

ORDINANCE NO. 231

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAND TERRACE APPROVING ZONE CHANGE NO. 07-01 (Z-07-01) TO ADD THE R3-S ZONING CLASSIFICATION TO THE CITY'S ZONING CODE AND TO CHANGE THE ZONING OF THE BLUE MOUNTAIN SENIOR VILLAS SITE LOCATED AT 22627 GRAND TERRACE ROAD FROM R1-7.2 (SINGLE FAMILY RESIDENTIAL) TO R3-S (MULTIPLE FAMILY - SENIOR CITIZEN) AND ENVIRONMENTAL ASSESSMENT NO. 07-02 (FINAL ENVIRONMENTAL IMPACT REPORT)

WHEREAS, the property covered by Z-07-01 is owned by the City of Grand Terrace; and

WHEREAS, the applicant has filed the necessary application to change the existing zoning of R1-7.2 (Single Family Residential) to R3-S (Multiple Family, Senior Citizen); and

WHEREAS, the project site is the location of the existing community senior center and the proposed Petta Park; and

WHEREAS, the proposed zoning amendment will not be detrimental to the health, safety, morals, comfort or general welfare of the persons residing or working within the neighborhood of the proposed zoning amendment or within the City; and

WHEREAS, the proposed zoning amendment will not be injurious to property or improvements in the neighborhood or within the City; and

WHEREAS, the proposed zoning amendment will allow for the development of needed affordable housing for senior citizens; and

WHEREAS, the State's Department of Housing and Community Development has indicated that sites in the City should be rezoned to higher densities such as provided by R3-S to satisfy the demand for affordable housing including that for senior housing; and

WHEREAS, the proposed zoning amendment will enable the City to comply with the current policies of the State Department of Housing and Community Development; and

WHEREAS, the proposed zoning amendment will establish zoning criteria and standards for Medium High Density development that will provide housing and amenities for senior citizens; and

WHEREAS, the proposed amendment will add a needed zoning classification to the City's Zoning Code to allow for the future development of needed housing for senior citizens; and

WHEREAS, the proposed zoning amendment is consistent with the proposed Medium High Density Residential category of the General Plan; and

WHEREAS, under the California Environmental Quality Act Guidelines, Article 7, Section 15080 et al, the environmental assessment of the proposed project made under Environmental Review Case No 07-02 required the preparation of a Final Environmental Impact Report which concluded with the appropriate Environmental Findings as set forth in Exhibit K. The Final Environmental Impact Report was certified by the City Council on August 28, 2007.

WHEREAS, the Planning Commission held properly noticed public hearing on the proposal on June 21, 2007; and


WHEREAS, the Planning Commission following the conclusion of the public hearing on June 21, 2007 recommended that the City Council approve Zone Change No. 07-01 to add R3-S to the Zoning Code as set forth in Exhibit D and to rezone the site of the proposed senior housing, senior center and passive park to R3-S as legally described by Exhibit E; and

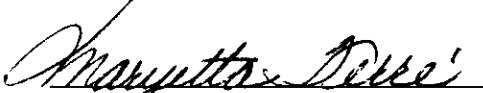
WHEREAS, the City Council held a properly noticed public hearing to consider the Planning Commission's recommendation and other relevant testimony on August 28, 2007 Z-07-01 and E-07-02; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRAND TERRACE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

- Section 1. Zone Change No. 07-01 to add the R3-S Zoning to the Zoning Code, as described in Exhibit D, and to change the existing the existing R1-7.2 Zoning to R3-S, as described in Exhibit E, is hereby approved and adopted by the City Council of the City of Grand Terrace.
- Section 2. The Final Environmental Impact Report on file in the offices of the Community Development Department under E-07-02 is hereby approved as Exhibit B.
- Section 3 Effective Date: This Ordinance shall be in full force and effect at 12:01 a.m. on the 31ST day of its adoption.
- Section 4 Posting: The City Clerk shall cause this Ordinance to be posted in three (3) public places within fifteen (15) days of its adoption, as designated for such purpose by the City Council.
- Section 5 First read at a regular meeting of the City Council of the City of Grand Terrace held on the 28th day of August, 2007 and finally adopted and ordered posted at a regular meeting of said city council on the 11th day of September, 2007.


ATTEST:


City Clerk of the City of Grand
Terrace and of the City Council


Mayor of the City of Grand Terrace
and of the City Council thereof

I, Brenda Mesa, City Clerk of the City of Grand Terrace, California, do hereby certify that the following Ordinance was introduced and adopted at a regular meeting of the City Council of the City of Grand Terrace held on the 11th day of September, 2007 by the following vote:

- AYES: Councilmembers Cortes, Miller and Buchanan; Mayor Pro Tem Garcia and Mayor Ferre
- NOES: None
- ABSENT: None
- ABSTAIN: None


City Clerk

Approved as to form:

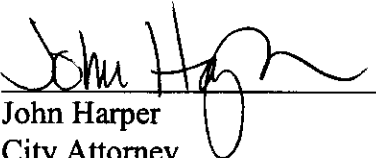

John Harper
City Attorney

EXHIBIT D

CHAPTER 18.10

RH, R1, R2, R3 and R3-S RESIDENTIAL DISTRICTS

The following Section and Tables shall be modified as follows:

Section 18.10.020 Residential Districts:

The following districts are designed to implement the goals and objectives of the General Plan. Each district contains specific land use regulations and density ranges for development.

A. RH, Hillside Residential District: This district is intended for very low density single family residential development with a maximum retention of open space. It is located in the portions of the City identified in the General Plan's Master Environmental Analysis as having severe development limitations related to topography and soil conditions. The maximum density allowed in this district is one (1) dwelling unit per gross acre.

B. R1-20, Very Low Single Family Residential District: This district is intended for very low density single family residential use. The minimum lot size is 20,000 square feet with a maximum density of two (2) dwelling units per gross acre.

C. R1-10, Low Density Single Family Residential District: This district is intended for low density single family residential use. The minimum lot size is 10,000 square feet with a maximum density of four (4) dwelling units per gross acre.

D. R1-7.2, Single Family Residential District: This district is intended for single family residential use. The minimum lot size is 7,200 square feet with a maximum density of five (5) dwelling units per gross acre.

E. R2, Low Medium Density Residential District: This district is intended for single family residential use and low density multiple family development. The minimum lot size is 10,000 square feet with a maximum density of nine (9) dwelling units per gross acre.

F. R3, Medium Density Residential District: This district is intended for medium density multiple family development. The minimum lot size is 12,000 square feet with a maximum density of twelve-plus (12+) dwelling units per gross acre. (Ord. 126 §2, Exh. A(part), 1990)

G. R3-S, Medium Family, Senior Citizen: This district is intended for the development of senior citizen housing. The maximum density shall not exceed 20 units per acre. The development standards shall be established through specific plan process.

f. Not more than the permitted percent of the total parcel may be devoted to main and accessory structures, parking areas, driveways and covered patios. The remaining percent of the total parcel shall be devoted to open areas such as landscaping, lawn, outdoor recreational facilities incidental to residential development, including swimming pools, tennis courts, putting greens, uncovered patios and walkways. Said open areas shall consist of not less than two hundred (200) square feet of open space per dwelling unit.

g. Senior citizen housing's development standards will be established through the specific plan process. All senior citizens housing projects in the R3-S zone will require specific plan process; however, in no circumstance shall the density exceed 20 unit/acre.

Table 18.10.040 Footnotes

- a. A specific plan shall be required for all proposed projects (including tentative parcel or tract maps) which include any property located within this district. Such a specific plan shall establish site development standards on a project by project basis in consideration of the existing topography and other physical constraints.
- b. The specific plan shall not create a density greater than one (1) dwelling unit per gross acre and shall be consistent with the City's General Plan. The specific plan may consider a clustered development concept in order to preserve large areas open space and minimize the project's impact on the physical environment.
- c. The following exceptions apply to front, rear and side yard requirements as noted:
1. The minimum side and rear yard setback for a patio cover shall be five (5) feet.
 2. The minimum rear yard setback for an accessory structure shall be ten (10) feet.
 3. Slopes exceeding five percent (5%) shall be permitted no closer to a residential structure than a distance equal to the required side and rear yard setbacks. In the R1-10 District and the R1-20 District, the 35 foot rear yard setback may include 10 feet of slope that is greater than 5%.
 4. In the case of a parcel or tract map, the twenty-five (25) foot front yard setback requirement may range from twenty-two (22) feet to twenty-eight (28) feet, with an average of twenty-five (25) feet for all proposed lots.
 5. In the case where an existing legal non-conforming structure is located within a required setback area, the legal non-conforming structure may be enlarged within the required setback area subject to the following conditions:
 - a) The proposed addition does not further reduce the depth of the existing setback area; and
 - b) The proposed addition is located no closer than 5' from any property line.
 - c) Density bonus
 - 1) A density bonus of up to twenty percent (20%) may be approved with a conditional use permit or specific plan if various off-site improvements which benefit the general public are included in the project.
 - 2) A density bonus of at least twenty-five percent (25%) shall be approved if the proposed project meets the requirements of Chapter 4.2 of the California Government Code regarding "Lower" and "Low or Moderate Income Households" dwelling units.
- d. For the purposes of this Chapter, the following terms shall be defined as follows:
1. "Living area" shall be defined as the enclosed area of a residential dwelling unit, excluding porches, patios, carports, garages, storage areas, or auxiliary rooms.
 2. "Multiple Family" shall be defined as one (1) or two (2) bedroom units only.
- e. Accessory structures shall not exceed twenty (20) feet in height, with exceptions as listed in Section 18.73.090 of this Chapter.

TABLE 18.10.040
Site Development Standards

DEVELOPMENT ISSUE	RH	R20	R10	R7.2	R2	R3	<u>R3-S</u>
Area (Minimum square feet)	- ^a	20,000	10,000	7,200	10,000	12,000	g
Width (Minimum linear feet)							
* Interior Lot	- ^a	100	60	60	60	60	g
* Corner Lot	- ^a	100	70	70	70	70	g
Lot Dept (Minimum linear feet)	- ^a	150	100	100	100	100	g
Street Frontage (Minimum linear feet)	- ^a	50	40	40	40	40	g
Setbacks (Minimum linear feet)							
* Front Yard	- ^a	25 ^b	25 ^b	25 ^b	25 ^b	25 ^b	g
* Rear Yard	- ^a	35 ^b	35 ^b	20 ^b	20 ^b	20 ^b	g
* Side Yard							
- Interior Lot							
With Garage	- ^a	10 ^b	10 ^b	10 ^b	10 ^b	10 ^b	g
Without Gar.	- ^a	5 ^b	5 ^b	5 ^b	5 ^b	5 ^b	g
- Corner Lot							
Street side	- ^a	15 ^c	15 ^c	15 ^c	15 ^c	15 ^c	g
No Street side	- ^a	5	5	5	5	10	g
Density (Allowable dwelling units per acre)	- ^a	1-2	1-4	1-5	1-9	1-12 ^c	Max. 20
Living Area (Minimum square feet)	- ^a	1,350 ^d	1,350 ^d	1,350 ^d	1,350 ^d	1,350 ^d	g
* Single Family							
* Duplex, Triplex, Four-plex and Multiple Family							
- One (1) Bedroom	-	-	-	-	800 ^d	800 ^d	g
- Two (2) Bedroom	-	-	-	-	1,000 ^d	1,000 ^d	g
Height (Maximum linear feet)	- ^a	35 ^e	35 ^e	35 ^e	35 ^e	35 ^e	g
Lot Coverage (Maximum percent)	- ^a	40	50	50	60 ^f	60	g
Distance Between Buildings (Minimum linear feet)	- ^a	5	5	5	20	20	g

Day Care Center (Six (8) or Less Children)	P	P	P	P	P	P	-
Day Care Center (Seven (9) or More Children)	C	C	C	C	C	C	-
Residential Care Facility (Six (6) or Less Patients)	P	P	P	P	P	P	-
Residential Care Facility (Seven (7) or More Patients)	C	C	C	C	C	C	-
Utility or Service Facility	C	C	C	C	C	C	-
Outdoor Recreation Facility	C	C	C	C	C	C	-
D. Temporary Uses							
Temporary Uses (As approved by Planning Director)	P	P	P	P	P	P	<u>P^d</u>
Temporary Trailers (As Approved by Planning Director)	P	P	P	P	P	P	<u>P^d</u>

Table 18.10.030 Footnotes

a. A second single family detached unit (full sized single family detached dwelling) shall be permitted in the R2 zone provided that the lot or parcel in question meets the minimum area requirement for the R2 zone and that said lot or parcel is developed with no more than one single family detached dwelling. A site and architectural review application for the second family detached unit in accordance with Chapter 18.63 of the Zoning Code shall be required to be approved prior to the issuance of building permits. In addition, all development standards of the underlying zone must be adhered to; and any division in ownership among the structures on the lot or parcel in question shall conform to the subdivision laws of the State and City.

b. A second family detached unit (full sized single family detached dwelling) shall be permitted in the R3 zone provided that the lot or parcel in question meets the minimum area requirements for the R3 zone and that said lot or parcel is developed with no more than one single family detached dwelling. A site and architectural review application for the second family detached unit in accordance with Chapter 18.63 of the Zoning Code shall be required to be approved prior to the issuance of building permits. In addition, all development standards of the underlying zone must be adhered to; and any division in ownership among the structures on the lot or parcel in question shall conform to the subdivision laws of the State and City.

c. "P" stands for "Permitted Use" where the use is permitted by right; and "C" stands for "Conditional Use" where the use requires a conditional use permit.

d. Senior citizen housing is allowed in the R3-S up to maximum density of 20 unit/acre. A specific plan will be required for all senior citizen housing projects in this zone. Some accessory and temporary uses as indicated will be allowed in the R3-S zone with the approval of the Community Development Director.

TABLE 18.10.030
Land Use Regulations:

Permitted Uses	RH	R20	R10	R7.2	R2	R3	R3-S
A. Residential Uses							
Single Family (Detached), Full Sized	P	P	P	P	P ^a	P ^b	-
Single Family (Attached) (Duplexes, Triplexes, and Fourplexes consisting of One (1) Bedroom and/or Two (2) Bedroom Units Only)	-	-	-	-	P	P	-
Multiple Family Units (Planned Unit Developments consisting of one (1) and/or Two (2) Bedroom Units Only)	-	-	-	-	P	P	-
Manufactured Housing (As Permitted Per Chapter 18.66)	-	-	-	P	-	-	-
Mobile Home Park	-	-	-	-	C	C	-
<u>Senior Citizen Housing</u>	-	-	-	-	-	-	<u>P^d</u>
B. Residential Accessory Uses							
Accessory Structure	P	P	P	P	P	P	<u>P^d</u>
Second Family Unit (As Permitted Per Chapter 18.69)	C	C	C	C	C	C	-
Guest House	C	C	C	C	C	C	-
Private Garage	P	P	P	P	P	P	-
Private Swimming Pool	P	P	P	P	P	P	<u>P^d</u>
Home occupation (As Permitted Per Chapter 5.06)	P	P	P	P	P	P	<u>P^d</u>
Keeping of Cats and Dogs (Maximum of Two (2) Each)	P	P	P	P	P	P	<u>P^d</u>
Other Accessory Uses (As Approved by the Planning Director)	P	P	P	P	P	P	<u>P^d</u>
C. Other Uses							
Churches (Minimum Three-Acre Parcel)	C	C	C	C	C	C	-
Schools (Private and Parochial)	C	C	C	C	C	C	-
Public Park and Playground	P	P	P	P	P	P	-
Public Facilities (And Quasi- Public)	C	C	C	C	C	C	-

EXHIBIT E: LEGAL DESCRIPTION

LEGAL DESCRIPTION

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1, THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF SAID LOT 1, N89°46'26"E, 791.56 FEET TO SOUTHWEST CORNER OF SAID LOT 2; THENCE ALONG THE SOUTH LINE OF SAID LOT 2, N89°46'26"E, 125.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE ALONG THE EAST LINE OF SAID LOT 2, N00°20'29"W, 465.53 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF GRAND TERRACE ROAD; THENCE WESTERLY ALONG A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 1,190.00 FEET, THROUGH A CENTRAL ANGLE OF 13°11'17", AN ARC LENGTH OF 273.91'; THENCE S64°02'09"W, 426.20 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 250.00 FEET, THROUGH A CENTRAL ANGLE OF 43°45'05", AN ARC LENGTH OF 190.90' TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE S25°57'14"W, 198.65 FEET TO THE POINT OF BEGINNING.