ORDINANCE NO. 2277

AN OMNIBUS ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON AMENDING CHAPTERS 1.22 VOLUNTARY CAMPAIGN CONTRIBUTION AND EXPENDITURE LIMITATION, 1.24 ADMINISTRATIVE CITATIONS, 5.20 EXEMPTIONS, 6.56 ALARMS, 13.08 PARKS AND RECREATION FACILITIES, AND TITLE 18 ZONING

WHEREAS, on an annual basis multiple amendments are proposed for the Pleasanton Municipal Code to make changes to align with evolving state law, changed city staff positions and titles, as well as to reflect actual city practices; and

WHEREAS, California law (AB 571) requires that a candidate for local office that has qualified as a committee must establish a separate controlled committee and campaign bank account for each specific office. Local candidates may not redesignate a committee for one election for another election; and

WHEREAS, California law (Cal. Govt. Code §53069.4(a)(2)(A)) allows for administrative citations to be issued for zoning code violations; and

WHEREAS, California law (Cal. Health & Safety Code §1597.45(b)) now exempts large and small family day care homes from local business license requirements; and

WHEREAS, since 95% of residential and commercial alarms are false, amendments would update the code to reflect actual department practice for multiple false alarms, and update fines; and

WHEREAS, sports court surfaces, as well as health and safety, are protected by prohibiting dogs from being on sports courts; and

WHEREAS, to reflect actual city practices, formally allow persons renting recreation facilities to have alcohol served by Alcohol Beverage Control licensed persons when there is a rental agreement and liquor liability insurance; and

WHEREAS, multiple sections of the Zoning Code need to be updated to implement state law regarding accessory dwelling units per AB 2221 and SB 897; as well as to implement Housing Element programs and policies for low barrier navigation centers, single room occupancy unit facilities, supportive housing, and residential care facilities; and amend Chapter 18.144 Appeals to reflect the City Council Rules of Procedure and preservation of due process.

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

SECTION 1. Finds that the proposed amendments to the Pleasanton Municipal Code have no possibility to have a significant effect on the environment per Title 14 California Code of Regulations (CEQA Guidelines) §15061(b)(3).

SECTION 2. Amends the Pleasanton Municipal Code as shown in Exhibit A, attached and incorporated by this reference.

SECTION 3. A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's office within fifteen (15) days after its adoption.

SECTION 4. This ordinance shall be effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton, California, on April 16, 2024, and adopted on May 7, 2024, by the following vote:

Ayes:	Councilmembers Arkin, Balch, Nibert, Testa, Mayor Brown
Noes:	None
Absent:	None
Abstain:	None

Karla Brown, Mayor

ATTEST:

Jocelyn Kwong, City Clerk

APPROVED AS TO FORM:

Daniel G. Sodergren, City Attorney

EXHIBIT A

Amend §1.22.025 as follows:

§1.22.025 Voluntary campaign contribution limitation.

A. No person shall make any contribution(s) to a candidate for the office of council member or mayor in a general election, cumulated with such person's contribution(s) to such candidate's-controlled committees, which exceed the cumulative amount of $1,000.00, nor shall any such contribution(s) which exceed the cumulative amount of $1,000.00 be accepted by any candidate or candidate's committee from any person.

B. No person shall make any contribution(s) to a candidate for the office of council member or mayor in a special election, cumulated with such person's contribution(s) to such candidate's-controlled committees, which exceed the cumulative amount of $1,000.00, nor shall any such contribution(s) which exceed the cumulative amount of $1,000.00 be accepted by any candidate or candidate's committee from any person.

C. The voluntary contribution limits stated in subsections A and B of this section shall not apply to contributions made or received in support of, or in opposition to, a ballot measure, nor shall said voluntary contribution limits apply to contributions made by a candidate to his or her own campaign.

D. A candidate may transfer non-surplus campaign funds from that candidate's-controlled committee to a campaign committee for elective city office controlled by the same candidate. Candidates may not redesignate a committee for one election for another election. Contributions transferred shall be attributed to specific contributors using a "last in, first out" or "first in, first out" accounting method, and these attributed contributions when aggregated with all other contributions from the same contributor shall not exceed the limits set forth in subsections A and B of this section. A committee transferring funds must designate in its records at the time of its first transfer whether it elects the "last in, first out" or a "first in, first out" method of accounting for the current and future transfers. This designation is irrevocable. Candidates and committees shall comply with the campaign finance requirements set forth in Section 18536 of Title 2 of the California Code of Regulations, as amended, except that references therein to state contribution limits shall be deemed to refer to the requirements of this chapter.

E. Notwithstanding the foregoing, it is acknowledged that the contribution limits of this chapter are voluntary, and candidates, candidates' committees and other persons must still adhere to the requirements of state law regarding state contribution limits.

Add a new §5.20.035 as follows:

§5.20.035 Family day care homes. The provisions of this title shall not apply to family day care homes, whether small or large, as defined in Cal. Health & Safety Code §§1597.30 et seq.

Amend §6.56.050 as follows:

§6.56.050 Termination of police service.

Violation of any of the following items may result in a fine or termination of police response to any alarm signal received by the police department and service may not be renewed until authorized by the chief of police, or designee.

A. False alarms.
   1. The following lists the allowable number of alarms within a specified time period, fines and the rules of violation:
      a. One false alarm in the prior 365-day period: no action;
      b. Second or third false alarm in prior 365-day period: fine as provided in Master Fee Schedule and attempt will be made to contact the business or residence advising of the existence of any alarm policy, ordinance and outlining expected remedial action;
      c. Fourth or more false alarms in any prior 365-day period: fine as provided in the Master Fee Schedule, and failure to pay will result in placement on a no-response list;
      d. Sites with repeated false alarms may result in no response by the police department if such business or residence fails to take adequate action to address proper system operation in the reasonable determination of the chief of police, or designee.
   2. The intentional activation of an alarm system by any person when an emergency situation does not exist. Such emergency situations are to include only those unlawful acts for which the alarm system was specifically designed to detect or to alert the police department. These alarms normally will be burglary, robbery, or intrusion alarms.

B. Exceptions.
   1. A 30-day adjustment period will be allowed to correct mechanical problems for any new, improved or replaced alarm system:
   2. If the user demonstrates to the satisfaction of the Chief of Police, or designee, that a false alarm was solely the result of conditions beyond the user's control and not the result of negligence by user or any of user's employees, and if the result of any defect in the alarm system that a diligent user neither knew nor should have known in the exercise of due care, such false alarm may be determined by the Chief of Police, or designee, not to be a false alarm as used in this section.

Amend §13.08.080 as follows:

§13.08.080 Dogs in public parks.

A. No owner of a dog shall permit such dog to be at large in any park and recreation facility except as provided in Section 7.16.010 of this code, this section, or Section 13.08.085 of this chapter.

B. No owner of a dog shall permit such dog, whether leashed or unleashed, to be in or upon:
   1. The fenced fields at the Ken Mercer Softball Complex, Val Vista Community Park, or Bernal Community Park; or
   2. Any tennis court, pickleball court, volleyball court (whether paved or sand), or bocce ball court.

C. Any dog, except a "dangerous dog" as defined in this section, may be at large in the designated dog exercise area of Muirwood Community Park, Cubby's Dog Park and any other dog exercise area as designated by the city council provided:
   1. The dog is under the control of a person in charge of the dog. For the purposes of this section, a dog is under the control of a person when the person is aware of the dog's conduct, and the dog immediately and directly returns to the person when called;
   2. The owner of the dog shall have a leash for the dog in the owner's possession; and

3. The number of dogs shall not exceed three per person in charge of the dogs. The person in charge of the dog shall remove immediately any feces left by the dog in the dog exercise area and dispose of such feces.

D. For purposes of this section, "dangerous dog" means:
   1. Any dog which has a known propensity, tendency or disposition to attack unprovoked, to cause injury, or to otherwise endanger the safety of any person or domestic animal or fowl; or
   2. Any dog which engages in, or is found to have been trained to engage in, exhibitions of dogfighting; or
   3. Any dog at large found to attack, menace, display threatening or aggressive behavior or otherwise threaten or endanger the safety of any person or domestic animal or fowl.

E. For purposes of this section, "dangerous dog" does not mean:
   1. Any dog assisting a peace officer engaged in law enforcement duties; or
   2. Any dog in a situation in which it is shown that the person or domestic animal or fowl which had been bitten, attacked, threatened or menaced had:
      a. Provoked, tormented, teased, or abused the dog into the behavior alleged, or
      b. Committed a willful trespass or other tort or crime upon the private property of the owner or person in control of the dog, or
      c. Threatened or committed an unprovoked assault or battery against the owner or person in control of the dog.

Amend §13.08.130 as follows:

§ 13.08.130 Alcoholic beverages.

No person shall drink, serve or provide any alcoholic beverage in any park and recreation facility, except in connection with an event or activity which has a written rental agreement with the city; where a renter may be required to hire a company with an appropriate Cal. Dept. of Alcohol Beverage Control license and obtain host liquor liability insurance as set forth in Facility Procedures and Rules, as may be amended.

Amend §18.08.010 as follows:

§18.08.010 City boards, commissions and officials.

A. City Boards and Commissions.
   1. "City" means the city of Pleasanton, Alameda County, California.
   2. "City council" and "council" mean the city council of the city of Pleasanton.
   3. "City planning commission," "planning commission" and "the commission" mean the planning commission duly appointed by the city council of the city of Pleasanton.

B. City Officials.
   1. "Building inspector" means the building inspector of the city of Pleasanton, or designee.
   2. "Chief of police" means the chief of police of the city of Pleasanton, or designee.
   3. "City attorney" means the city attorney of the city of Pleasanton, or designee.
   4. "City clerk" means the city clerk of the city of Pleasanton, or designee.
   5. "City engineer" means the city engineer of the city of Pleasanton, or designee.
   6. "Community development director" means the community development director of the city of Pleasanton, or designee.
   7. "Operations services director" means the public works director of the city of Pleasanton, or designee.

8. "Planning manager" means the planning manager of the city of Pleasanton, or designee.
9. "Public works director" means the public works director of the city of Pleasanton, or designee.
10. "Secretary" means the secretary of the city planning commission.
11. "Zoning administrator" means the zoning administrator of the city of Pleasanton, or designee.

Add a new §18.08.332 as follows:

§18.08.332 Low Barrier Navigation Center
"Low Barrier Navigation Center" means a low-barrier, service-enriched shelter that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing, with the objective of moving them into permanent housing. "Low Barrier" means best practices to reduce barriers to entry; accordingly, a low barrier navigation shelter may allow: (1) the presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth; (2) pets; (3) the storage of possessions. (4) privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms. A low barrier navigation center shall meet the requirements in Government Code Section 65662, as amended.

Add a new §18.08.507 as follows:

§18.08.507 Single Room Occupancy Unit
"Single Room Occupancy Unit" means one-room dwelling unit of at least 150 square feet, where the unit is occupied by a single individual or two persons living together as a domestic unit, and where the living and sleeping space are combined, in a building or buildings constructed or converted to such residential living. A single room occupancy unit is not required to contain a bathroom or a kitchen if common bathroom or kitchen facilities are provided on-site for residents at a single room occupancy unit facility. Common facilities for laundry may or may not be provided on the site of a single room occupancy unit facility.

Amend §18.08.552 as follows:

§18.08.552 Supportive housing.
"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing must meet the requirements of California Government Code §65651, as amended. (See California Health and Safety Code 50675.14(b)(2).)

Add a new §18.08.471 as follows:

§18.08.471 Residential Care facility
Residential care facility means a single-family dwelling or group residential facility licensed or supervised by a federal, state, or local health/welfare agency that provides 24-hour non-medical or medical care of unrelated persons who are disabled and in need of personal services, supervision, or assistance that is essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment.

Add a new §18.08.569 as follows:

§18.08.569 Transient occupancy
"Transient occupancy" means when a person is entitled to occupancy for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days.

Amend §18.36.030 as follows:

§18.36.030 Permitted uses.
The following uses shall be permitted in the RM multi-family residential districts:
A. One-family dwellings in which not more than two guest sleeping rooms may be used for lodging or boarding.
B. Multi-family dwellings.
C. Combinations of attached or detached dwellings, including duplexes, multi-family dwellings, dwelling groups, row houses and townhouses.
D. Nursing homes and senior care/assisted living facilities for not more than three patients.
E. Accessory structures and uses located on the same site as a permitted use and the following accessory structures and uses located on the same site with a permitted use or with a conditional use which has been granted a use permit in accord with the provisions of Chapter 18.124 of this title:
1. Emergency standby electricity generator, fuel cell, and/or battery facilities provided that the facilities shall be tested from 8:00 a.m. to 5:00 p.m. Monday through Friday or from 10:00 a.m. to 12:00 noon on Saturday or Sunday only; the facilities shall not be tested for more than one hour during any day, and no testing shall be on federal holidays or on "Spare the Air Days" in Alameda County;
2. Photovoltaic facilities.
F. Not more than two weaned household pets, excepting fish and caged birds.
G. Large and small family daycare homes.
H. Accessory dwelling or junior accessory dwelling units meeting the requirements in Chapter 18.106 of this title.
I. Employee housing (agricultural) that complies with California Health and Safety Code Sections 17008, 17021.5 and the other applicable provisions of the Employee Housing Act at California Health and Safety Code Section 17000 et seq., and to include a residential safety management plan.
J. Supportive housing, subject to the provisions of Chapter 18.107.
K. Transitional housing, subject to the provisions of Chapter 18.107.
L. Beekeeping meeting the requirements of Chapter 18.103 of this title.
M. Residential care facilities with up to 6 residents.
N. Low-barrier navigation center.

Add a new §18.36.035 as follows:

§18.36.035 Minor Conditional Uses.
A. Single room occupancy unit facilities with up to 10 single room occupancy units, in accordance with the regulations prescribed in Chapter 18.107 of this title.
B. Residential care facilities with more than 6 residents within an existing dwelling or group residential facility. Residential care facilities must meet the parking standards of 18.88.030(5).

Amend §18.36.040 as follows:

§18.36.040 Conditional uses.
The following conditional uses shall be permitted in the RM districts upon the granting of a use permit, in accord with the provisions of Chapter 18.124 of this title:
A. Charitable institutions.
B. Churches, convents, monasteries, parish houses, parsonages and other religious institutions.
C. Golf courses.
D. Hospitals and sanitariums, not including hospitals and sanitariums for mental, drug addict or liquor addict cases.
E. Lodging houses.
F. In the RM-1,500 district only, motels.
G. Nursery schools.
H. Private recreation parks and swim clubs.
I. Private schools, tutorial schools, and colleges, not including art, craft, music, dancing, business, professional or trade schools or colleges.
J. Private noncommercial clubs and lodges, not including hiring halls.
K. Public utility and public service facilities including pumping stations, power transmission stations, power distribution stations, equipment buildings, service yards, drainageways and structures, water reservoirs, percolation basins, well fields, and storage tanks. These facilities must be found by the planning commission to be necessary for the public health, safety, or welfare.
L. Trailer parks in accord with the regulations prescribed in Chapter 18.108 of this title.
M. Accessory structures and uses located on the same site as a conditional use and the following accessory structures and uses located on the same site as a permitted use or a conditional use that has been granted a use permit:

1. Small electricity generator facilities located on the same site as multi-family dwellings, a charitable institution, religious institution, golf course, hospital, sanitarium, lodging house, motel, nursery school, nursing home, senior care/assisted living facility, private recreation park, private swim club, private school, private noncommercial club, or public facility and that meet the following criteria:

a. The fuel source for the generators shall be natural gas, biodiesel, or the byproduct of an approved cogeneration or combined cycle facility;

b. The facilities shall use the best available control technology to reduce air pollution;

c. The facilities shall not create any objectionable odors at any point outside of the property plane where the facilities are located;

d. The facilities shall not exceed a noise level of 45 dBA at any point on any residentially zoned property outside of the property plane where the facilities are located;

e. On a site with fuel cell facilities, small electricity generator facilities shall not be permitted unless the aggregate wattage of the two facilities is less than one megawatt. If the aggregate wattage of the two facilities is one megawatt or greater, the small

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

f. The facilities shall be cogeneration or combined cycle facilities, if feasible;

2. Small fuel cell facilities that meet the following criteria:

a. The facilities shall not create any objectionable odors at any point outside of the property plane where the facilities are located;

b. The fuel cell facilities shall not exceed a noise level of 45 dBA at any point on any residentially zoned property outside of the property plane where the facilities are located; and

c. On a site with electricity generator facilities, small fuel cell facilities shall not be permitted unless the aggregate wattage of the two facilities is less than one megawatt. If the aggregate wattage of the two facilities is one megawatt or greater, the small fuel cell facilities shall be subject to all requirements and processes prescribed in this title for medium or large fuel cell facilities, whichever is the most applicable, in the subject zoning district;

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

N. Home occupations conducted in accord with the regulations prescribed in Chapter 18.104 of this title.

O. Small bed and breakfasts and bed and breakfast inns in accordance with provisions of Chapter 18.124 of this title.

P. Single room occupancy unit facilities with more than 10 single room occupancy units, in accordance with the regulations prescribed in Chapter 18.107 of this title.

Amend §18.88.030 as follows:

§ 18.88.030 Schedule of off-street parking space requirements.

A. Dwellings and Lodgings.

1. One-family dwelling units shall have at least two parking spaces.

2. Condominiums, community apartments and separately owned townhouses shall have at least two parking spaces per unit.

3. Apartment house parking requirements shall be computed as follows:

a. For apartments with two bedrooms or less, a minimum of two spaces shall be required for each of the first four units; one and one-half spaces for each additional unit.

b. For apartments with three or more bedrooms (or two bedrooms and a den convertible to a third bedroom), a minimum of two spaces per unit shall be required. Parking requirements for units having less than three bedrooms shall be computed separately from the requirements for units having three bedrooms or more and then added together.

c. Visitor parking, in a ratio of one parking space for each seven (1:7) units, shall be provided. All visitor parking spaces shall be clearly marked for this use. Visitor parking may be open or covered and does not count as part of the covered parking requirement described in subsection A4 of this section.

4. At least one space per dwelling unit of the off-street parking required in subsections (A)(1), (A)(2) and (A)(3) of this section shall be located in a garage or carport.

5. Motels, hotels, residential care facilities, lodging houses and private clubs providing guest sleeping accommodations shall have at least one space for each guest sleeping

room or for each two beds, whichever is greater, plus at least one space for each two employees.

6. Trailer parks shall have a minimum of one space for each unit, plus at least one additional space for each three units, none of which shall occupy area designated for access drives.

7. Small bed and breakfasts and bed and breakfast inns shall have at least one space for each guest sleeping room plus at least one space for each employee on maximum shift. In addition, at least two parking spaces, one of which must be covered, shall be provided for residents of small bed and breakfasts and bed and breakfast inns; the zoning administrator may require only one parking space, which may be uncovered, for a resident manager of a bed and breakfast inn.

8. Accessory dwelling units shall adhere to the parking requirements in Chapter 18.106.

9. Housing developments as defined in Chapter 18.101 of this title of this title shall comply with the parking requirements identified therein.

B. Offices, Commercial Uses and Places of Public Assembly in the C-N and C-R Districts.

1. C-N District. One space for each 180 square feet of gross floor area, plus 10 spaces in addition to spaces occupied by cars being serviced on the site of each service station, plus additional spaces for each open use as prescribed by the zoning administrator. For banks and other financial institutions (commercial banks, credit unions, and savings and loans)—one space for each 300 square feet of gross floor area, except for floor area used for storage.

2. C-R District. Parking requirements shall be established by the zoning administrator and/or planning commission on a case by case basis in accordance with the purposes of Chapter 18.20 of this title.

C. Office, Commercial and Industrial Uses not in the C-N or C-R District.

1. Food stores—one space for each 150 square feet of gross floor area.

2. Banks and other financial institutions (commercial banks, credit unions, and savings and loans)—one space for each 300 square feet of gross floor area, except floor area used for storage.

3. Massage establishments—two spaces for each massage technician, plus the requirements for supplementary uses.

4. Retail stores except food stores and stores handling only bulky merchandise; personal service establishments including barbershops and beauty shops, cleaning and laundry agencies, and similar enterprises— one space for each 300 square feet of gross floor area, except for floor area used exclusively for storage or truck loading.

5. Commercial service enterprises, repair shops, wholesale establishments, and retail stores which handle only bulky merchandise such as furniture, household appliances, machinery, and motor vehicles—one space for each 500 square feet of gross floor area, except for floor area used exclusively for storage or truck loading.

6. Public and private business and administrative offices, and technical services offices (including, but not limited to, accountants, architects, attorneys, engineers, insurance, real estate and similar professions)—one space for each 300 square feet of gross floor area.

7. Medical and dental offices (including, but not limited to, chiropractors, dentists, optometrists, physicians and similar professions)—one space for each 150 square feet of gross floor area, or six spaces for each doctor, whichever is greater.

8. Restaurants, bars, brew pubs, soda fountains, cafés and other establishments for the sale and consumption on the premises of food or beverages—one space for each three seats or each 200 square feet of gross floor area, whichever is greater.

9. Full service stations—10 spaces exclusive of work bays.

10. Self-service stations—one parking space and an additional parking space for each employee on the maximum shift.

11. Quick service stations—one parking space for each 500 square feet of gross floor area.

12. Full service car washes—two parking spaces for every three employees on the maximum shift. Self-service car washes—one parking space for each employee on the maximum shift.

Drive-through car washes located and operated with a full service or self-service service station or self-service car wash—no additional parking spaces are required.

13. Manufacturing plants and other industrial uses, warehouses, storage buildings, and storage facilities combined with commercial or industrial uses—one space for each employee on the maximum shift, or one space for each 300 square feet of gross floor area.

14. Open uses and commercial and industrial uses conducted primarily outside of buildings—one space for each employee on the maximum shift, plus the number of additional spaces prescribed by the zoning administrator.

15. Liquor stores—one space for each 150 square feet of gross floor area except for floor area used exclusively for storage and/or truck loading. For the purposes of this section, "liquor store" shall mean a business establishment the main function of which is the off-sale of liquor, wine and/or beer.

16. Veterinarians' offices and small animal hospitals—one space for each 250 square feet of gross floor area.

17. Convenience markets—one parking space for each 150 square feet of gross floor area. If less than 1,300 square feet in size and operated as an incidental use to a full service or self-service station, then one parking space shall be provided for each 400 feet of gross floor area.

18. Microbreweries—one parking space for each 300 square feet of gross floor area, plus one space for each person in tours greater than five persons.

19. Commercial basement storage for the public—one parking space per on-site storage employee and one parking space for storage customers. This parking requirement is in addition to the parking required for other uses on site.

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

1. Auditoriums, churches, private clubs and lodge halls, community centers, mortuaries, sports arenas and stadiums, theaters, auction establishments and other places of public assembly, including church, school and college auditoriums—one space for each six seats or one space for each 60 square feet of floor area usable for seating if seats are not fixed, in all facilities in which simultaneous use is probable as determined by the zoning administrator. Where subsection E of this section requires a greater number of spaces on the site of a church, school or college, that subsection shall apply and the requirements of this subsection shall be waived.

2. Bowling alleys and pool halls—five spaces for each alley; two spaces for each billiard or pool table.

3. Dance halls—one space for each 50 square feet of gross floor area used for dancing.

4. Homeless shelters—one parking space for every four beds plus one parking space for each employee on the largest shift, plus one parking space for each company vehicle.

5. Hospitals, sanitariums, nursing homes and charitable and religious institutions providing sleeping accommodations—two spaces for each three beds, one space for each two employees, and one space for each staff doctor.

6. Libraries, museums, art galleries and similar uses—one space for each 600 square feet of gross floor area and one space for each employee.

7. Post offices—one space for each 600 square feet of gross floor area and one space for each employee.

8. Cemeteries, columbariums and crematories—one space for each employee, plus the number of additional spaces prescribed by the zoning administrator.

9. Public buildings and grounds other than schools and administrative offices—one space for each employee, plus the number of additional spaces prescribed by the zoning administrator.

10. Public utility structures and installations—one space for each employee on the maximum shift, plus the number of additional spaces prescribed by the zoning administrator.

11. Bus depots, railroad stations and yards, airports and heliports, and other transportation and terminal facilities—one space for each employee, plus the number of additional spaces prescribed by the zoning administrator.

E. Educational Facilities.

1. Schools and colleges, including public, parochial and private elementary and high schools, kindergartens and nursery schools—one space for each employee, including teachers and administrators and one space for each four students in grade 10 or above. Where subsection (D)(1) of this section requires a greater number of spaces on the site of a school or college, subsection (D)(1) of this section shall apply and the requirements of this subsection (E)(1) shall be waived.

2. Business, professional trade, art, craft, music and dancing schools and colleges—one space for each employee, including teachers and administrators and one additional space for each two students 16 years or older.

F. Property Zoned C-C or O and in the Downtown Revitalization District.

1. All uses, with the exception of office uses on the ground floor of new buildings on sites with frontage on Main Street, shall provide parking or pay equivalent in lieu parking fees at the rate of one space for each 300 square feet of gross floor area. However, uses which have lower parking requirements as stated elsewhere in this section may provide parking or pay equivalent in lieu fees according to that lower standard.

2. Office uses on the ground floor of new buildings with frontage on Main Street shall provide parking or pay equivalent in lieu parking fees at the rate of one space for each 250 square feet of gross floor area. Such office uses which are established anytime within the first five years of the building's occupancy, including tenant spaces which convert from nonoffice to office use within the first five years of building occupancy, shall provide the additional parking or pay the in lieu fee based on the additional parking required for office use.

Amend Chapter 18.107 as follows:

Chapter 18.107 SUPPORTIVE HOUSING, AND TRANSITIONAL HOUSING, AND SINGLE ROOM OCCUPANCY UNIT FACILITIES

§18.107.010 Purposes.

The purpose of this chapter is to provide procedures and standards to encourage and facilitate the establishment of supportive housing transitional housing, and single room occupancy unit facilities.

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

§18.107.020 Applicability.

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

§18.107.030 Supportive housing—Permitting procedures and standards.

A. Supportive housing shall be considered a residential use for which only the restrictions that apply to other residential uses of the same type in the same zone shall be applied.
B. Supportive Housing with Six or Fewer Persons in a Dwelling Unit. Supportive housing that provides shelter for six or fewer persons in a dwelling unit shall be a permitted use in the A (agricultural), R-1 (one-family residential), RM (multi-family residential), C-C (central commercial), H-P-D (hillside planned development) and comparable PUD (planned unit development) zoning districts if the following development standards and regulations are met:
1. On-site or off-site services are provided to assist supportive housing residents in retaining housing, improving their health status, and maximizing their ability to live, and where possible, work in the community.
2. Off-street parking is provided in accordance with Chapter 18.88 (Off-Street Parking and Loading Regulations).
3. All new construction or conversion of existing structures complies with Chapter 18.20 (Design Review).
4. All other applicable provisions of this title are met.
C. Supportive Housing with More than Six Persons in a Dwelling Unit. Supportive housing that provides shelter for more than six persons in a dwelling unit shall be a permitted use in the RM (multi-family residential) zoning district if the following development standards and regulations are met:
1. On-site or off-site services are provided to assist supportive housing residents in retaining housing, improving their health status, and maximizing their ability to live, and where possible, work in the community.
2. Off-street parking is provided in accordance with Chapter 18.88 (Off-Street Parking and Loading Regulations).
3. All new construction or conversion of existing structures complies with Chapter 18.20 (Design Review).
4. All other applicable provisions of this title are met.
5. To calculate the maximum allowed residential density for group supportive housing the first six beds shall be deemed equivalent to one dwelling unit. Thereafter every three beds shall be deemed equivalent to one dwelling unit.
D. Supportive housing must meet the requirements of California Government Code Section §65651, as amended.

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

RM (multi-family residential) zoning district if the following development standards and regulations are met:

1. The housing is operated under specific program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at a predetermined future point in time which shall be no less than six months.
2. Off-street parking is provided in accordance with Chapter 18.88 (Off-Street Parking and Loading Regulations).
3. All new construction or conversion of existing structures complies with Chapter 18.20 (Design Review).
4. All other applicable provisions of this title are met.
5. To calculate the maximum allowed residential density for group transitional housing the first six beds shall be deemed equivalent to one dwelling unit. Thereafter every three beds shall be deemed equivalent to one dwelling unit.

§18.107.050 Single Room Occupancy Unit Facilities

A. Single room occupancy unit facilities are to be considered a residential use for which only the restrictions that apply to other residential uses of the same type in the same zone shall be applied.
B. Criteria in General. The following are the minimum criteria applicable to all new single room occupancy unit facilities:
    1. All single room occupancy unit facilities are subject to design review.
    2. Transient occupancy of the single room occupancy unit rooms shall not be allowed. Single room occupancy unit tenants shall not have an additional residential address other than the address of the single room occupancy unit facility in which the residential unit is located.
    3. Single room occupancy units within single room occupancy unit facilities shall be provided at rents affordable to households with lower incomes.
    4. Proximity to transit and alternative transportation modality shall be considered and encouraged in the siting of all single room occupancy unit facilities.
C. Small Single Room Occupancy Unit Facilities. The following additional criteria shall apply to single room occupancy unit facilities containing less than ten (10) single room occupancy units:
    1. Occupancy. single room occupancy units shall be occupied by no more than two (2) persons. No transient occupancy is allowed; single room occupancy unit shall be occupied as the primary residence of the tenant.
    2. Maximum Unit Size. No single room occupancy unit may exceed four hundred (400) square feet.
    3. Common Facilities. Small single room occupancy unit facilities shall provide individual or shared (common) bathing facilities, and shall provide individual or shared (common) kitchen facilities. Any and all common facilities shall be provided as fully accessible to the satisfaction of the building official.
    4. Laundry Facilities. Common laundry facilities shall be provided at a rate of not less than one (1) washer and one (1) dryer per single room occupancy unit facility, in addition to a laundry sink and folding area. The requirement for common on-site laundry facilities may be waived where it can be shown that a laundry facility open to the public is located within one-eighth (⅛) of a mile from the project site.
    5. Manager's Office or Unit. An on-site management office or manager's unit shall be provided. "House rules" shall be submitted as a part of the use permit application.
    6. Parking. Off-street parking shall be provided as set forth in Section 18.88.030

A(5) (Off-Street Parking). Secure bicycle parking is required.

7. Storage for Residents. Private, secured storage space of not less than fifty (50) cubic feet per resident shall be provided. Storage space may be provided in private closet(s) accessible from individual single room occupancy unit; and/or as individually locked areas accessible from a common room; and/or within a separate on-site storage structure. Where storage space is provided within a separate structure, such structure shall provide for separate, locking storage spaces for single room occupancy unit, and shall be of sufficient construction to protect stored items from weather.

D. Large Single Room Occupancy Unit Facilities. The following additional criteria apply to all single room occupancy unit facilities containing ten (10) or more single room occupancy unit:

1. Occupancy. single room occupancy unit shall be occupied by no more than two (2) persons. No transient occupancy is allowed; single room occupancy unit shall be occupied as the primary residence of the tenant.
2. Maximum Unit Size. No single room occupancy unit may exceed three hundred (300) square feet.
3. Common Facilities.

a. Kitchen. Within a large single room occupancy unit facility, no more than fifty percent (50%) of individual single room occupancy unit may be provided with kitchens or kitchenettes. At least one (1) common (shared) kitchen/dining area shall be provided within a large single room occupancy unit facility.
b. Bathrooms. Private bathroom facilities shall be provided within each single room occupancy unit, and must include, at a minimum, a toilet and wash basin. Bathtubs and/or shower facilities may be provided within individual rooms, or may be shared (common) facilities.
c. Accessibility. Any and all common facilities shall be provided as fully accessible, to the satisfaction of the building official.

4. Laundry Facilities. Common laundry areas shall be provided at a rate of not less than one (1) washer and one (1) dryer for the first ten (10) single room occupancy unit, with one (1) additional washer and one (1) additional dryer provided for every five (5) additional single room occupancy unit or fraction thereof.
5. Manager's Unit. An on-site, live-in manager's unit shall be provided. A management plan, including the proposed "house rules," shall be submitted as a part of the use permit application.
6. Parking. Parking for single room occupancy unit facilities shall be provided as set forth in Section 18.88.030 A(5) (Off-street Parking). Secure bicycle parking is required.
7. Storage for Residents. Private, secured storage space of not less than fifty (50) cubic feet per resident shall be provided. Storage space may be provided in private closet(s) accessible from individual single room occupancy unit; and/or as individually locked areas accessible from a common room; and/or within a separate on-site storage structure. Where storage space is provided within a separate structure, such structure shall provide for separate, locking storage spaces for each single room occupancy unit, and shall be of sufficient construction to protect stored items from weather.

Amend the Temporary Lodging section of Table 18.44.080 as follows:

	C N	C-C	CR (m)	CR (p)	C S	CF	O	I-P	I-G	MU-D	MU-T
Permitted and Conditional Uses											
TEMPORARY LODGING											
Bed and breakfast inns		C								C	MCUP
Guard's living quarters					C						
Homeless shelters[32]					C						
Hotels and motels		P		C		P				MCUP	
Low Barrier Navigation Center		P								P	P
Single-room occupancy unit facilities with up to ten units, and that meets the standards of Chapter 18.107										MCUP	MCUP
Single-room occupancy unit facilities with more than ten units, and that meets the standards of Chapter 18.107										CUP	CUP
Trailers and mobilehome parks in accordance with the regulations prescribed in Chapter 18.108 of this title					C	C					
Transitional and supportive housing that provides shelter for six or fewer persons in a		P[18]								P[18]	P

dwelling unit, and that meets the standards of Chapter 18.107											

Amend §18.86.060 as follows:

§18.86.060 Findings and decision.

A. Findings. The written decision regarding a request for reasonable accommodation will be consistent with the Fair Housing Laws and shall be based on consideration of the following factors:
   1. Whether the housing, which is the subject of the request, will be used by an individual disabled under the Fair Housing Laws.
   2. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Fair Housing Laws.
   3. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the city.
   4. Physical attributes of the property and structures.
   5. Alternative reasonable accommodations which may provide an equivalent level of benefit.

B. Conditions of Approval. In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by subsection A.

Amend §18.106.040 as follows:

§18.106.040 Standards for attached accessory dwelling units—Height limitations, setbacks, open space, and other regulations.

Attached accessory dwelling units shall meet the requirements in Section 18.106.060 of this chapter and the following requirements:

A. Attached accessory dwelling units shall not exceed 25 feet in height except when the accessory dwelling unit is the result of the conversion of existing space or accessory dwelling units are proposed as part of a new planned unit development. Except for an attached accessory dwelling unit that meets the Statewide Exemption Accessory Dwelling Unit Standards in Section 18.106.020, attached accessory dwelling units shall be subject to the minimum front, rear, and side yard requirements of the main structure as identified in Chapter 18.84, including requirements prescribed in Section 18.84.100. Only in instances when complying with the front yard setback for the main structure precludes an accessory dwelling unit shall the accessory dwelling unit be permitted to encroach into the front yard setback but this encroachment shall be limited only to the extent necessary to accommodate the accessory dwelling unit. No setbacks are required for a legally existing living area that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.

   Height of the attached accessory dwelling unit is measured vertically from the average elevation of the natural grade or finished grade, whichever is lower, of the ground covered by the accessory dwelling unit to the highest point of the structure including parapet or to the coping of a flat roof, to the deck line of a mansard roof, or to the mean height between eaves and ridges for a hip, gable, or gambrel roof. Accessory dwelling units are limited to two stories. An accessory dwelling unit proposed on the second story shall not exceed 25

feet in height and shall meet the objective standards for second-story accessory dwelling units identified in Section 18.106.060(C)(2).

B. The gross floor area of an attached accessory dwelling unit shall not exceed 50 percent of the gross floor area of the existing main dwelling unit, with a maximum increase in floor area of 850 square feet if the accessory dwelling unit is a studio or one-bedroom unit or 1,000 square feet if the accessory dwelling unit is two or more bedrooms. Accessory dwelling units that result from conversion of existing space may exceed these size limits. The gross floor area of the existing main dwelling unit is to be calculated based on the size of the unit prior to the accessory dwelling unit/conversion. In no case shall this requirement necessitate an accessory dwelling unit to be less than: (1) a 150 square foot efficiency unit; (2) 850 square feet if the accessory dwelling unit is a studio or one-bedroom unit; or (3) 1,000 square feet if the accessory dwelling unit is two or more bedrooms.

C. An accessory dwelling unit that does not meet all of the Statewide Exemption Accessory Dwelling Unit Standards defined in Section 18.106.020 shall comply with applicable floor area ratio maximums, minimum open space requirements, and any other applicable development regulations established by this section and the zoning district or planned unit development in which the property is located.

D. Except as modified by this chapter, all other regulations embodied in the zoning of the property for main dwellings shall apply to the development of attached accessory dwelling units.

Amend §18.106.045 as follows:

§18.106.045 Standards for detached accessory dwelling units—Height limitations, setbacks, open space, and other regulations.

Detached accessory dwelling units shall meet the requirements in Section 18.106.060 of this chapter and the following requirements:

A. Detached accessory dwelling units shall not exceed 16 feet in height, except that: (1) an accessory dwelling unit that is the result of the conversion of an existing accessory structure may retain the height of the accessory structure even if the structure is greater than 16 feet; and (2) detached accessory structures greater than 16 feet in height may be proposed as part of a new planned unit development. Height for all detached accessory dwelling units is measured from the lowest grade adjacent to the structure to the highest ridge or top of the structure; (3) a detached accessory dwelling unit on an existing or proposed single-family or multi-family dwelling unit that is within one-half mile walking distance of a major transit stop or high quality transit corridor, as defined in Section 21155 of the Public Resources Code shall not exceed 18 feet in height plus an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit; and (4) a detached accessory dwelling unit on a lot with an existing or proposed multi-family multi-story dwelling shall not exceed 18 feet in height.

B. All detached accessory dwelling units shall be located a minimum of four feet from side and rear property lines, except in the case where an accessory dwelling unit exceeds 800 square feet, a 10-foot street side setback is required for corner lots. Only in instances when complying with the front yard setback precludes a Statewide Exemption Accessory Dwelling unit can an encroachment into the front yard setback be permitted and shall be limited only to the extent necessary to accommodate a Statewide Exemption Accessory Dwelling Unit. Where a detached accessory dwelling unit, or a portion thereof, would be constructed in exactly the same location and to exactly the same dimensions as a legal accessory structure, or is the result of the conversion of an existing accessory structure,

the accessory dwelling unit may maintain the same setbacks as the existing structure, with no minimum setback required.

C. The gross floor area of a detached accessory dwelling unit shall not exceed 850 square feet if the accessory dwelling unit is a studio or one-bedroom unit or 1,000 square feet if the accessory dwelling unit is two or more bedrooms, except where such unit results from conversion of an existing accessory building, in which case it may exceed these size limits.

D. An accessory dwelling unit that does not meet all of the Statewide Exemption Accessory Dwelling Unit Standards defined in Section 18.106.020 shall comply with applicable floor area ratio maximums, minimum open space requirements, and any other applicable development regulations established by this section and the zoning district or planned unit development in which the property is located.

E. Except as modified by this chapter, all other regulations embodied in the zoning of the property for class I accessory structures shall apply to the development of detached accessory dwelling units on one-family residential lots and multi-family residential lots.

Amend §18.106.060 as follows:

§18.106.060 Required standards for all accessory dwelling units.

All accessory dwelling units shall meet the following standards:

A. Only one other residential unit shall be permitted on a lot with an accessory dwelling unit. The owner may rent both the primary residential unit and the accessory dwelling unit together to one party who may not further sublease any unit(s) or portion(s) thereof. The owner may rent the accessory dwelling unit to one party. The rental period shall be 30 days or longer. The owner shall be a signatory to any lease for the rented unit, for which the city may reasonably require a copy of to verify compliance with this chapter, and shall be the applicant for any permit issued under this chapter.

B. The accessory dwelling unit shall not be sold or held under a different legal ownership than the primary residence; nor shall the lot containing the accessory dwelling unit be subdivided.

C. In addition to the other requirements of this chapter, the following objective standards shall apply to accessory dwelling units:

1. Accessory dwelling units shall incorporate the following:

a. Architecture of an accessory dwelling unit shall match the existing architectural style of the primary residence with the use of the following building elements to the maximum extent feasible:

i. Use of the same wall material or wall, or wall material that visually appears the same as the existing primary residence, including color and texture;

ii. Use of same trim material and trim style;

iii. Use of same roof form, roofing material and roof slope to the maximum extent feasible;

iv. Use of the same window size, proportion, operation, recess or reveal, divided light pattern, and spacing distance between placement of windows;

v. Use of same railing design and material.

b. A solid fence at least six feet in height and vegetative screening/plantings of species with a mature height of at least 10 feet in height shall be located or constructed along interior side and rear property lines adjacent to the accessory dwelling unit if the accessory dwelling unit is located less than 10 feet from respective property lines. On a corner property, if the accessory dwelling unit is located less than 10 feet from respective property lines, a solid fence at least six feet in height or vegetative screening/plantings of a species with a mature height of at least 10 feet shall be located in the area between the

accessory dwelling unit and the street side property line, and both a solid fence at least six feet in height and vegetative screening/planting of a species with a mature height of at least 10 feet shall be located in the area between the accessory dwelling unit and the rear property line. In no instance shall solid fencing be required in planned unit developments where open fencing is otherwise required. In no instance shall the provisions of this subsection conflict with the fence requirements identified in Chapter 18.84 of this title.

c. Exterior lighting shall be shielded, directed downward, and located only at exterior doors and if applicable, along the path of travel from the public right-of-way.

d. To the maximum extent feasible, mechanical equipment and plumbing, conduit, or cabling for utilities is not permitted on the exterior walls of the accessory dwelling unit. This requirement does not apply to meters, electrical panels, and solar installations.

2. The following standards apply to accessory dwelling units proposed as a second-story accessory dwelling unit that is consistent with this chapter:

a. Any exterior stairway proposed to serve the accessory dwelling unit shall not be visible from the public right-of-way on the frontage abutting the front yard upon completion of the construction of the accessory dwelling unit. Where the project includes planting of vegetation for screening an exterior stairway, the assessment of visibility may take into account the mature height of vegetation that has been planted but has not yet reached full maturity at completion of construction.

b. All new windows may be operable, but at least one of the following measures must be implemented for new second-story windows in an accessory dwelling unit that are 25 feet or less from a property line: (1) the proposed window of the accessory dwelling unit is positioned such that the window sill is at least five feet above finished floor; or (2) the proposed window of the accessory dwelling unit utilizes frosted or obscured glass in the glazing portion of the window.

As used in this section, frosted or obscure glass is glass which is patterned or textured such that objects, shapes, and patterns beyond the glass are not easily distinguishable.

3. No balconies or upper-story decks shall be allowed for an accessory dwelling unit, except for decorative/faux balconies without decks that match the primary dwelling structure.

4. If garage space is converted to an accessory dwelling unit, at the option of the property owner, the existing garage door(s) may either be left in place, or removed and infilled such that the wall appears integrated with rest of the home, with the same exterior wall material, building color, and trim as the primary dwelling structure.

5. With the objective of retaining the appearance of a one-family residence, the entry door to an attached accessory dwelling unit proposed on a property with a one-family development shall be located on a different façade than the door to the primary residence.

6. Additions to accessory structures of 150 square feet or less beyond the existing physical dimensions to accommodate ingress/egress to an accessory dwelling unit are allowed. Additions to accessory structures greater than 150 square feet necessitate that the proposed accessory dwelling unit meet the maximum size required by Section 18.106.045.

7. The following parking standards apply to accessory dwelling units:

a. One additional off-street parking space on the lot shall be made continuously available to the occupants of the accessory dwelling unit. Required parking may be provided as tandem, or may be located in setbacks, but not in the front yard setback unless on the driveway.

b. When a garage, carport, or covered parking structure is demolished in conjunction with construction of an accessory dwelling unit or is converted to an accessory dwelling unit, those offstreet parking spaces are not required to be replaced.

c. Parking for an accessory dwelling unit shall not be required if the accessory dwelling unit is:

i. Located within one-half mile of public transit.
ii. Located within an architecturally and historically significant historic district.
iii. Located in part of an existing primary residence or an existing accessory structure.
iv. Located in an area requiring on-street parking permits, but not offered to the occupant of the accessory dwelling unit; or
v. Located within one block of a car share vehicle.
vi. Constructed with a new single- or multifamily dwelling unit on the same lot, provided the accessory dwelling unit or the parcel satisfies all other development and parcel criteria.

d. Parking shall not be required if the city finds that parking is not feasible due to site topography or would create fire or life-safety conditions.

8. The square footage of the primary residence and accessory dwelling unit(s) combined cannot exceed the maximum floor area ratio requirement for the lot, except that the maximum floor area ratio may not reduce the square footage of an accessory dwelling unit to less than 800 square feet if the accessory dwelling unit is 16 feet or less in height and located at least four feet from side and rear property lines.

9. The accessory dwelling unit shall have access to at least 80 square feet of open space on the lot, except that this open space requirement may not reduce the square footage of an accessory dwelling unit to less than 800 square feet if the accessory dwelling unit is 16 feet or less in height and located at least four feet from side and rear property lines.

D. The resident owner shall install address signs that are clearly visible from the street during both daytime and evening hours and which plainly indicate that two separate units exist on the lot, as required by the fire marshal. The resident owner shall obtain the new street address for the accessory dwelling unit from the engineering department.

E. Adequate roadways, public utilities and services shall be available to serve the accessory dwelling unit. Accessory dwelling units shall not be considered new residential uses for the purposes of calculating connection fees or capacity charges for sewer and water. Installation of a separate direct connection between an accessory dwelling unit contained within an existing structure and the utility shall not be required. Accessory dwelling units not within an existing structure shall be required to install a new or separate utility connection and be charged a connection fee and/or capacity charge. These charges shall be proportionate to the burden imposed by the accessory dwelling unit on the water or sewer system based upon either its size or number of plumbing fixtures as determined by the city.

F. The owner of the lot on which an accessory dwelling unit is located shall participate in the city's monitoring program to determine rent levels of the accessory dwelling units being rented.

G. The accessory dwelling unit shall not create an adverse impact on any real property that is listed in the California Register of Historical Resources.

H. The accessory dwelling unit shall comply with other zoning and building requirements generally applicable to residential construction in the applicable zone where the property is located.

I. A restrictive covenant shall be recorded against the lot containing the accessory dwelling unit with the Alameda County recorder's office prior to the issuance of a building permit from the building division stating that:

The property contains an approved accessory dwelling unit pursuant to Chapter 18.106 of the Pleasanton Municipal Code and is subject to the restrictions and regulations set forth in that chapter. These restrictions and regulations generally address subdivision and development prohibitions, lease requirements, limitations on the size of the accessory

dwelling unit, parking requirements, and participation in the city's monitoring program to determine rent levels of the accessory dwelling units being rented. Current restrictions and regulations may be obtained from the city of Pleasanton planning division. These restrictions and regulations shall be binding upon any successor in ownership of the property.

Amend §18.82.040 as follows:

§ 18.82.040 Permitting procedures and standards.

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

1. The application for a zoning certificate for a homeless shelter shall be submitted to the planning division and shall include:

a. Plot plan (drawn to scale) showing the dimensions of the lot on which the homeless shelter will be located; the location and dimension of setbacks of all existing and proposed structures on the proposed site; all easements; building envelopes; and parking for the project site; and

b. Floor plans of the entire structure or structures with each room dimensioned, the resulting floor area calculated for each room, and calculation of the total floor area. The use of each room shall be identified; and

c. A homeless shelter management plan as required in subsection B of this section; and

d. Any additional drawings or statements demonstrating compliance with the standards required by subsection B of this section.

2. The zoning certificate shall document compliance of the homeless shelter with this chapter and shall be kept on file in the community development department for the duration of the operation of the homeless shelter.

B. Required Standards for Homeless Shelters.

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

2. Maximum Number of Beds. A homeless shelter shall contain a maximum of 50 beds to provide overnight accommodation for a maximum of 50 persons. In addition a homeless shelter shall not exceed a ratio of one bed for each 400 square feet of lot area.

3. Off-Street Parking. A homeless shelter shall provide one parking space for each employee. Otherwise off-street parking shall comply with all applicable provisions of Chapter 18.88 of this title.

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

5. Concentration of Use. A proposed shelter must be at least 250 feet from any other homeless shelter, however the maximum distance required between shelters may not exceed 300 feet.

6. Exterior and Interior Client Areas and Facilities.

a. The following facilities are required:

i. A waiting and client intake area of not less than 10 square feet per bed;

ii. A lockable storage facility for each resident;

iii. Separate toilets and bathing facilities for men and women, unless shelter is limited to only one sex;

iv. Central kitchen and dining room.

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

i. Recreation room;
ii. Counseling center;
iii. Childcare facilities;
iv. Other support services;
v. Administrative office for staff;
vi. If outdoor designated smoking area is provided it must be compliant with city smoking regulations pursuant to Chapter 9.24 and not visible from a public street;
vii. Outdoor activity areas, provided they are separate from any designated smoking area and not visible from a public street.

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

8. Provision of On-Site Management and Security. On-site management and on-site security shall be provided during the hours when the homeless shelter is in operation. The operator shall provide to the city (on an ongoing basis) a name and 24-hour contact telephone number for the person responsible for the facility.

9. Noise. The use shall be conducted in compliance with the city noise regulations pursuant to Chapter 9.04.

10. Lighting. For security purposes the use shall comply with the minimum lighting requirements for commercial buildings as provided in Chapter 20.36, and to the provisions of Section 18.44.070(D).

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

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

Amend Chapter 18.144 as follows:

Chapter 18.144 APPEALS

§18.144.010 City council review.

The city council may elect to review an action of the planning commission or zoning administrator at the later of:

A. Within 15 days following such action if any member of the city council advises the city clerk in writing that such member wants a review of the action to be brought before the city council; or
B. At its next regular meeting where the action is listed on the agenda as an Action of the Zoning Administrator and Planning Commission, a majority of the city council may vote to review such action, or an individual member of the city council may state that such individual elects to have the council review such action.

C. Upon any such election for review of an action, a public hearing shall be held by the council. The hearing shall be set and notice given as prescribed in Section 18.12.040 of this title.

§18.144.020 Appeal to planning commission or city council.
Where this title provides for an appeal of a decision of the zoning administrator, the building inspector, or the planning commission, the appeal shall be filed within 15 days of the date of the decision being appealed and shall be filed with the city clerk. The appeal shall be made on a form provided by the city clerk and shall state specifically the basis for the appeal.

§18.144.030 Public hearing on appeal.
The body designated by this chapter to hear an appeal shall hold at least one public hearing within 40 days of the date when the appeal was filed. The hearing shall be set and notice given as prescribed in Section 18.12.040 of this title. The hearing shall be de novo, and the decision-making body may uphold, deny, condition or modify a condition of the application on appeal.

§18.144.040 Action on appeal.
Within 40 days following the closing of a public hearing on an appeal, the body hearing the appeal shall render its decision. A decision by the zoning administrator or the planning commission shall become final 15 days after it is made, unless appealed by an interested party or reviewed by the city council; and a decision by the city council shall be final immediately after it is made.

A. Findings. The decision-making body shall hear all evidence presented and shall make findings supporting its decision.

§18.144.050 Procedure for administrative appeal to planning commission.
An appeal may be made to the planning commission by any interested party of any administrative determination or interpretation made by: (1) the zoning administrator; or (2) the building inspector under this title.

A. An appeal shall be made on a form prescribed by the community development department and shall be filed with the city clerk.
B. The public hearing on the appeal shall be scheduled as provided in Section 18.144.030, unless the appellant consents to an extension of time.
    a. If the party that is the subject of the administrative determination or interpretation is different than the appellant, such party must also consent to such extension of time.
C. The planning commission's hearing on the appeal shall be de novo. The planning commission may affirm, condition or modify condition(s), or reverse any administrative determination or interpretation from which appeal is made, and in making its decision shall be guided by the objectives of this title.
    a. The decision of the planning commission shall be rendered within 30 days after the close of the public hearing on the appeal, unless the applicant shall consent to an extension of time.
        i. If the party that is the subject of the administrative determination or interpretation is different than the appellant, such party must also consent to such extension of time.
    b. A decision of the planning commission may be appealed to the city council by any interested party within 15 days of the date of the decision or, in the

c. event no decision is rendered, within 15 days following the time period prescribed for a decision by the commission.
d. A decision of the planning commission may be reviewed by the city council as provided in Section 18.144.010.

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