



**CITY OF SALINAS
COUNCIL STAFF REPORT**

DATE: OCTOBER 22, 2019

DEPARTMENT: COMMUNITY DEVELOPMENT DEPARTMENT -

FROM: MEGAN HUNTER, COMMUNITY DEVELOPMENT DIRECTOR

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TITLE: ZONING CODE AMENDMENTS 2019-002, 2019-003, 2019-004, 2019-005, AND 2019-006; AMEND THE ZONING CODE CONCERNING EMPLOYEE HOUSING, HOUSING IN PUBLIC/SEMIPUBLIC (PS) DISTRICTS, PARCEL MAPS IN THE FUTURE GROWTH AREA, REPLACEMENT PARKING FOR ACCESSORY DWELLING UNITS IN THE FRONT YARD SETBACK, AND INCREASING DRIVEWAY WIDTH FOR SINGLE FAMILY DWELLING UNITS

RECOMMENDED MOTION:

A motion to adopt the attached Ordinances amending various provisions of Chapter 37 of the Salinas Municipal Code (Zoning Code).

RECOMMENDATION:

Staff recommends that the City Council find Zoning Code Amendments 2019-002, 2019-003, 2019-004, 2019-005, and 2019-006 exempt from the California Environmental Quality Act (CEQA) pursuant to a Class 5 Categorical Exemption and affirm the findings and adopt the attached Ordinances.

EXECUTIVE SUMMARY:

Chapter 37, Article VI, Division 14 provides for a process whereby Zoning Code Amendments are brought before the City Council for approval. Staff is bringing to the City Council a recommendation of five (5) Zoning Code Amendments to facilitate housing production and conform with applicable State of California regulations. The proposed five (5) Zoning Code Amendments are described below:

1. Zoning Code Amendment 2019-002 (ZCA 2019-002); amend Zoning Code Sections 37-10.290, 37-10.300, 37-10.330, 37-10.360, 37-30.020, 37-30.060, 37-30.110, and 37-50.075 concerning small and medium employee housing in Residential Low Density (R-L) and Residential Medium Density (R-M) districts;
2. Zoning Code Amendment 2019-003 (ZCA 2019-003); amend Zoning Code Section 37-30.390, Table 37-30.170 to allow residential uses in the PS District subject to

- approval of a Conditional Use Permit;
3. Zoning Code Amendment 2019-004 (ZCA 2019-004); amend Zoning Code Section 37-30.420 to allow up to a four (4) lot subdivision in the Future Growth Area (FGA) prior to Specific Plan adoption;
 4. Zoning Code Amendment 2019-005 (ZCA 2019-005); amend Zoning Code Sections 37-50.250 and 37-50.350 to allow front yard setback replacement parking for Accessory Dwelling Units (ADU) pursuant to State of California regulations; and
 5. Zoning Code Amendment 2019-006 (ZCA 2019-006); amend various portions of the Zoning Code concerning driveway width increase, subject to approval of a Conditional Use Permit (CUP).

The proposed amendments will not have the effect of reversing policies of the Salinas General Plan, but will facilitate housing production in the City of Salinas.

DISCUSSION:

Analysis:

The following provides a summary for each of the proposed five (5) Zoning Code Amendment applications:

Zoning Code Amendment 2019-002:

Zoning Code Amendment 2019-002 concerns small and medium employee housing in Residential Low Density (R-L) and Residential Medium Density (R-M) districts. Both the Salinas Plan and Farmworker Housing Study and Action Plan of the Salinas Valley and Pajaro Valley, stress the need for an immediate solution to provide safe, decent housing for both employee and emergency housing. To address these issues, the City Council directed staff to prepare code amendments for the City Council's consideration. The Mayor of Salinas convened a stakeholder group of agricultural labor contractors, growers, and housing advocates to provide continued guidance on draft legislation to clarify small project employee housing regulations and to allow medium project employee housing in the Residential Low (RL) and the Residential Medium (RM) Zoning Districts to expand employee housing while preserving neighborhood character.

Zoning Code Amendment 2019-003:

Zoning Code Amendment 2019-003 would amend Zoning Code Section 37-30.390, Table 37-30.170, to allow residential uses to be located in the Public/Semipublic (PS) District with a Conditional Use Permit (CUP). Currently, the only residential uses allowed in the PS District are Disaster Shelters and Emergency Shelter, Type A as permitted uses, and Emergency Shelter, Type B, which are subject to approval of a CUP. This Zoning Code Amendment would facilitate housing production in the PS District, similar to those allowed in Residential Medium Density (R-M-2.9) Districts.

Public/Semipublic (PS) zoned properties are located throughout the City of Salinas. Per the attached map, there are 222 PS zoned properties throughout the City of Salinas. Many PS zoned properties are owned by the City of Salinas. Other PS zoned properties are owned by the County of Monterey, School Districts, and Cemeteries. The types of uses located on PS zoned properties include but are not limited to: Government Offices, Schools, Hospitals, Libraries, Religious Assembly, Cemeteries, and the Salinas Municipal Airport. Per Zoning Code Section 37-30.390, Table 37-30.170, most uses that are allowed in the PS District require consideration through the CUP process.

Currently, there is a housing shortage in both the State of California and the City of Salinas. One of the reasons for the shortage of housing in the City of Salinas is the lack of available land for residential development. The additional residential units could include affordable housing, transitional housing, and workforce units.

Allowing residential development in the PS District would comply with General Plan Policies LU-2.1 by maintaining a compact City form and with L-U-2.4 by utilizing well-designed in-fill development. Requiring a CUP for new residential development in the PS District would be consistent with the requirement for most other types of allowed development in this District. Due to safety concerns, residential development shall not be permitted on any property that is zoned Public/Semipublic and located within the Airport Overlay District.

Zoning Code Amendment 2019-004:

Zoning Code Amendment 2019-004 would allow for a Parcel Map subdivision (no more than four lots) to be considered in the North of Boronda Future Growth Area (FGA) prior to the adoption of a Specific Plan. Per Zoning Code Section 37-30.420, all properties in a future growth area shall be subject to the preparation of a Specific Plan in accordance with Article IV, Division 2: Specific Plan (SP) Overlay District, Article VI, Division 15: Specific Plans of the Zoning Code. Per Zoning Code Section 37-10.280, a portion of the definition for “Development” is stated as:

- A. Any subdivision pursuant to the Subdivision Map Act except where the land division is brought about in connection with the purchase of the land by a public agency; or
- B. The division of the parcel into two or more parcels is defined as such.

Because a Parcel Map is defined as “Development” by the Zoning Code, an approved Specific Plan covering the project site, pursuant to Zoning Code Section 37-30.420, would be required prior to the approval of a subdivision in the FGA.

Currently, no Specific Plan has been approved for the Central Area Specific Plan (CASP) portion of the FGA. Staff has received an application for a Parcel Map requesting approval to subdivide an approximately 186.94-acre lot located in the CASP into three (3) separate lots consisting of 43.43, 66.56, and 76.95 acres each with no proposed physical improvements. The proposed Parcel Map would subdivide the property for financing purposes only and no physical improvements are proposed or will be permitted.

Staff is recommending to amend Zoning Code Section 37-30.420 to allow Parcel Map subdivisions to be approved in the North of Boronda Future Growth Area prior to Specific Plan adoption pursuant to the Zoning Code and the Subdivision Ordinance and if no physical improvements are proposed on-site. For more information, refer to the attached draft Ordinance.

Zoning Code Amendment 2019-005:

Zoning Code Amendment 2019-005 amends Zoning Code Sections 37-50.250 and 37-50.350 to allow front yard setback replacement parking for Accessory Dwelling Units (ADU) pursuant to State of California regulations. The state of California legislature has pre-empted local authority with regard to prohibiting placement of required parking in the front yard setback in cases of replacement parking tied to an ADU conversion of a garage. ADU regulations are very fluid in the State of California and additional changes are expected in the future.

Zoning Code Amendment 2019-006:

Zoning Code Amendment 2019-006 amends various portions of the Zoning Code concerning driveway width increase, subject to approval of a Conditional Use Permit (CUP). Driveway width increases of up to ten feet could be considered on single family dwelling unit sites for driveways located on the opposite side of the front door of the dwelling unit. Due to the shortage of housing supply and high costs, dwelling units tend to be overcrowded in Salinas. This impact is reflected in the shortage of street parking resulting in residents parking illegally such as on front lawns and on sidewalks. The purpose of this amendment is to provide additional space to safely park without impacting neighborhood character.

Planning Commission Review:

On October 2, 2019, after public review and comment, the Planning Commission voted 6-0 to adopt the attached Planning Commission Resolutions 2019-09, 2019-10, 2019-11, 2019-12, and 2019-13 recommending that the City Council introduce and then adopt the accompanying Ordinances amending various provisions of Chapter 37 of the Salinas Municipal Code (Zoning Code).

CEQA CONSIDERATION:

The environmental impacts of the each of the Amendments have been analyzed in accordance with the California Environmental Quality Act (CEQA). The five (5) Zoning Code Amendments are categorically exempt (Class 5) from further environmental analysis per CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations). The five (5) Zoning Code Amendments are also categorically exempt from CEQA pursuant to Guidelines Section 15061(b)(3). This exemption is allowed when the activity, in this case the recommendation of adoption of Ordinances, does not have the potential for causing a significant effect on the environment. The Ordinances allow for employee housing, residential uses in the Public/Semipublic (PS) District, Parcel Maps in the Future Growth Area, replacement parking for Accessory Dwelling Units (ADU), and modify driveway width and therefore, will not have a significant effect on the

environment. The proposed Zoning Code Amendments are a legislative act and are not subject to the Permit Streamlining Act (PSA).

STRATEGIC PLAN INITIATIVE:

The proposed Zoning Code Amendments will assist the City Council’s goal of Economic Diversity and Prosperity and Well Planned City and Excellent Infrastructure by facilitating housing production, allowing for the subdivision of land in the North of Boronda Future Growth Area, and updating the City’s Accessory Dwelling Unit regulations in conformance with State regulations.

DEPARTMENTAL COORDINATION:

The Current Planning Division of the Community Development Department was the lead project manager for the proposed Zoning Code Amendments. The Legal Department was instrumental in the review of the original Ordinances and provided support to the Planning Commission. The Development Review Committee (DRC) comprised of the Permit Services Division (Building), Public Works (Development Engineering), and Fire Department (Fire Prevention) provided feedback. On October 2, 2019, the CDBG and Housing Committee of City Council reviewed the five (5) proposed ordinances and recommended approval.

FISCAL AND SUSTAINABILITY IMPACT:

No significant impacts to the City’s General Fund are anticipated with the application.

ATTACHMENTS:

- Draft Ordinances for:
 - Zoning Code Amendment 2019-002 – Employee Housing
 - Zoning Code Amendment 2019-003 – Housing in PS Districts
 - Zoning Code Amendment 2019-004 – Parcel Maps in FGA
 - Zoning Code Amendment 2019-005 – ADU Replacement Parking
 - Zoning Code Amendment 2019-006 – Modify Driveway Width
- Planning Commission Staff Report - October 2, 2019 w/o Exhibits
- Planning Commission Resolution for Zoning Code Amendment 2019-002 (Employee Housing)
- Planning Commission Resolution Zoning Code Amendment 2019-003 (Housing in PS Districts)
- Planning Commission Resolution for Zoning Code Amendment 2019-004 (Parcel Maps in FGA)
- Planning Commission Resolution for Zoning Code Amendment 2019-005 (ADU Replacement Parking)
- Planning Commission Resolution for Zoning Code Amendment 2019-006 (Driveway Width Modification)
- Map of Public/Semipublic Zoned Properties
- Map of Public/Semipublic Zoned Properties with Airport Overlay District