



City of Rohnert Park Planning Commission Report

DATE: January 25, 2018

ITEM NO: 9.6

SUBJECT: Amend Rohnert Park Municipal Code Title 17 Zoning to Modify Development and Parking Standards in the R-L Low Density Residential District

LOCATION: NA

REQUEST: Approve Resolution 2018-10 Recommending City Council Amend Sections 17.10.070 – Maximum size of housing units, 17.16.030 – Off Street Parking, Specific Requirements, and 17.16.040 – Parking Exemptions

APPLICANT: City of Rohnert Park

Subject

Amend Municipal Code Title 17 - Zoning to regulate the addition of bedrooms to parcels with existing single-family homes, and limitations garage conversions.

Background

Rohnert Park's single-family neighborhoods feature increasing numbers of houses being turned into rental housing. As of 2017, owner-occupied housing made up about half of the city's housing units. The remainder was rental housing. One of the primary drivers of the city's high number of renters is Sonoma State University. SSU's enrollment is nearly 9,500, yet there is only enough on campus housing for approximately 3,100 students. This means roughly 6,000 students are housed off campus in Rohnert Park, Cotati, and the surrounding communities. According to SSU, enrollment at the University could increase to as much as 10,000 students within a few years.

A number of issues and concerns have been expressed or associated with the high numbers of rentals in single-family neighborhoods. Those issues include:

- Overcrowding in rental homes; and
- Parking issues associated with garage conversions and overcrowding.

These concerns are not unique to Rohnert Park, nor the Bay Area. College towns often feel the effects more acutely. In many college towns, students and the rentals they typically live in tend to congregate in older, walkable neighborhoods close to the campus and the traditional downtown core.¹ Rohnert Park is unique in that it is a relatively young city in terms of development and the built environment, and has no single area where college students tend to live. Due to heightened housing costs, and the shortage of on campus housing, rentals associated with college students have proliferated through Rohnert Park. The M and C Sections are most directly impacted by college student rentals, likely due to their proximity to the university, but they increasingly exist across over the City's single-family neighborhoods.

The rising cost of workforce housing in Sonoma County has also led to increasing numbers of people sharing homes to afford rent. According to the 2016 American Community Survey 23% of Rohnert Park households were made up of four or more persons. Additionally, 14% of households in the city are currently 'non-family – not living alone', meaning living with other people who are not related to them. The recent fires have exacerbated these trends by further reducing the supply of available housing.

Existing garage conversion ordinance: The municipal code requires that single family homes have two off-street covered parking spaces in a garage. Currently, an exemption to the off-street parking requirement may be granted through an administrative use permit if certain findings can be made. Those findings are:

- The principal use of the lot is an existing single-family residence without an accessory dwelling unit;
- The space shall be replaced with one non-tandem parking space per lot, other than those existing in the driveway;
- The replacement space may be located in the required front yard or street side yard if the planning and community development director finds that in so doing there is neither an appreciable impairment of pedestrian safety nor any reduction in the attractiveness of the neighborhood. In no case shall the replacement space cause more than fifty percent of the lot's front yard to be devoted to parking;
- The replacement space shall not be rented;
- The replacement space shall be paved with an approved, all-weather surface;
- The provision and maintenance of such replacement space shall be the continuing obligation of the property owner;
- No more than one additional bedroom shall be created by a garage conversion and a garage shall not be converted into an accessory dwelling unit;
- The garage door shall remain in place and look functional; and
- The lot must be a minimum width of fifty feet and there must be room for at least one on-street parking space on the curb in front of the lot.

Practically, this ordinance prevents garage conversions in many cases. Often there is not enough room in the front yard to add the replacement off-street parking spaces while staying under the

¹ Gumprecht, B. (2003), *The American College Town*. Geographical Review.

50% front yard parking limitation. Additionally, garage conversions cannot be used to create an ADU, nor are they permitted on lots where ADUs are already in existence.

Occupancy Standards: High housing costs in California and particularly the Bay Area have led to increasing numbers of people living in a single-housing unit. In Rohnert Park, these are typically Sonoma State students. Federal and state law are relevant for determining residential occupancy limits in California. The primary purpose of these laws is to prevent housing discrimination. These standards are similarly designed to avoid overcrowding in residences.

California's Department of Housing and Community Development (HCD) has adopted uniform or model codes to help enforce these standards. Under the Uniform Housing Code, the maximum occupancy standard used to determine overcrowding states that every dwelling unit must have at least one room which must have at least 120 feet of floor area. Other habitable rooms must have an area of not less than 70 square feet. When more than two persons occupy a room used for sleeping purposes, the area must be increased by 50 square feet for each additional occupant.

Additionally, the California Department of Fair Employment and Housing has an internal occupancy guideline to assist rental housing providers regarding occupancy. Under the guidelines, an occupancy standard is deemed reasonable if the owner of the property limits the occupancy of each unit to two individuals per bedroom plus one additional person for the entire unit. For example, under these guidelines a two bedroom rental could be limited to five individuals. These guidelines are typically used by landlords to limit the number of individuals living within the homes they rent out.

Housing Mix: Rohnert Park has a growing number of housing units, almost evenly split between traditional single family homes, and variety of other types of housing including duplexes, apartments, and mobile homes. Housing in Rohnert Park is also almost evenly split between rental and owner-occupied housing. Compared to other cities in Sonoma County Rohnert Park has the lowest overall percentage of owner-occupied housing, at around 50%. Windsor is 75% owner-occupied. Petaluma's housing is 65% owner-occupied. Santa Rosa, a much larger community and the regional center of the County, is the most comparable to Rohnert Park, with owner-occupied housing at 53%.

Bedrooms: Within individual housing units there is significant variation in terms of square footage and the number of bedrooms. The number of bedrooms is an indicator of potential issues like overcrowding and parking. The majority of housing units in Rohnert Park have two or three bedrooms. A significant minority have four or more bedrooms. Around 500 homes in Rohnert Park have 5 or more bedrooms. Other college towns have dealt with issues in terms of parking and the increasing number of bedrooms in homes. Berkeley, which has experienced a large number of its homes subdivided into more and more bedrooms (de facto dorms), now requires an Administrative Use Permit to add a fifth bedroom to a single-family home (whether through an addition or subdividing the existing space). In Berkeley's ordinance, any bedroom beyond the fifth then requires a similar use permit, but also a public hearing. The City of Davis has a similar requirement where for every bedroom beyond four an additional off-street space is required.

City Council Direction

On November 28, 2017 to the City Council discussed this topic and directed staff to research and craft zoning code amendments that would implement a way to review proposals to add bedrooms to single-family residential residences. The specific direction was to require an administrative permit when adding or creating an additional bedroom when five or more already exist. As part

of the permit an additional off-street parking space would be required. The City Council also directed staff to include a provision that in such circumstances the additional off-street parking space could not result in front yard coverage of more than 40% (as opposed to the existing standard of 50% coverage). However, for reasons discussed below, staff will be recommending the maintenance of the 50% standard.

Council also directed staff to tighten the existing standards for garage conversions within the City's parking exemptions. Currently there is no practical restriction on the number of additional rooms a garage conversion may result in. The direction staff received was to amend the language in this code section to limit the resulting habitable space to no more than one additional room.

Proposal

The proposed ordinance would create a new system for regulating the addition of bedrooms or sleeping spaces to existing single-family homes. Homeowners wishing to add a bedroom or sleeping space beyond an existing five or more would be required to submit plans and make provisions for adding an additional off-street parking space. This will be accomplished through the existing Administrative Permit process. Administrative Permits are reviewed by staff and notice goes out to immediately adjacent property owners. If notified property owners have issues with the proposed application, the matter can be referred to the Planning Commission at the discretion of the Planning Manager. As mentioned above, Council's direction was to craft the code amendments in such a way so as to require that the additional off-street parking space could not result in more than 40% of the front yard area being covered. The current front yard coverage standard is 50%. Staff has analyzed typical front yards in neighborhoods across Rohnert Park and has found that a 40% standard would result in a de facto prohibition from adding the third parking space (and the additional sleeping space) in the majority of cases. As such, staff is not recommending the imposition of the heightened coverage restriction at this time.

In order to maintain consistency within Section 17.10.070, staff is also proposing to amend the type of permit required to obtain an increase in allowed Floor Area Ratio (FAR). Currently an increase of the FAR in R-L and R-M districts requires a Conditional Use Permit with review by the Planning Commission. The proposed code amendments would instead only require an Administrative Permit for the FAR increase. None of the required findings would change.

Staff is also proposing to amend the section of the RPMC pertaining to parking exemptions. Currently the number of new rooms resulting from a garage conversion is limited only by what the building code would mandate for habitable spaces. The amendments to the code would limit the resulting space to only one room, exclusive of closets or other similar appurtenant spaces.

Staff Analysis

The City receives numerous complaints about on-street parking in residential neighborhoods. These concerns pertain to both rental and owner-occupied homes, but more typically rentals. Many of the rentals in single-family homes in Rohnert Park are rented out to multiple adults living in the home. The off-street parking standard for single-family residential homes is two covered (garage) spaces per unit. This standard does not change as the number of bedrooms increases. In many cases then, as the number of bedrooms increases, the number of cars forced to park on the street also increases. Some California college towns such as Chico and San Luis Obispo have heightened parking standards for single-family homes used as student housing or that have relatively large numbers of bedrooms.

- *Heightened Review for Additional Bedrooms.* Other college towns have dealt with similar issues in terms of parking and the increasing number of bedrooms in homes. Berkeley, which has experienced a large number of its homes subdivided into more and more bedrooms (de facto dorms), now requires an Administrative Use Permit to add a fifth bedroom to a single-family home (whether through an addition or subdividing the existing space). In Berkeley's ordinance, any bedroom beyond the fifth then requires a similar use permit, but also a public hearing. While the proposed ordinance changes do not contemplate Planning Commission review, it does require the addition of an extra off-street parking space for each additional bedroom beyond the fifth. This would limit the extent to which additional bedrooms are added to existing homes, and mitigate some of the potential impact to on-street parking in these circumstances. Due to the City's Development Standards, which among other things limits front yard parking coverage to no more than 50% of the front yard, some additional bedrooms (if the approval is tied to the addition of off-street parking) would not be allowed. The City of Davis has a similar requirement where for every bedroom beyond four requires an additional off-street parking space.

This process will provide meaningful oversight to properties that continue to add bedrooms, limit the availability of that option in the most extreme cases, preserve neighborhood character, and reduce some of the negative parking congestion impacts associated with homes that have a high number of bedrooms.

- *Garage Conversion Limitations.* Increasingly, garage conversions are used to create additional living space in homes, such as an additional bedroom (or bedrooms). While the standards for allowing a garage conversion in Rohnert Park are already rigorous, options to change the requirements do exist. All of the cities in Sonoma County currently allow garage conversions to some extent. Some, such as Windsor, limit the conversion to one space, while others like Sebastopol have more flexible standards and look at a variety of factors before approving the garage conversion.

Staff is recommending a tailored approach that still allows garage conversions, but requires a heightened restriction that limits the use or conversion of the garage to no more than one new room. Rather than being able to convert a garage into multiple rooms (two bedrooms for example), the garage would only be able to be converted into one additional habitable room. This would not prohibit the new space from including a closet or small bathroom as part of the garage conversion.

Environmental Determination

The proposed amendments are not subject to CEQA pursuant to Section 15305 of Title 14 of the California Administrative Code. The amendments would be considered Class 5, Minor Alterations in Land Use Limitations. These are applicable in areas with an average slope of less than 20 percent and which do not result in any changes in land use or density.

General Plan Consistency

The proposed amendments would be consistent with the goals, policies and implementation measures contained in the General Plan, Land Use and Housing Elements: the proposed regulations would help in retaining the fundamental character and land use mix in residential

areas, while still allowing for the adaption existing structures to reflect changing economic circumstances and housing needs. The proposed amendments to the Municipal Code are consistent with the General Plan 2020 Goals of maintaining a compact urban form, and providing a range of housing types and prices. Specifically, Goal LU-A (compact urban form) is promoted by a more efficient utilization of land, housing stock, and infrastructure through the use of existing housing for a wider variety of housing purposes. Goal CD-H (variety of housing types and sizes) is promoted by maintaining an orderly way for property owners to modify existing structures to accommodate changes in housing needs.

Findings

The recommended findings to approve the amendment to the Zoning Ordinance are included in the attached resolution.

Public Notification

Since this is a change to the Municipal Code a public hearing is required before the Planning Commission and the City Council. This item has been duly noticed by publication in the Community Voice for amendments to the Municipal Code.

Staff Recommendation

Based on the analysis and findings of this report and the attached resolution, Staff recommends that the Planning Commission, by motion, adopt Resolution No. 2018-10 to recommend to the City Council these text amendments to Title 17 of the Rohnert Park Municipal Code.

ATTACHMENTS:

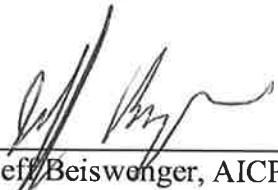
Planning Commission Resolution No. 2018-10

Exhibit A – RPMC Section 17.10.070 – Maximum Size of Housing Units, and RPMC

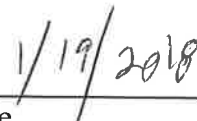
Section 17.16.030 – Off Street Parking, Specific Requirements

Exhibit B – RPMC Section 17.16.040 – Parking Exemptions


APPROVALS:



Jeff Beiswenger, AICP, Planning Manager



Date



Zach Tusinger, Planner II



Date

RESOLUTION NO. 2018-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROHNERT PARK, CALIFORNIA RECOMMENDING TO THE CITY COUNCIL AMENDMENTS TO MUNICIPAL CODE TITLE 17 TO REGULATE ADDITIONAL BEDROOMS AND GARAGE CONVERSIONS ON SINGLE-FAMILY RESIDENTIAL PARCELS

WHEREAS, the applicant, the City of Rohnert Park, filed Planning Application No. PLMC17-0006 proposing to amend the Rohnert Park Municipal Code (“RPMC”) by amending Sections 17.10.070 – Maximum Size of Housing Units, 17.16.030 – Off Street Parking, Specific Requirements, and 17.16.040 – Parking Exemptions;

WHEREAS, the proposed changes to Title 17 Zoning are attached hereto as **Exhibits A and B**;

WHEREAS, on January 25, 2018 the Planning Commission held a public hearing at which time interested persons had an opportunity testify either in support of or opposition to the proposal;

WHEREAS, pursuant to California State Law and the Rohnert Park Municipal Code, a public notice was published in the Press Democrat a minimum of 10 days prior to the first public hearing; and

WHEREAS; the Planning Commission has reviewed and considered the information contained in Planning Application No. PLMC17-0006 for the proposed amendments to Title 17 Zoning of the Municipal Code.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rohnert Park makes the following findings, determinations and recommendations with respect to the proposed amendments to Sections 17.10.070 – Maximum Size of Housing Units, 17.16.030 – Off Street Parking, Specific Requirements, and 17.16.040 – Parking Exemptions of the Rohnert Park Municipal Code for the purpose of regulating the addition of bedroom and garage conversions in existing single-family homes;

Section 1. The above recitations are true and correct.

Section 2. Findings. The Planning Commission hereby makes the following findings concerning Sections 17.10.070 – Maximum Size of Housing Units, 17.16.030 – Off Street Parking, Specific Requirements, and 17.16.040 – Parking Exemptions:

1. *That the proposed amendments to the Municipal Code are consistent with the General Plan 2020.*

Criteria Satisfied. The proposed amendments to the Municipal Code are consistent with the General Plan 2020 Goals of maintaining a compact urban form, and providing a range of housing types and prices. Specifically, Goal LU-A (compact

urban form) is promoted by a more efficient utilization of land, housing stock, and infrastructure through the use of existing housing for a wider variety of housing purposes. Goal CD-H (variety of housing types and sizes) is promoted by maintaining an orderly way for property owners to modify existing structures to accommodate changes in housing needs.

2. *That the proposed amendment to the Zoning Ordinance will be beneficial to the public health, safety or welfare.*

Criteria Satisfied. The proposed amendments to will provide for the health, safety and welfare of individuals living in Rohnert Park by maintaining housing options, while also preserving neighborhood character, limiting overcrowding, and providing for parking. Regulations will ensure that bedroom additions and garage conversions do not affect the health, safety, and welfare of surrounding residents.

Section 3. Environmental Clearance

The proposed amendments are not subject to CEQA pursuant to Section 15305 of Title 14 of the California Administrative Code. The amendments would be considered Class 5, Minor Alterations in Land Use Limitations (applicable in areas with an average slope of less than 20 percent and which do not result in any changes in land use or density).

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission does hereby recommend that the City Council adopt Findings stated hereinabove and adopt this amendment to the RPMC to amend Sections 17.10.070 – Maximum Size of Housing Units, 17.16.030 – Off Street Parking, Specific Requirements, and 17.16.040 – Parking Exemptions, in the form provided in **Exhibits A and B**.

DULY AND REGULARLY ADOPTED on this 25th day of January 2018 by the City of Rohnert Park Planning Commission by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____

ADAMS _____ BLANQUIE _____ BORBA _____ GIUDICE _____ HAYDON _____

Chairperson, Rohnert Park Planning Commission

Attest: _____
Susan Azevedo, Recording Secretary

Exhibit A

17.10.070 - Maximum size of housing units.

- A. The maximum square footage of housing units (including garages and accessory structures) shall be determined by the following formulas for the respective zoning districts. (Note: These maximums do not apply to units allowed through a density bonus arrangement.):

R-L (Low Density Residential):	600 sq. ft. + F.A.R. Factor (0.40) x Net Lot Area
R-M (Medium Density Residential):	400 sq. ft. + F.A.R. Factor (0.40 for detached; 0.55 for attached) x Net Lot Area
R-H (High Density Residential)	F.A.R. Factor (1.15) x Net Lot Area
DTR-H (Downtown High Density Residential)	Not applicable

- B. Floor Area Ratio Increase. The planning commission may allow an increase in the floor area ratio factor (FAR) for a residential property within an R-L or R-M district, subject to the granting of a use permit, in accordance with the provisions of Section 17.25.0510, Conditional Use Administrative Permits, if the following findings can be made:

1. The maximum lot coverage for the property would not exceed that permitted for the zoning district;
2. The required setbacks and height limitations of the zoning district can be met for all structures;
3. A usable outdoor area (at least one minimum dimension of fifteen feet) for residents would be maintained on the lot;
4. The issuance of the use permit would not infringe on the privacy or light and air easements of adjacent properties;
5. The total FAR for the lot would not exceed .55.

- C. Addition of Bedrooms to R-L District Parcels. For the addition or creation of a sixth bedroom on a parcel in the R-L District, an Administrative Permit shall be required in accordance with Section 17.25.050 of this Title. For the purposes of this subsection, the creation of a bedroom as part of an Accessory Dwelling Unit shall not count towards this calculation.

1. For the addition or creation of any bedroom in excess of six bedrooms, an Administrative Permit shall similarly be required.
2. Any approval under this subsection shall include the requirement that for each additional bedroom, one additional off-street non-tandem parking space shall be required.
3. The addition or creation of any bedroom and additional off-street parking space shall otherwise comply with all applicable provisions of this Title.
4. Under this subsection, "bedroom" shall mean any habitable space in a dwelling unit other than a kitchen or living room that is intended for or capable of being used for sleeping with a door

that closes the room off from other common space such as living and kitchen areas that is at least 70 square feet in area, exclusive of closets and other appurtenant space, and meets Building Code standards for egress, light and ventilation. A room identified as a den, library, loft, dining room, study, office, or other extra room that satisfies this definition will be considered a bedroom for the purposes of applying this requirement.

(Ord. No. 901, § 4(Exh. A), 11-22-2016)

17.16.030 - Specific requirements.

Parking spaces shall be provided for land uses and activities in accord with the following tables. If, in the application of the requirements of this table to a given land use or activity a fractional number is obtained, one parking space shall be required for a fraction of one-half or more, and no space or berth shall be required for a fraction of less than one-half.

A. Residential Uses.

Land Use	Required Off-Street Parking (Spaces)
Convalescent Home	1 per 3 patient beds
Day Care, Residential	1 per assistant (driveway acceptable)
Mobile Home Park	1.5 spaces per unit, one of which must be covered
Multifamily Residential	1 space per studio or 1 bedroom unit; 2 spaces per 2 bedroom unit; 2.5 spaces per 3 bedroom unit; Plus 1 additional space per bedroom for units \geq 4 bedrooms and 1 guest parking space for every 4 units.
Off-Campus Student Housing	.75 spaces per bedroom unit or occupant, whichever is greater
Residential Care Facility	1 per 500 square feet of gross floor area
Senior Housing	1 covered space per unit, plus 1 space per 4 units for guest parking
Single-Family Residential (Attached)	2 spaces per unit, one of which must be covered, plus 1 space per 4 units for guest parking
Single-Family Residential	2 spaces per unit in a garage (See Section 17.10.070.C for off-street parking requirements when adding or

(Detached)

creating additional bedrooms)

Exhibit B

17.16.040 - Parking exemptions.

- A. A reduction of up to twenty-five percent of the spaces required for a combination of uses may be allowed where findings are made indicating that the uses share a common parking area and the demand for parking occurs over different time periods, thereby making the full requirement unnecessary.
- B. Parking space reductions of up to ten percent may be permitted by the planning ~~and community development director~~ manager or designee, if a rideshare, transit incentive program, or other transportation system management program is provided. Further parking space reductions up to a maximum of twenty-five percent may be permitted if approved by the planning commission through a conditional use permit process.
- C. Garage Conversions. The planning ~~and community development director~~ manager may grant exemptions to the off-street covered parking requirements for a single-family residential property subject to the granting of an administrative permit, in accord with the provisions of Section 17.25 Article V if the following findings can be made:
1. The principal use of the lot is an existing single-family residence without an accessory dwelling unit;
 2. ~~Such space~~ The garage conversion shall require that the resulting eliminated off-street covered parking be replaced with one non-tandem parking space per lot, other than those existing in the driveway;
 3. Such replacement space may be located in the required front yard or street side yard if the planning ~~and community development director~~ manager finds that in so doing there is neither an appreciable impairment of pedestrian safety nor any reduction in the attractiveness of the neighborhood. In no case shall the replacement space cause more than fifty percent of the lot's front yard to be devoted to parking;
 4. Such replacement space shall not be rented;
 5. Such replacement space shall be paved with an approved, all-weather surface;
 6. The provision and maintenance of such replacement space shall be the continuing obligation of the property owner;
 7. No more than one additional bedroom room, exclusive of closets and similar appurtenant spaces, shall be created by a garage conversion, and a garage that is subject to the garage conversion under this subsection shall not be converted into an accessory dwelling unit;
 8. The garage door shall remain in place and look functional; and
 9. The lot must be a minimum width of fifty feet and there must be room for at least one on-street parking space on the curb in front of the lot.
- D. If an existing parking lot does not provide adequate parking spaces for the disabled and cannot otherwise be reconfigured to achieve the city's required inventory of parking spaces, the planning and community development director may approve a reduction in the number of parking spaces by up to a maximum of three parking spaces or a total of ten percent, whichever is less, in order to accommodate required disabled parking.

(Ord. 767 § 2, 2006; Ord. 735 § 2, 2005; Ord. 695 § 3, 2003)

(Ord. No. 906, § 9, 4-11-2017)