as defined in the California Residential Code. (Ord. 1642, 14 Jun 2011)
9. Minimum parcel frontage: Sixty feet (60'). (Ord. 1474, 8 Jan 1991)

10-5-10: **R-3, MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL ZONE:**

(A) Purpose: The purpose of this Zone is to:

1. Provide for the development of duplexes and other types of residences, and multi-family dwellings in garden apartments, in areas properly located in relation to commercial and other residential areas, and where utilities, streets, sidewalks, transit, bikeways, schools, recreation areas and other necessary facilities can feasibly serve a high population density.
2. Create conditions conducive to a desirable multi-family residential environment, protect it from the encroachment of unrelated uses affecting the development of vacant land and detrimental to existing residences, and limit the continuances of such uses in existence in the area.
3. Ensure light, air, privacy and useable open spaces for residential living.
4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Home occupations.
2. Multi-family dwelling units.
3. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities.
4. Secondary Dwelling Unit, subject to the requirements within City Code Section 10-4-12.
5. Small and medium family day care home.
6. Single family dwelling unit and Employee housing-small when the Planning Commission finds that due to site circumstances, such as limited parcel area, irregular parcel size, topography, etc., the development of multi family dwellings is not practicable.
7. Single-room occupancy facilities.
8. Attached single-family dwelling units, including condominiums or townhouse dwellings, subject to the requirements of City Code Section 10-4-13: Attached Single-Family Dwellings and Section 10-4-9: Site Plan Review.

(C) Conditional Uses:

1. The uses as stated in Section 10-3-4 of this Title.
2. Professional offices such as accountants, architects, dentists, lawyers physicians, and engineers provided that development standards as listed in subsection 10-5-13(F) be incorporated with the proposed use.
3. Detached single-family dwelling, when the Planning Commission finds that due to site circumstances, such as limited parcel area, irregular parcel size, topography, etc., the development of multi-family dwellings is not practicable.
4. Mobile home parks. (Ord. 1649, 10 Jul 2012)

(D) General Regulations:

1. Maximum Density: Twelve (12) dwelling units per acre.
2. Minimum Parcel Area: Six thousand (6,000) square feet or minimum lot area shall be two thousand (2,000) square feet when proposed with various forms of attached single-family dwellings.
3. Minimum Parcel Area per Dwelling Unit: Two thousand (2,000) square feet.
4. Maximum Parcel Coverage: No more than sixty percent (60%) of the total lot shall be devoted to main and accessory building area, parking area, driveway and covered patio area.
5. Minimum Parcel Width: Sixty feet (60') or twenty feet (20') when proposed with attached single-family dwellings.
6. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of the parcel or ten feet (10') whichever is less; rear, fifteen feet (15'); or zero feet (0') setback for all yards where common wall or party wall exist with attached single-family dwellings.
7. Maximum Building Height: Forty feet (40').
8. Minimum room areas as defined in the California Residential Code. (Ord. 1642, 14 Jun 2011)
9. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1474, 8 Jan 1991)

10-5-11: **R-4, HIGH DENSITY MULTI-FAMILY RESIDENTIAL ZONE:**

(A) Purpose: The purpose of this Zone is to:

1. Provide for the development of duplexes and other types of residences, and multi-family dwellings in garden apartments, in areas properly located in relation to commercial and other residential areas, and where utilities, streets, sidewalks, transit, bikeways, schools, recreation areas and other necessary facilities can feasibly serve a high population density.

2. Create conditions conducive to a desirable multi-family residential environment, protect it from the encroachment of unrelated uses affecting the development of vacant land and detrimental to existing residences, and limit the continuance of such uses in existence in the area.
3. Ensure light, air, privacy and useable open spaces for residential living.
4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Home occupations.
2. Multi-family dwelling units. (Ord. 1649, 10 Jul 2012)
3. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities. (Ord. 1548B, 23 Jun 1998)
4. Secondary Dwelling Unit, subject to the requirements within City Code Section 10-4-12. (Ord. 1627, 9 Sep 2008)
5. Small and medium family day care home. (Ord. 1474, 8 Jan 1991)
6. ~~Single Family dwelling unit and Employee housing small when the Planning Commission finds that due to site circumstances, such as limited parcel area, irregular parcel size, topography, etc., the development of multi-family dwellings is not practicable.~~
7. Single-room occupancy facilities. (Ord. 1664, 23 Sept 2014)
8. Attached single-family dwelling units, including condominiums or townhouse dwellings, subject to the requirements of City Code Section 10-4-13: Attached Single-Family Dwellings and Section 10-4-9: Site Plan Review.

(C) Conditional Uses:

1. The uses as stated in Section 10-3-4 of this Title.
2. Professional offices such as accountants, architects, dentists, lawyers, physicians, and engineers provided that development standards as listed in subsection 10-5-13(F) be incorporated with the proposed use.
3. Detached single-family dwelling, when the Planning Commission finds that due to site circumstances, such as limited parcel area, irregular parcel size, topography, etc., the development of multi-family dwellings is not practicable.
4. Mobile home parks. (Ord. 1649, 10 Jul 2012)

(D) General Regulations:

1. Maximum Density: Sixteen (16) dwelling units per acre.
2. Minimum Parcel Area: Six thousand (6,000) square feet or minimum lot area shall be two thousand (2,000) square feet when proposed with various forms of attached single-family dwellings.
3. Minimum Parcel Area Per Dwelling Unit: Two thousand (2,000) square feet.
4. Maximum Parcel Coverage: No more than sixty percent (60%) of the total lot shall be devoted to main and accessory building area, parking area, driveway and covered patio area.
5. Minimum Parcel Width: Sixty feet (60') or twenty feet (20') when proposed with attached single-family dwellings.
6. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of the parcel or ten feet (10') whichever is less; rear, fifteen feet (15'); or zero feet (0') setback for all yards where common wall or party wall exist with attached single-family dwellings.
7. Maximum Building Height: Forty feet (40').
8. Minimum room areas as defined in the California Residential Code. (Ord. 1642, 14 Jun 2011)
9. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1474, 8 Jan 1991)

10-5-12: **R-5, VERY HIGH DENSITY MULTI-FAMILY RESIDENTIAL ZONE:**

(A) Purpose: The purpose of this Zone is to:

1. Provide for the development of high density multi-family housing, in areas properly located in relation to commercial and other residential areas, and where utilities, streets, sidewalks, transit, bikeways, schools, recreation areas and other necessary facilities can feasibly serve a high population density.
2. Create conditions conducive to a desirable high density multi-family residential environment, protect it from the encroachment of unrelated uses affecting the development of vacant land and detrimental to existing residences, and limit the continuance of such uses in existence in the area.
3. Ensure light, air, privacy and useable open spaces for multi-family residential living.
4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood.
5. Provide high density housing at a density consistent with the default, or minimum, density requirements set forth in California Government Code Section 65583.2.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Home occupations.
2. Multi-family housing units.
3. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities.
4. Secondary Dwelling Unit, subject to the requirements within City Code Section 10-4-1.
5. Small and medium family day care home.
6. Single-room occupancy facilities.

(C) Conditional Uses:

1. The uses as stated in Section 10-3-4 of this Title.
2. Professional offices such as accountants, architects, dentists, lawyers, physicians, and engineers provided that development standards as listed in subsection 10-5-13 (F) are incorporated with the proposed use.
3. Single family dwelling Attached single-family dwelling units, including condominiums or townhouse dwellings, subject to the requirements of City Code Section 10-4-13: Attached Single-Family Dwellings.
4. Mobile home parks.

(D) General Regulations:

1. Minimum Density and Maximum Density: Twenty (20) dwelling units per acre.\*

\*Density achieved shall be determined by the City based on site specific environmental constraints such as slope, water courses, road rights-of-way and/or easements, etc., and the R-5 development regulations of yards (setbacks), building height, etc., consistent with the Housing Element of the General Plan as amended. (Ord. 1665, 23 Sept 2014)

Residential Density: Housing development density shall be determined at the time the site is rezoned to the R-5 Zone. The density shall be based on the State mandated minimum of twenty (20) dwelling units per acre but will allow for a maximum of twenty-four (24) dwelling units per acre. The minimum required density for a site shall be the net density. Net density shall be based on the developable areas of the site, considering site specific environmental constraints such as slope, water courses, road rights-of-way and/or easements, etc., and the R-5 development regulations of this section.

2. Minimum Parcel Area: Six thousand (6,000) square feet or minimum lot area shall be ~~two thousand (2,000)~~ 1,815 square feet when proposed with various forms of attached single-family dwellings.

3. Minimum Parcel Area Per Dwelling Unit: Two thousand (2,000) square feet one thousand eight hundred fifteen (1,815) square feet.
4. Maximum Parcel Coverage: No more than sixty percent (60%) of the total lot shall be devoted to main and accessory building area, parking area, driveway and covered patio area.
5. Minimum Parcel Width: Sixty feet (60') or twenty feet (20') when proposed with attached single-family dwellings.
6. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of the parcel or ten feet (10') whichever is less; rear, fifteen feet (15'); or zero feet (0') setback for all yards where common wall or party wall exist with attached single-family dwellings.
7. Maximum Building Height: Forty feet (40').
8. Minimum room areas as defined in the California Residential Code.
9. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1651, 14 Aug 2012)

(E) Specific Regulations:

1. Environmental Review: The California Environmental Quality Act (CEQA) environmental review will be completed for sites designed under the R-5 Zone at the time the sites are rezoned. All identified site specific development standards and CEQA mitigation measures during the rezone process shall be applicable to the development of residential housing for the site. Subsequent environmental review may be required if, and to the extent necessary, to comply with CEQA.
2. Multi-family residential housing, when developed per Government Code Sections 65583.2 and Section 65589.5 [or "WHEN REQUIRED BY STATE LAW"] for either low-income, very-low income or extremely-low income households, shall be developed by-right in that the use and density shall not require a conditional use permit, planned unit development or other discretionary action for the use or density of the site. Housing development must include legal commitments to the City to ensure the continued availability of the affordable housing for a minimum period of thirty (30) years at the low, very-low, extremely-low income household or in combination.
3. Design Review: Site Plan Review (Section 10-4-9) shall be required for all housing developments proposed within the R-5 Zone that are not developed per Section 10-5-12 (E) 2, and conditional uses under Section 10-5-12 (C).