

ORDINANCE NO. 832

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA 2015 Title 17, Zoning Ordinance, Text Amendments

Amending Chapter 17, Zoning Ordinance of the Sonora Municipal Code, Section 17.42.060, Number – Parking Stalls; and, Section 17.56.020, Applicability (Density Bonuses or Other Incentives); and, Section 17.20.020, R-3, Multifamily Residential, Uses Allowed by Right; and, Section 17.22.020, CO, Tourist and Administrative Zone, Uses Allowed by Right; and, Section 17.24.020, C, Commercial Zone, Uses Allowed by Right; and, Section 17.26.020, CG, General Commercial Zone, Uses Allowed by Right; and, Section 17.60.040, Uses Permitted by Use Permit, Uses Permitted in Specific Zone; and, Section 17.58.030, Nonconforming Uses and Structures, Reconstructing and Moving Prohibited – Exceptions; and, Section 17.04, Definitions.

The City Council of the City of Sonora does hereby ordain as follows:

SECTION ONE: Amend Section 17.42.060 Number – Parking Stalls as follows:

17.42.060 Number – Parking Stalls.

L. Mixed Use Developments outside of Zone A. When development plans include affordable housing units pursuant to an agreement with long-term affordability covenants and restrictions to maintain housing for low, very low or extremely low income housing, parking required for the residential component of the development may be reduced to one stall per dwelling unit for units less than three bedrooms and to one and one-half spaces for units with three or more bedrooms.

M. Second Story Residential units in Zone A. If the landowner enters into an agreement with long-term affordability covenants and restrictions to maintain the housing for low, very low or extremely low income housing, parking required for the residential component of the development may be reduced to one stall per dwelling unit for units less than three bedrooms and to one and one-half spaces for units with three or more bedrooms . if the in-lieu parking fees are triggered for the residential units above commercial establishments, the fee shall be waived .

SECTION TWO: Amend Chapter 17.56. Density Bonuses or Other Incentives as follows:

17.56.020 Applicability.

When a developer of housing agrees to provide low-income or moderate-income housing as provided for in Sections 65915 and 65915.5 of the California Government Code, the City shall (1) grant a density bonus, and (2) provide other incentives. "Density bonus" means a density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan.

SECTION THREE: Amend Section 17.20.020, R-3 – Multi-Family Residential Zone as follows:

17.20.020 Uses allowed by right.

E ~~C~~. Rest homes, convalescent homes, tri-level senior communities, senior housing facilities;

SECTION FOUR: Amend Section 17.22.020, CO – Tourist and Administrative Zone as follows:

17.22.020 Uses allowed by right.

F ~~E~~. Rest homes, convalescent homes, tri-level senior communities, senior housing facilities;

G F. Eating and drinking establishment; ✓

SECTION FIVE: Amend Section 17.24.020, C – Commercial Zone as follows:

17.24.020 Uses allowed by right.

K ~~J~~. Rest homes, convalescent homes, tri-level senior communities, senior housing facilities;

SECTION SIX: Amend Section 17.26.020, CG – General Commercial Zone as follows:

17.26.020 Uses allowed by right.

I. Rest homes, convalescent homes, tri-level senior communities, senior housing facilities;

J. Eating and drinking establishment; ✓

SECTION SEVEN: Amend Section 17.60.040, Uses Permitted By Use Permit, Uses Permitted in Specific Zones as follows:

17.60.040 Uses permitted in specific zones.

C. Sanitarium, dispensary, mortuary and cemeteries, in R-1, R-2, R-3, CO, C and CG zones;

D ~~P~~. Rest home, convalescent home, tri-level senior communities, senior housing facilities in R-1 and R-2.

SECTION EIGHT: Amend Section 17.58.030, Nonconforming Uses and Structures, Reconstructing and Moving Prohibited – Exceptions, as follows:

17.58.030, Reconstructing and moving prohibited – Exceptions.

B. Restored or rebuilt if damaged or destroyed for any reason to the extent of more than half its current replacement cost.

1. Provided that residences that are 50 years or older may be restored or rebuilt within the footprint of the previous structure. The residential use may continue with no expansion of the structure permitted per this section; furthermore, the historical integrity of the restoration shall be maintained although newer building materials may be used;

2. Commercial uses that have been in operation at the same location since 1960 or earlier (as proven through documentation based on the assessor's records, business licenses, historical records or other information which documents the date of the business at that location) may be continued within the previous footprint and intensity or use. Section 17.58.030 (C) shall apply in that documentation shall show continuance of use at said location without abandonment.

SECTION NINE: Amend Section 17.04, Definitions, as follows:

17.04.345, Tri-level Senior Community.

"Tri-level Senior Community" means a community that provides progressive care for the elderly including all the of following: live alone, self-sufficient, units either in a single-family or multi-family residential structure, assisted living where some services are provided such as laundry, meals, and long-term care facilities that include full care including medical care and administration of medication.

17.04.284, Senior Housing Facilities.

"Senior Housing Facilities" means a facility that provides housing for the elderly which includes services such as meals and laundry. These facilities may include live alone units as well as communal living where all meals are provided. The facilities also provide services for transportation to shopping and other activities. Some recreational and social events are provided on-site for the residents.

This Ordinance shall take effect thirty (30) days after its passage and shall be published within (15) days after its final passage as required by law.

Said Ordinance was introduced at a regular meeting of the City Council of the City of Sonora held on November 2, 2015, and passed and adopted as an Ordinance of said City at a regular meeting of said Council held on November 16, 2015, by the following vote:

AYES: Ron Stearn, Connie Williams, Bill Canning,
George Segarini, Jim Garaventa

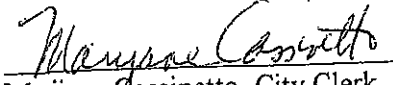
NOES: None

ABSENT OR ABSTAIN: None




Ron Stearn, Mayor

ATTEST:


Marijane Cassinetta, City Clerk

APPROVED AS TO FORM:


Byron C. Smith, City Attorney

Publish: The Union Democrat, Sonora
November 25, 2015