



City of Sonoma Planning Commission **AGENDA**

Regular Meeting of April 10, 2014 -- 6:30 PM
Community Meeting Room, 177 First Street West
Sonoma, CA 95476

Meeting Length: No new items will be heard by the Planning Commission after 10:30 PM, unless the Commission, by majority vote, specifically decides to continue reviewing items. If an item is not heard due to the length of the meeting, the Commission will attempt to schedule a special meeting for the following week. If a special meeting is necessary, potential dates will be established at the close of this meeting, and a date set as soon as possible thereafter.

CALL TO ORDER – Chair, Chip Roberson

Commissioners: Gary Edwards
Robert Felder
Mark Heneveld
Matt Howarth
Mathew Tippell
Bill Willers
James Cribb (Alternate)

*Be Courteous - **TURN OFF** your cell phones and pagers while the meeting is in session.*

PLEDGE OF ALLEGIANCE

COMMENTS FROM THE PUBLIC: Presentations by audience members on items not appearing on the agenda.

MINUTES: Minutes from the meeting of March 13, 2014.

CORRESPONDENCE

ITEM #1 – PUBLIC HEARING

REQUEST:

Consideration of an Exception to the fence height standards for an entry trellis and gate.

Applicant/Property Owner:

Sidney and Ellen Hoover

Staff: Rob Gjestland

Project Location:

663 Second Street East

General Plan Designation:

Low Density Residential (LR)

Zoning:

Planning Area: Central-East Area

Base: Low Density Residential (R-L)

Overlay: Historic (/H)

RECOMMENDED ACTION:

Approve with conditions.

CEQA Status:

Categorically Exempt

ITEM #2 – PUBLIC HEARING

ISSUE:

Consideration of amendments to Title 19 of the Sonoma Municipal Code that would establish definitions and regulations pertaining to wine tasting facilities and wine bars/taprooms.

Staff: David Goodison

RECOMMENDED ACTION:

Review and provide recommendation to City Council.

CEQA Status:

Not applicable.

ITEM #3 – STUDY SESSION

ISSUE:

Update of the Housing Element and the Circulation Element of the General Plan.

Staff: David Goodison

RECOMMENDED ACTION:

Discuss and provide direction.

CEQA Status:

Not applicable

ITEM #4 – PUBLIC HEARING

RECOMMENDED ACTION:

ISSUE:

Consideration of amendments to Title 19 of the Sonoma Municipal Code to: 1) clarify provisions related to density bonuses and inclusionary housing; 2) modify provisions pertaining to use permit requirements for emergency shelters in the “P” zoning district; 3) establish a definition for “Agricultural Employee Housing”; and, 4) allow for residential care facilities in the Mixed Use zone.

Review and provide recommendation to City Council.

CEQA Status:

Not applicable

Staff: David Goodison

ITEM #5 – STUDY SESSION

RECOMMENDED ACTION:

ISSUE:

Consideration of standards and procedures related to fence heights, including potential amendments to the Development Code.

Provide direction to staff.

CEQA Status:

Not applicable

Staff: David Goodison

ISSUES UPDATE

ELECTION OF OFFICERS

COMMENTS FROM THE COMMISSION

COMMENTS FROM THE AUDIENCE

ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on April 4, 2014.

CRISTINA MORRIS, ADMINISTRATIVE ASSISTANT

Rights of Appeal: Any decision of the Planning Commission may be appealed to the City Council. Appeals must be filed with the City Clerk within fifteen (15) calendar days following the Planning Commission’s decision, unless the fifteenth day falls on a weekend or a holiday, in which case the appeal period ends at the close of the next working day at City Hall. Appeals must be made in writing and must clearly state the reason for the appeal. Appeals will be set for hearing before the City Council on the earliest available agenda. A fee is charged for appeals.

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are available for public inspection the Monday before each regularly scheduled meeting at City Hall, located at No. 1 The Plaza, Sonoma CA, (707) 938-3681. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Planning Commission regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the Administrative Assistant office, No. 1 The Plaza, Sonoma CA during regular business hours.

If you challenge the action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on the agenda, or in written correspondence delivered to the Administrative Assistant, at or prior to the public hearing.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (707) 933-2216. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

MEMO

To: Planning Commission
From: Senior Planner Gjestland
Re: Application of Sidney and Ellen Hoover for an Exception to the fence height standards for an entry trellis and gate on the residential property at 663 Second Street East.

Background

This item has been brought forward to the Planning Commission in response to a code enforcement action initiated by a citizen complaint.

Site Description

The subject property is a 13,200-square foot parcel located on the west side of Second Street East mid-block between France Street and Patten Street. The property is currently developed with a single-family home, detached garage, guest house and barn. The residence was constructed around 1865 and is eligible for listing on the California Register of Historic Resources per a recent historic resource evaluation. The property is located within a Low-Density Residential (R-L) neighborhood and also lies within the Historic Overlay Zone. Adjoining land uses include other single-family homes.

Project Description

The entry trellis, which is almost fully constructed, is located at the front of the property setback approximately two feet behind the sidewalk. As shown on the attached drawing, the entry trellis has a maximum height of $\pm 8'10''$ and maximum width of $\pm 7'6''$. It consists of four primary supporting posts with both square and rounded segments, a low gate, and decorative top rails. The entry trellis would be constructed entirely of wood and painted white to match the house trim and connecting picket fence. The trellis is intended as a decorative site element that frames the existing walkway to the residence.

Fence Height Exception

A 20-foot front/street side yard setback is required in the R-L zoning district. Fencing and walls within required front/street side yards are limited to a maximum height of 3.5 feet. The fence height limitation also applies to associated entry gates/trellises as current zoning regulations do not include any other standards or provisions for these types of features (staff would note that entry trellises were allowed in front yard setbacks under previous zoning regulations). Pursuant

to Section 19.46.030.C of the Development Code, the Planning Commission may grant exceptions from fence height standards, provided that the following findings can be made:

1. *The fence will be compatible with the design, appearance, and physical characteristics of the site and other existing structures in the surrounding neighborhood;*
2. *The height, orientation, and location of the fence is in proper relation to the physical characteristics of the site and surrounding properties;*
3. *The fence is a planned architectural feature and does not dominate the site or overwhelm adjacent properties, structures, or passersby;*
4. *The fence will be of sound construction and located so as not to cause a safety hazard.*

With respect to these findings, staff would first note that there are numerous residential properties in the Central East Planning Area with entry trellises located in the front yard setback, including eight properties along Second Street East alone (see attached photos). These entry features vary in size, configuration, and level of architectural detail. The proposed entry trellis falls within the range of examples within the planning area and therefore is compatible with neighborhood conditions in staff's view.

In terms of compatibility with site conditions, the entry trellis would be painted white to match the trim color of the residence and adjoining picket fence. It also includes square post segments consistent with the front porch posts. While the overall design of the trellis is somewhat ornate, the question of whether or not it is compatible with the historic residence is a subjective aesthetic matter that the Planning Commission must consider as a group. That being said, staff does not find it objectionable or inconsistent with site conditions or the surrounding area.

Recommendation

Staff recommends approval of the fence height exception for the entry trellis/gate, subject to the attached conditions of approval.

Attachments

1. *Vicinity Map*
2. *Photos of Examples on Second St. East*
3. *Site Plan, Entry Gate/Trellis Elevations & Details*

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Hoover Fence Height Exception for Entry Trellis & Gate
663 Second Street East

April 10, 2014

Based on substantial evidence in the record and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

Findings for an Exception to the Fence Height Standards

1. The fence will be compatible with the design, appearance, and physical characteristics of the site and other existing structures in the surrounding neighborhood;
2. The height, orientation, and location of the fence is in proper relation to the physical characteristics of the site and surrounding properties;
3. The fence is a planned architectural feature and does not dominate the site or overwhelm adjacent properties, structures, or passersby; and
4. The fence will be of sound construction and located so as not to cause a safety hazard.

DRAFT

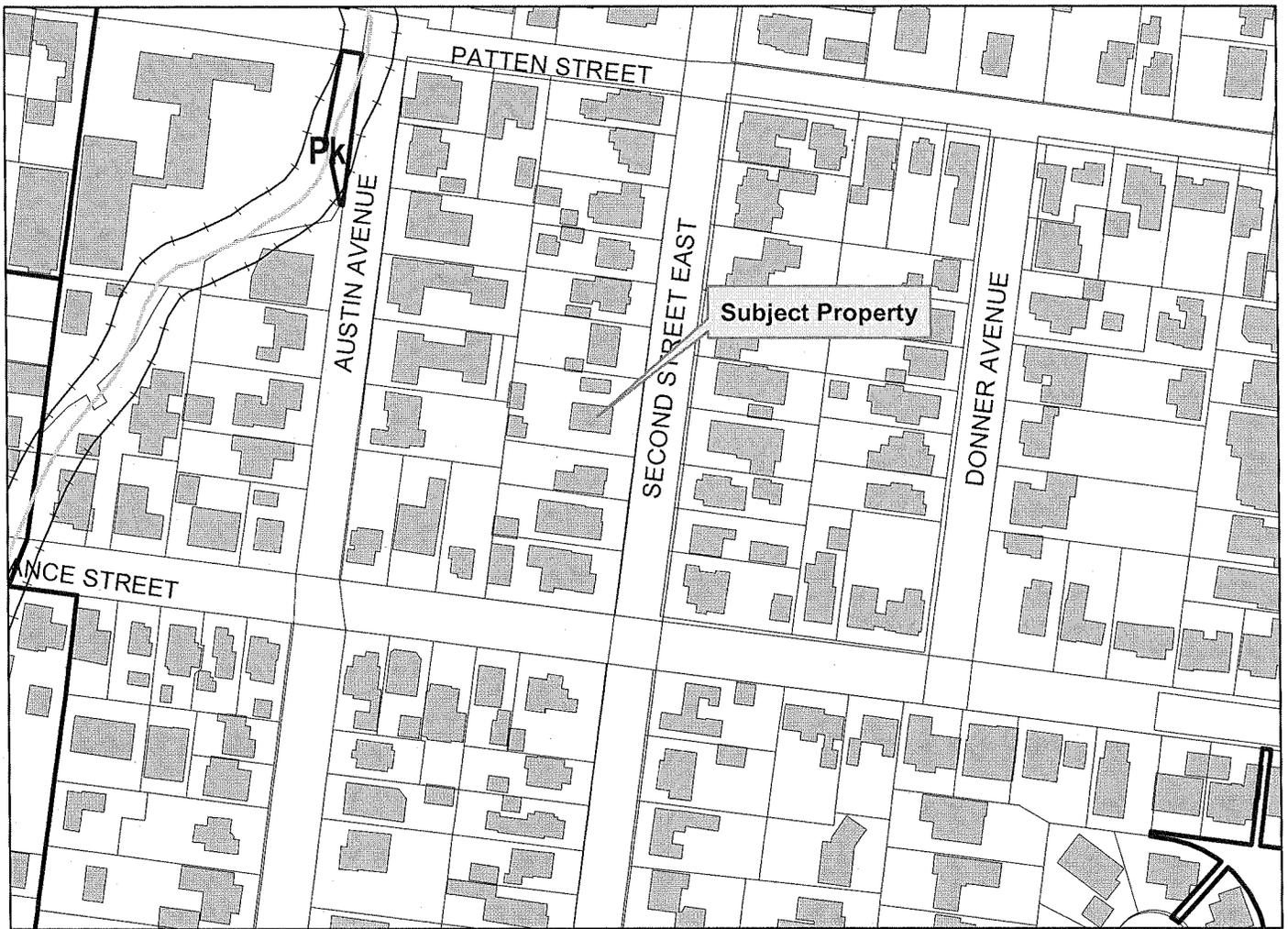
City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Hoover Fence Height Exception for Entry Trellis & Gate
663 Second Street East

April 10, 2014

1. The entry trellis and gate shall be constructed in conformance with the approved site plan and elevation details.

Enforcement Responsibility: Planning Department
Timing: Ongoing

Vicinity Map

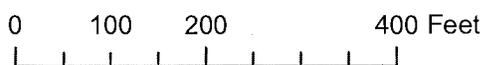
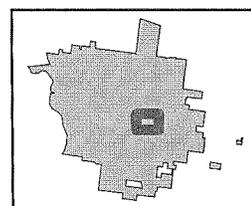


Project Summary

<i>Project Name:</i>	Hoover Entry Trellis
<i>Property Address:</i>	663 Second Street East
<i>Applicant:</i>	Sidney & Ellen Hoover
<i>Property Owner:</i>	Sidney & Ellen Hoover
<i>General Plan Land Use:</i>	Low Density Residential
<i>Zoning - Base:</i>	Low Density Residential
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Application for an Exception to the fence height standards for an entry trellis on a residential property.

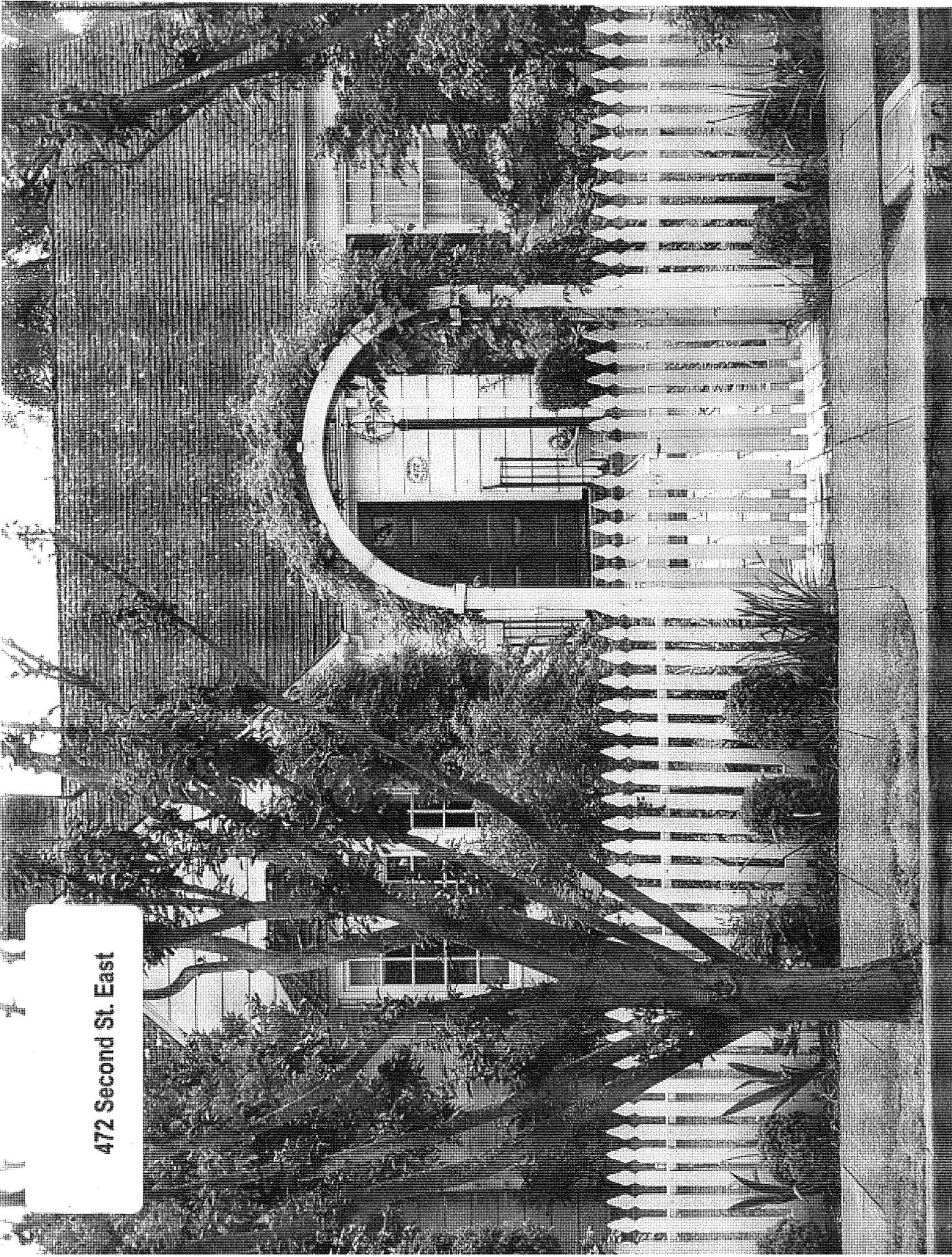
Zoning Designations

- R-HS Hillside Residential (1 D.U./10acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Denisty Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture

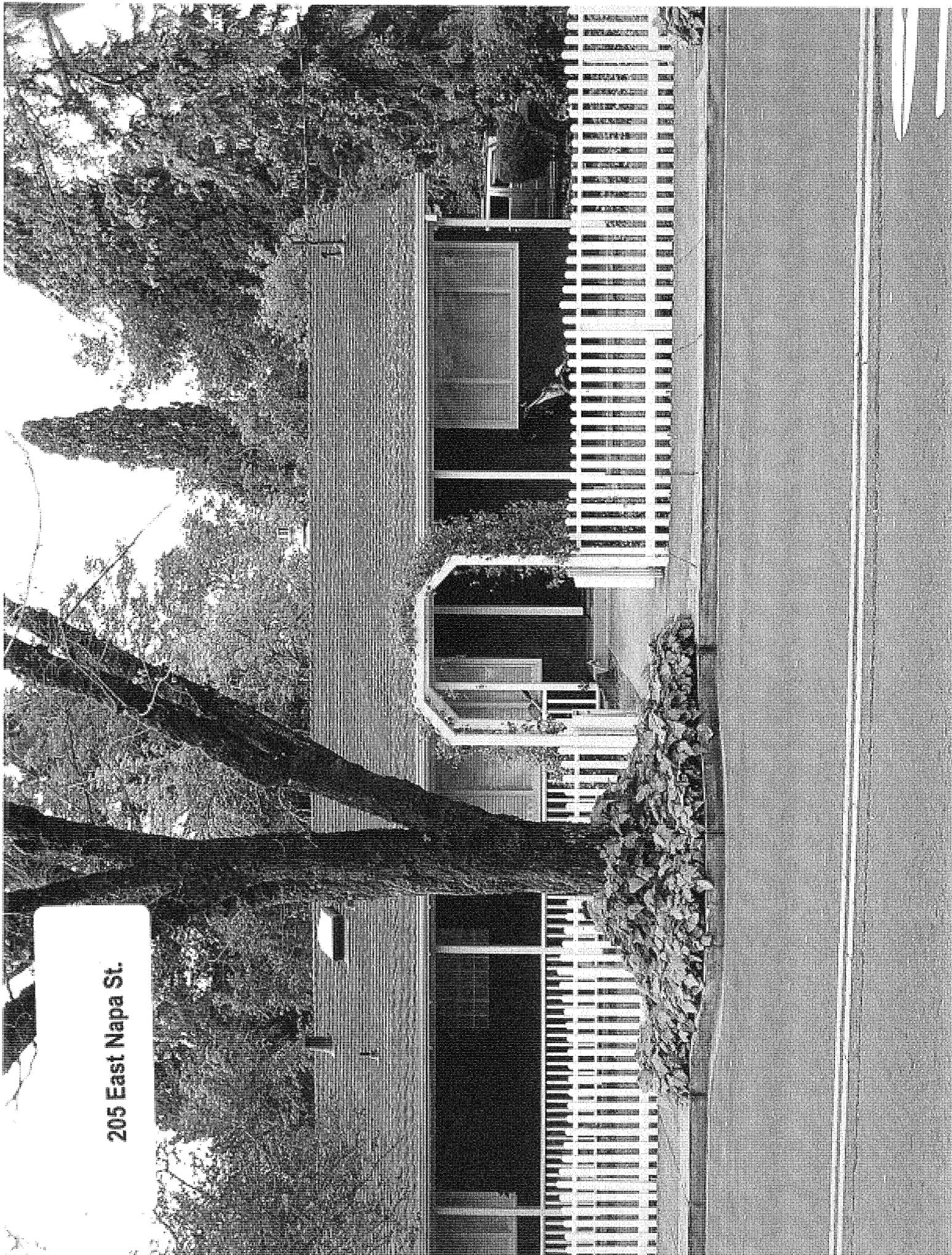


1 inch = 200 feet

472 Second St. East



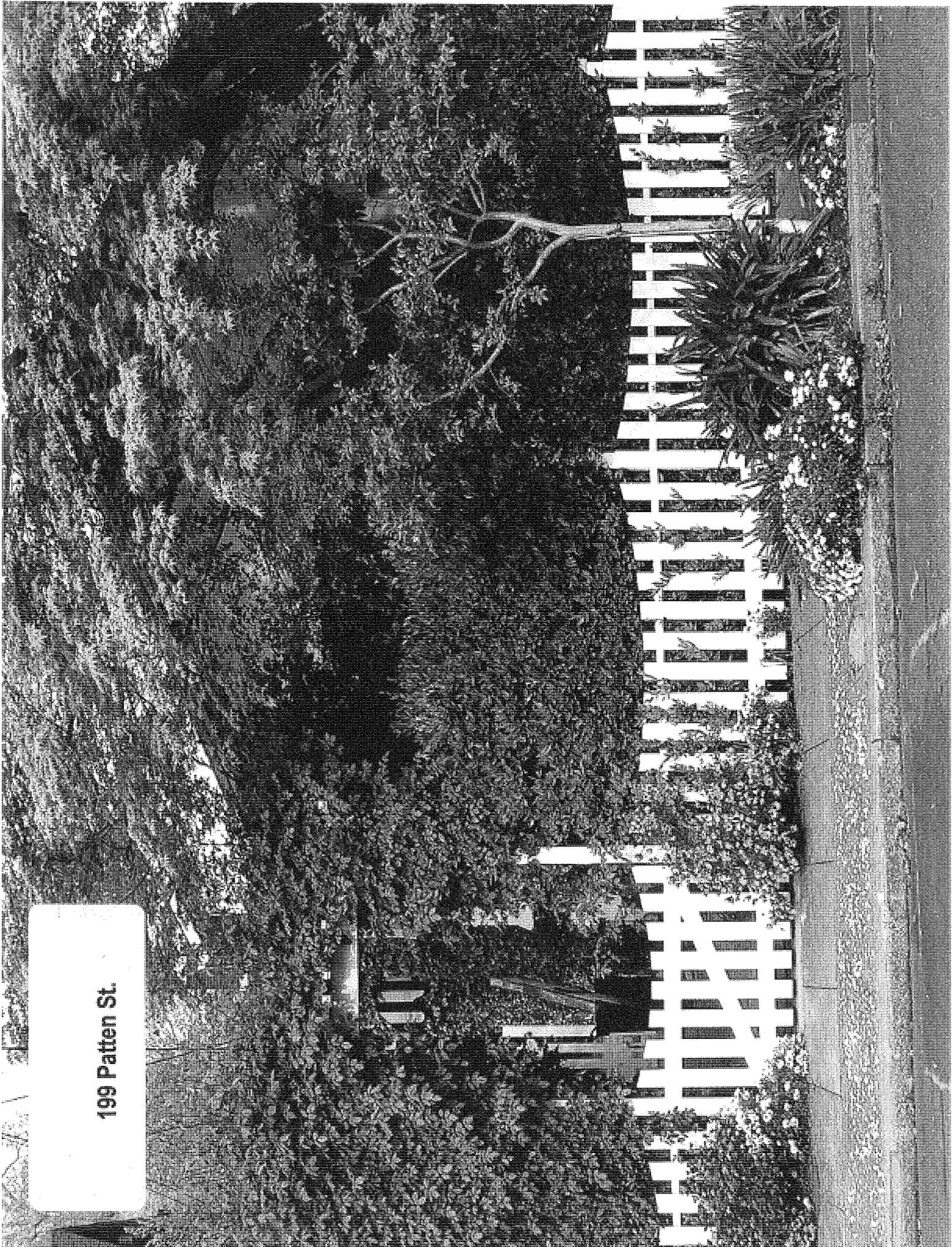
205 East Napa St.



558 Second St. East



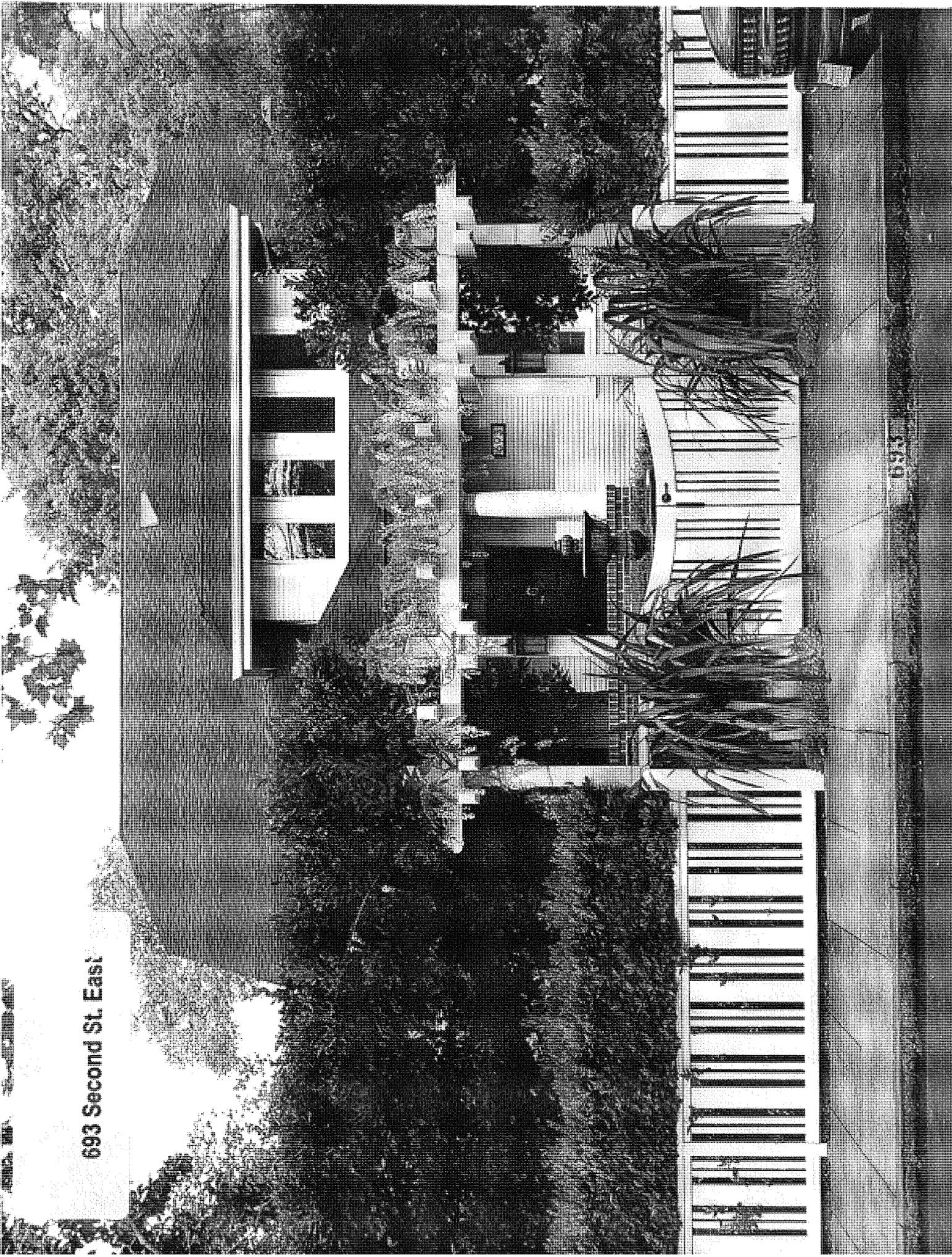
199 Patten St.



683 Second St. East



693 Second St. East



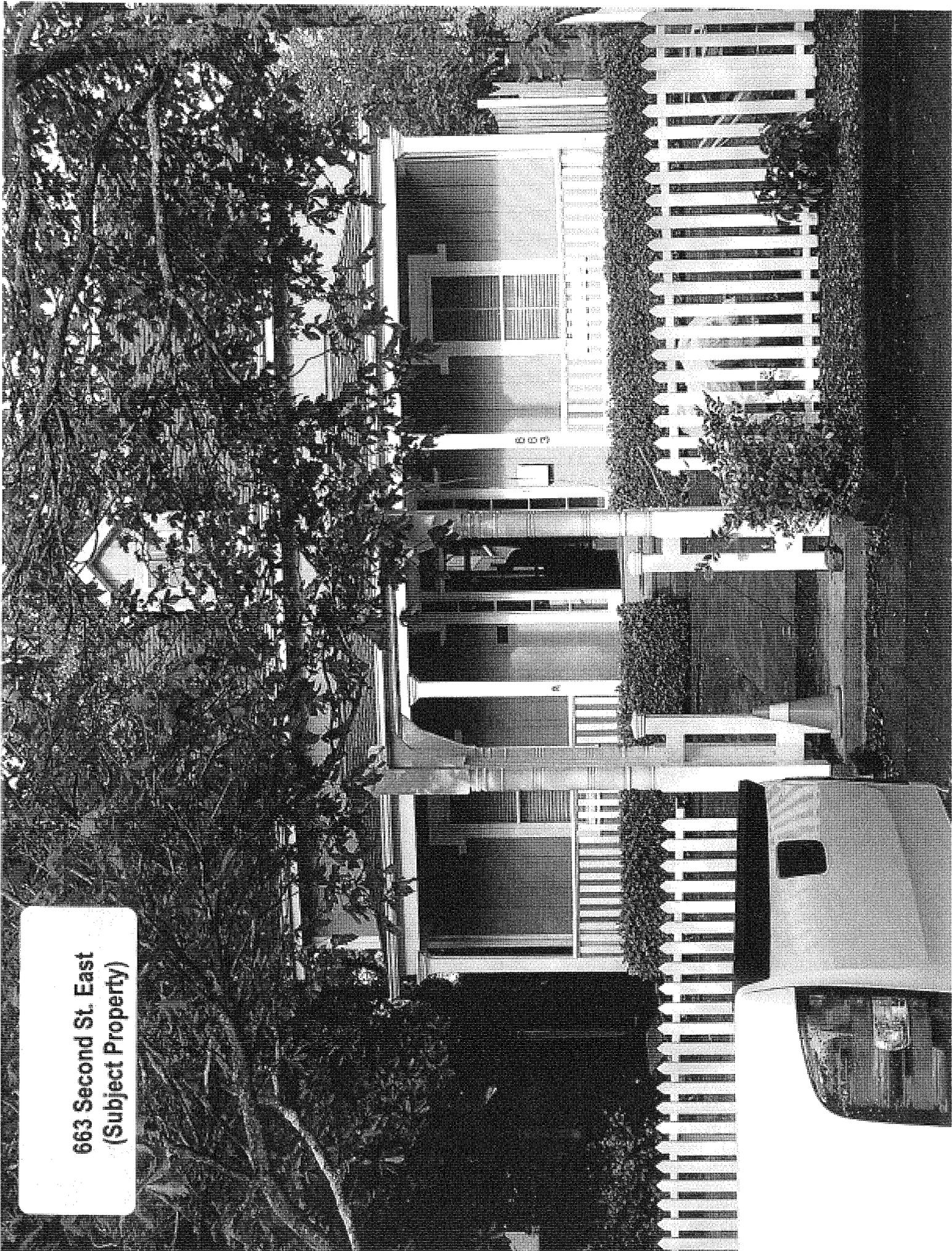
777 Second St. East



842 Second St. East



663 Second St. East
(Subject Property)



MEMO

To: Planning Commission
From: Planning Director Goodison
Re: Review of revised draft amendments to the Development Code establishing regulations concerning wine tasting facilities and wine bar/tap rooms

Background

On February 24, 2014, the City Council conducted a study session with the Planning Commission to discuss options for the additional regulation of wine tasting facilities. The study session was the most recent step in a year-long review of this subject. As previously directed by the City Council, the Planning Commission had developed a set of draft amendments to the Development Code, which may be summarized as follows:

- Establish definitions in the Development Code for wine tasting facilities that clearly distinguish between tasting rooms and wine bar/tap rooms. A key distinction in this regard is that tasting rooms operate under a Type 2 License from the State Alcoholic Beverage Control Board, in contrast to wine bars and tap rooms, which operate under a Type 42 ABC License.)
- Create a two-tiered permitting system in which tasting facilities of limited hours and size would continue to be classified as a permitted use in commercial zoning districts, while facilities with extended hours and/or a greater size would be subject to use permit review.
- Require use permit approval for wine bars (which, again, would be defined as establishments operating under a Type 42 License from the ABC).
- Establish operating standards for wine tasting facilities and wine bar/tap rooms.

Following public testimony and after the conclusion of its discussion with the Planning Commission, it appeared to be the consensus of the City Council to proceed with the basic framework suggested by the Planning Commission; however, the Council first wished to review and possibly modify the criteria used to distinguish between a tasting room that may be permitted as of right and a tasting room that would be subject to use permit review. Staff was directed to return with additional background information on the suggested criteria for Use Permit review. The Council further agreed on the direction that any facility proposed to operate under a Type 42 License should be subject to use permit review.

Staff returned with the requested information, which was reviewed by the City Council at its meeting of March 17, 2014. After hearing public testimony and discussing the matter, the direction of the City Council changed. Instead of moving forward with the two-tiered approach, a four-member majority of the Council directed staff to proceed with amendments to the Development Code that would provide for the following:

1. Establish definitions for wine tasting and wine bars/taprooms.
2. Establish operating standards that would apply equally to all wine tasting facilities (in essence, facilities operating under a Type 2 ABC license), including existing business.
3. Identify wine tasting facilities as a permitted use in Commercial zoning districts.
4. Identify wine bars/taprooms as a conditionally-permitted use in Commercial zoning districts.

Staff has implemented this direction in attached draft amendments to the Development Code. The suggested operational standards for wine tasting facilities are as follows:

1. Hours for visits by appointment and by invitation only wine functions (e.g., wine club events, marketing lunches, and wine-maker dinners) shall not exceed 8:00 a.m. to 10:00 p.m.
2. Hours of operation for general public access shall not exceed 11 a.m. to 10 p.m.
3. Invitation-only functions shall be limited to indoor areas and shall occur no more frequently than 26 times per year and no more than two times per week.
4. Outdoor seating in excess of eight seats and/or having hours later than 8:00 p.m. shall be subject to use permit review.
5. Off-street parking for the tenant space would be calculated at a ratio of one space per 300 square feet of building area. For outdoor seating, the restaurant standard would be used, with no additional parking required for seating up to 25% of the indoor seating capacity and a ratio of one space for every four seats beyond that threshold.

Because this approach differs from that previously reviewed by the Planning Commission, these draft amendments have been referred to the Commission for review and comment prior to being placed before the City Council.

Recommendation

Staff recommends that the Planning Commission review the attached draft amendments to the Development Code and then forward them to the City Council with any comments that the Commission may have.

cc: Bret Sackett, Chief of Police
Laurie Decker, Economic Development Coordinator
Daniel Fay, Envolve
Richard Idell, Sonoma Valley Vintners and Growers

Attachments

1. Draft Definitions/Draft Operating Standards/Additional Use Permit Findings for Wine Bars/Taprooms
2. Minutes of the City Council meeting of March 17, 2014 (Draft)

**Draft Code Changes Establishing Definitions and Regulations for Wine Tasting Facilities
and Wine Bars/Tap Rooms**

April 10, 2014

Changes to Article VIII (Definitions)

19.92.020 Definitions, “W”

Wine Tasting Facilities. A “Wine Tasting Facility” means an establishment licensed under a Winegrower Type 2 License issued by the California Department of Alcohol Beverage Control that sells wine and related products and enables customers to taste wine (with and without charge) on behalf of a single winery or, as a cooperative venture, multiple wineries, as a regular part of the sales process of the winery’s products, either as the sole occupant of a tenant space or as part of a larger retail establishment engaged in the sale of products other than wine. Food may be provided if it is pre-prepared off-premises, or prepared by a caterer under the caterer’s license either off premises or on-premises in facilities approved by the Sonoma County Department of Health Services. Food provided to the general public shall be subject to the following limitations: 1) food items are made off-premises; 2) the facilities are approved by Sonoma County Department of Health Services; 3) food items provided for consumption on-site shall be pre-packaged items made available strictly in conjunction with and ancillary to the wine tasting experience; and, 4) the establishment is not a restaurant. Nothing in this definition or elsewhere in the Development Code pertaining thereto is intended to limit the rights and obligations imposed by the Alcohol Beverage Control with regard to issuance of a Winegrower Type 2 license. Additional standards and regulations applicable to this use are found in Section 19.50.120.

Wine Bar/Tap Room. "Wine Bar/Tap Room" means an establishment licensed under a Type 42 License issued by the California Department of Alcoholic Beverage Control Board devoted to the sampling and sale of wine and/or beer produced by one or multiple wineries or breweries for consumption on- or off-premises. Food may be served provided that: 1) food items are made off-premises; 2) the facilities are approved by Sonoma County Department of Health Services; 3) food items provided for consumption on-site limited to cheeses, crackers, charcuterie and similar items made available strictly in conjunction with and ancillary to the wine tasting experience; and, 4) the establishment is not a restaurant. Nothing in this definition or elsewhere in the Development Code pertaining thereto is intended to limit the rights and obligations imposed by the Alcohol Beverage Control with regard to issuance of a Type 42 license. Additional standards and regulations applicable to this use are found in Section 19.50.120.

Changes to Article 19.50 (Special Use Standards)

Operating Standards and Additional Use Permit Findings

19.50.120—Wine Tasting Facilities. This Section sets forth requirements for the establishment and operation of Wine Tasting Facilities in zoning districts where they are allowed pursuant to Section 19.10.050 (Allowable Land Uses and Permit Requirements). All Wine Tasting Facilities shall be subject to the following requirements:

- A. For use permit and building permit applications for any wine tasting facility, the description of the premises shall match that provided to and approved by the California Department of Alcoholic Beverage Control.
- B. On-going compliance with applicable requirements and licensing of the California Department of Alcoholic Beverage Control and the Sonoma County Health Department is required.
- C. Hours for visits by appointment and by invitation only wine functions (e.g., wine club events, marketing lunches, and wine-maker dinners) shall not exceed 8:00 a.m. to 10:00 p.m.
- D. Hours of operation for general public access shall not exceed 11 a.m. to 10 p.m.
- E. Invitation-only functions shall be limited to indoor areas and shall occur no more frequently than 26 times per year and no more than two times per week.
- F. Outdoor seating in excess of eight seats and/or having hours later than 8:00 p.m. shall be subject to use permit review.

19.50.130—Wine Bars/Tap Room. This Section sets forth requirements for the establishment and operation of Wine Bar/Tap Room in zoning districts where they are allowed pursuant to Section 19.10.050 (Allowable Land Uses and Permit Requirements).

- A. *General requirements.* All Wine Bar/Tap Rooms shall be subject to the following requirements:
 - 1. For use permit and building permit applications for any Wine Bar/Tap Room, the description of the premises shall match that provided to and approved by the California Department of Alcoholic Beverage Control.
 - 2. On-going compliance with applicable requirements and licensing of the California Department of Alcoholic Beverage Control and the Sonoma County Health Department is required.
 - 3. Hours of operation for general public access shall not exceed 11 a.m. to 10 p.m., although more restrictive hours may be imposed through the use permit review process.
- B. *Additional Use Permit Findings.* In addition to the findings set forth in section 19.54.040, the approval of a use permit for a Wine Bar/Tap Room shall be subject to the following additional findings by the Planning Commission:
 - 1. The proposed use will not adversely affect the welfare of the area residents, or result in an undue concentration of establishments dispensing alcoholic beverages in the area.
 - 2. The proposed use is located at an appropriate distance from:
 - a. Potentially sensitive or incompatible uses such as religious facilities, schools, public parks and playgrounds, and other similar uses; and
 - b. The size and proposed activity level of the use will be compatible with the uses in and/or character of, the surrounding area.
 - 3. The proposed use would provide a service not currently available in the area that it would serve; or, unique or unusual circumstances justify a new Wine Bar/Tap Room in a location where there are similar uses nearby.

The following spoke in favor of the baseball team: Rosemarie Pedranzini, Jack Wagner, Tommy Lyons, and Shaun Boisen.

It was moved by Clm. Cook, seconded by Clm. Gallian, to direct staff to send a letter of support to the County for approval of the use of Arnold Field by the Sonoma Stompers League Baseball for a one-year trial period. The letter to also indicate the City's desire that they work out traffic control issues with the Police Department and that they encourage the use of public transportation. The motion carried unanimously.

Item 8C: Discussion, consideration and possible action with regard to options for the disposition of the Marcy House, 205 First Street West. (Taken out of order)

Planning Director Goodison reported that the Sonoma Sister Cities Association (SSCA) had leased the property located at 205 First Street West, known as Marcy House, for twenty-five years. Although SSCA had previously indicated their intention was to let the lease expire; they recently submitted a new lease proposal. They proposed a \$1.00 per year lease payment with the City to be responsible for the structural integrity and external maintenance of the building including the roof, ADA compliance as well as grounds maintenance. They also want authorization to sub-lease the building. Goodison stated that the building needed \$15,000 in immediate maintenance and that it would cost approximately \$60,000 for upgrades to make it suitable for commercial or public use.

Planning Director Goodison stated that the Facilities Committee considered the proposal by SSCA and other options presented by staff and decided to forward the matter to the full City Council without a recommendation. Options included renewing the lease with SSCA, doing a lot split and selling the property, or consideration of another non-profit tenant. Goodison added that the Sonoma Valley Historical Society (SVHS) had submitted a letter of interest in the property.

Mayor Rouse invited comments from the public. Steve Marshall, SVHS President, stated that they would like to be considered for a lease option. The location of the property would be an ideal for storage and processing their archival collections. He asked Council for sixty days to conduct due diligence and put together a proposal.

Tom Moritz, SVHS, stated they were undergoing a strategic planning process and the sixty days would give them time to come up with a proposal for leasing the property.

Jack Ding, SSCA, stated that the house represented their heritage and tradition and he hoped the City would accept their lease proposal.

Clm. Cook stated the City needed to begin selling assets and get out of the landlord business. Clm. Barbose stated that the Facilities Committee had been dealing with the Marcy House situation for several years and pointed out that SSCA had not kept up with the required maintenance. He said it was time to take a realistic look at the issue. He said he did not support a \$1 a year lease but was willing to give SVHS sixty days to bring back a proposal that placed the maintenance responsibility on them. Clm. Gallian agreed and stated that any revenue generated by a sublease should go to the City.

Clm. Brown stated he would not support continuation of the previous lease with SSCA and noted that they had not completed required maintenance. It was moved by Clm. Barbose, seconded by Clm. Brown, to grant SVHS sixty days to submit a proposal. The motion carried unanimously.

Item 8B: Continued discussion of options for establishing additional zoning regulations on wine tasting facilities, including draft amendments to the Development Code developed by the Planning Commission.

Planning Director Goodison reported that this topic had been under consideration by the City Council and Planning Commission for a year with the latest step being a joint session held on February 24, 2014 at the Community Center. Following public testimony and discussion with the Planning Commission, it had been the consensus of the City Council to proceed with the basic framework of the ordinance suggested by the Planning Commission, but to first review and possibly modify the criteria used to distinguish between a tasting room considered to be a permitted use and tasting rooms that would be subject to Use Permit review.

Clm. Barbose inquired what type of licensing or permit did Enoteca have. Goodison responded that multiple wineries, each with their own Type 2 license, chose to operate out of one facility. Mayor Rouse confirmed that the ordinance allowed twenty-six events per year.

Mayor Rouse invited comments from the public. Fred Allebach said it did not make sense to permit any business that served alcohol without review and he did not feel that the Use Permit review was too onerous for any new business.

Larry Barnett said he was concerned that the ordinance did not include a requirement for mandatory training for all tasting room employees. He also said a Use Permit should be required for all wine tasting facilities.

Richard Idell, Sonoma Valley Vintners and Growers, said there was no reason for any additional regulations; that tasting rooms were already highly regulated by the State.

Regina Baker stated that the number of businesses selling alcohol in the downtown was a problem.

Rosemarie Pedranzini commented that in the old days there had been saloons all over town.

Squire Fridell, Sonoma Valley Vintners and Growers, stated that Sonoma was a destination because of the wine industry. He said the winery owners hire locals, donate locally and contribute to the thriving economy.

Clm. Gallian inquired about the criteria for Use Permit review. Goodison responded there were certain findings that had to be made depending on Council's direction and that the process usually took around two months to complete.

Clm. Barbose stated that everyone wanted what was best for Sonoma even though there were differing views. He said he was well aware of the benefits of tasting rooms and he did not feel that Use Permit review would dent anyone's bottom line. Clm. Barbose said he would support grandfathering in all existing tasting rooms and a Use Permit review for all new ones.

Clm. Cook stated he would vote no, that he opposed putting additional regulations on tasting rooms. He said it was a farm-to-table industry.

Clm. Brown stated his support for requiring Use Permit review for Type 42 licenses and pointed out that it was the City's history, agriculture, organic food, weather and wine that brought people here. He added that there was no debauchery around the Plaza.

Clm. Gallian stated her support for the definitions proposed by staff and the proposed hours of operation.

Mayor Rouse said he would also support Use Permit review for Type 42 licenses. He stated that he believed in the free market and felt that the number of tasting rooms would work itself out.

It was moved by Mayor Rouse, seconded by Clm. Brown, to: 1) support Use Permit review for all Type 42 Alcohol Licensed establishments; 2) approve the draft Operating Standards with operating hours 11:00 a.m. to 10:00 p.m. year-round; 3) allow twenty-six events annually limited to two per week. The motion carried four to one, Clm. Barbose dissented.

RECESS: The meeting recessed from 8:50 to 9:00 p.m.

8. REGULAR CALENDAR – CITY COUNCIL, Continued

Item 8D: Consideration and possible action on the introduction of an ordinance amending Section 10.74.010 of the Sonoma Municipal Code pertaining to the operation of bicycles and similar conveyances on public sidewalks. Repeal SMC 10.56.070 and adopt 10.74.011.

Police Chief Sackett reported that, pursuant to Council's February 3, 2014 direction, staff had modified the draft ordinance by adding clarifying language as it pertained to potential bicycle and pedestrian conflicts on City sidewalks.

Mayor Rouse invited comments from the public. Danny Faye inquired in which location bicycles would be banned from sidewalks. Chief Sackett explained that the ban only applied to the sidewalks on both sides of the street around the Plaza. He noted that bicyclists could walk their bicycles on the sidewalk or ride in the street.

It was moved by Clm. Gallian, seconded by Clm. Brown, to introduce the ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING SECTION 10.74.010 OF THE SONOMA MUNICIPAL CODE PERTAINING TO THE OPERATION OF BICYCLES AND OTHER CONVEYANCES ON PUBLIC SIDEWALKS. The motion carried unanimously.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

There was nothing on the agenda.

10. COUNCILMEMBERS' REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Clm. Brown reported attendance at the Economic Development Steering Committee meeting.

Clm. Gallian reported attendance at the Sonoma County Transportation and Regional Climate Protection Authority meeting.

Clm. Barbose reported attendance at the North Bay Watershed Association meeting.

Clm. Cook reported attendance at the Library Advisory Board meeting.

Mayor Rouse reported attendance at the Sonoma Housing Corporation meeting.

Item 10B: Final Councilmembers' Remarks.

MEMO

To: Planning Commission
From: Planning Director Goodison
Re: Discussion of the update of the Housing and Circulation Elements of the General Plan

Background

Under State law, the Housing Element must be updated to reflect updated fair share housing allocations and the deadline for completing this work is January 31, 2015. In addition the Circulation Element needs to be updated to comply with the provisions of AB 1358, "The Complete Streets Act", as compliance with the Act is becoming a major factor in the award of transportation funding from the MTC (the Metropolitan Transportation Commission). The update of the Housing Element and the Circulation Element is a complex task that will require considerable time as well as specialized technical expertise. For these reasons, the City Council, as part of its FY 2013-14 Budget, allocated \$150,000 for consultant assistance. In September, the Council approved a request for proposals to solicit consultant assistance for the update of the two elements and for the preparation of a downtown parking study. In December of 2013, the City Council awarded the consulting contract to the M-Group/W-Trans consultant team based on a number of considerations, including the following:

- The M-Group has recent and successful experience with Sonoma Housing Element, as they were the lead consultant in the most recent Housing Element update, which was certified by HCD.
- The M-Group/W-Trans proposal has the most complete and extensive public participation component.
- In addition to fulfilling the basic tasks associated with updating the Circulation Element, The M-Group/W-Trans proposal devotes significant resources to developing solutions to improve the operation of the intersections of Broadway/West Napa Street and West Napa/Street First Street West.

Since the award of the contract, staff has been gathering the background information necessary to move forward with the update process, especially in the area of the Housing Element portion. Because of the specific deadlines associated with the Housing Element update and the City's preference that updated traffic counts be taken closer to the high tourist season, the update of the two elements may occur on somewhat different tracks with respect to timing.

Housing Element

Sonoma is undertaking the update of its Housing Element in order to comply with State requirements and to plan for meeting its updated regional housing needs allocation, as assigned by the Association of Bay Area Governments. The Housing Element is a required element of the City's General Plan and an important tool that the City uses to plan for the existing and future housing needs of the community. State Law establishes extensive content requirements for housing elements that include the following:

- Updated housing and demographic information required for a Housing Element, including a review of population and employment trends, an analysis of household and housing stock characteristics, a comparison of household income and housing costs, and an analysis of “special needs” groups, such as farmworkers and the elderly.
- An analysis of the City’s fair share requirement for the provision of housing associated with the regional housing needs determination.
- A updated inventory and assessment of vacant and underutilized sites within city limits and the sphere of influence potentially suitable for housing development.
- A review of progress in meeting the policies and implementation measures set forth in the existing Housing Element.
- An analysis of constraints on housing production, including governmental and non-governmental restrictions (e.g., infrastructure availability).
- Policies and programs, with numerical objectives, aimed at meeting local housing needs including the areas of production, conservation and rehabilitation.
- A discussion of public participation in the update of the Housing Element.

Sonoma’s current Housing Element was adopted in 2007 and it has been certified by HCD. The attached annual report to HCD summarizes the progress made in completing the implementation measures of the Housing Element, including the fair share housing objectives.

As noted above, one of the key issues that must be addressed in the update of the Housing Element is the City's updated Regional Housing Needs Assessment (RHNA) allocation, also known as the “fair share” requirement. State law requires all regional councils of governments, including the Association of Bay Area Governments (ABAG) to periodically update the existing and projected housing need for its region (Government Code Section 65580 et. seq.) and determine the portion allocated to each jurisdiction within the ABAG region. When these updates occur, State Law further requires that each affected jurisdiction update its Housing Element to address the revised housing needs assessment. Based on the most recent round for the Bay Area, which was completed in 2013, the fair share allocation for the development of affordable housing that must be addressed in Sonoma’s Housing Element update is as follows:

Sonoma’s Regional Housing Needs Allocation by Household Income Category: 2014-2022				
Very Low	Low	Moderate	Above-Moderate	Total
24	23	27	63	137

It should be emphasized that the City’s legal responsibility with regard to the Housing Element and its fair share allocation is to show that opportunities exist that allow for the units to be built. It is not the City’s responsibility to fund and build every unit. Nonetheless, it is evident that the housing market will not produce low and very-low income units without substantial incentives, including financial assistance.

The mandated components of the update, as listed above, all present various issues, but biggest challenge that Sonoma faces in the update of the Housing Element is the loss of redevelopment. As the Planning

Commission is aware, a combination of changes to State law and associated legal challenges resulted in the termination of redevelopment throughout the State. Sonoma’s redevelopment program was a source of substantial and ongoing funding dedicated to development, acquisition, and preservation of affordable housing. That funding is gone and the housing assets formerly owned by the Redevelopment Agency—including a two-acre housing site located at the corner of Broadway and Clay Street—have been transferred to the Sonoma County Housing Authority. However, the update is also an opportunity to explore new funding sources and new program options. For example, the Planning Commission has expressed interest in developing a “cottage housing” ordinance that would allow for greater densities in exchange for required site plan amenities and specific limitations on unit sizes. This is an opportunity for the Planning Commission to identify other issues and ideas for review as part of the update process.

Circulation Element/Downtown Parking Study

The update of the Circulation Element will include the following components:

- Updated traffic counts and intersection LOS for the street segments and intersections addressed in the current Circulation Element (16 intersections and 22 street segments).
- Updated traffic projections for the year 2020 and the year 2040 based on updated land use information and the Sonoma County Traffic Model.
- Identification of needed intersection and roadway improvements.
- Development of updated information on bicycle use and bicycle facilities, pedestrian use and pedestrian facilities, and transit use and transit facilities.
- Analysis of existing polices and programs in the Circulation Element and to identify needed revisions and additions.
- Analysis of the intersections of Broadway/West Napa Street and West Napa Street/First Street West with respect to traffic and pedestrian safety conditions and develop options for improving those intersections.

As discussed above, one of the objectives of the update is to ensure that the Circulation Element complies with State General Plan requirements concerning “Complete Streets” principles, as this will be necessary to qualify for many types of transportation improvement funding. A related task is the preparation of a downtown parking study assessing existing parking resources and community needs to determine future parking needs and goals for a parking management plan. Elements of this study include the following:

- Conducting an inventory/survey of existing off-street parking and on-street parking supply, utilization and duration/turnover (usage) within the study area.
- Determining current parking needs and deficiencies and estimating future parking needs.
- Conducting public outreach to identify and prioritize parking issues/problems.
- Evaluating spillover effects on surrounding neighborhoods.
- Developing recommendations for parking management goals.

The attached proposal from the M-Group/W-Trans Team provides additional detail as to how all of these tasks will be accomplished.

Next Steps

With respect to the Housing Element portion of the update, a community meeting will be scheduled within the next three weeks to initiate the public outreach process.

Recommendation

Staff recommends that the Planning Commission provide feedback on issues and ideas that should be explored as part of the update of the Housing and Circulation Elements and the preparation of a downtown parking study.

Attachments:

1. 2013 HCD Report
2. Intersections to be Evaluated (from 2005 General Plan)
3. M-Group Proposal

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Sonoma
Reporting Period January 1 2013 - December 31 2013

Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information							Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions		
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income			See Instructions	See Instructions	
Sonoma Valley Oaks	5+	R	36	7	0	0	43	0	TCA/RDA	0	0
Sonoma Village West	2-4	O			2	9	11			INC	
(9) Total of Moderate and Above Moderate from Table A3			▶	▶	▶	2	9	11	0		
(10) Total by income Table A/A3			▶	▶	0	0	0	0	0		
(11) Total Extremely Low-Income Units*											

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Sonoma
Reporting Period January 1 2013 - December 31 2013

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 4 Units	3. Units 5+	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate		2				2	
No. of Units Permitted for Above Moderate	4	5		0		9	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Sonoma
Reporting Period January 1 2013 - December 31 2013

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.			2007	2008	2009	2010	2011	2012	2013	2014		Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	73	0	4	0	0						4	33
	Non-deed restricted		0	0	0	0			36			36	
Low	Deed Restricted	55	18	0	0	0						18	24
	Non-deed restricted		2	2	1	1			7			13	
Moderate	Deed Restricted	69	16	1	3	0			2			22	45
	Non-deed restricted		0	0	0	0	2					2	
Above Moderate		156	7	17	8	1	6	9	13			61	95
Total RHNA by COG. Enter allocation number:		353											
Total Units ▶ ▶ ▶			43	24	12	2	8	9	58			156	197
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT***Housing Element Implementation***

(CCR Title 25 §6202)

Jurisdiction City of Sonoma
Reporting Period January 1 2013 - December 31 2013

Table C**Program Implementation Status**

Program Description (By Housing Element Program Names)		Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation	
1 Inclusionary Housing Ordinance	10 low-income and 30 moderate-income inclusionary units over 5-year period.	Ongoing	Program is is ongoing.	
2 Land Assembly and Write-down	81 extremely low, very low and low income family rental units over 5-year period.	Ongoing	Two sites were acquired by the Sonoma Community Development Agency (CDA). Construction of a 43-unit low/very low income rental development (Sonoma Valley Oaks) has been completed on one of the sites. The ownership of the other site has been transferred to the Sonoma County Housing Authority as a result of State legislation terminating redevelopment.	
3 Partnerships with affordable developers	Continue to build partnerships with affordable housing providers.	Ongoing	The CDA entered into a development and disposition agreement with a non-profit housing developer to develop a low-very-low income affordable rental project ("Valley Oaks") on a site that had been purchased by the CDA. In 2011, the site was transferred to the non-profit developer and the project is now under construction.	
4 Adaptive re-use.	Evaluate expansion of the current adaptive reuse ordinance to encompass non-historic structures.	2011	In progress.	
5 Alternative housing models.	Support the provision of non-traditional, innovative housing types to meet unique needs.	2010	Ordinance adopted to expand allowance for residential care facilities into more zoning districts.	
6 Second dwelling units.	Implement current ordinance; make information available to via the City website and at City Hall.	2010	Done.	
7 Affordable housing funding sources.	Actively pursue variety of funding sources for affordable housing. Support developers in securing outside funding.	Ongoing	CDBG, HOME funds, and a sustainable communities grant were secured to assist the Valley Oaks project. An application for tax credits was approved in 2011 and the project is now under construction.	
8 Multifamily Acquisition and Rehabilitation with Affordability Covenants.	Allocate housing set-aside funds toward acquisition and rehabilitation of multi-family properties. Contact non-profits regarding participation.	2010	As a result of State legislation terminating redevelopment, LMI funds are no longer available to support this program. No alternative funding source has been identified.	
9 Section 8 Rental Assistance.	Prepare and disseminate property owner handout by 2010.	2010	Only one CDA-owned rental project currently benefits from Section 8 assistance (Village Green). Information on the Section 8 program (which is administered by the Sonoma County Community Development Commission has been posted on the City's website. Note: As a result of State legislation terminating redevelopment, this housing asset has been transferred to the Sonoma County Housing Authority.	
10a First Time Homebuyer Program.	Continue to provide project-based ownership assistance on CDA projects. Evaluate establishing Citywide Downpayment assistance program.	2010	LMI funds are no longer available to support such a program as a result of the State legislation to terminate redevelopment.	
10b Mortgage Credit Certificates.	Promote program in conjunction with the real estate community. Advertise through brochures and on City's website	Ongoing	The City has promoted this program in the past (which is managed by the Sonoma County Community Development Commission with emphasis on assistance to mobile home units; however, it appears to be dormant at this time.	

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Sonoma

Reporting Period January 1 2013 - December 31 2013

11	Foreclosure Prevention.	Promote foreclosure counseling via City newsletter, website and referrals. Initiate early contact with households delinquent on mortgage payments.	2009	The City maintains a foreclosure tracking program. At this time available resources are focused on ensuring that affordability restrictions are maintained on foreclosed affordable units.
12	Housing Rehabilitation Program.	Advertise availability of program on website and via handouts. Seek to assist 20 lower income households by 2014.	2014	Information on this program, which is managed by the Sonoma County Community Development Commission has been made available at the front counter and on the City's website.
13	Mobile Home Park Rent Stabilization and Conversion Ordinance.	Enforce mobile home park rent stabilization and conversion ordinances.	Ongoing	The City continues to administer this adopted ordinance.
14	Condominium Conversion Ordinance.	Enforce mobile home park rent stabilization and conversion ordinances.	Ongoing.	The conversion of one of the City's three mobile home parks (Rancho de Sonoma) to resident ownership was approved in 2010.
15	Preservation of Assisted Rental Housing.	Monitor conversions on the horizon.	Ongoing.	No conversions are anticipated until 2017.
16	Affordable Housing Monitoring and Administrative Procedures Review.	Annually monitor housing production and progress towards RHNA. Evaluate administrative procedures and affordable housing monitoring (in 2010).	Ongoing/2010	Annual monitoring occurs as a matter of course. An evaluation of the City's administrative procedures was completed as part of the City's Housing Element update.
17	Design Guidelines and Design Review	Continue to implement Sonoma's design review process.	Ongoing	The City administers this process on an ongoing basis.
18	Growth Management Ordinance-Exception for Affordable Housing.	Annually review effects of GMO on production of affordable housing and modify as necessary to provide adequate incentives consistent with Sonoma's current and future regional housing needs.	Annually.	GMO was reviewed in September 2011. No changes were made.
19	Building and Impact Fee Reimbursements.	Allocate \$25,000 annually in Agency housing set-aside funds toward fee reduction program.	Annually.	This program has been suspended because redevelopment funds are no longer available to support it as a result of the State legislation to terminate redevelopment.
20	Parking Incentives and Modified Standards.	Provide parking reductions on affordable projects, and other projects which meet community goals	2011	The Planning Commission is evaluating proposed revisions to the parking standards, but they have not yet been adopted.
21	Affordable Housing Density Bonus.	Incorporate changes in State density bonus law into the Code. Advertise on website, and promote in discussions with developers.	2010	Sonoma's density bonus regulations are consistent with State law.
22	Provide appropriate zoning to facilitate a variety of special needs housing.	Amend Development Code to make explicit provisions for special needs housing. Develop standards for emergency shelters.	2010	Zoning Ordinance provisions concerning residential care facilities have been updated, but the provisions related to emergency shelters have not yet been revised.

ANNUAL ELEMENT PROGRESS REPORT***Housing Element Implementation***

(CCR Title 25 §6202)

Jurisdiction City of Sonoma
Reporting Period January 1 2013 - December 31 2013

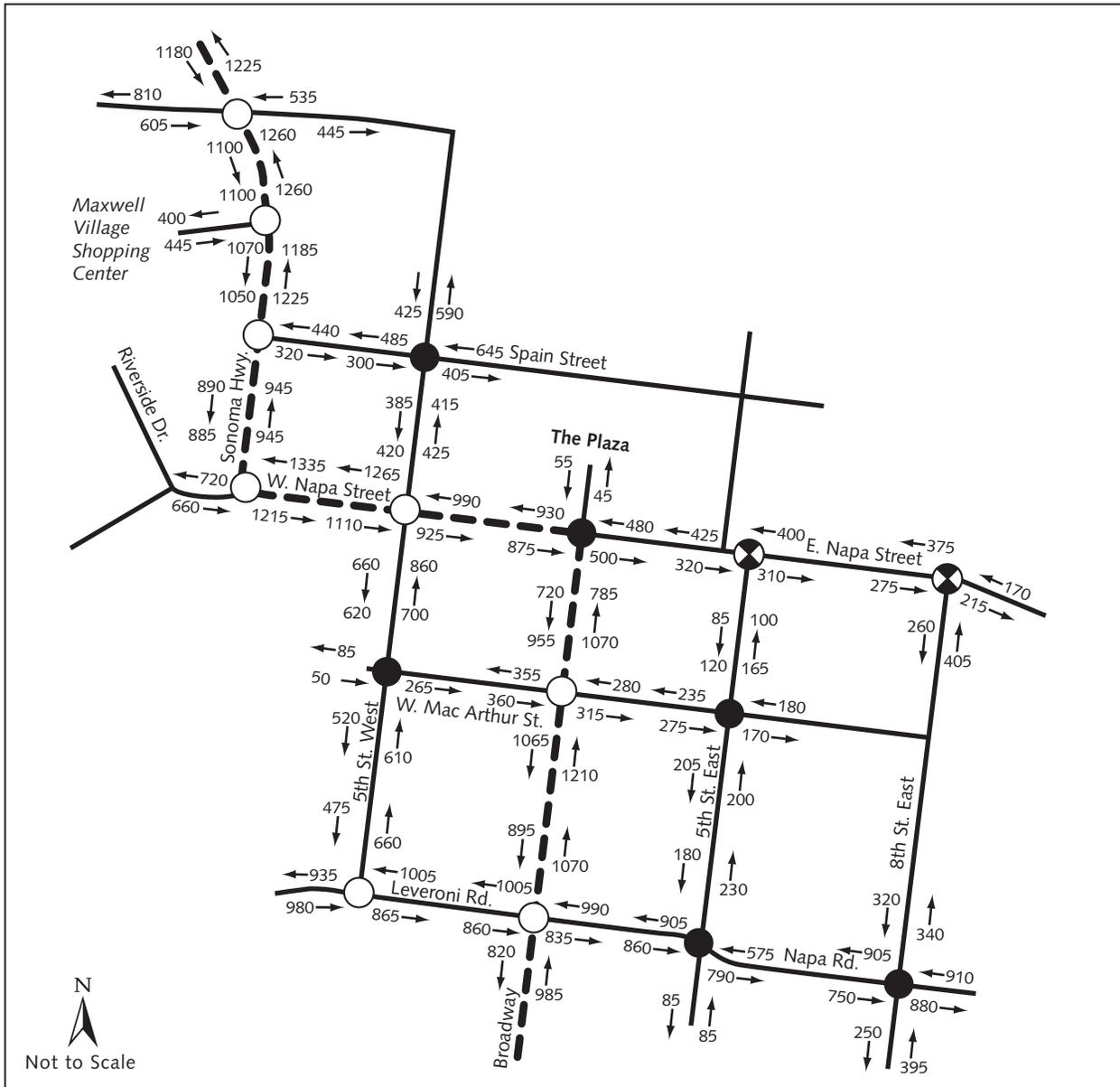
23 Fair Housing Program.	Refer fair housing complaints to Fair Housing of Sonoma County. Disseminate fair housing information.	Ongoing.	No complaints were received during the reporting period.
24 Universal Design.	Develop Universal Design Principals brochure, and inform residential development applicants.	2010	Not yet complete.
25 Reasonable Accommodation Procedures.	Develop written, specific procedures with respect to zoning, permit processing and building codes	2010	Not yet complete.
26 Homeless services and shelter.	Maintain Sonoma homeless shelter and support other providers and regional efforts.	Ongoing.	Sonoma continues to support its homeless shelter.
27 Green Building Program.	Provide outreach and education on incorporating sustainability in project design. By 2010, evaluate added incentives to achieve higher levels of efficiency.	Ongoing/2010	Sonoma's green building ordinance was updated in 2010. Brochures related to green building practices have been developed on a number of topics.
28 Energy Conservation Initiatives.	Connect eligible affordable homes with GRID Alternatives. Advertise the Energy Independence Loan Program to residents and businesses.	2010	The City is focus on promoting the Sonoma County Energy Independence Program, which provides low-interest financing for residential energy efficiency retrofits.
29 Sonoma Water Action Plan.	Implement the conservation and improvement measures called for in the Water Action Plan. Conduct periodic reviews and modify as necessary to ensure adequate water supply to meet Sonoma's regional housing needs (RHNA). Advertise available water conservation programs.	Ongoing.	Will-serve water connection policy was adopted by the City Council in 2010.
30 Water and Sewer Priority for Affordable Housing.	Distribute adopted 2010-2014 Housing Element to water and sewer providers, emphasizing requirements to prioritize allocations to affordable housing.	2010	Housing Element has been distributed to water and sewer providers.
31 Flood Hazards: Safety, Conservation and Land Use Element Review.	Review, and amend as necessary, the Safety, Conservation and Land Use Elements to address flood hazards, and review the Housing Element for internal consistency.	2011	In progress.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Sonoma
Reporting Period January 1 2013 - December 31 2013

General Comments:

The City of Sonoma adopted an updated Housing Element in July of 2010. The City was working with a non-profit development partner (Affordable Housing Associates) to develop a site formerly owned by the Sonoma Community Development Agency (CDA) with a 43-unit family rental project affordable at the low and very low income levels. The CDA has committed more than 4.5 million dollars in funding assistance to this project, which was compelled this year. Due to the recession, housing construction within the City of Sonoma has been at a very low level over the past several years. The City of Sonoma's future ability to implement many key affordable housing programs is in doubt due to State legislation that resulted in the termination of the City's Redevelopment Agency and the transfer of LMI housing assets to the Sonoma County Housing Authority.



- Truck Route ———
- Signalized Intersection ○
- All-way Stop Controlled Intersection ●
- Side-street Stop Sign Controlled Intersection ⊗
- Weekday Peak P.M. Traffic Volumes ←-515

Figure CE-3

2020 Intersection Approach Volumes

Source: Crane Transportation Group, July 2003.



Proposal for:
**City of Sonoma
Housing Element and Circulation
Element Update**
Submitted November 8, 2013



Submitted by:
M-Group
579 Clyde Ave Ste 340
Mountain View, CA 94043
650 938 1111 | mplanninggroup.com

KWA
KAREN WARNER ASSOCIATES





November 8, 2013

Mr. Dave Goodison
Planning and Community Services Director
City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476

RE: Proposal for 2015-2023 Housing Element and Circulation Element Update

Dear Mr. Goodison,

Thank you for this opportunity to submit our proposal to assist the City of Sonoma in the preparation of the following policy planning projects:

- Housing Element Update for the 2015-2023 planning period;
- Circulation Element Update; and,
- Downtown Sonoma Parking Study.

Since its creation, M-Group has brought high-caliber planning services to over 35 Bay Area communities. Our mission is to create *a new design on urban planning*. Our staff of 34 planners brings a wealth of experience in developing innovative and effective planning solutions.

In the 2009-2014 Housing Element cycle, M-Group managed and prepared Housing Element Updates for 12 Cities including the Cities of Mill Valley, Sausalito, and Belvedere in the North Bay. We also previously worked with the City of Sonoma in the preparation of its Housing Element in the same cycle, providing us with detailed insight into the community. We retain and use best practices learned from past projects, and customize our approach to meet the City's desired direction and the community's unique character.

For this project, M-Group has partnered with Karen Warner Associates (KWA) and Whitlock & Weinberger Transportation, Inc. (W-Trans). M-Group and KWA have successfully collaborated on numerous Housing Elements during the last two Housing Element cycles, most recently elements for the cities of Sausalito and Mill Valley. M-Group, partnering with W-Trans, will lead the consultant team in development of the City's Circulation Element.

Please do not hesitate to request any changes to our proposal, as we are committed to finding the best solution for the City, and will consider any City requested modifications. I can be reached at 650.938.1111 or 408.603.0072 (cell).

Sincerely,

A handwritten signature in black ink that reads 'G. Bradley'.

Geoff I. Bradley, AICP
Principal
geoff@mplanninggroup.com



Executive Summary

M-Group exists to bring high-caliber, innovative and effective planning solutions and services to Bay Area cities. Regarding this proposal, please contact:

Geoff I. Bradley, AICP, Principal
579 Clyde Ave, Suite 340
Mountain View, California 94043
(650) 938.1111
geoff@mplanninggroup.com
www.mplanninggroup.com

I. Purpose

M-Group understands that Housing Element Updates are a major opportunity for a City and its community to shape policy in ways that are both visionary and accomplishable. Our approach is one of listening, educating, and translating community desires and dreams into cohesive direction. In the current Housing Element cycle (2009-2014), M-Group managed and completed twelve (12) Housing Elements throughout the Bay Area. This planning effort encompassed nearly 15,000 housing units.

In our Housing Element update efforts, we work closely with State Department of Housing and Community Development (HCD) reviewers and the community to create sustainable, forward-thinking plans reflecting city character and goals. We produce "living documents" that not only comply with regulatory requirements, but that citizens identify with and understand, and are straightforward for the City to implement. We work closely with staff, decision makers, and citizens to engage in a collaborative planning effort throughout the policy planning process.

M-Group also has experience leading the development of Circulation Elements. We are currently in the final stages of implementing a Circulation Element Update for the Town of Los Altos Hills. As the lead consultant, working in partnership with Hexagon Traffic Consultants, M-Group successfully managed crucial parts of the element, including valuable community input and visioning. The effort with the Town of Los Altos Hills further demonstrates our commitment to deliver innovative planning results.

II. Project Understanding & Approach

Community Outreach

Community outreach is a critical Housing Element and Circulation Element Update component. In particular, input from residents, local businesses, and interested affordable housing groups will be needed to generate informed decisions and help craft solutions that address State Law. For the Circulation Element Update, meetings with key stakeholders including transit, paratransit, and social service groups would serve to further address the needs of the community and establish an

appropriate vision. Our community-oriented approach allows for ample opportunities for public input.

Unmet Need & Site Inventory for Housing Element

M-Group will determine whether there is any unmet need across various income categories from current planning period. The site inventory for the new 2015-2023 planning period will involve an existing unit capacity review on all residentially zoned land in the City to be counted towards the new RHNA plus approved projects since adoption of the previous Housing Element and new projects slated in the pipeline.

General Experience/Understanding Related to Circulation in Sonoma

W-Trans is uniquely qualified to assist the team in drafting the Sonoma Circulation Element update. They have 18 years of experience in working on a diverse set of transportation-related work in the City Sonoma, ranging from bicycle planning to engineering design. W-Trans worked extensively on the Countywide Bicycle and Pedestrian Plan for the Sonoma County Transportation Authority, including preparation of the Plan for the City of Sonoma, and has a strong working relationship with SCTA's transportation modeling staff. W-Trans staff members have also worked on numerous streetscape and downtown plans not only in Sonoma County but throughout California and the West, and are committed to helping communities create truly "complete" streets that balance the needs of all users regardless of their transportation mode. W-Trans understands Sonoma's desire to maintain the character of the Square and the City's neighborhoods, reducing automobile dependence and creating a more walkable, bikable community. At the same time they understand the traffic pressures that Highway 12 creates in the City, and the difficulties associated with having to contend with a regional Caltrans facility while trying to maintain a sustainable and cohesive circulation system for Sonoma's residents, business owners, and visitors.

Scope, Timeline & Cost

M-Group, KWA, and W-Trans propose the following Scope of Work based on tasks identified in the RFP to be completed by January 31, 2015 for a total fee of \$150,970 or \$173,960 including the optional Downtown Parking Study.

Housing Element Update Scope of Work

- Task 1. Coordination & Public Meetings
- Task 2. Housing Element (Admin. Draft 06/14, Public Review Draft 08/14, Final 1/15)
- Task 3. Public Participation

Circulation Element Update Scope of Work

- Task 1. Project Initiation
- Task 2. Existing Circulation Conditions
- Task 3. Determine Circulation Needs
- Task 4. Draft Circulation Element
- Task 5. Final Circulation Element
- OPTIONAL: Task 6. Parking Summary of Existing Conditions
- OPTIONAL: Task 7. Parking Strategies Report

Table of Contents

Section 1	Work Program and Scope of Work	1
Section 2	Schedule	17
Section 3	Experience and Qualifications	19
Section 4	Budget	27
Section 5	Representative Examples	31
Section 6	Staff Resumes	37

SECTION 1



Work Program and Scope of Work

M-Group, KWA, and W-Trans propose the following work program and scope of work. The following is based on elements in the City provided RFP and based on our experience conducting Housing Element and Circulation Element Updates in the Bay Area.

Work Program

A. Housing Element Update

Having successfully completed 12 housing elements in the 4th cycle, M-Group is experienced in coordinating with teams and cities to develop accurate data analysis and effective policies. M-Group and KWA's approach and methodology to the City of Sonoma's Housing Element Update is as follows:

A.1. Compliance with State Housing Element Law.

M-Group and KWA will follow guidelines provided by HCD in crafting a Housing Element that falls within compliance with State law. To meet the standards set forth by the State, the Housing Element will include the following:

➤ Population and Household Profile

M-Group will work with City staff to conduct a housing needs assessment by collecting and analyzing the City's baseline housing data. The purpose of data collection is to distill and synthesize background information that will be used to describe existing conditions and identify opportunities and constraints for the Housing Element Update.

M-Group will use updated information reflecting 2010 Census data and other newer data sources for the City's Demographic profiles, including population and household information, income levels, number of household units, number of owner vs. rental occupied units and other

household characteristics such as affordability, special needs group such as senior housing and assisted living.

➤ **Housing Needs**

M-Group will assess the City's housing needs based on current development trends and projections for housing, households, jobs, job/housing mix, etc

M-Group will work with City staff on assessing existing conditions, documenting factors related to conditions of Sonoma's housing stock, and market characteristics such as:

- The age of the housing stock
- Type of dwelling units
- The cost of housing: rent, value and monthly cost
- The location, condition and inventory of mobile home parks

M-Group will work with City staff to review databases to update the housing needs inventory. These may include the Census, American Community Survey, Department of Finance statistics, permit records, historic heritage records, and field surveys, to gather information on current housing conditions.

➤ **Housing Characteristics**

M-Group will review existing characteristics of the City's housing stock to identify any trends. M-Group will use the most recent housing data and information from GIS, Census, local Realtors boards, and ABAG.

➤ **Adequate Site Inventory**

M-Group will generate maps that clearly depict sites, using GIS and Adobe programs.

Inventory of land and suitable sites shall include:

- Vacant sites zoned for residential use
- Vacant sites zoned for nonresidential use that allows residential use
- Sites zoned for residential use that can be developed at higher density (if this is a strategy of the Housing Element Update)
- Sites zoned for nonresidential development that can be redeveloped for, and as necessary, rezoned for, residential use
- A list of sites by parcel number or other specific reference
- Parcel size
- Description of the existing use, or vacant
- Description of any environmental constraints to housing development, for which documentation is available to the local government
- Description of existing or planned water, sewer, and dry utilities supply, including the availability and access to distribution facilities. The description must be sufficient to determine whether a site is served or will be served by infrastructure
- Sites identified for housing for above-moderate income households in areas not served by public sewer

- Map showing the location of the sites included in the inventory
- Residential development potential during the Housing Element planning period along with the methodologies and assumptions used to determine the potential, including development trends, market conditions, incentives or standards to encourage additional residential development, and sufficiency of the inventory to accommodate the RHNA.

Each site in the inventory will be analyzed for additional potential units per the assumptions stated above, resulting residential density and income category based on default density assumptions established by HCD, and additional site constraints that may lower the additional potential number of units.

➤ **Housing Goals, Policies and Programs**

The Goals, Policies and Programs should work towards meeting the RHNA, and facilitate production of housing for all segments of the community. Goals and policies can include:

- Programs to make identified sites available for housing redevelopment during the planning period
- Policies and actions that respond to the results of the site inventory and statutory requirements for adequate sites
- Other policies and actions to maintain and preserve Sonoma's existing affordable housing stock, and facilitate the production of affordable housing

There are many different goals, factors, and elements that will need to be considered in writing a Housing Element Update. In order to meet State requirements, the Housing Element must clearly identify tools and incentives to encourage production of affordable housing in the City.

At the same time, the Housing Element needs to address community vision and concerns. For example, there is generally more concern from single-family neighborhoods that feel impacted by an increasing rate of surrounding development. The goals and policies of the Housing Element could be shaped in a way to address these viewpoints.

➤ **Housing Constraints**

M-Group and KWA will analyze physical constraints to housing in the City, such as the impact of steep slopes and natural habitat areas on housing. M-Group and KWA will also analyze existing governmental and non-governmental constraints in providing housing. Constraints to the creation of affordable housing can include development standards and fees, or certain permit requirements. Other information such as terms of affordability restriction, historic preservation issues can also be useful. Any efforts undertaken by the City and local organizations to remove barriers to housing will be reviewed and analyzed to identify ways to support such efforts.

A.2. Addressing mixed-use housing and inclusionary housing.

M-Group and KWA will assess potential available infill sites to identify opportunities for mixed-use and inclusionary housing. The assessment will include an inventory of potential dwelling units that can be provided on each identified site. The number of mixed-use and inclusionary housing units will be adjusted to account for regulatory and environmental constraints, ensuring compliance with RHNA figures.

A.3. Analyzing existing ongoing controls and regulatory practices.

As a crucial part of the Housing Element Update, M-Group and KWA will assess the current zoning controls and regulatory practices of the City of Sonoma. The analysis will examine how the current zoning and regulations influence the current availability of housing in the City. If the current zoning is acceptable and can adequately meet the needs specified by the RHNA, then the Housing Element Update will be developed to utilize current practices to their fullest extent.

If current zoning and regulations are assessed to constrain housing development to meet RHNA numbers, M-Group will conduct a subsequent analysis of the City's service capacity and identify sites that could be rezoned to provide denser housing. A review of identified parcels would be conducted to project possible impacts to neighboring properties and the environment. M-Group may also recommend changes to increase zoning code flexibility, allowing for more mixed-use, accessory dwelling units, or other alternatives that could provide additional housing. Examination will also determine if current zoning permits transitional housing, emergency shelters, farmworker housing, and special needs and senior housing.

A.4. Developing policy recommendations addressing affordable housing and the RHNA.

Using visioning results, general plan goals, and existing regulations as a reference point, M-Group will develop policy recommendations to fulfill the need to provide affordable housing. The 2014-2022 RHNA for the City of Sonoma (see table in Task C.1) shows that RHNA numbers are less than half of those determined in the previous cycle.

M-Group will initiate policy recommendations based on set constraints and identified opportunities, revealed upon research of existing regulations and site analyses. Recommended policy will consider the opinions of community members and local stakeholders as they relate to affordable housing.

B. State Housing Element Legal Requirements

B.1. Housing Element State Law

The Housing Element is one of seven mandatory elements of the General Plan. However, unlike other General Plan Elements, the Housing Element is required to be updated on a regular basis and is subject to requirements and detailed review by HCD. The State of California and ABAG require that all Bay Area jurisdictions adopt their updated Housing Elements by January 31, 2015.

Sonoma's current Housing Element update was approved by the City in 2010 and certified by HCD in 2012. The Housing Element Update effort will require long term visioning and careful planning in order to provide for housing and maintaining a high standard of living in the City. Through this effort, M-Group will ensure that the plan reflects community values for the City and is in full compliance with State Law.

The ABAG Executive Board adopted final RHNA numbers for the San Francisco Bay Area for the 5th Cycle of Housing Element (2014-2022) on July 18th, 2013. The Final RHNA published by ABAG for 2014-2022 for the City of Sonoma, Sonoma County and the Bay Area is as follows:

	Very Low 0-50%	Low 51-80%	Moderate 81-120%	Above Moderate 120%+	Total
Sonoma 2007-2014	73	55	69	156	353
Sonoma 2014-2022	24	23	27	63	137
Sonoma County	1,818	1,094	1,355	4,177	8,444
Bay Area Region	46,680	28,940	33,420	78,950	187,990

RHNA Period: 1/1/2014-10/31/2022 Planning Period: 1/31/2015-1/31/2023

In the existing Housing Element, the City of Sonoma identified sites to accommodate 688 units. Therefore, M-Group does not anticipate too many difficulties in meeting the 2014-2022 numbers. However, the existing Housing Element’s analysis is broadly based on numbers from the 2000 Census, and shall be updated to use the 2010 Census statistics.

The Sonoma 2015-2023 Housing Element Update will provide the City with a multifaceted document, which will articulate the community vision and provide guidance for the future. The Housing Element Update will be based on a broad, citizen-supported vision. M-Group will maintain regular communication with the City and HCD to avoid any misunderstanding that would cost time and money to the City, and to produce high-quality documents adapted to the City’s needs and vision.

We envision the Housing Element Update to fulfill the following goals:

- Effectively address community housing needs, constraints and opportunities.
- Reflect the community’s vision for housing by building and focusing in on issues related to housing affordability, availability and adequacy.
- Build upon the City’s adopted General Plan.
- Garner HCD approval

B.2. Housing Element Certification Requirements

M-Group and KWA are very familiar with procedures in preparing HCD certifiable Housing Element Updates. The update must fulfill certain requirements to garner HCD certification, illustrated in the Department’s guidance document. A complete Housing Element Update will demonstrate the following:

- Public Participation
- Review and/or revision of goals and policies from the previous Housing Element
- Housing Needs Assessment
- Identification of Special Needs Housing
- At-Risk Units Inventory
- Potential Governmental and Non-Governmental Constraints
- Sites Inventory and Analysis
- Quantified Objectives and Housing Programs, and
- Other Requirements such as General Plan consistency and energy conservation

B.3. Experience with HCD

M-Group and KWA are familiar with Housing Element statutes. M-Group worked on 12 Housing Element Updates during the current and previous cycle, many in partnership with KWA. Past experiences working with HCD have led to successfully completed Housing Element Updates, demonstrating our firms' knowledge with the HCD and its procedures.

Task C. Circulation Element Update

C.1. Focused Analysis on West Napa Street

While General Plan Circulation Elements are typically broad in nature by intent, the City has identified two locations at the historic Square that are critical to the City's multimodal circulation system and warrant focused attention.

Broadway/Napa Street Intersection

For over a decade, W-Trans has had a strong interest in improving the Broadway corridor in Sonoma, and in particular the intersection at Broadway/Napa Street. Broadway's width and traffic volumes create a barrier effect that tends to disrupt the urban fabric south of the Square, and crossing Broadway at the Square itself as a pedestrian can be an uncomfortable experience. We understand that signalization of the intersection is considered to be undesirable because of aesthetic impacts to the historic square, and that the City has had discussions surrounding potential implementation of a modern roundabout. We believe that a roundabout has the potential to effectively address concerns of safety, pedestrian circulation, automobile operation, and aesthetics at the intersection and propose to fully explore the potential for roundabout implementation through work on the Circulation Element. When W-Trans first worked with the City of Sonoma on a potential roundabout project at Broadway/Leveroni Road in 1999, the idea was met with insurmountable resistance from Caltrans. Since that time, Caltrans has almost fully reversed course and is now embracing roundabouts as a preferred option.

W-Trans has developed horizontal geometries or assisted with construction plans for more than 30 roundabout projects in California, including one of the first roundabouts approved and constructed on the Caltrans Highway system (the East Main Street/State Route 20 westbound freeway ramps in Grass Valley). W-Trans has obtained approval for four Caltrans roundabouts including State Route 29/Silverado Trail in Calistoga, and has good working relationships with District 4 and Headquarters design coordinators. W-Trans prides themselves on taking an objective approach when considering the best form of traffic control for all modes of travel, and their ability to explain the pros and cons of roundabouts and other forms of traffic control to decision makers, City staff and the general public. This approach to traffic engineering, coupled with their extensive experience in roundabout design, complements the needs and desires of both the City and the broader community with respect to this project. W-Trans is passionate about roundabouts and their many benefits; that said, they also recognize that roundabouts are not appropriate in all locations and commit to maintaining an objective approach in evaluating potential improvements to the Broadway/Napa Street intersection.

First Street West/West Napa Street Intersection

This intersection has some of the highest levels of pedestrian activity in the City, coupled with high traffic volumes that are associated with Highway 12 regional travel, local inter-city travel, and localized parking circulation. The pedestrian crosswalk on the east leg is long and at times difficult for pedestrians to comfortably traverse, and during busy tourist periods the flow of pedestrians becomes nearly continuous, leading to traffic delays on West Napa Street. As part of the Circulation Element update, creative solutions to upgrade the intersection to better accommodate multimodal circulation will be developed. Potential modifications may range from fairly straightforward striping modifications to more complex solutions such as implementation of controlled pedestrian crossing devices (such as a pedestrian hybrid beacon) with raised channelization. W-Trans is very much aware of the careful balance that will be needed to address both pedestrian activity and traffic operation at this intersection, and thrives on finding solutions to these types of challenges.

D. Existing Housing and Circulation Elements as Starting Point

M-Group understands the importance of familiarity with the City's policies and history, as well as with the community's goals and aspirations. M-Group will review all the documents that the City wishes to update, as well as other related documents to gain a firm understanding of the City's goals and policies. Based on our understanding of the City's history and desired direction, M-Group will discuss questions and recommendations with City staff.

D.1. Review City's existing Housing and Circulation Elements

M-Group and KWA will review the City's existing Housing Element, and identify areas that require updating.

The review of the existing Housing Element is intended to measure the success of existing goals and policies, and provide a foundation for the consideration of future housing needs, while balancing community objectives and resources.

M-Group and KWA will analyze the effectiveness of existing housing programs and policies, including the comparison of projected goals to actual accomplishments. M-Group and KWA will also determine whether there is any unmet need from the previous RHNA, based on actual implementation. This analysis will take into account any implementation challenges the City experienced.

State law requires an assessment of the existing Housing Element covering:

- Progress in Implementation
- Effectiveness of the element
- Appropriateness of goals, objectives, policies

W-Trans will review relevant transportation planning documents describing the Sonoma area including the current Circulation Element, the City's Capital Improvement Program, MTC's *Plan Bay Area*, the SCTA Comprehensive Transportation Plan, and the Sonoma Bicycle and Pedestrian Master Plan.

Scope of Work: Housing Element Update

1. Coordination & Public Meetings

1.1 - Coordination with City Staff

M-Group will work closely with City Staff throughout the entire Housing Element update according to an agreed upon timeline (Section 4 – Schedule) to ensure adoption occurs prior to January 31, 2015.

1.2 - Public Hearings

M-Group will attend and present at two (2) public meetings (two (2) Planning Commission and two City Council hearings) during the Draft Housing Element public review. M-Group will assist City Staff in responding to questions and comments from public, agencies, or HCD. In addition, M-Group will present public and committee feedback to City Council on prioritized funding. M-Group will also be available to attend additional meetings at rates described in the cost proposal.

1.3 - HCD Certification

M-Group will continue to assist the City in obtaining completed Housing Element HCD certification. M-Group will closely collaborate with the City and HCD to ensure that the Housing Element meets State requirements and, if necessary, will suggest modifications to the update in order to obtain certification.

Task 1 Deliverables

- M-Group will engage in regularly scheduled conference calls and in-person meetings with City staff during entire project lifecycle.
- M-Group will attend two (2) Planning Commission public hearings.
- M-Group will attend two (2) City Council public hearings.
- M-Group will deliver a memo listing possible revisions necessary to achieve HCD certification.

Task 2. Housing Element Update

2.1 – Current Housing Element Evaluation / Recommended Modifications

M-Group will review existing City policies, plans and programs in order to plan and provide for housing that meets the fair share housing requirement for the City as mandated by State law. The existing conditions review is intended to plan for housing needs while balancing community objectives and resources.

M-Group will analyze the results and effectiveness of the current Housing Element and existing housing programs and policies in the City. This will include a study of the previous Housing Element Update cycle and a comparison of Regional Housing Needs Allocation projected goals and actual accomplishments. The study report will take into account challenges faced by the City in meeting its fair share of housing during the current planning period.

2.2 - Document Review

M-Group will conduct a thorough review of documents pertaining to the Housing Element update. The General Plan, Specific Plans, Zoning Ordinance, permit data, and other background documents deemed applicable will be studied to formulate an accurate understanding of the existing housing situation, including potential and actual nongovernmental constraints, especially in light of the State's elimination of Redevelopment Agencies.

2.3 - Housing Resource Inventory & Opportunities

M-Group will locate appropriate housing resources including programmatic, financial, and physical resources, energy conservation opportunities, in a vacant and underutilized land analysis. This is an important step in determining available zoning capacity in the City to fulfill its RHNA. This analysis will be organized into a parcel-specific listing and will examine suitability for housing development during the near term.

M-Group will work with City staff to confirm opportunity sites, including details such as assessor parcel numbers, addresses, potential dwelling units, Zoning and General Plan designations, and development regulations.

2.4 - Housing Constraints

To identify governmental and market constraints, M-Group will analyze existing zoning and land use patterns within the City. M-Group will analyze constraints at all income levels pertaining to:

- Land-use controls
- Local and regional impact fees
- Permit procedures and fees
- Codes and enforcement
- Physical/environmental constraints
- Infrastructure
- Financial and market conditions
- Constraints for Housing for Persons with Disabilities
- Inclusionary Housing

2.5 - Goals, Policies & Implementing Programs

M-Group will prepare Housing Element Goals, Policies, and Implementing Programs. This task will also identify programs to mitigate or remove constraints. M-Group will develop a Housing Element that contains programs specifically tailored to housing needs and challenges while satisfying State requirements with specific attention paid to mixed-use housing.

2.6 - Draft Housing Element

M-Group will prepare the City's Housing Element update in compliance with the State's procedure and guidelines for a Housing Element process including necessary exhibits, tables, and appropriate goals, policies, and recommended actions. M-Group will incorporate staff comments on the Administrative Draft in the Public Review Draft.

2.7 – Final Housing Element

M-Group will incorporate comments from the public and commissions in the submittal to HCD. M-Group will prepare a transmittal letter to HCD and correspond with HCD on comments made following the Public Review Draft.

Once comments have been received from HCD and the public, M-Group will amend the Public Review Draft Housing Element to reflect feedback. Once HCD has deemed the Final Draft Housing Element compliant, M-Group will produce and submit the Final Housing Element.

Task 2 Deliverables

- M-Group will provide the City with a detailed memo summarizing key issues with existing policy documents and provide strategy recommendations
- Administrative Draft Housing Element hardcopy and electronic version
- Public Review Draft Housing Element hardcopy and electronic version
- Public Hearing Draft Housing Element hardcopy and electronic version
- The final adopted Housing Element will be delivered in Microsoft Word and InDesign so that it is compatible with the City's General Plan

3. Public Participation

M-Group will prepare media to post on the City website to advertise upcoming community meetings and information about the Housing Element Update effort. M-Group will also prepare handouts to gather input from the community. Maps, PowerPoint presentations, and materials for workshops will also be prepared to facilitate discussion and a clear understanding by participants.

With the goal of facilitating meaningful public participation, M-Group aims to inform the community about innovative housing programs, improved quality of life, addressing development and preservation, incorporating smart and sustainable initiatives, and fostering open space conservation while addressing fears concerning development density. M-Group will prepare for and attend two (2) community meetings during the housing needs analysis. M-Group will identify and produce a key stakeholders list and create workshop materials such as notifications, displays and materials for attendees. Meetings will be arranged in such a manner so as to facilitate informal discussions and generate creative ideas that would help address City housing need. Photographs and questionnaires may be used to record input over a wide cross section of the public. M-Group has found this to be an effective means for collecting and recording feedback, which will be used to formulate and refine Housing Element goals and policies.

Task 3 Deliverables

- M-Group will prepare a memo outlining the public participation approach and format.
- M-Group will provide a digital copy of all noticing and advertising materials.
- M-Group staff will budget for two (2) public meetings and/or workshops [approx. two (2) hours each] and incorporate comments into the Draft Housing Element.

Scope of Work: Circulation Element Update

1. PROJECT INITIATION

W-Trans will attend a project kick-off meeting with the team in Sonoma. During this meeting any refinements to the circulation and parking analysis scope of work will be finalized. Intersection traffic counts will be obtained at 16 intersections during the weekday p.m. peak hour, as will 48-hour traffic counts on 22 street segments, consistent with the peak periods and locations included in the City's current Circulation Element. Pedestrian and bicycle peak hour volumes will be obtained at all 16 intersections. Circulation-related GIS data available from the City and County will also be obtained.

W-Trans will review relevant transportation planning documents describing the Sonoma area including the current Circulation Element, the City's Capital Improvement Program, MTC's *Plan Bay Area*, the SCTA Comprehensive Transportation Plan, and the Sonoma Bicycle and Pedestrian Master Plan.

2. EXISTING CIRCULATION CONDITIONS

W-Trans will conduct a field survey of the City's existing transportation facilities. The inventory of physical features will include the number of through vehicle lanes; presence of bicycle lanes, sidewalks, and medians; locations of transit stops; posted speed limits; traffic control types at collector and arterial street intersections; and locations of off-street pathways.

W-Trans will prepare a brief report describing the City's existing circulation system and its operation. Federal, state, regional, and local regulations pertaining to multimodal circulation in Sonoma will be described. Existing conditions will be described for roadway operations, the pedestrian-bicycle network, and transit facilities. Graphics illustrating the roadway system, bicycle and pedestrian facilities, peak hour traffic counts, pedestrian/bicycle counts, and transit routes/stops will be included. Collision history data available through the California Highway Patrol's SWITRS reports will be reviewed to identify specific intersection "hot spots" that have experienced more automobile, pedestrian, and/or bicyclist collisions than would be expected. The City's collision experience will also be compared to similar-sized jurisdictions within California.

Existing intersection levels of service will be determined using the collected traffic volume data, intersection geometric configurations, and signal phasing information using *Highway Capacity Manual* methodologies. Roadway segment volumes and capacities will be reported in a similar manner to the City's current Circulation Element. Results of the intersection and roadway

analyses will be described in the text and summarized in a Level of Service table, and copies of all calculations will be provided in a technical appendix.

W-Trans will complete a review of the current Circulation Element, identifying components that should be revised, with a particular focus on incorporating “Complete Streets” policies consistent with guidelines published by the California Office of Planning and Research. A draft, annotated version of the current Circulation Element goals and policies will be prepared using the “track changes” feature in Microsoft Word, and submitted to Staff for internal review. It is our understanding that many components of the City’s existing Circulation Element will be retained rather than completely overhauled.

W-Trans will attend one (1) workshop with the project team to present an overview of existing circulation conditions, and solicit input on key circulation components that members of the community would like to see addressed through the Circulation Element update.

Task 2 Deliverables

- Annotated Circulation Element
- One (1) workshop

3. DETERMINE CIRCULATION NEEDS

W-Trans will obtain information regarding future land use changes on a parcel-specific basis from City staff, focusing on any sites that could accommodate new/intensified development in the city, including those identified in the Housing Element update. This information will be used to determine the incremental growth in traffic that may be generated by growth within Sonoma over the lifespan of the General Plan. The trip generation rates to be applied to the various categories of development will be detailed, including deductions to account for mixed use and transit-oriented development.

Regional transportation data from SCTA’s travel demand model will be used to determine the potential growth in traffic from sources beyond Sonoma, including regional traffic growth on Highway 12. Future traffic forecasts will be determined for a buildout year (likely 2040 to be consistent with the SCTA model) and an interim year such as 2020 or 2030. Any areas where potential vehicle congestion is projected to occur will be identified.

An assessment of multimodal circulation will be provided relative to issues such as connectivity in the pedestrian and bicycle network, as well as connectivity to and effective accommodation of transit.

W-Trans will conduct a focused analysis of the Broadway/Napa Street intersection, evaluating potential solutions that reduce pedestrian crossing distances, improve safety, and maintain traffic flow while maintaining the aesthetic character of the historic Square. Based on input from the community, up to two options will be graphically depicted with an accompanying analysis of effectiveness for improving all modes of travel. It is assumed that one of the options will reflect relatively low-cost improvements such as curb extensions, pedestrian refuges, and revised striping. It is assumed that the second option will include a modern roundabout. The

roundabout option will be evaluated using state-of-the-practice methodologies accepted by Caltrans, and the conceptual roundabout layout will reflect a configuration that meets Caltrans performance and design criteria.

W-Trans will also conduct a focused analysis of the Broadway/First Street West intersection. The evaluation will be conducted in a similar manner to Broadway/Napa Street discussed above, though based on existing constraints is not expected to include a roundabout option. The primary focus on determining potential improvements at this intersection will be on balancing high pedestrian volumes with high traffic volumes in a safe and effective manner.

W-Trans will meet with City Staff to discuss the results of the analysis and potential circulation improvements.

Following the meeting with Staff, the circulation needs analysis will be summarized in a technical memo. An exhibit will be included, showing the locations in the City where future circulation improvements may be needed. The memo will also include the intersection improvement concepts prepared for the two focus intersections on West Napa Street.

W-Trans will participate in a public workshop to present the draft set of circulation improvements to be included in the Circulation Element. Attendees will be informed to the reasoning behind the recommended improvements, and to the characteristics of modern roundabouts if relevant. The team will solicit input from the community regarding the improvements that have been presented.

Task 3 Deliverables

- One (1) public workshop.

4. DRAFT CIRCULATION ELEMENT

The draft Circulation Element goals and policies will be updated to reflect input received by Staff and the community, and to incorporate components of the circulation analysis and recommendations resulting from the circulation needs analysis. The circulation projects and policies included in the Circulation Element will balance local and regional roadway projects with a "complete streets" theme that emphasizes a multi-modal system providing safe access for pedestrians, bicyclists, motorists and transit riders of all ages and abilities.

An administrative draft Circulation Element section will be prepared and submitted for review. We will then coordinate with Staff to refine the Circulation Element section in preparation for review by the Planning Commission and City Council.

Task 4 Deliverables

- W-Trans will attend two public hearings related to the Draft Circulation Element.

5. FINAL CIRCULATION ELEMENT AND ADOPTION

W-Trans will have a phone meeting with Staff to discuss feedback received at the first two public hearings, and strategize on how to incorporate revisions. The Circulation Element will then be revised and a Final Administrative Draft section prepared. Following final review by Staff, a Final Draft Circulation Element will be submitted for public review.

W-Trans will attend a Planning Commission hearing to present the Final Draft Circulation Element. Following Planning Commission review, the section will be updated for review by the City Council.

W-Trans will attend a City Council Hearing to present the Final Circulation Element, and subsequently work with Staff to incorporate Council's final feedback into the final document.

SUMMARY OF W-TRANS MEETINGS INCLUDED ABOVE

- Two (2) meetings with Staff in Sonoma
- Two (2) community workshops
- Three (3) public hearings

OPTIONAL: TASK 6. PARKING SUMMARY & EXISTING CONDITIONS

M-Group and W-Trans agree to work with the City of Sonoma in producing a Downtown Parking Study. The following is a scope of work for the Downtown Parking Study which excludes several items listed in the RFP.

- A. Once the parking study area has been confirmed with City staff, W-Trans will conduct a parking survey that includes the following:
 1. Inventory of existing off-street parking and on-street parking supply
 2. Parking utilization (two –hour peak period surveys taken during a weekday midday, weekday evening, weekend midday, and weekend evening)
 3. Qualitative observations of parking duration and turnover (usage) during key times at key locations within the study area
 4. Qualitative observations of spillover effect on surrounding neighborhoods.
- B. Based on the surveys we will determine current needs and deficiencies related to multiple uses. Future parking demand that would be generated by future development potential in study area will be estimated based on land use data provided by the City.
- C. W-Trans will prepare an online survey to conduct public outreach, focusing on identification and prioritization of parking issues/problems as they relate to:
 - Residents, businesses and employees
 - Adopted economic development goals
 - Support/opposition with regard to potential programs such as parking meters and options for funding parking improvements

- Law enforcement and public safety issues
- Disabled access

City staff will be responsible for identifying survey recipients and providing stakeholder e-mail addresses and contact information.

OPTIONAL: TASK 7. PARKING STRATEGIES REPORT

This will be a high-level document that establishes goals for future development of a Parking Management Plan. The document will be informed by the parking surveys and stakeholder surveys that were conducted in the prior task.

- A. W-Trans will research and provide guidance on industry standard best practices for:
 - An optimum and realistically achievable peak period parking space vacancy rate.
 - Policy, funding and legal frameworks for managing, maintaining and developing downtown parking facilities.
 - How to determine the need for new parking facilities (private or public, lots or structures), parking meters or pay stations.
- B. W-Trans will draft a report to be submitted for review by City staff summarizing the study methodology, analysis, findings, conclusions, and recommendations. We will then present the draft report to the City Council for feedback in a public meeting. We will complete a final report based on direction received from the City Council, and ultimately present the final report to the Council for adoption in a public meeting.

Parking Study Exclusions

The following items identified in the project RFP are **not** included in this task, as they would be recommended for more detailed study and analysis and possible inclusion in the Parking Management Plan:

- Create budget and proformas to detail the cost of implementing new parking facilities.
- Develop recommendations for implementation and ongoing maintenance of existing and proposed parking improvements.
- Prepare an itemized cost estimate for the implementation of the aforementioned programs and improvements.
- Identify any recommended changes in the City's parking standards with respect to both dimensional requirements and requirements for on-site parking.

MEMO

To: Planning Commission
From: Planning Director Goodison
Re: Continued review of proposed amendments to the Development Code to implement Housing Element programs

Background

Implementation Programs #21 and #22 of the Housing Element calls upon the City to make adjustments to various provisions of the Development Code in order to facilitate the provision of affordable and comply with changes in State law. Accordingly, staff has prepared amendments in four areas of the Development Code for the Planning Commission's consideration that were reviewed by the Planning Commission at its meeting of November 14, 2013. Although the Planning Commission was satisfied with the proposed amendments and voted to forward them to the City Council for final review and approval, staff put this item on hold. At the time, the City was in the process of selecting a consultant for the update of the Housing Element and it seemed desirable to obtain comments and insight from the consultant to ensure that whatever amendments were ultimately adopted would be fully consistent with State law. Following the selection of the M-Group as the Housing Element consultant, staff referred the draft Code amendments to them for review and comment. The draft Code amendments now before the Planning Commission reflect their suggestions.

1. *Clarification of Provisions Regarding Inclusionary Affordable Units and the Calculation of Density Bonuses*

The proposed revisions reflect changes in State law regarding the calculation of density bonuses, as well as guidance from the Department of Housing and Community Development (HCD) that required inclusionary units must be counted when calculating a density bonus. See attachment A of the draft ordinance. Note: the percentage calculations associated with density bonus are now so detailed and complex that the Development Code would simply reference the applicable section of the State Government Code rather than attempt to reproduce it.

2. *Modifications to Use Permit Requirements for Emergency Shelters*

SB 2, which was adopted in 2007, provides that every city and county in California shall identify a zoning designation within which emergency shelters are allowed without a use permit or other discretionary review. However, jurisdictions may identify objective development and management standards that would apply to such shelters. Staff suggests that emergency shelters accommodating fifteen beds or fewer be identified as a permitted use in the "P" (Public Zone). Along with this change, development and management standards are proposed. (See attachment B to the draft ordinance.)

3. *Establishing a Definition for "Agricultural Employee Housing"*

A definition for “Agricultural Employee Housing” is provided and is identified as a permitted use in the Agricultural zone.

4. *Establishing Definitions for “Supportive Housing” and “Transitional Housing.”*

Definitions for “Supportive Housing” and Transitional Housing” are provided and these uses are identified as permitted or conditionally-permitted in selected residential zones, the Public Zone, the Commercial zone, the Mixed Use zone, and the Medium Density Residential zone. Per State law, Supportive and Transitional Housing is subject to those restrictions that apply to other residential dwellings of the same type in the same zone. For example, such housing structured as single-family is permitted in the RL and RS residential zones, whereas Supportive and Transitional housing structured as multi-family is limited to the RM and RH residential zones and the Mixed Use Zone.

5. *Establishing a Definition for “Single Room Occupancy Housing”*

A definition for “Single Room Occupancy Housing” is provided and is identified as a conditionally-permitted use in the Agricultural zone.

6. *Allowance for Residential Care Facilities in the Mixed Use Zone*

Currently, Residential Care Facilities serving seven or more clients are identified as a conditionally-allowed use in the Low-Density Residential zone, the Sonoma Residential zone, and the Medium Density Residential zone. The proposed ordinance would allow for such facilities as a conditionally-allowed use in the Mixed Use zone.

While these changes do not address all of the directions contained in the two programs, they would accomplish a significant number of them.

Environmental Review

The adoption of amendments to the Development Code implementing revisions that are called for in the Housing Element and that are necessary to comply with State law is exempt from environmental review, because there is no reasonably foreseeable likelihood that such actions would result in any significant environmental impact.

Recommendation

Staff recommends that the Planning Commission hold a public hearing on the proposed amendments to the Development Code and recommend to the City Council that they be adopted.

Attachments:

1. Housing Element Programs #21 and #22
2. Draft Ordinance

While Sonoma currently provides flexibility in its parking standards to encourage housing which offers a particular community benefit, such as serving a special needs population or providing live-work units, the City could provide greater certainty to developers by incorporating refined multi-family parking standards within the Code. As discussed in the Governmental Constraints section of the Housing Element Background Report, the current multi-family parking standards of 1.5 spaces regardless of the number of bedrooms could potentially serve as a disincentive to the provision of studio and one-bedroom units. To better facilitate the provision of a variety of housing types and sizes, the City will re-evaluate its residential parking requirements and refine as appropriate.

2009-2014 Objective: Continue to provide options for reduced parking as an incentive for development of affordable, special needs, mixed use, live-work, and pedestrian oriented housing. By 2011, re-evaluate multi-family parking standards and modify as appropriate.

21. Affordable Housing Density Bonus

Pursuant to current state density bonus law (*Govt Code section 65915*), applicants of residential projects of five or more units may apply for a density bonus and additional incentive(s) if the project provides for one of the following:

- ✓ 10 percent of the total units for lower income households; or
- ✓ 5 percent of the total units for very low income households; or
- ✓ A senior citizen housing development or mobilehome park that limits residency based on age requirements for housing for older persons; or
- ✓ 10 percent of the total dwelling units in a condominium for moderate income households.

The amount of density bonus varies according to the amount by which the percentage of affordable housing units exceeds the established minimum percentage, but generally ranges from 20-35 percent above the specified General Plan density. In addition to the density bonus, eligible projects may receive 1-3 additional development incentives, depending on the proportion of affordable units and level of income targeting. The following development incentives may be requested:

- ✓ Reduced site development standards or design requirements.
- ✓ Approval of mixed-use zoning in conjunction with the housing project.
- ✓ Other regulatory incentives or concessions proposed by the applicant or the City that would result in identifiable cost reductions.

Applicants are also eligible to utilize the State's alternative parking ratio (inclusive of handicapped and guest spaces) of 1 space for 0-1 bedroom units, 2 spaces for 2-3 bedroom units, and 2.5 spaces for 4+ bedrooms.

Sonoma has approved density bonuses for several affordable housing projects in the past, including Firehouse Village and Maysonnave Apartments. Subsequent to adoption of its Development Code, SB 1818 made significant changes to State density bonus law which now need to be incorporated into the Code. In addition, the City's density bonus ordinance needs to clarify that provision of required inclusionary units qualifies for a density bonus.

2009-2014 Objective: Update Chapter 19.44 of the Development Code by 2010 to reflect current State density bonus provisions and clarify the relationship between local inclusionary requirements and eligibility for density bonus eligibility. Advertise on Sonoma's website, and promote in conjunction with discussions with development applicants.

22. Zoning Text Amendments

As part of the Governmental Constraints analysis for the Housing Element update and pursuant to new requirements under SB 2, several revisions to the Sonoma Development Code have been identified as appropriate to better facilitate the provision of a variety of housing types. These Code revisions include:

- ✓ Develop a definition of “family” which is inclusive and non-discriminatory, and incorporate into the Development Code.
- ✓ Create a “community care facility” use category and definition and distinguish from residential care homes; list community care facilities with 6 or fewer occupants as permitted in residential zone districts; designate zone districts where care facilities with 7 or more occupants will be permitted or conditionally permitted.
- ✓ Establish a single room occupancy (SRO) definition and use category in the Development Code and identify zones in which SROs will be permitted by right and/or with a use permit. Establish development standards for SROs.
- ✓ Create a supportive housing use category and definition. Utilize the same standards and permitting procedures to regulate supportive housing and transitional housing as other residential uses of the same type in the same residential zone district.
- ✓ Identify emergency shelters as a use permitted in the Public (P) zone district by-right without any discretionary action required. Emergency shelters will be subject to the same development and management standards as other uses permitted in the P zone. However, the City will develop written, objective standards to regulate the following, as permitted under SB 2:
 - ◆ The maximum number of beds or persons permitted to be served nightly;
 - ◆ Off-street parking;
 - ◆ The size and location of exterior and interior onsite waiting and client intake areas;
 - ◆ The provision of onsite management;
 - ◆ The proximity of other emergency shelters;
 - ◆ The length of stay;
 - ◆ Lighting;
 - ◆ Security during hours that the emergency shelter is in operation.
- ✓ Establish a definition for agricultural employee housing and use category in the Development Code. Utilize the same processing procedures to regulate agricultural employee housing as other agriculture uses within the Agriculture zone district, and for agricultural employee housing with six or fewer workers, regulate as a single-family use, consistent with H&S Code 17021.5-6.

2009-2014 Objective: Amend the Zoning Ordinance in 2010 to make explicit provisions for a variety of special needs housing. Develop objective standards to regulate emergency shelters as provided for under Senate Bill 2.

EQUAL HOUSING OPPORTUNITIES AND SPECIAL NEEDS

23. Fair Housing Program

Fair Housing of Sonoma County (FHOSC) is the designated provider of fair housing and tenant-landlord information throughout the County. FHOSC provides fair housing investigation and coordinates referral services to assist individuals who may have been the victims of discrimination. They maintain a fair housing hotline (707)579-5033 and provide bi-lingual in-person counseling at their offices in Santa Rosa. Fair housing education and outreach includes publication and distribution of *A Handbook for Landlords & Tenants*, and presentations to community groups and housing providers on fair housing issues.

2009-2014 Objective: Continue to promote fair housing practices, and refer fair housing complaints to Fair Housing of Sonoma County. As a means of furthering fair housing education and outreach in the local community, the City will advertise the fair housing program through placement of fair housing services brochures at the public counter, the Sonoma Community Center and on the City’s website.

24. Universal Design

CITY OF SONOMA

ORDINANCE NO. X - 2013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING TITLE 19 OF THE SONOMA MUNICIPAL CODE BY MAKING REVISIONS IN ACCORDANCE WITH IMPLEMENTATION MEASURES OF THE CITY'S HOUSING ELEMENT

The City Council of the City of Sonoma hereby ordains as follows:

Section 1. Amendments to “Affordable Housing Requirements and Incentives” (Title 19, Chapter 19.44) of the Sonoma Municipal Code.

Chapter 19.44 is hereby amended as set forth in Exhibit “A”.

Section 2. Amendments to “Zones and Allowable Uses” (Title 19, Section 19.10.050) of the Sonoma Municipal Code.

A. Table 2-4 (Residential Uses and Permit Requirements) is hereby amended as follows:

Allowed Uses and Permit Requirements for Residential Districts (1)			Permit Required by District (2)				P Use permitted			Specific Use Regulations
							UP Use Permit required	L License required	— Use not allowed	
Land Use (1)	R-HS	R-R	R-L	R-S	R-M	R-H	R-O	R-P		
<i>Residential Uses (2)</i>										
Duplex	—	—	UP	P	P	UP	UP	—		
Emergency Shelters/Transitional Housing	—	—	—	—	UP	UP	UP	—	<u>19.50.033</u>	
Home Occupation	P	P	P	P	P	P	P	P	<u>19.50.035</u>	
Live/Work Facilities	—	—	—	—	UP	—	—	—		
Mobile Home Park	—	—	—	—	—	—	—	UP	<u>19.50.035</u>	
Multi-family Dwelling (Four or fewer units)	—	—	—	UP	P	P	P	—		
Multi-family Dwelling (Five or fewer units)	—	—	—	UP	UP	UP	P	—		
Residential Accessory Structures	P	P	P	P	P	P	P	P		
Residential Care	—	—	P	P	P	—	—	—		

Homes, Six or fewer clients									
Residential Care Homes, Seven or more clients	—	—	—	—	UP	—	—	—	
Single-Family Dwellings	P	P	P	P	P	UP	—	—	<u>19.50.035</u>
Supportive Housing (3)	—	—	<u>P/UP</u>	<u>P/UP</u>	<u>P/UP</u>	<u>P/UP</u>	—	—	
Transitional Housing (3)	—	—	<u>P/UP</u>	<u>P/UP</u>	<u>P/UP</u>	<u>P/UP</u>	—	—	

B. Table 2-2 (Commercial Uses and Permit Requirements) is amended as follows:

Allowed Uses and Permit Requirements for Commercial Zoning Districts (1)	Permit Required by District (2)		P Use permitted UP Use Permit required L License required — Use not allowed
Land Use	C	CG	Specific Use Regulations
Residential Uses (4)			
Emergency Shelters/Transitional Housing	UP	UP	19.50.033
Live/Work Facilities	UP	UP	19.50.050
Multi-family Dwelling (Four or fewer units)	UP	UP	
Multi-family Dwelling (Five or fewer units)	UP	UP	
Single Room Occupancy Housing	<u>UP</u>	—	
Notes: 1. See SMC 19.10.050(C) regarding uses not listed. See Division VIII for definitions of the listed land uses. 2. New residential developments subject to the City's Growth Management Ordinance (SMC 19.94). 3. <u>Supportive and Transitional Housing shall be subject to those restrictions that apply to other residential dwellings of the same type in the same zone. For example, such housing structured as single-family is permitted in the RL and RS residential zones, whereas Supportive and Transitional housing structured as multi-family is limited to the RM and RH residential zones and the Mixed Use Zone.</u>			

C. Table 2-3 (Mixed Uses and Permit Requirements) is amended as follows:

Allowed Uses and Permit Requirements for Mixed Use Zoning Districts (1)	Permit Required by District (2)	P Use permitted UP Use Permit required L License required — Use not allowed
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<i>Land Use</i>	<i>MX</i>	<i>Specific Use Regulations</i>
<i>Residential Uses (4)</i>		
<i>Emergency Shelters/Transitional Housing</i>	<i>UP</i>	<i>19.50.033</i>
<i>Live/Work Facilities</i>	<i>UP</i>	<i>19.50.050</i>
<i>Multi-family Dwelling (Four or fewer units)</i>	<i>P</i>	
<i>Multi-family Dwelling (Five or fewer units)</i>	<i>UP</i>	
<i>Residential Care Homes, Seven or more clients</i>	<i>UP</i>	
<i>Single-Family Dwellings</i>	<i>P (5)</i>	
<i>Supportive Housing, four or fewer units</i>	<i>P</i>	
<i>Supportive Housing, five or more units</i>	<i>UP</i>	
<i>Transitional Housing, four or fewer units</i>	<i>P</i>	
<i>Transitional Housing, five or more units</i>	<i>UP</i>	
<p><i>Notes:</i></p> <ol style="list-style-type: none"> <i>See SMC 19.10.050(C) regarding uses not listed. See Division VIII for definitions of the listed land uses.</i> <i>New development in the Mixed Use zone shall include a residential component unless waived by the planning commission through use permit review (see SMC 19.10.020(C)).</i> <i>Uses within these categories are allowed only if the planning commission finds that the use will not result in the encroachment of incompatible commercial uses within an established residential area.</i> <i>New residential developments subject to the city's growth management ordinance.</i> <i>Limited to a single residence on an existing lot of record; otherwise, use permit approval is required.</i> 		

D. Table 2-4 (Special Purpose Uses and Permit Requirements) is hereby amended as follows:

<i>Allowed Uses and Permit Requirements for Special Purpose Zoning Districts</i>	<i>Permit Required by District</i>				<i>P Use permitted UP Use Permit required L License required — Use not allowed</i>
	<i>A</i>	<i>Pk</i>	<i>P</i>	<i>W</i>	
<i>Land Use (1)</i>					<i>Specific Use Regulations</i>
<i>Residential Uses (2)</i>					
<i>Agricultural Employee Housing</i>	<i>P</i>	<i>—</i>	<i>—</i>	<i>—</i>	
<i>Caretaker and Employee Housing</i>	<i>UP</i>	<i>UP</i>	<i>UP</i>	<i>UP</i>	

<i>Emergency Shelters, 15 or fewer beds and Transitional Housing</i>	—	—	<u>UP</u> <u>P</u>	—	<u>19.50.035</u>
<i>Emergency Shelters, 16 or more beds</i>	—	—	<u>UP</u>	—	
<i>Residential Accessory Structures and Uses</i>	<u>P</u>	—	—	—	<u>19.50.035</u>
<i>Single-Family Dwellings</i>	<u>P</u>	—	—	—	<u>19.50.035</u>
<i>Supportive Housing</i>	—	—	<u>UP</u>	—	
<i>Transitional Housing</i>	—	—	<u>UP</u>	—	
<p>Notes:</p> <p>1. See Section 19.10.050.C regarding uses not listed. See Division VIII for definitions of the listed land uses.</p> <p>2. New residential developments subject to the City's Growth Management Ordinance (SMC 19.94).</p>					

B. Table 2-2 (Commercial Uses and Permit Requirements) is amended as follows:

<i>Allowed Uses and Permit Requirements for Commercial Zoning Districts (1)</i>	<i>Permit Required by District (2)</i>		<i>P</i> <i>UP</i> <i>L</i> <i>—</i>	<i>Use Permitted</i> <i>Use Permit required</i> <i>License required</i> <i>Use not allowed</i>
<i>Land Use</i>	<i>C</i>	<i>CG</i>	<i>Specific Use Regulations</i>	
<i>Residential Uses (4)</i>				
<i>Emergency Shelters/Transitional Housing</i>	<u>UP</u>	<u>UP</u>		<u>19.50.033</u>
<i>Live/Work Facilities</i>	<u>UP</u>	<u>UP</u>		<u>19.50.050</u>
<i>Multi-family Dwelling (Four or fewer units)</i>	<u>UP</u>	<u>UP</u>		
<i>Multi-family Dwelling (Five or fewer units)</i>	<u>UP</u>	<u>UP</u>		
<i>Single Room Occupancy Housing</i>	<u>UP</u>	—		
<p>Notes:</p> <p>1. See SMC 19.10.050(C) regarding uses not listed. See Division VIII for definitions of the listed land uses.</p> <p>2. New residential developments subject to the City's Growth Management Ordinance (SMC 19.94).</p>				

Section 3. Amendments to “Special Use Standards” (Title 19, Division IV) of the Sonoma Municipal Code establishing standards and requirements for Emergency Shelters.

Chapter 19.50 is hereby amended as set forth in Exhibit “B”.

Section 4. Amendments to “Definitions” (Title 19, Division VIII) of the Sonoma Municipal Code.

Section 19.92.020 (Definitions of Specialized Terms and Phrases) is hereby amended as follows:

“Agricultural Employee Housing” means housing as described in California Health and Safety Code Sections 17021.5 and 17021.6, and employee housing as defined in California Health and Safety Code Section 17008.

~~“Emergency Shelters” means facilities for the temporary shelter and feeding of indigents or disaster victims, operated by a public or nonprofit agency. (See also “Transitional housing.”). temporary lodging for homeless persons with minimal supportive services that may be limited to occupancy of six months or less.~~

“Supportive housing” means permanent affordable housing with no limit on length of stay that is occupied by the target population as defined in the Health & Safety Code Section 53260(d), and that is linked to on- 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. (Health and Safety Code Section 50675.14(b).) Supportive Housing shall be subject to those restrictions that apply to other residential dwellings of the same type in the same zone. For example, such housing structured as single-family is permitted in the RL and RS residential zones, whereas Supportive housing structured as multi-family is limited to the RM and RH residential zones and the Mixed Use Zone.

~~“Transitional Housing” means any dwelling unit or group living accommodation designed or operated as temporary living quarters or residence for homeless persons or victims of abuse. This definition does not include any facility licensed as a community care facility by the California Department of Social Services or defined as such in this chapter. means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (Health and Safety Code Section 50675.2(h)). The housing may take several forms such as group housing and multi-family units and may include supportive services to allow individuals to gain necessary life skills in support of independent living. Transitional Housing shall be subject to those restrictions that apply to other residential dwellings of the same type in the same zone. For example, such housing structured as single-family is permitted in the RL and RS residential zones, whereas Transitional housing structured as multi-family is limited to the RM and RH residential zones and the Mixed Use Zone.~~

Section 5. Exemption from Environmental Review.

The amendments to the Municipal Code effected by this ordinance are exempt from environmental review pursuant to Section (b)(3) of title 14 of the California Code of Regulations, as it can be determined with certainty that there is no possibility that the proposed revisions to the Development Code, which are intended to implement directions set forth in the Housing Element and comply with State law, will not have any significant impact on the environment.

Section 6. Effective Date.

This ordinance shall become effective thirty (30) days from and after the date of its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Sonoma this XX day of XX, 2013.

Chapter 19.44
AFFORDABLE HOUSING REQUIREMENTS AND INCENTIVES

Sections:

- 19.44.010 Purpose.
- 19.44.020 Inclusionary units.
- 19.44.025 Eligibility for bonus and incentives.
- 19.44.030 Types of bonuses and incentives allowed.
- 19.44.040 Continued availability.
- 19.44.050 Location of inclusionary and bonus units.
- 19.44.060 Processing of density bonus/incentive requests.

19.44.010 Purpose.

This chapter delineates city requirements pertaining to inclusionary affordable units. In addition, as required by state law (Government Code Section 65915), this chapter offers incentives to developers for providing housing that is affordable to the types of households and qualifying residents identified in SMC 19.44.025, Eligibility for Bonus and Incentives. The incentives include the ability to construct ~~up to 25 percent~~ more residential dwelling units than normally allowed by the applicable General Plan designation and zoning district, and other incentives and concessions provided by this chapter. In offering these incentives and concessions, this chapter is intended to implement the requirements of state law (Government Code Sections 65302, 65913, and 65915, et seq.).

19.44.020 Inclusionary units.

In order to ensure an appropriate variety of unit types and residential living opportunities in new development, inclusionary affordable units shall be provided as follows:

A. Sonoma Residential District. In the Sonoma Residential zoning district:

1. A development containing five or more parcels or units shall provide that at least 20 percent of the total parcels or units are affordable to households in the low and moderate income categories; and
2. At least one-half of the affordable parcels or units of any residential development containing 10 or more parcels or units shall be affordable to households in the low income category.

B. In Other Residential Zoning Districts. A development containing five or more residential parcels or units shall provide that at least 20 percent of the total parcels or units are affordable to households in the low and moderate income categories.

C. Affordable. Affordable shall be defined as "affordable housing unit" ~~in the 1995—2005 General Plan~~ consistent with the most-recently adopted affordability policies of the City of Sonoma.

19.44.025 Eligibility for bonus and incentives.

In order to be eligible for a density bonus and other incentives provided by this chapter, a proposed residential development project shall include a minimum of five units and shall comply with the following provisions.

A. Number of Units. At least:

1. Lower Income. ~~Twenty-Ten~~ Ten percent of the total number of proposed dwelling units shall be for lower income households, as defined in Health and Safety Code Section 50079.5; or

2. Very Low Income. ~~Ten~~ Five percent of the total number of proposed dwelling units shall be for very low income households, as defined in Health and Safety Code Section 50105; or

3. Moderate Income. Ten percent of the total number of proposed dwelling units within a condominium or common interest development shall be for moderate income households, as defined in Health and Safety Code Section 50079.5; or

~~3. Other Qualifying Residents. Fifty percent of the total number of proposed dwelling units shall be for qualifying residents as determined by Section 51.2 of the Civil Code.~~

4. Senior Housing. A senior citizen housing or mobile home park that limits residency based on age requirements to provide housing for older persons, consistent with Section 51.3 and 5.12 of the California Civil Code.

B. Conformance. In order to qualify for the bonus and other incentives identified in this chapter, the residential development project shall satisfy all other applicable provisions of this chapter.

19.44.030 Types of bonuses and incentives allowed.

A qualifying residential development project shall be entitled to the following density bonus and other incentives. If a density bonus and/or other incentives cannot be accommodated on a parcel due to strict compliance with the provisions of this development code, the planning commission is authorized to waive or modify development standards as necessary to accommodate all bonus units and other incentives to which the development is entitled.

A. Density Bonus.

1. Minimum Percentage Required. The density bonus allowed by this chapter shall consist of a ~~25~~ percentage increase in the number of dwelling units normally allowed by the General Plan designation and zoning district applicable to the parcel as of the date of filing for the development project application. The percentage increase shall be calculated in accordance with Government Code Section 65915(f). Inclusionary units required pursuant to section 19.44.020 of this Chapter shall be included when calculating a density bonus.

2. Only One. A single development project shall not be granted more than one density bonus in compliance with this chapter.

B. Incentives. A qualifying residential development project shall be entitled to ~~at least one of the following incentives and/or concessions as provided for identified~~ at least one of the following incentives and/or concessions as provided for identified by state law (Government Code Section ~~65915(b)~~ 65915(k)):

1. Reduction in Standards. A modification (reduction or increase) of the ~~parcel~~ site development standards of this development code (e.g., parking requirements, setbacks, site coverage, zero lot line and/or reduced parcel sizes, etc.) that would result in identifiable, financially sufficient, and actual cost reductions;

2. Mixed Use Zoning. Approval of mixed use zoning in conjunction with the residential development project if nonresidential land uses would reduce the cost of the project, and the nonresidential land uses would be compatible with the project and surrounding development; and

3. Other Incentives. Other regulatory incentives or concessions proposed by the developer or the city that would result in identifiable financially sufficient, and actual cost reductions.

4. Alternative Parking Ratios. Use of the parking ratios provided for in Government Code Section 65915(p).

C. Approval of Incentives. Reductions in development standards for developments featuring density bonus units may be approved by the planning commission. The provision of any other incentives shall be subject to the approval of the city council. The council or commission shall approve ~~one or more of the above incentives or concessions, notwithstanding the any other provisions of this chapter, unless it makes a written findings that the additional concession or incentive is not required in order for the sales price or rent for the targeted dwelling units to be established~~ in compliance with state law (Government Code Section ~~65915(e)~~ 65915(d)). If no incentive is provided, then the term of affordability of the density bonus units shall be limited to 10 years.

19.44.040 Continued availability.

The land use permit application for the residential development project shall include the procedures proposed by the developer to maintain the continued affordability of the inclusionary and density bonus units in the following manner:

A. Development Projects with City Funding – 40 Years. Projects receiving a direct financial contribution or other financial incentives from the city, or a density bonus and at least one other concession or incentive, shall maintain the availability of the lower income density bonus units for a minimum of 40 years, as required by state law (Government Code Sections 65915(c) and 65916);

B. Private Development Projects – Inclusionary and Density Bonus Only – 30 Years. Privately financed projects that receive a density bonus as the only incentive from the city shall maintain the availability of lower income density bonus units for a minimum of 30 years; and

C. Affordability Agreement. Affordability shall be guaranteed through an "affordability agreement" executed between the developer and the city in a form approved by the city council and the city attorney. The agreement shall be recorded on the subject property with the county recorder's office before the issuance of building permits and shall become effective before final inspection of the first unit. The subject agreement shall be legally binding and enforceable on the property owner(s) and any subsequent property owner(s) for the duration of the agreement. The agreement shall include the following items:

1. Number and Duration. The number of, and duration of the affordability for, the affordable units;
2. Monitoring Affordability. The method in which the developer and the city are to monitor the affordability of the subject affordable units and the eligibility of the tenants or owners of those units over the period of the agreement;
3. Marketing of Units. The method in which vacancies would be marketed and filled;
4. Location and Type. A description of the location and unit type (bedrooms, floor area, etc.) of the affordable units within the project; and
5. Standards for Incomes and Rents/Sales Prices. Standards for maximum qualifying household incomes and standards for maximum rents or sales prices consistent with the most-recently adopted affordability policies of the City of Sonoma.

19.44.050 Location of inclusionary and bonus units.

As required by state law (Government Code Section 65915(g)), the location of density bonus units within the qualifying project may be at the discretion of the developer. Normally, inclusionary affordable units should be reasonably dispersed throughout the development and should be compatible with the design or use of the market-rate units in terms of appearance, materials, and finish quality. The clustering of affordable units may be permitted by the planning commission, when consistent with the design and site planning characteristics of a particular development.

19.44.060 Processing of density bonus/incentive requests.

Proposed density bonus/incentive requests shall require the approval of a conditional use permit in compliance with SMC 19.54.040, Use permits.

A. Initial Review of Bonus Request. The city planner shall notify the developer within 90 days of the filing of the conditional use permit application of whether the residential development project qualifies for the density bonus or incentive(s).

B. Criteria to Be Considered. Criteria to be considered in analyzing the request shall include the availability and capacity of infrastructure (road, sewer, and water capacity, school capacity, etc.) to accommodate the proposed residential density.

C. Findings for Approval. The granting of a density bonus shall be subject to the findings required for the approval of a conditional use permit (SMC 19.54.040(E)).

Amendments to Chapter 19.50 (Special Use Standards)

Section 19.50.033 (Emergency Shelters) is hereby added to read as follows:

19.50.033 Emergency Shelters

This section provides development and operational requirements for emergency shelters, as defined in Division VIII, Chapter 19.92 (Definitions).

A. Site Development Standards. In addition to any other applicable requirements of the Development Code and any other applicable statutes and regulations, all emergency shelter facilities shall be subject to the following development standards:

1. Client Intake and Waiting Area. Each emergency shelter facility shall provide an onsite client intake and waiting area, subject to the following:
 - a. The minimum area of a client intake and waiting area shall be no less than 10 square feet offloor area for each bed provided at the emergency shelter facility.
 - b. A client intake and waiting area shall not be located within a required yard area. For an emergency shelter facility located in a zoning district where a yard setback is not specified, the client intake and waiting area shall not be located between a building and the public right-of-way.
 - c. A client intake and waiting area shall be fully screened from view from all public streets adjoining the emergency shelter facility.
2. Exterior Lighting. Exterior lighting shall be provided throughout the facility to ensure the safety of all persons on-site. The placement, illumination, and shielding of such lighting shall be subject to the applicable provisions of the WMC.
3. Proximity to Other Emergency Shelters. No emergency shelter facility shall be less than 300-feet from any other emergency shelter facility. In determining the distance between two emergency shelter facilities, the distance shall be measured from the property line of one facility to the nearest property line of another facility.

B. Permitted Amenities and Services. A proposed emergency shelter facility offering immediate and short-term housing may provide on-site supplemental services and amenities to the homeless individuals and families staying at such facility. These on-site services and amenities may include, but are not limited to the following:

1. Recreation Area. An indoor and/or outdoor recreation area may be provided.
2. Counseling Center. A counseling center for job placement, education, health care, legal or mental services, or similar services intended to assist homeless clients may be provided.
3. Laundry Facilities. Laundry facilities, located within an enclosed structure may be provided.
4. Kitchen and Dining Hall. A kitchen for the preparation of meals serving on-site clients and a dining hall may be provided.

5. Client Storage. A client storage area for the personal belongs of the on-site clients may be provided.

C. Operational standards. All Emergency Shelter Facilities shall be subject to the following operational standards:

1. Maximum Stay. The maximum stay of any individual shall not exceed 120 days in a 365-day period.
2. Availability of Beds. Stays at an emergency shelter facility shall be on a first -come firstserve basis with clients housed on-site. Clients shall have no guaranteed bed for the next night.
3. Hours of Operation. Clients may only be permitted on-site and admitted to the emergency shelter facility between 5:00 PM to 8 AM. All clients shall vacate the emergency shelter facility no later than 8:00 AM.
4. Minimum Staffing Requirements. A minimum of one employee for each 15 beds within an emergency shelter facility shall remain awake and on-duty during the emergency shelter facility's hours of operation.
5. Counseling Referrals and Reporting. Any counseling programs are to be provided with referrals to outside assistance agencies.

D. Safety, Security, and Operational Plan. A Safety, Security and Operational Plan shall be submitted to the Police Chief for review and approval, prior to initial occupancy of an emergency shelter facility. The site-specific Safety, Security and Operational Plan shall address all of the following:

1. Facility Management. The provisions necessary to manage the ongoing emergency shelter facility's needs, both on and off-site, including, but not limited to, the separation of individual male and female sleeping areas, provisions of family sleeping areas, and the various services and functions of such facility shall be provided.
2. Client Congregation. The specific measures used by the emergency shelter facility to discourage clients from congregating off-site and/or disturbing nearby uses during the hours when clients are not allowed on site at the emergency shelter facility.
3. Admittance and Discharge. The provisions for the daily management for admittance and discharge procedures shall be provided, with the objective of giving priority to Westminster residents.
4. Refuse Collection. The refuse collections schedule to provide the timely removal of associated client litter and debris on and within the vicinity of the emergency shelter facility shall be provided.
5. Alcohol and Drug Regulation. The provisions for addressing how the operator will ensure that the emergency shelter facility remains alcohol and illegal drug free at all times.
6. Contact Information. The operator shall provide the City with the most current contact information for the operator of the facility during the normal daytime business hours, and the

nighttime contact information for the "person on duty" when the emergency shelter is receiving and housing clients. The appropriate email addresses, phone numbers and fax numbers shall be provided.

The Safety, Security and Operational Plan shall include a site plan and a floor plan of the emergency shelter facility. The Safety, Security and Operational Plan approved by the Police Chief shall remain in effect for the entire life of the emergency shelter facility, unless an amended plan is prepared by the operator and approved by the Police Chief.

MEMO

To: Planning Commission
From: Planning Director Goodison
Re: Discussion of Possible Changes to Fence Height Regulations

The Planning Commission regularly reviews applications for exceptions to the fence height standards, especially involving properties that are corner lots. This type of application has become so typical that the Commission has developed informal guidelines for reviewing such proposals. In addition, in recent months, the Planning Commission has reviewed several applications for fence height exceptions in which the fence was installed prior to the filing of the application. To address these issues, it seems timely for the Planning Commission to review the practices and regulations concerning fence height and provide direction of possible changes. Topics for discussion include the following:

1. *Outreach to Fence Contractors.* Staff has written to local fence contractors to remind them of the current rules on fence height.
2. *Repair vs. Replace.* There are many non-conforming fences within city limits and property owners and fence contractors often assume that any existing fence can be replaced in-kind and that such replacement should be considered maintenance. Under the Development Code, the repair of a non-conforming is typically limited to 50% of its value within a one-year period. The provision does not work well with fences. To take the example of a fence having a total length of 100 feet of which 20 feet is non-conforming, presumably the non-conforming section can be completely replaced and this would be considered allowable maintenance. Staff needs to know whether the Planning Commission is comfortable with how the regulations concerning non-conforming structures apply to fences or whether change is desired.
3. *Arbors.* Prior to the adoption of the current fence height standards in 2003, there was a period of several years in which entry arbors and similar features were allowed with use permit review. The Planning Commission may wish to consider re-introducing such an allowance.
4. *Corner Lots.* The Planning Commission routinely grants fence height exceptions for corner lots as means of providing private open space for the residence. Typically, the Planning Commission requires a ten-foot landscaped setback and limits the fence height to six feet. If the Planning Commission agrees that this is a reasonable standard for corner lots, it could be codified thereby reducing the number of applications for fence height exceptions.

Staff is looking for direction for the Planning Commission on the issues identified above and any others of interest to the Planning Commission on the matter of fence height regulations.

Attachments:

1. Existing Fence Height Regulations

Chapter 19.46 FENCES, HEDGES AND WALLS

Sections:

- 19.46.010 Purpose.
- 19.46.020 Applicability.
- 19.46.030 General height limitations.
- 19.46.040 Height limitations for retaining walls.
- 19.46.050 Measurement of fence or wall height.
- 19.46.060 Special wall and fencing requirements.
- 19.46.070 Special wall and fencing guidelines.
- 19.46.080 Restrictions on fence materials.
- 19.46.090 Authority to waive or modify requirements.

19.46.010 Purpose.

This chapter establishes requirements for fences, hedges, and walls to ensure that these features do not block views and sunlight, provide adequate buffering between different land uses, provide screening of outdoor uses and equipment, and are designed and appropriately maintained to provide aesthetic enhancement of the city. (Ord. 2003-02 § 3, 2003).

19.46.020 Applicability.

The provisions of this chapter apply to all fences, hedges, and walls unless otherwise stated. (Ord. 2003-02 § 3, 2003).

19.46.030 General height limitations.

A. Maximum Heights. Fences, hedges, and walls (except retaining walls) may be constructed to the heights shown in Table 4-3. See also SMC 19.46.040, Height limitations for retaining walls.

B. Modifications to Fence Height Standards. The planning commission may modify the fence height standards referenced in subsection (A) of this section, subject to the approval of a use permit (SMC 19.54.040) and in compliance with the provisions of this section.

C. Findings and Decision. The applicant shall demonstrate, to the satisfaction of the planning commission, that the following findings are met in addition to those required for all conditional use permits (SMC 19.54.040(E)):

1. That the fence will be compatible with the design, appearance, and physical characteristics of the site and other existing structures in the surrounding neighborhood;
2. That the height, orientation, and location of the fence is in proper relation to the physical characteristics of the site and surrounding properties;
3. That the fence will be a planned architectural feature and would not dominate the site or overwhelm surrounding properties, structures, or passersby; and
4. That the fence will be of sound construction and located so as not to cause a safety hazard.

Table 4-3

Maximum Height of Fences, Hedges and Walls

Location	Maximum Height
Rear and interior setbacks	7 feet ¹
Front and street-side setbacks ²	3.5 feet
At intersections of streets, alleys, and driveways within traffic safety sight areas	30 inches if solid; otherwise the maximum height normally allowed, if the fence material is 75% open (e.g., lattice).
Notes:	
1. An additional one foot of height is allowed (to a maximum of eight feet tall), but all fencing material above seven feet in height shall be open grill or latticework, or a similar open design allowing light and air to pass through at least 40 percent of the fencing material.	
2. Unless additional height is granted through a conditional use permit (SMC 19.54.040)	

(Ord. 2003-02 § 3, 2003).

19.46.040 Height limitations for retaining walls.

A. Maximum Height – Six Feet. Retaining walls shall not exceed a height of six feet measured from the finished grade at the base of the wall. The city planner may approve additional height up to one foot in consideration of varying topographical features.

B. Fence or Wall Topping.

1. Wall for a Cut in Grade. Where a retaining wall protects a cut below the finished grade and is located on a front, side, or rear property line, the retaining wall may be topped by a fence or wall of the same height that would otherwise be allowed if no retaining wall existed.
2. Wall for a Fill of Grade. Where a retaining wall contains a fill, the height of the retaining wall shall be considered as contributing to (counting towards) the allowable height of a fence or wall.
3. Safety Protection. Regardless of the height of the retaining wall, an open-work, non-view-obscuring fence may be erected at the top of the retaining wall for safety protection to a maximum height of 42 inches.

C. Located within Setback.

1. Setback. Where a wall or fence is located in a required setback area adjacent to a retaining wall containing a fill, in compliance with SMC 19.40.110, Setback regulations and exceptions, the wall or fence shall be set back from the retaining wall a distance of one foot for each one foot in height.
2. Landscaping. The area between the wall or fence and the retaining wall shall be landscaped and continuously maintained in good condition. (Ord. 2003-02 § 3, 2003).

19.46.050 Measurement of fence or wall height.

A. Determination of Height. Where there is a difference in the ground level between two adjoining parcels of less than two feet, the height of a fence or wall constructed along the property line shall be determined by using the finished grade at the base of the fence or wall on the highest parcel.

B. Determination by Building Official. When there is a difference in the ground level between two adjoining parcels of two feet or more, the height of a fence or wall shall be determined by the building official.

C. Averaging.

1. Variations. To allow for variation in topography, the height of a fence or wall may vary up to six inches.
2. Average Finished Grade. The variation shall be dependent on the average finished grade which shall be determined by adding to the lowest grade adjacent to the fence or wall, one-half of the difference in elevation of the grade on each side of the fence.
3. Maximum Height. The average height of a fence or wall shall not exceed the maximum height allowed. (Ord. 2003-02 § 3, 2003).

19.46.060 Special wall and fencing requirements.

A. Swimming Pools, Spas, and Similar Features. Swimming pools, spas, and other similar features shall be fenced in compliance with requirements of the city's adopted Uniform Building Code.

B. Outdoor Equipment, Storage, and Work Areas. Screening of outdoor uses and equipment and activities shall be provided in compliance with SMC 19.40.100, Screening and buffering, and SMC 19.50.060, Outdoor dining, display, and sales standards.

C. Temporary Fencing. Temporary fencing used during site preparation and construction shall be subject to the approval of the city planner. (Ord. 2003-02 § 3, 2003).

19.46.070 Special wall and fencing guidelines.

A. Fence and Wall Design. In new development for which architectural review is required (see SMC 19.54.080), the design review and historic preservation commission shall make reference to the following guidelines:

1. Uniformity Required. Fence or wall designs should be consistent throughout a multifamily or nonresidential development, or single-family subdivision, although multiple designs may be employed in large projects.
2. Mix of Materials Required. The design should include a mix of materials and finishes that are compatible with the overall design of the project.
3. Articulation Required. Perimeter fences and walls adjoining public rights-of-way should be articulated. (Ord. 06-2013 § 3, 2013; amended during June 2011 supplement; Ord. 2003-02 § 3, 2003).

19.46.080 Restrictions on fence materials.

A. Security Fences. Barbed wire, electrified, or razor wire fences, and other similar types of security fences are prohibited in all residential zoning districts and on commercial properties adjoining a residential zoning district. The use of such fence materials on commercial properties that do not adjoin a residential zoning district shall be subject to use permit review, in compliance with SMC 19.54.040.

B. Chain-Link. Except for temporary fencing associated with construction, the use of chain-link fencing shall not be allowed on a residentially zoned or developed property within a required setback adjoining public rights-of-way. (Ord. 2003-02 § 3, 2003).

19.46.090 Authority to waive or modify requirements.

The planning commission may waive or modify the requirements of SMC 19.46.080, Restrictions on fence materials, in compliance with the provisions of SMC 19.54.040, Use permits, for nonresidential projects where evidence is presented that a higher degree of security is required and that the security may only be achieved through the use of barbed wire or similar security-type fencing materials. (Ord. 2003-02 § 3, 2003).