

ORDINANCE NO.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF COTATI ADOPTING AMENDMENTS TO TITLE 17 (LAND USE) OF THE COTATI MUNICIPAL CODE TO ESTABLISH DESIGN STANDARDS AND REGULATIONS FOR THE DEVELOPMENT OF “WOONERFS” (MULTI-USE/MULTI-MODAL ZONES) WITHIN MULTIFAMILY, MIXED USE AND OTHER PRIVATE DEVELOPMENT PROJECTS BY ADDING SECTION F TO CHAPTER 17.36.100 DRIVEWAYS AND SITE ACCESS AND AMENDING CHAPTER 17.90 (DEFINITIONS)

WHEREAS, the Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, on June 21, 2021, the Planning Commission held a duly noticed public hearing regarding multifamily objective design standards and amendments to the multifamily open space standards which included the allowance of woonerfs within multifamily projects and adopted Resolution No. PC-2021-5 recommending that the Cotati Land Use Code be amended to allow the development of woonerfs within certain private development projects; and

WHEREAS, on August 10, 2021, and September 28, 2021, the City Council held duly noticed public hearings regarding the multifamily objective design standards and amendments to the multifamily open space standards and introduced an ordinance to approve the amendments to the Land Use Code and directed staff to prepare draft amendments to the Cotati Land Use Code regarding the inclusion of woonerfs within new multifamily projects; and

WHEREAS, City staff has researched available information regarding the development of woonerfs on public streets and within private developments and prepared draft amendments to the Cotati Land Use Code to require and/or allow the development of woonerfs within new private development projects and outside of the public right-of-way; and

WHEREAS, on November 1, 2021, the Planning Commission of the City of Cotati held a duly noticed public hearing to review the proposed amendments to Chapters 17.36.100 and 7.90 of the Cotati Municipal Code. After reviewing and providing some direction to staff, the Commission voted to approve a resolution recommending adoption of an Ordinance to define and regulate Woonerfs to the City Council; and

WHEREAS, on December 14, 2021, the City Council of the City of Cotati held a duly noticed public hearing on a draft Ordinance to define and regulate Woonerfs, received the staff report and reviewed a presentation from the Planning Division, considered all oral and written comments submitted to the City regarding the item, and directed staff to make certain revisions to the draft ordinance; and

WHEREAS, on September 19, 2022, the Planning Commission of the City of Cotati held a duly noticed public hearing to review the proposed amendments to Chapters 17.36.100 and 7.90 of the Cotati Municipal Code. After reviewing and providing some direction to staff, the

Commission voted to approve a resolution recommending adoption of an Ordinance to define and regulate Woonerfs to the City Council; and

WHEREAS, on October 11, 2022, the City Council of the City of Cotati held a duly noticed public hearing on a revised draft Ordinance to define and regulate Woonerfs, received the staff report and reviewed a presentation from the Planning Division, and considered all oral and written comments submitted to the City regarding the item prior to taking its action on the item.

WHEREAS, one of the purposes of Title 17 of the City’s Municipal Code is to ensure that proposed development is of human scale, primarily pedestrian-oriented, and designed to create attractive streetscapes and pedestrian spaces; and

WHEREAS, one of the purposes of Chapter 17.36-Parking and Loading of the Cotati Municipal Code is to create parking facilities that are properly designed and attractive.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF COTATI DOES ORDAIN AS FOLLOWS:

SECTION 1: Recitals.

The above recitals are true and correct and are incorporated into the findings herein.

SECTION 2: Record

The Record of Proceedings (“Record”) upon which the City Council makes its decision includes, but is not limited to: 1) the 2015 General Plan, 2) the FEIR certified for the 2015 General Plan, 3) the Housing Element adopted by the City Council in 2015, and 4) all staff reports, City files and records and other documents prepared for and/or submitted to the City Council related to adoption of the “Woonerfs” (Multi-Use/Multi-Modal Zones) Ordinance.

SECTION 3: General Plan Consistency

The Council of the City of Cotati does hereby find that the proposed ordinance to amend the Land Use Code to establish Woonerfs (Multi-Use/Multi-Modal Zones) for new developments, as shown in this Ordinance, is in the best interest of the City in that it will further established goals, policies, and implementation programs of the General Plan to promote development and facilities that are of human scale; to promote social interaction within multifamily and other commercial development projects; to maintain a diverse range of housing options with a focus on in-fill development; and will limit the extension of city services by providing more amenities within the built environment adjacent to new development.

Specifically, these amendments are consistent with and implement the following General Plan and Housing Element policies and programs:

Policy CON 2.1: Improve air quality through continuing to require a compact development

pattern that focuses growth in and around existing urbanized areas, locating new housing near places of employment, encouraging alternative modes of transportation, and requiring projects to mitigate significant air quality impacts.

Objective LU 1B: Ensure that new growth is focused around existing development and does not facilitate the inefficient extension of city services.

Objective LU 1C: Encourage and, when possible, prioritize development of infill and underutilized sites within mostly developed areas, in order to minimize the premature extension of infrastructure

Action LU 1c: Prioritize the processing of development applications for infill, underutilized, or vacant parcels designated for urban uses over those projects requiring annexation.

Policy LU 2.2: Encourage clustering of housing so that larger areas of open space may be permanently preserved.

Objective LU 4A: Ensure a streamlined and equitable process for project permitting and outside agency coordination without compromising the enforcement of local land use regulations.

Goal H-1: Conserve and improve the existing housing stock to provide adequate, safe, and decent housing for all Cotati residents.

Goal H-2: Provide adequate sites to accommodate the housing needs of all economic segments of the community.

Policy H-2.1 Ensure that adequate land designated for residential and/or mixed-use development is available to accommodate the City's fair-share of ABAG's Regional Housing Needs Allocation.

Policy H-2.4: While the City is able to accommodate its share of the regional housing need without rezoning during the current Housing Element period, to the extent necessary, the City will consider land use re-designation in order to accommodate specific projects, while affirming all other goals of the City's General Plan, in order to maintain Cotati's rural character.

Policy H-2.6: Ensure that the City's development requirements, including the standards established by the General Plan and Land Use Code, accommodate and provide for available housing sites that are appropriate for a range of income levels and housing types, including housing to accommodate special needs populations.

Policy H-2.8 Require housing developments to provide housing stock at a range of affordability levels to assist in meeting the City's housing needs as required by Chapter 17.31 of the Land Use Code.

Policy H-2.12: Encourage housing development on existing infill sites in order to efficiently utilize existing infrastructure.

Goal H-3: Expand affordable housing opportunities for lower income households and persons with special housing needs, including seniors, disabled persons, large households, and homeless persons and families.

Policy H-3-1: Ensure that the City's development standards encourage development of a range of housing types, including multifamily, mixed use, high density residential, second units, and single family units, and incentivize production of lower income housing.

Policy H-3-2: Provide incentives for affordable housing development, including density bonuses, expedited processing, relaxation in development standards, and either reduction, delay, or waiver of fees when financially feasible.

Policy H-3-7: Encourage housing for large families.

Goal H-5: Promote energy efficiency and conservation in residential development.

Policy H-5-2 Encourage energy efficiency and energy conservation in existing and proposed residential development to ensure sustainable practices and reduce long-term housing costs.

Goal H-6: Ensure public participation in the development of the City's housing policies.

SECTION 4: Compliance with the California Environmental Quality Act.

The Council of the City of Cotati does hereby find that the proposed ordinance to amend the Land Use Code to establish objective design standards for Woonerfs in qualifying developments is consistent with the program Final Environmental Impact Report (SCH# 2013082037) for the Cotati General Plan Update that was certified on March 24, 2015 (Resolution Number 2015-11), and pursuant to Section 15168 of the *CEQA Guidelines*, as such no further environmental review is required.

SECTION 5: Amendment to the Cotati Municipal Code. Chapter 17.36.100 is amended as follows:

17.36.100 Driveways and site access.

F. Woonerf (Multi-Use/Multi-Modal Zone). Any internal driveway within a multifamily development or the residential portion(s) of a horizontal mixed-use project shall be designed as a woonerf in keeping with the standards of this Section. Woonerfs or woonerf elements may also be included as a part of other residential projects such as cottage courts and single-family developments and in commercial developments to the extent feasible.

A woonerf is an internal driveway within a development used as a multi-modal, multi-use shared space where priority is given to pedestrians and bicycles. Motor vehicles are considered guests in a woonerf, and as such, are subject to traffic calming and reduced speed limits in order to force drivers to reduce travel speeds and drive with caution so that all users feel welcome and safe.

Features of woonerfs include special paving and signage, a curbless design, traffic calming measures, and integration of trees, landscape elements, seating, lighting, and other amenities. Woonerfs also function as play courts, recreation spaces, and/or social areas for residents. The presence of woonerfs can promote more social interaction and enhance the appearance of a private development for the benefit of the development's residents and visitors.

1. Location of a Woonerf.

- a. Any internal driveways within a development shall be designed as woonerfs in accordance with this Section, with the exception of those accommodating heavy circulation, which shall be defined as those driveways experiencing more than 100 motor vehicles trips during the afternoon or evening peak hour. To the extent possible, developments shall be designed to distribute motor vehicle traffic so that internal driveways are suitable for woonerfs.
- b. Woonerfs shall be located entirely on privately owned property, outside of the public right-of-way, and on the same parcel as the development they serve.
- c. A woonerf shall be located only on an internal driveway that serves a single development, and cannot be located on a shared driveway serving more than one development or on a driveway that provides a vehicular connection between developments. A single development may include multiple woonerfs, which may be connected to one another.
- d. Woonerfs shall be located near residential unit entries, common areas, and other amenities; an excess area at the fringe of the development is not an appropriate location for a woonerf.

2. Woonerf Design and Development Standards.

- a. Woonerfs may be designed for one-way or two-way motor vehicular traffic.
- b. Woonerfs shall be designed to minimize the possibility on non-resident cut-through travel from one public street to another.
- c. Each woonerf shall have clear and distinctive entrances and exits with signage indicating the woonerf status, a change in pavement texture or color, and at entrances, a traffic calming feature such as a ramp up and/or chicane. Design measures and signage shall be placed sufficiently in advance of exits to ensure that pedestrians and bicyclists are aware that they are leaving the woonerf.
- d. Woonerf entrance(s) shall be a minimum of 20 feet from any intersection with a public street or non-woonerf driveway (or 50 feet minimum from an arterial street) to provide a clear line of sight, allow motorists time to reduce speed, and allow sufficient motor vehicle stacking space (this distance shall be referred to as the "transition zone"). The transition zone shall be designed to slow traffic and alert drivers to the upcoming woonerf, with cautionary signage and a narrowed driveway, landscaping, and/or other measures.

e. The minimum length of a woonerf shall be 60 feet, excluding the transition zone(s). Portions of the woonerf should be wider or narrower at various locations to allow for traffic calming, seating, other amenities, and/or safe motor vehicle passing. The minimum non-obstructed width for motor vehicle travel at any point along the woonerf shall be 13 feet. Periodic passing bays shall be provided as needed to minimize conflict between vehicles traveling in opposite directions, in the case of a two-way woonerf.

f. Continuous curbs shall be eliminated to emphasize that the space is shared between pedestrians, bicyclists, and motorists. Varying pavement, planters, decorative bollards, and/or similar features shall be used to prevent and/or discourage motorists from using pedestrian-only areas. Seating and play areas shall be protected from the path of motor vehicles by bollards, planters, and/or similar features.

g. Traffic calming measures shall be located no less than 100 feet apart within the woonerf so that there is no length that would allow drivers to exceed the speed limit or otherwise operate their vehicles as though they have priority over pedestrians or bicyclists. In addition, forward visibility within the woonerf shall be limited to the extent possible by chicanes, landscaped planters, or other suitable traffic calming measures in order to force drivers to reduce speed.

h. The following traffic calming measures are NOT appropriate for a woonerf: speed bumps, speed humps, speed tables, dips, medians, traffic lights, pedestrian crossings, bicycle lanes, and stop signs (except at woonerf exits/intersections).

i. The speed limit in a woonerf shall be posted at 8 miles per hour. This speed limit will apply to all wheeled vehicles or devices as well as motor vehicles.

j. Emergency vehicle access shall be required as determined by the Fire Marshal. Traffic calming measures and other elements must not interfere with emergency vehicle access; it is vital to ensure that emergency vehicles can enter and exit, as well as maneuver through the woonerf. Clear space around fire hydrants must be provided to facilitate emergency access.

k. A woonerf shall incorporate outdoor seating; landscaping including trees, planters, and shrubs; bicycle parking; and pedestrian scale lighting to make the woonerf more attractive and to calm traffic. Seating areas shall be provided at a minimum of every 100 feet to encourage people to use the woonerf for various activities. Play areas and equipment, drinking fountains, trash and recycling receptacles, and other amenities may also be provided. The design of the woonerf should strive to create a series of “outdoor living rooms” for the use of residents.

l. The woonerf surface shall be constructed of varying decorative smooth/flat paving (which may be permeable) and/or stamped, scored, and colored asphalt or concrete. Special paving shall be applied to the full width and length of the woonerf but different areas may utilize different treatments.

m. Bicycle parking shall be provided within the woonerf, in accordance with the standards set forth in the Cotati Land Use Code and Bicycle and Pedestrian Master Plan. Bicycle parking should be located for maximum convenience and security—close to dwelling units, near the center of the woonerf, and away from public streets to the extent possible.

n. Space provided as a woonerf according to this Section shall not be used to meet the open space or other common area space requirements for the development, unless authorized by the Planning Commission and/or City Council.

3. Automobile Parking in a Woonerf

a. Parking within a woonerf is allowed, with parallel parking preferred, provided that the design and placement of the parking reinforces the concept that the automobile is not the predominant element. Parking spaces must be spaced intermittently; no more than 2 adjacent parallel spaces and no more than 3 adjacent non-parallel spaces shall be allowed and a minimum of 20 feet between the parking areas shall be provided to allow for seating, landscaping, and other amenities. Non-parallel spaces shall not be in the form of tandem parking in front of garages. Parking spaces in the woonerf may not be located directly across from one another, unless at least one side is located within fully enclosed garages.

b. Parking spaces shall be clearly marked and delineated from other areas of the woonerf by physical elements such as bollards, landscaping, and/or different paving materials. In addition, the parking design shall incorporate mechanisms to calm traffic and protect pedestrians and bicyclists, such as chicanes, bollards, or curb extensions

c. Parking spaces in the woonerf shall not be located within 35 feet of the woonerf's entrance, exit, or intersection with other woonerfs.

d. Parking stall and aisle dimensions in a woonerf shall be as follows:

i. Parallel parking space: 7 feet wide by 24 feet long

ii. Non-parallel parking space: 9 feet wide by 18 feet long, if adjacent to another parking space; otherwise, 7 feet wide by 18 feet



Figure 3-13. Woonerf Entry Sign Example

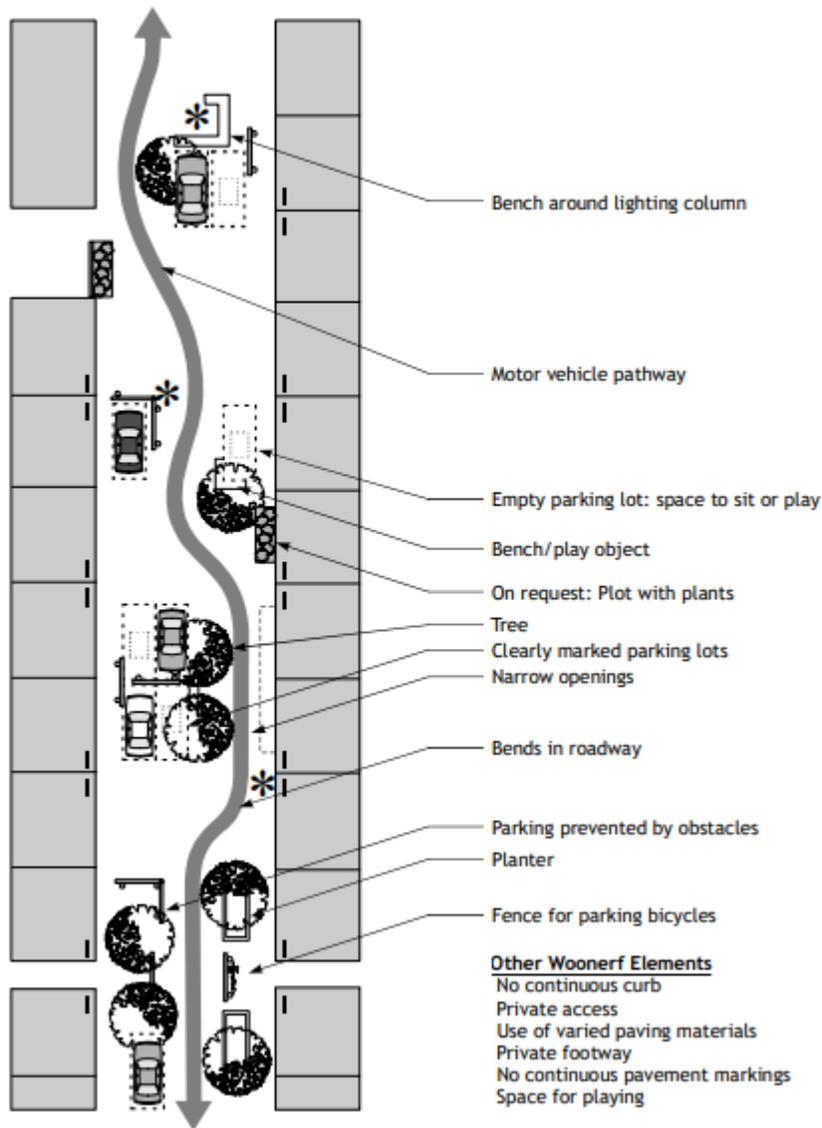


Figure 3-12. Woonerf Element Examples (not to scale)
(Design shall comply with emergency vehicle access regulations)

SECTION 6: Modifications to Standards. Applicants may request modifications to the Woonerf provisions. The Planning Commission and/or City Council may grant exceptions from the above referenced provisions of the woonerf regulations if any of the following apply:

1. The site is constrained due to unusual shape, topography, easements, or sensitive environmental areas, and the alternative design would serve to protect sensitive natural resources.

2. The Planning Commission and/or City Council find the alternative design concept provides a high level of design quality and generally meets the intent of the above regulations. Acceptable alternative designs would create usable, safe, pleasant outdoor spaces for residents and reduce the impacts of motor vehicles through concepts such as peripheral parking, clustered parking, and/or significant centralized open space amenities that serve all of the residential units.

SECTION 7: Amendment to the Cotati Municipal Code. Section 17.90.020 is amended as shown in the added definitions in alphabetical order, as follows:

Internal Driveway – A private driveway, accessway, driving aisle, street, lane, or alley within a single development that provides motor vehicular access to that development’s structures, parking area(s), and/or other features or amenities.

Traffic Calming-- Physical measures, used separately or in combination, that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for nonmotorized users of streets, alleys, driveways, parking lots, woonerfs, or other places where motor vehicles are present. Depending on the situation, traffic calming may include the following measures: chicanes, ramp ups, narrow driving lanes, curb extensions/bulb outs, neck downs, speed bumps, speed humps, speed tables, dips, diagonal diverters, cul de sacs, curves/meanders, reduced corner/turn radii, street trees, landscaping, medians, stop signs, traffic lights, pedestrian crossings, bicycle lanes, bollards, signage, varying pavement colors, textured pavement, and pedestrian amenities such as street furniture.

Woonerf – An internal driveway within a development that serves as a multi-use, multi-modal shared space where priority is given to pedestrians and bicycles. Motor vehicles are considered guests in a woonerf, and as such, are subject to traffic calming and reduced speed limits. Features of woonerfs include special paving and signage, a curbless design, traffic calming measures, and integration of trees, landscape elements, seating, lighting, and other amenities. Woonerfs also function as play courts, recreation spaces, and/or social areas for residents.

SECTION 8: Construction and severability.

It is the intent of the City Council of the City of Cotati to supplement applicable state and federal law and not to duplicate or contradict such law, and this ordinance shall be construed consistently with that intent. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Cotati hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION 9: Effective date.

This ordinance shall take effect thirty (30) days after its adoption pursuant to California Government Code.

SECTION 10: Publication. The city clerk shall cause this ordinance to be published and/or posted as required in Section 36933 of the California Government Code.

Approved: _____
Mayor

Attest: _____
Kevin Patterson, Deputy City Clerk

Approved as to form:

John Bakker, City Attorney

This document is a true and correct copy of Ordinance Number and has been published or posted pursuant to law. *California Government Code § 40806*

Kevin Patterson, Deputy City Clerk