COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

Paul Thompson
Deputy Director of Planning

HEARING DATE:	January 9, 2014
ITEM NO.:	3
TIME:	10:50 AM

TO: Placer County Planning Commission

FROM: Development Review Committee

DATE: December 20, 2013

SUBJECT: **ZONING TEXT AMENDMENTS (PZTA T2013-0336)**
Transitional Housing and Supportive Housing
Addendum to Previously-Adopted Negative Declaration

STAFF PLANNER: Crystal Jacobsen

LOCATION: Unincorporated Placer County

APPLICANT: Placer County Planning Services Divsion

PROPOSAL: The Planning Services Division is proposing amendments to the Placer County Zoning Ordinance to bring the Code into compliance with State housing law for transitional housing and supportive housing. The proposed amendments will implement Housing Element Policy F-12 and Program F-8. Attachment A provides the proposed revisions to the Zoning Ordinance.

CEQA COMPLIANCE: A Negative Declaration was previously prepared for the original Zoning Text Amendment for transitional housing and supportive housing pursuant to Section 15070 of the California Environmental Quality Act (CEQA) Guidelines and Section 18.16.010 of the Placer County Environmental Review Ordinance (Negative Declarations).

On June 21, 2011 the Placer County Board of Supervisors determined that the Negative Declaration was adequate to satisfy all CEQA requirements for the project and adopted the Negative Declaration. Because the proposed modifications to the Zoning Ordinance text will result in only minor changes to the adopted environmental analysis, an Addendum to the previously adopted Negative Declaration has been prepared (per CEQA Guidelines Section 15164). The Planning Commission must consider and find that the Addendum together with the previously adopted Negative Declaration satisifies the requirements of CEQA prior to making a decision on the proposed zoning text amendments (per CEQA Guidelines Section 15164(d)). Recommended findings for this purpose can be found at

the end of this report and a copy of the Addendum and previously adopted Negative Declaration are included as Attachment B to this report.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS: A legal notice was published in the *Sacramento Bee* and *Sierra Sun* newspapers. Stakeholders and all Municipal Advisory Councils have received notice of this public hearing.

BACKGROUND:
On June 21, 2011, the Board of Supervisors approved Zoning Text Amendments related to transitional housing and supportive housing as recommended by the Planning Commission. The changes were made to implement changes to state law.

During the review of the County's current Housing Element that was certified by the California Department of Housing and Community Development (HCD) on November 22, HCD concluded there were inadequacies in the County's regulations pertaining to transitional and supportive housing. The County currently allows supportive and transitional housing with a Zoning Clearance in the Residential Multi-Family (RM) district with 60 or fewer clients and with a Minor Use Permit with 61 or more clients. A Minor Use Permit is required for all facilities in the Neighborhood Commercial (C1), Highway Service (HS), and Resort (RES) districts. A Conditional Use Permit is required for all facilities in the General Commercial (C2) and Commercial Planned Development (CPD) districts. In subsequent discussions with HCD, it was clarified that State law does not consider supportive or transitional housing to be a land use but rather a form of occupancy occurring within either a single-family or multi-family dwelling.

State law defines supportive and transitional housing as a type of residential occupancy that may only be subject only to those restrictions that apply to other residential uses of the same type in the same zone. The County's Use Permit requirements and size restrictions are not in compliance with state law because they identify occupancy limits for these types of housing. The County does not and cannot under State law dictate the number of occupants in either a single-family or multi-family dwelling (ultimately the Building Code dictates occupancy limits for structures).

Jurisdictions that have not correctly addressed Senate Bill (SB) 2's requirements risk having their Housing Element deemed non-compliant by the California Department of Housing and Community Development. Having a non-compliant Housing Element carries with it two repercussions: (1) limited access to state funding; and (2) liability for lawsuits brought forward against the County over the adequacy of the General Plan.

BACKGROUND:

TRANSITIONAL AND SUPPORTIVE HOUSING REGULATIONS

Senate Bill (SB) 2, Chapter 633, Statutes of 2007 clarified and strengthened housing element law to ensure local zoning ordinances encourage and facilitate the development of emergency shelters, transitional housing and supportive housing. The law limits the ability of local jurisdictions to deny these types of facilities under the Housing Accountability Act.

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Transitional Housing

Transitional housing is designed to assist homeless individuals and families in moving beyond emergency shelter to permanent housing. California Health and Safety Code Section 50675.2(h) defines "transitional housing" and "transitional housing development" as:

> "buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months."

Supportive Housing

Supportive housing is permanent, affordable housing linked to health, mental health, employment and/or other support services and is defined in California Health and Safety Code Section 53260(c) as:

> "housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the tenant to retain the housing, improve his or her health status, maximize their ability to live and, when possible, to work in the community. This housing may include apartments, single-room occupancy residences, or single-family homes."

The "target population" for supportive housing is defined by Section 53260(d) defines as:

> "adults with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people."

Section 5116 ("Zoning Preemption") of the California Welfare and Institutions Code (Zoning of Homes or Facilities for Mentally Disordered, Handicapped Persons, or Dependent and Neglected Children) states:

> "Pursuant to the policy stated in Section 5115, a state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children, shall be considered a residential use of property for the purposes of zoning if such homes provide care on a 24-hour-a-day basis. Such homes shall be a permitted use in all residential zones, including, but not limited to, residential zones for single-family dwelling."

SB 2 addresses transitional and supportive housing by requiring that these uses be subject to the same restrictions that apply to the same housing types in the same zone. For example, if the transitional housing is a multifamily use proposed in a multifamily

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zone, then zoning should treat the transitional unit the same as other multifamily uses proposed in the zone.

COMPLIANCE WITH STATE HOUSING LAW

As discussed above, setting occupancy limits as has been done in the County's zoning ordinance, for support or transitional housing is not in compliance with state law. Supportive and transitional housing are considered under state law to be residential. The County cannot dictate the occupancy, the type or nature of residential living. Therefore to ensure that transitional and supportive housing is treated/regulated in the same manner as other single- or multi-family housing and in compliance with state law, staff proposed the following program which was added to the adopted 2013-2021 Housing Element:

> **Program F-8 Zoning Code Amendments for Transitional and Supportive Housing**
> *The County shall amend the Zoning Code to ensure that transitional and supportive housing are treated as residential uses subject only to the same restrictions that apply to other residential uses of the same type in the same zone.*

To implement the above program staff has proposed the revisions to the Zoning Code definitions for the categories previously discussed and also proposes to remove transitional and supportive housing from the Zoning Ordinance use tables. Again, as neither transitional or supportiving housing is a "use", the inclusion of the same on the use tables is inconsistent with state law. So too is the attempt to regulate the number of occupants.

The County must treat these residences just like any other application for a single-family home or multi-family development. Transitional and supportive housing itself is not a "use" because it describes the occupants of the building. The use will either be a single-family home, multi-family development, or a group home.

Any limitation on the number of residents would be derived from state-imposed curbs for the number of people allowed to live in a residential care facility, through health and safety codes or the state building code regulations for occupancy limits in either single- or multi-family structures. The County cannot be more restrictive.

Proposed Amendments Summary

Based on the Housing Element Program F-8 as well as SB 2, staff is proposing zoning text amendments. The proposed language is provided in Attachment A and is discussed below. The proposed amendments to the Zoning Ordinance are shown as underlined for added text and ~~strikeout~~ for deleted text.

To ensure that the Zoning Ordinance definitions are consistent with state law, the following revisions are proposed:

> **"Supportive Housing"** means a facility ~~or use~~ that provides housing with no limit on length of stay, that is occupied by the target population, as defined by Section 53260(d) of the California Health and Safety Code, and

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that is linked to onsite or offsite services that assist the tenant to retain the housing, improve his or her health status, maximize their ability to live and, when possible, to work in the community. Supportive Housing can take the form of a single-family or multi-family dwelling unit(s). Supportive housing shall be considered ~~a~~ residential ~~use~~ and only subject to those restrictions that apply to ~~other residential uses of~~ the same single or multi-family residential use type in the same zone.

"Transitional Housing" means a facility ~~or use~~ that provides housing accommodations and support services for persons and families, but restricts occupancy to no more that 24 months. Support services may include meals, counseling, and other services, as well as common areas for residents of the facility. Transitional Housing can take the form of a single-family or multi-family dwelling unit(s). Transitional housing shall be considered ~~a~~ residential ~~use~~ and only subject to those restrictions that apply to ~~other residential uses of~~ the same single or multi-family residential use type in the same zone.

Allowed Zoning Districts. The land use tables found in Section 17.06.050 would be changed to delete the Supportive Housing and Transitional Housing land use types.

	RESIDENTIAL				COMMERCIAL							INDUSTRIAL				AGRICULTURAL, RESOURCE, OPEN SPACE					
LAND USE TYPES	RS	RM	RA	RF	C1	C2	C3	CPD	HS	OP	RES	AP	BP	IN	INP	AE	F	FOR	O	TPZ	W
Residential Uses																					
~~Supportive Housing 60 or fewer clients~~		~~C~~			~~MUP~~	~~CUP~~		~~CUP~~	~~MUP~~		~~MUP~~										
~~Supportive Housing 61 or more clients~~		~~MUP~~			~~MUP~~	~~CUP~~		~~CUP~~	~~MUP~~		~~MUP~~										
~~Transitional Housing 60 or fewer clients~~		~~C~~			~~MUP~~	~~CUP~~		~~CUP~~	~~MUP~~		~~MUP~~										
~~Transitional Housing 61 or more clients~~		~~MUP~~			~~MUP~~	~~CUP~~		~~CUP~~	~~MUP~~		~~MUP~~										

Key To Permit Requirements	
Allowed use, zoning compliance required (Section 17.06.050)	A
Zoning Clearance required (Section 17.06.050)	C
Administrative Review Permit required (Section 17.06.050)	ARP
Minor Use Permit required (Section 17.06.050)	MUP
Conditional Use Permit required (Section 17.06.050)	CUP
Permit requirements set by Article 17.56	*
Use not allowed	

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RECOMMENDATIONS: Staff recommends that the Planning Commission make the following recommendations and findings to the Board of Supervisors:

CEQA

Recommend to the Board of Supervisors adoption of the Addendum to the previously adopted Negative Declaration as set forth in Exhibit "B" to this report based on the following findings:

Find that the Addendum to the previously adopted Negative Declaration prepared for this Zoning Text Amendment is adequate, appropriate and in compliance with the California Environmental Quality Act. Specificially:

a. The proposed modification will not result in substantial changes that would lead to the identification of new or previously unidentified significant environmental effects that would require revisions to the previously adopted Negative Declaration.

b. No new information of substantial importance which was not known, and could not have been known with the exercise of reasonable diligence at the time the Negative Declaration was adopted, has been discovered which would require major revisions of the previously adopted Negative Declaration.

c. There is no evidence in the record as a whole that the Zoning Text Amendment will have a significant effect on the environment

d. The Addendum to the Negative Declaration has been prepared as required by law and the document as adopted reflects the independent judgment and analysis of Placer County, which has excercises overall control and direction of its preparation.

e. The custodian of records for this project is the Placer County Planning Services Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

ZONING TEXT AMENDMENT

Recommend to the Board of Supervisors adoption of the proposed zoning text amendment set forth in Exhibit "A" based on the following findings:

The proposed Zoning Text Amendments related to transitional and supportive housing are consistent with Placer County General Plan and implement the following General Plan Housing Element policies and programs:

a. Policy F-12: The County shall support efforts to increase the availability of residential care facilities and other supportive housing facilities for special needs individuals, including persons with physical or mental disabilities and seniors.

b. Program F-8: Zoning Code Amendments for Transitional and Supportive Housing. The County shall amend the Zoning Code to ensure that transitional and supportive housing are treated as residential uses subject only to the same restrictions that apply to other residential uses of the same type in the same zone.

Respectfully submitted,

Crystal Jacobsen

Crystal Jacobsen
Supevising Planner

ATTACHMENTS:

Attachment A – Proposed Zoning Ordinance Amendments
Attachment B – Addendum and Negative Declaration

cc: Michael J. Johnson - CDRA Director
Paul Thompson - Deputy Director of Planning
Karin Schwab - County Counsel
Kathie Denton - Health and Human Services
Housing Element Distribution Lists
All MAC's
Subject/chrono files

Attachment 'A' – Zoning Ordinance Amendments

Section 1. Section 17.04.030 of Chapter 17 of the Placer County Code is hereby amended as follows:

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"Supportive Housing" means a facility ~~or use~~ that provides housing with no limit on length of stay, that is occupied by the target population, as defined by Section 53260(d) of the California Health and Safety Code, and that is linked to onsite or offsite services that assist the tenant to retain the housing, improve his or her health status, maximize their ability to live and, when possible, to work in the community. Supportive Housing can take the form of a single-family or multi-family dwelling unit(s). Supportive housing shall be considered ~~a~~ residential ~~use~~ and only subject to those restrictions that apply to ~~other residential uses of~~ the same single or multi-family residential use type in the same zone.

"Transitional Housing" means a facility ~~or use~~ that provides housing accommodations and support services for persons and families, but restricts occupancy to no more that 24 months. Support services may include meals, counseling, and other services, as well as common areas for residents of the facility. Transitional Housing can take the form of a single-family or multi-family dwelling unit(s). Transitional housing shall be considered ~~a~~ residential ~~use~~ and only subject to those restrictions that apply to ~~other residential uses of~~ the same single or multi-family residential use type in the same zone.

Section 2. Section 17.06.050 of Chapter 17 of the Placer County Code is hereby amended as follows:

	RESIDENTIAL				COMMERCIAL							INDUSTRIAL				AGRICULTURAL, RESOURCE, OPEN SPACE					
LAND USE TYPES	**RS**	**RM**	**RA**	**RF**	**C1**	**C2**	**C3**	**CPD**	**HS**	**OP**	**RES**	**AP**	**BP**	**IN**	**INP**	**AE**	**F**	**FOR**	**O**	**TPZ**	**W**
Residential Uses																					
Caretaker and employee housing (Section 17.56.090)					C	C	MUP	C	C	C	MUP	C	MUP	C	C	MUP	MUP	MUP		MUP	
Emergency Shelter, 60 or fewer clients (Section 17.56.295)		C			MUP	CUP		CUP	MUP		MUP										
Emergency Shelter, 61 or more clients (Section 17.56.295)		MUP			MUP	CUP		CUP	MUP		MUP										
Farm labor housing (Section 17.56.090)			MUP													MUP	MUP				
Home occupations (Section 17.56.120)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C			C	
Mobile home parks (Section 17.56.140)		CUP			CUP	CUP															
Mobile homes (Section 17.56.150)	C	C	C	C							C					C	C				
Multifamily dwellings, 20 or fewer units		C			MUP	CUP		CUP	MUP		MUP										
Multifamily dwellings, 21 or more units		MUP			MUP	CUP		CUP	MUP		MUP										
Residential accessory uses (Section 17.56.180)	C	C	C	C	C	C		CUP			C	C	MUP			C	C				
Residential care homes, 6 or fewer clients	C	C	C	C							C						C				
Residential care homes, 7 or more clients		MUP	MUP														MUP				
Secondary dwellings (Section 17.56.200) (Ord. 5126-B required ARP)	C	C	C	C							C					C	C				
Senior housing projects (Section 17.56.210)		CUP			CUP	CUP		CUP	CUP												
Single-family dwellings (Section 17.56.230)	C	C	C	C							C					C	C				
Storage, Accessory (Section 17.56.250)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
~~**Supportive Housing 60 or fewer clients**~~		~~**C**~~			~~**MUP**~~	~~**CUP**~~		~~**CUP**~~	~~**MUP**~~		~~**MUP**~~										
~~**Supportive Housing 61 or more clients**~~		~~**MUP**~~			~~**MUP**~~	~~**CUP**~~		~~**CUP**~~	~~**MUP**~~		~~**MUP**~~										
Temporary dwelling (Section 17.56.280)			C	C							C			C		C	C			C	
Temporary dwelling - hardship/disaster (Section 17.56.290)	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
~~**Transitional Housing 60 or fewer clients**~~		~~**C**~~			~~**MUP**~~	~~**CUP**~~		~~**CUP**~~	~~**MUP**~~		~~**MUP**~~										
~~**Transitional Housing 61 or more clients**~~		~~**MUP**~~			~~**MUP**~~	~~**CUP**~~		~~**CUP**~~	~~**MUP**~~		~~**MUP**~~										

Key To Permit Requirements	
Allowed use, zoning compliance required (Section 17.06.050)	A
Zoning Clearance required (Section 17.06.050)	C
Administrative Review Permit required (Section 17.06.050)	ARP
Minor Use Permit required (Section 17.06.050)	MUP
Conditional Use Permit required (Section 17.06.050)	CUP
Permit requirements set by Article 17.56	*
Use not allowed	

Section 3. Section 17.20.010 of Chapter 17 of the Placer County Code is hereby amended as follows:

Commercial Planned Development (CPD)

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B. Allowable Land Uses and Permit Requirements. The following land uses are allowed in the CPD zone district as provided by Sections 17.06.050 et seq., (Allowable land uses and permit requirements), subject to the land use permit shown for each use, any applicable specific standards, and all other applicable provisions of this chapter. See also subsection C of this section for permit requirements where a proposed site is to be subdivided.

ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
Residential Uses		
Caretaker and employee housing	C	17.56.090
Emergency Shelter, 60 or fewer clients	CUP	17.56.295
Emergency Shelter, 61 or more clients	CUP	17.56.295
Home occupations	C	17.56.120
Multifamily dwellings, any size	CUP	17.20.010
Residential accessory uses	CUP	17.56.180
Senior housing projects	CUP	17.56.210
~~**Supportive Housing 60 or fewer clients**~~	~~**CUP**~~	
~~**Supportive housing, 61 or more clients**~~	~~**CUP**~~	
~~**Transitional Housing 60 or fewer clients**~~	~~**CUP**~~	
~~**Transitional Housing 61 or more clients**~~	~~**CUP**~~	

Section 4. Section 17.22.010 of Chapter 17 of the Placer County Code is hereby amended as follows:

General Commercial (C2)

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B. Allowable Land Uses and Permit Requirements. The following land uses are allowed in the C2 zone district as provided by Sections 17.06.050 et seq., (Allowable land uses and permit requirements), subject to the land use permit shown for each use, any applicable specific standards, and all other applicable provisions of this chapter.

ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
Residential Uses		
Caretaker and employee housing	C	17.56.090
Emergency Shelter, 60 or fewer clients	CUP	17.56.295
Emergency Shelter, 61 or more clients	CUP	17.56.295
Home occupations	C	17.56.120

ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
Mobile home parks	CUP	17.56.140
Multifamily dwellings, any size	CUP	17.20.010
Residential accessory uses	C	17.56.180
Senior housing projects	CUP	17.56.210
~~Supportive Housing 60 or fewer clients~~	~~CUP~~	
~~Supportive housing, 61 or more clients~~	~~CUP~~	
~~Transitional Housing 60 or fewer clients~~	~~CUP~~	
~~Transitional Housing 61 or more clients~~	~~CUP~~	

Section 5. Section 17.26.010 of Chapter 17 of the Placer County Code is hereby amended as follows:

Highway Service (HS)

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B. Allowable Land Uses and Permit Requirements. The following land uses are allowed in the HS zone district as provided by Sections 17.06.050 et seq., (Allowable land uses and permit requirements), subject to the land use permit shown for each use, any applicable specific standards, and all other applicable provisions of this chapter.

ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
Residential Uses		
Caretaker and employee housing	C	17.56.090
Emergency Shelter, 60 or fewer clients	MUP	17.56.295
Emergency Shelter, 61 or more clients	MUP	17.56.295
Home occupations	C	17.56.120
Multifamily dwellings, any size	MUP	17.20.010
Senior housing projects	CUP	17.56.210
~~Supportive Housing 60 or fewer clients~~	~~MUP~~	
~~Supportive housing, 61 or more clients~~	~~MUP~~	
~~Transitional Housing 60 or fewer clients~~	~~MUP~~	
~~Transitional Housing 61 or more clients~~	~~MUP~~	

Section 6. Section 17.30.010 of Chapter 17 of the Placer County Code is hereby amended as follows:

Neighborhood Commercial (C1)

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B. Allowable Land Uses and Permit Requirements. The following land uses are allowed in the C1 zone district as provided by Sections 17.06.050 et seq., (Allowable land uses and permit requirements), subject to the land use permit shown for each use, any applicable specific standards, and all other applicable provisions of this chapter.

ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
Residential Uses		
Caretaker and employee housing	C	17.56.090
Emergency Shelter, 60 or fewer clients	MUP	17.56.295
Emergency Shelter, 61 or more clients	MUP	17.56.295
Home occupations	C	17.56.120
Mobile home parks	CUP	17.56.140
Multifamily dwellings, any size	MUP	17.30.010(D)
Residential accessory uses	C	17.56.180
Senior housing projects	CUP	17.56.210
~~**Supportive Housing 60 or fewer clients**~~	~~**MUP**~~	
~~**Supportive housing, 61 or more clients**~~	~~**MUP**~~	
~~**Transitional Housing 60 or fewer clients**~~	~~**MUP**~~	
~~**Transitional Housing 61 or more clients**~~	~~**MUP**~~	

Section 7. Section 17.34.010 of Chapter 17 of the Placer County Code is hereby amended as follows:

Resort (RES)

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B. Allowable Land Uses and Permit Requirements. The following land uses are allowed in the RES zone district as provided by Sections 17.06.050 et seq., (Allowable land uses and permit requirements), subject to the land use permit shown for each use, any applicable specific standards, and all other applicable provisions of this chapter.

ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
Residential Uses		
Caretaker and employee housing	MUP	17.56.090
Emergency Shelter, 60 or fewer clients	MUP	17.56.295
Emergency Shelter, 61 or more clients	MUP	17.56.295
Home occupations	C	17.56.120
Mobile homes	C	17.56.150
Multifamily dwellings	MUP	

ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
Residential accessory uses		17.56.180
Residential care homes, 6 or fewer clients	C	
Secondary dwellings	C	17.56.200
Single-family dwellings	C	17.56.230
Temporary dwelling	C	17.56.280
~~**Supportive Housing 60 or fewer clients**~~	~~**MUP**~~	
~~**Supportive housing, 61 or more clients**~~	~~**MUP**~~	
~~**Transitional Housing 60 or fewer clients**~~	~~**MUP**~~	
~~**Transitional Housing 61 or more clients**~~	~~**MUP**~~	

Section 8. Section 17.48.010 of Chapter 17 of the Placer County Code is hereby amended as follows:

Residential Multi-Family (RM)

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B. **Allowable Land Uses and Permit Requirements**. The following land uses are allowed in the RM zone district as provided by Section 17.06.050 et seq., (Allowable land uses and permit requirements), subject to the land use permit shown for each use, any applicable specific standards, and all other applicable provisions of this chapter.

ALLOWABLE LAND USES	LAND USE PERMIT	SPECIFIC STANDARDS IN SECTION
Residential Uses		
Home occupations	C	17.56.120
Emergency Shelter, 60 or fewer clients	C	17.56.295
Emergency Shelter, 61 or more clients	MUP	17.56.295
Mobile home parks	CUP	17.56.140
Mobile homes	C	17.56.150
Multifamily dwellings, 20 or fewer units	C	
Multifamily dwellings, 21 or more units	MUP	
Residential accessory uses	C	17.56.180
Residential care homes, 6 or fewer clients	C	
Residential care homes, 7 or more clients	MUP	
Secondary dwellings	C	17.56.200
Senior housing projects	CUP	17.56.210
Single-family dwellings	C	17.56.230
~~**Supportive Housing 60 or fewer clients**~~	~~**C**~~	
~~**Supportive housing, 61 or more clients**~~	~~**MUP**~~	
~~**Transitional Housing 60 or fewer clients**~~	~~**C**~~	
~~**Transitional Housing 61 or more clients**~~	~~**MUP**~~	

COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

ENVIRONMENTAL COORDINATION SERVICES

ADDENDUM TO A PREVIOUSLY-ADOPTED NEGATIVE DECLARATION

Project Name: **Transitional Housing and Supportive Housing Zoning Text Amendments (PZTA T2013-0336)**

Project Location: **Unincorporated Placer County**

Project Description and History

The project proposes to revise Chapter 17 of the Placer County Code (Zoning Ordinance) to bring the Code into compliance with State housing law for transitional housing and supportive housing.

On June 21, 2011, the Board of Supervisors adopted a Negative Declaration and approved Zoning Text Amendments related to transitional housing and supportive housing as recommended by the Planning Commission. The changes were made to implement changes to state law. A copy of the previously adopted Negative Declaration is attached hereto as Exhibit "A".

During the review of the County's current Housing Element that was certified by the California Department of Housing and Community Development (HCD) on November 22, 2013, HCD concluded there were inadequacies in the County's regulations pertaining to transitional and supportive housing. The County currently allows supportive and transitional housing with a Zoning Clearance in the Residential Multi-Family (RM) district with 60 or fewer clients and with a Minor Use Permit with 61 or more clients. A Minor Use Permit is required for all facilities in the Neighborhood Commercial (C1), Highway Service (HS), and Resort (RES) districts. A Conditional Use Permit is required for all facilities in the General Commercial (C2) and Commercial Planned Development (CPD) districts. In discussions with HCD, it was clarified that State law does not consider supportive or transitional housing to be a land use but rather a form of occupancy occurring within either a single-family or multi-family dwelling and the County's Zoning Ordinance needed to be modified.

Revised Project

The project proposes to revise the Zoning Ordinance to bring the Code into compliance with State housing law for transitional housing and supportive housing. The proposed Zoning Ordinance amendments will implement 2013 Housing Element Program F-8.

The proposed amendments to the Zoning Ordinance would remove restrictions on the permitting requirements for supportive and transitional housing. Supportive and transitional housing can only be subject to the same restrictions that apply to other residential uses of the same type in the same zone. Transitional housing and supportive housing cannot be regulated differently than other housing in the county with size restrictions and use permit requirements.

The recommended change is to remove transitional and supportive housing categories from the land use tables. The definition of each would also be slightly revised.

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CEQA Determination

In accordance with CEQA Guidelines Section 15164, an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

Under Section 15162, the lead agency shall prepare a subsequent EIR or negative declaration if there are any new significant environmental effects associated with the revised project. With respect to the proposed Zoning Ordinance amendments ("Project"), the revisions are only minor text changes that do not result in any new environmental effects. The project does not grant entitlements for any new development or land disturbance. Therefore, an addendum to the 2011 previously adopted Negative Declaration is appropriate to satisfy CEQA requirements for the propoed Project.

The Addendum need not be circulated for public review; however, the addendum must be considered by the decision making body prior to making a decision on the project.

Analysis

No specific housing projects are approved as part of these Zoning Ordinance amendments. In fact, these amendments, in themselves, would not directly result in changes to the physical environment (environmental effects). The County will evaluate future specific housing development proposals based on their compliance with the General Plan, relevant Community Plans, Zoning Ordinance, and other ordinances. Additional environmental review of potential environmental effects in compliance with the California Environmental Quality Act may be required prior to development of any specific housing project.

Conclusion

The analysis of this Addendum concludes that the implementation of the proposed Zoning Ordinance amendments would not result in impacts that were not identified in the previously adopted Negative Declaration. None of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR or negative declaration have occurred, and thus an addendum to the previously adopted Negative Declaration is appropriate to satisfy CEQA requirements for this Proposed Project.