

EXHIBIT B-3

Amend Zoning Code to allow subdivision of legal parcels with two legal residential dwellings even when the lot is substandard based on minimum lot size criteria of the base zoning district.

Add new Section 17.80.210, as follows:

Section 17.80.210 Divisions to Separate Pre-existing Residences.

Parcels containing more than one legal, detached single family residence may be divided into substandard lots provided that no new building sites are created subject to the following:

- a. The residences were not built as guest quarters, second dwelling units, employee housing other secondary residences or accessory structures.
- b. Each newly created lot must contain one of the lawfully established dwelling units.
- c. Each new lot must have a minimum 50 foot frontage
- d. The resultant lots shall meet applicable setbacks and lot coverage standards of the base zoning district
 - a. If the side yard setback required in the zoning district cannot be met, then the common lot line shall be located an equal distance between the two residences, but not less than six feet.
- e. Meet on-site/off-street parking requirements established in Section 17.80.030
- f. Provide a 30-year deed restriction for one of the dwelling units to ensure affordability for Low and/or Very Low income households as defined in Section 50079.5 and 50105 respectively of the California Health and Safety Code.

EXHIBIT B-4
Homeless housing facilities

Text additions are underlined and deletions are ~~lined out~~

Amend the Zoning Code to permit homeless shelters in the LI zone and related amendments.

Add item "L." to Section 17.48.020 of the LI zone, as follows:

L. Homeless housing facilities including emergency shelters, transitional housing and supportive housing

Add item **Homeless housing facilities** to definitions, as follows:

Section 17.12.75 Homeless housing facilities include emergency shelters, transitional housing and supportive housing for the targeted population. These are persons having one or more disabilities or a variety of health conditions, most of whom are homeless. Each is briefly defined below.

Emergency shelter is a facility providing sleeping accommodations, meals and other social and medical services to individuals who are homeless. An emergency shelter is intended to provide temporary housing for up to six months for each homeless individual served.

Transitional housing provides housing for individuals in need of housing and a variety of social services assistance. Eligible Individuals are not limited to a predetermined length of time, but are provided housing for not less than six months.

Supportive housing means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist residents in retaining housing, improving one's health status and maximizing the resident individual's ability to live and, when possible, work in the community.

EXHIBIT B-5
Group homes

Text additions are underlined and deletions are ~~lined out~~

Program 13: Amend the Zoning Code to allow a variety of small group homes in accordance with state law, as follows:

Add small residential care homes as a permitted accessory use to Sections 17.16, 17.20, 17.24 and 17.28, as follows:

17.16.030 C. Small residential care homes that are state licensed and accommodate no more than six individuals including, but not limited to foster homes, residential care facilities, etc.

17.20.030 E. Small residential care homes that are state licensed and accommodate no more than six individuals, including, but not limited to foster homes, residential care facilities, etc.

17.24.030 D. Small residential care homes that are state licensed and accommodate no more than six individuals, including, but not limited to foster homes, residential care facilities, etc.

17.28.030 D. Small residential care homes that are state licensed and accommodate no more than six individuals, including, but not limited to foster homes, residential care facilities, etc.

Add large residential care homes as a use subject to a conditional use permit in the following Sections 17.16, 17.20, 17.24 and 17.28, as follows:

17.16.030 C. Residential care homes that are state licensed and accommodate more than six individuals including, but not limited to foster homes, residential care facilities, etc.

EXHIBIT B-6
Public-Quasi Public amendments

Text additions are underlined and deletions are ~~lined out~~

Amend the definition of Public and quasi-public land use in Section 17.12.380, as follows:

“Public and quasi public uses” include such uses as cemeteries, churches, corporation yards, fire stations, hospitals, parks, public utility distribution stations, schools, communication equipment buildings, nursing homes, emergency shelters, transitional housing, supportive housing, state licensed large residential care facilities, etc.

Amend Section 17.12, definitions to add the following definitions:

17.12.82 Residential care facilities, small. Any state licensed family home, group care facility or similar facility family home, group care facility or similar facility providing 24-hour non-medical care for up to six persons in need of personal services, supervision or assistance essential for sustaining the activated of daily living or for the protection of the individual.

17.12.84 Residential care facilities, large. Any state licensed family home, group care facility or similar facility family home, group care facility or similar facility providing 24-hour non-medical care for more than six persons in need of personal services, supervision or assistance essential for sustaining the activated of daily living or for the protection of the individual.

EXHIBIT B-7
Factory-built/Manufactured homes

Text additions are underlined and deletions are ~~lined out~~

Amend the definition of single family dwelling to include factory-built homes as follows:

17.12.110 Dwelling, single family.

“Single family dwelling” means a detached building designed exclusively for occupancy by one family. A single family dwelling includes a manufactured home certified under the National Manufactured Housing Construction and Safety Standards of 1974 (42 U.S.C. Sections 5401 et seq.) on a foundation system, pursuant to Section 18551 of the Health and Safety Code, on lots zoned for conventional single family residential dwellings.

Amend Article II. HD Historical Combing District to preclude manufactured homes, as follows:

17.68.025 Prohibited uses Manufactured homes

Amend Section 17.88.040 C, Architectural review, to add an additional paragraph to clarify the applicable architectural requirements for a manufactured home as follows:

A manufactured home and the residential lot on which it is placed shall only be subject to the same development standards to which a conventional single-family dwelling on the same lot would be subject, including, but not limited to, building setback standards, side and rear yard requirements, standards for enclosures, access, off-street parking, aesthetic requirements and minimum square footage requirements. Any architectural requirements imposed on the manufactured home structure itself shall be limited to its roof overhang, roofing material and siding material. Under no event can these architectural standards exceed those which would be required of conventional single family dwelling constructed on the same lot. Said manufactured home must not be older than 10 years between the date of manufacture and the date the application for the issuance of a building permit to install the manufactured home is filed with the City.

EXHIBIT B-8
Mixed use residential

Text additions are underlined and deletions are ~~lined out~~

Amend the following zoning districts to allow residential mixed uses within various non-residential zones as follows:

Chapter 17.32 OP, Office and Professional zone

Amend 17.32.010, Purpose as follows: “The OP zoning district is established to accommodate the need for the development of office space and ~~multiple family residential with a use permit~~ mixed use residential uses. The inclusion of mixed use residential land uses in commercial areas is encouraged to increase the area’s population and pedestrian activity while reducing air pollution, energy consumption and transportation costs. Normally this zoning”

Amend 17.32.020 as follows:

C. Residential uses at a maximum density of 4 (four) units per acre within the same building or buildings that houses the commercial office use.

Chapter 17.36 LB, Local Business Zone

Amend 17.36.010, Purpose as follows: “...This district is intended to allow most uses which are primarily involved conducting retail sales and can accommodate mixed use residential uses. The inclusion of mixed use residential land uses in commercial areas is encouraged to increase the area’s population and pedestrian activity while reducing air pollution, energy consumption and transportation costs. This district is ...”

Amend 17.36.020 as follows:

G. Mixed residential uses at a maximum density of 4 (four) units per acre may be included within ~~in~~ any building devoted to a nonresidential use or uses permitted in the LB zone; ~~there may be one dwelling unit consisting of one or more rooms designed for occupancy by one family for living or sleeping purposes and having kitchen and bath facilities~~

Chapter 17.40 GB, General Business Zone

Amend 17.40.010 as follows: “The purpose of the GB zone is to provide a location for the sale of commodities, performance of services, repair facilities, tourist oriented sales, and other types of general enterprise. The GB zone can also accommodate mixed use residential uses. The inclusion of mixed use residential land uses in commercial areas is encouraged to increase the area’s population and pedestrian activity while reducing air pollution, energy consumption and transportation costs.

Amend 17.40.020 as follows:

E. Mixed residential uses at a maximum density of 4 (four) units per acre may be included within ~~In~~ any building devoted to a nonresidential use or uses permitted in the GB zone; ~~there may be one (1) dwelling unit consisting of one (1) or more rooms designed for occupancy by one family for living or sleeping purposes and having kitchen and bath facilities~~

EXHIBIT B-9
Outdoor Lighting

17.80.210 Outdoor Lighting Standards

New outdoor lighting on private property other than the site of a single family dwelling or duplex shall comply with the following requirements. All such lighting shall be limited to the minimum necessary for safety and security.

- A. An outdoor light fixture shall be limited to a maximum height of 14 feet of the height of the nearest building, whichever is less except adjacent to or within a residential area where the height shall be reduced to 8 feet. A fixture greater than 14 feet in height may be approved by the Planning Commission where it first determines that the additional height will provide lighting that still complies with all other requirements of this Section.
- B. Outdoor lighting shall utilize energy efficient (high pressure sodium, low pressure sodium, hard wired compact florescent, light emitting diodes (LED) or other lighting technology that is of equal or greater efficiency) fixture/lamps.
- C. Lighting fixtures shall be shielded or recessed to minimize light spill to adjoining properties by:
 - 1. Ensuring that the light source (e.g., bulb) is shielded and directed downward with no more than a 30 degree horizontal deflection from the light source.
 - 2. Confining glare and reflections within the boundaries of the site to the maximum extent feasible.

Each light fixture shall be directed downward and away from adjoining properties and public rights-of-way. No on-site light source shall directly illuminate an area off the site.

- D. No lighting on private property shall produce an illumination level greater than one foot candle on any property within a residential zone, except on the site of the light source.
- E. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness.

EXHIBIT B-10
Density Bonuses and Condominium Conversions

Amend the Zoning Ordinance to add Section 17.80.220 and 230, as follows:

17.80.220 Density Bonuses and Other Incentives

- A When a developer of housing proposes a housing development, the City of Nevada City, hereinafter called city, shall provide the developer incentives for the production of lower income housing units within the development if the developer meets the requirements set forth in subsections B and C
- B When a developer of housing agrees or proposes to construct at least (1) 20 percent of the total units of housing development for lower income households, as defined in section 50079.5 of the Health and Safety Code, or (2) 5 percent of the total units of housing development for very low income households, as defined in Section 50105 of the Health and Safety Code, or (3) 50 percent of the total dwelling units of a housing development for qualifying senior citizens, as defined in Section 51.3 of the Civil Code, the city shall either:
- 1 grant a density bonus and at least one of the concessions or incentives identified in subsection H unless the city makes a written finding that the additional concession or incentive is not required in order to provide for affordable housing costs as defined in Section 50025.5 of the Health and Safety Code or for rents for the targeted units to be set as specified in subsection C, or
 - 2 provide other incentives of equivalent financial value based upon the land cost per dwelling unit.
- C A developer shall agree to and the city shall ensure continued affordability of all lower income density bonus units for 30 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. Those units targeted for lower income households, as defined in Section 50079.5 of the Health and Safety Code shall be affordable at a rent that does not exceed 30 percent of 60 percent of area median income. Those units targeted for very low income households, as defined in Section 50105 of the Health and Safety Code shall be affordable at a rent that does not exceed 30 percent of 50 percent of area median income. If the city does not grant at least one additional concession or incentive pursuant to paragraph 1 of subsection B, the developer shall agree to and the city shall ensure continued affordability for 10 years of all lower income housing units receiving a density bonus.
- D A developer may submit to a city a preliminary proposal for the development of housing pursuant to this section prior to the submittal of any formal requests for general plan amendments, zoning amendments, or subdivision map approvals. The city shall, within 90 days of receipt of a written proposal, notify the housing developer in writing of the procedures which will comply with this section. The city shall establish procedures for carrying out this section, which shall include legislative body approval of the means of

compliance with this section. The city shall also establish procedures for waiving or modifying development and zoning standards which would otherwise inhibit the utilization of the density bonus on specific sites. These procedures shall include, but not be limited to, such items as minimum lot size, side yard setbacks, and placement of public works improvements.

- E The housing developer shall show that the waiver or modification is necessary to make the housing units economically feasible.
- F For the purposes of this ordinance, “density bonus” means a density increase of at least 25 percent over the otherwise maximum allowable residential density under applicable zoning ordinance and land use element of the general plan as of the date of application by the developer to the city. The density bonus shall not be included when determining the number of housing units. The density bonus shall apply to housing developments consisting of five or more dwelling units.
- G “Housing development” as used in this section means one or more groups of projects for residential units constructed in the city. For purposes of calculating a density bonus, the residential units do not have to be based upon individual subdivision maps or parcels. . The density bonus units shall be permitted in areas of the development other than the areas where the units for the lower income households are located.
- H For purposes of this ordinance, concession or incentive means any of the following:
 - a A reduction in site development standards or a modification of zoning code requirements or architectural design requirements which exceed the minimum building standards approved by the State Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and lot area square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required.
 - b Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the housing project and the existing or planned development in the area where the proposed housing project will be located.
 - c Other regulatory incentives or concessions proposed by the developer or the city which result in identifiable cost reductions.
- I This subdivision does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the city or the waiver of fees or deduction requirements.
- J If a developer agrees to construct both 10 percent of the total units for lower-income households and 5 percent of the total units for very low income households the developer is

entitled to only one density bonus and at least one additional concession or incentive identified in Section H under this section. The City may, at its discretion, grant more than one density bonus.

17.80.230 Condominium Conversions Density Bonus

- A When an applicant for approval to convert apartments to a condominium project agrees to provide at least 33 percent of the total units of the proposed condominium project to persons and families of low or moderate income as defined in Section 50093 of the Health and Safety Code, or 15 percent of the total units of the proposed condominium project to lower income households as defined in Section 50079.5 of the Health and Safety Code, and agrees to pay for the reasonably necessary administrative costs incurred by the city, the city shall either
 - 1 grant a density bonus or
 - 2 provide other incentives of equivalent financial value
- B A city may place a such reasonable conditions on the granting of a density bonus or other incentives of equivalent financial value as it finds appropriate, including, but not limited to, conditions which assure continued affordability of units to subsequent purchasers who are persons and families of low and moderate income or lower income households.
- C For purposes of this section, “density bonus” means an increase in units of 25 percent over the number of apartments, to be provided within the existing structure or structures proposed for conversion.
- D For purposes of this section, “other incentives of equivalent financial value” shall not be construed to require the city to provide cash transfer payments or other monetary compensation but may include the reduction or waiver of requirements which the city might otherwise apply as conditions of conversion approval.
- E An applicant for approval to convert apartments to a condominium project may submit to the city a preliminary proposal pursuant to this section prior to the submittal of any formal requests for subdivision map approvals. The city shall, within 90 days of receipt of a written proposal, notify the applicant in writing of the manner in which it will comply with this section. The city shall establish procedures for carrying out this section, which shall include legislative body approval of the means of compliance with this section.
- F Nothing in this section shall be construed to require the city to approve a proposal to convert apartments to condominiums.
- G An applicant shall be ineligible for a density bonus or other incentives under this section if the apartments proposed for conversion constitute a housing development for which a density bonus or other incentives were provided under Section 65915.