

ROOMING HOUSE ORDINANCE FAQ

1. What problem does the Rooming House Ordinance address?

The ordinance will address the chronic and growing problem of commercial overuse of dwelling units in RS unit zones, and consistent with the purposes of these zones, it will protect the neighborhood quality, character, livability, and minimize adverse impacts between adjacent properties.

2. How will the Rooming House Ordinance amend the Municipal Code?

The ordinance would amend both the Land Development Code and the Local Coastal Program and would apply citywide as follows:

- Create new definitions for *rooming house*, *roomer*, and *integrated economic unit*, by amending Chapter 11, Article 3, Division 1, Section 113.0103;
- Establish general review procedures for *previously conforming* rooming houses, by amending Chapter 12, Article 6, Division 2, Section 126.0203; and Article 7, Division 1, Sections 127.0103, 127.0108, and 127.0109;
- Clarify application of the ordinance where rooming houses are established under fewer than three lease agreements, by amending Chapter 13, Article 1, Division 1, Section 131.0112;
- Exclude *rooming houses* from RS zones and allow them as a permitted use in RM zones, by amending Chapter 13, Article 1, Division 2, Section 131.0222; Division 3, Section 131.0322; Division 4, Sections 131.0422 and 131.0423; Division 5, Section 131.0522; and Division 6, Section 131.0622;
- Create a three-year phase out period, based upon factors that balance the public interest against the private harm, by adding Chapter 13, Article 1, Division 4, Section 131.0424; and,
- Apply existing parking space requirements for roomers, by amending Chapter 14, Article 2, Division 5, Section 142.0525.

3. How did the Planning Commission recommendations change the ordinance from its original form?

The Planning Commission voted 6-0 to recommend to City Council adoption of the ordinance with the following three changes:

- Reduce the amortization or phase-out period from seven to three years for existing rooming houses. (Chapter 13, Article 1, Division 4, Section 131.0424(a))

- Change the NUP review from a Process 2 to a Process 3, where additional bedrooms or guest rooms are proposed to be added to a *previously conforming* rooming house. (Chapter 12, Article 6, Division 2, Section 127.0103, Table 127-01C)
- Expand the ordinance to apply where three or more bedrooms or guest rooms are leased under *fewer than* three rental agreements but which results in the establishment of three separate *integrated economic units*. (Chapter 11, Article 3, Division 1, Section 113.0103 and Chapter 13, Article 1, Division 1, Section 131.0112(a)(3)(A))

4. How will those who own, operate or live in existing rooming houses be impacted?

Existing rooming houses would be phased out in three years but property owners in RS zones still reserve the option to rent to up to two boarders or lodgers, or to larger groups under fewer than three rental agreements, if those agreements result in the establishment of fewer than three common households, or *integrated economic units*.

Residents in RS unit zoned areas, particularly if saturated with rooming houses, will find their neighborhood quality, character, livability, substantially restored in three years, and the adverse impacts to neighbors of rooming houses minimized.

Rooming house occupants will have three years to seek replacement housing in RM unit zoned areas where multiple dwelling types and developments exist with similar densities and characteristics as rooming houses, and in select commercial zones where mixed-use is appropriate and compatible.

5. Will Residential Care Facilities, Senior House, or Transitional Housing be regulated by the ordinance?

No. The ordinance does not supercede existing municipal regulations that apply to these three forms of housing. Regulations for a particular separately regulated use control where the use regulations for another use subcategory may match that particular use. Residential Care Facilities, Senior House, and Transitional Housing are already regulated under the subcategory for Separately Regulated Residential Use.