

EXECUTIVE SUMMARY

Draft Housing Omnibus and Accessory Dwelling Unit Ordinances

Section 1.04.170: Successor provisions.

This is a new section to clarify that any references to any local, state, or federal codes, statutes, or regulations include successor provisions.

Section 17.02.050: Advisory agency.

This section is amended to designate the PBES Director as the approving body for ministerial Urban Lot Splits and other types of ministerial parcel maps.

Section 17.04.030: Exemptions to Title 17 regulations..

This section is amended to clarify that Title 17 (Subdivisions) does not apply to the construction, finance, or leasing of accessory dwelling units.

Section 17.06.010: Map filing requirements.

This section is amended to require parcel map approval for all Urban Lot Splits.

Section 17.14.040: Acceptance and processing.

This section is amended to exempt consideration of ministerial Urban Lot Split parcel maps from a public hearing.

Section 17.14.060: Approval of map.

This section is amended to change the focus from findings for denial of a tentative parcel map to findings for approval. Also adds a new provision that requires approval of ministerial Urban Lot Split parcel maps if all of the appropriate findings are met.

Chapter 17.17: URBAN LOT SPLITS.

This is a new Chapter within Title 17 of the County Code, which details the processes and requirements for considering Urban Lot Split parcel maps.

Section 17.17.010: Purpose.

This is a new section that describes the purpose of the chapter, which is to provide for urban lot splits within single family residential zoning, so long as they are consistent with objective standards as indicated in the chapter.

Section 17.17.020: Approval of map.

This is a new section that details the findings that must be met for approval of a ministerial Urban Lot Split parcel map. The findings include but are not limited to the following:

- a. Parcels must be at least 1,200 square feet in area, and 40 percent of the original lot being divided;
- b. Existing housing must not be demolished, unless replaced;
- c. The original lot must not have been the result of a previous Urban Lot Split;
- d. Each lot must have access to a public right-of-way;
- e. No more than one parking space per unit can be required; and
- f. Each resulting lot can have a maximum of two housing units;

Section 17.17.030: Application requirements.

This is a new section that provides the requirements to submit an application for a ministerial Urban Lot Split parcel map. The requirements include but are not limited to the following:

- a. An affidavit stating that the owner will live in one of the houses on the resulting lots for a minimum of three years following approval of the ministerial Urban Lot Split parcel map;
- b. An affidavit stating that the owner/applicant have not subdivided an adjoining lot to the proposed ministerial Urban Lot Split parcel map; and
- c. A covenant stating that the resulting lots will not be further subdivided and that the housing units on the resulting lots will not be used for short-term (less than 30 days) rental housing

Section 17.17.040: Specific adverse impact.

This is a new section that provides for denial of a ministerial Urban Lot Split parcel map, only if the Chief Building Official determines that there would be a specific and adverse impact to public health and safety if the proposal were to be approved. Such impacts must be significant, direct, quantifiable, and unavoidable.

Section 17.17.050: Enforcement.

This is a new section that authorizes County Counsel to abate violations and enforce the provisions of this chapter, including implementing agreements and affidavits, by civil action, injunctive relief, and/or other proceeding or method permitted by law.

Section 18.08.015: Accessory dwelling unit.

This is a new section that defines “accessory dwelling unit” (ADU), which encompasses second units, junior ADUs and detached ADUs.

Section 18.08.332: Junior accessory dwelling unit.

This section is amended to reference the correct updated California Government Code section.

Section 18.08.353: Low barrier navigation center.

This is a new section that defines “low barrier navigation center,” which refers to temporary, service enriched transitional housing for homeless families and individuals.

Section 18.08.550: Reserved.

This section deletes the previous definition of “second unit,” as second units would instead be included in the definition of “accessory dwelling unit.”

Section 18.08.601: Solid waste transfer station.

This section merely amends the section number.

Section 18.08.602: Supportive housing.

This is a new section that defines “supportive housing,” which refer to programs that do not have a limit on how long residents can stay, and provide assistance to residents to transition to permanent housing where they can live and work within the community.

Section 1808.603: Supportive housing, permanent.

This is a new section that defines “supportive housing, permanent,” which refer to programs that provide permanent housing, along with services and financial assistance to residents that provide permanent housing, along with services and financial assistance to residents with disabilities or who have experienced long-term homelessness.

Section 18.08.624: Transitional housing.

This is a new section that defines “transitional housing,” which refers to programs that provide shelter and services for those who need immediate assistance, with a limited time and transfer to more long-term housing programs.

Section 18.10.020: Duties – Specific subjects.

This section is amended to delete medium sized residential care facilities from the list of approvals that can be made by the Zoning Administrator, as they are proposed to be a ministerial use instead of a discretionary one.

Section 18.16.020: Uses allowed without a use permit.

This section is amended to allow the following without a use permit in the Agricultural Preserve (AP) zone: medium residential care facilities, accessory dwelling units, supportive housing, and transitional housing. Guest cottages would be deleted from the list as they would be covered under accessory dwelling units.

Section 18.18.020: Uses allowed without a use permit.

This section is amended to allow the following without a use permit in the Agricultural Watershed (AW) zone: medium residential care facilities, accessory dwelling units, supportive housing, and transitional housing.

Section 18.48.020: Uses allowed without a use permit.

This section is amended to allow the following without a use permit in the Planned Development (PD) zone: low barrier navigation centers, permanent supportive housing, supportive housing, transitional housing, farmworker housing (up to either 36 beds or 12 units), one single-family dwelling unit, accessory dwelling units, and small and medium residential care facilities.

Section 18.52.020: Uses allowed without a use permit.

This section is amended to allow the following without a use permit in the Residential Single (RS) zone: accessory dwelling units, junior accessory dwelling units, medium residential care facilities, supportive housing, transitional housing, two-unit residential developments, and urban lot splits.

Section 18.52.030: Uses permitted upon grant of a use permit.

This section is amended to allow the following with a use permit in the Residential Single (RS) zone: large residential care facilities.

Section 18.60.020: Uses allowed without a use permit.

This section is amended to allow the following without a use permit in the Residential Multiple (RM) zone: medium residential care facilities, accessory dwelling units, supportive housing, transitional housing, and permanent supportive housing (up to 50

units). The affordability thresholds for multiple family units and single room occupancy units have been deleted, as they are now mandated.

Section 18.60.030: Uses permitted upon grant of a use permit.

This section is amended to delete the following from the requirement of a use permit in the Residential Multiple (RM) zone: medium residential care facilities, multiple family units, and single room occupancy units. These would all be allowed without a use permit in the RM zone.

Section 18.60.040: Application requirements.

This section is amended to require multiple family units and single room occupancy units to provide at least 20 percent of new units at affordable sales prices or rents. In addition, a County Code section reference has been updated.

Section 18.64.020: Uses allowed without a use permit.

This section is amended to allow the following without a use permit in the Residential Country (RC) zone: accessory dwelling units, medium residential care facilities, supportive housing, transitional housing, two-unit residential developments, and urban lot splits.

Section 18.64.030: Uses permitted upon grant of a use permit.

This section is amended to allow the following with a use permit in the Residential Country (RC) zone: large residential care facilities.

Section 18.72.050: Other regulations applicable.

This section is amended to exempt Urban Lot Split parcel maps from having to be add the Building Site Combination (:B) overlay zone.

Section 18.82.030: Affordability requirements.

This section is amended to require residential ownership projects located within the Affordable Housing Combination (:AH) overlay zone to include a minimum of 20 percent of the units as affordable to low-income families for a minimum of 40 years.

Section 18.82.040: Development standards.

This section is amended to limit the consideration of Specified Priority Housing Development Sites in the :AH overlay zone to those development standards detailed in Tables 1 and 2 of this section, as well as other applicable sections of the County Code. The standards may not be modified. In addition, the parking requirements have been reduced to 1.0 to 1.5 spaces per unit.

Section 18.82.050: Site density.

This section is amended to change the following residential densities allowed without a use permit: Angwin – up to 25 units per acre (not to exceed a total of 191 units); Moskowitz Corner – up to 10 units per acre (not to exceed a total of 100 units); and Spanish Flat – up to 25 units per acre (not to exceed a total of 110 units).

Section 18.82.080: Reserved.

This section regarding design criteria for affordable housing projects would be deleted, as projects would instead be evaluated based on quantifiable development standards.

Section 18.82.090: Approval process.

This section is amended to indicate that projects proposed within Specified Priority Housing Development Sites that meet affordability requirements, development standards, density requirements, mitigation measures, and other applicable requirements are ministerial approvals.

Section 18.104.010: Schedule of zoning district regulations.

This section is amended to set a minimum of two acres for farmworker centers in both the AP and the AW zones. Also allows farmworker center parcels to be subdivided to facilitate individual home ownership, with a minimum parcel size of 1,200 square feet. In addition, this section is amended to clarify the Urban Lot Splits are not subject to minimum lot area requirements in each zone.

Section 18.104.065: Emergency shelters – Development standards and design criteria.

This section is amended to reduce the number of parking spaces required for emergency shelters. It also revises several design guidelines for new emergency shelters located within industrial zones, including a requirement for a hazardous materials survey, a limit of 180 days of continuous stay for shelter residents, security measures, and assistance to help residents with permanent income and housing.

Section 18.104.080: Accessory dwelling units and junior accessory dwelling units.

This section is amended to allow accessory dwelling units to be attached to accessory structures, exempts accessory dwelling units from certain types of development standards related to height and parking, and requires accessory dwelling units to comply with the requirements within the Milliken-Sarco-Tulocay groundwater deficient area.

Section 18.104.130: Off street parking.

This section is amended to reference reduced parking requirements for residential projects as specified in other sections of this ordinance. It also allows the Planning Commission to reduce parking space requirements based on specific types of evidence.

Section 18.104.170: Residential care facilities.

This section is amended to change a number of development standards, including: reduce the number of required parking spaces, delete the requirement for the residential care facility to be located within 5 miles of an acute care hospital, provide a comprehensive management plan, provide all current and past State agency licensing for the proposed facility as well as licensing from any similar facilities operated by the applicant in the past five years, and a list of specific criteria that must be met for large residential care facilities.

Section 18.104.305: Farmworker centers—Owned or managed by local government agency or non-profit organizations.

This section is amended to allow non-governmental organizations to operate and/or own farmworker centers, in addition to local government agencies.

Section 18.104.410: Transient commercial occupancies of dwelling units prohibited.

This section is amended to replace “second unit” with “accessory dwelling unit.”

Section 18.104.440: Two-unit developments.

This is a new section that establishes standards for allowing two-unit developments within residential zones.

Chapter 18.109: STATE-MANDATED STREAMLINED APPROVAL PROCESSES

This is a new Chapter within Title 18 of the County Code, which details the processes and requirements for considering streamlined approval of ministerial housing projects.

Section 18.109.010: Purpose.

This is a new section that describes the reasons for creating a streamlined process for the consideration of ministerial housing projects.

Section 18.109.020: Definitions.

This is a new section that is reserved for future use.

Section 18.109.030. Qualifying projects.

This is a new section which indicates that only those housing projects that meet the requirements of State law qualify for streamlined review.

Section 18.109.040. Ministerial approval.

This is a new section that requires approval of any ministerial housing project that meets all of the requirements of the application.

Section 18.109.050. Application requirements.

This is a new section that establishes the requirements for a housing project to qualify for streamlined review. These include: a notice of intent, tribal consultation as appropriate, payment of fees, the type of streamlined review being requested, a project description, evidence that the project meets the standards required under State law, and other information as requested.

Section 18.109.060. Application review and approval process.

This is a new section that requires the PBES Director to review applications for completeness and consistency with State law, and make specific findings before approving a streamlined review for a ministerial housing project. If the application is deficient or if the findings cannot be made, the Director may allow the application to be corrected, deny the application, or the applicant may submit an application for discretionary review of the proposal.

Section 18.110.030: Number of parking spaces required.

This section is amended to ensure consistency with revisions to the reductions in the number of parking spaces required elsewhere in the draft ordinance.

Section 18.134.028: Applicability.

This section is amended to replace “entity” with “representative,” and to delete a reference to requests for reasonable accommodation that is no longer operative.

Section 18.134.030. Request.

This section is amended to bring the process for making a request for reasonable accommodation into alignment with State requirements.

Section 18.134.040. Request review.

This section is amended to require the PBES Director to meet with the person making a qualified request for reasonable accommodation and describes the process for the Director to obtain the information necessary to make a decision.

Section 18.134.050. Findings and decision.

This section is amended to revise the findings that the PBES Director must make in order to deny a request for reasonable accommodation.