



# **REVISIONS TO THE ZONING ORDINANCE**

**Piedmont Planning Commission**

**November 13, 2023**

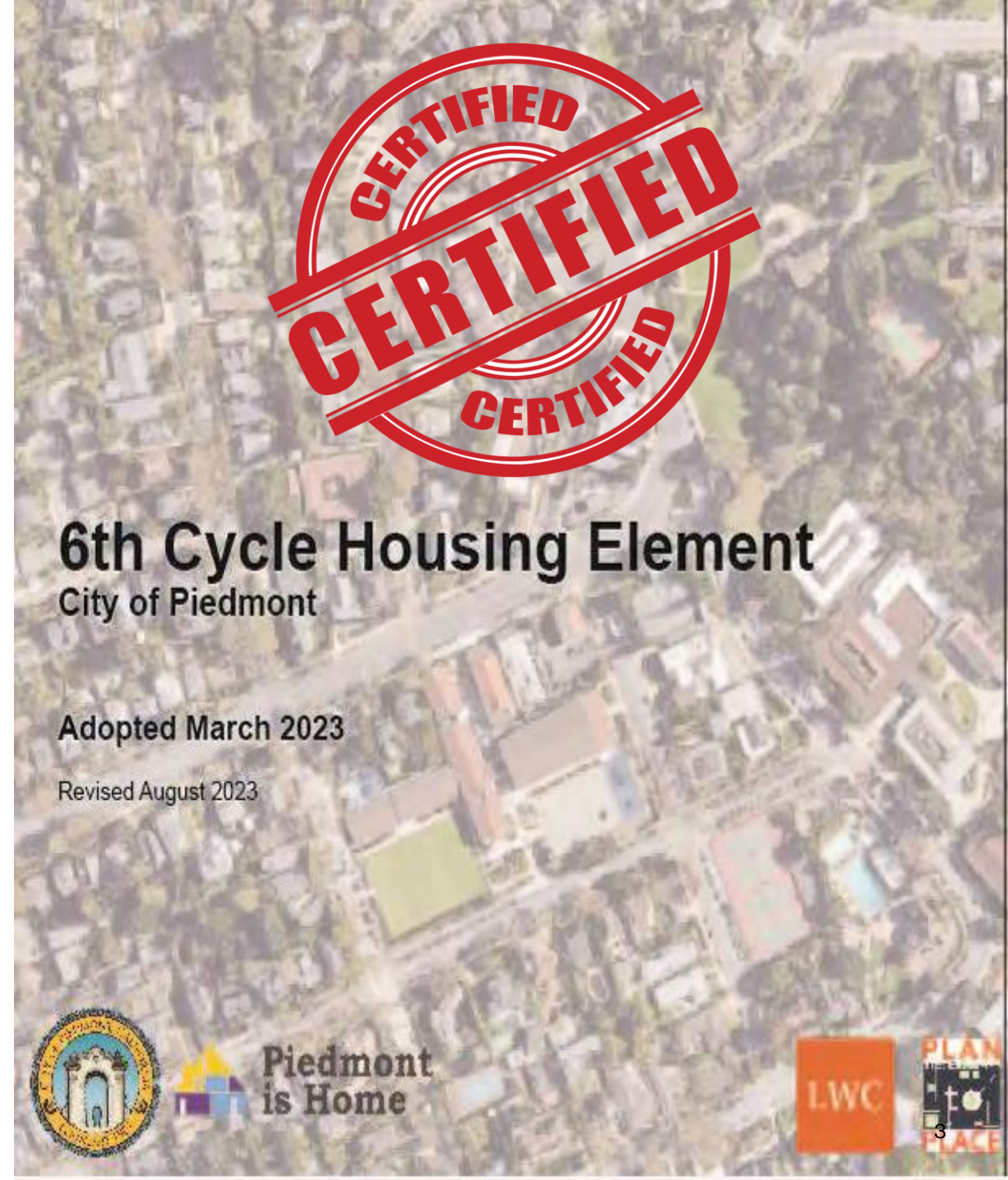
**Agenda Item#3**



# **BACKGROUND**

## Piedmont's Current Status

- ✓ HCD provided the City of Piedmont with a Letter of Substantial Compliance on November 9, 2023.
- ✓ Must complete Zoning Ordinance updates that provide adequate sites by January 31, 2024 - **Programs I.F, 1.G,1.H and 1.P.**
- ✓ Draft Environmental Impact Report (EIR) is posted for public comments.



# HE Implementation – Study Session Focus

The Housing Element (HE) implementation plan can be divided into these categories:

**Study Sessions- Tonight, December 11, 2023, January 8, 2024**

## Revisions to Zoning Ordinance

Diverse housing types

- Relaxing Development Standards in Zones C and D.
- Implementing State density bonus law

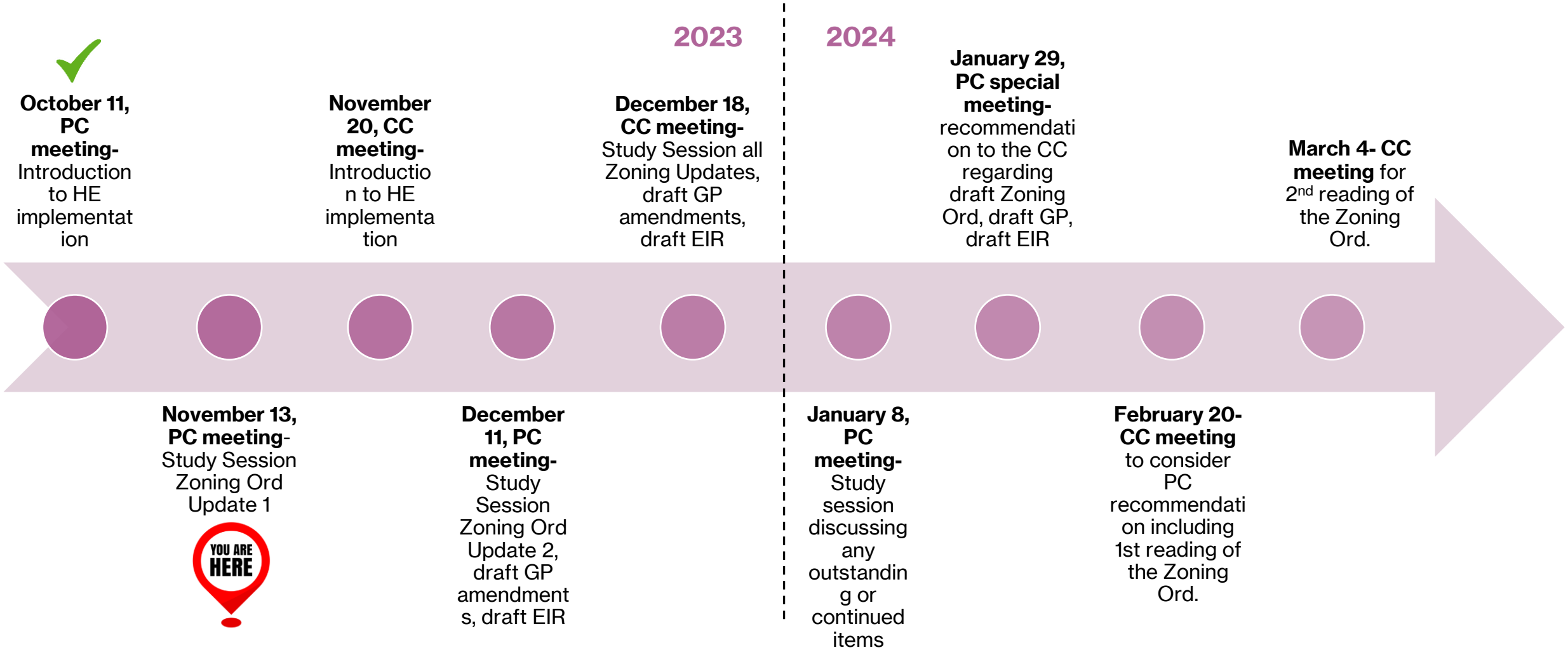
## Other Programs to be Implemented within a strict timeframe

- Promote housing equity
- Support community outreach

## Programs that are on-going or that have a generous timeframe

- Promoting housing development
- Various studies and analysis

# Housing Element (HE) Implementation Schedule





# Public Participation

# Prior Public Engagement



Over a year of extensive community engagement and stakeholder input for the HE- all segments of the community



City commissions, committees, the City Council, webinars, workshops, disseminating information at City events.



## Prior Public Engagement Also Includes.....



Public engagement on HE Programs that are being discussed today including programs that remove barriers to the development of new diverse housing types that are affordable to occupants at all income levels.

- ✓ The need for the proposed draft revisions to the Zoning Ordinance discussed tonight, including but not limited to new permitted housing types, maximum density, maximum building height and other relaxed development standards



# What's Coming...More Opportunities



Community members are encouraged to attend and provide comment during the study sessions and other Public Meetings held to discuss and consider the draft revisions to the Zoning Ordinance, draft General Plan and draft EIR.



Draft EIR is posted for public comments through December 18, 2023. Visit [piedmontishome.org](http://piedmontishome.org)





# **Revisions to the Zoning Ordinance**

# “Permitted Uses”

Permitted Uses: Regulated like Single-Family Residential Use

- ✓ Manufactured and mobile homes- *All zones*
- ✓ Low barrier Navigation Centers- *All zones*
- ✓ Transitional and Supportive Housing- *All zones*
- ✓ Licensed Residential Care Facilities or Group Home for up to 6 residents- *All zones*
- ✓ Unlicensed Residential Care Facilities or Group Homes- *All zones*
- ✓ Small Family Day Care Home- *Zones B,C,D and E*
- ✓ Employee housing for up to 6 people- *All zones*
- ✓ Religious institution affiliated housing development projects- *Zone A*
- ✓ Multi-family residential development- *Zone B and D.*
- ✓ SRO and co-housing- *Zone D*

***Revised sections: 17.20.020, 17.22.020, 17.24.020, 17.26.020 and 17.28.020.***

# “Conditional Uses”

## Conditional Uses:

- ✓ Large Family Day Care Home- *Zones B, C, D and E*
- ✓ Licensed Residential Care Facilities or Group Home for more than 7 residents- *All zones*
- ✓ Single room occupancy (SRO) and co-housing developments- *Zone C.*

*Revised sections: 17.20.030, 17.22.030, 17.24.030, 17.26.030, 17.28.030*

# Development Standards for Zone A and E: Single-Family and Estate Residential

*Revised sections: 17.20.040 and 17.28.040.*

- ✓ Development standards remain unchanged for single-family development such as lot size, frontage, coverage, setbacks, FAR, and building height.
- ✓ Add development standards for all the new permitted and conditional uses allowed under these zones. See staff report pages 16-17, 29-30

# Development Standards for Zone B- Public Facilities

## *Revised section: 17.22.040*

- ✓ Add development standards for construction of multi-family residential development consistent with Housing Element Program 1.F, which requires the City to allow for multi-family residential development in this Zone with an allowed density of maximum 60 dwelling units per acre. See staff report page 19.
- ✓ Add development standards for all the new permitted and conditional uses allowed under these zones. See staff report page 19.
- ✓ Update green building requirements chapter and section. See staff report page 19.

# Development Standards for Zone C- Multi-family Residential

## *Revised section: 17.24.040*

- ✓ Increase the maximum allowed residential density to 60 dwelling units per acre
- ✓ increase 3 stories maximum height limit to 4 stories
- ✓ reduce front yard setbacks
- ✓ increase lot coverage allowance
- ✓ reduce other constraints to facilitate multi-family development projects- minimum lot size and lot frontage, adding maximum density and eliminating FAR
- ✓ Add development standards for all the new permitted and conditional uses

# Development Standards for Zone C- Multi-family Residential

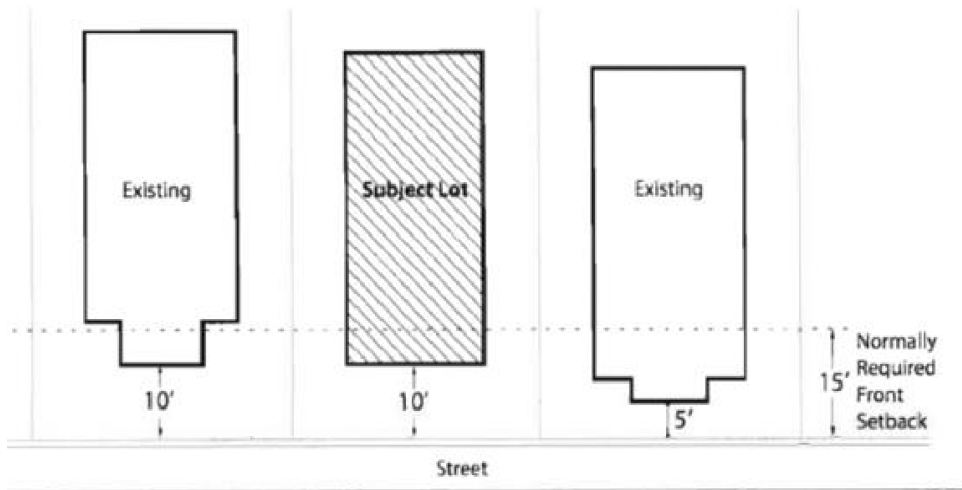
<b>Table 1: Multi-family development standards</b>		
<b>Development standard</b>	<b>Existing Zone C Requirements</b>	<b>Recommended Zone C Requirements</b>
<b>Lot area</b>	Min. 10,000 sq.ft	Min 4,000 sq.ft, unless otherwise required by State law.
<b>Frontage, on public or private street</b>	Min. 90 ft.	Min 40 ft.
<b>Table 1: Multi-family development standards</b>		
<b>Development standard</b>	<b>Existing Zone C Requirements</b>	<b>Recommended Zone C Requirements</b>
<b>Lot coverage; Landscaping</b>	Max: 50% lot coverage Min: 30% landscaping or 20% if 20% of units affordable	Max: 70% lot coverage Min: 15% landscaping or 10% if 20% of units affordable
<b>Structure Height</b>	35 ft.	45 ft. for buildings on lots with lot area 4,000 sq.ft. or less. 35 ft. for buildings on lots with lot area more than 4,000 sq.ft.



# Development Standards for Zone C- Multi-family Residential

**Table 1: Multi-family development standards** continued...

Development standard	Existing Zone C Requirements	Recommended Zone C Requirements
<b>Street yard setback</b>	Min. 20 ft. for primary or accessory structure	Min. 15 ft. for primary or accessory structure. If adjacent lots abutting the side lot lines of the subject lot both contain principal single family residential buildings that have front setbacks with a depth of less than ten (10) feet, the minimum front setback may be reduced for buildings and other structures on the subject lot up to a line parallel to the front lot line and extended from the most forward projection of the principal single family residential buildings on the adjacent lots having the deeper front setback depth, provided such projection is enclosed, has a wall height of at least eight (8) feet, and has a width of at least five (5) feet. In the case of a corner lot or lot that has a vacant parcel next to it, this same principal may apply if the two (2) lots adjacent to the corner lot or lot along its front lot line have less than a fifteen (15) foot front setback.



# Development Standards for Zone C- Multi-family Residential

**Table 1: Multi-family development standards continued...**

Development standard	Existing Zone C Requirements	Recommended Zone C Requirements
<b>Side and rear yard setback</b>	Min. 5 feet for primary or accessory structure. If the existing multi-family dwelling has a rear or side setback of less than four feet, no modification of the existing multifamily dwelling shall be required for construction of an accessory dwelling unit	<p>Min. 4 feet for primary or accessory structure, except as provided below. If adjacent lots abutting the side and rear lot lines of the subject property are single family residential, the proposed building shall further step back depending on the lot area:</p> <ul style="list-style-type: none"> <li>• If the lot area is 4,000 sq.ft. or less, the building shall step back 8 ft. from the side and/or rear property line abutting the single family residential after 2 stories or 22 ft., whichever is less.</li> <li>• If the lot area is more than 4,000 sq.ft., the building shall step back 8 ft. from the side and/or rear property line abutting the single family residential after 3 stories or 35 ft, whichever is less.</li> </ul>

# Development Standards for Zone C- Multi-family Residential

**Table 1: Multi-family development standards continued...**

<b>Development standard</b>	<b>Existing Zone C Requirements</b>	<b>Recommended Zone C Requirements</b>
<b>Floor area ratio</b>	<p>Max 55% of the lot area if the parcel is 5,000 sq.ft. or less.                      Max 50% of the lot area if the parcel is 5,001 sq.ft. to 10,000 square feet.                      Max 45% of the lot area if the parcel is more than 10,000 sq.ft.</p>	None
<b>Density</b>	<p>A multi-family dwelling at a minimum density of one dwelling unit per each 3,600 sq.ft. of lot area (12 units/acre), and not exceeding one dwelling unit per each 2,000 sq.ft. of lot area (21 units/acre).</p>	<p>Min. density of 20 units/acre, and max. density of 60 units/acre; unless otherwise required by State Law.</p>

# Development Standards for Zone D- Commercial and Mixed-Use

## *Revised section: 17.26.050*

- ✓ increase the maximum allowed residential density to 81 dwelling units per acre
- ✓ increase maximum height limit to 4 stories
- ✓ relax setbacks
- ✓ relax lot coverage allowance
- ✓ add development standards for all the new permitted and conditional uses
- ✓ add density and FAR standards for multifamily and mixed-use projects.

# Development Standards for Zone D- Commercial and Mixed-Use

**Table 2: Civic Center Subarea**

<b>Development Standard</b>	<b>Existing</b>	<b>Recommended</b>
<b>Lot Area</b>	No minimum area, but an existing lot may not be subdivided into smaller lots.	Minimum 4,750 square feet, unless otherwise required by State law.
<b>Frontage, on public or private street</b>	No minimum requirement.	No minimum requirement.
<b>Lot coverage; Landscaping</b>	No maximum. No minimum.	No maximum. No minimum.
<b>Structure height</b>	Maximum 40 feet, and 3 stories.	45 feet
<b>Street yard setback</b>	No minimum setback.	No minimum setback.
<b>Side yard and rear yard setback</b>	No minimum setbacks, but if side or rear yard abuts a single-family residence, the minimum side and rear yard setback is 5 feet from that abutting lot line.	No minimum setbacks, but if side or rear yard abuts a single-family residence, the minimum side and rear yard setback is 4 feet from that abutting lot line.
<b>Floor to ceiling height for ground floor</b>	15 feet minimum	15 feet minimum

# Development Standards for Zone D- Commercial and Mixed-Use

**Table 3: Grand Avenue Subarea**

<b>Development Standard</b>	<b>Existing</b>	<b>Recommended</b>
<b>Lot Area</b>	No minimum area, but an existing lot may not be subdivided into smaller lots.	Minimum 4,750 square feet, unless otherwise required by State law.
<b>Frontage, on public or private street</b>	No minimum requirement.	No minimum requirement.
<b>Lot coverage; Landscaping</b>	No Maximum. Minimum 10% landscaping, subject to exception for accessory dwelling unit construction set forth in division 17.38.	No Maximum. Minimum 10% landscaping, subject to exception for accessory dwelling unit construction set forth in division 17.38.
<b>Structure height</b>	Maximum 35 feet, and 3 stories. For a building site adjacent to a single family residence: <ul style="list-style-type: none"> <li>• within 10 feet of the abutting lot line: maximum 25 feet measured from adjacent grade; and</li> <li>• daylight plane starting at 25 feet above grade and a distance of 10 feet from the abutting property line.</li> </ul>	Maximum 45 feet, For a building site adjacent to a single family residence: <ul style="list-style-type: none"> <li>• within 10 feet of the abutting lot line: maximum 25 feet measured from adjacent grade; and</li> <li>• daylight plane starting at 25 feet above grade and a distance of 10 feet from the abutting property line.</li> </ul>

# Development Standards for Zone D- Commercial and Mixed-Use

**Table 3: Grand Avenue Subarea**

<b>Development Standard</b>	<b>Existing</b>	<b>Recommended</b>
<b>Street yard setback</b>	Along Wildwood, Sunnyside and Linda Avenues: 10 feet minimum from lot line. Along Grand Avenue: 15 feet minimum from curb or 3 feet from lot line, whichever is greater.	Along Wildwood, Sunnyside and Linda Avenues: 5 feet minimum from lot line. Along Grand Avenue: 5 feet minimum from curb or 3 feet from lot line, whichever is greater.
<b>Side yard and rear yard setback</b>	Side Yard: no minimum setbacks, except minimum 5 feet from lot line abutting a single-family residence. Rear Yard: 5 feet minimum.	Side Yard: no minimum setbacks, except minimum 4 feet from lot line abutting a single-family residence. Rear Yard: 4 feet minimum.
<b>Floor to ceiling height for ground floor</b>	12 feet minimum	12 feet minimum

# “Intent” Section in All Zoning District

- ✓ Revised to maintain consistency with the Housing Element program requirement and the City’s goal of welcoming more and diverse housing types.

*Revised sections: 17.20.010, 17.22.010, 17.24.010, 17.26.010 and 17.28.010.*



## Revisions to Article 5

- ✓ Revise definition of family. See staff report page 38
- ✓ Add definitions of the new permitted ad conditional use housing types: co-housing, day care facility, density, duplex, dwelling unit, studio, employee housing, low barrier navigation centers, manufactured home, minor servicing, mobile home, multi-family, religious institution affiliated housing, religious institution affiliated emergency shelters, religion-use parking spaces, residential care facilities, single room occupancy, supportive housing, and transitional housing and transitional housing
- ✓ Clean up items

***Revised section: 17.90.010***

# Add new Division 17.52 Density Bonus

- ✓ The purpose and intent of this division would be to implement the State Density Bonus Law.
- ✓ A developer who meets the requirements of the State law is entitled to receive a density bonus and other benefits as a matter of right.
- ✓ Requests for a density bonus must be submitted in concurrence with the housing development application and will be reviewed by the body reviewing the housing development project.



## Add new Division 17.52 Density Bonus- Who are Eligible?

- ✓ At least 5% of the housing units are restricted to very low-income residents.
- ✓ At least 10% of the housing units are restricted to lower income residents.
- ✓ At least 10% of the housing units in a for-sale common interest development are restricted to moderate income residents.
- ✓ 100% of the housing units (other than manager's units) are restricted to very low, lower and moderate-income residents (with a maximum of 20% moderate).
- ✓ At least 10% of the housing units are for transitional foster youth, disabled veterans or homeless persons, with rents restricted at the very low-income level.
- ✓ At least 20% of the housing units are for low-income college students in housing dedicated for full-time students at accredited colleges.
- ✓ The project donates at least one acre of land to the city or county for very low-income units, and the land has the appropriate general plan designation, zoning, permits and approvals, and access to public facilities needed for such housing.
- ✓ The project is a senior citizen housing development (no affordable units required).
- ✓ The project is a mobile home park age-restricted to senior citizens (no affordable units required).

# Add new Division 17.52 Density Bonus- Amount and Requirements

## How much of a bonus depends on...

- ✓ the percentage of units in the project that are set aside as affordable, and
- ✓ the household income category of those affordable units.

## What does the applicant get?

### Waivers

- deviation from development regulations due to physical infeasibility such as height limit, setback limit, parking standards

### Concession

- deviation from design standards to make the project economically feasible such as deviation from façade treatment standard



# **Conclusion and Next Steps**

# Next Steps for the Planning Commission



Study sessions at subsequent regular meetings of the Planning Commission discussing more revisions to the Zoning Ordinance, including but not limited to: parking requirements, a new division for SB-9 development, clarifications as to how density is calculated, and revisions that implement State law that go into effect on January 1, 2024



The completion of the General Plan amendments and the posting of the document for public review and the introduction of these documents during study sessions scheduled for the agendas of future Planning Commission meetings.



A special meeting of the Commission on Monday, January 29, 2024, during which and in conformance with City Code section 17.72.040, the Commission will consider a recommendation to the City Council regarding the Zoning Ordinance update, General Plan amendments, and a related Environmental Impact Report.

# QUESTIONS & DISCUSSION

Please visit [www.piedmontishome.org](http://www.piedmontishome.org) “Upcoming Events” to keep informed of the upcoming meeting schedule and to review these draft revisions to the Zoning Ordinance and the draft EIR posted on November 8, 2023.