



AGENDA

March 10, 2022

PLANNING COMMISSION MEETING

6:30 p.m.

Council Chambers

311 Vernon Street, Roseville, California

www.roseville.ca.us/CORTV

The meeting may be viewed on Comcast channel 14, Consolidated Communications channel 73, and AT&T U-Verse. Planning Commission meetings are also video streamed live on the City's website at roseville.ca.us/watch and roseville.ca.us/agenda, and the City's YouTube channel at youtube.com/CityofRosevilleCa.

If you need a disability-related modification or accommodation to participate in this meeting, please contact Voice: 916-774-5200, TDD: 916-774-5220. Requests must be made as early as possible.

THE CITY OF ROSEVILLE WELCOMES YOUR PARTICIPATION

If an agenda item is open to public comment, such public comment shall be addressed to the chair of the meeting.

Public Comment - Speakers have three minutes under Public Comment to speak on issues that are not listed on the agenda and are within the City's jurisdiction. The Brown Act does not permit any action or discussion on items not listed on the agenda.

Consent Calendar - If applicable, the Consent Calendar consists of routine items that may be approved by one motion. Any person can remove an item from the Consent Calendar to be discussed separately.

Agenda Items - Speakers have five minutes to address items that are listed on the agenda.

Americans with Disabilities Act - Notify the City Clerk or Secretary at least 72 hours in advance if special assistance is required to participate in a meeting including the need of auxiliary aids or services.

Audio/Visual Presentations - If making a presentation regarding an agenda item, audio/visual materials must be submitted to the City Clerk or Secretary at least 72 hours in advance.

Roseville City Clerk 311 Vernon Street, Roseville, CA 916-774-5200 TDD 916-774-5220

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **PUBLIC COMMENTS**
5. **CONSENT CALENDAR**

5.1. Minutes of February 24, 2022

6. **REQUESTS/PRESENTATIONS**

6.1. Zoning and Subdivision Ordinance Legislative Update, File #PL21-0334

REQUEST

The project is a city-initiated update to Title 19 (Zoning Ordinance) and Title 18 (Subdivision Ordinance) of the Roseville Municipal Code (RMC) to reflect changes in state law and implement the City's General Plan Housing Element. The request includes an Ordinance amending Zoning Ordinance Chapters 19.10 (residential development standards), 19.28 (density bonus), and 19.60 (accessory dwelling units). The amendments to the Zoning Ordinance are to reflect recent changes in state law which: require the City to allow two residential units per lot in single-family zones (the City's R1 and RS zones) (Senate Bill 9), require minor changes to density bonus provisions (Senate Bill 290), and specify that accessory dwelling units may be separately sold if they were built by a non-profit and will be sold as deed-restricted affordable housing (Assembly Bill 345). Also, an Ordinance amending Subdivision Ordinance Chapters 18.04 (hearing authority), 18.06 (tentative map applications), 18.10 (lot line adjustments and voluntary mergers), and 18.24 (appeals), and also adding new Chapter 18.05 (ministerial tentative map applications). The amendments to the Subdivision Ordinance are to reflect changes in state law (Senate Bill 9) requiring the City ministerially process two-lot parcel maps in single-family zones, and implementation of Housing Element Program 16 (Prioritize Affordable Housing) which calls for the establishment of ministerial mapping processes for affordable housing projects.

Applicant: City of Roseville

RECOMMENDATION

The Planning Division recommends the Planning Commission take the following actions:

1. Recommend that the City Council adopt the two (2) findings of fact and approve the Ordinance Amendment to Title 19 of the Roseville Municipal Code.
2. Review and comment on the Ordinance Amendment to Title 18 of the Roseville Municipal Code.

7. **COMMISSIONER / STAFF REPORT**
8. **ADJOURNMENT**



PLANNING COMMISSION COMMUNICATION

Title: Minutes of February 24, 2022
Contact: Lupe Nelson, lnelson@roseville.ca.us, (916) 774-5281

Meeting Date: 3/10/2022
Item #: 5.1.

ATTACHMENTS:

Description

Minutes of February 24, 2022



DRAFT MINUTES

February 24, 2022

PLANNING COMMISSION MEETING

6:30 p.m.

Council Chambers

311 Vernon Street, Roseville, California

www.roseville.ca.us/CORTV

1. CALL TO ORDER

Chair Jensen called the meeting to order at 6:32 p.m.

2. ROLL CALL

Present: Brashears, Haggenjos, Prior, Jensen

Absent: Caporusso, Covington, Martin

3. PLEDGE OF ALLEGIANCE

Chair Jensen led those in attendance in the Pledge of Allegiance.

4. PUBLIC COMMENTS

Chair Jensen opened the Public Comment period. Hearing none, Chair Jensen closed the Public Comment period.

5. CONSENT CALENDAR

5.1. Minutes of February 10, 2022

Commissioner Prior requested that the Minutes of February 10, 2022 be pulled to address an omission in the minutes. He requested that the minutes be corrected to show that the motion for Item 6.1 SVSP PCL DF-20 – DRRS, File # PL21-0347 included the adoption of Revised Exhibit A.

Motion by Commissioner Prior, seconded by Commissioner Brashears, to approve the Consent Calendar with the correction.

Roll call vote:

Ayes: Haggenjos, Prior, Brashears, Jensen

Noes: None

The Motion passed.

6. REQUESTS/PRESENTATIONS

6.1. SVSP PCL DF-40, DF-41, DF-42 - Baseline Marketplace MPP Stage 1 & 2 Extension, 5000 Baseline Rd, File # PL21-0386

REQUEST

The applicant requests a four-year extension of an approved Major Project Permit that permits construction of a 745,300 sq. ft. retail center. Original MPP approval under file #2013PL-020.

Associate Planner, Sean Morales, presented the staff report.

Chair Jensen opened the Public Hearing and invited comments from the applicant and/or audience.

Applicant representative, Nick Alexander, DF Properties, stated he had received a copy of the staff report and was in agreement with staff's recommendation.

Chair Jensen opened the public comment period. Hearing none, Chair Jensen closed the public comment period and Public Hearing.

Motion by Commissioner Brashears, seconded by commissioner Haggenjos, to:

1. Adopt the two (2) findings of fact for the Major Project Permit Extension and approve the Major Project Permit Extension subject to two (2) conditions of approval.

Roll call vote:

Ayes: Brashears, Haggenjos, Prior, Jensen

Noes: None

The Motion passed.

7. COMMISSIONER / STAFF REPORT

Staff Reports

- There will be Planning Commission meetings on March 10 and March 24, 2022.

Commissioner Reports

- None

8. ADJOURNMENT

Motion by Commissioner Haggenjos, seconded by Commissioner Prior, to adjourn the meeting. The Motion Passed unanimously at 6:42 p.m. with a voice vote.



PLANNING COMMISSION COMMUNICATION

Title: Zoning and Subdivision Ordinance Legislative Update, File #PL21-0334

Contact: Lauren Hocker, lhocker@roseville.ca.us, (916) 774-5272

Meeting Date: 3/10/2022

Item #: 6.1.

ATTACHMENTS:

Description

Staff Report

Attachment 1 RMC 18.04, 18.05, 18.06, 18.10, 18.24

Exhibit A RMC 19.10 19.28 19.60

**ITEM 6.1: **ORDINANCE AMENDMENT – CITYWIDE – ZONING AND SUBDIVISION ORDINANCE
LEGISLATIVE UPDATE – PL21-0334****

REQUEST

The project is a city-initiated update to Title 19 (Zoning Ordinance) and Title 18 (Subdivision Ordinance) of the Roseville Municipal Code (RMC) to reflect changes in state law and implement the City's General Plan Housing Element. The request includes an Ordinance amending Zoning Ordinance Chapters 19.10 (residential development standards), 19.28 (density bonus), and 19.60 (accessory dwelling units). The amendments to the Zoning Ordinance are to reflect recent changes in state law which: require the City to allow two residential units per lot in single-family zones (the City's R1 and RS zones) (Senate Bill 9), require minor changes to density bonus provisions (Senate Bill 290), and specify that accessory dwelling units may be separately sold if they were built by a non-profit and will be sold as deed-restricted affordable housing (Assembly Bill 345). Also, an Ordinance amending Subdivision Ordinance Chapters 18.04 (hearing authority), 18.06 (tentative map applications), 18.10 (lot line adjustments and voluntary mergers), and 18.24 (appeals), and also adding new Chapter 18.05 (ministerial tentative map applications). The amendments to the Subdivision Ordinance are to reflect changes in state law (Senate Bill 9) requiring the City ministerially process two-lot parcel maps in single-family zones, and implementation of Housing Element Program 16 (Prioritize Affordable Housing) which calls for the establishment of ministerial mapping processes for affordable housing projects.

Applicant – City of Roseville

SUMMARY RECOMMENDATION

The Planning Division recommends the Planning Commission take the following actions:

- 1) Recommend City Council adopt the two (2) findings of fact and approve the Ordinance Amendment to Title 19 of the Roseville Municipal Code.
- 2) Review and comment on the Ordinance Amendment to Title 18 of the Roseville Municipal Code.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request.

BACKGROUND

In 2021 the State of California enacted multiple bills amending the Government Code as it relates to various planning and zoning laws. These bills included Assembly Bill (AB) 345, Senate Bill (SB) 290, and SB 9.

AB 345 modifies regulations pertaining to Accessory Dwelling Units (ADUs), and states that if either the primary dwelling or the ADU was built or developed by a nonprofit and includes an affordability restriction (among other conditions) then a local agency *shall* allow it to be sold separately. Consistency with this bill requires minor amendments to Zoning Ordinance Chapter 19.60, which currently prohibits the sale of ADUs.

SB 290 modifies density bonus regulations, including miscellaneous changes to clarify existing provisions. The enacted bill also applies a parking standard of no greater than 0.5 spaces per unit for moderate income projects meeting certain locational criteria (e.g. proximity to transit). Previously this parking reduction only applied to certain low-, very low-, or extremely low-income projects. Consistency with this bill requires minor amendments to Zoning Ordinance Chapter 19.28.

The most significant planning bill passed during the 2021 legislative session was SB 9, which established a statewide regulation that permits two units on parcels within single-family residential zone districts and ministerial two-lot parcel maps (i.e. no Parcel Map entitlement) in single-family zone districts. SB 9 was passed by the legislature as a statewide response to the issue of exclusionary zoning. Appropriately administered, land use planning serves to ensure the compatibility of land uses, rational planning for future service demands, environmental protection, and balanced land uses with adequate commercial and employment land uses to support residential land uses. Zoning is used to implement the broader land use plans, and specifies development standards and permitted uses.

In jurisdictions such as Roseville, land use and zoning combine to ensure the provision of a variety of housing types, with the City's new Specific Plans designed to provide a relatively equal amount of high density, medium density, and low density residential units. However, there are jurisdictions across California where zoning has been used as an exclusionary tool, to prevent the development of medium density or high density housing or to ensure that such housing is only developed in extremely restricted areas. Moreover, these restrictive communities often have minimum single-family lot size requirements as high as one acre, which means the parcels could be easily split into two lots. By comparison, the City's standard is 1/7th of an acre for the single-family zone district (R1), is 1/10th of an acre for the small lot residential zone district (RS), and can be even smaller with the approval of modified development standards. The City's smaller lot sizes mean there are relatively few lots which could be split as a result of the proposed SB 9 zoning ordinance amendments.

Responding to SB 9 requires amending both the City's Zoning Ordinance (Roseville Municipal Code Title 19) and Subdivision Ordinance (Roseville Municipal Code Title 18). A summary of these changes is as follows:

Chapter 19.10.030 Residential Development Standards. Amend the table to indicate 2 dwellings are permitted in the City's R1 and RS zone districts and add a new Section G establishing criteria for two residential units in single-family zones. The criteria are consistent with the standards of SB 9, and include:

- A prohibition on the demolition or alteration of affordable housing, rent-controlled housing, or housing occupied by a tenant anytime in the prior three years as part of an application to build two units.
- A prohibition on short-term rentals.
- A prohibition on construction of an ADU or Junior ADU on properties which have used both the section allowing two units and the section allowing a ministerial two-lot map.
- The units must be consistent with the City's zone district development standards, with certain exceptions. The exceptions are related to setbacks and parking, and are similar to the development standards for ADUs. This includes no setback requirements when converting an existing structure and 4-foot side and rear setbacks for new structures. The parking requirement is reduced to one space, and may be eliminated if in proximity to high-quality transit or a car share. The City must also waive any development standard that would physically prevent either of the two units from being at least 800 square feet.
- Parcels which have certain environmental conditions, such as the presence of wetlands or floodplains, may not have two units. Likewise, parcels which are designated as a city or county landmark or historic property, or which are within a historic district pursuant to a City ordinance, may not have two units.

Chapter 18.04 City Council, Commission, and Committee Powers. Amend the notice and hearing requirements to establish a ministerial process for two-lot maps consistent with SB 9. These maps will be subject to the approval authority of the City Engineer.

NEW Chapter 18.05 Parcel Map Applications – Ministerial. This is an entirely new section establishing the application requirements, application materials, and process for ministerial two-lot parcel maps. The application requirements are consistent with the standards of SB 9, and include:

- A requirement that resulting parcels be approximately equal in size (one parcel can't be smaller than 40% of the original lot area).
- A minimum lot size of 1,200 square feet.
- A prohibition on the demolition or alteration of affordable housing, rent-controlled housing, or housing occupied by a tenant anytime in the prior three years in order to make it possible to split the lot.
- Parcels which have certain environmental conditions, such as the presence of wetlands or floodplains, may not use the ministerial process. Likewise, parcels which are designated as a city or county landmark or historic property, or which are within a historic district pursuant to a City ordinance, may not use the ministerial process.

The section also states that a parcel may only be split using the ministerial process once (no serial parcel maps), and if a person owns multiple adjacent parcels, only one of the parcels may be split using the ministerial process. Also consistent with SB 9, the application requires a signed affidavit stating that the applicant intends to occupy one of the housing units on either lot as their principal residence for at least three years after the parcel map is approved.

Chapter 18.06 Tentative Map Applications – Discretionary. Minor changes have been made to this section to indicate it applies to discretionary tentative maps. In addition, a clarifying change has been made to Section 18.06.080, Environmental Review of Application. The existing language stated that the Director would determine whether a Negative Declaration or Environmental Impact Report would be prepared, which excludes multiple other possible environmental document types. The section has been modified to state that the Director will determine the appropriate environmental document.

Chapter 18.24 Appeal Authority. The section has been modified to state that ministerial applications are not subject to appeal.

In addition to the legislative updates described above, a further update is proposed consistent with Housing Element Program 16, Prioritize Affordable Housing. The City's current Housing Element was adopted in August 2021, and Program 16 calls for the establishment of a ministerial mapping process for qualifying affordable housing projects. Qualifying affordable housing projects are currently permitted to apply for ministerial Design Review through the City's Objective Design Standards process. However, these projects commonly require lot line adjustments, voluntary mergers, or parcel maps to facilitate building construction and phasing. Pursuant to Housing Element Program 16, staff have proposed modifications to the Subdivision Ordinance which will allow ministerial processing of these minor mapping applications.

NEW Chapter 18.05 Parcel Map Applications – Ministerial. In addition to changes pursuant to SB 9, this section also allows ministerial parcel maps (up to four lots) for qualifying affordable projects. These are defined as a residential multi-unit (three or more units) or mixed use housing project that provides a minimum of 20 percent of the units as affordable for low, very low, or extremely low income households. An affordable housing agreement must be entered into prior to recordation of the parcel map.

Chapter 18.10 Lot Line Adjustments and Voluntary Mergers. The Chapter has been modified to note that lot line adjustments and voluntary mergers for qualifying affordable housing projects will be approved through a ministerial engineering permit process. Minor edits to other sections have been made to reflect the ministerial process, including notices for hearing (none required) and the effective date of approval (no appeals). An affordable housing agreement must be entered into prior to recordation of the lot line adjustment or voluntary merger.as

EVALUATION

Section 19.86.050 of the City of Roseville Zoning Ordinance requires two findings be made in order to approve a zoning ordinance amendment. The two findings are listed below in ***italicized, bold*** text and are followed by an evaluation of the project in relation to the findings. There is no advisory body for Title 18, so staff is requesting Planning Commission review and comment on changes to Title 18, and will pass those comments on to City Council.

- 1. The project is consistent with the public interest, health, safety, or welfare of the City.***
- 2. The project is consistent with the General Plan and any applicable specific plan of the City of Roseville.***

The proposed changes to the Zoning Ordinance and Subdivision Ordinance are to bring the City's regulations into consistency with enacted state law and with the City's adopted General Plan Housing Element. AB 345, SB 290, and SB 9 became effective on January 1, 2022 and the City is already required to comply with the resultant changes to the Government Code. Modifying the City's ordinances for consistency with these laws establishes a clear set of regulations for both the public and for City staff. Modifying the Subdivision Ordinance pursuant to Housing Element Program 16 brings the City's ordinance into consistency with a program of the City's General Plan. For these reasons, staff finds that the project is consistent with the public interest, health, safety, or welfare of the City and that the project is consistent with the General Plan and applicable specific plans.

PUBLIC OUTREACH

A General Information Memorandum (GIM) to City Council discussing SB 9 was published on September 21, 2021 and a GIM describing planning legislation updates (including AB 345 and SB 290) was published on November 4, 2021. An informational workshop on the proposed project was held before the Planning Commission on December 16, 2021. A notice of the proposed project with a link to the Planning Commission workshop was posted to the RCONA website on February 9, 2022. To date, no comments have been received.

Text amendments of the City's Zoning Ordinance and Subdivision Ordinance are not site-specific, and therefore public hearing notices were not mailed to individual property owners. Consistent with noticing requirements for a citywide project a public hearing notice was published in the Press Tribune.

ENVIRONMENTAL DETERMINATION

Proposed amendments in response to SB 290, AB 345, and the City's adopted Housing Element are policy and procedure-making activities, and the California Environmental Quality Act (CEQA) only applies to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. (CEQA Guidelines §15061(b)(3)). With respect to modifications due to Senate Bill 9 (single-family zoning), Government Code Section 65852.21(j) states:

“A local agency may adopt an ordinance to implement the provisions of [SB 9]. An ordinance adopted to implement this section shall not be considered a project” pursuant to CEQA.

RECOMMENDATION

The Planning Division recommends the Planning Commission take the following actions:

- 1) Recommend City Council adopt the two (2) findings of fact and approve the Ordinance Amendment to **Title 19 ORDINANCE AMENDMENT – CITYWIDE – ZONING AND SUBDIVISION ORDINANCE LEGISLATIVE UPDATE – PL21-0334.**
- 2) Review and comment on the **Title 18 ORDINANCE AMENDMENT – CITYWIDE – ZONING AND SUBDIVISION ORDINANCE LEGISLATIVE UPDATE – PL21-0334.**

Exhibits

A. Zoning Ordinance Redlines (RMC 19.10, 19.28, and 19.60)

Attachments

1. Subdivision Ordinance Redlines (RMC 18.04, 18.05, 18.06, 18.10, and 18.24)

Note to Applicant and/or Developer: Please contact the Planning Division staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Manager at, or prior to, the public hearing.

ORDINANCE NO. ____

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE AMENDING SECTIONS 18.04.025, 18.04.030 AND 18.04.060 OF CHAPTER 18.04 OF TITLE 18 OF THE ROSEVILLE MUNICIPAL CODE REGARDING CITY COUNCIL, COMMISSION AND COMMITTEE POWERS, ADDING CHAPTER 18.05 TO TITLE 18 OF THE ROSEVILLE MUNICIPAL CODE REGARDING TENTATIVE MAP APPLICATIONS – MINISTERIAL, AMENDING SECTIONS 18.06.030, 18.06.050 AND 18.06.080 OF CHAPTER 18.06 OF TITLE 18 OF THE ROSEVILLE MUNICIPAL CODE REGARDING TENTATIVE MAP APPLICATIONS, AMENDING SECTIONS 18.10.010, 18.10.050, 18.10.060, 18.10.070, 18.10.080, 18.10.090, AND 18.10.100 OF CHAPTER 18.10 OF TITLE 18 OF THE ROSEVILLE MUNICIPAL CODE REGARDING LOT LINE ADJUSTMENTS AND VOLUNTARY MERGERS, AND AMENDING SECTIONS 18.24.010 AND 18.24.015 OF CHAPTER 18.24 OF TITLE 18 OF THE ROSEVILLE MUNICIPAL CODE REGARDING APPEALS.

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Section 18.04.025 of Chapter 18.04 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.04.025 Design committee.

The design committee is designated as an “advisory agency” as the term is used in the Subdivision Map Act and for the purposes defined herein. As such, the design committee shall either approve, conditionally approve or deny all tentative maps (vesting or otherwise), lot line adjustments, voluntary mergers, minor tentative map modifications, major tentative map modifications involving four or fewer parcels, tentative map extensions (vesting or otherwise), and parcel map waivers involving four or fewer parcels (refer to Table 18.04.030.A) when these permits are processed concurrently with a design review permit, with the following exceptions:

A. ~~except that the~~ The director has the authority to forward the application to the planning commission if the improvements proposed or required will extend beyond the immediate front of the lot, if the project may cause an undue hardship to the adjacent parcels, or if there are potential significant environmental impacts which may result from the project.

~~A.B.~~ A parcel map, lot line adjustment, and/or voluntary merger associated with a residential multi-unit (three or more units) or mixed use housing project that provides a minimum of 20 percent of the units as affordable units for low, very-low or extremely low income households and where the applicant agrees to enter into an Affordable Housing Agreement prior to issuance of building permits, will be approved through the ministerial engineering permit process.

SECTION 2. Section 18.04.030 of Chapter 18.04 of Title 118 of the Roseville Municipal Code is hereby amended to read as follows:

18.04.030.A Notice requirements and required hearings.

Application Type	Table 18.04.030.A—Advisory Agency, Notice Requirements and Required Hearings				
	City Engineer	Director	Design Committee	Planning Commission	City Council
Tentative Maps	<u>N**</u> -	-	-	H	-
Tentative Parcel Maps	<u>N**</u> -	A	H*	H*	-
Lot Line Adjustments	<u>N**</u> -	A	H*	H*	-
Voluntary Merger	<u>N**</u> -	A	H*	H*	-
Certificates of Compliance	N			-	-
Minor Tentative Map Modifications	<u>N**</u> -	A	H*	H*	-
Major Tentative Map Modifications	-	-	-	H	-
Major Final or Parcel Map Amendments or Corrections	-	-	-	-	H
Reversions to Acreage	-	-	-	-	H
Parcel Map Waiver (four or fewer parcels)	N		H*	H*	-
Parcel Map Waiver (five or more parcels)	-	-	-	H	-
Extension of Tentative Map Expiration Date	<u>N**</u> -	A	H*	H*	-
Final Map	-	-	-	-	N
Parcel Map with Dedication	-	-	-	-	N
Parcel Map without Dedication	N	-	-	-	-

NOTICE TYPES:

Type “H”: PUBLIC HEARING IS REQUIRED. NOTICE OF THE HEARING SHALL BE MAILED OR DELIVERED AT LEAST 10 DAYS PRIOR TO THE PUBLIC HEARING TO THE APPLICANT, PROPERTY OWNER, PROPERTY OWNERS AS SHOWN ON THE MOST RECENT SECURED ASSESSOR’S ROLL, OF PROPERTY WITH 300 FEET OF THE PROPERTY INVOLVED IN THE APPLICATION, AND ALL PERSONS WHO HAVE REQUESTED NOTICE PURSUANT TO SECTION 18.06.130.

Type “N”: NO PUBLIC HEARING OR NOTICE REQUIRED.

Type “A”: THE PUBLIC HEARING MAY BE WAIVED. NOTICE OF INTENT TO APPROVE ENTITLEMENT SHALL BE MAILED OR DELIVERED AT LEAST 10 DAYS PRIOR TO AN ACTION TO APPLICANT, PROPERTY OWNER, AND THE OWNERS, AS SHOWN ON THE MOST RECENT SECURED ASSESSOR’S ROLL, OF PROPERTY WITHIN 300 FEET OF THE PROPERTY INVOLVED IN THE APPLICATION, AND ALL PERSONS WHO HAVE REQUESTED NOTICE, PURSUANT TO SECTIONS 18.06.125 AND 18.10.060 OF THIS TITLE.

* WHEN PROCESSED CONCURRENTLY WITH A DESIGN REVIEW PERMIT, REZONE, GENERAL PLAN AMENDMENT, ETC.

** FOR QUALIFYING PROJECTS PURSUANT TO SECTION 18.10 OR SECTION 18.05

SECTION 3. Section 18.04.060 of Chapter 18.04 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.04.060 Director.

The director shall be responsible for providing application forms and processing applications. For all tentative maps, minor and major tentative map amendments, lot line adjustments, voluntary mergers, reversions to acreage, parcel map waivers, tentative map extensions and minor and major parcel or final map amendments and corrections [subject to the approving authority of the director](#) (refer to Table 18.04.030.A), the director shall refer all applications to the affected departments and agencies which have an interest in the project. The director shall prepare a report for such applications at least three calendar days prior to action or the public hearing. The report shall have in it a recommended action for the application.

The director is designated as an “advisory agency” as the term is used in the Subdivision Map Act and for the purposes defined herein.

The director shall either approve, conditionally approve or deny all tentative parcel map applications (vesting or otherwise), lot line adjustments, voluntary mergers, minor tentative map modifications, tentative map extensions (vesting or otherwise) [subject to the approving authority of the director](#) (refer to Table 18.04.030.A); except that the director has the authority to forward the application to the commission if the improvements proposed or required will extend beyond the immediate front of the lot, if the project may cause an undue hardship to the adjacent parcels, or if there are potential significant environmental impacts which may result from the project.

SECTION 4. Chapter 18.05 of Title 18 of the Roseville Municipal Code is hereby added to read as follows:

18.05 PARCEL MAP APPLICATIONS – MINISTERIAL

18.05.010 Tentative map required.

A tentative map shall be required wherever a final map or parcel map is required by the Subdivision Map Act, unless specifically waived by the provisions of this title or the Subdivision Map Act. (Ord. 2747 § 1, 1993.)

18.05.020 Application Required.

Whenever a tentative map is required, the subdivider shall submit to the director a complete tentative map application to be processed in accordance with the provisions of this chapter and title. An application shall be processed pursuant to Chapter 18.06 unless it is a parcel map associated with a residential multi-unit (three or more units) or mixed use housing project that provides a minimum of 20 percent of the units as affordable units for low, very-low or extremely low income households and where the applicant agrees to enter into an Affordable Housing Agreement prior to recordation of the parcel map (hereinafter Affordable Housing Project), or the application meets the following qualifying criteria for a ministerial parcel map:

- A. The parcel is located within a single-family residential zone, which are the City's single-family residential (R1) and small lot residential (RS) zones.

- B. The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.
- C. Both newly-created parcels are a minimum of 1,200 square feet.
- D. The parcel being subdivided has not been established through prior exercise of a parcel map pursuant to this section, nor has the owner or any person acting in concert with the owner previously subdivided an adjacent parcel pursuant to this section.
- E. The proposed parcel map would not require demolition or alteration of any of the following types of housing:
1. Housing subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
 2. Housing which has been occupied by a tenant anytime within the last three years.
 3. Housing subject to any form of rent or price control through a public entity's valid exercise of its police power.
 4. A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
- F. The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

G. The parcel is not located on a site that is or contains any of the following, pursuant to Government Code subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4:

1. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.
2. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
3. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.
4. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public

Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

5. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
6. Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:
 - a. The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.
 - b. The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National

Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

7. Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.
8. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.
9. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3

of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10
(commencing with Section 1900) of Division 2 of the Fish and Game Code).

10. Lands under conservation easement.

18.05.030 Application Materials Required.

Whenever a tentative map is required, the subdivider shall submit to the director a
complete tentative map application to be processed in accordance with the provisions of this
chapter and title.

A complete application shall include the following:

A. Application Form.

1. The application shall be in a form specified by the director and shall be accompanied
with the correct filing fee;
2. A description of the applicant's interest in the property shall be stated on the
application form;
3. A dated signature by the property owner, or owners, authorizing the processing of
the application, and, if so desired by the property owner, authorizing a representative to
bind the property owner on matters addressed in the application.

B. Tentative Map: Preparation, Form and Number of Copies.

1. The tentative map shall be clearly and legibly drawn and prepared by or under the
direction of a registered civil engineer or licensed land surveyor.

2. The scale of the map shall be at least one inch equals 40 feet unless otherwise specified by the director. If necessary to provide the proper scale, more than one sheet may be used, but the relation of the several sheets shall be clearly shown on each.

3. No single sheet shall exceed 60 inches in length and 42 inches in width.

4. Full size copies, and one copy reduced to eight and one-half inches by 11 inches (suitable for reproduction) of the tentative map. The number of the tentative map copies shall be specified by the director.

C. The following information shall appear on the face of the tentative map:

1. The proposed subdivision name;

2. Names, addresses and telephone numbers of the record owner and subdivider of the land;

3. Name, address and telephone number of the person, firm or organization that prepared the tentative map, and the applicable registration or license number;

4. Date of preparation, north arrow and scale of the map;

5. If the tentative map is based on a survey, the date of the survey;

6. A vicinity map of appropriate scale sufficiently covering adjoining territory to clearly indicate the nearby street patterns, major access streets, property lines, and other adjacent properties in the subdivider's ownership (north arrow pointing in the same direction as the north direction of the subdivision);

7. A statement of existing and proposed zoning and general plan categories, and existing and proposed uses of the property, with the approximate areas of the proposed uses by type;

8. Boundaries and dimensions of the property(ies) involved in the subdivision, with sufficient information to locate the property(ies), and the total area of the subdivision;
9. A list of all service providers and districts, including water, sewer, electric, natural gas, phone, cable and schools;
10. The name of all adjacent subdivisions, if any, and property lines sufficient to show their relationship to the proposed subdivision;
11. Contour lines at intervals of not more than two feet where the general slope of the property is less than 10 percent, and/or at five-foot intervals where the general slope of the property exceeds 10 percent. Contour lines shall extend beyond the tract boundaries where necessary to show drainage conditions on surrounding property which may affect the subdivision;
12. Topographic information shall be sufficient to fully show the configuration of the land and any and all depressions that present drainage problems;
13. The location and general description of any trees with notations as to their specimen type, and other significant natural features with notations as to their retention or destruction;
14. The location of all structures within the subdivision boundaries, notations if they are to remain or be removed, and their distances from other structures and existing or proposed streets and lot lines;
15. The locations, widths and purposes of all existing and proposed easements for utilities, drainage and other public or private purposes, shown by dashed lines, within and adjacent to the subdivision;

16. The location of any 100-year future floodplain. The city engineer may require additional hydrologic analysis to update or determine the boundaries of the 100-year floodplain;

17. Any area of fill or excavation and their respective quantities within the 100-year future floodplain;

18. The locations, widths and names or designations of all existing or proposed streets, alleys, pedestrian ways and other rights-of-way, whether public or private, within and adjacent to the subdivision (including the radius of each centerline curve);

19. The lines and approximate dimensions of all lots, with sequential numbers assigned to each;

20. The total number of lots (listed by phase, if applicable);

21. The total area in square footage or acreage to the nearest one-tenth acre of each lot proposed to be utilized for other than single-family or two-family housing; and

22. A statement on the face of the tentative map declaring that all easements of record are shown on the tentative map and will appear on the final maps.

D. Additional Information and Plans Required With Ministerial Tentative Map

Application. In addition, the following plans and information shall be submitted with a tentative map application:

1. A statement of proposed improvements, including all utilities and landscaping; and

2. A preliminary title report issued not more than six months prior to its submission to the city.

3. Except for an Affordable Housing Project, an affidavit signed by the applicant stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the parcel map. This requirement shall not apply to an applicant that is a “community land trust,” as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or is a “qualified nonprofit corporation” as described in Section 214.15 of the Revenue and Taxation Code. The affidavit shall further state that the applicant understands that uses allowed on the newly-created lots shall be limited to residential uses.

18.05.040 Prefiling.

Within 30 days of receiving a tentative map application the planning department shall, in writing, determine if the application meets the requirements of Section 18.05.020 and Section 18.05.030. When an application is either ineligible for the ministerial parcel map process or is missing any required information it will not be processed. Prefiling occurs on the date that the application is received with all required information. (Ord. 3286 § 3, 1998; Ord. 2747 § 1, 1993.)

18.05.050 Application referral.

Within five days of prefiling the director will refer copies of the tentative map application to any city department, local, state or federal agency, or other individual or group the director believes may be interested in the project. If no response is received within 21 days of the referral

date, the director will assume that the outside agency, individual or group has no comments.
(Ord. 2747 § 1, 1993.)

18.05.060 Acceptance of application.

Pursuant to Government Code Section 65943, a tentative map application shall be
accepted as complete by the director if it meets the requirements of Section 18.05.030 of this
title.

Within 30 days of prefilng, the director shall send a letter to the applicant indicating:

A. If all of the required information for a tentative map application has been correctly
submitted pursuant to Section 18.05.030; and

B. All information necessary to accept a complete application and to clarify, amplify,
correct or supplement the application; and

C. Suggested design changes or conditions of approval which may need to be met in order
to receive approval.

If the director determines additional information is required, and the additional information
has not been received within six months of the letter requesting the information, then the
application shall be deemed withdrawn, unless extended pursuant to § 18.06.150. (Ord. 2747 § 1,
1993.)

18.05.070 Application deemed “filed.”

An application shall be deemed filed in accordance with Section 66452.1 of the Subdivision Map Act on the date the tentative map application is accepted as complete as specified in Section 18.05.060. (Ord. 2747 § 1, 1993.)

18.05.080 Approval by City Engineer.

After an application is filed, the City Engineer shall approve the tentative map based upon the minimum findings below, and in accordance with the requirements of this title.

- A. The tentative map conforms to all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)), except as otherwise expressly provided in this section.
- B. The tentative map conforms to objective zoning standards, objective subdivision standards, and objective design review standards, except that conformance is not required where imposition of the standards would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet, nor shall it be required to correct existing non-conforming zoning conditions.
- C. The tentative map provides necessary easements for the provision of public services and facilities.
- D. The parcels have access to, provide access to, or adjoin the public right-of-way.
- E. The project will not have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

SECTION 5. Section 18.06.010 of Chapter 18.06 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

CHAPTER 18.06 TENTATIVE MAP APPLICATIONS – DISCRETIONARY

18.06.030 Application required to process a tentative map.

Whenever a tentative map is required, the subdivider shall submit to the director a complete tentative map application to be processed in accordance with the provisions of this chapter and title.

A complete application shall include the following:

- A. Application Form.
 - 1. The application shall be in a form specified by the director and shall be accompanied with the correct filing fee;
 - 2. A description of the applicant's interest in the property shall be stated on the application form;
 - 3. A dated signature by the property owner, or owners, authorizing the processing of the application, and, if so desired by the property owner, authorizing a representative to bind the property owner on matters addressed in the application.
- B. Tentative Map: Preparation, Form and Number of Copies.
 - 1. The tentative map shall be clearly and legibly drawn and prepared by or under the direction of a registered civil engineer or licensed land surveyor.

2. The scale of the map shall be at least one inch equals 40 feet unless otherwise specified by the director. If necessary to provide the proper scale, more than one sheet may be used, but the relation of the several sheets shall be clearly shown on each.

3. No single sheet shall exceed 60 inches in length and 42 inches in width.

4. Full size copies, and one copy reduced to eight and one-half inches by 11 inches (suitable for reproduction) of the tentative map. The number of the tentative map copies shall be specified by the director.

C. Information Required on a [Discretionary](#) Tentative Map. The following information shall appear on the face of the tentative map:

1. The proposed subdivision name;
2. Names, addresses and telephone numbers of the record owner and subdivider of the land;
3. Name, address and telephone number of the person, firm or organization that prepared the tentative map, and the applicable registration or license number;
4. Date of preparation, north arrow and scale of the map;
5. If the tentative map is based on a survey, the date of the survey;
6. A vicinity map of appropriate scale sufficiently covering adjoining territory to clearly indicate the nearby street patterns, major access streets, property lines, and other adjacent properties in the subdivider's ownership (north arrow pointing in the same direction as the north direction of the subdivision);
7. A statement of existing and proposed zoning and general plan categories, and existing and proposed uses of the property, with the approximate areas of the proposed uses by type;

8. Boundaries and dimensions of the property(ies) involved in the subdivision, with sufficient information to locate the property(ies), and the total area of the subdivision;
9. A list of all service providers and districts, including water, sewer, electric, natural gas, phone, cable and schools;
10. The name of all adjacent subdivisions, if any, and property lines sufficient to show their relationship to the proposed subdivision;
11. Contour lines at intervals of not more than two feet where the general slope of the property is less than 10 percent, and/or at five-foot intervals where the general slope of the property exceeds 10 percent. Contour lines shall extend beyond the tract boundaries where necessary to show drainage conditions on surrounding property which may affect the subdivision;
12. Topographic information shall be sufficient to fully show the configuration of the land and any and all depressions that present drainage problems;
13. The location and general description of any trees with notations as to their specimen type, and other significant natural features with notations as to their retention or destruction;
14. The location of all railroad rights-of-way and grade crossings; approximate locations of all existing wells, abandoned wells and sumps; and an indication of any physical restrictions or conditions in the subdivision which affect the use of the property;
15. The location of all structures within the subdivision boundaries, notations if they are to remain or be removed, and their distances from other structures and existing or proposed streets and lot lines;

16. The locations, widths and purposes of all existing and proposed easements for utilities, drainage and other public or private purposes, shown by dashed lines, within and adjacent to the subdivision;
17. The location of any 100-year future floodplain. The city engineer may require additional hydrologic analysis to update or determine the boundaries of the 100-year floodplain;
18. Any area of fill or excavation and their respective quantities within the 100-year future floodplain;
19. The proposed method of providing storm water, drainage and erosion control;
20. The locations, widths and names or designations of all existing or proposed streets, alleys, pedestrian ways and other rights-of-way, whether public or private, within and adjacent to the subdivision (including the radius of each centerline curve);
21. Any planned line for street widening or for any other public project in and adjacent to the subdivision;
22. The lines and approximate dimensions of all lots, with sequential numbers assigned to each;
23. The total number of lots (listed by phase, if applicable);
24. The total area in square footage or acreage to the nearest one-tenth acre of each lot proposed to be utilized for other than single-family or two-family housing;
25. The boundaries and acreages of existing and proposed public areas in and adjacent to the subdivision, with the nature of each indicated thereon with the acreage thereof;
26. Land to be offered for dedication for park or recreation purposes, for school purposes, for purposes of providing public access to any public waterway, river or stream, or other public purpose, shall be so designated;

27. Any changes to the subdivision design standards requested pursuant to Section 18.08.090 of this title must be shown on the tentative map and shall be clearly labeled and identified;

28. If multiple final or parcel maps are to be filed on portions of the property shown on the tentative map, a clear statement on the face of the tentative map indicating the intent of the subdivider to do so. Except that if a development agreement obligates the subdivider to show proposed phasing of multiple final maps, then the subdivider shall show the phases on the tentative map; and

29. A statement on the face of the tentative map declaring that all easements of record are shown on the tentative map and will appear on the final maps.

D. Additional Information and Plans Required With [Discretionary](#) Tentative Map Application. In addition, the following plans and information shall be submitted with a tentative map application:

1. A preliminary grading plan prepared in conformance with the improvement standards;

2. A preliminary soils report shall be submitted with every tentative map application. The preliminary soils report may be waived by the city engineer if the city engineer determines that, due to the knowledge the city engineer has as to the soil qualities of the subdivision, a preliminary soils analysis is not necessary. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems, including seepage, rocks or liquids containing deleterious chemicals which, if not corrected, would lead to structural defects or the deterioration of construction materials, a soils investigation of each lot in the subdivision may be required by the city engineer as a condition precedent to consideration of the tentative map. Any soils

investigation done pursuant to this title shall be prepared by or under the direction of a registered civil engineer, engineering geologist or geologist, specializing and recognized in soil mechanics and foundation engineering, and licensed in the state of California.

3. A statement of proposed improvements, including all utilities and landscaping;

4. Sufficient information concerning the existing use of land and water areas in the vicinity of the proposed project, insofar as the applicant can reasonably ascertain.

5. Any alterations proposed to the subdivision design standards shall be accompanied by supporting drawings, statements and other data as required in Section 18.08.090;

6. A preliminary title report issued not more than six months prior to its submission to the city;

7. A traffic study, if required by the criteria established in the improvement standards;

8. A master transportation, grading, and utility plans for subdivisions which exceed 100 acres or 250 parcels, or when required by the city engineer. The plans shall include all necessary supporting technical data and computations as required by the city engineer and the city's improvement standards; and

9. Any other information the director deems necessary to review the application.

E. Additional Information Required for Vesting Tentative Maps. A subdivider who chooses to submit a vesting tentative map as provided for in this chapter shall also submit the following detailed information with the tentative map application:

1. Height, size, and location of all existing or proposed buildings, or structures;

2. Utility, sewer, water, storm drain, and road details;

3. Detailed grading plans adequate for issuance of a grading permit;
4. Complete applications for all other discretionary entitlements which are necessary for the proposed use(s);
5. Traffic circulation and impact;
6. Floodway control and impact;
7. A description of the proposed use(s) of the land.

SECTION 6. Section 18.06.050 of Chapter 18.06 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.06.050 Application referral.

Within five days of prefiling the director will refer copies of the tentative map application to any city department, local, state or federal agency, or other individual or group, ~~that~~ the director believes may be interested in the project. If no response is received within 21 days of the referral date, the director will assume that the outside agency, individual or group has no comments. Comments related to ~~the~~ an environmental document for ~~the~~ a project may still be accepted and considered during its public review period.

SECTION 7. Section 18.06.080 of Chapter 18.06 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.06.080 Environmental review of application.

A. Within 30 days of accepting a complete tentative map application, the director shall determine the appropriate environmental document pursuant to the California Environmental Quality Act (CEQA) ~~prepare an initial study in compliance with CEQA. The director shall then determine the appropriate environmental document for the tentative map (a negative declaration or environmental impact report).~~

B. The director shall prepare and circulate for public review and comment the appropriate environmental document in accordance with ~~the California Environmental Quality Act (CEQA)~~. If the tentative map application is exempt from CEQA, a notice of exemption will be prepared.

SECTION 8. Section 18.10.010 of Chapter 18.10 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.10.010 Applications required.

A. Whenever a lot line is adjusted between two or more lots, where the land taken from one lot is added to another lot, and where a greater number of lots than currently exists will not be created, a lot line adjustment application shall be filed with the director. A lot line adjustment associated with a residential multi-unit (three or more units) or mixed use housing project that provides a minimum of 20 percent of the units as affordable units for low, very-low or extremely low income households and where the applicant agrees to enter into an Affordable Housing Agreement prior to recordation of the lot line adjustment, will be approved through the ministerial engineering permit process in lieu of the discretionary lot line adjustment process.

B. Whenever two or more adjacent lots are to be merged voluntarily pursuant to Section 66499.20-3/4 of the Subdivision Map Act, a voluntary merger application shall be filed with the director. A voluntary merger associated with a residential multi-unit (three or more units) or mixed use housing project that provides a minimum of 20 percent of the units as affordable units for low, very-low or extremely low income households and where the applicant agrees to enter into an Affordable Housing Agreement prior to recordation of the voluntary merger, will be approved though the ministerial engineering permit process in lieu of the discretionary lot line adjustment process.

C. In accordance with Government Code Section 66499.20-1/2, subdivided lands may be merged and resubdivided without reverting to acreage by complying with all applicable provisions of the Subdivision Map Act and this title. All such requests shall be processed as a tentative map application in accordance with the requirements of Section 18.06.040 et seq. The filing of the final map or parcel map shall constitute the legal merger of the separate parcels into one parcel and the resubdividing of such parcel.

SECTION 9. Section 18.10.050 of Chapter 18.10 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.10.050 Acceptance of application.

Following the referral period, the director shall send a letter to the applicant stating whether or not all required information for the lot line adjustment or voluntary merger application has been submitted, and itemizing all information necessary to accept the application. For

discretionary applications ~~T~~the letter may also include recommended design changes or conditions of approval which may be recommended to the advisory agency.

If the director determines additional information is required, and the additional information has not been received within six months of the letter requesting the information, then the application shall be deemed withdrawn.

If the director determines that the application meets the requirements above, then the director shall:

A. For ministerial applications, forward the project to the city engineer for review and approval.-

~~A.~~B. For discretionary applications, notice the project and pursuant to Table 18.04.030.A and set a tentative action date. Except that the director has the authority to forward the application to the commission for it to act upon.

SECTION 10. Section 18.10.060 of Chapter 18.10 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.10.060 Minimum notice of a public hearing.

A. A notice of an intent to approve shall be provided for all lot line adjustment and voluntary merger applications except that no notice of intent shall be required to be provided for a prototype development plan project located within the Riverside Gateway specific plan area or for ministerial projects. Lot line adjustments and voluntary mergers associated with a Riverside Gateway specific plan area prototype development plan project shall be processed as stipulated in the Riverside Gateway specific plan implementation procedures. For all other discretionary lot

line adjustments and voluntary mergers, notice of the intent to approve shall be given at least 10 days in advance of the approval as follows:

1. By mailing, U.S. first class postage prepaid, to the applicant, the property owner of the affected property and to the property owners of all property within 300 feet of the affected property as such owners are shown on the last equalized assessment roll of Placer County.

B. Each notice to approve shall contain at a minimum:

1. The name(s) of the applicant(s) and property owner(s) of the affected property;
2. The file number assigned to the application;
3. The location of the affected property, both in text and graphically in the form of a map;
4. A description of the nature of the request;
5. A preliminary environmental determination;
6. Identification of the advisory agency as community development/planning director and the scheduled date for action; and

7. The following statement:

“The purpose of this notice is to inform you that an application for the described project has been submitted to the Roseville Planning Department. The Community Development/Planning Director may act on the application without holding a public hearing, unless a public hearing is requested in writing by you or any individual wanting to comment on the project prior to the scheduled approval date.”

8. A notice that if the decision is challenged in court, the challenge may be limited to raising only those issues which were raised at the public hearing, if a public hearing is requested,

or in written correspondence delivered to the community development/planning director at, or prior to, the public hearing; and

9. A discussion of the procedure for requesting a public hearing or filing an appeal.

C. Written notice shall also be given to any person requesting in writing notice of a particular application.

D. In addition to these notification procedures, the city may choose to give notice of the public hearing in any other way it deems necessary or desirable.

SECTION 11. Section 18.10.070 of Chapter 18.10 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.10.070 Withdrawal by applicant.

Requests for withdrawal of any application pursuant to this title shall be submitted to the director in writing, unless made at the public hearing. Upon receipt of such request, the director shall notify all concerned parties of the withdrawal. A refund of the filing fee shall be made in accordance with adopted resolutions and ordinances in effect at the time the withdrawal is made.

SECTION 12. Section 18.10.080 of Chapter 18.10 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.10.080 Approval, conditional approval or denial by advisory agency.

A. Following the notice, the advisory agency shall approve, conditionally approve, or deny the application in accordance with the requirements of this title. All decisions of the advisory agency may be appealed in accordance with the appeal procedures of Chapter 18.24.

B. The advisory agency shall attach conditions to the approval of a lot line adjustment to facilitate the following:

1. Compliance with the Zoning Ordinance for the district in which the parcels are located; except that if the parcels or structures are nonconforming with respect to Zoning Ordinance requirements, the lot line adjustment does not increase the degree of nonconformance;
2. Compliance with the local building regulations, including the UBC; and,
3. The relocation of existing infrastructure or easements.

C. The advisory agency may, for a voluntary merger, attach conditions in addition to those listed above to achieve compliance with the general plan, any applicable specific plan, the Zoning Ordinance, The Roseville Municipal Code, the subdivision design standards in Chapter 18.08, and any other applicable policy or standard adopted by the city council.

SECTION 13. Section 18.10.090 of Chapter 18.10 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.10.090 Notice of decision.

Within two working days of the action by the advisory agency, the director shall mail a notice of the decision to the applicant at the address appearing on the application, or to such other address designated in writing by the applicant. The notice shall contain the following information:

- A. Findings upon which the decision was based;
- B. The environmental document prepared and date ratified, unless exempt;
- C. The action of the advisory agency;
- D. Conditions of approval;
- E. An application expiration date and renewal requirements;
- F. Notice of the appeal period and brief description; and
- G. Notice of need to pursue administrative remedies.

SECTION 14. Section 18.10.100 of Chapter 18.10 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.10.100 Effective date.

A decision by the advisory agency to approve or conditionally approve ~~a~~ discretionary application shall be effective upon the expiration of the 10-calendar-day appeal period, unless an appeal is received. A decision by the city engineer to approve a ministerial application shall be effective upon the approval date.

SECTION 15. Section 18.24.010 of Chapter 18.24 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.24.010 Appeal authority.

The appeal authority is designated according to Table 18.24.015 to hear appeals from any decision made pursuant to this title, including those relating to acceptance of prefilling materials, and to hear appeals of any decision of an advisory agency as designated in this title. [Ministerial applications are not subject to appeal.](#)

SECTION 16. Section 18.24.015 of Chapter 18.24 of Title 18 of the Roseville Municipal Code is hereby amended to read as follows:

18.24.015 Appeal authority, notice requirement and required hearing.

APPEAL AUTHORITY, NOTICE REQUIREMENT AND REQUIRED HEARING

Appeal from Action or Decision of	Appeal Authority	Notice Requirement
City Engineer	Planning Commission	H*
Community Development/Planning Director	Planning Commission	H*
Design Committee	City Council	H*
Planning Commission	City Council	H*

Notice Type:

Type “H”: Public Hearing—Notice of the public hearing shall be provided consistent with Public Hearing Notice requirement in 18.06.130.

SECTION 17. This ordinance shall be effective at the expiration of thirty (30) days from the date of adoption.

SECTION 18. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within fourteen (14) days after it is adopted in a newspaper of general circulation in the City, or shall within fourteen (14) days after its adoption cause this ordinance to be posted in full in at least three (3) public places in the City and enter in the Ordinance Book a certificate stating the time and place of said publication by posting.

PASSED AND ADOPTED by the Council of the City of Roseville this ____ day of _____, 20__, by the following vote on roll call:

AYES COUNCILMEMBERS:

NOES COUNCILMEMBERS:

ABSENT COUNCILMEMBERS:

MAYOR

ATTEST:

City Clerk

ORDINANCE NO. ____

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE AMENDING SECTION 19.10.030 OF CHAPTER 19.10 OF TITLE 19 OF THE ROSEVILLE MUNICIPAL CODE REGARDING RESIDENTIAL ZONES, AMENDING SECTIONS 19.28.040, 19.28.060, AND 19.28.100 OF CHAPTER 19.28 OF TITLE 19 OF THE ROSEVILLE MUNICIPAL CODE REGARDING RESIDENTIAL DENSITY BONUS, AND AMENDING SECTION 19.60.080 OF CHAPTER 19.60 OF TITLE 19 OF THE ROSEVILLE MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Section 19.10.030 of Chapter 19.10 of Title 19 of the Roseville Municipal Code is hereby amended to read as follows:

19.10.030 Residential zone general development standards.

A. Residential Development Standards. Permitted uses and associated structures shall comply with the following development standards, in addition to any other applicable requirements of this title:

RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS

	Requirement by Zoning District					
	R1	RS with attached sidewalk (10)	RS with separated sidewalk (8), (10)	R2	R3 ⁽²⁾	RMU
Area, interior lot	6,000 sq ft	4,500 sq ft	4,275 sq ft	6,000 sq ft	6,000 sq ft	None ⁽⁷⁾
Area, corner lot	7,500 sq ft	5,500 sq ft	4,710 sq ft	7,500 sq ft	7,500 sq ft	
Width, interior	60 ft	45 ft	45 ft	60 ft	60 ft	
Width, corner	75 ft	55 ft	50 ft	75 ft	75 ft	
Residential Density						
Maximum number of primary dwelling units per lot	1 <u>2</u> dwellings <u>(1)</u>	1 <u>2</u> dwellings <u>(1)</u>	1 <u>2</u> dwellings <u>(1)</u>	2 dwellings (1)	As provided by General Plan, but a minimum of 3 dwellings	As provided by General Plan
Maximum number of accessory/junior dwelling units per lot ⁽¹¹⁾	Up to 2 dwellings	Up to 2 dwellings	Up to 2 dwellings	Up to 2 dwellings	Up to 2 dwellings	Up to 2 dwellings
See Chapter 19.22 for accessory structure development standards for the following standards						
Setbacks (minimum)						
Front ⁽⁹⁾ <u>(1)</u>	20 ft for interior lots; 15 ft for corner lots; 20 ft minimum driveway depth	15 ft to living space or side wall of garage; 12.5 ft to porch; 18 ft minimum driveway depth ⁽⁶⁾	10 ft to first floor living space or side wall of garage; 7.5 ft to porch, but in no case may encroach into a	20 ft for interior lots; 15 ft for corner lots; 20 ft minimum driveways depth	20 ft minimum on all street frontages	None ⁽⁷⁾

	Requirement by Zoning District					
	R1	RS with attached sidewalk (10)	RS with separated sidewalk (8), (10)	R2	R3⁽²⁾	RMU
			PUE; 15 ft to second floor living space; 18 ft minimum driveway depth ⁽⁶⁾			
Sides ⁽⁹⁾ (1)	5 ft interior; 15 ft street side on corner	5 ft interior; 12.5 ft street side on first floor; 15 ft street side on second floor	5 ft interior; 10 ft street side on first floor; 13 ft street side on second floor	5 ft interior; 15 ft street side on corner	5 ft interior; 20 ft minimum on all street frontages	None ⁽⁷⁾
Rear ⁽¹⁾	20% of lot depth; need not exceed 20 ft; 10 ft minimum ⁽³⁾	10 ft minimum with minimum useable open space of 700 sq ft or 500 sq ft where a usable front porch is provided ⁽⁴⁾	10 ft minimum with minimum useable open space of 500 sq ft ⁽⁴⁾	20% of lot depth; need not exceed 20 ft; 10 ft minimum	20 ft; 20 ft minimum on all street frontages	None ⁽⁷⁾
Lot Coverage (primary buildings)	35% for 2 story; 45% for 1 story	None ⁽⁴⁾	None ⁽⁴⁾	40%	50%	None ⁽⁷⁾

	Requirement by Zoning District					
	R1	RS with attached sidewalk (10)	RS with separated sidewalk (8), (10)	R2	R3 ⁽²⁾	RMU
Height Limits	35 ft	35 ft	35 ft	35 ft	45 ft ⁽⁵⁾	None ⁽⁷⁾
Additions to the primary structure greater than 700 square feet in area⁽¹²⁾	May only be permitted upon approval of an Administrative Permit					

Notes:

- (1) Up to two residential units are permitted in the R1 and RS zone districts provided the criteria of 19.10.030 (G) are met. Residential units may be Attached or detached in the R1, RS, or R2 zone districts. ~~Detached dwelling units must maintain a minimum 10-foot building separation.~~
- (2) The general development standards for the R3 district may be modified through approval of a Design Review Permit.
- (3) On corner lots, the minimum rear setback may be determined by using an average of three measurements taken at the ends of the structure and a point midway between the ends of the structure. The measurements shall be made perpendicular to the rear lot line.
- (4) The rear and side yards may be utilized to meet the minimum usable open space provided the minimum dimension, measured perpendicular to the applicable rear or side yard is 10 feet. Maximum coverage is a function of lot size, required setbacks and usable open space. A

minimum usable open space of 500 square feet may be applied where a front porch is provided with minimum dimensions of six feet by 10 feet exclusive of entry way.

- (5) Except for [residential](#) units immediately adjacent to the R1 and RS zone districts, where the height limit shall be 35 feet.
- (6) Minimum driveway depth of 18 feet requires a roll-up garage door.
- (7) As provided in development standard overlay or special area overlay district.
- (8) Sidewalk separated from back of curb by five-foot planter strip.
- (9) Front setback (and side setback where adjacent to street) measured from back of walk. Fence side yard setback is five feet from back of walk where facing a street. In the absence of sidewalk, setbacks measured from the edge of right-of-way.
- (10) Variations to the standards and other housing product types may be permitted subject to processing of a Design Review Permit for Residential Subdivision (DRRS) concurrent with the approval of a tentative subdivision map and review of product type.
- (11) A combination of up to two accessory dwelling/junior accessory dwelling units are permitted within areas zoned to allow single-family, two-family or multi-family residential use provided the lot contains an existing or proposed single-family dwelling, two-family or multi-family [residential](#) unit as defined in Sections 19.08.080(F)(1) and (F)(2) (Residential Use Types) and the accessory dwelling/junior accessory dwelling unit complies with the standards identified in Chapter 19.60 (Accessory Dwelling Units). See Chapter 19.60 for the maximum number and combination of units allowed per lot. For purposes of density, accessory dwelling units shall be deemed to be an accessory use or an accessory building or structure and shall not be considered to exceed the allowable density for the lot upon which it is located.

(12) Additions (attached or detached) to primary structures that exceed 700 gross square feet in area may be permitted upon approval of an Administrative Permit, which may include a public hearing as provided in Sections 19.74.010 and 19.78.020. Excludes accessory dwelling units complying with the standards identified in Chapter 19.60 (Accessory Dwelling Units).

B. Clear Vision Triangle, Residential. The following standards shall apply to the installation of structures on corner parcels:

1. On a corner parcel, no fence, wall, sign or other structure, mounds of earth, or other visual obstruction over 36 inches in height above the top of the existing or planned curb elevation shall be erected or placed within a residential clear vision triangle (see Chapter 19.95 Definitions).
2. The foregoing provision shall not apply to public utility poles; trees trimmed (to the trunk) to a line at least eight feet above the elevation of the intersection; saplings or plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave, at all seasons, a clear and unobstructed cross view; supporting members of appurtenances to permanent structures existing on the date that the ordinance codified in this section becomes effective; and official warning signs or signals.

C. Exceptions to Height Limits. Notwithstanding the requirements of subsection A, the following structures are permitted to exceed the maximum height limits, as follows:

Architectural features, mechanical equipment, chimneys, vents, and other architectural or mechanical appurtenances on buildings may be a maximum of 15 percent higher than the height limit of the applicable zone.

D. Exceptions to Setbacks. Notwithstanding the requirements of subsection A, the following structures are permitted to encroach into the required development setbacks, as follows:

1. Architectural features, such as but not limited to: cornices, eaves, canopies, fireplaces and similar features, but not any flat wall or addition creating living space, may encroach up to two feet into any required setback.
2. Covered, unenclosed projections attached to the primary structure may encroach up to six feet into any front yard setback.

E. Manufactured Homes. Manufactured homes are permitted in residential zones provided they meet the following architectural standards:

1. The manufactured home shall be covered with exterior material customarily used on conventional dwellings within the subdivision. The exterior covering material shall extend to the ground as close to grade as allowed by the manufacturer's recommendation;
2. The manufactured home shall have a minimum of 16-inch roof overhangs and roofing material on the manufactured home shall be compatible with other dwellings existing in the area and shall consist of materials customarily used on conventional dwellings. The roof shall have a minimum 2 1/2 in 12 pitch.

F. Landscaping Requirements in Setback Areas.

1. **Single-Family and Two-Family Dwellings—Front-Yard and Street Side-Yard Setbacks.**

a. Setback Area Paving Restrictions. A maximum of 50 percent of the required front-yard setback may be paved for off-street parking, driveways, walkways, or uncovered patio use. A maximum of 50 percent of the required street side-yard setback may be paved for off-street parking, driveways, walkways, or uncovered patio use; however, this maximum limitation does not apply to that portion of the street side-yard located behind a fence that is in compliance with the street side fence requirements set forth in Chapter 19.22 of this code. These requirements may be modified with approval of a Design Review Permit for Residential Subdivision (DRRS), as provided for in Article V of this title.

b. Landscape and Maintenance Requirements. The unpaved portion of a front-yard setback and street side-yard setback shall be landscaped, irrigated, and maintained. The landscape shall include grass, annuals, perennials, groundcover, shrubs, trees, or other living vegetation. Synthetic grass or artificial turf may be used if it is permeable and has a minimum pile height of 1.25 inches. Design elements like planters, rocks, mulch, or similar elements are permitted when integrated as part of the landscape. All landscaping materials shall be mowed, trimmed, and maintained as often as necessary to prevent overgrowth and blight. No junk, debris, or other similar materials shall be stored in the landscaped setback area.

c. Height Restrictions for Landscaping Located in the Clear Vision Triangle. All landscaping located within the clear vision triangle for corner lots, as defined in Section 19.95.030 of this code, shall not exceed three feet in height, except that

trees exceeding three feet in height are allowed if the tree is maintained free of branches eight feet above the curb grade.

d. **Vehicle Parking Requirements.** Vehicles, including without limitation, automobiles, boats, campers, trailers, and other recreational vehicles, must be parked on a paved surface, as provided for in Section 11.20.110 of this code.

Vehicles shall not be parked within the landscaped setback area.

2. Multi-Family Dwellings (Three or More [Residential](#) Units)—Front-Yard and

Street Side-Yard Setbacks. All minimum front-yard and street side-yard setbacks shall be landscaped, irrigated and maintained with primarily low ground cover or turf. The landscape shall include grass, annuals, perennials, groundcover, shrubs, trees, or other living vegetation. Synthetic grass or artificial turf may be used if it is permeable and has a minimum pile height of 1.25 inches. Design elements like planters, rocks, mulch, or similar elements are permitted when integrated as part of the landscape. All landscaping materials shall be mowed, trimmed, and maintained as often as necessary to prevent overgrowth and blight. No junk, debris, or other similar materials shall be stored in the landscaped setback area. Driveways and uncovered walkways are permitted to cross over the required front-yard and street side-yard setback. The required front-yard and street side-yard setbacks may not be paved for parking or patio areas.

G. Criteria for Two Residential Units in Single-Family Zones. The City's single-family zones are R1 and RS. Parcels in single-family zones are permitted one residential unit, and may have a second residential unit subject to the following criteria and restrictions:

1. Demolition or Alteration of Existing Housing. The housing development shall not require demolition or alteration of housing:

- a. Subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
- b. Subject to any form of rent or price control through a public entity's valid exercise of its police power;
- c. That has been occupied by a tenant at any time within the past three years.

Demolition or alteration is permitted if none of the above conditions apply.

2. Use Restrictions.

a. Short term Rentals. Residential units constructed pursuant to this section may not be rented for a period of less than 31 consecutive calendar days.

Accordingly, short-term rentals, as authorized pursuant to Chapter 4.25 (Short-Term Rentals), are not permitted for residential units constructed pursuant to this section.

b. Accessory Dwelling Units/Junior Accessory Dwelling Units. An accessory dwelling unit and/or junior accessory dwelling shall not be permitted on parcels that have used this section to build two residential units and which are the result of a parcel map pursuant to Municipal Code Chapter 18.05.

c. Use Classification. Whether they are detached or attached, residential units constructed pursuant to this section shall be considered single-family buildings.

3. Development Standards. The new structure(s) shall be consistent with the development standards of the zone district in which they are located, except:

a. Parking Requirements. No off-street parking shall be required for new residential units constructed pursuant to this section if the parcel is located within ½ mile walking distance of either a high-quality transit corridor as defined in Public Resources Code Section 21155(b), as may be amended from time to time; or a major transit stop, as defined in Public Resources Code Section 21064.3, as may be amended from time to time; or if there is a car share vehicle located within one block of the parcel. In all other cases, new residential units constructed pursuant to this section shall provide a minimum of one off-street parking space. Off-street parking shall be designed consistent with the requirements of Chapter 19.26.040.

b. Setbacks. No setback shall be required for conversion of an existing structure or a structure constructed in the same location (i.e. footprint) and to the same or smaller dimensions as an existing structure. In all other cases, a setback of four feet from the side and rear lot lines shall be required for new residential units constructed pursuant to this section, including any garages, porches, decks, balconies, stairs, and patios which are attached to and for the use of the residential unit.

c. Waivers. Notwithstanding anything to the contrary contained within this section, a development standard applicable to the zone district in which the proposed residential units are located shall be waived if application of the standard would physically preclude either of the two residential units from being at least 800 square feet in floor area.

4. Site Limitations or Restrictions. To qualify for a second residential unit, a parcel shall meet the following criteria:

- a. The parcel shall satisfy the requirements specified in Government Code Section 65913.4(a)(6)(B) to (K), as may be amended from time to time, including but not limited to not being within a special flood hazard area, a regulatory floodway, and/or a habitat for protected species.
- b. Government Code Section 7060 et seq., as may be amended from time to time, to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
- c. The parcel shall not be located within a historic district or property included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1, as may be amended from time to time, or listed as a city or county landmark or historic property or district pursuant to a city ordinance.

5. Reasons for Denial of Permit. A building permit for a second residential unit or two new residential units, pursuant to this section, shall be denied by written findings of the building official where, based on a preponderance of the evidence, the building official has determined the housing development would have a specific, adverse impact as defined and determined in Government Code Section 65589.5(d)(2), as may be amended from time to time, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

SECTION 2. Section 19.28.040 of Chapter 19.28 of Title 19 of the Roseville Municipal Code is hereby amended to read as follows:

19.28.040 Eligibility for bonus.

A developer of a housing development containing five or more units may qualify for a density bonus and at least one other incentive as provided by this chapter if the developer does one of the following:

- A. Agrees to construct and maintain at least five percent of the units [for rental or sale](#) dedicated to very low income households;
- B. Agrees to construct and maintain at least 10 percent of the units [for rental or sale](#) dedicated to lower income households;
- C. Agrees to construct and maintain at least 10 percent of the units [of a housing development to be sold](#) ~~in a common interest development (as defined in Section 4100 of the California Civil Code)~~ dedicated to moderate income households, provided that all units in the development are offered to the public for purchase;
- D. Agrees to construct and maintain a senior citizen housing development, as defined in Section 19.28.020 of this chapter, or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the California Civil Code, [as may be amended from time to time](#);
- E. Donates land to the City dedicated for the construction of very low income units pursuant to Section 19.28.080 of this chapter;
- F. Includes a qualifying child care facility as described in Section 19.28.070 of this chapter in addition to providing housing as described in subsections A through C of this section;

G. Agrees to construct and maintain at least 10 percent of the units of a housing development for transitional foster youth, as defined in Section 66025.9 of the California Education Code, [as may be amended from time to time](#), disabled veterans, as defined in Section 18541 of the California Government Code, [as may be amended from time to time](#), or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), [as may be amended from time to time](#), dedicated to very low income households;

H. Agrees to construct and maintain at least 20 percent of the units for lower income students in a student housing development pursuant to Section 19.28.085 of this chapter; or

I. Agrees to construct and maintain 100 percent of the units, including total units and density bonus units, but exclusive of a manager's unit or units, dedicated to lower income households, except that up to 20 percent of the units, including total units and density bonus units, may be dedicated to moderate income households.

SECTION 3. Section 19.28.060 of Chapter 19.28 of Title 19 of the Roseville Municipal Code is hereby amended to read as follows:

19.28.060 Eligibility and application requirements for incentives.

A. Available Incentives. A housing development qualifying for a density bonus may be entitled to at least one incentive. Incentives may include, but are not limited to:

- 1.** A reduction in site development standards such as:
 - a.** Reduced minimum lot sizes and/or dimensions.

- b. Reduced minimum lot setbacks.
 - c. Reduced minimum outdoor and/or private outdoor living area.
 - d. Increased maximum lot coverage.
 - e. Increased maximum building height and/or stories.
 - f. Reduced on-site parking requirements.
 - g. Reduced street standards.
- 2. A reduction in architectural design requirements.
 - 3. A density bonus greater than the amount required by this chapter.
 - 4. Other regulatory incentives proposed by the developer or the City, which result in identifiable, financially sufficient, and actual cost reductions.

B. Parking Requirements. If an applicant qualifies for a density bonus pursuant to this chapter, the applicant may request, in addition to any requested incentive(s), that reduced parking requirements be applied to the project in place of the City's current parking requirements. The parking requirement is inclusive of accessible and guest parking for the entire housing development, but shall not include on-street parking spaces in the count towards the parking requirement. The housing development may provide onsite parking through tandem or uncovered parking, but not through on-street parking. In calculating the number of parking spaces required for a development, if the total number of parking spaces is other than a whole number, the number shall be rounded up to the next whole number.

- 1. Except as otherwise provided in this subsection, the following parking requirements shall apply:
 - a. Zero to one bedroom: one on-site parking space.

- b. Two to three bedrooms: one and one-half on-site parking spaces.
 - c. Four or more bedrooms: two and one-half on-site parking spaces.
- 2. If the housing development includes at least 20 percent lower income units or at least 11 percent very low income units, is located within one-half mile of a major transit stop, and there is unobstructed access to the major transit stop from the development, then the parking requirement shall be one-half on-site parking space per unit.
- 3. If a housing development consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in Section 50052.5 of the California Health and Safety Code, then no parking spaces shall be required as long as the development meets either of the following criteria:
 - a. The development is located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development; or
 - b. The development is a for-rent housing development for individuals who are 62 years of age or older that complies with Sections 51.2 and 51.3 of the California Civil Code and the development has either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.
- 4. If a housing development consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in Section 50052.5 of the California Health and Safety Code, and the development is either a special needs housing development, as defined in Section 51312 of the California Health and Safety Code, or a supportive housing development, as defined in

Section 50675.14 of the California Health and Safety Code, then no parking spaces shall be required. A development that is a special needs housing development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.

5. Upon the request of the developer, the parking requirement (inclusive of parking for persons with a disability and guests) shall be 0.5 spaces per bedroom if all of the following are met:

a. The housing development includes at least 40 percent moderate-income units and at least 10 percent of the units of the housing development are sold to moderate-income households, provided that all units in the development are offered to the public for purchase; and

b. The housing development is located within one-half mile of a major transit stop, as defined in Public Resources Code Section 21155(b), as may be amended from time to time; and

~~a.c.~~ The residents of the development have unobstructed access to the major transit stop from the development.

C. Eligibility for Incentives. Incentives are available to a housing developer as follows:

1. One incentive for housing developments that: (a) restrict at least 10 percent of the total units to lower income households, at least five percent for very low income households, or at least 10 percent for persons and families of moderate income in a development in which the units are for sale ~~common interest development~~; or (b) are for senior housing.

2. Two incentives for housing developments that restrict at least 17 percent of the total units to lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a [development in which the units are for sale](#)~~common interest development~~.
3. Three incentives for housing developments that restrict at least 24 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a [development in which the units are for sale](#)~~common interest development~~.
4. Four incentives for housing developments that restrict 100 percent of the units, including total units and density bonus units, but exclusive of a manager's unit or units, dedicated to lower income households, except that up to 20 percent of the units, including total units and density bonus units, may be dedicated to moderate income households. If the project is located within one-half mile of a major transit stop, the applicant shall also receive a height increase of up to three additional stories, or 33 feet.
5. [One incentive or concession for projects that include at least 20 percent of the total units for lower income students in a student housing development.](#)

SECTION 4. Section 19.28.100 of Chapter 19.28 of Title 19 of the Roseville Municipal Code is hereby amended to read as follows:

19.28.100 Findings for approval for density bonus and/or incentive(s).

A. Density Bonus Approval. The following finding shall be made by the approving authority in order to approve a density bonus request:

1. The density bonus request meets the requirements of this chapter.

B. Density Bonus Approval with Incentive(s). The following findings shall be made by the approving authority in order to approve a density bonus and incentive(s) request:

1. The density bonus request meets the requirements of this chapter;
2. The incentive is required in order to provide affordable housing; and
3. Approval of the incentive(s) will have no specific adverse impacts upon health, safety, ~~or the physical environment~~ or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, low, and moderate income households.

C. Denial of a Request for an Incentive(s). The approving authority shall make the following findings prior to disallowing an incentive (in the case where an accompanying density bonus may be approved, or in the case of where an incentive(s) is requested for senior housing or child care facility):

1. That the incentive is not necessary in order to provide for affordable housing costs as defined in Section 19.28.020 of this chapter, or for rents for the targeted units to be set as specified in Section 19.28.020 of this chapter.
2. That the incentive would result in specific adverse impacts upon health, safety, ~~or the physical environment~~ or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily

mitigate or avoid the specific adverse impact without rendering the development unaffordable to very low, low, and moderate income households.

3. That the incentive would be contrary to State or Federal law.

SECTION 5. Section 19.60.080 of Chapter 19.60 of Title 19 of the Roseville Municipal Code is hereby amended to read as follows:

19.60.080 Use restrictions.

A. Sales Prohibited, Exceptions. Accessory dwelling units shall not be sold independently of the primary dwelling unit on the lot unless all of the criteria of Government Code Section 65852.26, as may be amended from time to time, are met, including that the accessory dwelling unit or the primary dwelling unit was built or developed by a qualified nonprofit corporation and there are affordability restrictions on the sale and conveyance of the accessory dwelling unit or primary residence that ensure the accessory dwelling unit and primary dwelling will be preserved for low income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.

B. Rentals. Accessory dwelling units may be rented as long as the rental term exceeds 30 calendar days. Accordingly, short-term rental permits authorized pursuant to Chapter 4.25 (Short-Term Rentals) will not be issued for accessory dwelling units. (

SECTION 6. This ordinance shall be effective at the expiration of thirty (30) days from the date of adoption.

SECTION 7. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within fourteen (14) days after it is adopted in a newspaper of general circulation in the City, or shall within fourteen (14) days after its adoption cause this ordinance to be posted in full in at least three (3) public places in the City and enter in the Ordinance Book a certificate stating the time and place of said publication by posting.

PASSED AND ADOPTED by the Council of the City of Roseville this ____ day of _____, 20__, by the following vote on roll call:

AYES COUNCILMEMBERS:

NOES COUNCILMEMBERS:

ABSENT COUNCILMEMBERS:

MAYOR

ATTEST:

City Clerk