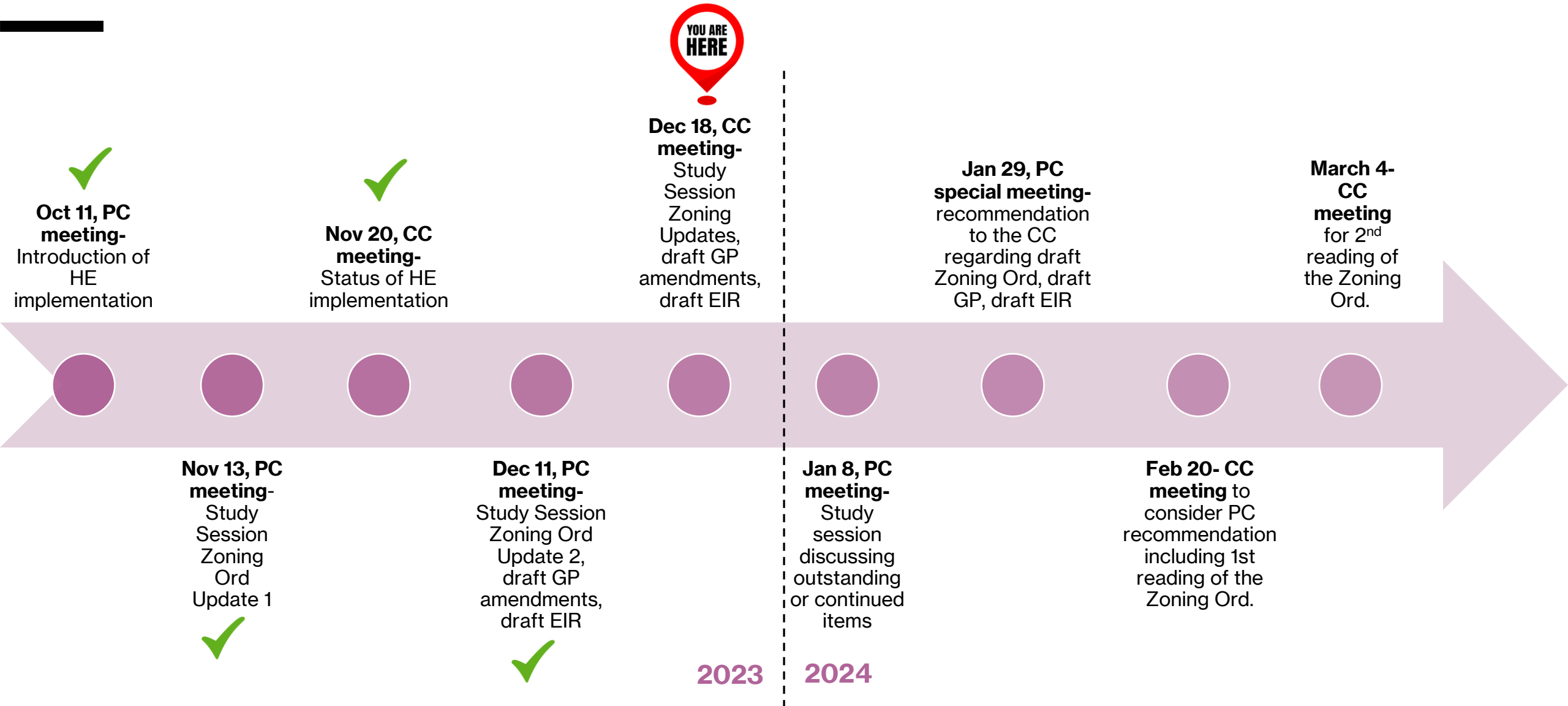




# **REVISIONS TO THE ZONING ORDINANCE**

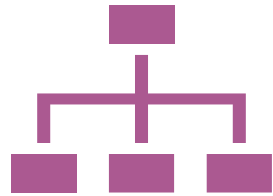
**City Council Briefing  
December 18, 2023**

# HE Implementation Schedule



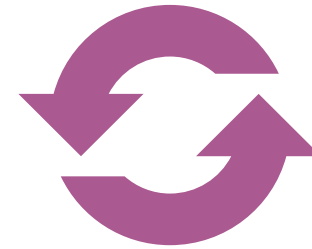
# HE Implementation Summary – Revisions to Zoning Ordinance

- Revisions to City Code Chapter 17 - Planning and Land Use
- HE Programs: 1.D, 1.E, 1.F, 1.G, 1.H, 1.J, 1.M, 1.P, 4.I, 4.L, 4.N, 4.O, 4.P, 4.Q, 4.V, 5.H, and 5.L
- State Laws: State Density Bonus Law, SB 9, and AB 1308



## New Divisions

- 17.52: Density Bonus, and
- 17.54: Urban Lot Splits and Two-Unit Housing Developments.



## Updated Divisions

- 17.20: Zone A Single-family residential
- 17.22: Zone B Public Facilities
- 17.24: Zone C Multi-family residential
- 17.26: Zone D Commercial and Mixed-Use
- 17.28: Zone E Single family residential estate
- 17.30: Parking
- 17.40: Residential Rentals
- 17.90: Definitions and Measurements



# **Looking at the draft revisions in detail -**



# Added New Division Implementing State Density Bonus

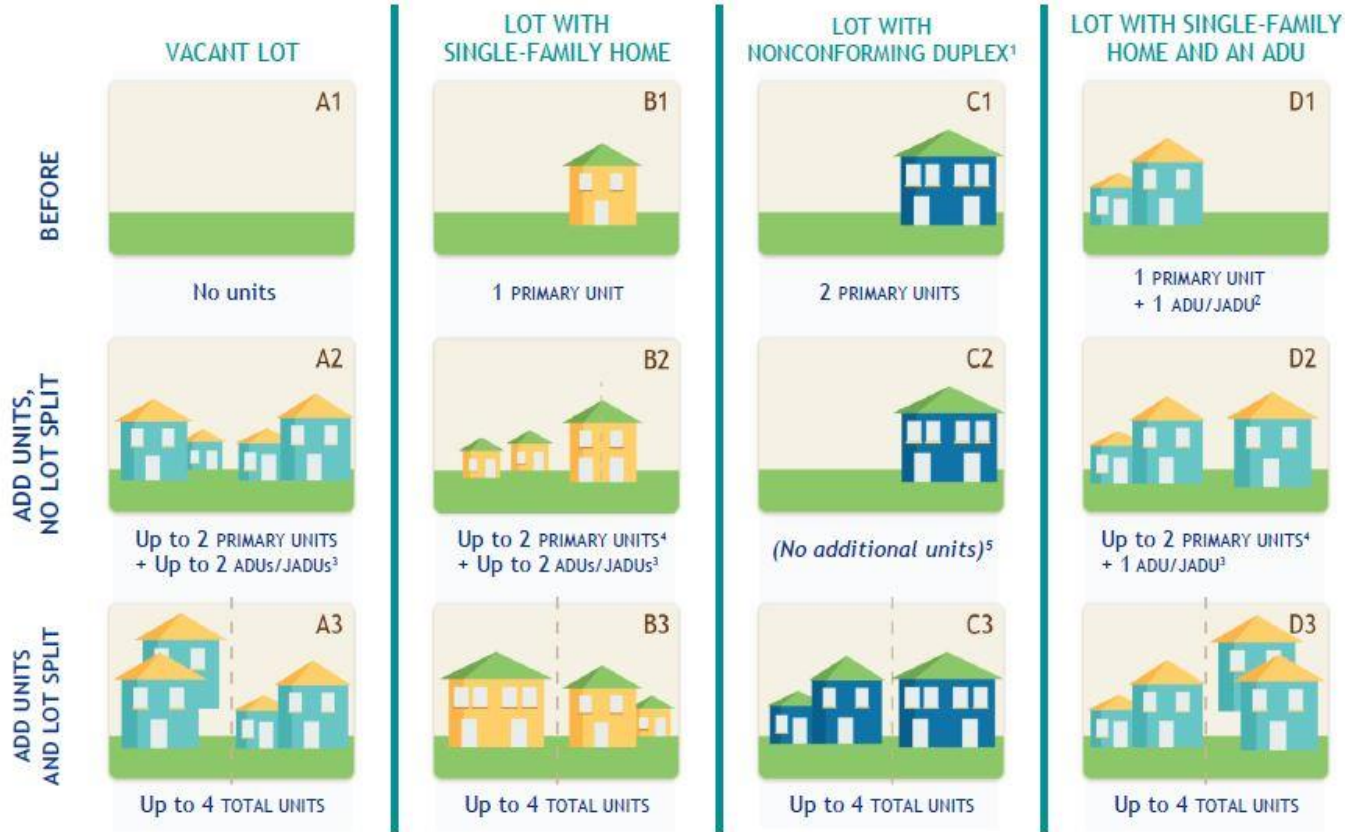
- Implement the State Density Bonus Law.
- A developer who meets the requirements of the State law is entitled to receive a density bonus and other benefits as a matter of right.
- Development size of at least 5 units meets the Density Bonus Law's eligibility criteria.
- Allows for up to 5 concessions or waivers.
- Requests must be submitted concurrent with the housing development application.



# Added New Division Implementing SB 9

## WHAT CAN I DO ON MY LOT?

Add new homes to existing parcel • Divide existing house into multiple units • Divide parcel and add homes  
 Illustrations are based on a preliminary analysis of the law. Details are subject to change and are for informational purposes only.  
 See the following page for qualification details and limitations.



## SB 9: Urban Lot Splits and Two-Unit Housing Developments

- Ministerial approval
- Zone A & E
- Objective development and zoning standards
- 1200 sq.ft. min lot size (60/40) split
- 800 sq.ft. unit size
- Up to 4 units, including ADUs
- 1 parking space for every primary unit

Draft City Code Planning & Land Use Divisions: Division 17.54

# Added New Division Implementing SB 9

## **SB 9: Development standards that are Piedmont specific:**

- No flag lots, but easements are permitted to provide access to new lots without frontage.
- No unusually shaped lots.
- Waivers may be granted for floor area ratio, provided certain zoning regulations are met.



# Questions

**Coming up – revisions to zoning districts**



# Revised the “Intent” Section of All Zoning Districts

- Provide consistency with the Housing Element
- Reflect City’s goals

Draft City Code Planning and Land Use Division/Section: 17.20.010, 17.22.010, 17.24.010,  
17.26.010, 17.28.010

# Allowed New Permitted Uses in All Zones

## Permitted Uses: Permitted by Right

- Manufactured and mobile homes - *All zones*
- Low barrier Navigation Centers - *All zones*
- Transitional and Supportive Housing - *All zones*
- Licensed Residential Care Facilities or Group Home for up to 6 residents - *All zones*
- Unlicensed Residential Care Facilities or Group Homes - *All zones*
- Small Family Day Care Home - *Zones B, C, D and E*
- Employee housing for up to 6 people - *All zones*
- Religious institution affiliated housing development and emergency shelters - *Zone A*
- Multi-family residential development, including senior and disabled housing - *Zone B*
- Multi-family residential development, including senior housing, disabled housing, co-housing, and single room occupancy (SRO) as part of mixed-use - *Zone D.*

Draft City Code Planning and Land Use Division/Section: 17.20.020, 17.22.020, 17.24.020, 17.26.020 and 17.28.020.

# Allowed New Conditional Uses in All Zones

Conditional Uses: not allowed as a matter of right, but through a public hearing process

- Large Family Day Care Home - *Zones A, B, C, D and E*
- Licensed Residential Care Facilities or Group Home for more than 7 residents - *All zones*
- Single room occupancy (SRO) and co-housing developments - *Zone C.*
- Commercial portion of mixed-use development - *Zone D*

Draft City Code Planning and Land Use Division/Section: 17.20.030, 17.22.030, 17.24.030,  
17.26.030, 17.28.030



# Questions

**Coming up - development standards and regulations**

# Revised Development Standards and Regulations for All Zones

**Development standards guide development, protect and promote public health, safety, and general welfare, reflect the Housing Element's goals, and comply with State law.**

- Revisions are required by specific Housing Element Programs: 1.F, 1.G, 1.H, 1.E, 1.J
- Housing Element Program 1.E: This program calls for requiring the construction of an ADU or JADU with the construction of a new residence, whether on vacant property or on any property that is proposed to be redeveloped, when the property meets certain size thresholds. Draft regulations:
  - Lot size threshold: 5,000 square feet.
  - ADU construction to be required when a new residence is proposed on a vacant property and when a remodel of an existing residence is proposed where 70% or more of the structure is demolished
- Program 1.J implementing Senate Bill (SB 9).
- Add development standards for all the new permitted and conditional uses to be allowed in these zones.



# Revised Development Standards for Zone B

## Zone B: Public Facilities

- Add development standards for construction of multifamily residential development consistent with HE Program 1.F (allowed density is 60 dwelling units per acre).
- Update green building requirements chapter and section numbers.

Draft City Code Planning and Land Use Division/Section: 17.22.040

# Revised Development Standards for Zone C

## Zone C: Multi-Family Residential

- Revise existing developments standards for multifamily residential developments to implement HE program 1.G requirements: relax setbacks, relax parking, allow increased heights up to 4 stories, relax lot coverage, relax landscape coverage, allow higher density of 60 dwelling units per acre.

Draft City Code Planning and Land Use Division/Section: 17.24.040

# Revised Development Standards for Zone C

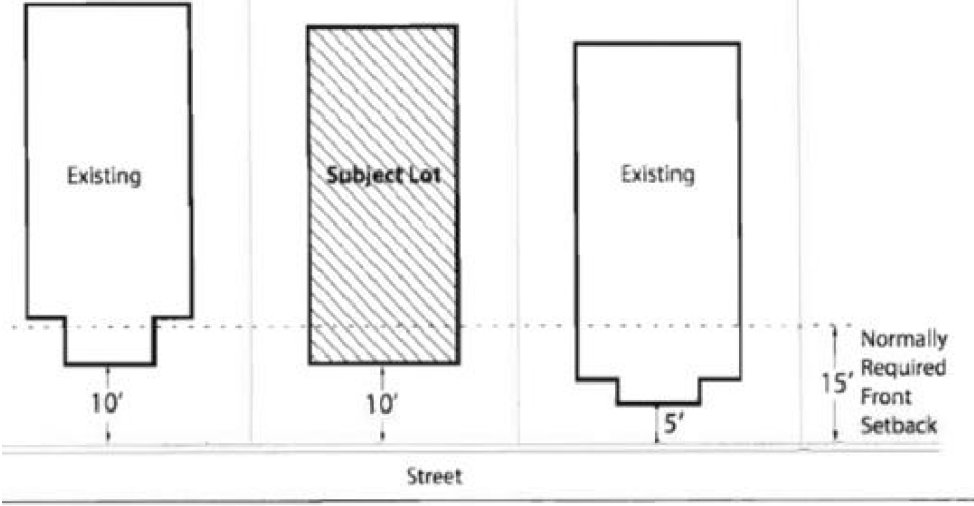
**Table 1: Multi-family development standards**

<b>Development Standard</b>	<b>Existing Zone C Requirements</b>	<b>Recommended Zone C Requirements</b>
<b>Lot coverage; Landscaping</b>	Max: 50% lot coverage  Min: 30% landscaping or 20% if 20% of units affordable	Max: 70% lot coverage  Min: 15% landscaping or 10% if 20% of units affordable
<b>Structure Height</b>	35 ft.	45 ft. for buildings on lots with lot area 4,000 sq.ft. or more.  35 ft. for buildings on lots with lot area less than 4,000 sq.ft.

Draft City Code Planning and Land Use Division/Section: 17.24.040

# Revised Development Standards for Zone C

**Table 1: Multi-family Development Standards** continued...

Development Standard	Existing Zone C Requirements	Recommended Zone C Requirements
<p><b>Street yard setback</b></p>	<p>Min. 20 ft. for primary or accessory structure</p>	<p>Min. 15 ft. for primary or accessory structure. If adjacent lots abutting the side lot lines of the subject lot have lesser front yard setback, then the subject lot shall have a front yard setback which is the lesser of the following:</p> 

Draft City Code Planning and Land Use Division/Section: 17.24.040

# Revised Development Standards for Zone C

**Table 1: Multi-family Development Standards** continued...

<b>Development Standard</b>	<b>Existing Zone C Requirements</b>	<b>Recommended Zone C Requirements</b>
<b>Side and rear yard setback</b>	Min. 5 feet for primary or accessory structure. If the existing multi-family dwelling has a rear or side setback of less than four feet, no modification of the existing multifamily dwelling shall be required for construction of an accessory dwelling unit	Min. 4 feet for primary or accessory structure, except as provided below. If adjacent lots abutting the side and rear lot lines of the subject property are single family residential, there are additional step backs proposed: <ul style="list-style-type: none"> <li>• If the lot area &lt; 4,000 sq.ft., the building shall step back 8 ft. after 2 stories or 22 ft., whichever is less.</li> <li>• If the lot area &gt;= 4,000 sq.ft. or more, the building shall step back 8 ft. after 3 stories or 35 ft, whichever is less.</li> </ul>



# Revised Development Standards for Zone C

**Table 1: Multi-family Development Standards** continued...

Development Standard	Existing Zone C Requirements	Recommended Zone C Requirements
<b>Floor area ratio</b>	<p>Max 55% of the lot area if the parcel is 5,000 sq.ft. or less.</p> <p>Max 50% of the lot area if the parcel is 5,001 sq.ft. to 10,000 square feet.</p> <p>Max 45% of the lot area if the parcel is more than 10,000 sq.ft.</p>	None
<b>Density</b>	A multi-family dwelling at a minimum density of one dwelling unit per each 3,600 sq.ft. of lot area (12 units/acre), and not exceeding one dwelling unit per each 2,000 sq.ft. of lot area (21 units/acre).	Min. density of 20 dwelling units/acre, and max. density of 60 dwelling units/acre; unless otherwise required by State Law.

# Revising the Development Standards for Zone D

**Table 2: Civic Center Subarea**

<b>Development Standard</b>	<b>Existing</b>	<b>Recommended</b>
<b>Structure height</b>	Maximum 40 feet, and 3 stories.	45 feet

# Revised Development Standards for Zone D

## Zone D: Commercial and Mixed-Use

- Revise existing developments standards for multifamily residential developments to implement HE program 1.H requirements: relax setbacks, relax parking, allow increased heights up to 4 stories, relax lot coverage, relax landscape coverage, allow higher density of 81 dwelling units per acre for residential development, waive ground floor commercial as an incentive for residential development.

# Revising the Development Standards for Zone D

**Table 3: Grand Avenue Subarea**

Development Standard	Existing	Recommended
<b>Structure height</b>	<p>Maximum 35 feet, and 3 stories.</p> <p>For a building site adjacent to a single-family residence:</p> <ul style="list-style-type: none"> <li>• within 10 feet of the abutting lot line: maximum 25 feet measured from adjacent grade; and</li> <li>• daylight plane starting at 25 feet above grade and a distance of 10 feet from the abutting property line.</li> </ul>	<p>Maximum 45 feet.</p> <p>For a building site adjacent to a single-family residence:</p> <ul style="list-style-type: none"> <li>• within 10 feet of the abutting lot line: maximum 25 feet measured from adjacent grade; and</li> <li>• daylight plane starting at 25 feet above grade and a distance of 10 feet from the abutting property line.</li> </ul>

# Revising the Development Standards for Zone D

**Table 3: Grand Avenue Subarea**

<b>Development Standard</b>	<b>Existing</b>	<b>Recommended</b>
<b>Street yard setback</b>	<p>Along Wildwood, Sunnyside and Linda Avenues: 10 feet minimum from lot line.</p> <p>Along Grand Avenue: 15 feet minimum from curb or 3 feet from lot line, whichever is greater.</p>	<p>Along Wildwood, Sunnyside and Linda Avenues: 5 feet minimum from lot line.</p> <p>Along Grand Avenue: 5 feet minimum from curb or 3 feet from lot line, whichever is greater.</p>
<b>Side yard and rear yard setback</b>	<p>Side Yard: no minimum setbacks, except minimum 5 feet from lot line abutting a single-family residence.</p> <p>Rear Yard: 5 feet minimum.</p>	<p>Side Yard: no minimum setbacks, except minimum 4 feet from lot line abutting a single-family residence.</p> <p>Rear Yard: 4 feet minimum.</p>

Draft City Code Planning and Land Use Division/Section: 17.26.050



# Revising the Development Standards for Zone D

**Table 3: Grand Avenue and Civic Center Subareas**

<b>Development Standard</b>	<b>Recommended</b>
<b>Ground Floor</b>	<p>Zone D developments must have: ground floor retail, office, or service commercial uses to primarily serve the neighborhood. Ground floor residential use is not permitted, except for an entry and lobby to the upper floor(s), except that</p> <ul style="list-style-type: none"><li>the requirement for ground floor retail, office, or service commercial uses shall be waived for development in which 100% of the units are affordable to households earning 80% or less of the area median income (AMI) established by HUD.</li></ul>



# Questions

**Coming up – revisions to Parking standards and regulations**

# Revised Parking Standards and Regulations Division 17.30

- Revisions required by specific **Housing Element Programs: 1.F, 1.G, 1.H, 1.J, 4.L, 4.Q**
- **State Law Assembly Bill (AB) 1308** (Government Code Section 65863.3): Prohibits enforcing minimum parking requirements applicable to single-family residences for projects remodeling, renovating or adding to a single-family residence, as long as the project does not exceed applicable zoning regulations.
  - Applicable zoning regulations: FAR, lot coverage and structure height
  - Eliminates bedroom-based parking standards
  - Cannot use parking requirements to limit the scope of remodeling, renovation, or addition projects to single-family residences.

# Revising Parking Standards - Single Family Residential or Similar

## HE Programs & AB 1308

### Existing Parking Regulations (17.30.020.B.1):

Dwelling Unit	Minimum number of off-street, covered, non-tandem parking spaces
Accessory dwelling unit (chapter 17.38)	0
Dwelling unit 700 square feet or less	1
Dwelling unit greater than 700 square feet: 1-4 bedrooms 5-6 bedrooms 7 or more bedrooms	2 3 4

### Proposed Parking Regulations (17.30.020.B.1):

Dwelling Unit	Minimum number of off-street, covered, non-tandem parking spaces
Accessory dwelling unit (division 17.38)	0
New primary unit 800 square feet or less	1
New primary unit greater than 800 square feet	2
Primary unit that exceeds FAR, lot coverage or structure height of the underlying zone	1 additional parking space; for a maximum total of 3 parking spaces.

Draft City Code Planning and Land Use Divisions: 17.30.010.B.

# Revised Parking Standards - Multi Family Residential or Similar

## HE Programs

### Proposed Parking Regulations (Multi-family or similar group use zones A,B,C,D):17.30.020.A

#### Existing Parking Regulations (Multi-family or Zone C):

- =/ < 700 sq.ft: 1 space
- > 700 sq.ft: 1.5 space

	Minimum number of off-street covered parking spaces	
Multi-family development, Independent living senior housing, independent living disabled persons housing	1 space per studio or 1 bedroom unit	Exception: Planning Commission shall reduce to 50% of required spaces when certain affordability criteria and location threshold is met.
	1.5 space per 2 or more-bedroom unit	
Licensed residential facility or group home for 7 or more residents	1 space per bedroom	
Single room occupancies or co-housing	1 space per bedroom; Exception: Planning Commission shall reduce to 50% of required spaces when certain affordability criteria and location threshold is met.	
Religious institution affiliated housing	as provided in Section <a href="#">65913.6</a> of the Government Code	
Assisted Living Senior housing, Assisted Living disabled persons housing	0.5 space per studio or 1 bedroom unit	Additionally, 1 parking space for each employee on-site at peak staffing.
	0.75 space per 2 or more-bedroom unit	



# Revised Parking Standards – Guest/Management Parking

Proposed Guest/Management Parking Regulations (Multi-family or similar group residential for Zones A, B, C and D): Additional Parking

	<b>Minimum number of off-street covered parking spaces</b>
Guest or management parking	1 space plus an additional parking space for every 10 dwelling units. Exception: Planning Commission shall reduce to 50% of required spaces when certain affordability criteria and location threshold is met.

Draft City Code Planning and Land Use Divisions: 17.30.020.B.



# Questions

**Coming up – revisions to Residential Rentals and  
Definitions divisions -**

**we are almost there.....**

# Revised Residential Rentals Division 17.40

- Adds clarification that short-term rentals are not permitted under a housing unit developed under SB 9.

# Revised Definitions and Measurements Division 17.90

- HE Program 5.L.
- Add definitions for the new terms used throughout this round of revisions.

Draft City Code Planning & Land Use Divisions: 17.40.010, 17.40.030, 17.90.010

# Next Steps



Based on comments received tonight, staff will make revisions, if necessary, and discuss at January 8 Planning Commission study session.



At the January 29, 2024, special meeting of the Planning Commission, the Commission is expected to make a recommendation regarding the draft revisions to the General Plan and the Zoning Ordinance, as well as the EIR.



Comments on the proposed revisions to the General Plan and City Code and on the DEIR revisions can be made by emailing Senior Planner Pierce Macdonald at [pmacdonald@piedmont.ca.gov](mailto:pmacdonald@piedmont.ca.gov) and Associate Planner Gopika Nair at [gnair@piedmont.ca.gov](mailto:gnair@piedmont.ca.gov)