

CITY OF COTATI

AGENDA for the Regular Meeting of the Planning Commission

DATE OF MEETING: Monday, July 18, 2011
TIME OF MEETING: 7:00 p.m.
PLACE OF MEETING: Cotati City Hall, City Council Chambers
201 West Sierra Avenue, Cotati, CA 94931

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

A. For the Regular Meeting of May 16, 2011

IV. CHANGES TO THE AGENDA

V. ORAL AND WRITTEN COMMUNICATIONS - *Public is asked to please step to the podium and state your name and address for the record. Please limit your comments to items not already agendaized for discussion.*

VI. MATTERS AT HAND

A. General Plan Update meeting #1: Housing

VII. REPORTS BY STAFF

VIII. REPORTS BY COMMISSION

IX. ADJOURNMENT

Any writings or documents provided to a majority of the Cotati Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Division located at 201 West Sierra Avenue, Cotati, California, during normal business hours.

STATE OF CALIFORNIA, COUNTY OF SONOMA, CITY OF COTATI, I declare under penalty of perjury that I am employed by the City of Cotati in the Planning Division; and that I posted this agenda on the bulletin boards of City Hall, U.S. Post Office, and Veteran's Memorial Building on or before July 14, 2011.


Keri L. Pajon, Administrative Secretary

CITY OF COTATI
MINUTES for the Regular Meeting of the Planning Commission

DATE OF MEETING: Monday, May 16, 2011
TIME OF MEETING: 7:00 pm
PLACE OF MEETING: Cotati City Hall, City Council Chambers
201 West Sierra Avenue, Cotati, CA 94931

I. CALL TO ORDER

Chair Moore called the meeting to order at 7:04 pm

II. ROLL CALL

Commissioners Present: Brady, Ford, Hancock, Ritter and Moore
Commissioners Absent: None
Staff Present: Lustig, Harris, and Pajon

III. APPROVAL OF MINUTES

A. For the Regular Meeting of March 21, 2011

Motion:	Commissioner Hancock made a motion and Commissioner Ford seconded the motion to approve the March 21, 2011 minutes.
---------	---

Yes: 4 Noes: 0 Abstain: 1 Absent: 0

IV. CHANGES TO THE AGENDA

There were no changes to the agenda.

V. ORAL AND WRITTEN COMMUNICATIONS

There were no oral or written communications.

VI. MATTERS AT HAND

- A. Request for a Use Permit for off-sale alcoholic beverages (beer and wine) within an existing Walgreen's located at 7800 Old Redwood Highway. This application is exempt from the California Environmental Quality Act (CEQA) under Section 15301 (Existing Facilities).

PA# 21/10

Applicant: Walgreen's/Robia Chang

APNs: 144-680-052 & 144-080

Assistant Planner Harris presented the staff report, reviewing Walgreen's request to sell beer and wine. Staff recommends approval of the Use Permit and adoption of PC Resolution No. 11-02 with Conditions of Approval.

In response to Commissioner Ford, Assistant Planner Harris and Acting Community Development Director Lustig explained the definition of Public Convenience and Necessity.

Commissioner Hancock asked about Condition No. 9, which would require Walgreens to have the lights on during all hours of darkness.

Assistant Planner Harris explained the Police Department's concern with security and safety issues.

Discussion ensued about having lights on 24 hours of day, the area of concern in the rear by of the building by the drive thru pharmacy, and the possibility of using motion lights.

Acting Community Development Director said that they could institute the motion lights but it would require the City Engineer's approval.

Commissioner Hancock commented on Condition H, public telephones, which prohibits from receiving incoming calls.

Assistant Planner Harris explained that Conditions A through I are standard Conditions taken out of the Land Use Code.

In response to Chair Moore, Acting Community Development Director Lustig explained Condition 11, accepting the southern driveway and the discussion with property owners along Old Redwood Highway regarding upcoming improvements.

Applicant Robia Chang stated that she has nothing to add to the staff report and that she's worked with staff and the public health department to clear up any issues. She asked that the Planning Commission approve the Use Permit.

In response to Vice Chair Ritter, Applicant Chang said that she is not aware of any suspensions of Walgreens ABC license.

In response to Commissioner Hancock, Applicant Chang explained that the district manager manages the process of bringing fresh fruit and fresh vegetables into the store.

CLOSED PUBLIC HEARING

Commissioner Hancock stated that the change made by Walgreens to bring healthy food into their store is a good change.

Vice Chair Ritter stated that he has a small issue understanding how allowing Walgreens to sell beer and wine is a necessity.

Commissioner Ford appreciated the way the applicant worked with staff. He stated that in the future he would like to have a clearer definition of necessity. Also, he would like to add "motion activated" to Condition 9.

Commissioner Brady stated that Walgreens has already added the fresh fruit and vegetables to this store.

Acting Community Development Director Lustig clarified the definition of Public Necessity and Convenience and stated that a definition is located on page 4 of the resolution. She stated that this can be developed more in the future.

Chair Moore stated and Commissioner Ford agreed that any change for Public Necessity and Convenience should be handled during the General Plan Update process.

Language to be added to Condition No. 9, ...lighting remains on, (*or motion activated*)

Motion:	Commissioner Hancock made a motion and Commissioner Ritter seconded the motion to approve a Use Permit for off-sale alcoholic beverages (beer and wine) within an existing Walgreen's located at 7800 Old Redwood Highway, with the recommended change and Conditions of Approval.
---------	--

Yes: 5

Noes: 0

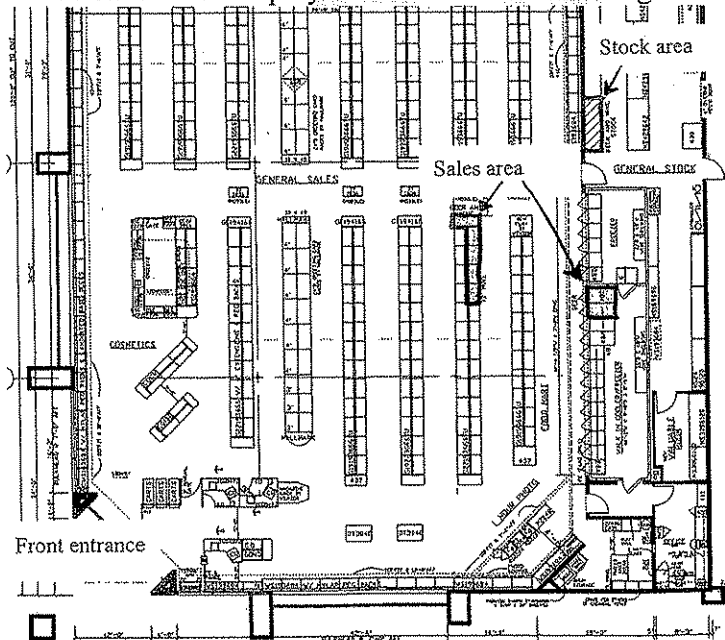
Abstain: 0

Absent: 0

Conditions of Approval

Planning Division

1. Pursuant to the City of Cotati Land Use Code Section 17.62.050, this Use Permit is issued to allow off-sale beer and wine sales, defined as "alcoholic beverage sales" as an ancillary use to the existing approximately 13,000 square foot Walgreen's drugstore, defined as "general retail," at 7800 Old Redwood Highway. This Use Permit shall not be valid until all Conditions of Approval are completed. The original Conditions of Approval from 1992, attached as "Exhibit B," shall remain in full force and effect in addition to the Conditions approved with this application.
2. The sales area shall not exceed 45 square feet and the stock area shall not exceed 20 square feet, as shown on the site plan (excerpt below). The alcoholic beverages shall not be stacked or displayed taller than surrounding merchandise.



3. The applicant shall not exceed typical business hours as defined in the Land Use Code (6:00 a.m. – 11:00 p.m.).

4. The applicant shall comply with Alcoholic Beverage Control (ABC) laws and regulations. Suspension of the applicant's license by the ABC may constitute sufficient cause or basis for review and possible revocation of the Use Permit.
5. The sale of alcoholic beverages shall not occur at the drive-through.
6. The applicant shall install mirrors or video cameras near the beer and wine sales area to reduce theft, prior to issuance of the ABC license to the satisfaction of the Police Chief.
7. The applicant shall remove all banners and temporary signs, or obtain the required sign permit, prior to issuance of the ABC license to the satisfaction of the Community Development Director.
8. The applicant shall remove the shipping container and debris in the rear parking lot prior to issuance of the ABC license to the satisfaction of the Community Development Director.
9. **AMENDED.** The applicant shall ensure that all exterior lighting is in good working condition and that all exterior lighting remains on (*or motion activated*) during all hours of darkness, prior to issuance of the ABC license to the satisfaction of the City Engineer.
10. The applicant shall ensure the dumpster is located in the existing trash enclosure at all times.
11. The applicant shall accept a relocated southern driveway approach if it can be demonstrated that the site still adequately provides customer and delivery access.
12. The applicant shall provide the City with the name, address, phone number, and email for the property owner, the store manager, and a corporate contact at Walgreen's prior to issuance of the ABC license.
13. The applicant shall complete a lot merger or other mechanism to combine parcels 144-680-052 and 144-080-024 prior to issuance of the ABC license, to the satisfaction of the City Engineer.
14. No outdoor storage, display, or sales are permitted.
15. The applicant shall maintain a valid City business license.
16. The applicant shall comply with the following operating standards set forth in Land Use Code section 17.42.030.B at all times:
 - a) Complaints. The owner shall designate him or herself, or one or more persons responsible for addressing complaints about operations and maintenance, and for responding to concerns of adjacent property owners and other members of the community. No liquor establishment shall have an unlisted phone number. Written notice of the designated person shall be on file with the City at all times.
 - b) Employee training. All employees shall, within 90 days of employment, complete an approved course in responsible beverage service training, including a review of pertinent State laws (e.g., Alcoholic Beverage Control [ABC] and Penal Code provisions) dealing with sale to minors; the effects of alcohol, including the impairment of driving skills; and methods of dealing with intoxicated customers and recognizing minors.
 - c) Laws. The establishment shall be maintained and operated in a manner that complies with all applicable laws, rules, and regulations.
 - d) Noise. Each establishment shall comply with the noise standards in Section 17.30.050 (Noise Standards).
 - e) Nuisance. The establishment shall be maintained and operated in a manner that does not create or allow a public or private nuisance.
 - f) Operation. The establishment shall be maintained and operated in a manner that minimizes the congregation of individuals, littering, loitering, loud noise, on-site drunkenness, public urination, solicitation, and violence.

- g) Permit posting. A copy of the planning permit for alcohol sales shall be posted on the premises in a conspicuous place where it may be readily viewed by the public.
- h) Telephones. Each public telephone located on an off-sale premises (or located in an adjacent area under the control of the off-sale licensee) shall be equipped with devices or mechanisms that prevent persons from calling into that public telephone.
- i) Trash. Off-sale establishments shall have litter and trash receptacles at convenient indoor and outdoor locations, and the operators shall remove trash and debris on a daily basis to an enclosed trash receptacle.

Police Department

17. To reduce loitering and consumption on and/or near the site, the applicant shall not sell single-serving alcoholic beverages.

Building Division

18. The applicant shall update parking lot striping, signage, and building and site access features to current State and Federal handicap access standards, prior to issuance of the ABC license to the satisfaction of the Building Official.

ORIGINAL CONDITIONS OF APPROVAL
DESIGN REVIEW AND USE PERMIT GRANTED ON AUGUST 17, 1992

CONDITIONS OF APPROVAL - WALGREENS (PA# 23/92):

BUILDING DEPARTMENT

1. The drive-through shall have directional signage.

POLICE DEPARTMENT

2. This building shall be constructed in accordance with the City's Building Security Ordinance.

3. In addition to a burglary alarm, a robbery alarm needs to be installed.

4. Security lighting shall be utilized around the building's exterior. Fixtures shall be positioned around doorways and windows to avoid glare. This lighting shall be directed down or towards the building.

5. Parking lot lighting shall be at an acceptable level. To attain this, double light stanchions need to be utilized. These poles shall be positioned at a distance not to exceed 150 feet. Additional lighting can be placed on the sides of the building.

PUBLIC HEALTH

6. Prior to the issuance of building permits, plans must be approved by the Department of Public Health.

7. This facility will need an annual operational permit from the Department of Public Health.
-

WATER AGENCY

8. Site grading and drainage for the project shall be designed in conformance with the Sonoma County Water Agency Flood Control Design Criteria.

PLANNING DEPARTMENT

9. Trash enclosure shall have ample room for recycle containers and must be approved by Planning staff prior to issuance of building permits.

10. Loading and unloading activity shall be limited to times which do not coincide with the hours of operation of the drive-up window. A chain shall be installed which will be located at the southwestern corner of the building to close off the drive-up window in the event a delivery truck is off schedule.

DELETED: 11. A public access easement shall be provided to the east of the building on the proposed internal street exiting onto Gravenstein Way.

DESIGN REVIEW

12. The one-way circulation pattern be appropriately striped.

13. The parking space at the north end of the walkway along the front of the building be eliminated and striped for pedestrian use.

14. The parking spaces at the rear of the building be designated for employee use only.

15. The applicant shall provide a temporary landscaping hedge from the sidewalk to the rear of the building along the south boundary. The plant material is to be approved by staff. If the property owner will not allow this, then the applicants shall come back to design review with an alternative. The hedge may be removed upon development of the adjacent parcel.

16. The lighting standards shall be more in keeping with the Downtown Specific Plan design guidelines and approved by staff.

DELETED: 17. If the Planning Commission decides to extend the Downtown Specific Plan design guidelines along the Old Redwood Highway corridor to Gravenstein Highway, that the applicants be held to these design requirements as far as cosmetic embellishments are concerned (i.e. exterior lighting and street landscape treatment).

ENGINEERING DEPARTMENT

18. Storm drain and water main re-location shall be approved by the City Engineer prior to issuance of building permits.

19. The southerly driveway on Old Redwood Highway shall be a minimum of 151 feet south of the southerly crosswalk line of St. Joseph Way and 375 feet southerly of the southerly crosswalk line of Gravenstein Highway.

20. Driveway channelization for the northerly driveway on Old Redwood Highway shall be designed by the traffic engineer and approved by the City Engineer prior to issuance of building permits.

21. All utilities to the site shall be underground.

22. On-site lighting of parking and driveway area shall meet City of Cotati and Police Department standards.

23. Curb and gutter exists along the frontage. The developer shall be responsible for replacement and repair of any existing public improvements damaged during construction.

24. A sidewalk shall be placed along the frontage which will conform to City of Cotati and Planning Department standards.

25. Landscaping shall meet Design Review Committee requirements.

26. Fire protection such as on-site hydrants and/or sprinkler system shall meet Cotati Fire Protection District standards.

27. Parking shall meet requirements of Cotati Land Use Ordinance.

28. Trash enclosure shall be screened in accord with Design Review Commission requirements.

29. A grading plan shall be submitted to the Building Department for review and approval prior to issuance of any permits.

30. Any existing septic tank, leach field or water wells shall be abandoned in accord with County and Health Department requirements.

31. The Department of Public Works shall inspect sanitary sewer connections from adjacent properties to ensure that no sewer laterals from adjacent properties cross the proposed development.

32. All storm water shall be collected on-site and discharged to the City of Cotati storm drain system by means of underground storm drain piping. No water shall be allowed to drain over public sidewalk area.

33. A water backflow prevention device shall be installed on the water service.

34. A sanitary sewer application permit shall be made with regard to proposed occupancy.

35. Approval shall be voided after one year from date of approval if no building permit has been applied for.

36. Developer shall pay all appropriate City fees in accord with fee schedule and Land Use Ordinance.

37. Storm drain relocation shall be approved by Sonoma County Water Agency.

38. All easements for storm drain and water main shall be granted to the City.

ADDED: 39. The developer shall quitclaim the transportation easement to the City of Cotati which currently exists over the 20 foot strip of land owned by the City which runs through the project, prior to building permit issuance.

ADDED: 40. The applicant shall comply with all requirements of the Cotati Fire Protection District.

- B. Request for a Use Permit for extended hours of operation and outdoor display at an existing coffee shop located at 8225 Old Redwood Highway. This application is exempt from the California Environmental Quality Act (CEQA) under section 15301, Existing Facilities.

PA# 10/11

Applicant: Kelly Clark/Holy Roast, LLC

APN: 144-263-003

Assistant Planner Harris presented the staff report and recommends adoption of PC Resolution 11-05 with Conditions of Approval.

In response to Commissioner Brady, Acting Community Development Director Lustig stated that it is difficult to revoke or modify a Use Permit once it has been issued.

In response to Commissioner Hancock, Acting Community Development Director Lustig clarified Condition 9, explaining that the purpose of this condition is to make sure that the display doesn't encroach on City property.

PUBLIC HEARING opened at 7:25 pm

Applicant Kelly Clark, Cotati Coffee, explained her request to be open until 3:00 am, stating that she would like the opportunity to stay open if it is financially feasible and offer coffee and snacks to those leaving the bars. She stated her agreement with the outdoor display conditions.

In response to Commissioner Hancock's question on the process of the Use Permit, Applicant Clark said that Cotati is a tough town and very thorough. She said that she feels that there are ways to streamline the process.

In response to Commissioner Ritter, Assistant Planner Harris explained that outdoor dining is related and is being handled concurrently under a license agreement.

PUBLIC HEARING closed at 7:30 pm

Chair Moore said that she understands why the applicant requested to stay open until 3:00 am and she is okay with the request. She stated that if it becomes an issue, it could be brought back to Planning Commission for review.

Vice Chair Ritter and Commissioner Hancock agreed with Chair Moore.

Commissioner Ford stated that he understands the reason for the applicant's request, but doesn't feel that people need to hang out for an hour after the bars close. He stated that he supports a closure time of 2:30 am.

Commissioner Brady stated that having the applicant's business open until 3:00 am doesn't appear to cause a huge change in the downtown area.

Acting Community Development Director Lustig said that last call is 1:30 am. She stated that she supports the Chief in his reasoning for the change in hours. She also supports the applicant in wanting to provide something other than alcohol late in the evening and early morning hours.

PUBLIC HEARING opened at 7:37 pm

In response to Chair Moore, the applicant said that she would be okay with a closing time of 2:30 am. She explained that she lives in the downtown area and feels confident that she and her husband or their employees could police their business.

PUBLIC HEARING closed at 7:38 pm

Commissioner Ford thanked the applicant for their donation for Bike to Work Day.

Motion:	Commissioner Ritter made a motion and Commissioner Ford seconded the motion to approve PC Resolution 11-05, to approve a Use Permit for extended hours of operation with recommended changes and Conditions of Approval.
---------	--

Yes: 5

Noes: 0

Abstain: 0

Absent: 0

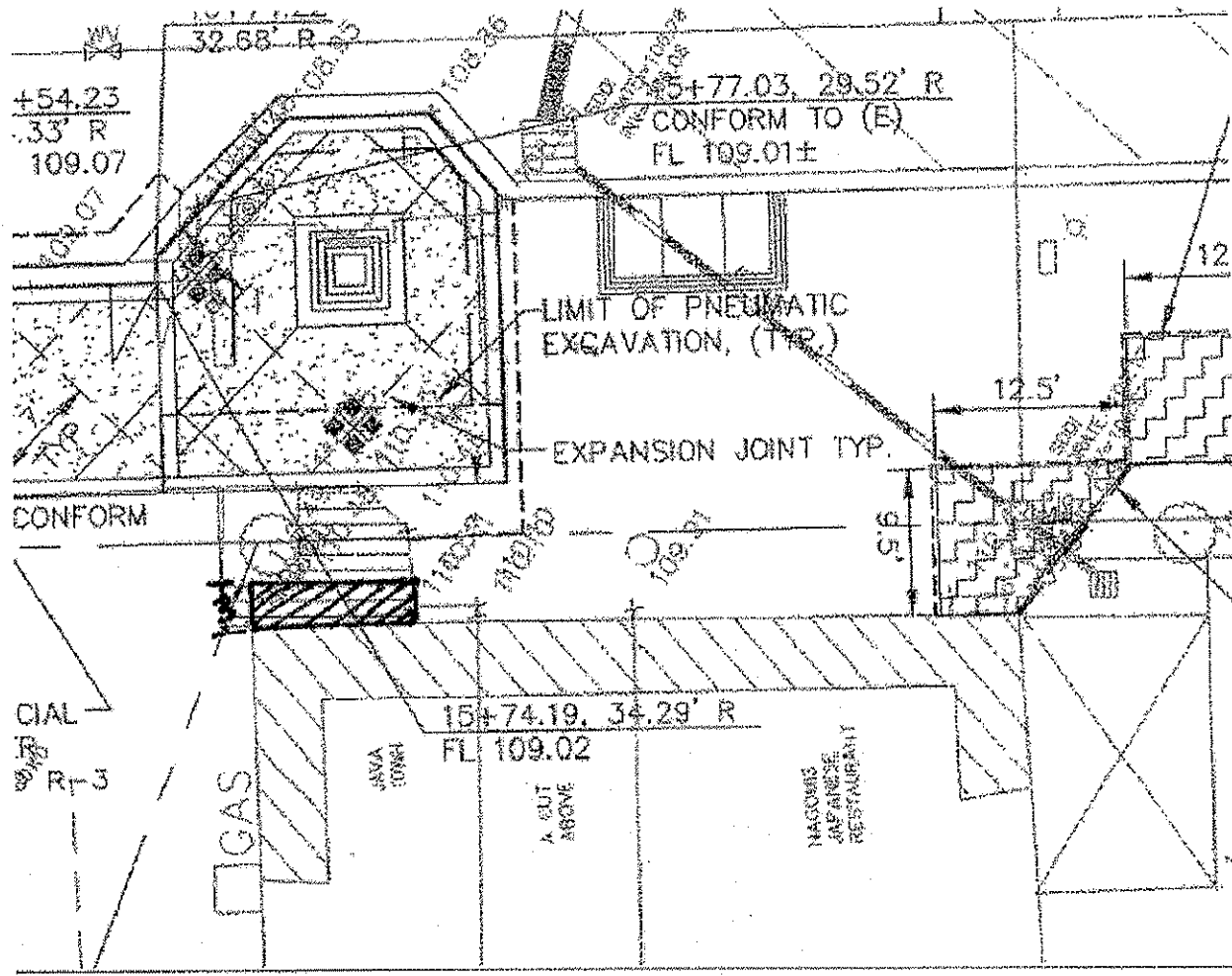
Conditions of Approval

1. Pursuant to the City of Cotati Land Use Code Section 17.62.050, this Use Permit is issued to allow extended hours of operation and outdoor display and sales at Cotati Coffee, located at 8225 Old Redwood Highway. The coffee shop occupies approximately 500 square feet. This Use Permit shall not be valid until all Conditions of

Approval are completed.

2. **AMENDED.** The hours of operation shall not exceed 5:30 a.m. to ~~2:00~~ 2:30 a.m. daily. All merchandise and displays shall be removed from the outdoor display area by 12:00 a.m. daily to prevent gathering crowds.
3. Deliveries from vehicles weighing less than 3 tons (i.e., a car, van, pickup truck, or SUV) may be permitted during business hours. Deliveries from vehicles larger than 3 tons shall be limited to 7:00 a.m. to 7:00 p.m. daily.
4. At a minimum, the applicant shall serve similar food to the existing menu at all times during business hours. This includes coffee beverages, cold drinks, baked goods, frozen yogurt, and yogurt. The applicant shall obtain approval from the Health Department for any food preparation or service expansion. No alcohol sales are permitted.
5. The applicant shall obtain building permits as required for any work to be performed. Any interior work will trigger ADA upgrades in accordance with the Building Code and the Building Official.
6. The applicant shall implement a cleanup plan for the immediate area surrounding this business. At a minimum, the plan shall include the following:
 - a. Provide at least one trash can inside the business with signage directing patrons to utilize receptacles to "keep Cotati clean."
 - b. Ensure employees clean the storefront and nearby area every morning, paying extra attention to cleanliness following busy nights. The area to be cleaned up shall extend at least 30 feet in all directions, including the street.
7. Other than required as a Condition of Approval, there shall be no exterior changes or modifications made to the existing building in association with the proposed use/operation. Minor exterior modifications require approval of the Planning and/or Building Departments. Major exterior modifications would require approval by the Design Review Committee, in accordance with section 17.62.040.B of the Land Use Code.
8. All signage in association with the proposed use shall be established in conformance with the provisions of Chapter 17.38 of the City's Land Use Code. The A-board sign shall be removed. The applicant may submit a sign permit application for the A-board sign to be located on private property in accordance with the Land Use Code.
9. The outdoor display area shall be located entirely on private property adjacent to the front of the building. The area shall not exceed the length of the tenant space and shall have a maximum depth of three (3) feet so it does not encroach into the public right-of-way. The merchandise display(s) shall be reviewed and approved by the Community Development Director prior to use. Displayed merchandise shall not exceed a height of six (6) feet above natural grade.

OUTDOOR DISPLAY AREA



VII. REPORTS BY STAFF

Acting Community Development Director Lustig spoke about the following:

- General Plan Update - Reviewed potential meeting dates and Commission agreed to start at 6:00 pm.
- CEQA workshop – June 2, 2011
- Introduction of the newest Planning Commissioner, Jami Brady
- Five applications received for the open Council seat

VIII. REPORTS BY COMMISSION

Commissioner Ford stated that Bike to Work Day was a success.

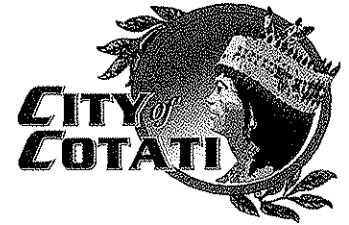
MEETING ADJOURNED by Chair Moore at 7:47 pm

Submitted by

Keri L. Pajon
Administrative Secretary

City of Cotati

Sonoma County, California



MEMORANDUM

July 18, 2011

TO: Chair Moore and Members of the Planning Commission
FROM: Marsha Sue Lustig, Assistant to the City Manager, Beth Thompson and Ben Ritchie, De Novo Planning Group
SUBJECT: Planning Commission General Plan Meeting #1: Housing

WELCOME AND INTRODUCTION

Over the next year and a half, the Planning Commission will meet 15 or so times to collaboratively help guide the direction of the City's General Plan Update.

A general plan is a broad and comprehensive document that covers a diverse set of topics. Prior to each meeting, each of you will be provided with a meeting packet that includes reading materials, an agenda for the upcoming meeting, and key issues to consider prior to each meeting. These packets are meant to prepare you to discuss the scheduled topics for each meeting, and to ensure that all Commission members have access to all pertinent materials and resources.

Our first meeting will provide an opportunity for introductions, an overview of how these meetings will function, and will specifically address the General Plan topic of Housing. In addition to the attached Housing-related reading materials and the work exercise, we have also included links to some background information regarding the City's General Plan Update.

WHAT IS A GENERAL PLAN?

Every city and county in California is required by state law to prepare and maintain a planning document called a general plan. A general plan is designed to serve as the jurisdiction's "constitution" or "blueprint" for future decisions concerning land use, infrastructure, public services, and resource conservation. All specific plans, subdivisions, public works projects, and zoning decisions made by the City must be consistent with the General Plan.

General plans provide guidance on reaching a future envisioned 20 or more years in the future (the proposed General Plan will look out 20 years to the year 2030). To reach this envisioned future, the updated General Plan will include goals, policies and actions that address both immediate and long-term needs.

The General Plan will be organized into individual elements that address the "built environment" and "resource management".

The built environment elements will address:

- Land Use, including land use designations, patterns, and community character, which provides a roadmap for where and how growth may occur over the next 20 years;
- Circulation, including methods to accommodate all modes and users of the transportation system and encourage alternative mode travel using the City's transportation network;
- Public Services and Facilities, including policies to ensure that the City is planning for adequate police and fire protection, water service, sewer service, parks, and other facilities such as schools and libraries;
- Safety and Noise, including policies to protect the public from hazards such as fires, flooding, and geologic hazards, as well as policies related to noise-generating uses and noise-sensitive land uses such as residences, hospitals and schools;
- Economic Development, including policies to promote the creation and retention of local jobs and to encourage a vibrant economy; and
- Housing, including measures to address housing affordable to all segments of the community and maintain the City's existing housing stock.

Resource management elements will address:

- Conservation, including measures to protect and improve air quality, biological resources, water management, and scenic resources; and
- Open Space, including measures to ensure that open space resources, including scenic resources, habitat, and resource preservation areas, are protected and enhanced throughout the City.

HOUSING ELEMENT BACKGROUND

State law mandates that each city and county update their Housing Element no less than every five years, with specific deadlines established by the State Department of Housing and Community Development (HCD). The Housing Element is considered one of seven mandatory elements that comprise a local agency's General Plan according to Section 65302(c) of the Government Code. The Housing Element is considered to be the primary policy document to guide the development, rehabilitation and preservation of housing for all economic segments of the local population.

Both the federal and state governments consider the availability of housing and the provision of a suitable living environment to be priority issues. State housing law and its policies make local jurisdictions the primary implementers of state housing policy and provide a detailed outline for directing these efforts. The problems which most seriously threaten the attainment of the state's housing goal are the increasing cost of housing and the imbalance between the location of jobs and available housing.

The Housing Element Update will include analysis of the City's population, housing, and employment characteristics, housing development during the previous Housing Element cycle, characteristics of the housing market, and housing needs of special populations. The document will also inventory available resources, including financial resources, the City's available land inventory for residential development, and programs available for housing assistance. Existing constraints to housing development and affordability, including governmental and non-governmental constraints will be discussed.

The Housing Element will include a five-year implementation plan with goals, policies, and programs developed to meet the housing needs of the City as identified from the public outreach as well as our research. The Housing Element will be prepared consistent with the requirements of Government Code Section 65583 and will be prepared to address specific needs and issues relevant to the City.

Cotati's Housing Element is required to identify existing and projected housing needs, through analysis of population, household, employment, and housing stock characteristics, and to establish goals, policies, objectives and programs for the preservation, improvement and development of housing to meet the needs of all economic sectors of the community. Housing needs are required to be identified for five income groups: extremely low, very low, low, moderate, and above moderate. Housing needs of special populations, including seniors, disabled, large families, single female heads of household, farmworkers, homeless persons, and households at-risk of homelessness must also be addressed.

Legal Requirements

In order for a housing element to be found in compliance with state law it has to meet the detailed and increasingly specific mandates of state planning law and be consistent with the other elements of the General Plan. Cotati's current Housing Element was adopted by the City Council and certified by HCD in 2003.

State law requires that every City have a legally compliant General Plan Housing Element. If the City's Housing Element is found not to be in compliance with the law then the City's General Plan is not legally adequate. This can ultimately result in the courts suspending the City's authority to issue almost all development and use related permits (such as zone changes, use permits, variances and subdivision maps). A legally compliant Housing Element is also a prerequisite for a host of state funding programs.

HOUSING-RELATED READING MATERIALS

This first meeting packet includes the following items, in preparation for the July 16 meeting:

1. Housing Element Background Information: Select data and information regarding housing needs, resources available to provide housing, and constraints to accommodating housing. This is an overview of information; a more detailed discussion of housing needs, constraints, and resources will be provided in the draft Housing Element Update and Background Report.
2. Review of City of Cotati goals, objectives, and policies from our existing 2002 Housing Element.

WORK EXERCISE

After reading the materials provided in this packet, please consider following questions which will be a focus of our meeting:

1. In addition to the City's fair share of the regional housing needs allocation, the special needs populations, and existing housing discussed in the background information, are there other housing needs which should be addressed?
2. Are there constraints to providing housing that need to be identified in the Background Report and addressed in the Housing Element?
3. In your mind, what are the top three priorities related to housing that the General Plan Update should address?
4. In reviewing the Goals, Objectives, Policies and Programs of the 2002 Housing Element, have the priorities you identified been addressed?
 - a. Which goals, objectives, and policies best address the priorities you identified?

- b. Which priorities are not addressed in the current Housing Element?

ADDITIONAL BACKGROUND MATERIALS

The Cotati General Plan Update website is an excellent source of information for this project. The 1998 General Plan and various background materials can be viewed and downloaded from the website located at: <http://cotati.generalplan.org>.

Housing Element Update – Background Information

The following is a brief overview of some of the information from the Housing Element Background Report, which will be published in August 2011 for the Planning Commission and public to review.

Demographic and Housing Characteristics

The Housing Element Update Background Report will include a detailed discussion of demographic, household, and housing characteristics, as well as data pertinent to the special needs groups. Data sources include the US Census Bureau, California Department of Finance (DOF), US Department of Housing and Urban Development (HUD), California Employment Development Department, Association of Bay Area Governments (ABAG) Projections 2009, Center for Economic Development, various City documents, ESRI Market Profile, and other sources. Limited data categories have been released from the 2010 Census, and this data will be incorporated into the Housing Element Background Report to the greatest extent feasible.

The population of Cotati has increased steadily over the years, growing from 3,346 persons in 1980 to 7,265 in 2010. The decade from 1980 to 1990 experienced the greatest population increase, 71 percent. From 2000 to 2010, the population increased from 6,471 to 7,265 persons, an increase of 1.2 percent per year. It is projected that the population of Cotati will increase at a slightly lower annual rate of 0.8 percent to reach a population of approximately 7,560 persons in 2015.

In 2000, there were 2,620 households in the City of Cotati. During the 2000 to 2010 decade, households increased by 13.7 percent to reach 2,978. Household growth is anticipated to occur at an annual average of 1.2 percent through 2015. Table 1 identifies projected household growth from 2000 through 2015.

TABLE 1: HOUSEHOLD GROWTH			
	2000	2010	2015
Households	2,620	2,978	3,098
Percent Change		13.7%	4.0%
Annual Percent Change		1.3%	0.8%

SOURCE: US CENSUS, 2000; US CENSUS, 2010; DE NOVO PLANNING GROUP, 2011

The average household size in Cotati is approximately 2.44. The average household size has decreased slightly since 2000. Approximately 41 percent of households in Cotati rent and 59 percent own their home.

For the past five or so years, sub-prime loans have caused a decline in the residential real estate market. The resulting foreclosures and short sales have increased the available housing inventory and led to a decrease in housing prices. The median sales price of homes in the City peaked in 2005 at \$529,500. From 2005 to 2011, the median sales price dropped 53 percent to \$250,000. In June 2011, 34 homes were for sale in Cotati. While almost 25 percent of the units are priced at \$500,000 or more, a large percentage (41 percent) are priced at less than \$250,000. No homes were listed for less than \$100,000.

Based on a review of rental ads at craigslist.org, pressdemocrat.com, and assorted property management companies in June 2011, the median rent in Cotati is \$1,195 per month. Median rents range from \$900 for a one bedroom unit and \$1,100 for a two bedroom unit to \$2,600 for a five bedroom unit.

Vacancy rates have increased from 2.1 percent in 2000 to 5.3 percent in 2010.

Residential Construction Trends

The majority of Cotati's housing stock, 65 percent, was constructed after 1970, with the period from 1980 to 1989 having the largest amount of construction of any period. Only 2 percent of the housing stock was constructed prior to 1939. Table 2 identifies the number of housing units by decade built.

TABLE 2: AGE OF HOUSING STOCK (2010)			
	Number	Percent	Accumulated Percent
Built 1939 or earlier	82	3%	3%
Built 1940 to 1959	181	6%	8%
Built 1960 to 1969	311	10%	18%
Built 1970 to 1979	556	18%	36%
Built 1980 to 1989	914	29%	65%
Built 1990 to 1999	501	16%	81%
Built 2000 to 2010	598	19%	100%
TOTAL	3143	100%	

SOURCE: US CENSUS, 2000; US CENSUS, 2010

Table 3 identifies housing permitted by type of housing from 2000 through 2010. Housing permits issued each year ranged from 44 to 168 during the 2000 to 2006 timeframe. The number of permitted units peaked in 2003, with a total of 168 units permitted including 103 single family, 57 multifamily, 6 live/work, and two second units. Permits issued declined significantly in 2007, with only three units permitted each year in 2007 and 2008 and no permits requested from 2009 to present. The number of permitted units does not always match the number of units constructed in a specific time frame; while most housing units are completed within a year, permits can be issued a year or more before a unit is completed and available on the housing market.

TABLE 3: BUILDING PERMITS ISSUED – RESIDENTIAL NEW CONSTRUCTION (2000 - 2011)					
Year	Single-Family	Second Units	Multifamily	Mixed Use/Live-Work	TOTAL
2000	28	0	79	0	107
2001	47	13	0	0	60
2002	36	5	0	4	45
2003	103	2	57	6	168
2004	61	2	0	0	63
2005	19	2	16	14	51
2006	38	6	0	0	44
2007	3	0	0	0	3
2008	3	0	0	0	3
2009	0	0	0	0	0
2010	0	0	0	0	0
2011	0	0	0	0	0
TOTAL	338	30	152	24	544

SOURCE: CITY OF COTATI, 2011

Housing Affordability

The California Department of Housing and Community Development (HCD) publishes household income data annually for areas in California. Table 4 shows the maximum annual income level for each income group adjusted for household size for Sonoma County. The maximum annual income data is then utilized to calculate the maximum affordable housing payments for different households (varying by income level) and their eligibility for federal housing assistance.

TABLE 4: STATE INCOME LIMITS – SONOMA COUNTY (2010)

	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Extremely Low	\$16,900	\$19,300	\$21,700	\$24,100	\$26,050	\$28,000	\$29,900	\$31,850
Very Low	\$28,150	\$32,200	\$36,200	\$40,200	\$43,450	\$46,650	\$49,850	\$53,100
Low	\$45,050	\$51,450	\$57,900	\$64,300	\$69,450	\$74,600	\$79,750	\$84,900
Moderate	\$67,550	\$77,200	\$86,850	\$96,500	\$104,200	\$111,950	\$119,650	\$127,400
Above Moderate	\$67,550 +	\$77,200 +	\$86,850 +	\$96,500 +	\$104,200 +	\$111,950 +	\$119,650 +	\$127,400 +

SOURCE: HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, 2010

Table 5 shows the maximum rents and sales prices, respectively, that are affordable to extremely low, very low, low, moderate, and above moderate-income households. Affordability is based on a household spending 30 percent or less of their total household income for shelter. Affordability is based on the maximum household income levels established by HCD. The annual income limits established by HCD are similar to those used by the US Department of Housing and Urban Development for administering various affordable housing programs. The HUD income limits appear to exceed actual median income limits. This primarily occurs because the lack of timely family income data prevents HUD from capturing recent declines in income. HUD uses the most current income data available to update its median family incomes, the basis for income limits. The 2009 and 2010 HUD income limits were based on American Community Survey data collected in 2007 when the economy was in better shape and unemployment was much lower.

In order to provide an idea of affordable housing costs by income group, affordable home sales prices are estimated for one and two person households, which are the two largest household size groups in Cotati, and also for four and six person households for reference (see Table 5). Maximum affordable sales price is based generally on the following assumptions: 6% interest rate, 30-Year fixed loan, 10% down payment, 2% closing costs, and homeowners insurance.

TABLE 5: HOUSING AFFORDABILITY BY INCOME GROUP

	One Person		Two Person		Four Person		Six Person	
	Max. Home Sale Price*	Max. Monthly Rent or Housing Cost	Max. Home Sale Price*	Max. Monthly Rent or Housing Cost	Max. Home Sale Price*	Max. Monthly Rent or Housing Cost	Max. Home Sale Price*	Max. Monthly Rent or Housing Cost
Extremely Low	\$45,551	\$422	\$52,999	\$483	\$67,974	\$603	\$80,192	\$700
Very Low	\$80,663	\$704	\$105,965	\$905	\$118,562	\$1,005	\$138,898	\$1,166
Low	\$133,511	\$1,126	\$174,409	\$1,448	\$194,626	\$1,608	\$227,178	\$1,865
Moderate	\$204,896	\$1,689	\$265,909	\$2,171	\$296,428	\$2,413	\$345,301	\$2,799
Above Moderate	\$204,896+	\$1,689+	\$265,909+	\$2,171+	\$296,428+	\$2,413+	\$345,301	\$2,799+

* MAXIMUM AFFORDABLE SALES PRICE IS BASED ON THE FOLLOWING ASSUMPTIONS: 6% INTEREST RATE, 28/36 DEBT RATIO, 30-YEAR FIXED LOAN, 10% DOWNPAYMENT, 1.025% PROPERTY TAX, 2% CLOSING COSTS, MORTGAGE INSURANCE, AND HOMEOWNERS INSURANCE.

SOURCE: DE NOVO PLANNING GROUP, 2011; MORTGAGENET.COM

Housing Element Update – Background Information

According to the 2000 Census, 36 percent of Cotati's owner households and 35 percent of renter households are overpaying for housing, which is considered paying in excess of 30 percent of household income toward housing costs. Lower income households have much higher overpayment rates than moderate and above moderate income households. Extremely low income households, those earning up to 30 percent of the area median income (AMI), overpay at the highest rate, with 100 percent of renters overpaying and 82 percent of owners. Extremely low income households also have the highest rate of extreme overpayment, with almost 80 percent of extremely low income households paying more than 50 percent of their income to housing costs. Over three-quarters of very low income renter households overpay, compared to 55 percent of owner households. However, in the low and moderate income groups, a higher percentage of owner households overpays compared to renter households. Table 6 identifies overpayment by income group and tenure, illustrating that those households in the extremely low and very low income categories are those that overpay the most.

TABLE 6: HOUSEHOLDS BY INCOME LEVEL AND OVERPAYMENT (2000)			
Household Overpayment	Renters	Owners	Total
Extremely Low Income Households	129	109	238
Percent with Cost Burden >30%	100%	82%	92%
Percent with Cost Burden >50%	97%	59%	79%
Very Low Income Households	113	101	214
Percent with Cost Burden >30%	79%	55%	68%
Percent with Cost Burden >50%	35%	28%	32%
Low Income Households	214	301	515
Percent with Cost Burden >30%	33%	59%	48%
Percent with Cost Burden >50%	5%	22%	15%
<i>Total Extremely Low, Very Low, and Low Income Households Paying >30%</i>	<i>288 / 33%</i>	<i>321 / 20%</i>	<i>609 / 38%</i>
Moderate and Above Moderate Income Households	427	1,091	1,518
Percent with Cost Burden >30%	4%	23%	18%
Percent with Cost Burden >50%	0%	1%	1%
Total Households	883	1,602	2,485
Percent with Cost Burden >30%	35%	36%	35%
Percent with Cost Burden >50%	20%	10%	14%

SOURCE: HUD, 2000 (SPECIAL AGGREGATION OF 2000 CENSUS DATA)

Regional Housing Needs Assessment

Housing element law requires every jurisdiction to quantify existing and projected housing needs, and requires that jurisdictions provide their fair share of regional housing needs. This is accomplished, in part, through the Regional Housing Needs Assessment (RHNA) process (Government Code Section 65584). The RHNA defines each city's existing and future housing needs in a regional context. Cotati's share of the RHNA, as determined by the Association of Bay Area Governments (ABAG), is the projected housing need that must be addressed in the Housing Element. Each city's RHNA is distributed among five income categories (extremely low, very low, low, moderate, and above moderate) to enable cities to address the requirement to provide for the housing needs of all income levels.

Housing Element Update – Background Information

The City of Cotati was allocated 257 housing units as part of the RHNA process. Of the 257 units allocated, 13 units have been constructed to date. 110 housing units have been approved and 11 units are planned. Table 7 identifies the allocation from the 2007-2014 cycle and the number of units constructed or permitted to date.

TABLE 7: REGIONAL HOUSING NEEDS ALLOCATION – 2007 THROUGH 2014					
	Very Low	Low	Moderate	Above Moderate	Total
2007-2014 Allocation	67	36	45	109	257
Housing Units Constructed	0	2	4	7	13
Housing Units Approved ¹	2	17	11	80	110
Housing Units Planned	5	6	0	0	11
TOTAL	60	11	30	22	123
UNACCOMMODATED NEED					

¹2 VERY LOW – 100 VALPARAISO; LOW – VALPARAISO AND STANDARD PACIFIC; MODERATE – STANDARD PACIFIC DUPLEX AND TRIPLEX UNITS

²ALL PLANNED PROJECTS (HABITAT FOR HUMANITY AND HOUSING LAND TRUST HAVE FUNDS COMMITTED BY THE REDEVELOPMENT AGENCY)

SOURCE: ABAG, 2008; CITY OF COTATI, 2011; DE NOVO PLANNING, 2011

Special Housing Needs

Household groups with special needs include seniors, mentally and physically disabled persons, large family households, female-headed households, agricultural workers, and homeless persons. Households with special housing needs often have greater difficulty in finding decent and affordable housing. As a result, these households may experience a higher prevalence of overpaying, overcrowding, and other housing problems. Special housing needs are projected through 2014. The special housing needs are a subset of the overall housing needs identified in Table 7, unless otherwise noted.

Seniors: The senior population increased from 493 persons in 2000 to 613 in 2010. Senior households increased from 299 in 2000 to 439 in 2010. An additional 26 senior households are projected in Cotati by 2015. Slightly more than half of senior households, 55 percent, are in the lower income groups and almost one out of five senior households is in the extremely low income group based on a special tabulation of 2000 US Census data.

Disabled Persons: Approximately 10 percent of the population in Cotati is disabled. As of the 2000 Census, there were 647 disabled persons, 73 percent aged 16 to 64, 26 percent aged 65 and over, and less than one percent up to 15 years in age. Of the disabled persons in the 16 to 64 age bracket, 61 percent were employed and the remaining 39 percent were unemployed. Based on 2000 Census data, 18 percent of households in Cotati have a disabled member with physical or self-care limitations. Applying this figure to the RHNA, approximately 46 new households will have one or more disabled members by 2014. These households will require a mixture of housing units with accessibility features, in-home care, or group care housing facilities.

Large Families: In Cotati, 326 households, 11 percent of all households, have five or more persons. Approximately 28 units of the regional housing needs allocation will be needed to accommodate large households.

Single Female-Headed Households: While the majority of households in the Cotati are either two-spouse couples or single person households, 19 percent of family households are headed by a single male or single female. There are 161 male heads of household with no wife present (5 percent) and 399 female heads of household with no husband present (13 percent). As Cotati's population and households grow, there will be a continued need for supportive services for single parent households with children present.

Housing Element Update – Background Information

Agricultural Workers: According to the 2010 Census, less than one percent of Cotati's residents (10 persons) were employed in the agriculture, forestry, fishing/hunting, and mining industries and none of these persons were farmworkers. While there is a significant amount of agricultural production in Sonoma County and a demand for farmworker housing in the unincorporated areas of the County as well as communities with agricultural land, there are no agriculturally designated parcels in Cotati. Cotati is anticipated to continue to urbanize in the future and farming operations are not projected within the City limits. The majority of farmworkers in Sonoma County are employed in the unincorporated area and their needs are addressed in the Sonoma County Housing Element. It is therefore anticipated that the need for farmworker housing in Cotati will not increase in the coming years.

Homeless Persons: In January 2011, the City assisted in funding a County-wide count of homeless persons. The City's Police Department and local service providers were contacted as part of the survey to ensure a thorough count of the homeless. The 2011 Sonoma County Homeless Census and Survey identified 19 homeless persons in Cotati. Seven of the homeless persons were in a shelter and the remaining 12 were unsheltered. None of the homeless were families; all were single individuals. The point in time survey conducted County-wide in 2009 identified 26 homeless individuals, six of whom were housed in a shelter. The City has two transitional and assisted housing programs that assist homeless persons or persons at-risk of homelessness. Based on known information, it is estimated that there are 12 to 20 unsheltered homeless persons in Cotati at any given point in time that are in need of emergency shelter or transitional housing. An additional 35 to 75 households may need homeless prevention services such as temporary utilities assistance, food bank, and temporary assistance with housing costs at any given point in time.

Inventory of Sites

State housing element law requires every city to provide a site inventory and analysis in its Housing Element. The purpose of this inventory is to identify specific sites suitable for residential development that will enable the city to compare its RHNA new construction need with its residential development capacity. The site inventory and analysis helps determine if additional governmental actions are needed to provide enough sites with appropriate zoning and development standards to accommodate the amount of new construction identified in the RHNA. The City must demonstrate that it has adequate high density sites to meet its lower income needs and adequate other sites to address the moderate and above moderate income needs. When reviewing the adequacy of sites, HCD scrutinizes the lower income sites to ensure that the City is adequately accommodating the lower income needs.

Currently, the City has four pending projects that include a total of 30 lower income units (Table 8 and Figure 1). The City has additional pending projects that include moderate and market rate units. The City has the capacity to accommodate 727 higher density units; however, many of the commercial and mixed-use sites may eventually be developed with fewer units than the maximum capacity, or with no residential uses. The Downtown Specific Plan (DSP) anticipates a specific number of housing units will be developed in each DSP district, so while the capacity of individual sites may be high, there is a cap on the total number of units that can be developed in each individual DSP district and in the DSP as a whole. Table 9 summarizes the capacity of higher density residential sites on vacant or underutilized parcels within the City; sites are shown on Figure 1.

For these sites to be considered acceptable lower income sites by HCD, the City must demonstrate that the sites can either accommodate 20 units per acre, or that the density allowed on the sites is adequate to accommodate lower income housing. The Housing Element will include a discussion of the zoning and land use regulations, as well as the densities of past affordable projects.

Housing Element Update – Background Information

TABLE 9: VERY LOW AND LOW INCOME VACANT AND UNDERUTILIZED HIGH DENSITY RESIDENTIAL SITES							
Map #	APN	Zoning	General Plan	Allowed Density	Acres	Use/Description	Realistic Capacity
Neighborhood Urban Zone - High Density Residential Sites							
5	144-282-030	NU	HDR	20 du/ac	1.02	Underdeveloped - duplex	18
6	144-282-009	NU	HDR	20 du/ac	0.96	Underdeveloped - 1 single family unit plus small outbuildings.	17
7	144-282-008	NU	HDR	20 du ac	2.91	Underdeveloped. This site currently has 19 multifamily units that are clustered in two areas of the site. The remainder of the site is undeveloped. Utilities and site access are in place.	52
Subtotal High Density Residential Capacity							87
Downtown Specific Plan – Multifamily Residential Sites							
9	144-060-014	SPD	GC	28 du/ac	0.3	Vacant. Northern Gateway district.	7
10	144-080-022	SPD	GC	28 du/ac	0.44	Vacant. Northern Gateway district.	11
16	144-170-009	SPD	GC	28 du/ac	10.8	Underdeveloped. St. Joseph's Catholic church property. Site is partially developed; approximately 10.8 acres are vacant. It is not anticipated that a project over 140 units would be developed on the site based on historical development. Interest has been expressed in providing affordable housing on this parcel.	140
22	144-274-009	SPD	GC	28 du/ac	0.06	Underdeveloped – accessory building. La Plaza district. Small site could accommodate a duplex with two one or two bedroom units.	2
Subtotal Downtown Specific Plan –Multifamily Residential Capacity¹							160
Downtown Specific Plan Sites –Mixed-Use Multifamily Residential Sites							
8	144-070-028	SPD	GC	15 du/ac	0.47	Vacant. Commercial Avenue district.	7
11	144-170-010	SPD	GC	20 du/ac	0.93	Vacant. Northern Gateway district.	17
12	144-680-051	SPD	GC	20 du/ac	1.25	Vacant. Northern Gateway district.	23
13/14	144-170-011/ 144-170-008	SPD	GC	20 du/ac	6.94	Oliver's Project – grocery store, 14 apartment units; not yet approved. APNs 144-170-011 (3.24 acres) and 144-170-008 (3.9 acres). Northern Gateway district.	14
15	144-200-004	SPD	GC	20 du/ac	2.91	Underdeveloped - 10 residential units	52
17	144-190-030	SPD	GC	20 du/ac	0.84	Vacant. Northern Gateway district.	15
18	144-272-010	SPD	GC	20 du/ac	0.24	Vacant. Northern Gateway district.	4
19	144-274-002	SPD	GC	15 du/ac	0.18	Vacant. La Plaza district.	3
20	144-274-015	SPD	GC	15 du/ac	0.29	Vacant. La Plaza district.	4
21	144-274-014	SPD	GC	15 du/ac	0.41	Vacant. La Plaza district.	6
23	144-351-004	SPD	GC	15 du/ac	0.44	Underdeveloped - very small single family home or structure. Historic Core district.	6

TABLE 9: VERY LOW AND LOW INCOME VACANT AND UNDERUTILIZED HIGH DENSITY RESIDENTIAL SITES							
Map #	APN	Zoning	General Plan	Allowed Density	Acres	Use/Description	Realistic Capacity
Subtotal Downtown Specific Plan – Multifamily Residential Capacity¹							103
General Commercial – Mixed-Use Multifamily Residential Sites							
24	144-050-009	CG	GC	15 du/ac	7.19	Vacant	107
25	046-286-021	CG	GC	15 du/ac	0.66	Vacant	9
26	046-286-019	CG	GC	15 du/ac	6.68	Vacant	100
27	046-286-020	CG	GC	15 du/ac	1.29	Vacant	19
28	046-286-017	CG	GC	15 du/ac	0.61	Vacant	9
29	144-060-005	CG	GC	15 du/ac	0.22	Vacant	3
30	144-050-004	CG	GC	15 du/ac	0.47	Vacant	7
31	144-050-005	CG	GC	15 du/ac	2.4	Vacant	36
32	144-130-026	CG	GC	15 du/ac	0.12	Vacant	1
33	144-261-003	CD	GC	15 du/ac	0.15	Underdeveloped - Residential accessory structure (no dwelling units)	2
General Commercial – Mixed Use Capacity							293
Santero Way Specific Plan – Mixed-Use Multifamily Residential Sites							
34	144-320-022	SPSW	GC	10 du/ac	0.47	Vacant	5
35	144-302-048	SPSW	GC	10 du/ac	0.76	Vacant	8
36	144-480-021	SPSW	GC	10 du/ac	0.86	Vacant	9
37	144-320-024	SPSW	GC	10 du/ac	0.46	Vacant	5
38	144-320-023	SPSW	GC	10 du/ac	0.23	Vacant	2
39	144-320-015	SPSW	GC	10 du/ac	0.97	Vacant	10
40	144-320-016	SPSW	GC	10 du/ac	0.96	Vacant	10
41	144-790-017	SPSW	GC	10 du/ac	0.65	Vacant	7
42	144-480-019	SPSW	GC	10 du/ac	0.51	Vacant	5
43	144-480-014	SPSW	GC	10 du/ac	1.85	1 commercial warehouse	19
44	144-320-008	SPSW	GC	10 du/ac	0.41	Vacant	4
Santero Way Specific Plan - Mixed Use Capacity²							84
TOTALS						Acres	Residential Capacity
Total High Density Residential (Multifamily and Mixed Use) Capacity						16.49	247
Subtotal - Multifamily Parcels with capacity for 20 or more units						13.71	192
Subtotal – Multifamily Parcels with capacity for 1-9 units						2.78	55
Total High Density Residential – Mixed Use Parcels						55.75	480

¹ Capacity of individual parcels in the Downtown Specific Plan is 392; however, each district only allows a maximum number of dwelling units (HC-71, LP-89, NG-229, CA -61). When the caps are applied to each district, a total of 263 units can be accommodated.

² Capacity of individual parcels in the Santero Way Specific Plan is 84 units; however, the plan limits total residential development to 198 units. 100 units have been constructed, so capacity remains for 98 units.

Housing Element Update – Background Information

In addition to the higher density sites identified in Tables 9, Table 10 identifies rural, low density, and medium density residential sites that will most likely accommodate market rate and moderate income development and may also accommodate inclusionary units. These sites are shown on Figure 2.

TABLE 10: SUMMARY OF AVAILABLE HOUSING SITES BY ACREAGE AND UNIT YIELD

Zoning	Acreage	Realistic Unit Yield
RR-1.5	14.73	15
RR-1	8.83	8
RVL-.66	7.899	9
RVL-.5	65.03	111
NL	60.73	330

Constraints

The Housing Element Update must evaluate potential constraints, including governmental and non-governmental, to the City accommodating its housing needs. In particular, the City's development standards, permit requirements, and project processing methods must be evaluated to determine whether there are constraints that should be removed. The City's General Plan, Land Use Code, and Specific Plans accommodate a range of housing types. Table 11 identifies which residential uses are permitted in each zoning district. Table 12 summarizes the City's development standards for single family, multi-family, and mixed-use housing types.

Potential Constraints

Parking – Parking standards are the same for studio through four bedroom units; this may pose a hardship for market-rate studio and one bedroom units.

Family – State statutes give groups of up to six persons the right to live in residential neighborhoods without conditional or special use permits. Government Code Section 15955(l) prohibits discrimination on the basis of familial status. The Land Use Code does not define "family".

Adequate Sites and Residential Densities – State law requires that a suburban jurisdiction, such as Cotati, identify adequate sites that allow densities of 20 units or more to accommodate the very low and low income component of the RHNA or to provide market analysis that demonstrates that the City's very low and low income needs can be accommodated at lower densities. This increase in minimum densities is a change to state Housing Element law since the City adopted its current Housing Element in 2002. The state looks at the allowed uses on parcels included in a jurisdiction's inventory of vacant sites to determine whether it is likely that the parcels in the inventory can realistically be developed with affordable housing. While the City's inventory of sites for lower income housing (see Tables 8 and 9) includes many sites, most of these sites: 1) allow multifamily uses only but are already partially developed (the Neighborhood Urban sites); 2) only allow multifamily or high density residential uses as part of a mixed use project (the General Commercial, Santero Way Specific Plan, and most Downtown Specific Plan sites); or 3) allow multifamily uses but do not identify minimum or maximum residential densities (the Downtown Specific Plan sites). In order to demonstrate adequate capacity to accommodate the City's lower income housing needs, the inventory should include multiple parcels that will allow at least 25 to 40 multifamily units at densities of 20 units per acre or higher. While the City's 2002 Housing Element did include a program to ensure that residential uses could occur in mixed use commercial zones, the current Housing Element was prepared prior to the Downtown Specific Plan and, thus, did not address development within the Downtown Specific Plan. The City's Land Use Code does not identify any districts that allow over 15 dwelling units per acre. While the Downtown Specific Plan's land use standards accommodate fairly high densities, which could reach 25 to 30 units per acre, the DSP does not establish minimum or maximum residential densities but rather identifies the number of units permitted in each district and also includes very few sites that can accommodate a solely residential project.

Housing Element Update – Background Information

Second Units – Government Code Section 65852.2 identifies the requirements for a second unit ordinance adopted by local jurisdictions. Consistent with state law, the City allows second units by right with ministerial approval in all residential zones. However, state law requires that off-street parking for second units be allowed in setback areas, as determined by the City, or through tandem parking unless specific findings are made. These parking allowances are not addressed in the City's Land Use Code.

Supportive and Transitional Housing - State law requires the consideration of both supportive and transitional housing as residential uses that must only be subject to the same restrictions that apply to similar housing types in the same zone. While the Land Use Code does identify provisions for transitional shelters, these uses are considered comparable to emergency shelters rather than the definition provided by the state Health and Safety Code.

Emergency Shelters - The Land Use Code allows emergency shelters as a permitted use in the CD and PF zones, but limits the use to a specific site identified in the 2003 Housing Element. State law requires every local agency to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones must include sufficient capacity to accommodate the need for emergency shelter as identified in the housing element and must accommodate at least one year-round shelter.

Disabled Persons – While the Land Use Code requires that new development provide units that are accessible to disabled households, it does not fully address potential needs, such as rehabilitation, of disabled households that already reside in Cotati. Section 17.62.060(F)(2) of the Land Use Code establishes reasonable accommodation procedures, which allow the review authority to grant a variance or minor variance to site planning and development standards of the Land Use Code, based on the finding that the variance or minor variance is necessary to accomplish a reasonable accommodation of the needs of a disabled person in compliance with the ADA. Housing rehabilitation assistance and accessibility improvements are provided to eligible households, to the extent that funding is available, through the Sonoma County Community Development Commission housing rehabilitation program for qualified residents, see Chapter 1. The City does not specifically exempt or waive any permit requirements for minor accessibility improvements. Walks and platforms, which could include wheelchair ramps, not more than 30 inches above grade are exempt from planning and building permits. While interior improvements that do not increase the gross floor area, change the permitted use, or change an exterior feature of the structure are exempt from planning permits, there is not a list of interior improvements exempt from a building permit. It would be appropriate to identify which accessibility improvements for a disabled household are exempt from Land Use Code and/or building permit requirements rather than requiring a variance or minor variance.

Affordable Housing Requirements – Chapter 17.31 of the Land Use Code, Affordable Housing Requirements, is a critical component of the City's housing program and an active means of providing housing affordable to a broad range of income levels. Inclusionary requirements have been adopted by other jurisdictions in Sonoma County, including Santa Rosa, Petaluma, Healdsburg, Sonoma, Sebastopol, and Windsor. Each of these jurisdictions has an affordable housing requirement ranging from 15 to 20 percent of units. However, most of the other jurisdictions only require low and moderate income units be provided. Where very low income units are required, it is at a lesser percentage than Cotati's. While the Affordable Housing Requirement does not appear to price households out of the market, it may reduce the amount of residential development that occurs in Cotati relative to other jurisdictions in the County since the City's requirement is higher than most other jurisdictions, particularly related to the provision of very low income units. This may be perceived as a constraint to market-rate development.

Housing Element Update – Background Information

Growth Management – The City adopted Chapter 17.52, Growth Management, of the Land Use Code to phase development so that it does not exceed the resource, infrastructure, and public service capabilities of the City and so that the rate of development is compatible with the character of the City. The Growth Management ordinance allocates 100 residential units to be permitted each calendar year, with a minimum of 25 units reserved exclusively for housing affordable very low and low income households. Second units are exempt and do not require an allocation. Allocations that are unassigned at the end of a calendar year are carried over and added to the number of dwelling units allocated for the following year, unless the City Council determines that water or sewer capacity will be insufficient to serve the additional units. An unassigned unit allocation that is carried over from one year to the next shall expire if not assigned during the third year after it was originally allocated. There are 244 units remaining of the City's share of the regional housing needs allocation through 2014. To accommodate the remaining 244 units from July 2011 through 2014, an average of 70 units per year will need to be accommodated; this is within the annual growth allocation. Due to the minimal number of allocations requested in recent years, it is likely 175 to 200 total allocations, including carryovers will be available each year. Given Cotati's historical growth trends and the current recession, it is unlikely that there will be demand for all of the allocations in any given year. The Growth Management ordinance appears to provide adequate capacity to accommodate the City's remaining share of the regional housing needs allocation.

Permitting and Processing – The state considers whether a jurisdiction's permitting and processing procedures for residential projects provide reasonable timeframes for processing, are not overly burdensome in terms of the required number of hearings, and utilize standards that are objective. The City's permitting procedures are generally straightforward and a project applicant can process multiple permits/approvals concurrently. A design review process can be considered a constraint if it results in multiple reviews (or back and forths) between an applicant and the design review committee due to subjective standards that are open for interpretation.

Housing Element Update – Background Information

TABLE 11: RESIDENTIAL USES ALLOWED BY ZONE

Residential														Other Zones						
Use	RR	RVL	NL	NM	NU	MHP	SPD	SPSW	CE	CG	CD	PF	CP							
Single Family	P	P	P	UP ¹	UP ¹	-	-	P	-	-	-	-	-							
Manufactured/Mobile Home	P	P	P	P	P	-	-	-	-	-	-	-	-							
Multifamily, 2 units	-	-	UP	P	P	-	P	-	-	-	-	-	-							
Multifamily, 3 - 4 units	-	-	-	UP	P	-	P	P	-	-	-	-	-							
Multifamily, 5 – 9 units	-	-	-	UP	UP	-	P	P	-	-	-	-	-							
Multifamily, 10 or more units	-	-	-	-	UP	-	P	-	-	-	-	-	-							
Multifamily housing, up to 100 units with 25% affordable	-	-	-	-	P	-	P	-	-	-	-	-	-							
Multifamily housing, stand-alone and as part of mixed-use project	-	-	-	-	-	-	P	-	-	-	-	-	-							
Residential accessory use or structure	P	P	P	P	P	-	P	-	-	-	-	-	-							
Residential care facility for the elderly	UP	UP	UP	UP	UP	-	UP ¹	-	UP	-	-	UP	-							
Residential care, 6 or fewer clients	P	P	P	P	P	-	-	-	-	-	-	-	-							
Residential care, 7 or more clients	UP	UP	UP	UP	UP	-	UP ¹	-	UP	-	-	UP	-							
Residential component of a mixed use project	-	-	UP	UP	UP	-	P	P	P	P	P	-	-							
Rooming or boarding house	-	-	-	-	UP	-	-	-	-	-	-	-	-							
Second unit or carriage house	P	P	P	P	P	-	-	-	-	-	-	-	-							
Mobile home park	UP	UP	UP	UP	UP	P	-	-	-	-	-	-	-							
Emergency/transitional shelter	-	-	-	-	-	-	S	-	-	-	S	S	-							

SOURCE: CITY OF COTATI, 2011

¹USE PERMIT APPROVAL SHALL REQUIRE THAT THE REVIEW AUTHORITY FIRST FIND THAT THE LOCATION OF A PROPOSED SINGLE-FAMILY DWELLING ON A PARCEL THAT MAY BE FURTHER SUBDIVIDED WILL NOT PRECLUDE FUTURE SUBDIVISION AND DEVELOPMENT IN COMPLIANCE WITH THE GENERAL PLAN.

- NOT ALLOWED

S = SUBJECT TO STANDARDS

P = ALLOWED (PRINCIPAL PERMITTED USE)

UP = USE PERMIT

TABLE 12: DEVELOPMENT STANDARDS BY ZONE

Zone	Min. - Max. Density (units/acre)	Min. Site Area (sf/unit)	Min. Site Width (ft)	Front Yard Setback (ft)	Side Setback Interior (ft)	Side Setback Street Side ¹ (ft)	Rear Yard Setback (ft)	Maximum Height	Maximum Ground Coverage	Maximum Floor Area Ratio
RESIDENTIAL DISTRICTS										
RR-1.5	0-1 du/1.5ac	43,560/1	100	25	10	20	20	28	30% ²	-
RR-1.0	0-1 du/ac	43,560/1	100	25	10	20	20	28	30% ²	-
RVL-0.66	0-1 du/.66ac	21,780/1	100	25	10	20	20	28	30% ²	-
RVL-0.5	0-1 du/0.5ac	21,780/1	100	25	10	20	20	28	30% ²	-
NL	4 - 6 du/ac	6,000/1	60	20	5/7 ³	10	20	28	40%	-
NM	8 - 10 du/ac	5,000/1	50	120	0-10 ⁴	10	20	28	50%	-
NU	12 - 15 du/ac	3,500/1	45	15	10/15 ⁶	15	15	35 ⁵	60%	-
DOWNTOWN SPECIFIC PLAN (DSP) DISTRICTS ⁷										
Commercial Block	15 du/ac ⁸	None	25	10 (max.)	10 (max.)	10 (max.)	10	35-50	-	2.15
NG - Courtyard	28 du/ac ⁸	None	125	10 (max.)	10 (max.)	10 (max.)	10	50	-	2.15
CA, LP- Courtyard	21 du/ac ⁸	None	125	10 (max.)	10 (max.)	10 (max.)	10	35	-	2.15
Duplex-Quadplex	14 du/ac ⁸	None	50	10 (max.)	10 (max.)	10 (max.)	10	35	-	2.15
Rowhouse	10 du/ac ⁸	None	20	Up to 10 feet on at least two sides			10	35	-	2.15
SANTERO WAY SPECIFIC PLAN DISTRICTS ⁷										
Mixed-Use Districts	0 – 10 du/ac	-	86	8	5	14	4	35-40	-	0.65
OTHER DISTRICTS ALLOWING RESIDENTIAL USES										
CE	15 du/ac	6,000/1	60	10	0/10 ⁷	10	10-20 ⁹	35/45 ⁵	80%	-
CG	15 du/ac	10,000/1	100	0 ¹⁰	0/10 ⁷	0 (max)	10/20 ⁹	35/45 ⁵	80%	-
CD	15 du/ac	2,000/1	20	0	0/10 ⁷	0 (max)	10	35/45 ⁵	100%	-

SOURCE: CITY OF COTATI, 2011; CITY OF COTATI, 2009

¹ Only applies to lots with a side yard adjacent to a street, such as a corner lot
² 30% on a 1/2 acre parcel, reduced by 10% for each additional 1/2 acre to a minimum of 10%

³ 5 feet on one side of the lot, 7 feet on the other side of the lot

⁴ 5 feet, except 10 feet for multifamily structures and none for rowhouse

⁵ Increased height allowed with use permit

⁶ 10 feet for 1-story building walls; 15 feet for 2-story building walls; none for rowhouse

⁷ Standards in SP-DSP districts are for courtyard, multi-family housing, except for the HC district which shows standards for rowhouses

⁸ Maximum density achievable based on the maximum floor area, maximum height, site width, setback, open space and parking requirements and a mix of unit sizes; DSP does not establish maximum densities.

⁹ Higher standard adjacent residential zones

¹⁰ 30 feet along the Gravenstein Highway