

ORDINANCE NO. 1832

ORDINANCE ADOPTING THE ZONING TEXT AND MAP AMENDMENTS TO THE SPECIAL STANDARDS OVERLAY NO. 10 (SS-10) ZONE FOR LANDS LOCATED AT 261-267 BENNETT HILL COURT AND 213 BENNETT HILL DRIVE (SECOND READING)

WHEREAS, the City Council of the City of Vacaville conducted a duly noticed public hearing on June 15, 2010, to consider a request for adoption of a zoning text and map amendment for the Opportunity House Special Standards Overlay (SS-10) zone described as follows:

Located at 261-267 Bennett Hill Court (APN 0129-271-120 & 130) and 213 Bennett Hill Drive (APN 0129-271-140)

WHEREAS, the City Council received testimony from City staff, the applicant, and all interested parties regarding the proposed project; and

WHEREAS, the City Council has reviewed and considered the Zoning Text and Map Amendment in accordance with the California Environmental Quality Act and Division 14.03 of the Land Use and Development Code and finds:

1. That the activity is within the scope of the project covered by the previous mitigated negative declaration adopted for the establishment of the SS-10 overlay zone district;
2. That no new significant effects would occur or no new mitigation measures would be required because the project is consistent with the intent of the SS-10 zone as originally adopted and no changes to the environment affected by the project have occurred;
3. That the mitigation measures and findings adopted with the previous project for which the mitigated negative declaration was prepared have been incorporated into the project approval;
4. That feasible mitigation measures or alternatives adopted with the previous mitigated negative declaration have been incorporated into the project approval; and
5. That no new environmental document would be required.

WHEREAS, the City Council has reviewed the requested applications for the Opportunity House Special Standards Overlay Zone and considered the testimony at the public hearing, the Initial Study and previously adopted Mitigated Negative Declaration, the staff report and the whole of the record for File 10-055.

THE CITY COUNCIL OF THE CITY OF VACAVILLE DOES ORDAIN AS FOLLOWS:

SECTION ONE: The City Council adopts the Zoning Text and Map Amendment, the District Zoning Map, a portion of the Zoning Ordinance of the City of Vacaville, being Chapter 14.09.070 of the Vacaville Municipal Code, is changed as follows:

Those portions of the Districts shown on said Zoning Map more particularly shown in Exhibit A, entitled Opportunity House Special Standards Overlay Zone (SS-10), attached hereto and incorporated herein by reference, shall be zoned as noted in said Exhibit.

SECTION TWO: This change of Zoning Text is approved by the City Council as in accordance with Chapter 14.071.100, Effect of Zoning Map Amendment of the Zoning Ordinance, as follows:

The change of Zoning Text for property from High Density Residential Special Standards Overlay (RH-SS-10 & 11) to High Density Residential – Special Standards Overlay 10 (RH-SS-10) for lands located at 261-267 Bennett Hill Court and 213 Bennett Hill Drive, as described hereto in said Exhibit A and as supported by the following findings of fact:

1. That the proposed amendment is internally consistent with the goals, objectives, and policies of the General Plan, the Zoning Ordinance, and the Development Code, as the Residential Overlay zone is consistent with the General Plan designation for the site and the zone change is consistent with the purposes of the overlay zone;
2. That the proposed amendment would not be detrimental to the public health, safety, or welfare of the community, since the site can meet the criteria listed in the General Plan implementation policies for the overlay zone (Policy 2.5, I-7);
3. That the proposed amendment would maintain the appropriate balance of land uses within the City, since this site represents an opportunity for well planned social services facilities that are complimentary to each other;
4. That the anticipated land uses on the subject site would be compatible with existing and future surrounding uses, because the development of high density residential uses and residential social services are considered compatible and will be supported by the surrounding land uses for services;
5. That the potential impacts to the City's inventory of residential lands have been considered and this project will add to the City's inventory of residential lands;
6. That the proposed amendment is consistent with any development related application that is processed and approved concurrently with the application;
7. Noise levels are or can be mitigated to the "acceptable level" for residential uses in accordance with Chapter 14.09.127, Performance Standards, of this division, since this site is not located within an area where the ambient noise level exceeds the compatibility standards for high density residential uses and future development plans will provide for mitigation of any site specific effects;
8. Adequate public utilities are or would be made available to serve the residential use, and the City has examined the feasibility of the addition of residential beds to this site and determined that the existing infrastructure will support the added development;
9. Future residents would not be exposed to health or safety hazards or excessive lighting due to the operation of non-residential development, and that subsequent specific uses proposed on adjacent parcels will be subject to design review by the City of Vacaville and compliance with all City standards for site development;
10. Residential social services development would not be detrimental to the existing or proposed uses allowed by the underlying zoning district; and
11. The site is not needed to provide neighborhood commercial services.

SECTION THREE: The City Council of the City of Vacaville finds that the foregoing changes of zoning, as shown in said Exhibit A, are necessary to ensure that said lands ultimately are used for the purposes which are most appropriate and most beneficial from the standpoint of the City as a whole.

SECTION FOUR: Severability. If any section, subsection, phrase or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more section, subsection, phrases, or clauses be declared unconstitutional.

SECTION FIVE: Effective Date. This ordinance shall take effect thirty (30) days after passage thereof.

SECTION SIX: Publication. This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

I HEREBY CERTIFY that this ordinance was introduced at a special meeting of the City Council of the City of Vacaville, held on the 15th day of June, 2010, and ADOPTED and PASSED at a regular meeting of the City Council of the City of Vacaville held on the 22nd day of June, 2010 by the following vote:

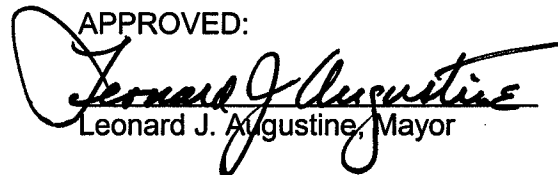
AYES: Council members Clancy, Harris, Rowlett, Vice-Mayor Hunt and Mayor Augustine

NOES: None

ABSENT:

ATTEST:

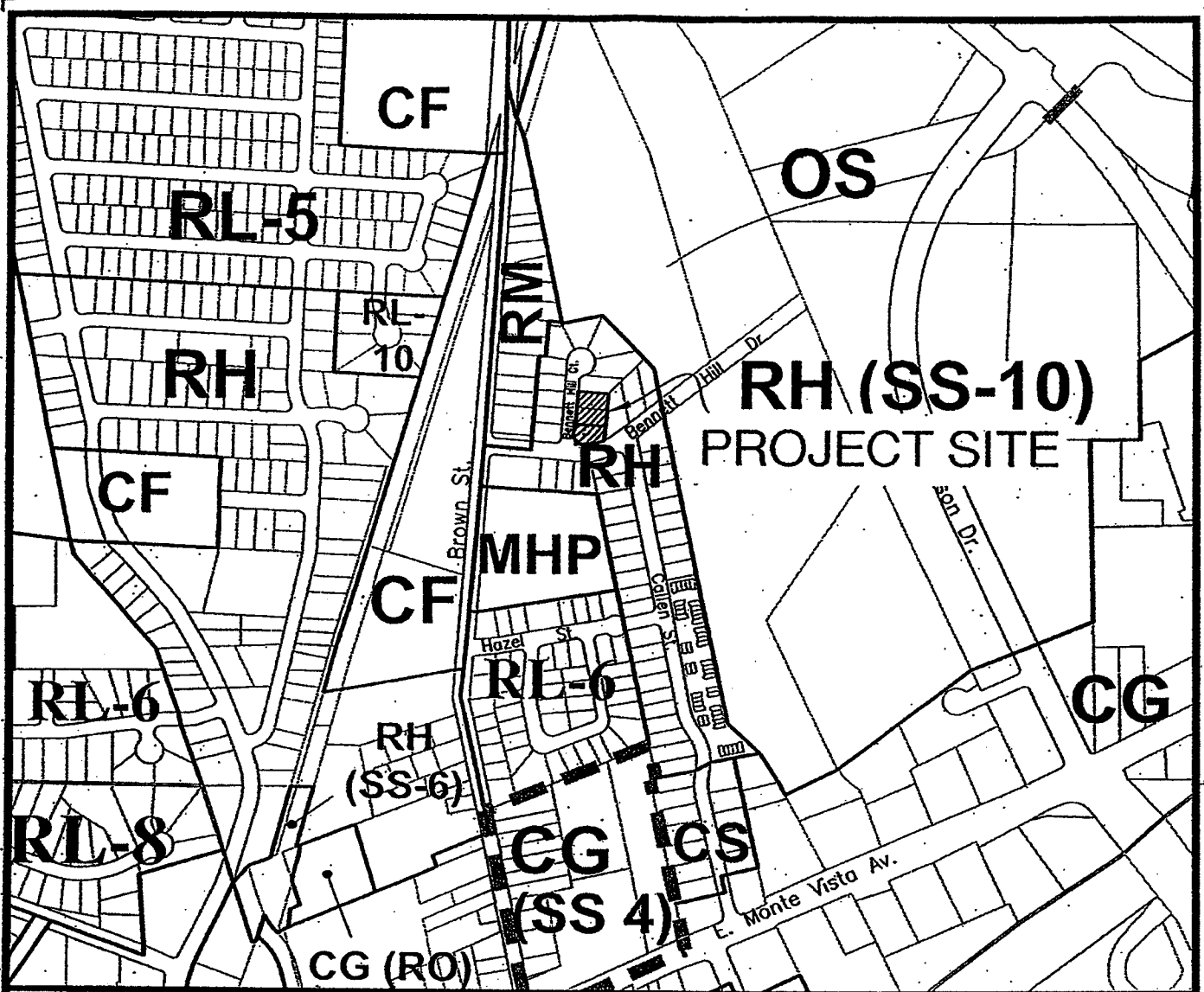
By: 
Michelle A. Thornbrugh, City Clerk

APPROVED: 
Leonard J. Augustine, Mayor

Date: _____

Attachment: Exhibit A

EXHIBIT A ZONING MAP AMENDMENT



Project Site



Opportunity House
Special Standards
Overlay Zone



THE CITY OF VACAVILLE
COMMUNITY DEVELOPMENT DEPT

Opportunity House Relocation

EXHIBIT A

ZONING TEXT AMENDMENT

LAND USE

SPECIAL STANDARDS #10

BENNETT HILL SOCIAL SERVICES CENTER (OPPORTUNITY HOUSE RELOCATION)

Ordinance No. SS-10, Adopted _____, _____
File No. 10 - 055

DESCRIPTION: This Special Standards Overlay District (SS10) specifically provides for social services uses to be located within the project area and to provide special site development standards to be used for social services projects. The standards adopted for this Overlay Zone are intended to facilitate the relocation of the social services facilities provided by Opportunity House to a Residential High Density Zone area on Bennett Hill Court.

ZONING/LOCATION: RH - Residential High Density. This site is located at 261 - 267 Bennett Hill Court on the northeast corner of Bennett Hill Court and Bennett Hill Drive.

PARCEL NUMBERS: 129-271-120 & 130

SPECIAL STANDARDS:

Opportunity House Special Standards Overlay District

1) Permitted and Conditional Uses:

In addition to permitted and conditional uses allowed by the RH Zone District, the following additional Permitted Uses are allowed in the RH-SS(10) district in accordance with the provisions of Chapter 14.09.110 of this division:

- a. Residential social services (i.e. emergency shelters & homeless shelters) facilities as defined by Chapter 14.02.016;
- b. Administrative offices for residential social services facilities when ancillary to the primary social service use;
- c. Other ancillary uses to the primary residential shelter use, including childcare space, training/classroom space for use by residents, and other similar uses.

2) Social Service Facility Site & Building Development Standards

- a. Buildings/site shall have a common use kitchen and a common use living space for any dormitory style residential area and may also have individual units with separate kitchen and living space.
- b. The lower floor only for 261-267 Bennett Hill Ct. may be constructed in a dormitory fashion with two 2-level bunk beds in each room or separate individual units for transitional housing purposes for a maximum number of beds determined by design review.
 - i. Dormitory fashion shall be defined as one common interior hallway with doorways to each room directly off hallway. The standards for room size, facilities provided and common area layout and design shall be subject to all City code requirements and as established by the licensing agency for the shelter.

- c. Restroom/Bathroom facilities for dormitory style residences shall be constructed in dormitory or locker room fashion complete with showers, as determined through design review and the social service oversight agency for the project.
 - i. Dormitory or locker room fashion shall be defined to meet requirements and standards as established by the licensing agency for the shelter.
- d. Upper floor units may be constructed in a dormitory fashion or separate individual units for transitional housing purposes.
- e. Building setbacks will be as follows:
 - Front – minimum of 15 feet (existing)
 - Side – (North) minimum of 8 feet
(South) minimum of 10 feet
 - Rear - minimum of 60 feet
 - Rear yard setback may be reduced to no less than 20 feet provided parking lot and open space needs are provided adequately as determined by design review.
- f. The rear property area and property line shall be improved with landscaping along the existing slope area and with a decorative masonry wall or decorative steel fence not less than six feet in height.

3) Parking Standards -

- a. Parking standards shall be determined through design review and approval. Typical standards would include:
 - i. 1 space per independent apartment unit;
 - ii. 1 space for every five (5) beds in dormitory style living quarters;
 - iii. 1 space for each office/work station within the structure or complex.
 - iv. The above parking ratios will be subject to review for specific operating characteristics of the proposed social service and may be increased or reduced from this number by the City Planner.
 - v. Parking requirements for the use may incorporate limitations on numbers of vehicles permitted per person or per family unit, through design review.
- b. Parking areas shall meet the development standards of the City Land Use & Development Code for landscaping, curbing, and paving.

4) Landscaping Standards –

- a. All space between sidewalk and front of building shall be landscaped and maintained with exception of driveway areas.
- b. All parking areas shall meet City tree shading and landscaping standards.
- c. All areas of the site that are not devoted to approved structures or parking facilities shall be fully landscaped, subject to approval by the City Planner.

5) Outdoor Recreation Space Standards –

- a. The purpose of outdoor recreation space standards shall be to provide an adequate residential recreational environment for the facility. The minimum space shall be equivalent to 200 square feet per independent apartment unit, plus additional space as determined through design review approval.
- b. Separate children's play space shall be provided either within the outdoor recreation area or within a separate space on the site.