


Tentative Planning Commission Positions: 2-26-09 Chapter 8 Housing Element

Plan Alternative				Chapter 8 Housing Element	Remarks/Implementation	Position R, M, D
				8.4 Goals		
A	B	C		H-G1. Housing Production. Sufficient housing production on an annual basis for all income levels in accordance with the County's projected fair share housing needs allocation.		M or R
<p><i>Discussion:</i> Edit proposed by Commissioner Murguia: "H-G1. Housing Production. Sufficient housing production on an annual basis for all income levels in accordance with the County's priorities for sustainable development, protection of resource lands, and conservation of open space. projected fair share housing needs allocation. Commissioner Emad did not support the proposed revision.</p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modifications to Alternative B, straw vote on tentative position.</p>						
			D	Goal 1.1 To provide for the projected future housing needs of the community.		D
<i>Tentative Position: 2/26/09:</i> Delete						
			D	Goal 2.1 To provide for adequate sites for all types of housing throughout the county.		D
<i>Tentative Position: 2/26/09:</i> Delete						
A	B			H-G2. Workforce Housing. An adequate supply of rental and homeownership opportunities affordable to wage earners within close proximity to local businesses.	No emphasis on housing location in Alt. C.	M or R
<p><i>Discussion:</i> Edit proposed by Commissioner Kelly: "H-G2. Workforce Housing. An adequate supply of rental and homeownership opportunities affordable to wage earners within close proximity to local businesses, <u>community services, transit corridors and schools.</u> It seemed there was consensus to accept the proposed revisions.</p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modifications to Alternative B, confirm consensus or straw vote on tentative position.</p>						


Plan Alternative				Chapter 8 Housing Element	Remarks/Implementation	Position R,M,D
			D	Goal 1.2 To play a lead role in meeting the future housing needs of lower income households.		D
<i>Tentative Position: 2/26/09:</i> Delete						
A	B	C		H-G3. Housing Needs of Special Populations. Sufficient and affordable housing opportunities for seniors, disabled persons, homeless, nomadic, single-parent households, farm workers, and large families.		R
<i>Tentative Position: 2/26/09:</i> Retain						
A	B	C		H-G4. Emergency Shelters and Transitional Housing. Sufficient emergency shelter capacity and transitional housing opportunities to meet local demands.		R
<i>Tentative Position: 2/26/09:</i> Retain						
A	B	C		H-G5. Residential Land Inventory. An inventory of land, suitable for development within a five-year period, which provides adequate capacity to meet projected regional housing needs for all income levels.		R
<i>Tentative Position: 2/26/09:</i> Retain						
A	B	C		H-G6. Safe Housing Accessible to All. Housing maintained in a safe and aesthetic condition, accessible to all residents without regard to race, color, age, gender, religion, nationality, family status or disability.		R
<i>Tentative Position: 2/26/09:</i> Retain						
			D	Goal 4.1 To conserve existing housing through maintenance and rehabilitation		D
<i>Tentative Position: 2/26/09:</i> Delete						



Plan Alternative				Chapter 8 Housing Element	Remarks/Implementation	Position R,M,D
	B	C		H-G7. Minimize Governmental Constraints. Regulatory policies, practices and costs that promote the creation of affordable housing and reflect the goals and priorities of this Plan.		M or R
<p><i>Discussion:</i> Edit proposed by Commissioner Kelly: “H-G7. Minimize Governmental Constraints. Regulatory policies, practices and costs that promote the creation of affordable housing, <u>protect the public health and safety,</u> and reflect the goals and priorities of this Plan.” It seemed there was consensus to accept the proposed revisions.</p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modifications to Alternative B, confirm consensus or straw vote on tentative position.</p>						
			D	Goal 3.1 To assist in the construction of market rate housing by reducing government constraints whenever possible		D
<i>Tentative Position: 2/26/09:</i> Delete						
A	B			H-G8. Constructing Low-Cost, Resource-Conserving Housing. Regulatory allowances and incentives for techniques and programs that reduce housing costs and minimize the environmental impacts of housing development.	No emphasis on reducing environmental effects in Alt. C.	R
<i>Tentative Position: 2/26/09:</i> Retain						
			D	Goal 5.1 To utilize techniques and programs which will reduce costs of new residential construction.		D
<i>Tentative Position: 2/26/09:</i> Delete						
			D	Goal 5.2 To encourage resource-conserving site utilization and dwelling unit construction techniques.		D
<i>Tentative Position: 2/26/09:</i> Delete						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R, M, D
				8.4 Policies		
A	B			H-P1. Promote Infill, Reuse and Redevelopment. The County shall prioritize infill, re-use and redevelopment of vacant and under-developed land within Urban Development Areas as a strategy to create affordable housing, provide an economic stimulus and re-vitalize community investment.	Leg, QJ, H-S7, H-S8, H-IM1 	R
<i>Tentative Position: 2/26/09:</i> Retain						
A	B			H-P2. Housing Opportunity Zones. The County shall adopt policies, standards and programs to stimulate residential and infrastructure development within Board adopted Housing Opportunity Zones.	Leg, QJ, H-S8, H-IM1	R
<i>Tentative Position: 2/26/09:</i> Retain. Further discussion needed on specific standards and implementation measures (see H-S8).						
	B			H-P3. Requirements for a Mixture of Housing Sizes and Types. The County shall require a variety of housing types and sizes in specified major subdivisions to ensure a mix of very low, low, moderate and above moderate housing opportunities necessary to meet the Regional Housing Needs Allocation Plan. The County shall allow payment in lieu of meeting these requirements under specified circumstances.	QJ, H-S5, H-IM3	M or R
Discussion: Commission asked for analysis of how many affordable units would be provided if the policy applied to subdivisions < 70 units in size, compare to the land inventory, alternatives for in-lieu housing fee and how it would be applied, clarify standards for required mixture of housing types, and how they would be distributed in the subdivision, provide a number of options.						
<i>Tentative Position: 2/26/09:</i> Consider Exhibit A, propose modifications to Alternative A or B, straw vote on tentative position. See also Alternative A wording below. (Note: Exhibit A contains proposed ordinance language.)						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
A				H-P3. Requirements for a Mixture of Housing Sizes and Types. The County shall require long-term affordability restrictions and covenants on housing for specified major subdivisions to ensure the availability of housing for very low and low income categories. The County shall allow payment in lieu of meeting these requirements under specified circumstances.	Requires developer subsidy of rents or purchase price	M or R
<i>Discussion:</i> There was support for the Alternative A version.						
			D	Policy 1.1a The County shall maintain an adequate supply of residentially zoned land to develop an affordable mix of housing in urban areas and accommodate projected housing needs.		D
<i>Tentative Position: 2/26/09:</i> Delete						
A	B	C		H-P4. Residential Units in Commercial Zones. Residential units shall be principally permitted when consistent with adopted performance standards in specified commercial zones.	Min, HS-8	R
<i>Tentative Position: 2/26/09:</i> Retain. Further discussion needed of specific standards and implementation measures (H-S8). (Note: Exhibit A contains proposed ordinance language.)						
A	B	C		H-P5. Minimum Development Requirement Based on Mid-point Density. Residential parcels shall be developed equal to or greater than the mid-point density of the parcel based on the applicable Plan designation and zoning standards unless specific findings are made.	QJ, H-S2, H-S3	R
<i>Tentative Position: 2/26/09:</i> Retain						
			D	Policy 1.1b. Promote the development of various types of housing opportunities, by ensuring an adequate supply of residentially zoned sites at low, moderate and high densities for new housing construction.		D
<i>Tentative Position: 2/26/09:</i> Delete						
			D	Policy 1.1d. Support residential project proposals that are appropriately designed, and meet required density ranges in order to promote the construction of affordable housing.		D
<i>Tentative Position: 2/26/09:</i> Delete						



Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
			D	Policy 1.1e. Promote the buildout of vacant residential properties in urban areas through infill, reuse and redevelopment activities.		D
<i>Tentative Position: 2/26/09:</i> Delete						
A	B	C		H-P6. Protecting Multifamily Uses in the Affordable Multifamily Land Inventory. Sites identified in the residential land inventory as being suitable for meeting extremely low, very low and low multifamily uses shall be protected by ordinance standards or zoning overlay from non-multifamily use development.	QJ, H-IM4, H- IM17	R
<i>Tentative Position: 2/26/09:</i> Retain						
			D	Policy 1.2a. The land inventory shall be monitored annually to maintain a development potential of at least 1,000 multifamily units with public services available.		D
<i>Tentative Position: 2/26/09:</i> Delete						
A	B	C		H-P7. Encourage Second Units. The County shall stimulate the construction of second units by relaxing second-unit development standards in order to provide low-cost housing and to make more efficient use of existing infrastructure.	QJ, H-S8, H-S9, H-IM1, H-IM2	R
<i>Tentative Position: 2/26/09:</i> Retain. Further discussion needed of specific standards and implementation measures (H-S8). Commissioner Kelly would like to see the second unit incentives to apply more broadly to areas outside the proposed Housing Opportunity Zones.						
A	B	C		H-P8. Retain Legal Non-Conforming Housing. The County shall support the retention of legal non-conforming housing though modifications to the land use and building codes.	QJ, H-IM10	M
<p><i>Discussion:</i> Edit proposed by Commissioner Kelly: “H-P8. Retain Legal Non-Conforming Housing. The County shall support the retention of legal non-conforming housing though modifications to the land use and building codes” Apparent consensus to accept the proposed revisions.</p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modifications, confirm consensus or straw vote on tentative position. (Note: Exhibit A contains proposed ordinance language.)</p>						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
A	B	C		H-P9. Flexibly Apply Development Standards to Low Income Housing. The County shall support the flexible application of development standards through a streamlined permit process for housing for lower income affordability categories and special needs populations.	QJ, H-IM22	M
<p><i>Discussion:</i> Suggestions to retitle to "Streamline Permit Processing for Low Income Housing" rather than flexible application of development standards. Also, the policy should be split. Staff recommended modifications to H-P9 and a new policy to make that happen: "H-P9. Flexibly Apply Development Standards to Streamline Permit Processing for Low Income Housing. The County shall support the flexible application of development standards through a streamlined permit process for housing for lower income affordability categories and special needs populations." "H-P31 Flexibly Apply Development Standards to Low Income Housing. The County shall support the flexible application of development standards for housing for lower income affordability categories and special needs populations." <i>Tentative Position: 2/26/09:</i> Consider proposed modifications and additions, straw vote on tentative position. (Note: Exhibit A contains proposed ordinance language.)</p>						
			D	Policy 1.2e. The County shall support the flexible application of development ordinances to encourage residential projects that produce housing affordable to lower income households.		D
<i>Tentative Position: 2/26/09:</i> Delete						
A	B	C		H-P10. Contributions to Infrastructure and Service Development. Market-rate housing shall pay its fair share of infrastructure and public service costs. Housing that has long-term affordability covenants and restrictions that require units to be available to, and occupied by, persons or families of low, very low or extremely low income at affordable housing costs for at least 20 years may be eligible for subsidies to pay for applicable infrastructure and public service costs.	Leg, QJ, Min 	M or R
<p><i>Discussion:</i> Commissioners Faust and Kelly preferred a longer time frame, such as 40 years, rather than 20 years as proposed. <i>Tentative Position: 2/26/09:</i> Consider proposed modifications, straw vote on tentative position.</p>						
			D	Policy 1.1g. The General Plan Update shall include actionable plans for infrastructure financing and construction.		D
<i>Tentative Position: 2/26/09:</i> Delete						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
A	B			H-P11. Residential Development in Proximity to Transportation and Work. Locate residential development, particularly development affordable to those earning less than median income, near transportation corridors, transit stops, employment centers and public services.	Leg, QJ, HS-8, HS-19, HS-20, H-IM1  	M or R
<p><i>Discussion:</i> Edit proposed by Commissioner Kelly: “H-P11. Residential Development in Proximity to Transportation and Work. Locate residential development, particularly development affordable to those earning less than median income, near transportation corridors, transit stops, employment centers, <u>schools</u>, and public services.” Apparent consensus to accept the proposed modification. <i>Tentative Position: 2/26/09:</i> Consider proposed modification, confirm consensus or straw vote on tentative position.</p>						
			D	Policy 1.1c. Support development proposals that seek to locate new market rate multi-family uses at strategic locations within transportation corridors and at transit stops, or at other strategically located reuse and underdeveloped sites.		D
<p><i>Tentative Position: 2/26/09:</i> Delete</p>						
			D	Policy 1.1f. Initiate appropriate plan and zone amendments which allow increased residential densities in areas where community health and safety will not be compromised.		D
<p><i>Tentative Position: 2/26/09:</i> Delete</p>						
A	B			H-P12. Preservation of Mobile Home Parks and Long-Term Occupancy Recreational Vehicle Parks. The County shall support continuation of existing mobile home and long term occupancy recreational vehicle parks <u>as an important source of affordable housing through actions such as legislative changes, zoning consistency determinations, analysis of legal-non-conforming status or through</u> Plan amendments or zone reclassifications.	Leg, QJ, Min	R
<p><i>Tentative Position: 2/26/09:</i> Retain (Note: the above edits were made on advice of counsel on 1/13/09.)</p>						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R, M, D
			D	Policy 2.1a. The County shall acknowledge and make adequate provision for the County's nomadic households in vehicular dwellings as they are a significant and complex socio-economic component of the county population that eludes census data.		D
<i>Tentative Position: 2/26/09:</i> Delete						
A	B	C		H-P13. Single Room Occupancy Units. The County shall support the conversion and use of motels, hotels and detached bedrooms for single room occupancy units.	Leg, QJ, Min, Prog, H-S15, H-IM2, H-IM11	M or R
<p>Discussion: Suggestion to make public services a part of the equation. Comments that some hotels are inappropriate for families, resulting in children playing along unsafe streets; acknowledgement that it would be better than nothing. Commissioner Murguia request edit to ensure consistency with density limitations of the area.</p> <p>Staff recommended edits to make that happen:</p> <p>“H-P13. Single Room Occupancy Units. The County shall support the conversion and use of motels, hotels and detached bedrooms for single room occupancy units <u>consistent with the general plan density.</u>”</p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modifications, straw vote on tentative position. (Note: Exhibit A contains proposed ordinance language.)</p>						
	B	C		H-P14. Emergency Shelters, Supportive and Transitional Housing. Emergency shelters, supportive and transitional housing shall be allowed as principally permitted uses in specified zones.	Min, H-S12, H-S13, H-IM17	M or D
Discussion: Most Commissioners preferred the Alternative A version, while recognizing the specified parcels would need to be adjacent to each other to avoid potential spot-zoning issues. (See continued discussion of Alternative A version)						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
A				H-P14. Emergency Shelters, Supportive and Transitional Housing. Emergency shelters, supportive and transitional housing shall be allowed as principally permitted uses on specified parcels within specified zones.	Limits extent	M or R
<p><i>Discussion:</i> There was support for limiting the parcels in specified zones consistent with the Alternative A wording. In response, staff recommended developing a third alternative beginning with an inventory containing all the parcels in the specified zones where emergency shelters would be principally permitted, and deleting specified parcels from the list based on specified objective criteria rather than starting with no parcels in the inventory, and adding specific parcels or areas to it. Other jurisdictions have tried the latter approach, which have ended up being expensive and time-consuming.</p> <p>Exhibit A contains a set of objective criteria that may be used to avoid siting emergency shelters in areas with health and safety concerns for those at the emergency shelter sites.</p> <p><i>Tentative Position: 2/26/09:</i> Consider Exhibit A, propose modifications to Alternative A or Alternative B/C, straw vote on tentative position. (Note: Exhibit A contains proposed ordinance language.)</p>						
			D	Policy 2.1b. The County shall identify sites for permanent homeless shelters and transitional housing.		D
<i>Tentative Position: 2/26/09:</i> Delete						
A	B			H-P15. Use of Surplus County-owned Property. The County shall consider using surplus County-owned property for development or financing of housing for low income and special need populations.	Prog, H-IM9	M
<p><i>Discussion:</i> Commissioners expressed that parcels developed by the County for affordable housing should be accessible by pedestrians, or served by public transit.</p> <p>Staff recommended modifications to make that happen:</p> <p>“H-P15. Use of Surplus County-owned Property. The County shall consider using surplus County-owned property for development or financing of housing for low income and special need populations. <u>County-owned parcels developed with affordable housing shall be in close proximity to commercial areas and connected to them by pedestrian facilities.”</u></p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modification, straw vote on tentative position</p>						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
A	B			H-P16. Siting of Multifamily Housing Developments. The County shall Plan and support development proposals that locate multi-family uses along major transportation corridors, near transit stops, public services, recreation areas, neighborhood commercial centers and work opportunities.	Leg, QJ, Min, H-P11  	R
<i>Tentative Position: 2/26/09:</i> Retain						
A	B	C		H-P17. Insufficient Multifamily Housing Land Inventory. The County has determined there are an insufficient number of suitable sites adequate to accommodate the RHNA Plan allocation for extremely low, very low and low income categories in the unincorporated area. Therefore, before May 31, 2010, the County shall create an inventory of sites suitable for multifamily housing which can accommodate a minimum of 100% of the County's fair share regional housing need for extremely low, very low and low income households.	Leg, H-S6, H-S19, H-S20, H-IM3, H-IM9, H-IM17, H-IM18	R
<i>Tentative Position: 2/26/09:</i> Retain						
A	B	C		H-P18. Maintenance of an Adequate Supply of Residential Land. Once the residential land inventory is adopted, the County shall maintain an adequate supply of residentially zoned land to accommodate projected housing needs for all income categories and special needs populations throughout the Housing Element planning period.	Leg, QJ, Prog, H-17, H-S18,	R
			D	Program 1.3 in the Statement of Resolve of the 2004 Housing Element To complete and maintain a land use inventory for all residentially zoned areas.		D
<i>Tentative Position: 2/26/09:</i> Delete						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R, M, D
A	B			H-P19. Housing Rehabilitation in Economically Distressed Communities. The County shall work to improve housing conditions in communities with high proportions of substandard housing as indicated through housing condition surveys.	Prog, H-IM7, H-IM19	R
<p><i>Discussion:</i> There were questions raised about how the County would implement this policy. Staff explained it would be through the same programs the County is currently involved in, such as the HOME Investment Partnership program.</p> <p><i>Tentative Position: 2/26/09:</i> Retain</p>						
A	B			H-P20. Enforcement of Tenant’s Rights. The County shall support the enforcement of state and federal tenant rights.	Iss, Prog, H-IM20	R
<p><i>Tentative Position: 2/26/09:</i> Retain.</p>						
A	B			H-P21. Prevention of Housing Discrimination. The County shall support the enforcement of state and federal fair housing and anti-discrimination laws.	Iss, Prog, H-IM20	R
<p><i>Tentative Position: 2/26/09:</i> Retain</p>						
A	B	C		H-P22. Elderly and Handicapped Housing and Support Services. The County shall promote and encourage a range of housing and support services for elderly and handicapped persons that allow a wide spectrum of choices from fully independent to fully assisted living.	Leg, QJ, Min, H-IM2, H-IM7	R
<p><i>Tentative Position: 2/26/09:</i> Retain</p>						
			D	Policy 2.1d. The County shall exempt the construction of ramps for disabled persons from zoning setback provisions where it is the only feasible design and provides a “reasonable accommodation” consistent with the Americans With Disabilities Act.		D
<p><i>Tentative Position: 2/26/09:</i> Delete</p>						
			D	Policy 2.1e. The County shall encourage removal of architectural barriers to housing access for persons with disabilities by providing fast-tracking reasonable accommodation requests for relief from development standards consistent with the Americans With Disabilities Act, and using rehabilitation funds and program income from closed-out CDBG grants to assist qualifying residents in. removal of architectural barriers.		D

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<i>Tentative Position: 2/26/09:</i> Delete						
	B	C		H-P23. Residential Subdivision Approvals within Housing Opportunity Zones. Residential subdivisions within Housing Opportunity Zones shall be approved unless the County makes specified findings for denial.	OJ, H-S8, H-IM1	M or D
<p><i>Discussion:</i> Substantial opposition as written. Some of the comments were along the lines of “subdivisions should always be discretionary”, “It’s not applicable to only low income projects; it should track State law only”, “it may conflict with policies in the coastal zone”, “it would create loopholes or unnecessary rigidity; it’s unworkable”. Commissioners Kelly, Faust and Murguia prefer deleting it.</p> <p><i>Tentative Position: 2/26/09:</i> Confirm consensus to delete, or straw vote.</p>						
A	B	C		H-P24. Residential Subdivision Permit Process within Housing Opportunity Zones. The County shall maintain an efficient, streamlined and predictable permitting process designed for residential subdivisions located within Housing Opportunity Zones.	Prog, H-S8, H-IM1, H-IM7	M or R
<p><i>Discussion:</i> Proposed edit: “H-P24. Residential Subdivision Permit Process within Housing Opportunity Zones. The County shall maintain an efficient, streamlined and predictable permitting process designed for residential subdivisions located within Housing Opportunity Zones <u>that fully meet the goals and policies of the general plan.</u>”</p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modification, confirm consensus or straw vote on tentative position.</p>						
			D	Policy 3.1a. The County shall reduce uncertainty, risk, and delay in the planning, environmental, and permitting process through a commitment to targeted timelines.		D
<i>Tentative Position: 2/26/09:</i> Delete						
			D	Policy 3.1b. The County shall target 30 days from the submission of a complete application as a maximum review time for multifamily projects which require administrative approval by the Planning Department.		D
<i>Tentative Position: 2/26/09:</i> Delete						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R, M, D
A	B	C		H-P25. Fee Deferrals and Subsidies. If requested, the County shall defer until occupancy fees for building permits, discretionary land use permits, and review fees charged by the Department of Environmental Health and Public Works for housing that has long-term affordability covenants and restrictions that require units to be available to, and occupied by, persons or families of low income at affordable housing costs for at least 40 years. The County shall subsidize such fees so there is no cost to the applicant for residential units that have long-term affordability covenants and restrictions that require units to be available to, and occupied by, persons or families of very-low or extremely low income at affordable housing costs for at least 40 years.	QJ, Min, Prog, H-IM2, H-IM7	M or R
<p><i>Discussion:</i> Questions about why a 40 year timeframe was selected. Staff explained that typical federal and state requirements are 40 years or more.</p> <p><i>Tentative Position: 2/26/09:</i> Propose modifications, straw vote on tentative position.</p>						
			D	Policy 3.1c. Minimize increases to application processing fees which adversely impact housing affordability.		D
<p><i>Tentative Position: 2/26/09:</i> Delete</p>						
A	B	C		H-P26. Fast Track Application Review. Projects which construct or rehabilitate at least 25% low income, 10% very low income, or 5% extremely low income residential units shall be fast-tracked through the Planning and Building Divisions of Community Development Services, Environmental Health Division of Public Health, and the Land Use Division of the Department of Public Works.	QJ, Min, Prog, H-IM2, H-IM7	M or R
<p><i>Discussion:</i> Questions about what size subdivisions we are talking about. Staff responded that even with the smallest project, at least one unit would have to be affordable. Recommended modifications to clarify how math and rounding would be done:</p> <p>“H-P26. Fast Track Application Review. Projects which construct or rehabilitate at least 25% low income, 10% very low income, or 5% extremely low income residential units shall be fast-tracked through the Planning and Building Divisions of Community Development Services, Environmental Health Division of Public Health, and the Land Use Division of the Department of Public Works. <u>When calculating the number of lower income units, any fractions of units shall be rounded to the next larger integer.”</u></p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modifications, straw vote on tentative position.</p>						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R, M, D
A	B	C		<p>H-P27. Deferral of Minor Subdivision Improvements. The County shall allow applicants to defer improvements for minor subdivisions until the time of building permit issuance for the development of housing affordable to low, very low or extremely low income households. Public Works shall specify allowable deferrals on a project by project basis.</p>	QJ, Min, Prog, H-IM2, H-IM7	D, M or R
<p><i>Discussion:</i> Questions about whether is it somehow tied to occupancy? Would it be tied to the 1st unit? Comment that improvements should not be deferred, and policy should be deleted. Staff responded the improvements would be required prior to occupancy of the first new unit in the subdivision. Commissioner Murguia proposed inserting "and will lapse if the subdivision is not developed within a reasonable period of time" before the end of the policy. Comment that if the policy is tied to an approved phasing plan, it may be ok. Question about whether we would be allowing subdivisions to not have to get extensions? We should get feedback on this from Public Works.</p> <p><i>Tentative Position: 2/26/09:</i> Consult with Public Works, consider proposed modifications, straw vote on tentative position. (Note: Exhibit A contains proposed ordinance language.)</p>						
A	B	C		<p>H-P28. Support Innovative Construction and Design Methods. The County shall support the use of innovative construction and design methods that make more efficient use of land and building materials, including water conserving waste disposal systems, energy systems, dwelling designs, and uses of recycled materials for building.</p>	Leg, QJ, Min, Prog, H-IM22, H-IM26	R
<p><i>Tentative Position: 2/26/09:</i> Retain</p>						
A	B	C		<p>H-P29. Encourage New and Experimental Techniques. The County shall encourage and be receptive to new and experimental construction techniques to facilitate optimum utilization of residential sites identified in the residential land inventory.</p>	QJ, Min, H-IM8, H-IM22, H-IM26	R
<p><i>Tentative Position: 2/26/09:</i> Retain</p>						

Plan Alternative			Chapter 8 Housing Element	Remarks/ Implementation	Position R, M, D
	B	C	H-P30. Support Alternative Owner Builder Program. The County shall support alternative owner-built/ owner-occupied housing to promote low cost housing and improved permit compliance in rural lands outside of Urban Development Areas.	Min, H-IM26	D, M or R
<p>Discussion: Questions about why the AOB programs is not supported in Alt. A. What does "Alternative" mean? Is it tied to some minimum standard? Support for considering it in Alternative A. Objection to "improved compliance" – we should require compliance for all types of housing. Insert "in accordance with all the goals and policies of this Element" before the end of the policy. Comment that AOB should not be allowed on illegal lots. Wording needs to be clarified.</p> <p>Staff responded that the related measure IM-26 would update the AOB standards by allowing for online permit processing, and inspection by a 3rd party.</p> <p>Tentative Position: 2/26/09: Propose additional modifications, straw vote on tentative position.</p>					
			D Policy 1.2b. The County shall encourage affordable housing projects and housing for special populations which integrate well with the surrounding neighborhood.		D
<p>Tentative Position: 2/26/09: Delete</p>					
			D Policy 1.2c. The County shall pursue funding for first-time home buyer programs.		D
<p>Tentative Position: 2/26/09: Delete</p>					
			D Policy 1.2d. The County shall pursue funding for HOME Tenant Based Rental Assistance (TBRA).		D
<p>Tentative Position: 2/26/09: Delete</p>					
			D Policy 2.1c. The County shall continue to participate in the community-wide effort to operate the Multiple Assistance Center (MAC) in Eureka, as the MAC has promise in developing into an important transitional component in the delivery of existing and anticipated levels of County homeless services.		D
<p>Tentative Position: 2/26/09: Delete</p>					

Plan Alternative	Chapter 8 Housing Element			Remarks/ Implementation	Position R, M, D
	D	<p>Policy 2.1d The County shall exempt the construction of ramps for disabled persons from zoning setback provisions where it is the only feasible design and provides a “reasonable accommodation” consistent with the Americans With Disabilities Act.</p>		D	
<p><i>Tentative Position: 2/26/09: Delete</i></p>					
	D	<p>Policy 2.1e The County shall encourage removal of architectural barriers to housing access for persons with disabilities by providing fast-tracking reasonable accommodation requests for relief from development standards consistent with the Americans With Disabilities Act, and using rehabilitation funds and program income from closed-out CDBG grants to assist qualifying residents in. removal of architectural barriers.</p>		D	
<p><i>Tentative Position: 2/26/09: Delete</i></p>					
	D	<p>Policy 3.1a. The County shall reduce uncertainty, risk, and delay in the planning, environmental, and permitting process through a commitment to targeted timelines.</p>		D	
<p><i>Tentative Position: 2/26/09: Delete</i></p>					
	D	<p>Policy 3.1b. The County shall target 30 days from the submission of a complete application as a maximum review time for multifamily projects which require administrative approval by the Planning Department.</p>		D	
<p><i>Tentative Position: 2/26/09: Delete</i></p>					
	D	<p>Policy 3.1c. Minimize increases to application processing fees which adversely impact housing affordability.</p>		D	
<p><i>Tentative Position: 2/26/09: Delete</i></p>					
	D	<p>Policy 4.1a. Utilize federal, state and local funding programs offering low interest loans, or grants, for the rehabilitation of rental properties.</p>		D	
<p><i>Tentative Position: 2/26/09: Delete</i></p>					

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
			D	Policy 4.1b. Provide low interest rate and deferred loans for the rehabilitation of substandard homes owned and occupied by lower income households.		D
<i>Tentative Position: 2/26/09:</i> Delete						
				8.5 Standards		
	B	C		H-S1. Housing Program Implementation. The County shall implement a Housing Program consistent with this Plan to facilitate the permitting and construction by the year 2014 of: 1) 1,372 single family units 2) 128 multi-family units 3) 117 Alternative Owner Builder (AOB) units 4) 169 second units		M or R
<p>Discussion: Questioned why wouldn't we define these units by income category (vs housing type)? Questions about the affordability of AOB units. Support for the 1st S1 (the Alternative B & C version). Opposition to the AOB program supporting sprawl. Staff response: deleting the AOB units from H-S1 would not substantially affect the Element nor the AOB program.</p> <p>Tentative Position: 2/26/09: Propose modifications to Alternative B/C or Alternative A versions (see below), straw vote on tentative position.</p>						
A				H-S1. Housing Program Implementation. The County shall implement a Housing Program consistent with this Plan to facilitate the permitting and construction by the year 2014 of: 1) 1,389 single family units 2) 228 multi-family units 3) 169 second units	Eliminates standard for rural housing and increases multi-family units	M or R
Discussion: There was support for the Alternative A version.						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
A	B	C		H-S2. Requirement to Develop the Minimum Number of Residential Units on a Parcel. Parcels shall be developed at a residential density equal to or greater than the calculated minimum density unless the County makes findings supported by substantial evidence according to Government Code Section 65583 (b) (c) 65589.5 (d).		R
<i>Tentative Position: 2/26/09:</i> Retain (Note: the above edits were made 1/12/09 on advice of counsel.)						
A	B	C		H-S3. Calculation of the Minimum Number of Residential Units on a Parcel. The minimum number of required residential units on an individual parcel shall be calculated by multiplying the applicable mid-point Plan density by the net developable area determined during application processing. The net developable area shall be the total parcel area minus areas that cannot be physically developed due to hazards or environmental constraints.		R
<i>Discussion:</i> Questions about why does S3 have language related to environmental hazards and constraints, while S4 doesn't? Staff responded that S3 describes the floor of the density allowed, while S4 describes the ceiling of the allowed density. Question about whether either of the policies would allow development in areas with hazards or constraints? Staff responded no.						
<i>Tentative Position: 2/26/09:</i> Retain						
A	B	C		H-S4. Calculation of the Maximum Number of Residential Units on a Parcel. The maximum number of residential units on an individual parcel shall be calculated by multiplying the highest density allowed in the applicable Plan designation by the total parcel area. Additional units may be allowed based on applicable density waivers or density bonuses. Allowable residential units may be clustered in developable areas of the parcel to avoid physical, environmental or infrastructure constraints.		R
<i>Discussion:</i> Question regarding difference between S3 and S4 (see above discussion for S-3).						
<i>Tentative Position: 2/26/09:</i> Retain						

Plan Alternative			Chapter 8 Housing Element	Remarks/ Implementation	Position R, M, D
	B		H-S5. Requirements for a Mixture of Housing Sizes and Types. The County shall require a mix of housing types and sizes in specified major subdivisions in general proportion to the ratio of housing needs for designated income levels in the Regional Housing Needs Allocation Plan.		M or R
<p><i>Discussion:</i> Suggested modification to reflect the minimum number of lots in a subdivision that this standard would apply to (presently set at 70 units).</p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modifications, straw vote on tentative position. (Note: Exhibit A contains proposed ordinance language.)</p>					
A	B		H-S6. Consistent Density for the Residential Multifamily Plan Designation. The County shall establish a uniform maximum density of 30 units per acre for all Residential Multi-family (RM) Plan designated parcels in the County.		R
<p><i>Tentative Position: 2/26/09:</i> Retain</p>					
A	B		H-S7. Infrastructure Development. Infrastructure projects which reduce physical capacity constraints to residential land located within Housing Opportunity Zones shall be given priority for funding and development.		R
<p><i>Tentative Position: 2/26/09:</i> Retain</p>					
A	B		<p>H-S8. Incentives for Residential Development within Housing Opportunity Zones. Residential development within designated Housing Opportunity Zones shall be provided with one or more of the following incentives as detailed in the land use ordinance:</p> <ol style="list-style-type: none"> 1) Deferral of improvements for minor subdivisions 2) Deferral of subdivision fees until issuance of building permits 3) Accommodations for residential units in commercial zones 4) Modified parking standards 5) Reduced building setback requirements 6) Eligible for fast-track and streamlined permit process 7) Increased density bonuses and allowances 8) Modified development standards for second units 9) Allowance for lot-splits for qualified second units 		M

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
				10) Reduced minimum parcel sizes 11) Reduced lot coverage standards 12) Modified Solar Shading Ordinance requirements 13) Reduce Parkland Dedication requirements for existing structures 14) Prioritized infrastructure development		
<p>Discussion: Suggestion to tie deferral of improvements to an approved phasing plan. Opposition to reducing solar shading requirements – a pre-approved template would be ok. Opposition to eliminating parkland fee requirements for existing structures. Need to specify relaxed standards for second units, and support for applying them outside of Housing Opportunity Zones. Opposition to reducing parking requirements. Comment that the policy gives away too many incentives. Opposition to allowing lot splits for second units that received relaxed standards. Requested more information.</p> <p>Tentative Position: 2/26/09: Review Exhibit A, propose modifications, straw vote on tentative position. (Note: Exhibit A contains proposed ordinance language.)</p>						
A	B			<p>H-S9. Incentives for Affordable and Special Needs Housing. Residential development affordable to persons or families of low, very low or extremely low income or meeting the housing needs of identified special populations shall be provided with one or more of the following incentives as detailed in the land use ordinance:</p> <ol style="list-style-type: none"> 1) Deferral or subsidy of permit and review fees 2) Deferral of subdivision improvements until issuance of building permits. 3) Deferral of subdivision fees until issuance of building permits 4) Deferral or subsidy of development impact fees 5) Eligible for fast-track and streamlined permit process 6) Modified parking standards 7) Increased density bonuses and allowances 8) Reduced lot coverage standards 9) Modified Solar Shading Ordinance requirements 10) Special Permit process for waiver of development standards 11) Prioritized infrastructure development and service delivery 		M or R
<p>Discussion: Questions about #10. Staff responded that, #10 would allow modifications to the development standards with a Special Permit rather than a variance, which would simplify the permit process. Question about how #8 is related to #10 – they seem to be duplicative. Staff responded that the reduced lot coverage requirements in #8 would be allowed without a Special Permit, and lot</p>						

Plan Alternative				Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
<p>coverage above that, or relaxing other development standards, would require a Special Permit. Suggestion to allow deferral of subdivision improvements in #2 until issuance of a building permit for the first new home in the subdivision. Staff agreed adding such language would be appropriate.</p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modifications, straw vote on tentative position. (Note: Exhibit A contains proposed ordinance language.)</p>						
A	B	C		<p>H-S10. Retain Legal Non-Conforming Housing. General Plan density standards shall be waived for existing legal non-conforming housing in new subdivisions.</p>		R
<p><i>Tentative Position: 2/26/09:</i> Retain</p>						
A	B	C		<p>H-S11. Supportive and Transitional Housing. The County shall principally permit supportive and transitional housing in the R-4 Apartment Professional, R-3 Residential Multiple Family, and RM Residential Medium Density Zones.</p>		M or R
<p><i>Discussion:</i> Question about why would transitional housing be allowed in zones in S11 which are not the same as those for emergency shelters in S12 – support for aligning the two standards.</p> <p><i>Tentative Position: 2/26/09:</i> Consider proposed modifications, straw vote on tentative position.</p>						
	B	C		<p>H-S12. Emergency Shelters. The County shall identify areas for <u>allow</u> principally permitted emergency shelters within <u>in</u> the following zoning designations:</p> <ol style="list-style-type: none"> 1) MB – Business Park Zone 2) ML – Limited Industrial Zone 3) C-2 – Community Commercial Zone 4) C-3 – Industrial Commercial Zone 5) CG – Commercial General Zone 6) R-3 – Residential Multiple Family Zone 7) R-4 – Apartment Professional Zone 8) RM – Residential Medium Density Zone 	Shelters allowed throughout the applicable zone in an identified area.	M or D
<p><i>Discussion:</i> Many of the same points raised in discussion of Policy H-14 apply. Most Commissioners preferred the Alternative A version. (See continued discussion of Alternative A version). (Note: the above edits were made 1/12/09 on advice of counsel.)</p>						

Plan Alternative	Chapter 8 Housing Element	Remarks/ Implementation	Position R,M,D
A	<p>H-S12. Emergency Shelters. The County shall use a zoning overlay to identify specific parcels or areas for principally permitted emergency shelters. Parcels shall have one of the following underlying zone designations:</p> <ol style="list-style-type: none"> 1) MB – Business Park Zone 2) ML – Limited Industrial Zone 3) C-2 – Community Commercial Zone 4) C-3 – Industrial Commercial Zone 5) CG – Commercial General Zone 6) R-3 – Residential Multiple Family Zone 7) R-4 – Apartment Professional Zone 8) RM – Residential Medium Density Zone 	<p>Shelters allowed on specific identified properties with these zoning designations. More discrete selection of sites.</p>	<p>M or R</p>
<p>Discussion The discussion of P-14 applies: “There was support for limiting the parcels in specified zones consistent with the Alternative A wording. In response, staff recommended developing a third alternative beginning with an inventory containing all the parcels in the specified zones where emergency shelters would be principally permitted, and deleting specified parcels from the list based on specified objective criteria rather than starting with no parcels in the inventory, and adding specific parcels or areas to it. Other jurisdictions have tried the latter approach, which have ended up being expensive and time-consuming. Exhibit A contains a set of objective criteria that may be used to avoid siting emergency shelters in areas with health and safety concerns for those at the emergency shelter sites.”</p> <p>Opposition to allowing emergency shelters as principally permitted uses in the MB Zone (#1) and the RM Zone (#8). Suggestion to include some language about intent, such as, “within proximity to public services”</p> <p>Tentative Position: 2/26/09: Consider Exhibit A, propose additional modifications to Alternative A or Alternative B/C, straw vote on tentative position.</p>			

End of 2/26/09 deliberations

EXHIBIT A

Overview

This Exhibit responds to the questions and comments from the Planning Commission meeting of 2/26/09. There are three parts to it:

- Item 1: Additional Analysis for H-P3 (Mixture of Housing Sizes and Types),
- Item 2: Additional Analysis for H-P14 (Emergency Shelters), and
- Item 3: Proposed Implementing Ordinances.

Item 1: Additional Analysis for H-P3 (Mixture of Housing Sizes and Types)

Applicable policy options:

“H-P3. Requirements for a Mixture of Housing Sizes and Types. The County shall require a variety of housing types and sizes in specified major subdivisions to ensure a mix of very low, low, moderate and above moderate housing opportunities necessary to meet the Regional Housing Needs Allocation Plan. The County shall allow payment in lieu of meeting these requirements under specified circumstances.” (Alternative B & C)

- or -

“H-P3. Requirements for a Mixture of Housing Sizes and Types. The County shall require long-term affordability restrictions and covenants on housing for specified major subdivisions to ensure the availability of housing for very low and low income categories. The County shall allow payment in lieu of meeting these requirements under specified circumstances.” (Alternative A)

Requested information: Commission asked for analysis of how many affordable units would be provided if the policy applied to subdivisions less than 70 units in size, compare to the land inventory, alternatives for in-lieu housing fee and how it would be applied, clarify standards for required mixture of housing types, and how they would be distributed in the subdivision, provide a number of options.

Staff Analysis:

The following table shows the number of parcels and the development potential within specific development potential categories.

	Development Potential Categories (residential units)											Total
	0-4	5-9	10-14	15-19	20-24	25-29	30-39	40-49	50-59	60-69	70+	
# Parcels	4,416	129	32	19	7	3	4	4	3	1	15	217
Percent (%)	95%	3%	1%	0.4%	0.2%	0.1%	0.1%	0.1%	0.1%	0.02%	0.3%	100%
Development Potential (units)	5,389	821	378	324	162	79	128	182	169	67	2,594	4,904
Percent (%)	52%	8%	4%	3%	2%	1%	1%	2%	2%	1%	25%	100%

If the minimum size of a subdivision covered by the policy were set at 70 units, the County would realize an additional

Item 2. Additional Analysis for H-P14 (Emergency Shelters)

Applicable policy options:

"H-P14. Emergency Shelters, Supportive and Transitional Housing. Emergency shelters, supportive and transitional housing shall be allowed as principally permitted uses on specified parcels within specified zones." (Alternative B & C)

- or -

"H-P14. Emergency Shelters, Supportive and Transitional Housing. Emergency shelters, supportive and transitional housing shall be allowed as principally permitted uses on specified parcels within specified zones." (Alternative A)

Requested information: There was support for limiting the parcels in specified zones consistent with the Alternative A wording. In response, staff recommended developing a third alternative beginning with an inventory containing all the parcels in the specified zones where emergency shelters would be principally permitted, and deleting specified parcels from the list based on specified objective criteria rather than starting with no parcels in the inventory, and adding specific parcels or areas to it. Other jurisdictions have tried the latter approach, which have ended up being expensive and time-consuming.

Exhibit A contains a set of objective criteria that may be used to avoid siting emergency shelters in areas with health and safety concerns for those at the emergency shelter sites.

The following policies, standards and implementation measures may have adverse environmental impacts. They have been grouped into nine (9) topical areas.

1) Housing Opportunity Zones (HOZ's)

Implementation Measures in the 2009 Housing Element

H-IM1. Housing Opportunity Zones. The County shall adopt Housing Opportunity Zones and applicable residential and infrastructure development incentives and standards by ordinance. Responsible Agency: CDS. Timeframe: By August 31, 2009.

H-IM5. Residential Density Bonus. The County shall develop density bonus provisions within Housing Opportunity Zones, and maintain consistency with the density bonus provisions of state law, by ordinance. Responsible Agency: CDS. Timeframe: By August 31, 2009.

Required Map Changes

On the Zoning maps, identify the extent of the HOZ. Alternative B (staff recommendation) is to draw the HOZ around the existing Urban Development Area. Compared to this to the other alternatives, Alternative A would reduce the size of the HOZ area, and Alternative C would increase the size of the HOZ area.

Required Ordinance Changes Within the mapped Housing Opportunity Zone areas:

Deferral of subdivision fees until issuance of building permits: Add to the fee ordinance for the Departments of CDS and Public Works, and to Section 322-2 of the Subdivision Regulations (Subdivision Processing Fees) an allowance for the deferral of fees for processing tentative maps to the Planning Commission until the issuance of building permits on the newly created lots, upon request of the applicant, where the project will achieve a density of 1.5x the mid-point density. Use of this incentive shall be contingent upon a budget mechanism to support this fee deferment..

Deferral of improvements for minor subdivisions: Add text to the Subdivision Regulations (Section 326-2(a)) to clarify that the subdivision agreement may include provisions for the completion of improvement work in units consistent with an approved subdivision phasing plan and for deferment of certain subdivision improvements (e.g., sidewalks on undeveloped lots) until time of building permit issuance. Improvement deferrals will be subject to the discretion of the Planning Commission upon consideration of the recommendations of Public Works. Also, clarify improvement timing for subdivision that are subject to Instruments of (Parcel Map) Waiver.

Accommodations for residential units in commercial zones: Modify Chapters 3 and 4 of the Zoning Ordinance (Inland and Coastal Zoning Regulations) to allow multifamily units as principally permitted uses in all commercial and light industrial zones, subject to performance standards for mixed use commercial development, where they are now allowed with a Special Permit (Inland: C-1, C-2, C-3, CH, Coastal: CN, CG). These standards will address compatibility for residential use in terms of noise, light, hours and days of operation, nature and intensity of the commercial operation, use of toxic or hazardous materials, parking, etc. Additionally, identify development standards for the residential uses considering factors such as the height, bulk, density, and placement of residential units to ensure multifamily uses on the ground floor remain subordinate to the commercial and industrial uses on the property. Lighting – security lighting only after

normal business hours, and shielded to not directly illuminate adjacent properties. Noise would be limited to no more than 55 dbA at the proper

One issue is whether, in approving residential uses, we would be inadvertently limiting the future types of commercial uses on the property. For example, if a commercial building is presently used for office space, but major auto repair is also an allowed use, there may be future compatibility issues with residential uses on the same property.

The industrial performance standards of the coastal zone are used to ensure compatibility with surrounding uses; the performance standards with these mixed use properties could be developed along those same lines. Overlay zone to limit the commercial uses, or at the time of issuance of a building permit, covenants would be recorded limiting the future commercial uses.

Modified parking standards: Modify the Parking Ordinance in Chapters 3 and 4 of the Zoning Ordinance (§313-109.1 and 314-109.1) to reduce off street parking requirements consistent with current best practices.

Reduced building setback requirements: Modify the R-1 (Inland) and RS (Coastal) Single Family Residential Zones in Chapter 3 and 4 of the Zoning Ordinance to allow reduced side and rear yard setbacks for structures on newly created lots consistent with a Planning Commission approved Development Plan.

Eligible for fast-track and streamlined permit process: Modify Chapter 2 of the Subdivision Regulations and the Residential Density Bonus provisions of Chapter 3 and 4 of the Zoning Ordinance (§313-111.1 and §314-112.1) to allow fast track processing of all subdivisions and permits for affordable housing projects through the Planning and Building, Environmental Health and Public Works Land Use Divisions. The ordinance shall specify that fast tracking is to be done by dedicated staff on a priority basis ahead of non-density bonus permit applications as a concession over and above those currently provided for by the ordinance. Use of this incentive shall be contingent upon a budget to support this level of staffing.

Increased density bonuses and allowances: Modify the “Density Bonus and Planned Developments” sections of the Framework Plan, each Coastal Plan, and each Community Plan, and the Residential Density Bonus sections of Chapters 3 and 4 of the Zoning Ordinance (§313-111.1 & 314-112.1) to allow up to 100% density bonuses for projects with 100% units affordable to lower income households.

Modified development standards for second units: Modify the Second Unit Ordinance in Chapters 3 and 4 of the Zoning Ordinance (§313-87.1 & 314-87.1) to eliminate the requirement of shared driveways for principally permitted second units. Identify standards for the minimum separation of encroachments based on best practices.

Allowance for lot-splits for qualified second units & reduced minimum parcel sizes:: Modify §325-11 of the Subdivision Ordinance (Minimum Lot Size Modification) and the Minimum Lot Size Exceptions sections of Chapters 3 and 4 of the Zoning Ordinance (§313-99.1 & 314-99.1) to allow parcel sizes less than 5,000 square feet with lot size modification within Housing Opportunity Zones. The minimum parcel size will be 1,500 square feet, which would allow for a 525 square foot residence on the lot without exceeding 35% lot coverage. Encouraging affordable home ownership opportunities will be added as one of the purposes for lot size modification. Also, modify the Code to exclude from the 1.8 times the zone minimum parcel size limitation (maximum parcel size), areas not suited for residential development for reasons of protection of

environmentally sensitive habitat areas, steep slopes or other hazards recognized by the residential land inventory as constraints on the parcel.

Reduced lot coverage standards: Modify the R-1 (Inland) and RS (Coastal) Single Family Residential Zones in Chapter 3 and 4 of the Zoning Ordinance to allow up to 50% lot coverage on newly created lots within Housing Opportunity Zones consistent with a Planning Commission approved Development Plan.

Modified Solar Shading Ordinance requirements: Modify §322.5-9 of the Subdivision Ordinance (Design for Solar Access: Cause for Exemption) to allow, upon request of the applicant, an exemption to solar shading requirements within Housing Opportunity Zones for subdivisions where 1) solar access is encouraged where feasible, 2) all structures are limited to one story, and 3) the project will achieve a density of 1.5x the mid-point density consistent with a Planning Commission approved Development Plan.

Reduce Parkland Dedication requirements for existing structures: Modify the Parkland Dedication Fee Ordinance in Chapters 3 and 4 of the Zoning Ordinance (§313-110.1 & 314-110.1) to exempt structures in new subdivisions which existed prior to enactment of the applicable Parkland Dedication fee ordinance.

Other Plan Changes Prioritized infrastructure development: Modify the §4510 and §4520 of the Framework Plan (Water and Wastewater Facilities) to add policies prioritizing funding and the allocation of other resources to public water and wastewater facilities in the HOZ areas.

2) Incentives for Affordable and Special Needs Housing

Implementation Measures in the 2009 Housing Element

H-IM2. Incentives for Affordable and Special Needs Housing. The County shall adopt residential and infrastructure development incentives and standards by ordinance to encourage housing affordable to persons or families of low, very low or extremely low income or meeting the housing needs of identified special populations. Responsible Agency: CDS. Timeframe: By August 31, 2009.

H-IM22. Flexible Application of Development Standards. The County shall adopt by ordinance provisions which allow exceptions and modifications to development standards for extremely low, very low and low income housing through a special permit process. Responsible Agency: CDS. Timeframe: August 31, 2009

Required Ordinance Changes

Deferral or subsidy of permit and review fees. Add text to the Residential Density Bonus provisions of Chapter 3 and 4 of the Zoning Ordinance (§313-111.1 and §314-112.1) to allow fee subsidies and fee deferrals as concessions over and above those currently provided for by the ordinance. Such fee subsidies and fee deferral concessions shall be considered a “direct financial incentive” as defined in §65915(l) of the Government Code.

Fast Track Application Review: Modify the Residential Density Bonus provisions of Chapter 3 and 4 of the Zoning Ordinance (§313-111.1 and §314-112.1) to allow fast track processing of all permits and requirements for affordable housing projects through

the Planning and Building, Environmental Health and Public Works Land Use Divisions. The ordinance shall specify that fast tracking is to be done by dedicated staff on a priority basis ahead of non-density bonus permit applications as a concession over and above those currently provided for by the ordinance. Use of this incentive shall be contingent upon a budget to support this level of staffing.

Increased density bonuses and allowances: Modify the “Density Bonus and Planned Developments” sections of the Framework Plan, each Coastal Plan, and each Community Plan, and the Residential Density Bonus sections of Chapters 3 and 4 of the Zoning Ordinance (§313-111.1 & 314-112.1) to allow up to 100% density bonuses for projects with 100% units affordable to lower income households.

Modified parking standards, reduced lot coverage standards, modified solar shading ordinance requirements, waiver of development standards: Modify the Residential Density Bonus provisions of Chapter 3 and 4 of the Zoning Ordinance (§313-111.1 & 314-112.1) to allow one of the following incentives as a concession over and above those provided for by the ordinance: reduced parking standards, modified solar shading ordinance requirements, or reduction of development standards.

Other Plan Changes Prioritized infrastructure development: The modifications to the §4510 and §4520 of the Framework Plan (Water and Wastewater Facilities) in the HOZ areas cited above will benefit affordable housing projects in those areas, and no additional policies are proposed.

3) Requirements for a Mixture of Housing Sizes and Types.

Implementation Measures in the 2009 Housing Element

H-IM3. Requirements for a Mixture of Housing Sizes and Types. The County shall require a variety of housing types and sizes in specified major residential subdivisions, including provisions for payment in lieu by ordinance. Responsible Agency: CDS. Timeframe: By August 31, 2009.

H-IM8. Planned Development Ordinance Revisions. The County shall modify the Planned Development Ordinance to encourage a mix of housing sizes and affordability levels in residential developments. Responsible Agency: CDS. Timeframe: By August 31, 2009.

Required Ordinance Changes

- 1) Modify the Planned Unit Development provisions of Chapter 3 and 4 of the Zoning Ordinance (§313-41 & 314-31) to apply to all new subdivisions of 70 units or more. Insert text to require in all subdivisions of 70 units or more, at least 25% of the units be two family or multifamily units of four (4) units or fewer developed at a density of at least 16 units per acre. Insert text to allow payment in lieu of meeting these requirements under specified circumstances. Insert text to allow a waiver of this requirement in cases of hardship. Insert text in the purpose statement of the ordinance text citing a need for a mixture of housing types in large developments. Consolidate and simplify the design guidelines in the ordinance.
- 2) Modify the R-1 (Inland) and RS (Coastal) Single Family Residential Zones in Chapter 3 and 4 of the Zoning Ordinance to allow two family dwellings and multiple dwellings as conditionally permitted uses in planned unit developments.

Other Plan Changes

- 1) Modify the RL - Residential Low Density Land Use Designation in the Eureka Community Plan and McKinleyville Community Plan to allow multifamily uses as compatible uses in planned unit developments
- 4) Protecting Multifamily Uses in the Affordable Multifamily Land Inventory.

Implementation Measures in the 2009 Housing Element**H-IM4. Protecting Multifamily Uses in the Affordable Multifamily Land Inventory.**

The County shall protect multi-family sites identified in the residential land inventory from non-multi-family use development by ordinance. Responsible Agency: CDS. Timeframe: By August 31, 2009.

Required Map Changes

Two approaches will be used: 1) on the Zoning maps, apply a Q-Qualified overlay to the parcels in the affordable multifamily residential land inventory zoned R-4 to require a conditional use permit for non-multifamily uses, and 2) new parcels being brought into the Affordable Multifamily Residential Land Inventory will be rezoned to R-3: Residential Multiple Family or RM: Residential Multifamily.

- 5) Residential Density Bonus.

Applicable Policies, Standards and Programs in the 2009 Housing Element

H-IM5. Residential Density Bonus. The County shall develop density bonus provisions within Housing Opportunity Zones, and maintain consistency with the density bonus provisions of state law, by ordinance. Responsible Agency: CDS. Timeframe: By August 31, 2009.

Required Ordinance Changes

Modify the Residential Density Bonus provisions of Chapter 3 and 4 of the Zoning Ordinance (§313-111.1 & 314-112.1) to be consistent with state law. (Note: these changes will be applicable to areas both within and outside of HOZ areas.)

- 6) Single Room Occupancy Units.

Implementation Measures in the 2009 Housing Element

H-IM11. Single Room Occupancy Units. The County shall accommodate the use of hotels, motels and detached bedrooms for single room occupancy units by ordinance. Responsible Agency: CDS. Timeframe: By August 31, 2009.

Required Ordinance Changes

- 1) Add §313-61.1 and §314-61.1 to Chapters 3 and 4 of the Zoning Ordinance to describe SRO units as follows:

“Single Room Occupancy Facilities

A Single Room Occupancy (SRO) Facility shall comply with the requirements of this Section, where allowed by the zoning districts.

A. Purpose. The provisions of this Section are intended to provide opportunities for the development of permanent, affordable housing for small households and for people with special needs in proximity to transit and services, and to establish standards for these small units.

B. Development Standards

Single Room Occupancy Facilities

1. Density. A Single Room Occupancy Facility is not required to meet density standards of the General Plan but shall comply with the occupancy standards of the adopted Airport Land Use Plan (ALUP).

2. Common area. Four square feet per living unit shall be provided, with at least 200 square feet in area of interior common space, excluding janitorial storage, laundry facilities and common hallways.

3. Laundry facilities. Laundry facilities must be provided in a separate room at the ratio of one washer and one dryer for every twenty units or fractional number thereof, with at least one washer and dryer per floor.

4. Cleaning supply room. A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO Facility.

Single Room Occupancy Units

1. Unit size. An SRO unit shall have a minimum size of 150 square feet and a maximum of 400 square feet.

2. Occupancy. An SRO unit shall accommodate a maximum of two persons.

3. Bathroom. An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink and bathtub, shower or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the California Building Code for congregate residences with at least one full bathroom per floor.

4. Kitchen. An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator and a stove, range top or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.

5. Closet. Each SRO unit shall have a separate closet.

6. Code compliance. SRO units shall comply with all requirements of the California Building Code.

C. Accessibility. All SRO units shall comply with all applicable accessibility and adaptability requirements. All common areas shall be fully accessible.

D. Management

1. Facility Management. An SRO Facility with 10 or more units shall provide on-site management. An SRO Facility with less than 10 units shall

provide a management office on-site.

2. Management Plan. A management plan shall be submitted with the development application for an SRO Facility and shall be approved by the County. The management plan must address management and operation of the facility, rental procedures, safety and security of residents and building maintenance.

E. Parking. Off street parking shall be provided consistent with the parking regulations in §313-109.1 (Coastal) §314-109.1 (Inland). Secure bicycle parking shall be provided at the ratio of one (1) space per four (4) SRO units.

H. Tenancy. Tenancy of SRO units shall be limited to 30 or more days.

I. Existing Structures. An existing structure may be converted to an SRO Facility, consistent with the provisions of this Section."

2) Add Single Room Occupancy Facilities to the list of specially permitted residential uses in the following commercial zones: Inland - C-1, C-2, C-3, CH, Coastal - CN, CG.

3) Add Single Room Occupancy Facilities to the Off-Street Parking Requirements (§313-109.1 & 314-109.1), at 0.5 spaces per unit.

4) Add Single Room Occupancy Facilities to the definitions sections (§313-154 & 314-154) as follows:

"Single Room Occupancy Facility. A residential building including multiple Single Room Occupancy units.

Single Room Occupancy Unit. A living space with a minimum floor area of 150 square feet and a maximum of 400 square feet restricted to occupancy by no more than 2 persons. Kitchen and bathroom facilities may be wholly or partially included in each living space or may be fully shared."

7) Emergency Shelters, Supportive and Transitional Housing.

Standards in the 2009 Housing Element

H-S13. Standards for Principally Permitted Emergency Shelters. Emergency shelters allowed as principally permitted uses shall be required to meet ordinance standards developed by the County that address all the following:

- 1) Maximum number of beds
- 2) Off-street parking based upon demonstrated need
- 3) Size and location of on-site waiting and intake areas
- 4) Provision of on-site management
- 5) Proximity to other shelters
- 6) Length of stay
- 7) Lighting
- 8) Security during hours when the shelter is open.

Required Ordinance Changes

- 1) In the following zone districts:
 - MB – Business Park Zone
 - ML – Limited Industrial Zone

C-2 – Community Commercial Zone
 C-3 – Industrial Commercial Zone
 CG – Commercial General Zone
 R-3 – Residential Multiple Family Zone
 R-4 – Apartment Professional Zone
 RM – Residential Medium Density Zone,
 delete emergency shelters and transitional housing from the list of Specially Permitted Uses AND Conditionally Permitted Uses, and add them to the list of Principally Permitted Uses, subject to the development standards of §313-61.2 and §314-61.2.

- 2) Add development standards to §313-47.1 and §314-47.1 such as the following:

“Emergency Shelters

Emergency Shelters shall comply with the requirements of this Section, where allowed by the zoning districts.

A. Purpose. The provisions of this Section are intended to provide opportunities for the development of temporary and permanent emergency shelters for homeless persons in areas with public services, and to establish standards for these facilities.

B. Development Standards

1. **Lighting.** Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood.
2. **Common Facilities.** The development may provide one or more of the following specific common facilities for the exclusive use of the residents and staff:
 - A. Central cooking and dining room(s).
 - B. Recreation room.
 - C. Counseling center.
 - D. Child care facilities.
 - E. Other support services.
3. **Security.** Parking and outdoor facilities shall be designed to provide security for residents, visitors and employees.
4. **Outdoor Activity.** For the purposes of noise abatement in residential districts, organized outdoor activities may only be conducted between the hours of eight a.m. and ten p.m.
5. **Emergency Shelter Provider.** The agency or organization operating the shelter shall comply with the following requirements:
 - (1) Temporary shelter shall be available to residents for no more than six months.
 - (2) Staff and services shall be provided to assist residents to obtain permanent shelter and income.
 - (3) The provider shall have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security,

screening of residents to insure compatibility with services provided at the facility, and for training, counseling, and treatment programs for residents.

6. **Maximum Unit Density.** Homeless shelters located in residential districts, when not developed in an individual dwelling unit format, shall not be subject to the density standard of the General Plan, but the number of beds shall be limited to three times the maximum number of dwelling units which would otherwise be permitted. In no case shall occupancy of the facility exceed the limit set forth in the adopted Airport Land Use Plan (ALUP).
 7. **Proximity to Other Emergency Shelters.** Emergency shelters shall not be located within ½ mile of each other.”
- 3) Add Transitional Housing and Supportive Housing to the list of principally permitted uses in the R-3, R-4 and RM zones where multifamily housing is principally permitted. Add Transitional Housing and Supportive Housing to the list of Specially Permitted or Conditionally Permitted uses in the MB – Business Park Zone, ML – Limited Industrial Zone, C-1 – Neighborhood Commercial, C-2 – Community Commercial Zone, C-3 – Industrial Commercial Zone, CG – Commercial General Zone and CH – Highway Service Commercial Zones.
- 8) Retain Legal Non-Conforming Housing. The County shall waive General Plan density standards for legal non-conforming housing involved in new subdivisions by ordinance.

Required Ordinance Changes

Modify the Subdivision Ordinance to add §325-13 Exceptions for Non-Conforming Housing Units to allow waiver of General Plan density standards for legal non-conforming

- 9) Alternative Owner Builder Program. The County shall update standards for alternative owner-built/ owner-occupied housing to ensure consistency with environmental and resource protection policies of this Plan, health and safety requirements and to promote permit compliance in rural lands.