



STAFF REPORT

Date: Tuesday, February 14, 2017
To: Bryan H. Montgomery, City Manager
From: Joshua McMurray, Planning Manager
Subject: Proposed amendments to the City of Oakley Residential Design Guidelines to address the placement of Mobile/Manufactured Homes in residential neighborhoods

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Summary and Recommendation

The City adopted the [Residential Design Guidelines](#) (Guidelines) in 2003. Since then they have been reviewed a few times with no significant changes made. Staff has seen an increase in the amount of mobile/manufactured homes proposed within existing subdivisions. While there is State Law that regulates what a City may and may not do with the review of such proposals (which is relatively limited in terms of denying the application), the law does have an exception which allows a City discretion on approving units 10 years or older. With the increase in applications and the difficulty presented in ensuring a mobile/manufactured home meets the intent of the Guidelines, Staff is proposing to add this exception within the Guidelines.

Staff recommends the City Council adopt the Resolution amending the City of Oakley Residential Design Guidelines to address the placement of Mobile/Manufactured Homes in residential neighborhoods.

Background and Analysis

As stated above, the State has taken away most discretionary power from the City to regulate the placement and use of certified mobile/manufactured homes on lots zoned for Single-Family Residential uses. Government Code Section 65852.3 states the following:

“(a) A city, including a charter city, county, or city and county, shall allow the installation of manufactured homes certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Secs. 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. Except with respect to architectural requirements, a city, including a charter city, county, or city and county, shall only subject the manufactured home and the lot on which it

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is placed to the same development standards to which a conventional single-family residential 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, and vehicle parking, aesthetic requirements, and minimum square footage requirements. Any architectural requirements imposed on the manufactured home structure itself, exclusive of any requirement for any and all additional enclosures, shall be limited to its roof overhang, roofing material, and siding material. These architectural requirements may be imposed on manufactured homes even if similar requirements are not imposed on conventional single-family residential dwellings. However, any architectural requirements for roofing and siding material shall not exceed those which would be required of conventional single-family dwellings constructed on the same lot. At the discretion of the local legislative body, the city or county may preclude installation of a manufactured home in zones specified in this section if more than 10 years have elapsed between the date of manufacture of the manufactured home and the date of the application for the issuance of a permit to install the manufactured home in the affected zone. In no case may a city, including a charter city, county, or city and county, apply any development standards that will have the effect of precluding manufactured homes from being installed as permanent residences.”

The key points from this section are the City:

- Has to allow a mobile or manufactured home on lots zoned for single-family residential dwellings.
- Can only subject the manufactured home and the lot on which it is placed to the same development standards to which a single-family residential dwelling on the same lot (setbacks, etc....).
- Has the ability to regulate some architectural elements of a mobile or manufactured home.
- May preclude installation of a manufactured home in zones specified in this section if more than 10 years have elapsed between the date of manufacture of the manufactured home and the date of the application for the issuance of a permit to install the manufactured home.

The last bullet point is the focus of this amendment to the Guidelines. The Guidelines do address new construction of one or multiple homes within an existing, established subdivision. Attachment 2, Pages 7 and 8 from the Guidelines, address Infill Compatibility. The standards in this section require the new home(s) to blend in as such the casual viewer would not be able to tell that the new home wasn't designed as part of the original subdivision. This is not easily achieved when State Law has certain provisions on what a City may or may not require when a mobile or manufactured home is proposed. One area where the Guidelines lack is the fourth bullet point above allowing discretion on precluding a mobile or manufactured home if it is more than 10 years old. This amendment would add that provision into the Guidelines, furthering the City's ability to ensure the quality and integrity of existing residential subdivisions are maintained to the extent allowed by State Law.

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Although shown in strikeout/underline format on Attachment 3 of this report, Staff proposes the addition of the following text to the end of the Infill Compatibility section of the Guidelines:

“In the event a Mobile or Manufactured home is proposed, the City shall process that application in accordance with Government Code Section 65852.3. The City may not permit a mobile or manufactured home if more than 10 years have elapsed between the date of manufacture of the mobile/manufactured home and the date of the application for the issuance of a permit to install the mobile/manufactured home in any Single-Family Residential Zone.”

Environmental Review

The amendments to the City of Oakley Residential Design Guidelines are exempt from CEQA pursuant to Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

Findings

Proposed findings to support the amendments are included in the attached Resolution.

Recommendation

Staff recommends the City Council adopt the Resolution amending the City of Oakley Residential Design Guidelines to address the placement of Mobile/Manufactured Homes in residential neighborhoods.

Attachments

1. Proposed Resolution
2. City of Oakley Residential Design Guidelines (Pages 7-8)
3. Proposed text with strikeout/underline

RESOLUTION NO. XX-17

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY
APPROVING AN AMENDMENT TO THE INFILL COMPATIBILITY SECTION OF THE
RESIDENTIAL DESIGN GUIDELINES**

RECITALS

WHEREAS, in December 2002, the City Council of the City of Oakley adopted the Oakley 2020 General Plan (hereafter "General Plan"); and

WHEREAS, the Goal 2.2 of the General Plan is: "Create new residential developments and preserve existing neighborhoods to reflect the high quality of life in Oakley"; and

WHEREAS, in furtherance of those policies, the General Plan provides, in Implementation Program 2.2.B, that the City develop and adopt residential subdivision design guidelines; and

WHEREAS, a final version of the City of Oakley Residential Design Guidelines, including all changes, dated December 2003, was adopted by the City Council on December 8, 2003; and

WHEREAS, over time it is important to review and revise the design guidelines; and

WHEREAS, the City has initiated an amendment to the design guidelines to address Infill Compatibility and more specifically the placement of mobile/manufactured homes within existing subdivisions; and

WHEREAS, the amendments to the City of Oakley Residential Design Guidelines are exempt from CEQA pursuant to Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

NOW THEREFORE, the City Council of the City of Oakley hereby resolves as follows:

1. The foregoing recitals are true and correct and made a part of this resolution.
2. The City of Oakley Residential Design Guidelines reflect the City's independent judgment and analysis.
3. The City of Oakley City Council has reviewed and considered the Residential Design Guidelines, as well as the public comments, minutes, and staff reports received

prior to and during its February 14, 2017 meeting related thereto. Based on its review of the foregoing documents, the Council hereby approves the amended Guidelines.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 14th of February, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Sue Higgins, Mayor Date

ATTEST:

Libby Vreonis, City Clerk Date

5. Create a central place. Whether it is a community center, a park, or a small green space used as a commons, a central place acts as a focal point for the neighborhood.
6. Connect with the surrounding community. Safe and efficient pedestrian and bicycle connections as well as visual connections help to integrate the neighborhood with the greater community.
 - Where a neighborhood abuts a trail, park or open space, provide pedestrian and bicycle access from the neighborhood.
 - Provide safe and efficient pedestrian and bicycle circulation for children travelling to and from schools.
 - Create visual access by using open fencing, berming and/or landscaping rather than soundwalls as described above.
7. Incorporate energy and resource efficient design, and encourage sustainable practices.
 - Consider use of natural drainage swales, riparian corridors and dual use detention areas for storm water (runoff) management.
 - Install reclaimed water supply lines for future irrigation. Refer to City of Oakley Engineering Standards for reclaimed water requirements. Consider installation of well systems for irrigation of parks, parkways and open areas.
 - Lay out lots to best take advantage of sun and wind patterns and natural topography.



Connect with trails

Infill Compatibility

Whenever a builder of a single home or of multiple homes seeks a permit to build within an existing subdivision or is adjacent to an existing development, the look of the new home(s) should be such that it appears to a casual viewer that all of the homes were designed as one development.

The criteria to be considered in making that determination include but are not limited to: the size range of the homes, the design of the homes, the quality of materials used, fencing and vegetation palette, colors and setbacks.

The community development department shall assign any new development in or near any existing subdivisions to the appropriate subdivision to be used for design guidance, unless a new higher quality of development is being applied for, in which case, the developer may submit plans for a new subdivision design.

Estate Neighborhoods

Parts of Oakley will retain a more rural character. Areas containing larger lots (typically Zones R-15 to R-100) may be developed as estate neighborhoods. The look and feel of estate neighborhoods will differ from that of other residential development in a number of ways.

1. Streetscapes may be more rustic. Concrete sidewalks may be omitted on one or both sides of the street.
2. Street lighting may be omitted on local streets.
3. Circular driveways are allowed with two curb cuts per lot.
4. Fencing materials may include wood, wrought iron or masonry. Rustic styles such as split rail or three-rail fences may also be acceptable.

Estate neighborhoods will follow most of the guidelines described in this document. Because greater setbacks are required on the larger lots, and because more flexibility in building siting is possible, some of the guideline provisions may be waived, including:

1. The requirement that 20% of units shall be single story.
2. The requirement that 50% of corner lots be single story, however, 50% of corner estate lots shall have a significant one-story element.



**Residential Design Guidelines
February 2017 Amendment to Infill Compatibility
Excerpt from Page 9 and 10**

Infill Compatibility

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The criteria to be considered in making that determination include but are not limited to: the size range of the homes, the design of the homes, the quality of materials used, fencing and vegetation palette, colors and setbacks.

The community development department shall assign any new development in or near any existing subdivisions to the appropriate subdivision to be used for design guidance, unless a new higher quality of development is being applied for, in which case, the developer may submit plans for a new subdivision design.

In the event a Mobile or Manufactured home is proposed, the City shall process that application in accordance with Government Code Section 65852.3. The City may not permit a mobile or manufactured home if more than 10 years have elapsed between the date of manufacture of the mobile/manufactured home and the date of the application for the issuance of a permit to install the mobile/manufactured home in any Single-Family Residential Zone.