

ORDINANCE NO. 2025-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER APPROVING ZONING ORDINANCE TEXT AMENDMENT NO. 2025-01 TO IMPLEMENT THE CITY OF SANGER'S 6TH CYCLE HOUSING ELEMENT BY AMENDING CHAPTERS 82 AND 90 OF THE SANGER CITY CODE

THE CITY COUNCIL OF THE CITY OF SANGER DOES ORDAIN AS FOLLOWS:

WHEREAS, the Housing Element is a State-required element of the City's 2035 Sanger General Plan ("General Plan"); and

WHEREAS, among others the Housing Element identifies the City's current and projected housing needs, establishes locations where housing can be built, and sets goals, policies, and programs to meet the community's housing needs; and

WHEREAS, the Housing Element of the General Plan is required to be updated on a regular basis; and

WHEREAS, the City Council most recently amended the General Plan to adopt the 6th Cycle Housing Element on September 5, 2024; and

WHEREAS, to implement the updated Housing Element, including implementing State-mandated provisions related to Program 5 and 16 of the Housing Element, the City initiated zoning ordinance amendment Zoning Ordinance Text Amendment No. 2025-01 to amend the Sanger City Code to address items including definition updates, priority service of water and sewer for affordable housing, density bonuses, accessory dwelling units, emergency shelters, low barrier navigation centers, residential care facilities, employee housing, and transitional and supportive housing; and

WHEREAS, the Planning Commission of the City of Sanger did conduct a duly noticed public hearing in the Council Chambers of the Sanger City Hall in Sanger, California, on March 27, 2025, regarding this matter, provided opportunity for public testimony, and considered all items submitted regarding the same; and

WHEREAS, the Planning Commission recommended the City Council adopt the amendments to the Sanger City Code proposed by Zoning Ordinance Text Amendment No. 2025-01; and

WHEREAS, the City Council has also conducted a duly noticed public hearing to consider approval of Zoning Ordinance Text Amendment No. 2025-01, and after all interested parties were given an opportunity to be heard and present evidence, the City Council now desires to adopt Zoning Ordinance Text Amendment No. 2025-01.

NOW, THEREFORE, the City Council of the City of Sanger does ordain as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. CEQA: Adoption of the 6th Cycle Housing Element of the General Plan by the City Council on September 5, 2024, included a technical memorandum considering mandated updates to the Sanger City Code and found them exempt per California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), which is the “general rule” or “common sense” exemption. As such, the City Council finds Zoning Ordinance Text Amendment No. 2025-01 has already been fully assessed in accordance with CEQA, and no further action or review is required under CEQA.
3. General Plan Consistency: The City Council finds the text amendments proposed by Zoning Ordinance Text Amendment No. 2025-01, are consistent with the goals, objectives, and policies of the Sanger General Plan, including implementation of Program 5 and 16 of the Housing Element. The City Council further finds that public necessity, convenience, general welfare, or good zoning practices justify adoption of Zoning Ordinance Text Amendment No. 2025-01.
4. Approval. The City Council adopts this ordinance approving Zoning Ordinance Text Amendment No. 2025-01 as set forth in detail in Exhibit “A” to this Ordinance, and summarized as follows:

Chapter 82 of the Sanger City Code:

- a. ARTICLE VI. - SEWER AND WATER SERVICE PRIORITY FOR AFFORDABLE HOUSING DEVELOPMENT

Chapter 90 of the Sanger City Code:

- a. ARTICLE I. GENERAL PROVISIONS
- b. ARTICLE III. U-R URBAN RESERVE DISTRICT
- c. ARTICLE V. R-A SINGLE-FAMILY RESIDENTIAL AGRICULTURAL DISTRICT
- d. ARTICLE VI. R-1-10 SINGLE-FAMILY RESIDENTIAL DISTRICT
- e. ARTICLE VII. R-1-7.5 SINGLE-FAMILY RESIDENTIAL DISTRICT
- f. ARTICLE VIII. R-1-6 SINGLE-FAMILY RESIDENTIAL DISTRICT
- g. ARTICLE X. RM-2.5(s) LOW DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT, ONE STORY
- h. ARTICLE XI. RM-1.5 MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT
- i. ARTICLE XIII. - RM-1 HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT
- j. ARTICLE IX. RM-2.5 LOW DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT
- k. ARTICLE XV. - C-P ADMINISTRATIVE AND PROFESSIONAL OFFICE

DISTRICT

- l. ARTICLE XXIII. GENERAL CONDITIONS APPLIED TO ZONE DISTRICTS
- m. ARTICLE XXX - DENSITY BONUS
- n. ARTICLE XVI. C-1 NEIGHBORHOOD COMMERCIAL ZONE
- o. ARTICLE XXVIII. RMU RETAIL-MIXED USE DISTRICT

- 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions, or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.
- 6. Effective Date. This Ordinance shall take effect on the thirty-first (31st) day after its adoption.
- 7. Publication. The City Clerk is authorized to cause this ordinance or a summary of this ordinance to be published in a newspaper of general circulation in the City of Sanger, within fifteen days after its adoption. If a summary of the ordinance is published, the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted at City Hall at least five days prior to the meeting at which the ordinance is adopted and again after the meeting at which it is adopted.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Sanger held on May 1, 2025, and was passed and adopted at a regular meeting of the City Council held on May 15, 2025, by the following vote:

AYES: GONZALEZ, MARTINEZ, HURTADO, MONTELONGO, MELENDEZ
 NOES: NONE
 ABSTAIN: NONE
 ABSENT: NONE

ATTEST:

APPROVED:

Rebeca Padron
 Interim City Clerk

Frank Gonzalez, Mayor
 City of Sanger

Exhibit A

Zoning Ordinance Text Amendment No. 2025-01

SECTION 1. Article VI is added to Chapter 82 of the Sanger City Code to read as follows:

ARTICLE VI. - SEWER AND WATER SERVICE PRIORITY FOR AFFORDABLE HOUSING DEVELOPMENT

Sec. 82-220. - Purpose.

The purpose of this section is to establish conformance with California Government Code Section 65589.7 by providing procedures for prioritizing water and sewer service needs for proposed developments that include housing units affordable to lower-income households. In accordance with the provisions of California Government Code Section 65589.7, the City of Sanger shall establish a procedure and give priority for water and sewer service to qualified affordable housing projects.

Sec. 82-221. - Procedure.

- (1) In any given year at the time any water or sewer equivalency units allocation are authorized by the City Council, priority on the residential building permit waiting list shall be given for developments which provide a minimum of 50 percent of housing which will be guaranteed to be affordable to persons and families with moderate-, low-, and very low-incomes; provided that all of the following are met:
 - a. Developments which provide 100 percent affordable housing shall have priority over projects which provide 50 percent affordable housing. The remaining permits shall be allocated in accordance with the existing waiting list;
 - b. Developments which provide a minimum of 50 percent of affordable housing including a minimum of 25 affordable to low- and very low-income families shall have a priority over projects which do not provide units for low and very low-income families; and
 - c. Not more than 50 percent of the building permits allocated each year by the City Council shall be prioritized over existing residences.
- (2) An applicant desiring low-income housing priority shall submit to the Public Works Department all of the following:
 - a. A written request for such priority, listing the applicant/owner, the address and legal description of the project property; and
 - b. Written deed restrictions and agreements as approved by the City Attorney, restricting the sale and occupancy of the affordable units in the project to moderate-, low- or very low-income persons for a period of at least 30 years after completion of the housing project.
- (3) Upon receipt of this information and agreements, the applicant's property will be placed on a separate low-income housing waiting list for either single-family or multiple-family projects

in the order in which the requests are received by the City to be eligible for priority in the following year's water or sewage services allocation.

- (4) If a project is scheduled to receive water or sewage services but fails to meet the requirements for deed restrictions and agreements as required in this section, the project shall be removed from the priority list and shall be returned to its original position on the long-term building allocation waiting list.
- (5) The City may contract with a nonprofit housing agency to provide for the administration of deed restrictions, agreements, and other procedures to ensure the effectiveness of this program to provide long-term low-income housing. The applicant/developer shall pay the necessary fees as determined by the City.

SECTION 2. Article I of Chapter 90 titled “General Provisions” is amended to read as follows:

Sec. 90-23. Definitions: Easement—Essential service.

Easement shall mean a space on a lot or parcel of land reserved for or used for public uses.

Educational institutions shall mean public and other nonprofit institutions conducting regular academic instruction at preschool, kindergarten, elementary, secondary, and collegiate levels, and including graduate schools, universities, nonprofit research institutions and religious institutions. Such institutions must either:

- (1) Offer general academic instruction equivalent to the standards prescribed by the state board of education;
- (2) Confer degrees as a college or university of undergraduate or graduate standing;
- (3) Conduct research; or
- (4) Give religious instruction.

This definition does not include schools, academies or institutes, incorporated or otherwise, which operate for a profit, nor does it include commercial or trade schools.

Electrical distribution substation shall mean an electrical substation with a primary voltage of 110 KV or less, with distribution circuits served therefrom.

Electric vehicle automatic load management systems (ALMS) shall mean a control system which allows multiple EV chargers or EV-Ready electric vehicle outlets to share a circuit or panel and automatically reduce power at each charger, providing the opportunity to reduce electrical infrastructure costs and/or provide demand response capability. ALMS systems must be designed to deliver at least 1.4 kW per charger to each EV capable, EV ready, or EVCS space served by ALMS. The connected amperage on-site shall not be lower than the required connected amperage per Part 11, 2019 California Green Building Code, as may be amended for the relevant building types.

Electric vehicle capable space shall mean a parking space linked to a listed electrical panel with sufficient capacity to provide at least 208/240 volts and 40 amperes to the parking space.

Raceways linking the electrical panel and parking space only need to be installed in spaces that will be inaccessible in the future, either trenched underground or where penetrations to walls, floors, or other partitions would otherwise be required for future installation of branch circuits. Raceways must be at least one inch in diameter and may be sized for multiple circuits as allowed by the California Electrical Code. The panel circuit directory shall identify the overcurrent protective device space(s) reserved for EV charging as "EV CAPABLE." Construction documents shall indicate future completion of raceway from the panel to the parking space, via the installed inaccessible raceways.

Electric vehicle charging station (EVCS) shall mean a parking space that includes installation of electric vehicle supply equipment (EVSE) with a minimum capacity of 30 amperes connected to a level 2 EV ready space. EVCS installation may be used to satisfy a level 2 EV ready space requirement.

Electric vehicle—Level 1 EV ready space or level 1 EV ready space shall mean a parking space served by a complete electric circuit with a minimum of 120-volt, 20-ampere capacity including electrical panel capacity, overprotection device, a minimum 1"-diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labelled "electric vehicle outlet" with at least a ½" font adjacent to the parking space, or b) EVSE.

Electric vehicle—Level 1 EV ready space or level 2 EV ready space shall mean a parking space served by a complete electric circuit with 208-240-volt, 40 ampere capacity including electrical panel capacity, overprotection device, a minimum one-inch diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a) a receptacle labelled "electric vehicle outlet" with at least a ½" font adjacent to the parking space, or b) EVSE with a minimum output of 30 amperes.

Electric vehicle—Level 3 EV ready space or level 3 EV ready space shall mean a parking space served by a complete electric circuit with a minimum 400-volt capacity including electrical panel capacity, overprotection device, a minimum one-inch diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and a receptacle labelled "electric vehicle outlet" with at least a ½" font adjacent to the parking space b) 400-volt EVSE."

Emergency shelter shall mean housing with minimal supportive services for any homeless person(s) that is limited to occupancy of six months or less by any homeless person. No individual or household may be denied emergency shelter because of an inability to pay. Emergency shelters shall also include other interim interventions, including but not limited to, low barrier navigation centers, bridge housing, and respite or recuperative care.

Employee/Farmworker housing serving six or fewer persons shall mean to be in compliance with California Health and Safety Code Section 17008, including temporary mobile homes and any attached or detached dwelling unit used to house farm or agricultural workers and their family members. Employee housing for six or fewer persons is treated as a single-family structure and residential use as described in California Health and Safety Code Sections 17021.5.

Employee/Farmworker housing serving group quarters shall mean to be in compliance with California Health and Safety Code Section 17008, including temporary mobile homes and any attached or detached dwelling unit used to house farm or agricultural workers and their family members. Employee housing consisting of no more than 36 beds in group quarters (or 12 units or

less) designed for use by a single family or household is treated as agricultural use as described in California Health and Safety Code 17021.6.

Essential service shall mean the erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supplying, or disposal systems including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions, or for the public health, safety or general welfare.

Sec. 90-24. Definitions: Factory-built housing—Fence.

Factory-built housing shall mean a unit as defined by Health and Safety Code § 19971 and includes a dwelling unit which is either wholly or in substantial part manufactured at an off-site location and is assembled on-site. Factory-built housing shall not be deemed to include a mobile home, mobile accessory building or structure, a recreational vehicle, or a commercial coach.

Family shall mean one or more persons living together in a dwelling unit with common access to, and common use of, living and eating areas and facilities for the preparation and storage of food within the dwelling unit. (See also single housekeeping unit).

Family day care home shall mean a home that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, as set forth in Health and Safety Code § 1596.75, including both large and small family day care homes.

Family, religious, shall mean two or more persons living together, not for the purpose of rendering on-premises services, including, but not limited to, religious or commercial services to others, and for the purpose of service to and observance of a religious or an ethical discipline and not exceeding seven persons, other than servants who may not be residing upon the premises.

Fence shall mean any structural device forming a physical barrier which is so constructed that not less than 50 percent of the vertical surface is open to permit the transmission of light, air, and vision through said surface in a horizontal plane. For solid fences and walls, see Wall, solid. The special standard of section 90-883 shall apply.

Fence, open, shall mean any structural device forming a physical barrier which is so constructed that not less than 75 percent of the vertical surface is open to permit the transmission of light, air, and vision through said surface in a horizontal plane measured at angles of 90 degrees and at 45 degrees to the fence. For solid fences and walls, see Fence and Wall, solid. The standards of section 90-883 shall apply.

Sec. 90-33. Definitions: Labor camp, temporary farm—Local street.

Labor camp, temporary farm, shall mean living quarters, such as tents or automobile trailers temporarily maintained in connection with any farm work or place where farm work is being performed on the premises, provided for the camping of five or more temporary farm employees. Such camp may be occupied or used for a period not to exceed 90 consecutive days.

Landscaping shall include planting of vegetation of all types and the continued maintenance thereof in a normal, healthy condition and shall also include exterior decoration, furniture, and structures required by and indicated upon a site plan.

Licensed residential care facility shall mean any family home, group care facility, or similar facility, licensed by the state, that is maintained and operated to provide twenty-four (24) hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily life or for the protection of the individual. A Large Licensed Residential Care Facility serves seven (7) or more clients, while a Small Licensed Residential Care Facility serves six (6) or fewer clients.

Loading shall mean the removal or placement of any commodity in, on, or from a vehicle of any type.

Loading space shall mean an off-street space or berth on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading, and which abuts a street, alley, or other appropriate means of ingress and egress.

Local street shall mean a street or road primarily for service to abutting property.

Sec. 90-36. Definitions: Lot line, rear—Manufactured housing.

Lot line, rear, shall mean a lot line not abutting a street which is opposite and most distant from the front lot line. The special standard of subsection 90-893(1) shall apply.

Lot line, side, shall mean any lot line not a front lot line or rear lot line. The special standard of subsection 90-893(1) shall apply.

Lot, nonconforming, shall mean a lot having less area or dimension than that required in the district in which it is located, and which was lawfully created prior to the zoning thereof whereby the larger area or dimension requirements were established, or any lot, other than one shown on a plat recorded in the office of the county recorder, which does not abut a public road or a public right-of-way and which was lawfully created prior to October 5, 1982.

Lot of record shall mean a lot held in separate ownership as shown on the records of the county recorder at the time of the passage of an ordinance or regulation establishing the zoning district in which the lot is located.

Lot, through, shall mean a lot having frontage on two dedicated streets, not including a corner or reversed corner lot. The special standard of subsection 90-893(1) shall apply.

Lot width shall mean the average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lines.

Low-barrier navigation center (LBNCs) shall mean a housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

Manufactured home means a structure that complies with Health and Safety Code § 18007.

Sec. 90-47. Definitions: School, private—Service station.

School, private, shall mean an institution conducting regular academic instruction at kindergarten, elementary, and secondary levels operated by a nongovernmental organization.

School, trade, shall mean schools offering preponderant instruction in the technical, commercial, or trade skills, such as real estate schools, business colleges, electronic schools, automotive and aircraft technician schools, and similar commercial establishments operated by a nongovernmental organization.

Secondhand store shall mean a retail business which sells used merchandise.

Separate ownership shall mean ownership of a parcel of land by a person who does not own any of the land abutting such parcel.

Service station shall mean the same as *Automobile service station*.

Sec. 90-50. Definitions: Single housekeeping unit—Small family (rest) home.

Single housekeeping unit shall mean one or more individuals occupying a dwelling unit with common access to, and common use of, living and eating areas and facilities for the preparation and storage of food within the dwelling unit. (See also Family).

Single room occupancy (SRO) shall mean a facility operated by a provider with six or more dwelling units for persons of lower income where each unit has living space with a minimum floor area of 150 square feet and a maximum of 400 square feet restricted to occupancy by no more than two persons. Kitchen and bathroom facilities may be wholly or partially included in each living space or may be fully shared.

Site-built housing shall mean housing built in a conventional manner upon a site rather than in a factory and which is not manufactured housing.

Site plan shall mean a plan, prepared to scale, showing accurately and with complete dimensioning, all of the uses proposed for a specific parcel of land. See sections 90-1009 through 90-1013 for requirements.

Slope shall mean a natural or artificial incline, as a hillside or terrace. Slope is usually expressed as a ratio. For example, a horizontal distance of 100 feet with a rise of 50 feet would be expressed as a 2:1 slope. See also *Grade*, *Top of slope* and *Toe of slope*.

Small animal, domestic, shall mean a cat, dog, rabbit, hamster, guinea pig, white rat, mouse, canary, parakeet, or any animal usually considered a pet, not including farm-type animals.

Small family (rest) home shall mean premises used for the housing or care of not more than six ambulatory, aged, or infirm persons, which premises require a license from the state or county.

Sec. 90-54. Definitions: Target population—Truck service station.

Target population for the purposes of *supportive housing* shall mean persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults,

emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

Toe of slope shall mean that point or line of initial break where the terrain changes to an upward direction.

Top of slope shall mean that point or line of initial break where the terrain changes to a downward direction.

Trailer, travel, shall mean a vehicle other than a motor vehicle which is designed or used for human habitation and which may be moved upon a public highway without a special permit or chauffeur's license or both, without violating any provision of the state vehicle code.

Transient shall mean a person who is receiving accommodations for a price, with or without meals, for a period of not more than 180 continuous days in any one year.

Transitional housing shall mean buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Truck service station shall mean an occupancy which provides especially for the servicing of trucks, with incidental operations similar to those permitted for *Automobile service station*.

Sec. 90-55. Definitions: Used—Wall, solid.

Unlicensed residential care facility shall mean any family home, group home, group care facility, or similar facility, not required to be licensed by the state and operated as a single housekeeping unit, maintained and operated to provide twenty-four (24) hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily life or for the protection of the individual.

Used includes the words "arranged for, designed for, occupied or intended to be occupied for."

Utility easement shall mean the same as *Easement*.

Visual obstruction shall mean a fence, hedge, tree, shrub, wall or structure exceeding three feet in height, measured from the crown of intersecting or intercepting streets, alleys, or driveways, which limit the visibility of persons in motor vehicles on said streets, alleys, or driveways. This does not include trees kept trimmed of branches below a minimum height of seven feet.

Wading pool shall mean the same as *Swimming pool*.

Wall shall mean any structure or device forming a physical barrier, which is so constructed that 50 percent or more of the vertical surface is closed and prevents the passage of light, air, and vision through said surface in a horizontal plane. The special standards of subsection 90-883(1) shall apply.

Wall, solid, shall mean any structure or device forming a physical barrier, which is so constructed that not less than 90 percent of the vertical surface is closed and prevents the passage of light, air, and vision through said surface in a horizontal plane. The special standards of subsection 90-883(1) shall apply.

SECTION 3. Article III titled “U-R Urban Reserve District” is amended to read as follows:

Sec. 90-122. Uses permitted.

The following uses shall be permitted in the U-R district plus such other uses as the commission, following the procedure set forth in sections 90-991 through 90-993, may determine to be similar in nature and consistent with the intent of the district as specified in section 90-121:

- (1) Agricultural crops, greenhouses, fruit trees, nut trees, vines, nurseries for producing trees, vines and other horticultural stock.
- (2) Accessory dwelling units subject to the provisions of Article XXXI.
- (3) Employee/farmworker housing serving six or fewer persons, subject to the provisions of section 90-904.
- (4) Employee/farmworker housing serving group quarters, subject to the provisions of section 90-904.
- (5) Small (six or fewer persons) licensed or unlicensed residential care facility, subject to the provisions of section 90-902.
- (6) Supportive housing, subject to the provisions of section 90-903.
- (7) Transitional housing, subject to the provisions of section 90-903.
- (8) Bovine animals and horses, where the lot area is 36,000 square feet or more and provided that the number thereof shall not exceed a number per each 36,000 square feet equal to four adult animals in any combination of the foregoing animals and their immature offspring, with not more than two adult animals of a bovine or equine kind or combination thereof and their immature offspring per each 36,000 square feet. The keeping of all domestic animals provided for herein shall conform to other provisions of law governing same, and no pen, stable, barn, or corral shall be maintained within 25 feet of a side or rear property, or within 35 feet of any building used for human habitation unless such building is occupied by the owner or keeper of the animals or within 100 feet of the front line of the lot; however, this shall not apply to the pasturing of animals within the above-mentioned setbacks.
- (9) Poultry and rabbits for domestic purposes only.
- (10) Storage of petroleum products for use by the occupants of the premises, but not for resale or distribution.
- (11) The sale of agricultural products produced upon the subject property.
- (12) Home occupations subject to the standards and conditions in section 90-897.
- (13) The keeping of household pets, subject to the provisions of section 90-31
- (14) Accessory buildings and structures including, but not limited to, stables, barns, pens, sheds, and other structures for the housing of animals and feed, equipment and tools customarily maintained in connection with the uses permitted in this district.

Sec. 90-123. Uses permitted subject to conditional use permit.

The following uses shall be permitted in the U-R district subject to first securing a conditional use permit as provided in sections 90-998 through 90-1001, plus such other uses as the commission, following the procedure set forth in sections 90-991 through 90-993, may determine to be similar in nature and consistent with the intent of the district as specified in section 90-121:

- (1) Apiaries.
- (2) Communications equipment buildings and structures.
- (3) Electrical transmission and distribution substations.
- (4) One-family dwelling units.
- (5) Water pump stations.
- (6) Large (seven or more persons) licensed residential care facility, subject to the provisions of section 90-902.

SECTION 4. Article V Titled “R-A Single-Family Residential Agricultural District” is amended to read as follows:

Sec. 90-182. Uses permitted.

The following uses shall be permitted in the R-A district, plus such other uses as the commission may determine to be similar in nature and consistent with the intent of the district as specified in section 90-181:

- (1) One-family dwellings. A site plan review shall be required for a mobile home installation subject to the provisions of subsection 90-1009(b)(2).
- (2) Accessory buildings.
- (3) Accessory dwelling units, subject to the provisions of Article XXXI.
- (4) Garages.
- (5) Servants' quarters and accessory living quarters on parcels of land having a minimum lot area of 36,000 square feet or more.
- (6) Employee/farmworker housing serving six or fewer persons, subject to the provisions of section 90-904.
- (7) Employee/farmworker housing serving group quarters, subject to the provisions of section 90-904.
- (8) Accessory farm buildings.
- (9) Agricultural crops, greenhouses, fruit trees, nut trees, vines, nurseries for producing trees, vines and other horticultural stock, with necessary temporary farm labor camps.
- (10) Bovine animals, horses, where the lot area is 36,000 square feet or more and provided that the number thereof shall not exceed a number per each 36,000 square feet equal to

four adult animals in any combination of the foregoing animals and their immature offspring with not more than two adult animals of a bovine or equine kind or combination thereof and their immature offspring per each 36,000 square feet. The keeping of all domestic animals provided for herein shall conform to other provisions of law governing same, and no pen, stable, barn, or corral shall be maintained within 25 feet of a side or rear property line or within 35 feet of any building used for human habitation unless such building is occupied by the owner or keeper of the animals, or within 100 feet of the front line of the lot; however, this shall not apply to the pasturing of animals within the above-mentioned setbacks.

- (11) Poultry and rabbits for domestic purposes only.
- (12) Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- (13) The sale of agricultural products produced upon the subject property.
- (14) Home occupations subject to the standards and conditions in section 90-897.
- (15) The keeping of household pets in accordance with section 90-31.
- (16) Tract offices, model homes and construction materials storage yards of a temporary nature within the tract being developed and subject to the conditions applicable to subdivision signs on site as set forth in subsection 90-891(6)b.
- (17) State licensed family day care homes.
- (18) Supportive housing, subject to the provisions of section 90-903.
- (19) Transitional housing, subject to the provisions of section 90-903
- (20) Small (six or fewer persons) licensed or unlicensed residential care facility, subject to the provisions of section 90-902.

Sec. 90-183. Uses permitted subject to conditional use permit.

The following uses shall be permitted in the R-A district subject to first securing a conditional use permit as provided in sections 90-998 through 90-1001, plus such other uses as the commission may determine to be similar in nature and consistent with the intent of the district as specified in section 90-181:

- (1) Apiaries.
- (2) Churches.
- (3) Country clubs and golf courses.
- (4) Electrical distribution substations.
- (5) Kennels.
- (6) Microwave relay structures.
- (7) Private or parochial schools of an elementary, secondary, or college level.
- (8) Public schools, parks and playgrounds.
- (9) Subdivision signs off site, subject to conditions of subsection 90-891(6)b.

- (10) Water pump stations.
- (11) Beauty operators subject to the provisions of home occupation, sections 90-30 et seq.
- (12) Bed and breakfast establishments in accordance with section 90-896.
- (13) Large (seven or more persons) licensed residential care facility, subject to the provisions of section 90-902.

SECTION 5. Article VI. Titled “R-1-10 Single-Family Residential District” is amended to read as follows:

Sec. 90-222. Uses permitted.

The following uses shall be permitted in the R-1-10 district, plus such other uses as the commission may deem to be similar. All uses shall be subject to the property development standards in sections 90-224 through 90-226:

- (1) One-family dwellings. . A site plan review shall be required for mobile home installation subject to the provisions of subsection 90-1009(b)(2).
- (2) Accessory buildings, including garages.
- (3) Accessory dwelling units, subject to the provisions of Article XXXI.
- (4) Private greenhouses and horticultural collections, flower and vegetable gardens.
- (5) Home occupations, subject to the standards and conditions in section 90-897.
- (6) Tract offices, model homes and construction materials storage yards of a temporary nature within the tract being developed and subject to the conditions applicable to subdivision signs on site as set forth in subsection 90-891(6)b.
- (7) The keeping of household pets, subject to the provisions of section 90-31.
- (8) State licensed family day care homes.
- (9) The holding of not more than two yard or garage sales within a calendar year.
- (10) Supportive housing, subject to the provisions of section 90-903.
- (11) Transitional housing, subject to the provisions of section 90-903. .
- (12) Small (six or fewer persons) or licensed residential care facility, subject to the provisions of section 90-902.
- (13) Employee/farmworker housing serving six or fewer persons, subject to the provisions of section 90-904.
- (14) Employee/farmworker housing serving group quarters, subject to the provisions of section 90-904.

Sec. 90-223. Uses permitted subject to conditional use permit.

The following uses shall be permitted in the R-1-10 district subject to first securing a conditional use permit as provided in sections 90-998 through 90-1001, plus such other uses as

the commission may determine to be similar in nature and consistent with the intent of the district as specified in section 90-221:

- (1) Churches.
- (2) Country clubs and golf courses.
- (3) Electrical distribution substation.
- (4) Private or parochial schools.
- (5) Public libraries.
- (6) Reserved.
- (7) Water pump stations.
- (8) Beauty operators subject to the provisions of home occupation, sections 90-30 et seq.
- (9) Large (seven or more persons) or licensed residential care facility, subject to the provisions of section 90-902.

SECTION 6. Article VII Titled “ R-1-7.5 SINGLE-FAMILY RESIDENTIAL DISTRICT” is amended to read as follows:

Sec. 90-262. Uses permitted.

The following uses shall be permitted in the R-1-7.5 district, plus such other uses as the commission may deem to be similar. All uses shall be subject to the property development standards in section 90-264:

- (1) One-family dwellings
- (2) Accessory buildings, including garages.
- (3) Accessory dwelling units, subject to the provisions of Article XXXI.
- (4) Private greenhouses and horticultural collections, flower and vegetable gardens.
- (5) Home occupations, subject to the standards and conditions in section 90-897.
- (6) Tract offices, model homes and construction materials storage yards of a temporary nature within the tract being developed and subject to the conditions applicable to subdivision signs on site as set forth in subsection 90-891(6)b.
- (7) The keeping of household pets, subject to the provisions of section 90-31.
- (8) State licensed family day care homes.
- (9) The holding of more than two yard or garage sales within a calendar year.
- (10) Supportive housing, subject to the provisions of section 90-903.
- (11) Transitional housing, subject to the provisions of section 90-903.
- (12) Small (six or fewer persons) licensed or unlicensed residential care facility, subject to the provisions of section 90-902.

- (13) Employee/farmworker housing serving six or fewer persons, subject to the provisions of section 90-904.
- (14) Employee/farmworker housing serving group quarters, subject to the provisions of section 90-904.

Sec. 90-263. Uses permitted subject to conditional use permit.

The following uses shall be permitted in the R-1-7.5 district subject to first securing a conditional use permit as provided in sections 90-998 through 90-1001, plus such other uses as the commission may determine to be similar in nature and consistent with the intent of the district as specified in section 90-261.

- (1) Churches.
- (2) Country clubs and golf courses.
- (3) Electrical distribution substation.
- (4) Private or parochial schools.
- (5) Public libraries.
- (6) Reserved.
- (7) Water pump stations and well-head treatment facilities.
- (8) Beauty operators subject to the provisions of home occupation, sections 90-30 et seq.
- (9) Large (seven or more persons) licensed residential care facility, subject to the provisions of section 90-902.

SECTION 7. Article VIII titled “R-1-6 Single-Family Residential District” is amended to read as follows:

Sec. 90-292. Uses permitted.

The following uses shall be permitted in the R-1-6 district, plus such other uses as the commission may deem to be similar. All uses shall be subject to the property development standards in sections 90-294 through 90-297 as well as sign standards in subsection 90-891(4).

- (1) One-family dwellings . A site plan review shall be required for a mobile home installation subject to the provisions of subsection 90-1009(b)(2).
- (2) Accessory buildings, including garages.
- (3) Accessory dwelling units, subject to the provisions of Article XXXI.
- (4) Private greenhouses and horticultural collections, flower and vegetable gardens.
- (5) Home occupations, subject to the standards and conditions in section 90-897.
- (6) Tract offices, model homes and construction materials storage yards of a temporary nature within the tract being developed and subject to the conditions applicable to subdivision signs on site as set forth in subsection 90-891(6)b.

- (7) The keeping of household pets, subject to the provisions of section 90-31.
- (8) State licensed family day care homes.
- (9) The holding of not more than two yard or garage sales within a calendar year.
- (10) Supportive housing, subject to the provisions of section 90-903.
- (11) Transitional housing, subject to the provisions of section 90-903.
- (11) Small (six or fewer persons) licensed or unlicensed residential care facility, subject to the provisions of section 90-902.
- (12) Employee/farmworker housing serving six or fewer persons, subject to the provisions of section 90-904.
- (13) Employee/farmworker housing serving group quarters, subject to the provisions of section 90-904.

Sec. 90-293. Uses permitted subject to conditional use permit.

The following uses shall be permitted in the R-1-6 district subject to first securing a conditional use permit as provided in sections 90-998 through 90-1001, plus such other uses as the commission may determine to be similar in nature and consistent with the intent of the district as specified in section 90-291:

- (1) Churches.
- (2) Country clubs and golf courses.
- (3) Electrical distribution substation.
- (4) Private or parochial schools.
- (5) Public schools, parks and playgrounds.
- (6) Public libraries.
- (7) Reverse corner lot street side yard fence location.
- (8) Reserved.
- (9) Water pump stations.
- (10) Beauty operators subject to the provisions of home occupation, sections 90-30 et seq.
- (11) Large (seven or more persons) licensed residential care facility, subject to the provisions of section 90-902.

SECTION 8. Article X Titled “RM-2.5(s) Low Density Multiple-Family Residential District, One Story” is amended to read as follows:

Sec. 90-372. Uses permitted.

The following uses shall be permitted in the RM-2.5(s) district, plus such other uses as the commission may deem to be similar and not more obnoxious or detrimental to the public health,

safety and welfare. All uses shall be subject to the property development standards in sections 90-294 through 90-297 as well as sign standards in subsection 90-891(4).

- (1) Any use permitted in the R-1-6 district, section 90-292, excluding Emergency Shelters.
- (2) Any use permitted in the RM-2.5 district, section 90-332, excluding Emergency Shelters.
- (3) The holding of not more than two yard or garage sales within a calendar year.

SECTION 9. Section 90-402 of Article XI Titled RM-1.5 Medium Density Multiple-Family Residential District is amended to read as follows:

Sec. 90-402. Uses permitted.

The following uses shall be permitted in the RM-1.5 district plus such other uses as the commission may determine to be similar in nature and consistent with the intent of the district as specified in section 90-401:

- (1) Any use permitted in the RM-2.5 district, section 90-332, excluding Emergency Shelters.
- (2) The holding of not more than two yard or garage sales within a calendar year.

SECTION 10. Section 90-404 of Article XI Titled RM-1.5 Medium Density Multiple-Family Residential District is amended to read as follows:

Sec. 90-404. Property development standards—Lot area; lot dimensions; population density; building height.

The following property development standards for lot area, lot dimensions, population density and building height shall apply to all land and structures in the RM-1.5 district:

- (1) *Lot area.* Each lot shall have a minimum area of 7,500 square feet, except as provided in subsection (3) of this section.
- (2) *Lot dimensions.* All lots created after October 5, 1982, shall comply with the following minimum standards, and lots existing on the above date may not be reduced below these standards. Each dimension is minimum, only. One or both shall be increased to attain the minimum lot area required.

a. Width.

1. Interior lots shall have a minimum width of 60 feet.
2. Corner lots shall have a minimum width of 65 feet.
3. Reversed corner lots shall have a minimum width of 70 feet.
4. Lots siding on railroad rights-of-way shall have minimum width of 110 feet.
5. Curve lots and cul-de-sac lots shall have a minimum street frontage width of 45 feet.

- b. Depth.
 - 1. Lots facing on local streets shall have a minimum depth of 110 feet.
 - 2. Lots facing on major or secondary highways as shown on the circulation element of the general plan shall have a minimum depth of 120 feet.
 - 3. Lots backing on railroad rights-of-way shall have a minimum depth of 150 feet.
- (3) *Population density.* The following population density standards shall apply to all lots in the district:
- a. For lots created after October 5, 1982, or for lots of record on the above date, and having not less than 7,500 square feet of lot area, there may be one dwelling unit for each 1,500 square feet of lot area plus one dwelling unit for any remaining area of less than 1,500 and more than 750 square feet.
 - b. A nonconforming lot of record under separate ownership at the time it became nonconforming may be used for or occupied by any use permitted in this district subject to the following limitations:
 - 1. Where the lot has less than 3,000 square feet of area, the lot shall not be used for more than one dwelling unit.
 - 2. Where the lot has 3,000 square feet or more but less than 4,500 square feet, the lot shall not be used for more than two dwelling units.
 - 3. Where the lot has 4,500 square feet or more but less than 6,000 square feet, the lot shall not be used for more than three dwelling units.
 - 4. Where the lot has 6,000 square feet or more but less than 7,500 square feet, the lot shall not be used for more than four dwelling units.
- (4) *Building height.*
- a. No building or structure erected in this district shall have a height greater than 3 stories, not to exceed 40 feet.
 - b. No accessory building erected in this district shall have a height greater than one story, not to exceed 12 feet, to plate height.
 - c. Exceptions: The provisions of the R-1-6 district, subsection 90-294(4)c, shall apply.

SECTION 11. ARTICLE XIII titled – “RM-1 High Density Multiple-Family Residential District” is amended to read as follows

Sec. 90-462. Uses permitted.

The following uses shall be permitted in the RM-1 district, plus such other uses as the commission may deem to be similar and not more obnoxious or detrimental to the public health, safety and welfare.

- (1) The holding of not more than two yard or garage sales within a calendar year.
- (2) Multiple housing facilities.

- (3) Accessory dwelling units, subject to the provisions of Article XXXI.
- (4) Small (six or fewer persons) licensed or unlicensed residential care facility, subject to the provisions of section 90-902.(5) Supportive housing, subject to the provisions of section 90-903.
- (6) Transitional housing, subject to the provisions of section 90-903.

Sec. 90-463. - Uses permitted subject to conditional use permit.

The following uses shall be permitted in the RM-1 district subject to first securing a conditional use permit as provided in sections 90-998 through 90-1001, plus such other uses as the commission may determine to be similar in nature and consistent with the intent of the district:

- (1) Large (seven or more persons) licensed residential care facility, subject to the provisions of section 90-902.

SECTION 12. Article IX titled “RM-2.5 Low Density Multiple-Family Residential District” is amended to read as follows:

Sec. 90-332. Uses permitted.

The following uses shall be permitted in the RM-2.5 district, plus such other uses as the commission may deem to be similar and not more obnoxious or detrimental to the public health, safety and welfare.

- (1) Any use permitted in the R-1-6 district, section 90-292.
- (2) One-family, two-family or multiple-family dwelling either in one structure or in two or more detached buildings, subject to requirements for spaces between buildings.
- (3) Emergency Shelters, subject to the provisions of section 90-899.
- (4) Accessory buildings and uses customarily incidental to any of the above uses, when located on the same lot and not involving the conduct of a business.
- (5) The holding of not more than two yard or garage sales within a calendar year.

SECTION 13. Article XV titled “C-P ADMINISTRATIVE AND PROFESSIONAL OFFICE DISTRICT” is amended to read as follows:

Sec. 90-532. Uses permitted.

The following uses shall be permitted in the C-P district plus such other uses as the commission may determine to be similar in nature and consistent with the intent of section 90-531:

- (1) *Residential uses.* The following permitted uses shall be considered as residential uses as the term is applied in the property development standards, sections 90-534 through 90-538:

- a. Existing residential buildings, subject to the following conditions:
 - 1. They may be converted to nonresidential uses.
 - 2. They may not be used for residential and nonresidential purposes at the same time, other than home occupations subject to the provisions of section 90-30.
 - b. Multiple dwellings.
 - c. Accessory dwelling units, subject to the provisions of Article XXXI.
 - d. Private residence clubs, fraternity and sorority houses, rest homes, convalescent homes, nursing homes, and roominghouses or boardinghouses.
 - e. The keeping of household pets subject to the provisions of section 90-31.
 - f. Low-Barrier Navigation Centers.
 - g. Small (six or fewer persons) licensed or unlicensed residential care facility, subject to the provisions of section 90-902.
 - h. Supportive Housing, subject to the provisions of section 90-903.
 - i. Transitional Housing, subject to the provisions of section 90-903.
 - j. Single-room occupancy facility.
- (2) *Nonresidential uses.* The following uses are permitted and shall be considered as nonresidential uses, as the term is used in the property development standards, sections 90-534 through 90-538.
- a. Art galleries.
 - b. Artists' studios.
 - c. Banks and savings and loan institutions.
 - d. Churches.
 - e. Employee credit unions.
 - f. Exhibit halls.
 - g. Hospitals.
 - h. Laboratories:
 - 1. Biological.
 - 2. Dental.
 - 3. Medical.
 - 4. Optometrical.
 - i. Libraries.
 - j. Lodges, clubs and fraternal organizations.
 - k. Museums.
 - l. Offices, excluding retail sales, storage of stock in trade, and storage of equipment not used exclusively in said offices:
 - 1. Administrative.
 - 2. Business.
 - 3. General.
 - 4. Medical.
 - 5. Professional.

- m. Optometrical clinics.
- n. Photographic studios.
- o. Private and parochial schools.
- p. Radio and television broadcasting studios.
- q. Security brokers.
- r. Home occupations, subject to the provisions of section 90-30.
- s. Murals subject to the approval of a mural permit pursuant to section 90-891(9).

Sec. 90-533. Uses permitted subject to conditional use permit.

The following uses shall be permitted in the C-P district subject to first securing a conditional use permit as provided in sections 90-998 through 90-1001, plus such other uses as the commission may determine to be similar in nature and consistent with the intent of the district as specified in section 90-531:

- (1) Buildings over two stories in height.
- (2) Cleaning and dyeing shop, retail. Dry cleaning clothes allowed only in enclosed machine using nonflammable cleaning compounds.
- (3) Electrical distribution substation.
- (4) Microwave relay stations.
- (5) Mortuaries.
- (6) Nonresidential uses located in an existing residential structure, when there is a change in the exterior appearance of the structure.
- (7) Nursery schools or child care nurseries, for more than six children.
- (8) Post office substation.
- (9) Prescription pharmacy in connection with a medical office building, medical clinic or hospital.
- (10) Small animal veterinary hospital, subject to the provisions of sections 90-884 through 90-889.
- (11) Reserved.
- (12) Water pump stations.
- (13) Bed and breakfast establishments in accordance with section 90-896.
- (14) Large (seven or more persons) licensed residential care facility, subject to the provisions of section 90-902.

SECTION 14. Division 2 “Property Development Standards” of Article XXIII titled “General Conditions Applied To Zone Districts” is amended to read as follows:

Sec. 90-885. Residential requirements for off-street parking.

The following property development standards for residential off-street parking shall apply to all land, buildings and structures in all districts:

- (1) *General.* The parking spaces required for residential uses shall be located on the same lot as the main building which they are intended to serve, and shall be located to the rear of the required front yard. They shall be maintained in a usable condition and shall not interfere with access to the property.
- (2) *Residential dwellings.* There shall be at least two parking spaces for single-family dwelling units other than mobile homes located in the T-P district per the requirements of section 90-505. For all other types of residential uses, the following minimum number of parking spaces shall be provided for each of the following units:
 - (a) Studios and one-bedroom unit: 1.0 parking space;
 - (b) Two-bedroom unit: 1.5 parking spaces; and
 - (c) Three-bedroom units or greater: 2.0 parking spaces.

Sec. 90-886. Nonresidential requirements for off-street parking.

For buildings or structures other than dwellings and for uses involving large concentrations of people, parking areas or spaces shall, unless otherwise provided by this chapter, be on the same lot with the main building, or on lots immediately contiguous thereto in the same district therewith and available for use by the occupants in the following ratios. Combinations of facilities shall provide the area or number of spaces required for each facility, and the area or spaces provided for one facility shall not be construed as satisfying the requirements for another facility, provided that, if there is a general parking area or parking space requirement in the particular zoning district relating to the floor area of buildings therein, and the commission determines that all of the spaces, areas, and buildings are constructed or will be constructed pursuant to an integrated site plan, the commission may, consistent with the purposes and intent of this chapter and following the procedure set forth in sections 90-981 through 90-993, determine whether the general requirements of the district or the specific requirements hereinafter enumerated shall apply.

- (1) For bowling alleys and similar establishments, there shall be at least five parking spaces for each alley and two spaces for each billiard table contained therein.
- (2) For churches, stadia, theaters, libraries, auditoriums, museums, meeting halls, gymnasiums, and similar places of assembly, there shall be at least one parking space for each five permanent seats or one parking space for every 40 square feet of area within the main auditorium, meeting hall, or room, whichever provides the greater number of spaces. In cases of a use without a building, there shall be one parking space for each five persons normally attending or using the facilities, plus one parking space for every two non-temporary employees.

- (3) For convalescent homes, homes for the aged, nursing homes, and children's homes, there shall be at least one parking space for each 2½ beds or fraction thereof.
- (4) For dance halls, skating rinks, natatoriums, and similar establishments, there shall be at least one parking space provided for each 100 square feet of gross floor area.
- (5) For establishments for the sale and consumption on the premises of food and/or beverages:
 - a. Having less than 1,000 square feet of gross floor area, there shall be at least one parking space for each 200 square feet.
 - b. Having less than 4,000 square feet of gross floor area, there shall be at least one parking space for each 100 square feet.
 - c. Having 4,000 square feet or more of gross floor area, there shall be at least 40 parking spaces plus one for each 50 square feet in excess of 4,000 square feet.
- (6) For hospitals, sanitariums, and asylums, there shall be at least one parking space for every two beds or one space for every 1,000 square feet of gross floor area, whichever provides the greater number, plus one space for every three employees.
- (7) For hotels, tourist courts and motels, there shall be at least one parking space for every individual sleeping room or unit.
- (8) For machinery sales and wholesale stores, there shall be at least one parking space for each 800 square feet of gross floor area.
- (9) For medical offices, there shall be at least four parking spaces for each doctor, plus one space for each employee.
- (10) For motor vehicle sales and automotive repair shops, there shall be at least one parking space for each 400 square feet of gross floor area.
- (11) For mortuaries, funeral homes, and similar establishments, there shall be at least one parking space for each 20 square feet of floor area of assembly rooms, plus one space for each employee, and one space for each car owned by such establishment.
- (12) For park and recreational uses, there shall be at least one parking space for each 5,000 square feet of active recreational area.
- (13) For public utility facilities such as communications equipment buildings, electrical substations, and the like, the following standards shall apply:
 - a. For facilities open to the public, there shall be at least six parking spaces per 1,000 square feet of floor area of gross floor area or fraction thereof, the parking area to be within 300 feet of the property served.
 - b. For facilities not open to the public, there shall be at least one parking space for each two employees. This shall apply to the maximum number of employees on duty at any one time.
 - c. For facilities wherein there are areas open and not open to the public, the parking ratios in subsections (13)a and (13)b of this section shall be used as a basis for determining the respective amount of parking areas to be provided.

- (14) For rooming houses, lodging houses, clubs, and fraternity and sorority houses, there shall be at least one parking space for each person which the building was or is designed or intended to house as a sleeping guest or member or employee.
- (15) For schools, the following standards shall apply. (When relative to public schools, these standards are advisory only):
 - a. Elementary and junior high. There shall be at least one parking space for each member of the faculty and each employee.
 - b. High school. There shall be at least one parking space for each member of the faculty and each employee, plus one space for each eight students regularly enrolled.
 - c. Junior colleges, colleges and universities. There shall be at least one parking space for each two members of the faculty and employees, plus one space for each two (full-time or equivalent) regularly enrolled students.
 - d. Schools having auditoriums or places of assembly. The provisions of subsection (2) of this section shall apply, if such application will provide a greater number of spaces than subsections (5)a, (5)b or (5)c of this section. The required parking spaces shall be within the school property or on a parking lot contiguous thereto.
 - e. Day nurseries, nursery schools and child care nurseries. There shall be at least one parking space for each member of the faculty, each employee, and the owner.
- (16) For shopping centers, there shall be at least one parking space per 200 square feet of gross leasable area. "Shopping center," as used in this subsection, shall mean two or more architecturally unified commercial establishments built on a site which is planned, developed, owned, and managed as an operating unit and which has a total gross leasable area for all commercial establishments within the center of 30,000 square feet or more.
- (17) For small animal veterinary hospitals and clinics, there shall be at least four parking spaces for each doctor, plus one space per each additional employee.
- (18) For transportation facilities, including airports, railroad passenger stations, bus depots or other passenger terminal facilities, there shall be provided such parking spaces at such locations as the commission, following the procedures set forth in sections 90-991 through 90-993, shall deem to be adequate for employees, for the loading and unloading of passengers, and for spectators, visitors and others.
- (19) For emergency shelters, shall follow the provisions of section 90-899(c), and there shall be at least one parking space for each employee on duty, provided that standards do not require more parking than other residential or commercial uses within the same zone.

Sec. 90-894. Special standards and regulations.

The following special standards and regulations for property development shall apply to all land, buildings and structures in all districts:

- (1) *Easements.* No building or structure shall be constructed which may be in conflict with an easement.

- (2) *Greenhouses.* A greenhouse shall be classified as a building in determining lot coverage. The property development standards of the district shall apply if such structure exceeds the permitted fence height for the district or if such structure exceeds 100 square feet in area.
- (3) *Structure, temporary.* A temporary structure shall be subject to all applicable property development standards for the district in which it is located.
- (4) *Accessory structures.*
 - a. Where an accessory building is part of or joined to the main building by a common wall, the accessory building shall be deemed a main building for purposes of applying the property development standards of this chapter.
 - b. Where an accessory building, either attached to or detached from the main building, is less than six feet from the main building, the accessory building shall be deemed a main building for purposes of applying the property development standards of this chapter.
 - c. Where an accessory building is detached and separated from the main building by six feet or more, the accessory building need not be considered a main building for purposes of applying the property development standards of this chapter.
 - d. Where an accessory building is attached to the main building by a breezeway roof with an intervening space of six feet or more and where the space is open on at least two sides, the accessory building need not be considered a main building for purposes of applying the property development standards of this chapter.
- (5) *Accessory Dwelling Units.*
 - a. **Purpose.** The purpose of this article is to establish the regulations and procedures for the review of accessory dwelling units (ADU[s]) and junior accessory dwelling units (JADU[s]), in conformance with the California Government Code Title 7, Division 1, Chapter 13, Accessory Dwelling Units.
 - b. **Applicability.** Any construction, establishment, alteration, enlargement, or modification of an ADU shall comply with the requirements of this subsection and Title 14. For purposes of this subsection, ADUs include detached, attached, and JADUs.
 - c. **Permit Required.**
 - i. A Building Permit is required for ADUs and JADUs.
 - ii. The provisions included in this section are applicable to all lots that (1) are zoned to allow single-family or multifamily residential uses and (2) include a proposed or existing dwelling unit.
 - iii. Any application for an ADU that meets the location and development standards contained in this section shall be approved ministerially without discretionary review or public hearing.
 - d. **Processing Time and Submittal Requirements.**
 - i. **Processing Time.**

- (a) State-exempt ADUs that qualify under Government Code Section 66323 shall be subject to ministerial approval within 60 days of submittal of a complete application.
 - (b) On lots with an existing single-family or multifamily dwelling, an application to create an ADU or JADU shall be approved within 60 days of submission of a complete application, unless either:
 - 1. The permit application to create an ADU or JADU is submitted concurrently with a permit application to create a new single-family or multifamily dwelling on the lot, in which case the City shall not act on the permit application for the ADU or JADU until the City acts on the permit application for the new single-family or multifamily dwelling unit; or
 - 2. The applicant requests a delay, in which case the 60-day time period shall be tolled for the period of the delay.
 - (c) Once the application for the new single-family dwelling or multifamily dwelling has been approved, the permit application for the ADU or JADU shall be processed and either approved or denied within 60 days.
 - (d) If the City has not acted upon the completed application for the ADU or JADU within 60 days, and neither of the above exceptions are met, then the application for the ADU or JADU shall be deemed approved.
 - ii. Submittal Requirements. The application for an ADU or JADU shall be submitted to the Department. An ADU shall be reviewed as part of the established Building Permit process, and compliance with the standards of this article will be verified through the ministerial planning review process.
 - iii. Denial/Remedies. If the City denies an application for an ADU or JADU, the City will provide in writing a full set of comments within 60 days to the applicant from the date they received a completed application with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant. When the primary dwelling is proposed concurrent with the ADU then more than 60 days can be taken by the City.
- e. Rental and Sale Limitations.
 - i. Long-Term Rentals Only. Rental of the ADU created pursuant to this section shall be for a term 30 days or longer (Government Code Section 66315). Occupancy of the ADU or JADU shall not be allowed until the City approves occupancy of the primary dwelling unit (Government Code Section 66328).
 - ii. Sale and Conveyance. An ADU may be sold or conveyed separately from the primary residence to a qualified buyer if all the requirements of Government Code Section 66341 are met.

- iii. If all the requirements of Government Code Section 66342 are met, the separate conveyance of the primary dwelling unit and ADU are allowed as condominiums.
- f. General Development and Operational Standards.
 - i. When a garage, carport, or covered parking structure is demolished in conjunction with the construction or conversion of a detached or attached ADU, replacement parking is not required (Government Code Section 66314, subd. (d)(11)).
 - ii. A demolition permit for a detached garage that is to be replaced with a detached or attached ADU shall be reviewed with the application for the ADU and issued at the same time (Government Code Section 66314, subd. (e)).
 - iii. Availability of Utilities All accessory dwelling units shall be connected to public utilities or their equivalent, including water, electric, and sewer services, unless the accessory dwelling unit was constructed with a new single-family dwelling (Government Code Section 66324).
 - iv. Fire Sprinklers. If fire sprinklers are not required for the primary residence, then installation of fire sprinklers are not required in an ADU. The construction of an ADU shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling. However, if the primary residence undergoes significant remodeling and is required to install fire sprinklers, an ADU created after the remodel would also be required to install fire sprinklers (Government Code Section 66314, subd. (d)(12)).
 - v. Building Code. Building code requirements for detached dwellings shall be applied to ADUs, except that the construction of an ADU shall not constitute a Group R occupancy change under the building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations) (Government Code Section 66314, subd. (d)(8)).
 - vi. Occupancy. Owner occupancy is not required on a property with an ADU.
- g. Conditions for Nonconforming Uses and Structures.
 - i. Nonconforming Conditions. Until January 1, 2030, an owner of an ADU or JADU that receives a notice to correct violations or abate nuisance, in relation to the ADU or JADU, may request a delay for five years in enforcement of a building standard, as long as the violation is not a health and safety issue as determined by the local agency, subject to compliance with the Government Code Section 66331 and Health and Safety Code Section 17980.12(a)-(c), and the following conditions:
 - (a) The ADU or JADU was built before January 1, 2020.
 - (b) The ADU or JADU was built on or after January 1, 2020, in a local jurisdiction that, at the time the ADU or JADU was built, had a noncompliant ADU or JADU ordinance, but the ordinance is compliant at the time the request is made.

- (c) This subsection shall remain in effect only until January 1, 2035, and as of that date is repealed.
- h. Number of ADUs or JADUs Permitted Per Legal Parcel or Lot. An application for a permit to establish an ADU or JADU that meets at least one of the following descriptions shall be ministerially approved without a public hearing and is not subject to the development standards of this chapter (Government Code Section 66317, subd. (a)).
 - i. (One ADU and one JADU are permitted per lot within the existing or proposed space of a single-family dwelling or within an existing accessory structure, that meets specified requirements such as exterior access and setbacks for fire and safety (Government Code Section 66323, subd. (a)(1)).
 - ii. One detached new construction ADU. One JADU may also be combined with a detached ADU (Government Code Section 66323, subd. (a)(2)).
 - iii. Multiple ADUs within the portions of multifamily dwelling structures that are not used as livable space. Local agencies must allow an amount of ADUs up to 25 percent of the dwelling units in existing multifamily dwelling structures, or a minimum of one, whichever is greater (Government Code Section 66323, subd. (a)(3)).
 - iv. Up to two detached ADUs on a lot that has proposed multifamily dwellings (Government Code Section 66323, subd. (a)(4)).
 - v. Up to eight detached ADUs on a lot that has existing multiple family dwellings provided that the number of ADUs does not exceed the number of existing dwelling units on the lot. (Government Code Section 66323, subd. (a)(4))
- i. State-exempt ADUs.
 - i. State-exempt ADUs shall not be subject to any local development or design standard that is not authorized by Section 66323 but shall comply with applicable building code and health and safety standards.
- j. Detached ADUs.
 - i. Location. Detached ADUs must be accompanied by a proposed or existing single-family or multifamily dwelling. An existing dwelling on-site may be classified as the detached ADU after construction and occupation of a proposed dwelling on-site. Detached ADUs may be located in an existing accessory structure.
 - ii. Maximum Number of Detached ADUs.
 - (a) When accompanied by a proposed or existing single-family dwelling, the maximum number of detached ADUs shall be one. The detached ADU may be in addition to an existing or proposed attached ADU or an existing or proposed JADU (Government Code Section 66314, subd. (d)(2)).

- (b) When accompanied by a proposed multifamily dwelling, the maximum number of detached ADUs shall be two per lot. Detached ADUs are not required to be detached from each other but must be detached from the multifamily dwelling (Government Code Section 66323, subd. (a)(4)(A)).
- (c) When accompanied by an existing multifamily dwelling, the maximum number of detached ADUs shall be eight per lot. However, the number of ADUs shall not exceed the number of existing dwelling units on the lot (Government Code Section 66323, subd. (a)(4)(ii)). Detached ADUs are not required to be detached from each other but must be detached from the multifamily dwelling (Government Code Section 66323, subd. (a)(4)(A)).

iii. Floor Area.

- (a) The minimum floor area shall be 150 square feet.
- (b) When accompanied by an existing or proposed single-family dwelling, the maximum floor area shall be no more than 1,200 square feet (Government Code Section 66314, subd. (d)(5)).

iv. Minimum Setbacks.

- (a) The minimum side, street side, and rear-yard setback shall be 4 feet, except when converting or replacing an existing accessory structure that is less than 4 feet from the side, street side, or rear yard (Government Code Sections 66314, subd. (d)(7), and 66323, subd. (a)(2)).
- (b) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an ADU, and a setback of no more than 4 feet from the side and rear lot lines shall be required for an ADU that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure (Government Code Section 66317, subd. (a)).

v. Maximum Height. The maximum height of detached ADUs shall be as follows (Government Code Section 66321, subd. (b)(4)):

- (a) For one-story detached ADUs, the maximum height shall be 16 feet. Where the detached ADU is within one-half-mile walking distance of a major transit stop or a high-quality transit corridor, as defined in Section 21155 of the California Public Resources Code, or with an existing or proposed multifamily dwelling of more than one story, the maximum height shall be 18 feet.
- (b) For two-story detached ADUs, the maximum height shall be 25 feet.

(c) Height Exceptions.

1. An additional two feet in height shall be allowed to accommodate a roof pitch on an ADU that is aligned with the roof pitch of the primary dwelling unit.
2. When an existing accessory structure is converted to a detached ADU, the maximum height may exceed the limits of Subsection (v)(a) of this Section to an amount equal to the height of the existing accessory structure to be converted.

vi. Parking.

(a) Parking Requirements. A maximum of one parking space shall be required per ADU or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway or in front and/or rear setback areas. (Government Code Section 66314, subd. (d)(10)).

(b) Exceptions. No parking shall be required for ADUs in any of the following instances (Government Code Sections 66314, subd. (b)(2), and 66322, subd. (a)):

1. The ADU is within one-half-mile walking distance of public transit.
2. The ADU is within an architecturally and historically significant historic district.
3. The ADU is part of the proposed or existing primary residence or an accessory structure.
4. When on-street parking permits are required but not offered to the occupant(s) of the ADU.
5. There is a car-share vehicle within one block of the ADU.
6. When a permit application for the ADU is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the ADU or the parcel satisfies any other criteria listed in Government Code Section 66322, subd. (a).

(c) Development Standards. Detached ADUs shall comply with all applicable base zone district objective development standards, including lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, unless application of any one or more of these standards precludes construction of at least an 800-square-foot detached ADU.

k. Attached ADUs.

- i. Location. Attached ADUs must be accompanied by a proposed or existing single-family or multifamily dwelling.

- ii. Maximum Number of Attached ADUs.
 - (a) When accompanied by a proposed or existing single-family dwelling, the maximum number of attached ADUs shall be one. The attached ADU may be in addition to an existing or proposed detached ADU and/or an existing or proposed JADU (Government Code Section 66323, subd. (a)(1–2)).
 - (b) When accompanied by a proposed or existing multifamily dwelling, the maximum number of attached ADUs allowed shall be no more than 25 percent of the number of existing or proposed multifamily units. However, in no case shall less than one attached ADU be allowed (Government Code Section 66323, subd. (a)(3)).
- iii. Floor Area.
 - (a) The minimum floor area shall be 150 square feet.
 - (b) Single-family Attached ADU (Government Code Section 66323, subd. (a)(1)(A)).
 - 1. The maximum floor area may expand up to 150 square feet from the existing primary dwelling unit.
 - 2. If the ADU expands beyond 151 square feet from the existing primary dwelling unit, then the floor area shall not exceed 50 percent of the living area of the existing primary dwelling unit.
- iv. Minimum Setbacks.
 - (a) The minimum side, street side, and rear yard setback shall be 4 feet, except when converting or replacing an existing attached accessory structure that is less than 4 feet from the side, street side, or rear yard.
 - (b) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an ADU, and a setback of no more than 4 feet from the side and rear lot lines shall be required for an ADU that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure (Government Code Section 66314, subd. (c)(7)).
- v. Maximum Height.
 - (a) The maximum height of attached ADUs shall be two stories and 25 feet or the maximum height specified by the base zone district for the primary dwelling, whichever is lower (Government Code Section 66321, subd. (b)(4)).
 - (b) Attached ADUs that are interior to an existing structure that is converted shall not exceed the height of that existing structure.

- vi. Parking. No parking shall be required for an attached ADU.
- vii. Development Standards.
 - (a) Attached ADUs shall comply with all applicable base zone district objective development standards (Government Code Section 66321, subd. (b)(3)), including limits on lot coverage, objective design standards, floor area ratio, open space, front setbacks, and minimum lot size unless application of any one or more of these standards precludes construction of at least an 800-square-foot attached ADU with 4 feet side and rear yard setbacks.
 - (b) The City shall not use or impose additional standards other than those provided in Government Code Section 66314, including an owner-occupant requirement, except that the City may require that the property may be used for rentals of terms 30 days or longer (Government Code Section 66315).

1. Junior Accessory Dwelling Units.

- i. Location. JADUs must be accompanied by a proposed or existing single-family dwelling on a lot zoned for single-family use. A JADU must be within the walls of the primary single-family dwelling, including, but not limited to, an attached garage (Government Code Section 66323, subd. (a)(1)). One JADU may also be combined with a detached ADU (Government Code Section 66323, subd. (a)(2)).
- ii. Maximum Number of JADUs.
 - (a) When accompanied by a proposed or existing single-family dwelling, the maximum number of JADUs shall be one per lot. The JADU may be in addition to an existing or proposed detached ADU or an existing or proposed attached ADU.
- iii. Floor area.
 - (a) The minimum floor area shall be 150 square feet.
 - (b) The maximum floor area shall be 500 square feet.
- iv. Parking. No parking shall be required for a JADU, including replacement parking.
- v. Exterior Access. Access shall be provided to the JADU independent from the primary dwelling.
- vi. Sanitation Facilities. Sanitation facilities may be separate or shared with the primary dwelling. If shared with the primary dwelling, the JADU shall provide an interior entry to the living area of the primary dwelling, separate from the exterior access required to the JADU.
- viii. Kitchen Features. An efficiency kitchen shall be provided, including all of the following (Government Code Section 66333, subd. (f)):
 - (a) A cooking facility with appliances.

- (b) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
 - ix. Occupancy. Owner-occupancy shall be required in either the remaining portion of the primary single-family dwelling or the newly created JADU. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization (Government Code Section 66333, subd. (b)).
 - x. Deed Restriction. A deed restriction shall be recorded on the property which shall run with the land, and a copy of which shall be provided to the Planning Department. The deed restriction shall include both of the following (Government Code Section 66333, subd. (c)):
 - (a) A prohibition on the sale of the JADU separate from the sale of the single-family dwelling, including a statement that the deed restriction may be enforced against future purchasers.
 - (b) A restriction on the size and attributes of the JADU that conforms with this section.
- (6) *Satellite dishes, towers and similar electronic antennae.*
- a. All satellite dishes, towers and similar electronic antennae shall be considered buildings and shall meet all applicable setback requirements.
 - b. Such antennae shall be screened from view from adjacent properties by structural screens. All such antennae shall be reviewed and approved by the building official prior to installation.
 - c. A satellite antenna shall not exceed 13 feet in diameter.
 - d. A satellite antenna shall be ground-mounted and shall not exceed a height of 12 feet at its highest point.
 - e. Antennae exceeding 13 feet in diameter or 12 feet in height shall be permitted only by conditional use permit pursuant to sections 90-998 through 90-1001.
- (7) *Carnivals and similar events.* Carnival activity as defined in Municipal Code section 18-83 and similar events conducted by charitable organizations that have the potential to attract attendance by more than 100 persons shall require the approval of a director's review permit.
- (8) Residential projects located on sites 2, 3, 17 in Table 1N-6 and site 52 in Table 1N-7 of the 2023- 2031 Housing Element identified to meet the lower income RHNA providing appropriate densities and a minimum of 20 percent of the units in the development as affordable to lower income households shall be allowed by right pursuant to Government Code section 65583.2(i).

Sec. 90-899. Emergency shelters.

- (a) Emergency shelters shall conform to all property development standards of the zoning district in which located except as modified by these development standards.

- (b) The maximum number of beds permitted in a shelter shall be in accordance with applicable fire/building code capacity, but shall not exceed 21.
- (c) The parking requirements shall comply with section 90-886 (19).
- (d) The shelter shall provide a bicycle parking area.
- (e) Emergency shelters shall provide no less than ten square feet of interior waiting and client intake space per bed. In addition, there shall be no less than two offices or cubicles in the shelter, and at least one must be an enclosed office with walls, a ceiling, and a door for purposes of maintaining privacy.
- (f) On-site management shall be present at all times that the shelter is open and in operation. Prior to the operation of the shelter and annually thereafter, the shelter shall prepare and file a management plan with the community and economic development department that includes the following information:
 - (1) Operational rules and standards that address: (a) client supervision; (b) staff training to meet the needs of shelter residents; (c) hours of operation; (d) client services to be provided either at the shelter or other locations, particularly those to assist residents with obtaining permanent shelter and income. If services are provided offsite the management plan shall describe transportation needs; (e) community outreach; (f) screening of residents to ensure compatibility with the services provided at or through the shelter; (g) storage/handling of personal belongings; (h) laundry services; (i) food services; (j) security measures; (k) emergency contact information; and (l) maintenance of the property and facility. Note: laundry services and food services do not need to be provided on-site, however the management plan shall address how these services will be provided.
 - (2) Floor plan of the emergency shelter. If homeless families are to be served, separate area(s) shall be provided that have privacy. If both genders are to be served by the shelter, the floor plan shall show separated areas of accommodations and bathroom facilities for both male and female residents. Bathroom facilities shall include showers and be sized in accordance with the most current adopted building and plumbing code.
- (g) The length of client/resident stay shall be limited to no more than six months in any consecutive 12-month period.
- (h) Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood.
- (i) The shelter shall be non-smoking. Outside smoking areas shall be located to the rear of the building or structure and not visible from the public rights-of-way.
- (j) Optional facilities: the shelter may provide one or more of the following facilities for the exclusive use of the residents and staff: recreation room, counseling center, child care facilities, and/or other support services as described in the management plan.
- (k) Emergency shelters shall provide a trash and recycle enclosure that is consistent with the city's specifications.

- (l) Emergency shelters shall not provide outdoor public telephones or space for outdoor congregating in front of the building or structure or otherwise visible from the public rights-of-way.
- (m) The design of the shelter shall comply with the city's design standards and guidelines.
- (n) An emergency shelter shall obtain and maintain in good standing all required licenses, permits, and approvals from applicable city, county and state agencies or departments.
- (o) A zoning clearance checklist shall document compliance of the emergency shelter with the above requirements and shall be kept on file in the community and economic development department for the duration of the operation of the shelter.

Sec. 90-902. Residential care facilities.

- (a) Purpose. The purpose of this section is to implement the applicable state regulations in a manner that allows for the establishment of residential care facilities while preserving the character of the zone in which the uses are located. To protect the public health, safety and welfare, to preserve and protect the integrity of residential neighborhoods, and to ensure this code does not act as a disincentive to or unreasonably restrict the development of residential care facilities residential care facilities shall be assessed, allowed and developed in accordance with the standards set forth in this section.
- (b) Permitted Zones.
 - (1) Large Licensed Residential Care Facilities shall be considered a residential use of property and shall be permitted with a Conditional Use Permit in all zones permitting residential uses in the City of Sanger, subject to the requirements of sections 90-998 through 90-1001.
 - (2) A Large Licensed Residential Care Facility that also qualifies as Supportive Housing or Transitional Housing shall be subject only to those restrictions and development standards that apply to other residential dwellings of the same type (e.g., single-family or multifamily) in the same zone. Notwithstanding the previous sentence, if the facility qualifies as “supportive housing” as defined in Government Code Section 65650 (which has a different definition of “target population” than the definition in section 90-54, then the facility shall be a use by-right in all zones where multifamily and mixed uses are permitted and shall be processed as required by Government Code Sections 65650, et seq.
 - (3) Small Licensed Residential Care Facilities and Unlicensed Residential Care Facilities shall be considered a residential use of property. Small Residential Care Facilities, Licensed, and Unlicensed Residential Care Facilities are permitted uses in all zones permitting residential uses in Sanger subject to compliance with the restrictions and development standards for other residential dwellings of the same type (e.g., single-family or multifamily) in the same zone.
- (c) Development Standards. The following development standards shall apply to a Large Licensed Residential Care Facility:

- (1) Development Standards. Unless otherwise indicated below, the Large Residential Care Facility must conform to the development standards for the zoning classification in which it is located.
- (2) Accessory Dwelling Units. The Large Licensed Residential Care Facility shall not be located in an Accessory Dwelling Unit unless the primary dwelling unit is used for the same purpose.
- (3) Kitchens. The Large Licensed Residential Care Facility must provide either of the following:
 - a. Congregate dining facilities; or
 - b. Kitchens in individual units.
- (4) Landscaping. The Large Licensed Residential Care Facility shall provide minimum landscaped areas in accordance with the landscaping standards for the zoning classification in which it is located.
- (5) Signs. The Large Licensed Residential Care Facility shall comply with the provisions of section 90-891 (Signs).
- (6) Lighting. The Large Licensed Residential Care Facility shall comply with the provisions of the lighting standards for the zoning classification in which it is located. Security night lighting must be shielded so that the light source cannot be seen from adjacent residential properties.
- (7) Parking. The Large Licensed Residential Care Facility shall provide one (1) off-street automobile parking space per the greatest number of employees on duty at any one time, as well as a minimum of one (1) off-street automobile parking space for every ten (10) residents for visitors.
- (8) Common Areas and Open Space. The Large Licensed Residential Care Facilities shall include at least three-hundred fifty (350) square feet of indoor or outdoor common areas or open space, plus five (5) square feet per resident. The common area(s) or open space shall be furnished. Appropriate furnishings for indoor spaces include, but are not limited to, such items as lounge chairs, couches, tables with chairs, writing desks, and televisions. Outdoor furnishings include but are not limited to such items as outdoor benches, tables with chairs, barbeques, and shade coverings like arbors, patio covers, garden shelters or trellises. A central dining room shall be provided. The size of the room shall be sufficient to accommodate all of the residents. The minimum room size shall be the product of the proposed maximum number of residents in the facility multiplied by five (5) square feet per resident; however, in no instance shall the central dining room be less than three-hundred fifty (350) square feet.
- (9) Management. The Large Licensed Residential Care Facilities shall have either:
 - a. A manager who resides on-site; or
 - b. A number of persons acting as a manager who are either present at the facility on a 24-hour basis or who will be available twenty-four (24) hours a day, seven (7) days a week to physically respond within forty-five (45) minutes notice and who are responsible for the day-to-day operation of the facility. The provisions of this

section shall be superseded by any management requirements imposed on the Large Licensed Residential Care Facilities pursuant to state law.

- (10) Security. A designated area for on-site personnel shall be located at the main entrance to the facility for the purpose of controlling admittance to the facility and providing security. Emergency contact information shall be posted on the exterior of the facility adjacent to the main entrance, as well as on the interior in a location accessible to all residents.
 - (11) Personal Storage. Each resident of the Large Licensed Residential Care Facility shall be provided with at least one (1) private storage area or private closet, with a lock or other security mechanism, in which to store their personal belongings.
- (d) Application Procedures. The application for a Large Licensed Residential Care Facility shall be submitted and processed in accordance with the requirements for residential developments in the zone in which the Large Licensed Residential Care Facility is proposed, and with the requirements outlined in sections 90-998 through 90-1001. In addition, the application for a Large Licensed Residential Care Facility shall include the following:
- (1) Applicant Information. The name and address of the applicant, including the name and address of the lessee, if the property is to be leased by someone other than the applicant; and the name and address of the owner of the property for which the Conditional Use Permit is requested. If the applicant and/or lessee or owner is a partnership, corporation, firm, or association, then the applicant/lessee shall provide the additional names and addresses as follows and such persons shall also sign the application:
 - a. Every general partners of the partnership;
 - b. Every owner with a controlling interest in the corporation; or
 - c. The person designated by the officers of the corporation as set forth in a resolution of the corporation that is to be designated as the permit holder for the use permit.
 - (2) Owner Authorization. If the operator of the Large Licensed Residential Care Facility is not the legal owner of the property, the operator shall provide written documentation evidencing the owner's authorization and approval to operate the Large Licensed Residential Care Facility at the property.
 - (3) Parcel Information. The zoning and general plan designations and assessor's parcel number(s) of the site on which the Large Licensed Residential Care Facility is proposed.
 - (4) Project Description. A narrative project description of the Large Licensed Residential Care Facility that summarizes the proposed use and its purpose.
 - (5) Plan, Building Diagram, and Floor Plan. A preliminary site plan, drawn to scale, showing the facility's building footprint and property lines as well a diagram intended to show:

- a. All building(s) to be occupied, including a floor plan for all rooms intended for residents' use indicating the number of residents per bedroom, the location and number of beds for all residents; and
 - b. On-site parking, including designations of staff and visitor parking.
- (6) Facility Users. The projected number and types of users of the facility, including but not limited to, residents, staff, clients, visitors, and students.
- (7) Transportation and Parking. Expected parking demand and vehicular use and the availability of and proximity to public transportation or other means to transport facility users.
- (8) Management Plan. A comprehensive Management Plan, which shall include, at a minimum, the following:
 - a. Detailed information on property management policies and operations, including information regarding maintenance and repairs;
 - b. An explanation of how the Large Licensed Residential Care Facility, intends to meet the requirements of subsection (3)(9) of this section;
 - c. An explanation of how the Large Licensed Residential Care Facility, intends to meet the requirements of subsection (3)(10) of this section;
 - d. A copy of the Large Licensed Residential Care Facility's written resident intake procedures, including rental procedures and rates;
 - e. A copy of the Large Licensed Residential Care Facility's written termination and eviction procedures;
 - f. A copy of the Large Licensed Residential Care Facility's resident and guest rules; and
 - g. If applicable, the Large Licensed Residential Care Facility's plan for disposing of medical waste or other bio-waste.
- (9) Licensing. Proof of all required licensing from the California Department of Social Services, the California Department of Health and Human Services, the California Department of Health Care Services, or other applicable regulatory agency, along with a license and permit history of the applicant(s), including whether such applicant(s), in previously operating a similar use in this or another city, county or state under license and/or permit, has had such license and/or permit revoked or suspended, and the reason therefore.
- (10) Similar Facilities. A list of addresses of all other licensed facilities for which a Conditional Use Permit is requested in the State of California owned or operated by the applicant(s) within the past five (5) years and whether such facilities have been found by state or local authorities to be operating in violation of state or local law.
- (11) Project Review. The Planning Commission shall review an application for the Large Licensed Residential Care Facility and shall approve, conditionally approve, or disapprove of the application for the Large Licensed Residential Care Facility. The decision of the Planning Commission shall be final unless appealed to the City Council within the timeframes set forth in the Sanger Municipal Code.

(12) Findings and Decision. The Planning Commission shall only approve an application for a Large Licensed Residential Care Facility if the Planning Commission makes all of the findings required pursuant to sections 90-998 through 90-1001 and conforms with all provisions of this section.

(13) Design Review. The Large Licenses Residential Care Facility shall require design review approval, pursuant to the City's single-family residential design guidelines for the zoning classification in which it is located, prior to issuance of a building permit.

90-903. Transitional and supportive housing.

(a) Supportive and Transitional Housing, generally. Pursuant to California Government Code Section 65583(c)(3), transitional and supportive housing constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same zoning district.

(b) Supportive Housing, up to 50 Units. Pursuant to California Government Code Section 65651, supportive housing development with up to 50 supportive housing units shall be permitted by right in all Zoning Districts where multi-family and mixed use residential development are permitted provided the development satisfies all of the following requirements:

(1) All supportive housing units within the development are subject to a recorded affordability restriction for 55 years.

(2) One hundred percent of the units, excluding managers' units, within the development are dedicated to lower income households and are receiving public funding to ensure affordability of the housing to lower income Californians. For purposes of this paragraph, "lower income households" has the same meaning as defined in Section 50079.5 of the Health and Safety Code.

(3) At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.

(4) The developer shall provide the information required by California Government Code Section 65652 to the Planning & Economic Development.

(5) Nonresidential floor area shall be used for onsite supportive services in the following amounts:

a. For a development with 20 or fewer total units, at least 90 square feet shall be provided for on site supportive services.

b. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.

- (6) The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915.
- (7) Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.
- (8) Notwithstanding any other provision of this Section to the contrary, the local government shall, at the request of the project owner, reduce the number of residents required to live in supportive housing if the project-based rental assistance or operating subsidy for a supportive housing project is terminated through no fault of the project owner, but only if all of the following conditions have been met:
 - a. The owner demonstrates that it has made good faith efforts to find other sources of financial support.
 - b. Any change in the number of supportive service units is restricted to the minimum necessary to maintain project's financial feasibility.
 - c. Any change to the occupancy of the supportive housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of any supportive housing units.

Sec. 90-904. Employee Housing (for Farmworkers)

- (a) Six or Fewer Employees. Employee housing providing accommodations for six or fewer employees shall be deemed to be a single-unit structure with a residential land use and shall be treated the same as a single unit dwelling of the same type in the same zoning district.
- (b) Districts Where Agriculture Uses Are Allowed. The permitted occupancy in employee housing in a zone allowing agricultural uses shall include agricultural employees who do not work on the property where the employee housing is located, and may consist of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household on land zoned for agricultural uses. Such employee housing shall be considered to be an activity that in no way differs from an agricultural use.
- (c) Streamlined Approval for Agricultural Employee Housing Developments. To be eligible for streamlined approval under this section, an agricultural employee housing development must meet all of the following requirements:
 - a. The development must be located on land designated as agricultural in the City of Sanger General Plan.
 - b. The development must be 12 units or less.
 - c. The development must not be located in any of the following areas:
 - i. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

- ii. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the Government Code.
 - iii. A hazardous waste site that is listed pursuant to Section 65962.5 of the Government Code or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356.
 - iv. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist.
 - v. A flood plain as determined by maps promulgated by the Federal Emergency Management Agency.
- d. The development must meet all applicable requirements of the City of Sanger Municipal Code, including but not limited to the following:
- i. The development must have adequate water and wastewater facilities.
 - ii. The development must comply with all applicable zoning and land use regulations.
 - iii. The development must comply with all applicable building and safety codes.

SECTION 15. Article XXX titled “Density Bonus” is amended to read as follows:

Sec. 90-1131. Purpose.

The purpose of this article is to implement the State Density Bonus Law, California Government Code Section 65915 et seq.

Sec. 90-1132. Applicability.

This article shall be applicable in all zoning districts that allow residential uses.

Sec. 90-1133. Qualifications.

All proposed housing developments that qualify under California Government Code Section 65915 for a density increase and other incentives, and any qualified land transfer under California Government Code Section 65915 shall be eligible to apply for a density bonus (including incentives and/or concessions) consistent with the requirements, provisions and obligations set forth in California Government Code Section 65915, as may be amended.

Sec. 90-1134. Density Bonus, Incentives and Concessions.

The City of Sanger shall grant qualifying housing developments and qualifying land transfers a density bonus, the amount of which shall be as specified in California Government Code Section 65915 et seq., and incentives or concessions also as described in California Government Code Section 65915 et seq. A specific density bonus calculation chart for each qualifying housing development type is provided in section 90-1138.

Sec. 90-1135. Application.

An application for a density bonus or other incentive under this article for a housing development shall be submitted in writing to the Planning Division to be processed concurrently with all other entitlements of the proposed housing development. The application for a housing development shall contain information sufficient to fully evaluate the request under the requirements of this article and applicable State law.

Sec. 90-1136. Review and Consideration.

The application shall be considered by the Planning Commission or City Council concurrently with the project for which the request is being made is considered. If the project is not to be otherwise considered by the Planning Commission or the City Council, the request being made under this article shall be considered by the Community Development Director. The request shall be approved if the applicant complies with the provisions of California Government Code Section 65915 et seq.

Sec. 90-1137. Continued Affordability.

Consistent with the provisions of California Government Code Section 65915 et seq., prior to a density bonus or other incentives being approved for a project, the applicant shall agree to ensure the continued availability of the density bonus units by entering into a covenant approved as to legal form by the City Attorney.

Sec. 90-1138. Density Bonus Calculations

Table 90-1138 Percent Set-Aside for Each Qualified Housing Development Type							
Base Project Set Aside**	Very Low Income	Low Income	Mod Income***	Land Donation	Senior*****	Foster Youth, Disabled Vets, Homeless	Student Housing
5%	20%	—	—	—	20%	—	—
6%	22.5%	—	—	—	20%	—	—
7%	25%	—	—	—	20%	—	—
8%	27.5%	—	—	—	20%	—	—
9%	30%	—	—	—	20%	—	—
10%	32.5%	20%	5%	15%	20%	20%	—
11%	35%	21.5%	6%	16%	20%	20%	—
12%	38.75%	23%	7%	17%	20%	20%	—
13%	42.5%	24.5%	8%	18%	20%	20%	—
14%	46.25%	26%	9%	19%	20%	20%	—
15%	50%	27.5%	10%	20%	20%	20%	—
16%	50%	29%	11%	21%	20%	20%	—
17%	50%	30.5%	12%	22%	20%	20%	—
18%	50%	32%	13%	23%	20%	20%	—

Table 90-1138 Percent Set-Aside for Each Qualified Housing Development Type							
Base Project Set Aside**	Very Low Income	Low Income	Mod Income***	Land Donation	Senior****	Foster Youth, Disabled Vets, Homeless	Student Housing
19%	50%	33.5%	14%	24%	20%	20%	—
20%	50%	35%	15%	25%	20%	20%	35%
21%	50%	38.75%	16%	26%	20%	20%	35%
22%	50%	42.5%	17%	27%	20%	20%	35%
23%	50%	46.25%	18%	28%	20%	20%	35%
24%	50%	50%	19%	29%	20%	20%	35%
25%	50%	50%	20%	30%	20%	20%	35%
26%	50%	50%	21%	31%	20%	20%	35%
27%	50%	50%	22%	32%	20%	20%	35%
28%	50%	50%	23%	33%	20%	20%	35%
29%	50%	50%	24%	34%	20%	20%	35%
30%	50%	50%	25%	35%	20%	20%	35%
31%	50%	50%	26%	35%	20%	20%	35%
32%	50%	50%	27%	35%	20%	20%	35%
33%	50%	50%	28%	35%	20%	20%	35%
34%	50%	50%	29%	35%	20%	20%	35%
35%	50%	50%	30%	35%	20%	20%	35%
36%	50%	50%	31%	35%	20%	20%	35%
37%	50%	50%	32%	35%	20%	20%	35%
38%	50%	50%	33%	35%	20%	20%	35%
39%	50%	50%	34%	35%	20%	20%	35%
40%	50%	50%	35%	35%	20%	20%	35%
41%	50%	50%	38.75%	35%	20%	20%	35%
42%	50%	50%	42.5%	35%	20%	20%	35%
43%	50%	50%	46.25%	35%	20%	20%	35%
44%	50%	50%	50%	35%	20%	20%	35%
100%	80%	80%	80%	35%	20%	20%	35%

Notes:

* *All density bonus calculations resulting in fractions are rounded up to next whole number.*

** *Affordable unit percentage is calculated excluding units added by a Density Bonus, i.e., the percentage of the number of units allowed without a Density Bonus.*

*** *Moderate income Density Bonus applies to for sale units, not to rental units.*

**** *No affordable units are required for senior units.*

SECTION 16. Article XVI Titled “C-1 Neighborhood Commercial Zone” is amended to read as follows:

Sec. 90-571. Purpose.

The C-1 district is intended to provide areas for convenience shopping in the residential area in which it is located.

Sec. 90-572. Uses permitted.

The following uses shall be permitted in the C-1 district, plus such other uses as the commission may determine to be similar in nature and consistent with the intent of the district as specified in section 90-571:

- (1) Bakery, retail.
- (2) Barbershops.
- (3) Beauty shops.
- (4) Christmas tree sales lots.
- (5) Clothing store, up to 1,200 square feet.
- (6) Collection and distribution station for laundry or dry cleaners.
- (7) Convenience grocery stores, up to 3,000 square feet.
- (8) Delicatessens.
- (9) Drugstore, up to 1,200 square feet.
- (10) Florist shop, up to 1,200 square feet.
- (11) Gift shop, up to 1,200 square feet.
- (12) Health food store, up to 1,200 square feet.
- (13) Hobby shop, up to 1,200 square feet.
- (14) Ice cream shop, up to 1,200 square feet.
- (15) Laundry, self service.
- (16) Office, nonmedical, up to 2,000 square feet.
- (17) Shoe repair store, up to 1,200 square feet.
- (18) Stationary store, up to 1,200 square feet.
- (19) Variety store, up to 1,200 square feet.
- (20) Accessory buildings, subject to the provisions of subsection 90-894(4).
- (21) Murals subject to the approval of a mural permit pursuant to section 90-891(9).
- (22) Single Room Occupancy Facilities

SECTION 17. Article XXVIII titled “RMU Retail-Mixed Use District” is amended to read as follows:

Sec. 90-1108. Uses permitted.

The following uses shall be permitted in the RMU district plus such other uses as the commission may determine to be similar in nature and consistent with the intent of the district as defined in section 90-611:

- (1) Accessory uses incidental to a permitted or conditionally permitted use existing on the site.
- (2) Accessory dwelling units, subject to the provisions of Article XXIII.
- (3) Low-Barrier Navigation Centers.
- (4) Supportive Housing, subject to the provisions of section 90-903.
- (5) Transitional Housing, subject to the provisions of section 90-903.
- (6) Small (six or fewer persons) licensed or unlicensed residential care facility, subject to the provisions of section 90-902.
- (7) Automated teller machine (stand alone or associated with a bank- subject to development standards).
- (8) Automobile and motorized vehicle businesses, including:
 - a. Auto supply stores.
 - b. Car washes.
 - c. Service stations (except those with a convenience store selling alcoholic beverages require a Conditional Use Permit).
 - d. Tire shops.
 - e. Vehicle leasing, renting.
- (9) Banks and financial institutions.
- (10) Business, professional and trade schools.
- (11) Check cashing services.
- (12) Clubs, lodges and meeting rooms.
- (13) Day care, small and large family.
- (14) Drainage basins.
- (15) Feed stores and agricultural supply stores.
- (16) Funeral parlors/mortuaries.
- (17) Health/athletic clubs.
- (18) Hotels/motels.
- (19) Mixed-use developments (that combine commercial and residential uses that are permitted in this zone) where residential components shall be subject to zoning standards of the RM-1.5 (Medium density multiple-family residential) district. The

residential component of any mixed-use development shall be limited to no more than 45 percent of the site.

- (20) Movie theaters.
- (21) Offices (administrative, business, medical, general, governmental and professional).
- (22) Personal services businesses. Commercial establishments that provide services of a personal nature, including:
 - a. Barber and beauty shops.
 - b. Cleaners.
 - c. Fortune telling, hypnotists and palm reading.
 - d. Locksmiths.
 - e. Mail/delivery stores.
 - f. Massage and physical therapy businesses practiced by individuals certified by the state.
 - g. Laundry (full and self-serve).
 - h. Music, dance, gymnastics and martial arts studios.
 - i. Tattoo shops.
- (23) Retail stores and service establishments that supply commodities or services that meet the needs of residents in the community. Permitted uses include:
 - a. Appliance sales and servicing.
 - b. Bakeries, retail.
 - c. Clothing, shoes, jewelry and accessory stores.
 - d. Confectionary (candy) stores.
 - e. Convenience grocery stores (except that stores selling alcoholic beverages require a conditional use permit).
 - f. Florists.
 - g. Food stores.
 - h. Furniture stores/mattress shops and upholstery shops.
 - i. Garden shops and nurseries.
 - j. Gift shops.
 - k. Gun shops.
 - l. Hardware and home improvement stores.
 - m. Health food stores.
 - n. Hobby shops.
 - o. Ice cream shops.
 - p. Jewelry stores.
 - q. Office supply stores.
 - r. Pet shops.
 - s. Pharmacy/drug stores.
 - t. Photo studios and photographic supplies, art galleries.
 - u. Sporting goods stores.
 - v. Supermarkets.

- w. Tobacco stores.
 - x. Toy stores.
 - y. Variety stores.
- (24) Restaurants and cafes, including drive-thru and drive-in restaurants.
 - (25) Service stations, subject to the requirements detailed in chapter 25-41 (Special uses).
 - (26) Social service and counseling centers.
 - (27) Veterinarian offices.
 - (28) Video arcades.
 - (29) Wholesale businesses.

Sec. 90-1109. Uses permitted subject to conditional use permit.

The following uses shall be permitted in the RMU district subject to first securing a conditional use permit as provided in sections 90-998 through 90-1001, plus such other uses as the commission may determine to be similar in nature and consistent with the intent of the district as specified in section 90-611:

- (1) Bars and cocktail lounges.
- (2) Cabinet shops, welding/blacksmith shops, signs shops, glass stores.
- (3) Convenience stores that sell alcoholic beverages.
- (4) Kennels, animal boarding facilities.
- (5) Liquor stores.
- (6) Microwave relay stations.
- (7) Public parking lots or structures, subject to the provisions of sections 90-614, 90-615 and 90-884 through 90-889.
- (8) Repair of automobiles and trucks, farm equipment, etc.
- (9) Repair shops for electronics, appliances, upholstery, garden equipment, etc.
- (10) Large (seven or more persons) licensed residential care facility, subject to the provisions of section 90-902.
- (11) Storage buildings, mini storage facilities.
- (12) Vehicle sales (autos, trucks, boats, recreational vehicles, travel trailers, tractors, farm equipment), including on-site repair.
- (13) Warehouses.
- (14) Water pump stations.

[End of Ordinance]