ORDINANCE NO. 2012-01

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING TITLE 24 OF THE MUNICIPAL CODE, THE ZONING ORDINANCE, TO ADD PART 17, EMERGENCY SHELTERS, TO CHAPTER 24.12, COMMUNITY DESIGN, AND TO MAKE OTHER CONFORMING CHANGES TO TITLE 24

The City Council of the City of Santa Cruz ordains as follows:

Section 1. Portions of Chapter 24.12 Community Design shall be amended to read as follows:

Chapter 24.12 COMMUNITY DESIGN

Part 17: EMERGENCY SHELTERS

24.12.1600 PURPOSE.

The purpose of these regulations is to provide a definition and development standards for Emergency Shelters. The regulations contained herein are designed to make such uses compatible with surrounding uses.

24.12.1610 DEFINITION.

An "emergency shelter" is housing with minimal supportive services that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter in this facility because of an inability to pay. However, emergency shelter providers are not obligated to accept individuals if the shelter is at capacity and is approved and that safely accommodates users.

24.12.1620 DEVELOPMENT STANDARDS.

Emergency Shelters shall comply with the underlying development standards of the zoning district in which they are located. In addition, the following standards shall be met:

1. Lighting: Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood.

2. Security: Facility shall have city accepted on-site security during hours of operation. Parking and outdoor facilities shall be designed to provide security for residents, visitors and employees.

3. Outdoor Activity: For the purpose of noise abatement, organized outdoor activities may only be conducted between the hours of 8 a.m. and 10 p.m.

4. Refuse: Emergency shelters shall provide a refuse storage area that is in accordance with the requirements of the Public Works Department.

5. Emergency Shelter Provider: The agency or organization operating the shelter shall comply with the following requirements:

    a. Temporary shelter shall be available to residents for no more than six months.

    b. Staff and services shall be provided to assist residents to obtain permanent shelter and income.

    c. The provider shall have a written management plan including, as applicable, provisions for staff training, good neighbor policies, security, transportation, client supervision, food services, screening of residents to insure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents. Such plan shall be submitted to and approved by the planning, inspections, police and other appropriate departments prior to operation of the emergency shelter. The plan shall include a floor plan that demonstrates compliance with the physical standards. The operator of each emergency shelter shall annually submit the management plan to the Planning and Community Department with updated information for review and approval. The city council may establish a fee by resolution, to cover the administrative cost of review of the required management plan.

6. Limited Terms of Stay: The maximum term of staying at an emergency shelter is six months in a consecutive 12-month period.

7. Parking: The emergency shelter shall provide on-site parking at a rate of one space per staff member plus one space per six occupants allowed at the maximum capacity.

8. Bicycle Parking: The shelter shall provide secure bicycle parking at a rate of one space per three occupants.

9. Bed Space: The number of beds or persons permitted to be served by the facility will be limited by the standards set forth in this section and other applicable sections of the Zoning and Building codes.

10. Laundry facilities shall be provided for shelters with 10 or more beds.

Section 2. Portions of Chapter 24.10 Part 16 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

Part 16: I-G GENERAL INDUSTRIAL DISTRICT

24.10.1500 PURPOSE.
To encourage sound industrial development by providing and protecting an environment for such development, subject to regulations necessary to ensure the purity of the land, air, and waters in Santa Cruz County, and the protection of nearby residential, commercial, and industrial uses of the land from hazards, noise, and other disturbances. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan.

(Ord. 2004-24 § 1 (part), 2004: Ord. 94-33 § 41, 1994: Ord. 93-21 § 10, 1993; Ord. 89-37 § 1, 1989: Ord. 85-05 § 1 (part), 1985).

24.10.1505 PRINCIPAL PERMITTED USES.
1. The following uses are allowed outright, subject to other requirements of the municipal code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

a. Acting/art/music/dance schools and studios (610);

b. Building materials/garden supply stores (220) with less than 40,000 square feet including indoor floor area and outdoor storage, display, or sales area. For building materials/garden supply stores of which 50% or more of the square footage will occupy an existing building, this threshold will be 75,000 square feet including indoor floor area and outdoor storage, display, or sales areas so long as vacant, available space in existing buildings in the IG zone exceeds 400,000 square feet. When the vacant, available square footage is less than 400,000 square feet, the 40,000 square foot threshold will apply.

c. Financial, insurance, real estate offices (420);

d. Food and beverage preparation (100);

e. Furniture and fixtures (120);

f. Laboratories and related facilities for research, experimentation, testing, film processing, software development;

g. Medical/health offices/laboratories (410);

h. Millwork textile products (105);

i. Printing and publishing or lithographic shops and plants;

j. Professional offices (400);

k. Professional/personal service (except mortuaries) (310);

l. Rental service (360);

m. Repair, alterations, maintenance (except boat repairs) (340);

n. Small family daycare facility in a single-family home or duplex;

o. Start-up fabrication assembly or packaging from light metals, prepared materials, or prefabricated parts, including electrical devices if operated in an area no greater than three thousand square feet, and no hazardous materials are used during the operation;

p. Storage warehousing (330);

q. Wholesale trade durable goods (210);

r. Wholesale trade nondurable goods (200).

(Ord. 2004-24 § 1 (part), 2004: Ord. 96-39 § 22, 1996: Ord. 93-21 § 10, 1993: Ord. 85-05 § 1 (part), 1985).

24.10.1510 USE PERMIT REQUIREMENT.

1. The following uses require an administrative use permit and are subject to other applicable requirements of the Municipal Code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

a. Agriculture (000);

b. Auto services and repairs, including trucks, heavy equipment and auto towing, subject to performance standards in Section 24.12.900 (350);

c. Boat repairs (340D);

d. Churches (500);

e. Communication and information services (550);

f. Community organizations, associations, clubs and meeting halls (570);

g. Eating and drinking establishments, subject to live entertainment and alcohol regulations of Chapter 24.12 (280);

h. Educational facilities (public/private) (510);

i. Fabricated metal products (150);

j. Food and beverage stores (except liquor and convenience stores) (240);

k. Forestry services (010);

l. Government and public agencies (530);

m. Leather tanning (110);

n. Off-site public/private parking facilities, five or more spaces (930);

o. Other manufacturing and processing industries (except bulk petroleum, scrap and waste materials) (155);

p. Parks (700);

q. Stone, clay, glass products (140);

r. Temporary structures;

s. Transportation facilities (560);

t. Utilities and resources (540);

u. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12.

2. The following uses require a special use permit and are subject to other applicable requirements of the Municipal Code. All industrial classifications from 125 to 145 shall comply with all performance standards listed in Part 2 of the Environmental Resource Management provisions. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

a. Building material/garden supply stores (220) with forty thousand square feet or more including indoor floor area and outdoor storage, display, or sales areas. For building materials/garden supply stores of which fifty percent or more of the square footage will occupy an existing building, this threshold will be seventy-five thousand square feet including indoor floor area and outdoor storage, display, or sales areas so long as vacant, available space in existing buildings in the IG zone exceeds four hundred thousand square feet. When the vacant,

available square footage is less than four hundred thousand square feet, the forty-thousand-square-foot threshold will apply;

b. Chemicals and allied products, subject to performance standards (130);

c. Large family daycare;

d. Group quarters (850);

e. Multiple dwellings or condominiums subject to R-M district regulations (830, 840);

f. Nightclubs/music halls, subject to live entertainment and alcohol regulations of Chapter24.12 (630);

g. Paper and allied products subject to performance standards (125);

h. Parks and recreation facilities, subject to alcohol regulations in Part 12 of Chapter24.12 (720);

i. Primary metals and material subject to performance standards (145);

j. Rubber, plastic, miscellaneous materials and products subject to performance standards (135);

k. Medical marijuana provider association dispensaries, as defined in Section 24.22.539and subject to the siting criteria and performance standards in Section 24.12.1300;

l. Single-room occupancy (SRO) housing (860) under the following conditions:

(1) The site is located within one-quarter mile (one thousand three hundred twenty feet) of a grocery store.

(2) The lot size is less than six thousand square feet.

(3) The SRO is part of a mixed use project, sharing the site and/or building with a use that is allowed under Section 24.10.1505, Principal Permitted Uses, is in conformance with Section 24.10.1540(2), and complies with the following requirements:

(a) The SRO development and the mixed use business are under one ownership.

(b) The amount of building space occupied by the nonresidential use is either at a minimum equal to the SRO or residential use or the nonresidential use occupies the entire ground floor of the development.

(4) Ambient interior noise levels can be mitigated below forty-five decibels.

(5) Air quality on and around the site, including odors resulting from adjacent land uses, is not considered a potential health hazard and/or objectionable to residential use.

m. Smoking lounges as defined in Section 24.22.748.2 and subject to the siting criteria and performance standards in Chapter 5.54.

n. Emergency Shelters subject to regulations in Part 17 of Chapter 24.12.

(Ord. 2010-15 § 1 (part), 2010; Ord. 2010-08 § 1 (part), 2010: Ord. 2009-20 § 2, 2009: Ord. 2005-30 § 12, 2005: Ord. 2005-15 § 14, 2005: Ord. 2004-27 § 12, 2004: Ord. 2004-24 § 1 (part), 2004: Ord. 2002-02 § 1 (part), 2002: Ord. 2000-12 § 4, 2000: Ord. 96-39 § 23, 1996: Ord. 95-04 § 8, 1995: Ord. 93-21 § 10, 1993; Ord. 89-37 § 2, 1989; Ord. 88-26 § 14, 1988; Ord. 87-22 § 8, 1987: Ord. 85-05 § 1 (part), 1985).

24.10.1520 ACCESSORY USES.
Uses and buildings customarily appurtenant or incidental to uses listed in Section 24.10.1510 subject to the provisions of Section 24.12.140, including service facilities such as bank ATMs, cafeterias, employee recreation centers, daycare and other similar installations; intended solely for use by the occupants of a principal permitted use or uses.

(Ord. 2004-24 § 1 (part), 2004: Ord. 93-21 § 10, 1993: Ord. 85-05 § 1 (part), 1985).

24.10.1525 PROHIBITED USES.
1. Any manufacturing use involving the primary production of products from new materials found to be incompatible with the neighborhood or the city as a whole based on noise, odor, air quality or other adverse environmental impact shall be prohibited.

2. No use which either produces or utilizes asbestos in any manufacturing process shall be permitted.

3. Refinery of petroleum products or other industrial activities in support of off-shore oil drilling shall not be permitted.

(Ord. 2004-24 § 1 (part), 2004: Ord. 93-21 § 10, 1993; Ord. 85-47 § 5, 1985).

24.10.1530 USE DETERMINATION.
Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing principal permitted uses, and which will not impair the present or potential use of adjacent properties, may be permitted. A use permit shall be required and processed pursuant to Part 1, Chapter 24.08 of this title.

(Ord. 2004-24 § 1 (part), 2004: Ord. 93-21 § 10, 1993: Ord. 85-05 § 1 (part), 1985).

24.10.1540 DISTRICT REGULATIONS.

1. General.

Provisions	Requirement
a. Height of buildings – Maximum	
• Principal (stories and feet)	2 & 50
• Accessory (stories and feet)	25
b. Minimum lot area (net) (sq. ft.)	20,000
c. Front yard (feet)	20
d. Rear yard (feet)	10 [2]
e. Side yard	
• Interior (feet)	0 [1]
• Exterior (feet)	10
f. Distance between buildings on same lot (feet)	10
g. Lot coverage – Maximum (percent)	80 [2]

1. Except where abutting the boundary of any other zoning district, then not less than the minimum yard required for the adjacent yard in said abutting zoning district.

2. Up to an additional five percent of surfaced area may be installed if that area serves as a usable outdoor employee amenity such as recreation or eating facilities, children's play area or similar features.

2. Additional Setback Requirement. In any I-G District directly across a street or thoroughfare, not including a freeway, from any R- District, parking and loading facilities shall be at least ten feet distant from the property line, and buildings and structures at least twenty feet from the street; said setback space shall be permanently landscaped.

3. Other Requirements.

a. All uses shall be conducted wholly within a completely enclosed building, except for service stations and parking facilities, or other outdoor uses when appropriately screened and as approved by the zoning administrator.

b. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12.

(Ord. 2004-24 § 1 (part), 2004: Ord. 93-21 § 10, 1993; Ord. 93-20 § 1, 1993: Ord. 85-05 § 1 (part), 1985).

Section 3. Portions of Chapter 24.10 Part 18B of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

Part 18B: P-F – PUBLIC FACILITIES DISTRICT

24.10.1760 PURPOSE.

The purpose of the Public Facilities (PF) District is to designate public buildings and facilities and to ensure that there is a compatible relationship between such uses and the surrounding area. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan.

(Ord. 94-33 § 46, 1994: Ord. 93-24 § 1, 1993).

24.10.1765 PRINCIPALLY PERMITED USES

1. Emergency Shelters subject to regulations in Part 17 of Chapter 24.12.

24.10.1770 USE PERMIT REQUIREMENT.

1. The following use is subject to approval of an administrative use permit and a design permit, unless exempted by state or federal law:

a. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter24.12.

2. The following uses are subject to approval of a special use permit and a design permit, unless exempted by state or federal law. The intent of this section is to require a special use permit at the inception of a use, or establish use and design parameters. Depending on the level of detail of the initial use permit, subsequent review of components of the use may be limited to design review. Conditions of approval of the special use permit may specify how subsequent projects will be reviewed.

a. Arts galleries and museums on public property;

b. Cemeteries;

c. Government facilities; local, state and federal;

d. Hospitals;

e. Libraries;

f. Schools, public;

g. Public utility;

h. Recreational facilities, publicly owned.

(Ord. 2004-27 § 14, 2004: Ord. 93-24 § 1, 1993).

24.10.1780 USE DETERMINATION.

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. A special use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title.

(Ord. 93-24 § 1, 1993).

24.10.1790 DISTRICT REGULATIONS.

1. General.

Provision	Classification or Type of Use	
	In Commercial or Industrial Areas	Residential Areas
a. Height of buildings (feet)	50	35

2. Setbacks shall reflect those required by adjacent districts.

3. All new development adjacent to a "CON – Neighborhood Conservation District" overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

(Ord. 2000-18 § 12 (part), 2000: Ord. 93-24 § 1, 1993).

Section 4. Portions of Chapter24.22 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

Chapter 24.22
DEFINITIONS

24.22.223A COMMUNITY CARE RESIDENTIAL FACILITY.

1. A community care residential facility which is any family home, group-care facility, or similar facility determined pursuant to state law, for twenty-four-hour nonmedical care of

persons in need of personal service, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual, in addition Transitional Housing, Supportive Housing shall be considered community care facilities.

2. A small community care residential facility is one which serves six or fewer persons.

24.22.339.1 EMERGENCY SHELTER

Housing with minimal supportive services that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter in any facility because of an inability to pay. Emergency shelter operators are not obligated to accept individuals if the shelter is at capacity.

24.22.827 SUPPORTIVE HOUSING

Housing with no limit on length of stay, that is occupied by the target population as defined in Section 50675.14 (a)(3) of the California Health and Safety Code, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

24.22.859 TRANSITIONAL HOUSING

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

PASSED FOR PUBLICATION this 24th day of January, 2012, by the following votes:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk Administrator

ORDINANCE NO.

PASSED FOR FINAL ADOPTION this ____ day of 2012, by the following votes:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2012- and that it has been published or posted in accordance with the Charter of the City of Santa Cruz

_____
City Clerk Administrator