

**General Plan and Development Code Changes
Approved by the Planning Commission January 12, 2012**

The General Plan and development code amendments shown on the following pages reflect the Planning Commission's action on January 12, 2012 summarized below:

- a. Housing Opportunity Zones (HOZs)
 - i. Accept staff recommended modifications in the supplemental staff report by making the density bonus language consistent in the community plans. It should read, "up to 100% density Bonuses are allowed for the projects within mapped Housing Opportunity Zones with up to 100% units affordable to lower income households."
 - ii. Modify allowances for residential uses in commercial areas to simply eliminate the special permit requirement. Delete proposed mixed development regulations (beginning on p. 31)
 - iii. Minority votes: Faust – HOZ incentives should be tied to requirements for long term affordability; Nelson – eliminate (e) - priority funding for infrastructure.
- b. Relaxed Second Dwelling Unit Standards
 - i. Relaxed second unit requirements in HOZs: Minority votes: Faust & Nelson: support smart growth concept, but want incentives for second units tied to long-term affordability
 - ii. Relaxed second unit requirements in the McKinleyville Community Plan Area outside the HOZ: A second unit, and all new development associated with the second unit building site (including driveways, outbuildings, sewage disposal areas, etc.) may not occur on prime agricultural soils in the proposed McKinleyville Community Plan density waiver area (parcels planned and zoned for 10 acre minimum parcel sizes or less)
- c. Incentives for affordable and special needs housing
 - i. Accept staff recommended modifications in the supplemental staff report
 1. Delete Section 111.1.8.1.1.5 & 112.1.8.1.1.5 – redundant with section 111.1.9.4 & 112.1.9.4 regarding relaxed parking requirements
 2. Delete Section 111.1.8.1.1.2 & 112.1.8.1.1.2- regarding development in non-residential zones- found to be too ambiguous.
 3. Delete Section 111.1.9.1 & 112.1.9.1- the county does not have a housing allocation plan as cited in this section
 4. Revise Section 111.1.1.5 & .6 & 112.1.1.5 & .6 – This section offers financial incentives (deferral of permit fees and loans for infrastructure improvements) provided by the county. The text is revised to only offer these incentives on projects with 100% of units available to low income households.
 5. Generally all references to the "Housing Authority" have been deleted and replaced with the Planning Director or Planning Division.
 6. Section numbers were revised consistent with the changes mentioned above.

- ii. Minority vote: Nelson voted no on d) - Fast Track Processing, and e) - Subsidized Permit Fees; Faust: voted no on g) – Reduced Solar Shading Requirements; and Disiere voted no on e) - Subsidized Permit Fees.
- d. Protecting multifamily uses in the R-4 zone
 - i. Split vote on Myrtle Ave property (APN 015-221-002) – no vote: Disiere, Edmonds, Nelson; yes vote: Krebs, Faust, Gearheart
- e. Single Room Occupancy Units
 - i. Make them principally permitted in the RM: Residential Multifamily Zone, R-3: Residential Multiple Family Zone, and R-4: Apartment Professional Zone.
 - ii. Allow them in the commercial zones only as conversions of existing buildings (CG: Commercial General Zone, C-1: Neighborhood Commercial Zone, C-2 Community Commercial Zone, C-3: Industrial Commercial Zone, CH: Highway Service Commercial Zone, ML: Limited Industrial Zone, MH: Heavy Industrial Zone).
 - iii. Delete them as allowed uses in the CR: Commercial Recreation Zone.
- f. Emergency Shelters
 - i. Delete §47.1.2.4: **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..~~
- g. Supportive and Transitional Housing
 - i. Give County Counsel latitude to make modifications to the proposed plan and zoning changes to make the changes more consistent with state law.
- h. Housing Trust Fund
 - i. Recommended only the specific language in the summary: "The adopted 2010 Housing Element included an implementation measure to establish a Housing Trust Fund. A Housing Trust Fund helps communities provide affordable housing by dedicating revenue to a specific fund for supporting affordable housing projects.

The next step in the process for this implementation measure is to solidify the details of the trust fund in terms how money will be added to the fund, who will be able to access money from the fund, and which target populations will benefit from the program funds."

IMPLEMENTATION CATEGORY ITEM #1 & #2: Housing Opportunity Zones and Relaxed Second Unit Standards

Applicable Policies, Standards and Programs in the 2010 Housing Element

- 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.
- H-P23. Residential Subdivision Approvals within Housing Opportunity Zones.** The density of residential subdivisions within Housing Opportunity Zones shall not be reduced below the calculated minimum number of units per Standard H-S3 unless the County makes specified findings.
- H-S3. Calculation of the Minimum Number of Residential Units on a Parcel.** The minimum number of required residential units on an individual parcel in the residential land inventory of the Housing Element 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.
- 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:
- a) Accommodations for residential units in commercial zones
 - b) Modified parking standards
 - c) Increased density bonuses and allowances
 - d) Modified development standards for second units that do not exceed 50% of the square footage of the primary unit, or 800 square feet, whichever is smaller.
 - e) Reduced minimum parcel sizes
 - f) Prioritized infrastructure development
- H-IM1. Housing Opportunity Zones.** The County shall adopt Housing Opportunity Zones and applicable residential and infrastructure development incentives and standards by ordinance. Housing Opportunity Zones shall be identified in areas with public water and sewer. Areas with new public water and sewer services shall be eligible for consideration as a Housing Opportunity Zone. Responsible Agency: CDS. Timeframe: By December 31, 2009.

Proposed Framework Plan Changes to Implement Housing Opportunity Zones a)
“Accommodations for residential units in commercial zones”

Note: To avoid duplication, the proposed amendments to §2741 -§2743 of the Framework Plan, Eureka Community Plan, Garberville\Redway\Benbow\Alderpoint Community Plan and McKinleyville Community Plan are consolidated with the others beginning on page 80.

Proposed McKinleyville Area Plan (MCAP) Changes to Implement Housing Opportunity Zones a)
“Accommodations for residential units in commercial zones”

Note: To avoid duplication, the proposed amendments to §5.20 of the McKinleyville Area Plan are consolidated with the others shown on page 96.

Proposed Zoning Ordinance Amendments to Implement Housing Opportunity Zones - Chapter 3 (Coastal) a) "Accommodations for residential units in commercial zones"

CHAPTER 3
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Note: To avoid duplication, the proposed ordinance changes to §313-2.2 are consolidated with the others shown on page 104.

313-55.1 Mixed Use Development Regulations (**note: this section was recommended for deletion by the Planning Commission*)

~~55.1.1 Purpose: The purpose of these regulations is to establish minimum standards for mixed use residential and non residential development to protect public health and provide a satisfactory living environment.~~

~~55.1.2 Applicability: The provisions of this section shall apply to the Principally Permitted Multifamily Residential, Transitional and Supportive Housing Use Types in the CG Commercial General Zone within mapped Housing Opportunity Zones.~~

~~55.1.3 Standards for Commercial Development that Impact Mixed Use Residential Development.~~

~~55.1.3.1 Use of Toxic or Hazardous Materials: No commercial uses shall be conducted on the on the same lot as the proposed residential development that require the filing of a hazardous materials business plan with the Department of Health and Human Services – Division of Environmental Health.~~

~~55.1.3.2 Noise: All noise generating operations on the same lot as the proposed residential development shall be buffered so they do not exceed the exterior ambient noise level by more than 5 dB(a).~~

~~55.1.3.3 Lights: All luminaries providing lighting for parking, entry, signage and other uses on the same lot as the proposed residential development shall be designed, controlled and sited to minimize impacts on residentially developed areas.~~

~~55.1.3.4 Vibrations: No perceptible vibrations shall be permitted on the same lot as the proposed residential development.~~

~~55.1.3.5 Electronic Interference. No visual or audible interference of radio or television reception by commercial operations on the same lot as the proposed residential development shall be permitted.~~

~~55.1.3.6 Dust Control: All areas used for parking, traffic circulation and storage on the same lot as the proposed residential development shall be surfaced with asphalt concrete or the equivalent to control dust.~~

~~55.1.3.7. Parking: Parking may be shared between residential and commercial uses where it can be demonstrated the commercial use will not utilize the shared parking areas outside of the hours of 7:30am — 5:30pm. A Notice of Restriction may be required to disclose to future commercial tenants the nature of the shared parking arrangement.~~

~~55.1.3.8 Mixed Use Residential Development to be Subordinate. The gross floor area of residential units shall be no more than 50% of the gross floor area of the commercial uses on the same lot as the proposed residential development.~~

~~55.1.3.9 Size and Placement of Residential Units on the Ground Floor: The gross floor area of residential units on the ground floor shall be no more than 25% of the gross floor area of all commercial establishments on the ground floor on the same lot as the proposed residential development. Entrances to principally permitted residential units on the ground floor shall be subordinate to the entrances of the commercial establishments on the same lot.~~

~~55.1.4 Modification of Standards for Commercial Development that Impact Mixed Use Residential Development with Special Permit. A mixed use development that does not meet the standards set forth in Section 313-55.1.3 may be permitted with a Special Permit.~~

Housing Opportunity Zone Zoning Ordinance Amendments - Chapter 4 (Non-Coastal) a) "Accommodations for residential units in commercial zones"

314-43–68: ALPHABETICAL LISTING OF USES AND ACTIVITIES

- 314-43.1 ACCESSORY USES
- 314-43.2 ALLOWED AGRICULTURAL ACTIVITIES NOT A NUISANCE
("RIGHT TO FARM ORDINANCE")
- 314-43.3 ANIMAL KEEPING.
- 314-44.1 BED AND BREAKFAST ESTABLISHMENTS.
- 314-45.1 COTTAGE INDUSTRY.
- 314-50.1 HOME OCCUPATIONS AND ADDRESSES OF CONVENIENCE
- 314-55.1 MIXED USE DEVELOPMENT REGULATIONS*
- 314-58.1 PUBLIC USES
- 314-60.1 REMOVAL OF NATURAL MATERIALS
- 314-61.1 STREAMSIDE MANAGEMENT AREA ORDINANCE

- 314-62.1 TEMPORARY USES
- 314-62.2 TIMBER PRODUCTION

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314-2.1 C-1: NEIGHBORHOOD COMMERCIAL ZONE

Note: To avoid duplication, the proposed ordinance changes to §314-2.1 through 312-2.4 are consolidated with the others beginning on page 110.

314-55.1 Mixed-Use Development Regulations (*note: this section was recommended for deletion by the Planning Commission Planning Commission)

55.1.1 Purpose: The purpose of these regulations is to establish minimum standards for mixed use residential and non-residential development to protect public health and provide a satisfactory living environment.

55.1.2 Applicability: The provisions of this section shall apply to Principally Permitted Multifamily Residential, Transitional and Supportive Housing developments within mapped Housing Opportunity Zones in the C-1 Neighborhood Commercial, C-2 Community Commercial, C-3 Industrial Commercial, and CH Highway Commercial Zones.

55.1.3 Standards for Commercial Development that Impact Mixed-Use Residential Development.

55.1.3.1 Use of Toxic or Hazardous Materials: No commercial uses shall be conducted on the same lot as the proposed residential development that require the filing of a hazardous materials business plan with the Department of Health and Human Services – Division of Environmental Health.

55.1.3.2 Noise: All noise generating operations on the same lot as the proposed residential development shall be buffered so they do not exceed the exterior ambient noise level by more than 5 dB(a).

55.1.3.3 Lights: All luminaries on the same lot as the proposed residential development providing lighting for parking, entry, signage and other uses shall be designed, controlled and sited to minimize impacts on residentially developed areas.

55.1.3.4 Vibrations: No perceptible vibrations shall be permitted on the same lot as the proposed residential development

55.1.3.5 Electronic Interference. No visual or audible interference of radio or television reception by commercial operations on the same lot as the proposed residential development shall be permitted.

55.1.3.6 Dust Control: All areas used for parking, traffic circulation and storage on the same lot as the proposed residential development shall be surfaced with asphalt concrete or the equivalent to control dust.

55.1.3.7. Parking: Parking may be shared between residential and commercial uses where it can be demonstrated the commercial use will not utilize the shared parking areas outside of the hours of 7:30am – 5:30pm. A Notice of Restriction may be required to disclose to future commercial tenants the nature of the shared parking arrangement.

~~55.1.3.8 Mixed Use Residential Development to be Subordinate. The gross floor area of residential units shall be no more than 50% of the gross floor area of the commercial uses on the same lot as the proposed residential development.~~

~~55.1.3.9 Size and Placement of Residential Units on the Ground Floor: The gross floor area of residential units on the ground floor shall be no more than 25% of the gross floor area of all commercial establishments on the ground floor on the same lot as the proposed residential development. Entrances to principally permitted residential units on the ground floor shall be subordinate to the entrances of the commercial establishments on the same lot.~~

~~55.1.4 Modification of Standards for Commercial Development that Impact Mixed-Use Residential Development with Special Permit. A mixed use development that does not meet the standards set forth in Section 313-55.1.3 may be permitted with a Special Permit.~~

Proposed Zoning Ordinance Amendments to Implement Housing Opportunity Zones - Chapter 3 (Coastal) b) "Modified parking Standards"

313-109.1 OFF-STREET PARKING

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109.1.4 **Parking Spaces Required.** The number of off-street parking spaces required shall not be less than the following: (Former Section CZ#A314-26(D))

109.1.4.1 Residential Uses.

109.1.4.1.1 Single Detached and Duplex Building Types. (Former Section CZ#A314-26(D)(1)(a))

109.1.4.1.1.1 One (1) parking space for each dwelling unit containing not more than one (1) bedroom; two (2) parking spaces for each dwelling unit containing more than one (1) bedroom. The required parking shall be sited outside the front yard setback. In RS zones, non independently usable (tandem) parking is allowed on lots with only one single family residence where the parking is located in a garage and driveway immediately in front of the garage (Former Section CZ#A314-26(D)(1)(a)(i))

109.1.4.1.1.1.1 Housing Opportunity Zone Exceptions. Within mapped Housing Opportunity Zones, the parking required in 109.1.4.1.1.1 is reduced to one (1) parking space for each dwelling unit 1,000 square feet or less in total gross floor area. Also one-half (½) of the required parking spaces, or one (1) required parking space, whichever is greater, may be located within the front yard setback, and compact parking spaces may be used for second units.

109.1.4.1.1.2 Except as provided in subsection 109.1.4.1.1.3, when a single family residence or duplex is proposed on a parcel that is served by a roadway not improved to a width of forty feet (40') with asphalt or gravel, parking spaces in addition to those required by subsection 109.1.4.1.1.1, shall be provided as follows: (Former Section CZ#A314-26(D)(1)(a)(ii))

109.1.4.1.1.2.1 One (1) space for each single family residence containing one bedroom or less; (Former Section CZ#A314-26(D)(1)(a)(ii))

109.1.4.1.1.2.2 One (1) space for each duplex unit; (Former Section CZ#A314-26(D)(1)(a)(ii))

109.1.4.1.1.2.3 Two (2) spaces for each single family residence containing two or more bedrooms. (Former Section CZ#A314-26(D)(1)(a)(ii); Amended by Ord. 1842, Sec. 23, 8/16/88)

109.1.4.1.1.2.4 Housing Opportunity Zone Exceptions. Within mapped Housing Opportunity Zones, no additional parking shall be required for dwelling units 1,000 square feet or less in total gross floor area, regardless of the number of bedrooms.

Proposed Zoning Ordinance Amendments to Implement Housing Opportunity Zones - Chapter 4 (Non-Coastal) b) “ Modified parking Standards”

314-109.1 OFF-STREET PARKING...

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109.1.3 **Parking Spaces Required.** The number of off-street parking spaces required shall not be less than specified in this Section: (Former Section INL#316-13.3; Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88)

109.1.3.1 Residential Uses.

109.1.3.1.1 One-Family and Two-Family Dwellings.

109.1.3.1.1.1 One (1) parking space for each dwelling unit containing one (1) bedroom or less; two (2) parking spaces for each dwelling unit containing more than one (1) bedroom. The required parking shall not be sited in the front-yard setback. (Former Section INL#316-13.3(a)(1)(a); Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88)

109.1.3.1.1.1.1 Housing Opportunity Zone Exceptions. Within mapped Housing Opportunity Zones, the parking required in 109.1.3.1.1.1 is reduced to one (1) parking space for each dwelling

unit 1,000 square feet or less in total gross floor area. Also, one-half (½) of the required parking spaces, or one (1) required parking space, whichever is greater, may be located within the front yard setback.

109.1.3.1.1.2 Except as provided in subsection 314-109.1.3.1.1.3, when a single family residence or duplex is proposed on a parcel that is served by a roadway not improved to a width of forty feet (40') with asphalt or gravel, parking spaces in addition to those required by subsection 314-109.1.3.1.1.1, shall be located outside of the front-yard setback. In R-1 zones, non independently usable (tandem) parking is allowed on lots with only one single family residence where the parking is located in a garage and driveway immediately in front of the garage. Parking shall be provided as follows: (Former Section INL#316-13.3(a)(b); Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88, Amended by Ord. 2313A, 12/16/03)

109.1.3.1.1.2.1 One (1) space for each single family residence and each unit of a duplex containing one (1) bedroom or less. (Former Section INL#316-13.3(a)(1)(b)(1); Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88)

109.1.3.1.1.2.2 One (1) space for an attached second or secondary dwelling unit and each unit of a duplex containing two (2) or more bedrooms. (Former Section INL#316-13.3(a)(1)(b)(2); Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88, Amended by Ord. 2335, 12/14/04)

109.1.3.1.1.2.3 Two (2) spaces for each single family residence containing two (2) or more bedrooms. (Former Section INL#316-13.3(a)(1)(b)(3); Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88)

109.1.3.1.1.2.4 Housing Opportunity Zone Exceptions. Within mapped Housing Opportunity Zones, no additional parking shall be required for dwelling units 1,000 square feet or less in total gross floor area, regardless of the number of bedrooms.

109.1.3.1.1.3 Instead of providing the additional parking spaces required by subsection 314-109.1.3.1.1.2, a parking lane may be constructed along the frontage of the lot. The parking lane shall meet the standards referred to in subsection 314-109.1.2.4. (Former Section INL#316-13.3(a)(1)(c); Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88)

109.1.3.1.1.4 Driveway openings shall be in conformance with the

standards in the “Encroachment Regulations” of this Code. (See also, Division 4, Chapter 1, Encroachment.) (Former Section INL#316-13.3(a)(1) (d); Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88)

109.1.3.1.2 Family Dwellings with More than Two Dwelling Units....

Proposed Framework Plan Amendments to Implement Housing Opportunity Zones c) “Increased density bonuses and allowances”

Note: To avoid duplication, the density bonuses and allowances shown below also include proposed changes to address Implementation Category Item #3 “Incentives for Affordable and Special Needs Housing” on page 66.

2700 LAND USE DESIGNATIONS

2715 DENSITY BONUSES AND PLANNED UNIT DEVELOPMENTS

Density ranges described in land use designations may be exceeded to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses); up to 100% density bonuses are allowed for projects within mapped Housing Opportunity Zones with up to 100% units affordable to lower income households. Density ranges may also be exceeded within Planned Unit Developments (PUD’s). Also, a variety of housing types and a mixture of residential and commercial uses may be allowed to encourage affordable housing production under the provisions of State law referenced above, and in PUD’s to encourage the provision of common open space areas within subdivisions.

Proposed Eureka Community Plan (ECP) Changes to Implement Housing Opportunity Zones c) “Increased density bonuses and allowances”

2715 DENSITY BONUSES AND PLANNED UNIT DEVELOPMENTS

Density ranges described in land use designations may be exceeded to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses); up to 100% density bonuses are allowed for projects within mapped Housing Opportunity Zones with up to 100% units affordable to lower income households. Density ranges may also be exceeded within Planned Unit Developments (PUD’s). Also, a variety of housing types and a mixture of residential and commercial uses may be allowed to encourage affordable housing production under the provisions of State law referenced above, and in PUD’s to encourage the provision of extraordinary public benefits within subdivisions.

Proposed Garberville\Redway\Benbow\Alderpoint Community Plan (GRBAP) Changes to Implement Housing Opportunity Zones c) "Increased density bonuses and allowances"

2715 DENSITY BONUSES AND PLANNED UNIT DEVELOPMENTS

Density ranges described in land use designations may be exceeded to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses); up to 100% density bonuses are allowed for projects within mapped Housing Opportunity Zones with up to 100% units affordable to lower income households. Density ranges may also be exceeded within Planned Unit Developments (PUD's). Also, a variety of housing types and a mixture of residential and commercial uses may be allowed to encourage affordable housing production under the provisions of State law referenced above, and in PUD's to encourage the provision of extraordinary public benefits within subdivisions.

Proposed McKinleyville Community Plan (MCCP) Changes to Implement Housing Opportunity Zones c) "Increased density bonuses and allowances"

2715 DENSITY BONUSES AND PLANNED UNIT DEVELOPMENTS

Density ranges described in land use designations may be exceeded to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses); up to 100% density bonuses are allowed for projects within mapped Housing Opportunity Zones with up to 100% units affordable to lower income households. Density ranges may also be exceeded within Planned Unit Developments (PUD's). Also, a variety of housing types and a mixture of residential and commercial uses may be allowed to encourage affordable housing production under the provisions of State law referenced above, and in PUD's to encourage the provision of extraordinary public benefits within subdivisions.

Proposed McKinleyville Area Plan (MCAP) Changes to Implement Housing Opportunity Zones c) "Increased density bonuses and allowances"

3.25 HOUSING

- A. Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible. New housing in the Coastal Zone shall be developed in conformity with the goals, policies, standards, and programs of the Humboldt County Housing Element. (Amended by Res. No. 81-143, 12/15/81)
- B. It shall be the policy of the County to encourage the Planned Unit Development (PUD) concept. Where such utilization would provide extraordinary benefits to the community and to the County, such as: dedications of open space and public access, protection of visual resources and sensitive habitats beyond that already required in Sections 3.41 and 3.42, incentives may include increases of up to 25% over planned densities if increasing the density would not have an adverse effect on costal resources and would be consistent with all applicable local costal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than ~~35%~~ 100% would not result

and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. (Amended by Res. No. 83-58, 3/15/83, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07).

3.37 HOUSING

*** 30252. (2) The location and amount of new development should maintain and enhance public access to coast by providing commercial facilities within or adjoining residential development or in other areas will minimize the use of Coastal access roads.

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D. PLANNED UNIT DEVELOPMENT

1. It shall be the policy of the County to encourage the Planned Unit Development (PUD) concept. Where such utilization would provide extraordinary benefits to the community and to the County, such as: dedications of open space and public access, protection of visual resources and sensitive habitats beyond that already required in Sections 3.41 and 3.42, incentives may include increases of up to 25% over planned densities if increasing the density would not have an adverse effect on coastal resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than ~~35%~~ 100% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards (Amended by Res. No. 83-58, 3/15/83, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07).

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5.15 DENSITY BONUSES AND PLANNED UNIT DEVELOPMENTS

Density ranges described in land use designations may be exceeded ~~by up to 35%~~ to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses) in effect in ~~2006~~ 2009. Up to 100% density bonuses are allowed for projects within mapped Housing Opportunity Zones with up to 100% units affordable to lower income households. Any housing development approved pursuant to Government Code Section 65915 shall be consistent with all applicable certified local coastal program policies and development standards.

In reviewing a proposed density increase, the County shall identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources. The County shall only grant a density increase in the County determines that the means of accommodating the density increase proposed by the applicant does not have an adverse effect

on coastal resources. If, however, the County determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, the County shall not grant the density increase.

Density ranges may also be exceeded within Planned Unit Developments (PUD's) up to 25% if increasing the density would not have an adverse effect on coastal resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than ~~35%~~ 100% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. Also, a variety of housing types and a mixture of residential and commercial uses may be allowed to encourage affordable housing production under the provisions of State law referenced above, and in PUD's to encourage the provision of extraordinary public benefits within subdivisions. (Added by Res. 114c 2/9/98, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07)

Proposed Zoning Ordinance Amendments to Implement Housing Opportunity Zones - Chapter 3 (Coastal) c) "Increased density bonuses and allowances"

~~313-112.1~~ — RESIDENTIAL DENSITY BONUS

~~112.1.1 Purpose and Intent.~~ This Density Bonus Ordinance is intended to provide incentives for the production of housing for very low, lower income, or senior households in accordance with Sections 65915 and 65917 of the California Government Code. In enacting this section, it is the intent of the County of Humboldt to facilitate the development of affordable housing and to implement the goals, objectives, and policies of the County's Housing Element. (Former Section CZ#A314-12.1(A); Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.2 Definitions.~~ Whenever the following terms are used in this section, they shall have the meaning established by this subsection and as defined in Section C: Index of Definitions of Language and Legal Terms. (Former Section CZ#A314-12.1(B)(1-16); Added by Ord. 2167, Sec. 25, 4/7/98)

- ~~112.1.2.1~~ — Additional Incentives
- ~~112.1.2.2~~ — Affordable Rent
- ~~112.1.2.3~~ — Very Low Income
- ~~112.1.2.4~~ — Lower Income
- ~~112.1.2.5~~ — Affordable Sales Price
- ~~112.1.2.6~~ — Density Bonus
- ~~112.1.2.7~~ — Density Bonus Housing Agreement
- ~~112.1.2.8~~ — Density Bonus Unit
- ~~112.1.2.9~~ — Equivalent Financial Incentive
- ~~112.1.2.10~~ — Housing Cost

- 112.1.2.11—Housing Development
- 112.1.2.12—Lower Income Household
- 112.1.2.13—Maximum Residential Density
- 112.1.2.14—Non-Restricted Unit
- 112.1.2.15—Qualifying Resident
- 112.1.2.16—Senior Citizen Housing
- 112.1.2.17—Target Unit
- 112.1.2.18—Very Low Income Household

112.1.3—Implementation.

112.1.3.1—The County shall grant either: a Density Bonus, or a Density Bonus with an Additional Incentive(s), or Equivalent Financial Incentive; as set forth in subsection 112.1.5 of this section, to an applicant or developer of a Housing Development within mapped Housing Opportunity Zones, and in projects who agrees with enforceable agreements to provide the following: (Former Section CZ#A314-12.1(C); Added by Ord. 2167, Sec. 25, 4/7/98)

112.1.3.1.1—At least twenty percent (20%) ten percent (10%) of the total units of the Housing Development as Target Units affordable to Lower Income Households; or — (Former Section CZ#A314-12.1(C)(1); Added by Ord. 2167, Sec. 25, 4/7/98)

112.1.3.1.2—At least ten percent (10%) five percent (5%) of the total units of the Housing Development as Target Units affordable to Very Low Income Households; or — (Former Section CZ#A314-12.1(C)(2); Added by Ord. 2167, Sec. 25, 4/7/98)

112.1.3.1.3—A senior citizen housing development or mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code; or . (Former Section CZ#A314-12.1(C)(3); Added by Ord. 2167, Sec. 25, 4/7/98)

112.1.3.1.4—Ten percent (10%) of the units in a condominium project as defined in subsection F of section 1351 of the Civil Code are affordable to moderate income households.

112.1.3.2—In determining The minimum number of Density Bonus Units to be granted pursuant to this section shall be the same as those provided in CGC §65915 (f); the Maximum Residential Density for the site shall be multiplied by 0.10 where Very Low Income Households are targeted, or by 0.20 where Lower Income Households are targeted. The Density Bonus Units shall not be included when determining the total number of Target Units in the Housing Development. When calculating the number of permitted Density Bonus Units, any fractions of units shall be rounded to the next larger integer. The granting of a density bonus shall

~~not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.~~ (Former Section CZ#A314-12.1(C); Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.3.3—In cases where a density increase of less than twenty five percent (25%) is requested, no reduction will be allowed in the number of Target Units required. In cases where a density increase of more than twenty five percent (25%) is requested, the requested density increase, if granted, shall be considered an Additional Incentive, as outlined in subsection 112.1.5 of this section.~~ (Former Section CZ#A314-12.1(C); Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.3.5—In cases where the developer agrees to construct more than twenty percent (20%) ten percent (10%) of the total units for Lower Income Households, or more than ten percent (10%) five percent (5%) of the total units for Very Low Income Households, the developer is entitled to only one Density Bonus and an Additional Incentive(s) (or an Equivalent Financial Incentive) pursuant to subsection 112.1.5 of this section.~~ (Former Section CZ#A314-12.1(C); Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.3.6—Similarly, a developer who agrees to construct Senior Citizen Housing with twenty percent (20%) or ten percent (10%) of the units reserved for Lower or Very Low Income Households, respectively, is only entitled to one Density Bonus and an Additional Incentive(s).~~ (Former Section CZ#A314-12.1(C); Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.3.7—The County may, however, grant multiple Additional Incentives to facilitate the inclusion of more Target Units than are required as specified by this section.~~ (Former Section CZ#A314-12.1(C); Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.4—Development Standards.~~

~~112.1.4.1—Target Units should be constructed concurrently with Non-Restricted Units unless both the County and the developer/applicant agree within the Density Bonus Housing Agreement to an alternative schedule for development.~~ (Former Section CZ#A314-12.1(D); Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.4.2—Target Units shall remain restricted and affordable to the designated group for a period of thirty (30) years (or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program; or rental subsidy program), under the following circumstances:~~ (Former Section CZ#A314-12.1(D); Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.4.2.1—Both a Density Bonus and an Additional Incentive(s) is granted; or~~ (Former Section CZ#A314-12.1(D)(1); Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.4.2.2—An Equivalent Financial Incentive equivalent to a Density Bonus and an Additional Incentive(s) is granted.~~ (Former Section CZ#A314-12.1(D)(2); Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.4.3 Target Units shall remain restricted and affordable to the designated group for a period of ten (10) years under the following circumstances: (Former Section CZ#A314-12.1(D); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.4.3.1 Only a Density Bonus is granted and no Additional Incentives are granted; or (Former Section CZ#A314-12.1(D)(3); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.4.3.2 An Equivalent Financial Incentive equivalent to only a Density Bonus is granted. (Former Section CZ#A314-12.1(D)(4); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.4.4 3 Circumstances may arise in which the public interest would be served by allowing some or all of the Target Units associated with one Housing Development to be produced and operated at an alternative development site. Where the developer and County form such an agreement, the resulting linked developments shall be considered a single Housing Development for purposes of this section. Under these circumstances, the developer shall be subject to the same requirements of this section for the Target Units to be provided on the alternative site. (Former Section CZ#A314-12.1(D); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.4. 5 4 Target Units should be built on site wherever possible and, when practical, be dispersed within the Housing Development. Where feasible, the number of bedrooms of the Target Units should be equivalent to the bedroom mix of the non Target units of the Housing Development; except that the Developer may include a higher proportion of Target Units with more bedrooms. The design and appearance of the Target Units shall be compatible with the design of the total Housing Development. Housing Developments shall comply with all applicable development standards, except those which may be modified as provided by this section. (Former Section CZ#A314-12.1(D); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.4. 6 5 A Density Bonus Housing Agreement shall be made a condition of the discretionary planning permits for all Housing Developments pursuant to this chapter. The Agreement shall be recorded as a restriction on the parcel or parcels on which the Target Units will be constructed. The Agreement shall be consistent with subsection 313-112.1.7 of this section. (Former Section CZ#A314-12.1(D); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5 Development Incentives.~~

~~112.1.5.1 The County shall provide a Density Bonus and an Additional Incentive(s), for qualified Housing Developments, upon the written request of a developer, unless the County makes a written finding that the Additional Incentive(s) would have an adverse impact on public health and safety, the environment, or an historic site or building, or be contrary to state or federal law. (Former Section CZ#A314-12.1(E);~~

Added by Ord. 2167, Sec. 25, 4/7/98)

~~112.1.5.2 The development incentives granted shall contribute significantly to the economic feasibility of providing the Target Units. Applicants seeking a Waiver or modification of development or zoning standards shall show that such waivers or modifications are necessary to make the Housing Development economically feasible in accordance with Government Code Section 65915(e) necessary for the development to occur at the densities or with the concessions or incentives permitted under this section shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to this section. This requirement may be satisfied by reference to applicable sections of the County's general plan housing element. (Former Section GZ#A314-12.1(E); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3 The need for incentives will vary for different Housing Developments. Therefore, the allocation of Additional Incentives shall be determined on a case-by-case basis. The applicant shall receive the following number of incentives or concessions:~~

~~— One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low income households, or at least 10 percent for persons and families of moderate income in a common interest development; or~~

~~— Two incentives or concessions for projects that include at least 20 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a common interest development; or.~~

~~— Three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a common interest development.~~

~~— The Additional Incentives may include, but are not limited to, any of the following: (Former Section GZ#A314-12.1(E); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.1 A reduction of site development standards or a modification of zoning code or architectural design requirements which exceed the minimum building standards provided in Part 2.5 (commencing with Section 18901) of Division 13 of the California Health and Safety Code). These may include, but are not limited to, any of the following: (Former Section GZ#A314-12.1(E)(1); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.1.1 Reduced minimum lot sizes and dimensions. (Former Section GZ#A314-12.1(E)(1)(a); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.1.2 Reduced minimum yard setbacks. (Former Section CZ#A314-12.1(E)(1)(b); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.1.3 Increased maximum lot coverage; up to 80% lot coverage is allowed. (Former Section CZ#A314-12.1(E)(1)(c); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.1.4 Increased maximum building height. (Former Section CZ#A314-12.1(E)(1)(d); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.1.5 Reduced on site parking standard; including the number or and size of spaces. Upon the request of the developer, the county shall not require onsite parking that exceeds the following ratios: (A) Zero to one bedroom: one (1) onsite parking space. (B) Two to three bedrooms: two (2) onsite parking spaces. (C) Four and more bedrooms: two and one half (2 1/2) parking spaces. If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subdivision, a development may provide “onsite parking” through tandem parking or uncovered parking, but not through on street parking. (Former Section CZ#A314-12.1(E)(1)(e); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.1.6 Reduced minimum building separation requirements. (Former Section CZ#A314-12.1(E)(1) (f); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.1.7 Reduced street standards (e.g. reduced minimum street widths). (Former Section CZ#A314-12.1(E)(1)(g); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.1.8 Reduced solar shading requirements.~~

~~112.1.5.3.2 Allow the Housing Development to include nonresidential uses and/or allow the Housing Development within a nonresidential zone. (Former Section CZ#A314-12.1(E)(2); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.3 Other regulatory incentives or concessions proposed by the developer or the County which result in identifiable cost reductions or avoidance. (Former Section CZ#A314-12.1(E)(3); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.4 A Density Bonus of more than twenty five percent (25%). Density bonuses of 100% will be allowed for projects within mapped Housing Opportunity Zones with 100% of the units affordable to lower income households. (Former Section CZ#A314-12.1(E)(4); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.5 — Waived, reduced, or deferred planning, plan check, construction permit, improvement plan review fees, map check fees, and/or development impact fees. (Former Section CZ#A314-12.1(E)(5); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.6 — Direct financial aid in the form of a loan or a grant to subsidize or provide low interest financing for on- or off-site improvements, land or construction costs. (Former Section CZ#A314-12.1(E)(6); Added by Ord. 2167, Sec. 25, 4/7/98)~~

~~112.1.5.3.7 — Fast track processing of all permits and requirements for affordable housing projects through the Planning and Building, Environmental Health and Land Use Divisions by dedicated staff on a priority basis ahead of non-density bonus permit applications.~~

~~112.1.5.3.8 — Deferral of subdivision improvement requirements consistent with the protection of public health and safety.~~

~~112.1.5.4 — The County may offer an Equivalent Financial Incentive instead of granting a Density Bonus and an Additional Incentive(s). The value of the Equivalent Financial Incentive shall equal at least the land cost per dwelling unit savings that would result from a Density Bonus and must contribute significantly to the economic feasibility of providing the Target Units pursuant to this section. (Former Section CZ#A314-12.1(E); Added by Ord. 2167, Sec. 25, 4/7/98)~~

313-111.1 RESIDENTIAL DENSITY BONUS AND OTHER DEVELOPER INCENTIVES

Sections:

<u>111.1.1</u>	<u>Purpose</u>
<u>111.1.2</u>	<u>Definitions</u>
<u>111.1.3</u>	<u>Applications for Density Bonus</u>
<u>111.1.4</u>	<u>Processing of Density Bonus Applications</u>
<u>111.1.5</u>	<u>Eligibility Criteria for Density Bonus and Incentives or Concessions</u>
<u>111.1.6</u>	<u>Project Specific Density Bonus</u>
<u>111.1.7</u>	<u>Density Bonus for Development of Child Care Facility</u>
<u>111.1.8</u>	<u>Available Incentives and Concessions</u>
<u>111.1.9</u>	<u>General Provisions for Density Bonuses and Incentives/Concessions</u>
<u>111.1.10</u>	<u>Required Density Bonus Agreement and Terms of Agreement</u>

111.1.1 Purpose

This Density Bonus Ordinance is intended to provide incentives for the production of affordable housing, senior housing and the development of child care facilities. In enacting this Chapter, it is the intent of the County of Humboldt to implement the goals, objectives, and policies of the County General Plan and further to implement and be subject to California Government Code Section 65915. In the event that any provision in this chapter conflicts with

state law, state law shall control.

111.1.2 Definitions

Whenever the following terms are used in this Section, they shall have the meaning established by this subsection and as defended in Section C: Index of Definitions of Language and Legal Terms.

<u>111.1.2.1</u>	<u>Affordable Housing/Affordable Housing Unit</u>
<u>111.1.2.2</u>	<u>Affordable Rent</u>
<u>111.1.2.3</u>	<u>Child Care Facility</u>
<u>111.1.2.4</u>	<u>Density Bonus</u>
<u>111.1.2.5</u>	<u>Density Bonus Housing Agreement</u>
<u>111.1.2.6</u>	<u>Density Bonus Units</u>
<u>111.1.2.7</u>	<u>Housing Development</u>
<u>111.1.2.8</u>	<u>Incentives or Concessions</u>
<u>111.1.2.9</u>	<u>Initial Subsidy</u>
<u>111.1.2.10</u>	<u>Low Income Household</u>
<u>111.1.2.11</u>	<u>Moderate Income Household</u>
<u>111.1.2.12</u>	<u>Proportionate Share of Appreciation</u>
<u>111.1.2.13</u>	<u>Senior Citizen Housing Development</u>
<u>111.1.2.14</u>	<u>Very Low Income Household</u>

111.1.3 Application for Density Bonus and Incentives or Concessions.

At the time the applicant of a proposed Housing Development, seeking a density bonus and concessions or incentives under this chapter, files a formal application for approval of the proposed development with the Planning Division of Humboldt County the following information shall be submitted with the fees and required application:

111.1.3.1 Identification of the location, acreage, and the maximum number of base units allowed under the zoning and the land use designated under the General Plan without the Density Bonus.

111.1.3.2 Identification of the total number of units proposed, specifically identifying the Density Bonus units and the Affordable Units which will demonstrate eligibility under this chapter.

111.1.3.3 Identification of the requested concessions or incentives or a list of any alternative concessions or incentives which would provide, in the developer's opinion, an equivalent financial value to the concession or incentive requested. This requirement does not impair the applicant from substituting a new incentive or concession from what is initially proposed, but substitution may cause project delays and require revision of environmental documents, and may necessitate additional processing fees as determined by the Planning Director.

111.1.3.4 A clear statement of how the requested concessions or incentives are necessary to make the proposed Housing Development economically feasible, and result in identifiable, financially sufficient and actual cost reductions. The information should be sufficiently detailed to enable County staff to examine the conclusions reached by the developer.

111.1.3.5 Other pertinent information as the Planning Director may require to enable the County to adequately analyze the identifiable, financially sufficient and actual cost reductions of the proposed Housing Development with respect to the requested additional concession or incentive and other concessions or incentives which may be made available.

111.1.4 Processing of Density Bonus Application.

111.1.4.1 Once deemed complete, the density bonus application shall be processed and determinations made concurrent with the underlying Housing Development application.

111.1.4.2 Review Authority. A request for density bonus will be reviewed by the same review authority as the Housing Development's other entitlements specifically noted below. The reviewing authority shall grant the density bonus and requested incentive(s) or concession(s) unless the findings in Section 111.1.4.2 can be made.

111.1.4.2.1 Design Review. When a proposed Housing Development needs only Design Review, then the Design Review Board (if established) or the Planning Director will consider and act on the density bonus request when the preliminary design review application is considered.

111.1.4.2.2 Planning Commission/Board of Supervisors. If the project requires entitlements or an environmental clearance to be considered by the Planning Commission and/or the Board of Supervisors, then these decision bodies will consider and act on the density bonus request concurrent with the applicable project entitlement/environmental clearance.

111.1.4.3 A Housing Development including at least 20 percent of total units affordable to very low or low income households or a combination of the two, with affordable rents maintained through an agreement with the County of Humboldt or another governmental agency, shall be entitled to priority processing. Priority processing shall mean a timeline for review of the Housing Development and all associated applications as mutually agreed to by the County and the developer.

111.1.4.4 Application for Density Bonus Housing Agreement. Once the proposed Housing Development has received its approval for Density Bonus, as described above, the developer shall file an application, including the payment of any processing fees with the Planning Division for approval and finalization of the Density Bonus

Agreement in compliance with the requirements set forth in Section 111.1.10.

111.1.5 Eligibility Criteria for Density Bonus

111.1.5.1 The County of Humboldt shall consider a density bonus and provide incentives or concessions as described in Section 111.1.8, when a developer of a Housing Development seeks and agrees to construct a Housing Development that will contain at least one of the following:

111.1.5.1.1 Ten percent of the total units of a Housing Development strictly for Low Income Households as defined herein;

111.1.5.1.2 Five percent of the total units of a Housing Development strictly for Very Low Income Households as defined herein;

111.1.5.1.3 A Senior Citizen Housing Development, as defined herein;

111.1.5.1.4. Ten percent of the total dwelling units in a condominium or planned unit development for persons and families of Moderate Income Households as defined herein, provided that all units in the development are offered to the public for purchase.

111.1.6 Project Specific Density Bonus

The County of Humboldt will allow a Housing Development a density bonus and concessions or incentives meeting all the applicable eligibility requirements of this chapter according to the following density bonus options. In the event that the minimum requirements for granting density bonus units or number of applicable concessions or incentives as set forth in California Government Code 65915 is amended or modified after the adoption of this chapter by the County, then the lowest minimum requirements shall apply.

111.1.6.1 Density Bonus for Very Low Income Households: If a housing developer elects to construct units for Very Low Income Households, the development shall be entitled to the following Density Bonus calculation:

<u>Provision of Very Low Income Units</u>		
<u>Percentage of Very Low Income Units Affordable</u>	<u>Density Bonus Available*</u>	<u>Number of Incentives or Concessions</u>
<u>5%</u>	<u>20%</u>	<u>1</u>
<u>6%</u>	<u>22.5%</u>	<u>1</u>
<u>7%</u>	<u>25%</u>	<u>1</u>
<u>8%</u>	<u>27.5%</u>	<u>1</u>
<u>9%</u>	<u>30%</u>	<u>1</u>
<u>10%</u>	<u>32.5%</u>	<u>2</u>
<u>11%</u>	<u>35%</u>	<u>2</u>
<u>15%</u>	<u>35%</u>	<u>3</u>

* the allowed increase is the percentage over the total

number of units that would be allowed without a Density Bonus

111.1.6.2 Density Bonus for Low Income Households: If a housing developer elects to construct units for Low Income Households, the Housing Development shall be entitled to the following Density Bonus calculation:

<u>Provision of Low Income Units</u>		
<u>Percentage of Low Income Units Affordable</u>	<u>Density Bonus Available*</u>	<u>Number of Incentives or Concessions</u>
<u>10%</u>	<u>20%</u>	<u>1</u>
<u>11%</u>	<u>21.5%</u>	<u>1</u>
<u>12%</u>	<u>23%</u>	<u>1</u>
<u>13%</u>	<u>24.5%</u>	<u>1</u>
<u>14%</u>	<u>26%</u>	<u>1</u>
<u>15%</u>	<u>27.5%</u>	<u>1</u>
<u>17%</u>	<u>30.5%</u>	<u>1</u>
<u>18%</u>	<u>32%</u>	<u>1</u>
<u>19%</u>	<u>33.5%</u>	<u>1</u>
<u>20%</u>	<u>35%</u>	<u>2</u>
<u>30%</u>	<u>35%</u>	<u>3</u>

** the allowed increase is the percentage over the total number of units that would be allowed without a Density Bonus*

111.1.6.3 Senior Housing: If a housing developer elects to construct a Senior Citizen Housing Development, the density bonus shall be 20 percent of the total number of allowed housing units without the Density Bonus.

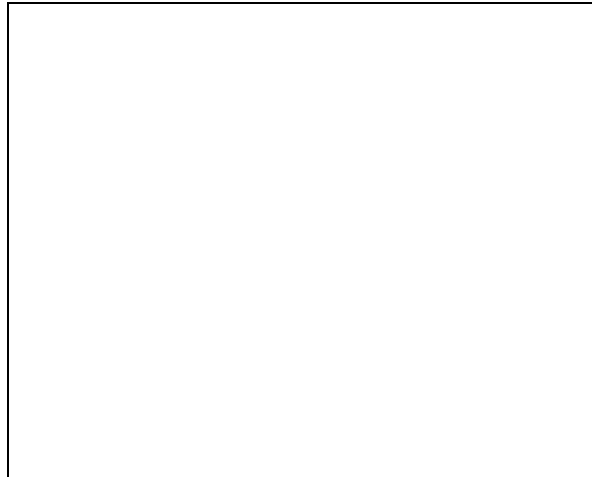
111.1.6.4 Moderate Income Units in Condominiums and Planned Developments: If a housing developer elects to construct units for Moderate Income Households, the development shall be entitled to the following Density Bonus calculation:

<u>Moderate Income Units</u>		
<u>Percentage of Moderate Income Units Affordable</u>	<u>Density Bonus Available*</u>	<u>Number of Incentives or Concessions</u>
<u>10%</u>	<u>5%</u>	<u>1</u>
<u>11%</u>	<u>6%</u>	<u>1</u>
<u>12%</u>	<u>7%</u>	<u>1</u>
<u>13%</u>	<u>8%</u>	<u>1</u>
<u>14%</u>	<u>9%</u>	<u>1</u>
<u>15%</u>	<u>10%</u>	<u>1</u>
<u>16%</u>	<u>11%</u>	<u>1</u>
<u>17%</u>	<u>12%</u>	<u>1</u>
<u>18%</u>	<u>13%</u>	<u>1</u>

Moderate Income Units		
<u>Percentage of Moderate Income Units Affordable</u>	<u>Density Bonus Available*</u>	<u>Number of Incentives or Concessions</u>
<u>19%</u>	<u>14%</u>	<u>1</u>
<u>20%</u>	<u>15%</u>	<u>2</u>
<u>21%</u>	<u>16%</u>	<u>2</u>
<u>23%</u>	<u>18%</u>	<u>2</u>
<u>24%</u>	<u>19%</u>	<u>2</u>
<u>25%</u>	<u>20%</u>	<u>2</u>
<u>26%</u>	<u>21%</u>	<u>2</u>
<u>27%</u>	<u>22%</u>	<u>2</u>
<u>28%</u>	<u>23%</u>	<u>2</u>
<u>30%</u>	<u>25%</u>	<u>3</u>
<u>31%</u>	<u>26%</u>	<u>3</u>
<u>32%</u>	<u>27%</u>	<u>3</u>
<u>33%</u>	<u>28%</u>	<u>3</u>
<u>34%</u>	<u>29%</u>	<u>3</u>
<u>35%</u>	<u>30%</u>	<u>3</u>
<u>36%</u>	<u>31%</u>	<u>3</u>
<u>37%</u>	<u>32%</u>	<u>3</u>
<u>38%</u>	<u>33%</u>	<u>3</u>
<u>39%</u>	<u>34%</u>	<u>3</u>
<u>40%</u>	<u>35%</u>	<u>3</u>

** the allowed increase is the percentage over the total number of units that would be allowed without a Density Bonus*

111.1.6.5 Density Bonus for Land Donation: When an applicant for a tentative map, parcel map, or other residential development approval donates at least one acre of land or enough land to develop 40 units, then the applicant shall be entitled to a fifteen percent increase above the otherwise maximum allowable residential density for the entire Housing Development as follows:



<u>Percentage of Very Low Income Units</u>	
<u>10%</u>	<u>15%</u>
<u>11%</u>	<u>16%</u>
<u>12%</u>	<u>17%</u>
<u>13%</u>	<u>18%</u>
<u>14%</u>	<u>19%</u>
<u>15%</u>	<u>20%</u>
<u>16%</u>	<u>21%</u>
<u>17%</u>	<u>22%</u>
<u>18%</u>	<u>23%</u>
<u>19%</u>	<u>24%</u>
<u>20%</u>	<u>25%</u>
<u>21%</u>	<u>26%</u>
<u>22%</u>	<u>27%</u>
<u>23%</u>	<u>28%</u>
<u>24%</u>	<u>29%</u>
<u>25%</u>	<u>30%</u>
<u>26%</u>	<u>31%</u>
<u>27%</u>	<u>32%</u>
<u>29%</u>	<u>34%</u>
<u>30%</u>	<u>35%</u>

111.1.6.5.1 Nothing in this subsection shall be construed to enlarge or diminish the authority of the County to require a developer to donate land as a condition of development.

111.1.6.5.2 The Density Bonus for land dedication shall be in addition to any Density Bonus earned pursuant to Section 111.1.6 and up to a maximum combined increase of 35 percent.

111.1.6.5.3 An applicant with a land donation shall be eligible for the increased

Density Bonus if all of the following conditions are met:

111.1.6.5.3 .1 The applicant donates and transfers the land to the County no later than the date of approval of the County of the final subdivision map, parcel map, or Housing Development application for the proposed Housing Development seeking the Density Bonus.

111.1.6.5.3 .2 The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to Very Low Income Households in an amount not less than 10 percent of the number of residential units of the proposed Housing Development seeking the Density Bonus.

111.1.6.5.3 .3 The land proposed to be donated to the County:

111.1.6.5.3 .3.1 has the appropriate General Plan designation and is appropriately zoned for development at the density described in paragraph (3) of subsection (c) of Section 65583.2; and

111.1.6.5.3 .3 .2 is or will be served by adequate public facilities and infrastructures; and

111.1.6.5.3 .3 .3 is donated no later than the date of approval of the final subdivision map, parcel map or Housing Development application seeking a Density Bonus and has all of the permits and approvals, other than building permits, necessary for the development of the Very Low Income housing units on the transferred land; and

111.1.6.5.3 .3 .4 is transferred to the County or a housing developer approved by the County; and

111.1.6.5.3 .3 .5 shall be within the boundary of the proposed development or within one-quarter mile of the boundary of the proposed development; and

111.1.6.5.3 .3 .6 must have a proposed source of funding for the very low income units prior to the approval of the final subdivision map, parcel map or Housing Development application seeking the Density Bonus.

111.1.6.5.4 The transferred land and the Affordable Housing Units shall be subject to a deed restriction, which shall be recorded on the property upon dedication, ensuring continued affordability of units for at least 30 years from the date of occupancy.

111.1.6.6 Condominium Conversions. Density Bonus for Condominium Conversion, shall be considered and approved in accordance with Section 65915.5 of the California Government Code for specifications.

111.1.7 Density Bonus for Development of Child Care Facility

111.1.7.1 A Housing Development meeting the requirements of Section 111.1.5 and 111.1.6 above and including a child care facility that will be located on the premises of, as part of, or adjacent to, such a Housing Development shall receive either of the following:

111.1.7.1.1 An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility.

111.1.7.1.2 An additional incentive or concession that contributes significantly to the economic feasibility of the construction of the child care facility.

111.1.7.2 When a Housing Development is providing a Child Care Facility consistent with this ordinance, then the conditions of approval shall require that:

111.1.7.2.1 The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the affordable units are required to remain affordable; and

111.1.7.2.2 Of the children who attend the childcare facility, the children of Very Low Income Households, Lower Income Households, or persons or families of Moderate Income shall equal a percentage that is equal to or greater than the percentage of affordable units that are required pursuant to Section 111.1.5.

111.1.7.3 The County shall not be required to provide a density bonus or incentive or concession for a child care facility if it makes a written finding, based upon substantial evidence, that the community has adequate child care facilities.

111.1.8 Available Incentives and Concessions.

In addition to the applicable density bonus described above, an applicant may request incentives or concessions in connection with its application for a density bonus in accordance with the density bonus calculation set forth in Section 111.1.6.

111.1.8.1 An incentive or concession may mean:

111.1.8.1.1 A reduction in the site development standards or a modification of zoning code requirements including but not limited to:

111.1.8.1.1.1 Reduced minimum lot sizes and dimensions.

111.1.8.1.1.2 Reduced minimum yard setbacks.

111.1.8.1.1.3 Increased maximum lot coverage; up to 80% lot coverage is allowed.

111.1.8.1.1.4 Increased maximum building height.

111.1.8.1.1.5 Reduced minimum building separation requirements.

111.1.8.1.1.6 Reduced street standards (e.g. reduced minimum street widths).

111.1.8.1.1.7 Reduced solar shading requirements.

111.1.8.1.2 Other regulatory incentives or concessions proposed by the developer or the County which result in identifiable cost reductions or avoidance.

111.1.8.1.3 A Density Bonus of more than twenty-five percent (25%). Density bonuses of 100% will be allowed for projects within mapped Housing Opportunity Zones with 100% of the units affordable to lower income households.

111.1.8.1.4 Deferred planning, plan check, construction permit, improvement plan review fees, map check fees, and/or development impact fees for projects with 100% of the units affordable to lower income households.

111.1.8.1.5 Direct financial aid in the form of a loan or a grant to subsidize or provide low interest financing for on- or off-site improvements, land or construction costs for projects with 100% of the units affordable to lower income households.

111.1.8.1.6 Fast-track processing of all permits and requirements for affordable housing projects through the Planning and Building, Environmental Health and Land Use Divisions by dedicated staff on a priority basis ahead of non-density bonus permit applications.

111.1.8.1.7 Deferral of subdivision improvement requirements consistent with the protection of public health and safety.

111.1.8.1.8 Approval of mixed-use development in conjunction with the proposed Housing Development if the non-residential land uses will reduce the cost of the proposed Housing Development, and the non-residential land uses are compatible with the proposed Housing Development and surrounding development;

111.1.8.1.9 Other regulatory incentives or concessions proposed by the applicant or that the County determines will result in identifiable, financially sufficient, and actual cost reductions.

111.1.8.2 The County shall grant incentive(s) or concession(s) requested by the applicant unless the County can make a written finding, based upon the substantial evidence, of any of the following:

111.1.8.2.1 The incentive or concession is not required in order to provide for affordable housing costs or affordable rents.

111.1.8.2.2 The incentive or concession would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or physical environment or any real property that is listed in the California Register of Historical Resources and for which the County determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate- income households.

111.1.8.2.3 The incentive or concession would be contrary to state or federal law.

111.1.9 General Provisions for Density Bonuses and Incentives/Concessions

111.1.9.1 All density bonus calculations resulting in fractional units shall be rounded up to the next whole number.

111.1.9.2 The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, zoning change, or other discretionary approval.

111.1.9.3 Upon request by the applicant, the County shall not require the proposed Housing Development eligible for a Density Bonus pursuant to this chapter to provide a parking ratio, including handicapped and guest parking, that exceeds the following:

111.1.9.3.1 Zero to one bedrooms: one onsite parking space

111.1.9.3.2 Two to three bedrooms: two onsite parking spaces

111.1.9.3.3 Four and more bedrooms: two and one-half parking spaces.

If the total number of parking spaces required for the proposed Housing Development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subsection, a development may provide onsite parking through tandem parking or uncovered parking, but not through on-street parking.

111.1.9.4 The County shall not apply any development standard that would have the effect of precluding the construction of a proposed Housing Development meeting the requirements of Section 111.1.6 at the densities or with the incentives permitted by this Chapter. An applicant may submit with its application to the County a proposal for the waiver or reduction of development standards. A waiver or reduction of development standards, the application of which would physically preclude the development, shall not reduce nor increase the number of incentives or concessions being requested. Nothing in this subsection, however, shall be interpreted to require the County to waive or reduce development standards if the waiver or reduction would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which the County determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Furthermore, the applicant shall be required to prove that the waiver or modification is necessary to make the affordable units economically feasible.

111.1.9.5 Location of Affordable Units. The location of the affordable units within the Housing Development may be at the discretion of the developer. However, the affordable units shall:

111.1.9.5.1 Be constructed at the same time as the market units are constructed.

111.1.9.5.2 Be reasonably dispersed throughout the development and/or phases if applicable.

111.1.9.5.3 Be a similar unit type/size to the overall Housing Development; and

111.1.9.5.4 Be reasonably compatible with the design or use of the remaining units in terms of appearance, materials and quality finish.

111.1.10 Required Density Bonus Agreement and Terms of Agreement.

111.1.10.1 A Density Bonus Housing Agreement must be executed prior to recording any final map for the underlying property or prior to the issuance of any building permit for the Housing Development, whichever comes first. The Density Bonus Housing Agreement shall be binding on all future owners and successors of interests of the Housing Development.

111.1.10.2 The Density Bonus Housing Agreement shall:

111.1.10.2 .1 Identify the type, size and location of each Affordable Housing Unit required hereunder;

111.1.10.2 .2 Identify the term of the agreement, which would define

the term of affordability of the required units;

111.1.10.2 .3 Require that the Affordable Housing Units be constructed and completed by the developer as specified in this Chapter and in accordance with state law;

111.1.10.2 .4 Require that each Affordable Housing Unit be kept available only to members of the identified income group at the maximum affordable rent during the term of the agreement.

111.1.10.2 .5 Identify the means by which such continued availability shall be secured and enforced and the procedures under which the Affordable Housing Units shall be leased and shall contain such other terms and provisions, the Planning Director may require. The agreement, in its form and manner of execution, shall be in a form able to be recorded with the Humboldt County Recorder.

111.1.10.2 .6 The Density Bonus Housing Agreement shall be reviewed and approved by the Planning Director and the affordability of the required units shall be monitored for compliance by the Planning Division staff. The Planning Director is hereby expressly authorized to act as the County's agent to enter into the Density Bonus Housing Agreement for the purpose of enforcing the terms of the agreement consistent with this chapter.

111.1.10.3 Required Terms for the Continued Availability of Affordable Units

111.1.10.3 .1 Low and Very Low Income Households. A housing developer providing Low and Very Low income units in accordance with this chapter must continue to restrict those units to Low or Very Low Income households for a minimum of 30 years or longer term under another regulatory agreement from the date of initial occupancy.

111.1.10.3.2 Moderate Income Households. In the case of a Housing Development providing Moderate Income units, the initial occupant of the unit must be a person or family of Moderate Income.

111.1.10.3.2.1 Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The local government shall recapture any Initial Subsidy and its Proportionate Share of Appreciation; which shall be used within five years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership. Any recaptured funds shall be deposited into a Housing Trust Fund to be used in accordance with subsection (e) of Section 33334.2 of the Health and

Safety Code.”

SECTION C: INDEX OF DEFINITIONS OF LANGUAGE AND LEGAL TERMS

313-136-161 DEFINITIONS (A-Z)

313-136 DEFINITIONS (A)

Affordable Rent: ~~Means monthly housing expenses, including a reasonable allowance for utilities, for rental Target Units reserved for Very Low or Lower Income Households, not exceeding the following calculations:~~

A. ~~Very Low Income: Fifty percent of the area median income for Humboldt County, adjusted for household size, multiplied by thirty percent (30%) and divided by twelve (12). (Former Section CZ#A314 12.1(B)(2)(a); Added by Ord. 2167, Sec. 25, 4/7/98)~~

B. ~~Lower Income: Sixty percent of the area median income for Humboldt County, adjusted for household size, multiplied by thirty percent (30%) and divided by twelve (12). (Former Section CZ#A314 12.1(B)(2)(b); Added by Ord. 2167, Sec. 25, 4/7/98)~~

Affordable Housing/Affordable Housing Unit: A housing unit which is available for sale to Moderate Income Households or for rent to Low and/or Very Low Income Households, as those terms are defined in this section.

Affordable Rent: Monthly rent charged to Low and Very Low Income Households for housing units as calculated in accordance with section 50053 of the Health and Safety Code.

313-138 DEFINITIONS (C)

Child Care Facility: A facility that provides non-medical care and supervision of minor children for periods of less than 24 hours and is licensed by the California State Department of Social Services, further subject to the definition in California Government Code Section 65915(h)(4).

313-139 DEFINITIONS (D)

~~Density Bonus:~~ ~~Means a minimum density increase of at least twenty five percent (25%) unless a lesser percentage is elected by the applicant over the otherwise Maximum Residential Density under the certified LCP. The amount of density bonus to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in Section 313-111. For each 1 percent increase~~

above 10 percent in the percentage of units affordable to lower income households, the density bonus shall be increased by 1.5 percent up to a maximum of 35 percent. (See, Section 313-112.1, Residential Density Bonus, for further discussion.) (Former Section CZ#A314-12.1(B)(4); Added by Ord. 2167, Sec. 25, 4/7/98)

Density Bonus Housing Agreement: Means a legally binding agreement between a developer and the County to ensure that the requirements of the Residential Density Bonus Section are satisfied. The agreement, among other things, shall establish: the number of Target Units, their size, location, terms and conditions of affordability, and production schedule. (See, Section 313-112.1, Residential Density Bonus, for further discussion.) (Former Section CZ#A314-12.1(B)(5); Added by Ord. 2167, Sec. 25, 4/7/98)

Density Bonus Unit: Means those residential units granted pursuant to the provisions of the Residential Density Bonus Section that exceed the otherwise Maximum Residential Density for the development site. (See, Section 313-112.1, Residential Density Bonus, for further discussion.) (Former Section CZ#A314-12.1(B)(6); Added by Ord. 2167, Sec. 25, 4/7/98)

Density Bonus: A density increase for residential units over the otherwise allowed residential density under the applicable zoning and land use designation on the date an application is deemed complete.

Density Bonus Housing Agreement: A legally binding agreement between a developer and the County [Housing Authority or Planning Department] to ensure that continued affordability of the Affordable Housing Units required by this chapter persists and the units are maintained in accordance with this chapter.

Density Bonus Units: Those additional residential units granted pursuant to the provisions of this chapter.

313-143 DEFINITIONS (H)

Housing Development: Means construction projects consisting of five or more residential units, including single family, multifamily, and manufactured homes for sale or rent. (See, Section 313-112.1, Residential Density Bonus, for further discussion.) (Former Section CZ#A314-12.1(B)(9); Added by Ord. 2167, Sec. 25, 4/7/98)

Housing Development: A development project for five or more residential units. Within this chapter, it shall also include a subdivision or common interest development, a project which rehabilitates and converts a commercial building to a residential use and a condominium conversion of an existing multi-family building.

313-144 DEFINITIONS (I)

Incentives or Concessions: Regulatory concessions which include, but are not limited to, the

reduction of site development standards or zoning code requirements, approval of mixed-use zoning in conjunction with the Housing Development, or any other regulatory incentive which would result in identifiable, financially sufficient, and actual cost reductions that are offered in addition to a Density Bonus.

Initial Subsidy: The fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value. (e.g. X (fair market value of the home to be purchased) - Y (the price the moderate income family paid for the home) + Z (amount of any down payment assistance) = Initial Subsidy).

313-147 DEFINITIONS (L)

Low Income Household: A household whose income does not exceed 80 percent of the area median income for Humboldt County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50079.5 of the California Health and Safety Code.

313-148 DEFINITIONS (M)

Moderate Income Household: A household whose gross income does not exceed 120 percent of the area median income for Humboldt County as published and periodically updated by the State Department of Housing and Community Development pursuant to Sections 50079.5 and 50052.5 of the California Health and Safety Code.

313-151 DEFINITIONS (P)

Proportionate Share of Appreciation: The ratio of the local government's Initial Subsidy as defined above to the fair market value of the home at the time of initial sale. (e.g. X (initial subsidy) / Y (fair market value) = Proportionate Share of Appreciation).

313-154 DEFINITIONS (S)

Senior Citizen Housing: ~~Means a housing development consistent with the California Fair Employment and Housing Act (Government Code Section 12900 et. seq., including 12955.9 in particular), which has been “designed to meet the physical and social needs of senior citizens,” and which otherwise qualifies as “housing for older persons” as that phrase is used in the federal Fair Housing Amendments Act of 1988 (PL 100 430) and implementing regulations and as that phrase is used in California Civil Code Sections 51.2 and 51.3. (See, Section 313-112.1, Residential Density Bonus, for further discussion.) (Former Section CZ#A314-12.1(B)(14); Added by Ord. 2167, Sec. 25, 4/7/98)~~

Senior Citizen Housing Development: A residential development developed, substantially rehabilitated or renovated, and having at least 35 dwelling units for senior citizens in compliance with the requirements of Section 51.3 and 51.12 of the California Civil Code, or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.

Proposed Zoning Ordinance Amendments to Implement Housing Opportunity Zones - Chapter 4 (Non-Coastal) c) "Increased density bonuses and allowances"

~~314-112.1 RESIDENTIAL DENSITY BONUS~~

~~112.1.1 Purpose and Intent.~~ This Density Bonus Ordinance is intended to provide incentives for the production of housing for very low, lower income, or senior households in accordance with Sections 65915 and 65917 of the California Government Code. In enacting this Chapter, it is the intent of the County of Humboldt to facilitate the development of affordable housing and to implement the goals, objectives, and policies of the County's Housing Element. (Former Section INL#316.4 1(A); Added by Ord. 2166, Sec. 31, 4/7/98)

~~112.1.2 Definitions.~~ Whenever the following terms are used in this Section, they shall have the meaning established by this section and as defined in this Chapter 4: Section C: Index of Definitions of Language and Legal Terms. (Former Section INL#316.4 2(a-p); Added by Ord. 2166, Sec. 31, 4/7/98; Amended by Ord. 2214, 6/6/00)

- ~~112.1.2.1 Additional Incentives~~
- ~~112.1.2.2 Affordable Rent~~
- ~~112.1.2.3 Affordable Sales Price~~
- ~~112.1.2.4 Density Bonus~~
- ~~112.1.2.5 Density Bonus Housing Agreement~~
- ~~112.1.2.6 Density Bonus Unit~~
- ~~112.1.2.7 Equivalent Financial Incentive~~
- ~~112.1.2.8 Housing Cost~~
- ~~112.1.2.9 Housing Development~~
- ~~112.1.2.10 Lower Income~~
- ~~112.1.2.11 Lower Income Household~~
- ~~112.1.2.12 Maximum Residential Density~~
- ~~112.1.2.13 Non-Restricted Unit~~
- ~~112.1.2.14 Qualifying Resident~~
- ~~112.1.2.15 Senior Citizen Housing~~
- ~~112.1.2.16 Target Unit~~
- ~~112.1.2.17 Very Low Income~~
- ~~112.1.2.18 Very Low Income Household~~

112.1.3—Implementation.

~~112.1.3.1—The County shall grant either: a Density Bonus, or a Density Bonus with an Additional Incentive(s), or Equivalent Financial Incentive; as set forth in Section 314-112.1.5, to an applicant or developer of a Housing Development within mapped Housing Opportunity Zones, and in projects who agrees with enforceable agreements to provide the following: (Former Section INL#316.4 3; Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.3.1.1—At least ten percent 20 (10%) of the total units of the Housing Development as Target Units affordable to Lower Income Households; or (Former Section INL#316.4 3(a); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.3.1.2—At least 10 five percent (5%) of the total units of the Housing Development as Target Units affordable to Very Low Income Households; or (Former Section INL#316.4 3(b); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.3.1.3—A Senior citizen housing development or mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code; or (Former Section INL#316.4 3(e); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.3.1.4—Twenty Ten percent (10%) of the units in a condominium project as defined in subsection F of section 1351 of the Civil Code are affordable to moderate income households. (Added by Ord. 2313A, 12/16/03)~~

~~112.1.3.2—In determining The minimum number of Density Bonus Units to be granted pursuant to this Section shall be the same as those provided in CGC §65915 (f), the Maximum Residential Density for the site shall be multiplied by 0.25. When calculating the number of permitted Density Bonus Units, any fractions of units shall be rounded to the next larger integer. (Former Section INL#316.4 3(e); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.3.3—In determining the number of Target Units to be provided pursuant to this Section, the Maximum Residential Density shall be multiplied by 0.10 where Very Low Income Households are targeted, or by 0.20 where Lower Income Households are targeted. The Density Bonus Units shall not be included when determining the total number of Target Units in the Housing Development. When calculating the required number of Target Units, any resulting decimal fraction shall be rounded to the next larger integer. The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval. (Former Section INL#316.4 3(e); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.3.4—In cases where a density increase of less than 25 percent is requested, no reduction will be allowed in the number of Target Units required. In cases where a density increase of more than 25 percent is requested, the requested density~~

increase, if granted, shall be considered an Additional Incentive, as outlined in Section 314 112.1.5. (Former Section INL#316.4 3(e); Added by Ord. 2166, Sec. 31, 4/7/98)

~~112.1.3.5 In cases where the developer agrees to construct more than more than 20 10 percent of the total units for Lower Income Households, or more than 10 five percent (5%) of the total units for Very Low Income Households, the developer is entitled to only one Density Bonus and an Additional Incentive(s) (or an Equivalent Financial Incentive) pursuant to Section 314 112.1.5. Similarly, a developer who agrees to construct Senior Citizen Housing with 20 or 10 percent of the units reserved for Lower or Very Low Income Households, respectively, is only entitled to one Density Bonus and an Additional Incentive(s). The County may, however, grant multiple Additional Incentives to facilitate the inclusion of more Target Units than are required as specified by this Chapter section. (Former Section INL#316.4 3(e); Added by Ord. 2166, Sec. 31, 4/7/98)~~

112.1.4—Development Standards.

~~112.1.4.1 Target Units should be constructed concurrently with Non-Restricted Units unless both the County and the developer/applicant agree within the Density Bonus Housing Agreement to an alternative schedule for development. (Former Section INL#316.4 4; Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.4.2 Target Units shall remain restricted and affordable to the designated group for a period of 30 years (or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program; or rental subsidy program): (Former Section INL#316.4 4; Added by Ord. 2166, Sec. 31, 4/7/98, Amended by Ord. 2335, 12/14/04)~~

~~112.1.4.3 Circumstances may arise in which the public interest would be served by allowing some or all of the Target Units associated with one Housing Development to be produced and operated at an alternative development site. Where the developer and County form such an agreement, the resulting linked developments shall be considered a single Housing Development for purposes of this Chapter. Under these circumstances, the developer shall be subject to the same requirements of this Chapter for the Target Units to be provided on the alternative site. (Former Section INL#316.4 4; Added by Ord. 2166, Sec. 31, 4/7/98, Amended by Ord. 2335, 12/14/04)~~

~~112.1.4.4 Target Units should be built onsite wherever possible and, when practical, be dispersed within the Housing Development. Where feasible, the number of bedrooms of the Target Units should be equivalent to the bedroom mix of the non-Target units of the Housing Development; except that the Developer may include a higher proportion of Target Units with more bedrooms. The design and appearance of the Target Units shall be compatible with the design of the total Housing Development. Housing Developments shall comply with all applicable development standards, except those which may be modified as provided by this Chapter. (Former Section INL#316.4 4; Added by Ord. 2166, Sec. 31, 4/7/98, Amended by Ord. 2335,~~

12/14/04))

~~112.1.4.5—A Density Bonus Housing Agreement shall be made a condition of the discretionary planning permits for all Housing Developments pursuant to this chapter. The Agreement shall be recorded as a restriction on the parcel or parcels on which the Target Units will be constructed. The Agreement shall be consistent with Section 314 112.1.7. (Former Section INL#316.4-4; Added by Ord. 2166, Sec. 31, 4/7/98, Amended by Ord. 2335, 12/14/04)~~

~~112.1.5—Development Incentives.~~

~~112.1.5.1—The County shall provide a Density Bonus and an Additional Incentive(s), for qualified Housing Developments, upon the written request of a developer, unless the County makes a written finding that the Additional Incentive(s) would have an adverse impact on public health and safety, the environment, or an historic site or building or be contrary to state or federal law. (Former Section INL#316.4-5; Added by Ord. 2166, Sec. 31, 4/7/98, Amended by Ord. 2313A, 12/16/03))~~

~~112.1.5.2—The development incentives granted shall contribute significantly to the economic feasibility of providing the Target Units. Applicants seeking a Waiver or modification of development or zoning standards shall show that such waivers or modifications are necessary to make the Housing Development economically feasible in accordance with Government Code Section 65915(e), necessary for the development to occur at the densities or with the concessions or incentives permitted under this section shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to this section. This requirement may be satisfied by reference to applicable sections of the County's general plan housing element. (Former Section INL#316.4-5; Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.5.3—The need for incentives will vary for different Housing Developments. Therefore, the allocation of Additional Incentives shall be determined on a case-by-case basis. The applicant shall receive the following number of incentives or concessions:~~

~~———One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low income households, or at least 10 percent for persons and families of moderate income in a common interest development; or~~

~~———Two incentives or concessions for projects that include at least 20 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a common interest development; or~~

~~———Three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in~~

a common interest development.

—Additional Incentives may include, but are not limited to, any of the following:
(Former Section INL#316.4 5; Added by Ord. 2166, Sec. 31, 4/7/98)

112.1.5.3.1—A reduction of site development standards or a modification of zoning code or architectural design requirements which exceed the minimum building standards provided in Part 2.5 (commencing with Section 18901) of Division 13 of the California Health and Safety Code). These may include, but are not limited to, any of the following: (Former Section INL#316.4 5(a)(1-7); Added by Ord. 2166, Sec. 31, 4/7/98)

~~112.1.5.3.1.1—Reduced minimum lot sizes and dimensions.~~

~~112.1.5.3.1.2—Reduced minimum yard setbacks.~~

~~112.1.5.3.1.3—Increased maximum lot coverage; up to 80% lot coverage is allowed.~~

~~112.1.5.3.1.4—Increased maximum building height.~~

~~112.1.5.3.1.5—Reduced on site parking standard; including the number or and size of spaces. Upon the request of the developer, the county shall not require onsite parking that exceeds the following ratios: (A) Zero to one bedroom: one (1) onsite parking space. (B) Two to three bedrooms: two (2) onsite parking spaces. (C) Four and more bedrooms: two and one-half (2 1/2) parking spaces. If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subdivision, a development may provide “onsite parking” through tandem parking or uncovered parking, but not through on-street parking~~

~~112.1.5.3.1.6—Reduced minimum building separation requirements.~~

~~112.1.5.3.1.7—Reduced street standards (e.g. reduced minimum street —widths).~~

~~112.1.5.3.1.8—Reduced solar shading requirements.~~

112.1.5.3.2—Allow the Housing Development to include nonresidential uses and/or allow the Housing Development within a nonresidential zone.
(Former Section INL#316.4 5(b); Added by Ord. 2166, Sec. 31, 4/7/98)

112.1.5.3.3—Other regulatory incentives or concessions proposed by the developer or the County which result in identifiable cost reductions or avoidance. (Former Section INL#316.4 5(c); Added by Ord. 2166, Sec. 31, 4/7/98)

112.1.5.3.4—A Density Bonus of more than 25 percent. Density bonuses of 100% will be allowed for projects within Housing Opportunity Zones with 100% of the units affordable to lower income households. (Former Section INL#316.4 5(d); Added by Ord. 2166, Sec. 31, 4/7/98)

~~112.1.5.3.5 — Waived, reduced, or deferred planning, plan check, construction permit, improvement plan review fees, map check fees, and/or development impact fees. (Former Section INL#316.4 5(e); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.5.3.6 — Direct financial aid in the form of a loan or a grant to subsidize or provide low interest financing for on or off site improvements, land or construction costs. (Former Section INL#316.4 5(f); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.5.3.7 — Fast track processing of all permits and requirements for affordable housing projects through the Planning and Building, Environmental Health and Land Use Divisions by dedicated staff on a priority basis ahead of non density bonus permit applications.~~

~~112.1.5.3.8 — Deferral of subdivision improvement requirements consistent with the protection of public health and safety.~~

~~112.1.5.4 — The County may offer an Equivalent Financial Incentive instead of granting a Density Bonus and an Additional Incentive(s). The value of the Equivalent Financial Incentive shall equal at least the land cost per dwelling unit savings that would result from a Density Bonus and must contribute significantly to the economic feasibility of providing the Target Units pursuant to this Chapter. (Former Section INL#316.4 5; Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~112.1.5.5 — When an applicant qualifying for a density bonus includes a child care facility that will be located on the project site or adjacent to the project site, that applicant is eligible for additional incentives as provided by State law. (Added by Ord. 2335, 12/14/04)~~

314-112.1 RESIDENTIAL DENSITY BONUS AND OTHER DEVELOPER INCENTIVES

Sections:

<u>112.1.1</u>	<u>Purpose</u>
<u>112.1.2</u>	<u>Definitions</u>
<u>112.1.3</u>	<u>Applications for Density Bonus</u>
<u>112.1.4</u>	<u>Processing of Density Bonus Applications</u>
<u>112.1.5</u>	<u>Eligibility Criteria for Density Bonus and Incentives or Concessions</u>
<u>112.1.6</u>	<u>Project Specific Density Bonus</u>
<u>112.1.7</u>	<u>Density Bonus for Development of Child Care Facility</u>
<u>112.1.8</u>	<u>Available Incentives and Concessions</u>
<u>112.1.9</u>	<u>General Provisions for Density Bonuses and Incentives/Concessions</u>
<u>112.1.10</u>	<u>Required Density Bonus Agreement and Terms of Agreement</u>

112.1.1 Purpose

This Density Bonus Ordinance is intended to provide incentives for the production of affordable housing, senior housing and the development of child care facilities. In enacting this Chapter, it is the intent of the County of Humboldt to implement the goals, objectives, and policies of the County General Plan and further to implement and be subject to California Government Code Section 65915. In the event that any provision in this chapter conflicts with state law, state law shall control.

112.1.2 Definitions

Whenever the following terms are used in this Section, they shall have the meaning established by this subsection and as defended in Section C: Index of Definitions of Language and Legal Terms.

- 112.1.2.1 Affordable Housing/Affordable Housing Unit
- 112.1.2.2 Affordable Rent
- 112.1.2.3 Child Care Facility
- 112.1.2.4 Density Bonus
- 112.1.2.5 Density Bonus Housing Agreement
- 112.1.2.6 Density Bonus Units
- 112.1.2.7 Housing Development
- 112.1.2.8 Incentives or Concessions
- 112.1.2.9 Initial Subsidy
- 112.1.2.10 Low Income Household
- 112.1.2.11 Moderate Income Household
- 112.1.2.12 Proportionate Share of Appreciation
- 112.1.2.13 Senior Citizen Housing Development
- 112.1.2.14 Very Low Income Household

112.1.3 Application for Density Bonus and Incentives or Concessions.

At the time the applicant of a proposed Housing Development, seeking a density bonus and concessions or incentives under this chapter, files a formal application for approval of the proposed development with the Planning Division of Humboldt County the following information shall be submitted with the fees and required application:

112.1.3.1 Identification of the location, acreage, and the maximum number of base units allowed under the zoning and the land use designated under the General Plan without the Density Bonus.

112.1.3.2 Identification of the total number of units proposed, specifically identifying the Density Bonus units and the Affordable Units which will demonstrate eligibility under this chapter.

112.1.3.3 Identification of the requested concessions or incentives or a list of any

alternative concessions or incentives which would provide, in the developer's opinion, an equivalent financial value to the concession or incentive requested. This requirement does not impair the applicant from substituting a new incentive or concession from what is initially proposed, but substitution may cause project delays and require revision of environmental documents, and may necessitate additional processing fees as determined by the Planning Director.

112.1.3.4 A clear statement of how the requested concessions or incentives are necessary to make the proposed Housing Development economically feasible, and result in identifiable, financially sufficient and actual cost reductions. The information should be sufficiently detailed to enable County staff to examine the conclusions reached by the developer.

112.1.3.5 Other pertinent information as the Planning Director may require to enable the County to adequately analyze the identifiable, financially sufficient and actual cost reductions of the proposed Housing Development with respect to the requested additional concession or incentive and other concessions or incentives which may be made available.

112.1.4 Processing of Density Bonus Application.

112.1.4.1 Once deemed complete, the density bonus application shall be processed and determinations made concurrent with the underlying Housing Development application.

112.1.4.2 Review Authority. A request for density bonus will be reviewed by the same review authority as the Housing Development's other entitlements specifically noted below. The reviewing authority shall grant the density bonus and requested incentive(s) or concession(s) unless the findings in Section 112.1.4.2 can be made.

112.1.4.2.1 Design Review. When a proposed Housing Development needs only Design Review, then the Design Review Board (if established) or the Planning Director will consider and act on the density bonus request when the preliminary design review application is considered.

112.1.4.2.2 Planning Commission/Board of Supervisors. If the project requires entitlements or an environmental clearance to be considered by the Planning Commission and/or the Board of Supervisors, then these decision bodies will consider and act on the density bonus request concurrent with the applicable project entitlement/environmental clearance.

112.1.4.3 A Housing Development including at least 20 percent of total units affordable to very low or low income households or a combination of the two, with affordable rents maintained through an agreement with the County of Humboldt or another governmental agency, shall be entitled to priority processing. Priority processing shall mean a timeline for review of the Housing Development and all associated

applications as mutually agreed to by the County and the developer.

112.1.4.4 Application for Density Bonus Housing Agreement. Once the proposed Housing Development has received its approval for Density Bonus, as described above, the developer shall file an application, including the payment of any processing fees with the Planning Division for approval and finalization of the Density Bonus Agreement in compliance with the requirements set forth in Section 112.1.10.

112.1.5 Eligibility Criteria for Density Bonus

112.1.5.1 The County of Humboldt shall consider a density bonus and provide incentives or concessions as described in Section 112.1.8, when a developer of a Housing Development seeks and agrees to construct a Housing Development that will contain at least one of the following:

112.1.5.1.1 Ten percent of the total units of a Housing Development strictly for Low Income Households as defined herein;

112.1.5.1.2 Five percent of the total units of a Housing Development strictly for Very Low Income Households as defined herein;

112.1.5.1.3 A Senior Citizen Housing Development, as defined herein;

112.1.5.1.4 Ten percent of the total dwelling units in a condominium or planned unit development for persons and families of Moderate Income Households as defined herein, provided that all units in the development are offered to the public for purchase.

112.1.6 Project Specific Density Bonus

The County of Humboldt will allow a Housing Development a density bonus and concessions or incentives meeting all the applicable eligibility requirements of this chapter according to the following density bonus options. In the event that the minimum requirements for granting density bonus units or number of applicable concessions or incentives as set forth in California Government Code 65915 is amended or modified after the adoption of this chapter by the County, then the lowest minimum requirements shall apply.

112.1.6.1 Density Bonus for Very Low Income Households: If a housing developer elects to construct units for Very Low Income Households, the development shall be entitled to the following Density Bonus calculation:

<u>Provision of Very Low Income Units</u>		
<u>Percentage of Very Low Income Units Affordable</u>	<u>Density Bonus Available*</u>	<u>Number of Incentives or Concessions</u>
<u>5%</u>	<u>20%</u>	<u>1</u>
<u>6%</u>	<u>22.5%</u>	<u>1</u>

<u>Provision of Very Low Income Units</u>		
<u>Percentage of Very Low Income Units Affordable</u>	<u>Density Bonus Available*</u>	<u>Number of Incentives or Concessions</u>
<u>7%</u>	<u>25%</u>	<u>1</u>
<u>8%</u>	<u>27.5%</u>	<u>1</u>
<u>9%</u>	<u>30%</u>	<u>1</u>
<u>10%</u>	<u>32.5%</u>	<u>2</u>
<u>11%</u>	<u>35%</u>	<u>2</u>
<u>15%</u>	<u>35%</u>	<u>3</u>

** the allowed increase is the percentage over the total number of units that would be allowed without a Density Bonus*

112.1.6.2 Density Bonus for Low Income Households: If a housing developer elects to construct units for Low Income Households, the Housing Development shall be entitled to the following Density Bonus calculation:

<u>Provision of Low Income Units</u>		
<u>Percentage of Low Income Units Affordable</u>	<u>Density Bonus Available*</u>	<u>Number of Incentives or Concessions</u>
<u>10%</u>	<u>20%</u>	<u>1</u>
<u>11%</u>	<u>21.5%</u>	<u>1</u>
<u>12%</u>	<u>23%</u>	<u>1</u>
<u>13%</u>	<u>24.5%</u>	<u>1</u>
<u>14%</u>	<u>26%</u>	<u>1</u>
<u>15%</u>	<u>27.5%</u>	<u>1</u>
<u>17%</u>	<u>30.5%</u>	<u>1</u>
<u>18%</u>	<u>32%</u>	<u>1</u>
<u>19%</u>	<u>33.5%</u>	<u>1</u>
<u>20%</u>	<u>35%</u>	<u>2</u>
<u>30%</u>	<u>35%</u>	<u>3</u>

** the allowed increase is the percentage over the total number of units that would be allowed without a Density Bonus*

112.1.6.3 Senior Housing: If a housing developer elects to construct a Senior Citizen Housing Development, the density bonus shall be 20 percent of the total number of allowed housing units without the Density Bonus.

112.1.6.4 Moderate Income Units in Condominiums and Planned Developments: If a housing developer elects to construct units for Moderate Income Households, the development shall be entitled to the following Density Bonus calculation:

<u>Moderate Income Units</u>		
<u>Percentage of Moderate Income Units Affordable</u>	<u>Density Bonus Available*</u>	<u>Number of Incentives or Concessions</u>
<u>10%</u>	<u>5%</u>	<u>1</u>
<u>11%</u>	<u>6%</u>	<u>1</u>
<u>12%</u>	<u>7%</u>	<u>1</u>
<u>13%</u>	<u>8%</u>	<u>1</u>
<u>14%</u>	<u>9%</u>	<u>1</u>
<u>15%</u>	<u>10%</u>	<u>1</u>
<u>16%</u>	<u>11%</u>	<u>1</u>
<u>17%</u>	<u>12%</u>	<u>1</u>
<u>18%</u>	<u>13%</u>	<u>1</u>
<u>19%</u>	<u>14%</u>	<u>1</u>
<u>20%</u>	<u>15%</u>	<u>2</u>
<u>21%</u>	<u>16%</u>	<u>2</u>
<u>23%</u>	<u>18%</u>	<u>2</u>
<u>24%</u>	<u>19%</u>	<u>2</u>
<u>25%</u>	<u>20%</u>	<u>2</u>
<u>26%</u>	<u>21%</u>	<u>2</u>
<u>27%</u>	<u>22%</u>	<u>2</u>
<u>28%</u>	<u>23%</u>	<u>2</u>
<u>30%</u>	<u>25%</u>	<u>3</u>
<u>31%</u>	<u>26%</u>	<u>3</u>
<u>32%</u>	<u>27%</u>	<u>3</u>
<u>33%</u>	<u>28%</u>	<u>3</u>
<u>34%</u>	<u>29%</u>	<u>3</u>
<u>35%</u>	<u>30%</u>	<u>3</u>
<u>36%</u>	<u>31%</u>	<u>3</u>
<u>37%</u>	<u>32%</u>	<u>3</u>
<u>38%</u>	<u>33%</u>	<u>3</u>
<u>39%</u>	<u>34%</u>	<u>3</u>
<u>40%</u>	<u>35%</u>	<u>3</u>

** the allowed increase is the percentage over the total number of units that would be allowed without a Density Bonus*

112.1.6.5 Density Bonus for Land Donation: When an applicant for a tentative map, parcel map, or other residential development approval donates at least one acre of land or enough land to develop 40 units, then the applicant shall be entitled to a fifteen percent increase above the otherwise maximum allowable residential density for the entire Housing Development as follows:

<u>Percentage of Very Low Income Units</u>	
<u>10%</u>	<u>15%</u>
<u>11%</u>	<u>16%</u>
<u>12%</u>	<u>17%</u>
<u>13%</u>	<u>18%</u>
<u>14%</u>	<u>19%</u>
<u>15%</u>	<u>20%</u>
<u>16%</u>	<u>21%</u>
<u>17%</u>	<u>22%</u>
<u>18%</u>	<u>23%</u>
<u>19%</u>	<u>24%</u>
<u>20%</u>	<u>25%</u>

<u>21%</u>	<u>26%</u>
<u>22%</u>	<u>27%</u>
<u>23%</u>	<u>28%</u>
<u>24%</u>	<u>29%</u>
<u>25%</u>	<u>30%</u>
<u>26%</u>	<u>31%</u>
<u>27%</u>	<u>32%</u>
<u>29%</u>	<u>34%</u>
<u>30%</u>	<u>35%</u>

112.1.6.5.1 Nothing in this subsection shall be construed to enlarge or diminish the authority of the County to require a developer to donate land as a condition of development.

112.1.6.5.2 The Density Bonus for land dedication shall be in addition to any Density Bonus earned pursuant to Section 112.1.6 and up to a maximum combined increase of 35 percent.

112.1.6.5.3 An applicant with a land donation shall be eligible for the increased Density Bonus if all of the following conditions are met:

112.1.6.5.3 .1 The applicant donates and transfers the land to the County no later than the date of approval of the County of the final subdivision map, parcel map, or Housing Development application for the proposed Housing Development seeking the Density Bonus.

112.1.6.5.3 .2 The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to Very Low Income Households in an amount not less than 10 percent of the number of residential units of the proposed Housing Development seeking the Density Bonus.

112.1.6.5.3 .3 The land proposed to be donated to the County:

112.1.6.5.3 .3.1 has the appropriate General Plan designation and is appropriately zoned for development at the density described in paragraph (3) of subsection (c) of Section 65583.2; and

112.1.6.5.3 .3 .2 is or will be served by adequate public facilities and infrastructures; and

112.1.6.5.3 .3 .3 is donated no later than the date of approval of the final subdivision map, parcel map or Housing Development application seeking a Density Bonus and has all of the permits and approvals, other than building permits, necessary for the development

of the Very Low Income housing units on the transferred land; and
112.1.6.5.3 .3 .4 is transferred to the County or a housing developer approved by the County; and
112.1.6.5.3 .3 .5 shall be within the boundary of the proposed development or within one-quarter mile of the boundary of the proposed development; and
112.1.6.5.3 .3 .6 must have a proposed source of funding for the very low income units prior to the approval of the final subdivision map, parcel map or Housing Development application seeking the Density Bonus.

112.1.6.5.4 The transferred land and the Affordable Housing Units shall be subject to a deed restriction, which shall be recorded on the property upon dedication, ensuring continued affordability of units for at least 30 years from the date of occupancy.

112.1.6.6 Condominium Conversions. Density Bonus for Condominium Conversion, shall be considered and approved in accordance with Section 65915.5 of the California Government Code for specifications.

112.1.7 Density Bonus for Development of Child Care Facility

112.1.7.1 A Housing Development meeting the requirements of Section 112.1.5 and 112.1.6 above and including a child care facility that will be located on the premises of, as part of, or adjacent to, such a Housing Development shall receive either of the following:

112.1.7.1.1 An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility.

112.1.7.1.2 An additional incentive or concession that contributes significantly to the economic feasibility of the construction of the child care facility.

112.1.7.2 When a Housing Development is providing a Child Care Facility consistent with this ordinance, then the conditions of approval shall require that:

112.1.7.2.1 The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the affordable units are required to remain affordable; and

112.1.7.2.2 Of the children who attend the childcare facility, the children of Very Low Income Households, Lower Income Households, or persons or families of Moderate Income shall equal a percentage that is equal to or greater

than the percentage of affordable units that are required pursuant to Section 112.1.5.

112.1.7.3 The County shall not be required to provide a density bonus or incentive or concession for a child care facility if it makes a written finding, based upon substantial evidence, that the community has adequate child care facilities.

112.1.8 Available Incentives and Concessions.

In addition to the applicable density bonus described above, an applicant may request incentives or concessions in connection with its application for a density bonus in accordance with the density bonus calculation set forth in Section 112.1.6.

112.1.8.1 An incentive or concession may mean:

112.1.8.1.1 A reduction in the site development standards or a modification of zoning code requirements including but not limited to:

112.1.8.1.1.1 Reduced minimum lot sizes and dimensions.

112.1.8.1.1.2 Reduced minimum yard setbacks.

112.1.8.1.1.3 Increased maximum lot coverage; up to 80% lot coverage is allowed.

112.1.8.1.1.4 Increased maximum building height.

112.1.8.1.1.5 Reduced minimum building separation requirements.

112.1.8.1.1.6 Reduced street standards (e.g. reduced minimum street widths).

112.1.8.1.1.7 Reduced solar shading requirements.

112.1.8.1.2 Other regulatory incentives or concessions proposed by the developer or the County which result in identifiable cost reductions or avoidance.

112.1.8.1.3 A Density Bonus of more than twenty-five percent (25%). Density bonuses of 100% will be allowed for projects within mapped Housing Opportunity Zones with 100% of the units affordable to lower income households.

112.1.8.1.4 Deferred planning, plan check, construction permit, improvement plan review fees, map check fees, and/or development impact fees for

projects with 100% of the units affordable to lower income households.

112.1.8.1.5 Direct financial aid in the form of a loan or a grant to subsidize or provide low interest financing for on- or off-site improvements, land or construction costs for projects with 100% of the units affordable to lower income households.

112.1.8.1.6 Fast-track processing of all permits and requirements for affordable housing projects through the Planning and Building, Environmental Health and Land Use Divisions by dedicated staff on a priority basis ahead of non-density bonus permit applications.

112.1.8.1.7 Deferral of subdivision improvement requirements consistent with the protection of public health and safety.

112.1.8.1.8 Approval of mixed-use development in conjunction with the proposed Housing Development if the non-residential land uses will reduce the cost of the proposed Housing Development, and the non-residential land uses are compatible with the proposed Housing Development and surrounding development;

112.1.8.1.9 Other regulatory incentives or concessions proposed by the applicant or that the County determines will result in identifiable, financially sufficient, and actual cost reductions.

112.1.8.2 The County shall grant incentive(s) or concession(s) requested by the applicant unless the County can make a written finding, based upon the substantial evidence, of any of the following:

112.1.8.2.1 The incentive or concession is not required in order to provide for affordable housing costs or affordable rents.

112.1.8.2.2 The incentive or concession would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or physical environment or any real property that is listed in the California Register of Historical Resources and for which the County determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate- income households.

112.1.8.2.3 The incentive or concession would be contrary to state or federal law.

112.1.9 General Provisions for Density Bonuses and Incentives/Concessions

112.1.9.1 All density bonus calculations resulting in fractional units shall be rounded up to the next whole number.

112.1.9.2 The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, zoning change, or other discretionary approval.

112.1.9.3 Upon request by the applicant, the County shall not require the proposed Housing Development eligible for a Density Bonus pursuant to this chapter to provide a parking ratio, including handicapped and guest parking, that exceeds the following:

112.1.9.3.1 Zero to one bedrooms: one onsite parking space

112.1.9.3.2 Two to three bedrooms: two onsite parking spaces

112.1.9.3.3 Four and more bedrooms: two and one-half parking spaces.

If the total number of parking spaces required for the proposed Housing Development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subsection, a development may provide onsite parking through tandem parking or uncovered parking, but not through on-street parking.

112.1.9.4 The County shall not apply any development standard that would have the effect of precluding the construction of a proposed Housing Development meeting the requirements of Section 112.1.6 at the densities or with the incentives permitted by this Chapter. An applicant may submit with its application to the County a proposal for the waiver or reduction of development standards. A waiver or reduction of development standards, the application of which would physically preclude the development, shall not reduce nor increase the number of incentives or concessions being requested. Nothing in this subsection, however, shall be interpreted to require the County to waive or reduce development standards if the waiver or reduction would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which the County determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Furthermore, the applicant shall be required to prove that the waiver or modification is necessary to make the affordable units economically feasible.

112.1.9.5 Location of Affordable Units. The location of the affordable units within the Housing Development may be at the discretion of the developer. However, the affordable units shall:

112.1.9.5.1 Be constructed at the same time as the market units are constructed.

112.1.9.5.2 Be reasonably dispersed throughout the development and/or phases if applicable.

112.1.9.5.3 Be a similar unit type/size to the overall Housing Development; and

112.1.9.5.4 Be reasonably compatible with the design or use of the remaining units in terms of appearance, materials and quality finish.

112.1.10 Required Density Bonus Agreement and Terms of Agreement.

112.1.10.1 A Density Bonus Housing Agreement must be executed prior to recording any final map for the underlying property or prior to the issuance of any building permit for the Housing Development, whichever comes first. The Density Bonus Housing Agreement shall be binding on all future owners and successors of interests of the Housing Development.

112.1.10.2 The Density Bonus Housing Agreement shall:

112.1.10.2 .1 Identify the type, size and location of each Affordable Housing Unit required hereunder;

112.1.10.2 .2 Identify the term of the agreement, which would define the term of affordability of the required units;

112.1.10.2 .3 Require that the Affordable Housing Units be constructed and completed by the developer as specified in this Chapter and in accordance with state law;

112.1.10.2 .4 Require that each Affordable Housing Unit be kept available only to members of the identified income group at the maximum affordable rent during the term of the agreement.

112.1.10.2 .5 Identify the means by which such continued availability shall be secured and enforced and the procedures under which the Affordable Housing Units shall be leased and shall contain such other terms and provisions, the Planning Director may require. The agreement, in its form and manner of execution, shall be in a form able to be recorded with the Humboldt County Recorder.

112.1.10.2 .6 The Density Bonus Housing Agreement shall be reviewed and approved by the Planning Director and the affordability of the required units shall be monitored for compliance by the Planning Division staff. The Planning Director is hereby expressly authorized to act as the County's agent to enter into the Density Bonus Housing Agreement for the purpose of enforcing the terms of the agreement consistent with this chapter.

112.1.10.3 Required Terms for the Continued Availability of Affordable Units

112.1.10.3.1 Low and Very Low Income Households. A housing developer providing Low and Very Low income units in accordance with this chapter must continue to restrict those units to Low or Very Low Income households for a minimum of 30 years or longer term under another regulatory agreement from the date of initial occupancy.

112.1.10.3.2 Moderate Income Households. In the case of a Housing Development providing Moderate Income units, the initial occupant of the unit must be a person or family of Moderate Income.

112.1.10.3.2.1 Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The local government shall recapture any Initial Subsidy and its Proportionate Share of Appreciation; which shall be used within five years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership. Any recaptured funds shall be deposited into a Housing Trust Fund to be used in accordance with subsection (e) of Section 33334.2 of the Health and Safety Code.”

SECTION C: INDEX OF DEFINITIONS OF LANGUAGE AND LEGAL TERMS

314-136-161 DEFINITIONS (A-Z)

314-136 DEFINITIONS (A)

~~**Affordable Rent.** Means monthly housing expenses, including a reasonable allowance for utilities, for rental Target Units reserved for Very Low or Lower Income Households, not exceeding the following calculations: (From Section INL#316.4 2(b); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~A. **Very Low Income:** Fifty percent of the area median income for Humboldt County, adjusted for household size, multiplied by thirty percent (30%) and divided by twelve (12). See Section 314-112.1, Residential Density Bonus, for further discussion. (From Section INL#316.4 2(b)(1); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~B. **Lower Income:** Sixty percent of the area median income for Humboldt County, adjusted for household size, multiplied by thirty percent (30%) and divided by twelve (12). See Section 314-112.1, Residential Density Bonus, for further discussion. (From Section INL#316.4 2(b)(2); Added by Ord. 2166, Sec. 31, 4/7/98)~~

Affordable Housing/Affordable Housing Unit: A housing unit which is available for sale to Moderate Income Households or for rent to Low and/or Very Low Income Households, as those terms are defined in this section.

Affordable Rent: Monthly rent charged to Low and Very Low Income Households for housing units as calculated in accordance with section 50053 of the Health and Safety Code.

314-138 DEFINITIONS (C)

Child Care Facility: A facility that provides non-medical care and supervision of minor children for periods of less than 24 hours and is licensed by the California State Department of Social Services, further subject to the definition in California Government Code Section 65915(h)(4).

314-139 DEFINITIONS (D)

~~**Density Bonus:** Means a minimum density increase of at least twenty five percent (25%) over the otherwise Maximum Residential Density. See, Section 314-112.1, Residential Density Bonus, for further discussion. (From Section INL#316.4-2(d); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~**Density Bonus Housing Agreement:** Means a legally binding agreement between a developer and the County to ensure that the requirements of the Residential Density Bonus Section are satisfied. The agreement, among other things, shall establish: the number of Target Units, their size, location, terms and conditions of affordability, and production schedule. See, Section 314-112.1, Residential Density Bonus, for further discussion. (From Section INL#316.4-2(e); Added by Ord. 2166, Sec. 31, 4/7/98)~~

~~**Density Bonus Unit:** Means those residential units granted pursuant to the provisions of the Residential Density Bonus Section that exceed the otherwise Maximum Residential Density for the development site. See, Section 314-112.1, Residential Density Bonus, for further discussion. (Former Section INL#316.4-2(f); Added by Ord. 2166, Sec. 31, 4/7/98)~~

Density Bonus: A density increase for residential units over the otherwise allowed residential density under the applicable zoning and land use designation on the date an application is deemed complete.

Density Bonus Housing Agreement: A legally binding agreement between a developer and the County [Housing Authority or Planning Department] to ensure that continued affordability of the Affordable Housing Units required by this chapter persists and the units are maintained in accordance with this chapter.

Density Bonus Units: Those additional residential units granted pursuant to the provisions of this chapter.

314-143 DEFINITIONS (H)

Housing Development: A development project for five or more residential units. Within this chapter, it shall also include a subdivision or common interest development, a project which rehabilitates and converts a commercial building to a residential use and a condominium conversion of an existing multi-family building.

Housing Development: Means construction projects consisting of five or more residential units, including single family, multifamily, and manufactured homes for sale or rent, pursuant to this Section. See Section 314-112.1, Residential Density Bonus, for further discussion. (From Section INL#316.4-2(i); Added by Ord. 2166, Sec. 31, 4/7/98)

314-144 DEFINITIONS (I)

Incentives or Concessions: Regulatory concessions which include, but are not limited to, the reduction of site development standards or zoning code requirements, approval of mixed-use zoning in conjunction with the Housing Development, or any other regulatory incentive which would result in identifiable, financially sufficient, and actual cost reductions that are offered in addition to a Density Bonus.

Initial Subsidy: The fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value. (e.g. X (fair market value of the home to be purchased) - Y (the price the moderate income family paid for the home) + Z (amount of any down payment assistance) = Initial Subsidy).

314-147 DEFINITIONS (L)

Low Income Household: A household whose income does not exceed 80 percent of the area median income for Humboldt County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50079.5 of the California Health and Safety Code.

314-148 DEFINITIONS (M)

Moderate Income Household: A household whose gross income does not exceed 120 percent of the area median income for Humboldt County as published and periodically updated by the State Department of Housing and Community Development pursuant to Sections 50079.5 and 50052.5 of the California Health and Safety Code.

314-151 DEFINITIONS (P)

Proportionate Share of Appreciation: The ratio of the local government's Initial Subsidy as

defined above to the fair market value of the home at the time of initial sale. (e.g. X (initial subsidy) / Y (fair market value) = Proportionate Share of Appreciation).

314-154 DEFINITIONS (S)

Senior Citizen Housing Development: A residential development developed, substantially rehabilitated or renovated, and having at least 35 dwelling units for senior citizens in compliance with the requirements of Section 51.3 and 51.12 of the California Civil Code, or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.

Senior Citizen Housing: Means a housing development consistent with the California Fair Employment and Housing Act (Government Code Section 12900 et. seq., including 12955.9 in particular), which has been "designed to meet the physical and social needs of senior citizens," and which otherwise qualifies as "housing for older persons" as that phrase is used in the federal Fair Housing Amendments Act of 1988 (PL 100 430) and implementing regulations and as that phrase is used in California Civil Code Sections 51.2 and 51.3. (See Section 314 112.1, Residential Density Bonus, for further discussion.) (From Section INL#316.4-2(n); Added by Ord. 2166, Sec. 31, 4/7/98)

314-157 DEFINITIONS (V)

Very Low Income Household: A household whose income does not exceed 50 percent of the area median income for Humboldt County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

Very Low Income Household: Means households whose income does not exceed the very low income limits applicable to Humboldt County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section S50105 of the California Health and Safety Code. (See, Section 314 112.1, Residential Density Bonus, for further discussion.) (From Section INL#316.4-2(p); Added by Ord. 2166, Sec. 31, 4/7/98)

Proposed Zoning Ordinance Amendments to Implement Housing Opportunity Zones - Chapter 3 (Coastal)

d) "Modified development standards for second units that do not exceed 50% of the square footage of the primary unit, or 800 square feet, whichever is smaller."

313-87.1 SECOND RESIDENTIAL UNIT

...

87.1.3 **General Provisions.** The following General Provisions shall apply to all secondary residential units. (Former Section CZ#A314-31(C))

...

87.1.3.4 **Kitchen and Bathroom Facilities Required:** The second residential unit shall contain separate kitchen or kitchenette and bathroom facilities. Where the unit has a separate entrance, the entrance shall be subordinate to the entrance of the main unit. Visual screening or other design solutions may be used to make the entrance of the second unit subordinate to the primary unit. (Former Section CZ#A314-31(C)(4))

...

87.1.12 Development regulations and standards for qualifying second dwelling units located in mapped Housing Opportunity Zones. The development regulations and standards of Section 87.1.4 shall be modified for secondary dwelling units with a gross floor area of 800 square feet or less (i.e., "qualifying" unit) as follows:

87.1.12.1 Building Site: The second unit need not be sited on the same building site as the primary residence; meaning that the second unit may be located more than 30 feet from the main residence and may be served by a separate driveway.

87.1.12.2 Development Standards. The second dwelling unit shall conform to the development standards for the main dwelling of the zoning district in which it is located, except that the second dwelling unit may encroach two feet (2') into the minimum required rear and interior side yard setbacks, and the maximum lot coverage requirement shall be increased to 55%. The lot coverage for all development excluding the coverage for the second unit shall not exceed the 35% standard for the zone without a variance.

87.1.12.3 Access. The parcel shall be served by a road meeting the minimum requirements of the local fire agency for fire apparatus access. Road and sidewalk improvements for second units on local roads as determined by the Department of Public Works meeting this standard shall be limited to pavement of the encroachment area.

87.1.12.4 Off Street parking. No additional parking spaces are required for the second dwelling unit.

Proposed Zoning Ordinance Amendments to Implement Housing Opportunity Zones - Chapter 4 (Non-Coastal)

d) "Modified development standards for second units that do not exceed 50% of the square footage of the primary unit, or 800 square feet, whichever is smaller."

314-87.1 SECOND AND SECONDARY DWELLING UNITS

87.1.1 **Purpose; Findings.** The provisions of this chapter are intended to set forth standards for the creation of a second dwelling unit or a secondary dwelling unit by new construction or the conversion of existing living space into independent living space on lots in rural areas and residential neighborhoods. The Board of Supervisors finds that, subject only to appeal or review as provided in Chapter 2 (Section 312-13), whenever a permit is issued to an applicant for a secondary dwelling unit in an R-1 or RS Zone, or any AG zone that is planned and zoned for parcel sizes of five (5) acres or less, or any AG zone in the McKinleyville Community Plan Area that is planned and zoned for parcel sizes of ten (10) acres or less with less than 5 acres of prime agricultural soil, where no part of the second unit (including all physical improvements for the second unit such as driveways, parking areas and on-site sewage disposal areas) occurs on prime agricultural soil, the secondary dwelling unit for which the permit has been issued shall be deemed not to exceed the allowable density for the lot on which it is located and shall be deemed to be a residential use which is consistent with the existing General Plan and zoning designation for the lot. (Former Section INL#316.1-1; Added by Ord. 1865, Sec. 1, 5/30/89; Amended by Ord. 2166, Sec. 25, 4/7/98)

...

87.1.3 Secondary Dwelling Units - Criteria.

87.1.3.1 A secondary dwelling unit shall be permitted as a principal permitted use in FR, R-1, RS and U zoning districts if in conformance with the provisions of this chapter and all of criteria (87.1.3.1.1) through (87.1.3.1.6). A secondary unit that complies with all the criteria (87.1.3.1.1) through (87.1.3.1.6) may also be permitted as a principally permitted use in any AG zone that is planned and zoned for parcel sizes of five (5) acres or less provided the parcel is within a community plan area and the use is specifically authorized by the plan designation. (Former Section INL#316.1-3(a); Added by Ord. 1865, Sec. 1, 5/30/89; Amended by Ord. 2166, Sec. 26, 4/7/98)

87.1.3.1.1 The subject lot is outside mapped Housing Opportunity Zones and has a minimum of 50 feet of frontage on a publicly maintained street that is improved to a road category 4, as specified in the Appendix to Title III, Division 2, of the Humboldt County Code. Within mapped Housing Opportunity Zones on parcels served by a local road as determined by the Department of Public Works and meeting the minimum requirements of the local fire agency for fire apparatus access, road and sidewalk improvements for second units 800 square feet in gross floor area or less shall be limited to pavement of the encroachment area; (Former Section INL#316.1-3(a)(1); Added by Ord. 1865, Sec. 1, 5/30/89)

87.1.3.1.2 The primary and secondary units comply with all applicable County Health Department requirements for sewage disposal and water supply without the issuance of waivers; (Former Section INL#316.1-3(a)(2); Added by Ord. 1865, Sec. 1, 5/30/89; Amended by Ord. 2166, Sec. 26, 4/7/98)

87.1.3.1.3 The secondary unit complies with all applicable County development standards and other zoning requirements except that second dwelling units 800 square feet in gross floor area or less may encroach two feet (2') into the minimum required rear and interior side yard setbacks, and the maximum lot coverage requirement shall be increased to 55%. The lot coverage for all development excluding the coverage for the second unit shall not exceed the 35% standard for the zone without a variance; (Former Section INL#316.1-3(a)(3); Added by Ord. 1865, Sec. 1, 5/30/89; Amended by Ord. 2166, Sec. 26, 4/7/98)

87.1.3.1.4 Both dwellings share a common driveway off the access road, except that within mapped Housing Opportunity Zones the driveway need not be shared for secondary dwelling units 800 square feet in gross floor area or less; (Former Section INL#316.1-3(b)(2); Added by Ord. 1865, Sec. 1, 5/30/89; Amended by Ord. 2166, Sec. 26, 4/7/98)

87.1.3.1.5 At least one point of a bearing wall on the secondary dwelling unit is located within thirty (30) feet of the principal dwelling, except that within mapped Housing Opportunity Zones this maximum building separation standard does not apply to secondary dwelling units 800 square feet in gross floor area or less, and; (Former Section INL#316.1-3(a)(3); INL#316.1-3(b)(1); Added by Ord. 1865, Sec. 1, 5/30/89)

87.1.3.1.6 The secondary unit is subordinate to the primary residence. Visual screening or other design solutions may be used to make the entrance of the second unit subordinate to the primary unit. (Former Section INL#316.1-3(c); Added by Ord. 1865, Sec. 1, 5/30/89; Amended by Ord. 2166, Sec. 26, 4/7/98)

...

87.1.6 Procedures for Second and Secondary Dwelling Units.

87.1.6.1 An application for a Special Permit for such units may be made by the owner of the property upon which the new unit will be located or by the owner's authorized agent. The application shall be in writing on forms prescribed by the Planning Division. (Former Section INL#316.1-6(a); Added by Ord. 1865, Sec. 1, 5/30/89; Amended by Ord. 2214, 6/6/00)

87.1.6.2 At the time that an application is filed in proper form, the Hearing Officer or administrative official shall approve, approve with conditions, or deny a Special Permit in accordance with the procedures set forth in Chapter 2 of Division 1 of Title III of the Humboldt County Code. (Former Section INL#316.1-6(b); Added by Ord. 1865, Sec. 1, 5/30/89; Amended by Ord. 2214, 6/6/00)

87.1.6.3 Findings required for approval shall include conformance with these regulations

and the applicable provisions of Chapter 2 of Division 1 of Title III of this Code, except that in residential zones (R-1 and RS), or any AG zone that is planned and zoned for minimum parcel sizes of five (5) acres or less, or any AG zone in the McKinleyville Community Plan Area that is planned and zoned for minimum parcel sizes of ten (10) acres or less with less than 5 acres of prime agricultural soil, where no part of the second unit (including all physical improvements for the second unit such as driveways, parking areas and on-site sewage disposal areas) occurs on prime agricultural soil, a finding of conformance with the General Plan's density for the area need not be made.

Proposed Subdivision Ordinance Amendments to implement Housing Opportunity Zones e) "Reduced minimum parcel sizes"

325-11. MINIMUM LOT SIZE MODIFICATION.

This section applies in those instances in which a subdivider proposes to develop his land to a maximum density allowable under the existing zoning. It does not apply in those instances in which the proposed land division stops short of the maximum density allowable by zoning or the existing General Plan. If the subdivider proposes reduced subdivision improvements premised upon a lesser density than allowed under current zoning, the requirements of paragraphs (5)A and (5)B of § 323-6(a) apply. In the event of phase development of larger land tracts - wherein subdivision of the total property is proposed to occur over a period of years - each and every map filed must stand on its own as to the requirements of this section.

In order to permit more flexibility to cope with difficulties due to topography and other natural or man-made features of Humboldt County, the minimum lot area in any zone or General Plan designation may be modified down to a maximum of fifty percent (50%) of the minimum lot size required, or no less than 1,500 square feet within mapped Housing Opportunity Zones. At the same time, no lot created by the subdivision shall be larger than 1.8 times the minimum lot size permitted under the applicable zoning or General Plan classification.

Lots smaller than 3,000 square feet in size shall not include coastal environmentally sensitive habitat areas or their buffers, streamside management areas, other wet areas, slopes greater than 15%, or other mapped physical constraints as shown on the current residential land inventory GIS maps of the of the Housing Element.

Also, the number of lots shall not be more than would normally be allowed in the applicable zone or General Plan designation, nor shall the area of the total property in the before condition divided by the total number of lots to be created result in an average area less than that required in the applicable zone or General Plan designation.

The Advisory Agency shall, in determining the amount of each modification to the lots to be created by the subdivision, the arrangement of the lots, and the dimensions of each lot, find the following:

(a) The provisions for lots are in harmony with the topographic configuration of the site and the immediate area.

(b) Soil conditions both on-site and off-site will not be adversely affected.

(c) Hydrologic conditions of the site and the surrounding areas will not be adversely affected.

(d) The internal arrangement of the streets and access to public roads will not adversely affect the traffic patterns of the area and emergency vehicle access.

(e) The number, type and density of dwelling units and the design of the site conform to this section and are in the interest of the public welfare.

(f) The existing character of the area in terms of density and arrangement will not be adversely affected.

(g) Any existing inland wetlands, water course and tidal wetlands will not be adversely affected.

(h) Over-all conformance to the Humboldt County General Plan.

(i) Nothing herein permit lots less than 6,000 square feet in size, except that within mapped Housing Opportunity Zones, lots as small as 1,500 square feet are permitted. (Ord. 1146 § 59, 7/19/77)

Proposed Zoning Ordinance Amendments to implement Housing Opportunity Zones – Chapter 3 (Coastal Zone) e) “Reduced minimum parcel sizes”

313-99.1 EXCEPTIONS TO THE DEVELOPMENT STANDARDS

99.1.1 **Exceptions to Development Standards.** The following exceptions to the development standards in this Division are allowed subject to the specified limitations: (Former Section CZ#A314-15(A))

99.1.1.1 Exceptions to Height Standards. Any structure, building or any architectural feature of a building may be erected to a height greater than the maximum height limits in this division provided that a Special Permit is first obtained. Such excess height, when allowed, will normally be conditioned upon proportional increases in the yards required. (Former Section CZ#A314-15(A)(1))

99.1.1.2 Exceptions to Lot Size, Lot Width and Lot Depth Standards in Residential Zones. In order to encourage housing within mapped Housing Opportunity Zones, or better design and cope with difficulties due to topography and other natural or man-made features, minimum lot size, minimum lot width and maximum lot depth in all zones may be modified as specified in the following table, subject to securing a Special Permit. (Former Section CZ#A314-15(A)(2))

EXCEPTIONS TABLE		
DEVELOPMENT STANDARD	PERMITTED MODIFICATION	LIMITATIONS
Minimum Lot Size	<u>Within mapped Housing Opportunity Zones Minimum Lot Size may be modified down to a minimum of 1,500 square feet. Outside Housing Opportunity Zones, Minimum</u>	Such modifications must be approved in conjunction with a subdivision or lot line adjustment. No lot created by the proposed subdivision or lot line adjustment shall

EXCEPTIONS TABLE		
DEVELOPMENT STANDARD	PERMITTED MODIFICATION	LIMITATIONS
	Lot Size may be modified down to a minimum of fifty percent (50%) of the required lot size, or 5,000 square feet, whichever is greater.	exceed 1.8 times the applicable minimum lot size. <u>Lots smaller than 3,000 square feet in size shall not include coastal environmentally sensitive habitat areas or their buffers, streamside management areas, other wet areas, slopes greater than 15%, or other mapped physical constraints as shown on the current residential land inventory GIS maps of the of the Housing Element.</u> Also, the total number of lots created by the subdivision shall not be more than that allowed by the applicable zone.
Minimum Lot Width	Minimum Lot Width may be modified to a minimum of fifty percent (50%) of the required lot width.	Minimum Lot Width shall not be modified below fifty feet (50').
Maximum Lot Depth	Maximum Lot Depth may be modified up to a maximum of twice that permitted.	Maximum Lot Depth shall not be modified to exceed eight (8) times the lot width.

Proposed Zoning Ordinance Amendments to implement Housing Opportunity Zones – Chapter 4 (Non-Coastal Zone) e) “Reduced minimum parcel sizes”

314-99.1 EXCEPTIONS TO DEVELOPMENT STANDARDS

99.1.1 **Exceptions to Height Standards.** Any structure, building or any architectural feature of a building may be erected to a height greater than the maximum height limits in this Division provided that a Special Permit is first obtained. Such excess height, when allowed, will normally be conditioned upon proportional increases in the yards required, (Former Section INL#316-9(a))

99.1.2 **Exceptions to Lot Size, Lot Width and Lot Depth Standards.** In order to encourage housing within mapped Housing Opportunity Zones, or better design and cope with difficulties due to topography and other natural or man-made features, minimum lot size, minimum lot width and maximum lot depth in all zones may be modified as specified in the following table, subject to securing a Special Permit. : (Former Section INL#316-9(b))

EXCEPTIONS TABLE		
DEVELOPMENT STANDARD	PERMITTED MODIFICATIONS	LIMITATIONS
Minimum Lot Size	<u>Within mapped Housing Opportunity Zones Minimum Lot Size may be modified down to a minimum of 1,500 square feet. Outside Housing Opportunity Zones, Minimum Lot Size may be modified down to a maximum of fifty (50) percent, or 5,000 square feet, whichever is greater.</u>	Such modification must be approved in conjunction with a subdivision or lot line adjustment. No lot created by the proposed subdivision or lot line adjustment shall exceed 1.8 times the applicable lot size. <u>Lots smaller than 3,000 square feet in size shall not include streamside management areas, other wet areas, slopes greater than 15%, or other mapped physical constraints as shown on the current residential land inventory GIS maps of the of the Housing Element..</u> Also, the total number of lots created by the subdivision shall not be more than that allowed by the applicable zone.
Minimum Lot Width	Minimum Lot Width may be modified to a maximum of fifty (50) percent.	Minimum Lot Width shall not be modified below fifty (50) feet.
Maximum Lot Depth	Maximum Lot Depth may be modified up to a maximum of twice that permitted.	Maximum Lot Depth shall not be modified to exceed eight (8) times the lot width.

Proposed Framework Plan Amendments to Implement Housing Opportunity Zones f) "Prioritized infrastructure development"

4500 WATER AND WASTEWATER FACILITIES

4510 WATER FACILITIES

...

4512 POLICIES

1. Encourage further investigation of the County's water resources by Federal and State Water Resources agencies.
2. Regulate development that could pollute watershed areas as defined in Section 3362.1
3. Ensure that the intensity and timing of new development will be consistent with the capacity of water supplies.
4. Maximize the use of water conservation techniques appropriate for new and existing development.
5. Funding and the allocation of other resources to public water facilities shall be prioritized in mapped Housing Opportunity Zone areas.

(Policies 1, 2, 3, and 4 are also included in the Water Resources Section 3300 of the General Plan.)

4520 WASTEWATER FACILITIES

...

4531 POLICIES

1. Population projections and other related demographic information in the General Plan should be used as a guide for determining the size of wastewater disposal treatment facilities, and the extent of services provided.
2. Responsible County agencies shall continue to coordinate with special districts in maintaining data on wastewater facility capacity.
3. Funding and the allocation of other resources to public wastewater facilities shall be prioritized in mapped Housing Opportunity Zone areas.
- ~~3-4.~~ Projects requiring public wastewater disposal shall receive public sewer commitments from the appropriate district or agency prior to receiving tentative approval.

(Refer to the Development Timing Section of the General Plan for further discussion and policies on public wastewater disposal).

- ~~4-5.~~ Areas planned for additional development which are dependent on individual septic tank leach field disposal systems shall have minimum lot sizes based on the following factors:
 - A. soil suitability,
 - B. slope,
 - C. water source (on site-well or serviced),
 - D. proximity to sensitive habitats.
- ~~5-6.~~ Septic systems shall not be permitted where the slope exceeds 30% or within 50 feet of an unstable land form.
- ~~6-7.~~ Sewage disposal systems placed on an existing lot must meet all of the requirements of the Humboldt-Del Norte Department of Public Health and the North Coast Regional Water Quality Control Board.

IMPLEMENTATION CATEGORY ITEM #3: Incentives for Affordable and Special Needs Housing

Applicable Policies, Standards and Programs in the 2010 Housing Element

H-S9. Incentives for Affordable and Special Needs Housing. Residential development with long term covenants and restrictions to ensure continued affordability 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:

- a) Deferral or subsidy of permit and review fees
- b) Deferral of subdivision improvements until issuance of building permits
- c) Deferral of subdivision fees until issuance of building permits
- d) Deferral or subsidy of development impact fees
- e) Eligible for fast-track and streamlined permit process
- f) Modified parking standards
- g) Increased density bonuses and allowances
- h) Reduced lot coverage standards
- i) Modified Solar Shading Ordinance requirements
- j) Special Permit process for waiver of development standards
- k) Prioritized infrastructure development and service delivery

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 December 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.

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: December 31, 2009.

Proposed Amendments to Implement Incentives for Affordable and Special Needs Housing a) – k) see above Amendments to Implement Housing Opportunity Zones “Increased density bonuses and allowances” beginning on page 35.

Proposed North Coast Area Plan Amendments to Implement Incentives for Affordable and Special Needs Housing g) “Increased density bonuses and allowances”

3.24 HOUSING

A. HOUSING OPPORTUNITIES

Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible. New housing in the Coastal Zone shall be developed in conformity with the goals, policies, standards, and programs of the Humboldt County Housing Element.

B. PLANNED UNIT DEVELOPMENT

It shall be the policy of the County to encourage the Planned Unit Development (PUD) concept. Where such utilization would provide extraordinary benefits to the community and to the County, such as: dedications of open space and public access, protection of visual resources and sensitive habitats beyond that already required in Sections 3.41 and 3.42, incentives may include increases of up to 25% over planned densities if increasing the density would not have an adverse effect on coastal resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than ~~35%~~ 100% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. (Amended by Res. No. 83-58, 3/15/83, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07).

...

5.15 DENSITY BONUSES AND PLANNED UNIT DEVELOPMENTS

Density ranges described in land use designations may be exceeded ~~by up to 35%~~ to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses) in effect in ~~2006~~ 2009. Up to 100% density bonuses are allowed for projects within mapped Housing Opportunity Zones with up to 100% units affordable to lower income households. Any housing development approved pursuant to Government Code Section 65915 shall be consistent with all applicable certified local coastal program policies and development standards.

In reviewing a proposed density increase, the County shall identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources. The County shall only grant a density increase if the County determines that the means of accommodating the density increase proposed by the applicant does not have an adverse effect on coastal resources. If, however, the County determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, the County shall not grant the density increase.

Density ranges may also be exceeded within Planned Unit Developments (PUD's) up to 25% if increasing the density would not have an adverse effect on coastal resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than ~~35%~~ 100% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. Also, a variety of housing types and a mixture of residential and commercial uses may be allowed to encourage

affordable housing production under the provisions of State law referenced above, and in PUD's to encourage the provision of extraordinary public benefits within subdivisions. (Added by Res. 114c 2/9/98, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07)

Proposed Trinidad Area Plan Amendments to Implement Incentives for Affordable and Special Needs Housing g) "Increased density bonuses and allowances"

3.14 HOUSING

...

B. DEVELOPMENT POLICIES (Amended by Res. No. 82-100, July 27, 1982)

1. Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible. New housing in the Coastal Zone shall be developed in conformity with the goals, policies, standards, and programs of the Humboldt County Housing Element.
2. Planned Unit Development. It shall be the policy of the County to encourage the Planned Unit Development (PUD) concept. Where such utilization would provide extraordinary benefits to the community and to the County, such as: dedications of open space and public access, protection of visual resources and sensitive habitats beyond that already required in Sections 3.41 and 3.42, incentives may include increases of up to 25% over planned densities if increasing the density would not have an adverse effect on coastal resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than ~~35%~~ 100% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. (Amended by Res. No. 83-58, 3/15/83, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07).

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4.15 DENSITY BONUSES AND PLANNED UNIT DEVELOPMENTS

Density ranges described in land use designations may be exceeded ~~by up to 35%~~ to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses) in effect in ~~2006~~ 2009. Up to 100% density bonuses are allowed for projects within mapped Housing Opportunity Zones with up to 100% units affordable to lower income households. Any housing development approved pursuant to Government Code Section 65915 shall be consistent with all applicable certified local coastal program policies and development standards.

In reviewing a proposed density increase, the County shall identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources. The County shall only grant a density increase in the County determines that the means of

accommodating the density increase proposed by the applicant does not have an adverse effect on coastal resources. If, however, the County determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, the County shall not grant the density increase.

Density ranges may also be exceeded within Planned Unit Developments (PUD's) up to 25% if increasing the density would not have an adverse effect on coastal resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than ~~35%~~ 100% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. Also, a variety of housing types and a mixture of residential and commercial uses may be allowed to encourage affordable housing production under the provisions of State law referenced above, and in PUD's to encourage the provision of extraordinary public benefits within subdivisions. (Added by Res. 114c 2/9/98, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07)

Proposed Humboldt Bay Area Plan Amendments to Implement Incentives for Affordable and Special Needs Housing g) "Increased density bonuses and allowances"

3.16 HOUSING

A. PLANNED USES

Because only a moderate increase in residential development is planned within the coastal zone, the direct provision of housing for low and moderate-income households is not possible. The development policies, however, support actions of the Humboldt Housing Authority to protect, if feasible, existing low and moderate income housing. Within the urban limit a large portion of the housing - notably in the Manila and Fields Landing areas – is low and moderate-income housing. These policies will protect existing units from demolition, therefore will protect the existing housing stock.

...

B. DEVELOPMENT POLICIES

1. 1. Housing opportunities for persons of low and moderate income shall be protected, encouraged, and provided, where feasible. New housing in the Coastal Zone shall be developed in conformity with the goals, policies, standards, and programs of the Humboldt County Housing Element.
2. Planned Unit Development. It is the policy of the County to encourage the Planned Unit Development (PUD) concept. Where such utilization would provide extraordinary benefits to the community and to the County, such as: dedications of open space and public access, protection of visual resources and sensitive habitats beyond that already required in Sections 3.41 and 3.42, incentives may include increases of up to 25% over planned densities if increasing the density would not have an adverse effect on coastal

resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than ~~35%~~ 100% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. (Amended by Res. No. 83-58, 3/15/83, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07).

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CHAPTER 4

STANDARDS FOR PLAN DESIGNATIONS

4.10 INTRODUCTION

1. The Area Plan Land Use Maps indicate the planned principal use for all areas in the Coastal Zone. These planned uses are the basis on which zoning and subsequent development decisions are made; their intent is to guide the development of each area within the framework of community goals and objectives (Chapter 3 of the Area Plan) and the requirements of Public Resources Code section 30000 et seq., (the California Coastal Act of 1976).

2. On the maps, the planned principal uses – or planning designations are indicated by symbols; the key on the map indicates which symbol stands for which planning designation. In this chapter, the standards for permitted use are identified for each planning designation. While in some cases these standards are very specific, they are for the most part of a more general nature than the zoning standards, (these are found in the Coastal Zoning Ordinance). This is for a definite reason: the plan designations for an area indicate the overall pattern of eventual development for several years ahead, while the zoning now in force limits present development to what can now be supported in the area. Ordinarily only one zone will be compatible with a single plan designation, and any zoning adopted must conform with and be adequate to carry out the land use plan.

3. For each Urban and Rural land use designation, the purpose, principal use, and conditional use, and as applicable, the gross density are identified.

4. Oil and gas pipelines and electrical transmission lines are allowed in all land use designations, in accordance with Sections 3.14B (5) and (6), in both urban and rural areas, by conditional use permit. Surface mining and solid waste disposal projects are allowed in certain land use designations according to the policies of Sections 3.14B (9) and (10).

5. Should a discrepancy exist between the list of allowable uses of these Chapter 4 land use designations and the policies of Chapter 3, the policies of Chapter 3 take precedence.

Density ranges described in land use designations may be exceeded ~~by up to 35%~~ to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses) in effect in ~~2006~~ 2009. Up to 100% density bonuses are allowed for projects within mapped Housing Opportunity Zones with up to 100% units affordable to lower income households. Any housing development approved pursuant to Government Code Section 65915 shall be consistent with all applicable certified local coastal program policies and development standards.

In reviewing a proposed density increase, the County shall identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources. The County shall only grant a density increase in the County determines that the means of accommodating the density increase

proposed by the applicant does not have an adverse effect on coastal resources. If, however, the County determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, the County shall not grant the density increase.

Density ranges may also be exceeded within Planned Unit Developments (PUD's) up to 25% if increasing the density would not have an adverse effect on coastal resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than ~~35%~~ 100% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. Also, a variety of housing types and a mixture of residential and commercial uses may be allowed to encourage affordable housing production under the provisions of State law referenced above, and in PUD's to encourage the provision of extraordinary public benefits within subdivisions. (Added by Res. 114c 2/9/98, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07)

Proposed Eel River Area Plan Amendments to Implement Incentives for Affordable and Special Needs Housing g) "Increased density bonuses and allowances"

3.26 HOUSING

C. PLANNED UNIT DEVELOPMENT

It shall be the policy of the County to encourage the Planned Unit Development (PUD) concept. Where such utilization would provide extraordinary benefits to the community and to the County, such as: dedications of open space and public access, protection of visual resources and sensitive habitats beyond that already required in Sections 3.41 and 3.42, incentives may include increases of up to 25% over planned densities if increasing the density would not have an adverse effect on coastal resources and would be consistent with all applicable local coastal program policies and development standards. The 25% density bonus limit for PUDs may be combined with any other density bonus allowed by County or State regulations so long as densities greater than ~~35%~~ 100% would not result and the means of accommodating the density bonus would not have an adverse effect on coastal resources as that term is defined in Section 112.1.6.5 of the Coastal Zoning Ordinance and would be consistent with all applicable LCP policies and development standards. (Amended by Res. No. 83-58, 3/15/83, Amended by Res. 06-73a, 7/25/06, Res. 07-17. 2/27/07).

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5.15 DENSITY BONUSES AND PLANNED UNIT DEVELOPMENTS

Density ranges described in land use designations may be exceeded by up to ~~35%~~ to encourage affordable housing production pursuant to §65915 of the California Government Code (Density Bonuses) in effect in ~~2006~~ 2009. Up to 100% density bonuses are allowed for projects within mapped Housing Opportunity Zones with up to 100% units affordable to lower income households. Any housing development approved pursuant to Government Code Section 65915 shall be consistent with all applicable certified local coastal program policies and development standards.

In reviewing a proposed density increase, the County shall identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources. The County shall only grant a density increase if the County determines that the means of accommodating the density increase proposed by the applicant does not have an adverse effect on coastal resources. If, however, the County determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, the County shall not grant the density increase.

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Proposed Zoning Ordinance Amendments to Implement Incentives for Affordable and Special Needs Housing – Chapter 3 (Coastal Zone) j) "Special Permit process for waiver of development standards"

313-99.1 EXCEPTIONS TO THE DEVELOPMENT STANDARDS

99.1.1 **Exceptions to Development Standards.** The following exceptions to the development standards in this Division are allowed subject to the specified limitations: (Former Section CZ#A314-15(A))

99.1.1.1 Exceptions to Height Standards. Any structure, building or any architectural feature of a building may be erected to a height greater than the maximum height limits in this division provided that a Special Permit is first obtained. Such excess height, when allowed, will normally be conditioned upon proportional increases in the yards required, or covenants and restrictions ensuring long term affordability of housing for lower income households. (Former Section CZ#A314-15(A)(1))

99.1.1.2 Exceptions to Lot Size, Lot Width and Lot Depth Standards in Residential Zones. In order to encourage housing affordable to lower income households, or better design and cope with difficulties due to topography and other natural or man-made features, minimum lot size, minimum lot width and maximum lot depth in all zones may be modified as specified in the following table, subject to

securing a Special Permit. Exceptions for housing affordable to lower income households shall be conditioned to require covenants and restrictions ensuring long term affordability: (Former Section CZ#A314-15(A)(2))

EXCEPTIONS TABLE		
DEVELOPMENT STANDARD	PERMITTED MODIFICATION	LIMITATIONS
Minimum Lot Size	<p><u>Minimum Lot Size for housing affordable to lower income households may be modified down to a minimum of 1,500 square feet.</u></p> <p>Minimum Lot Size may be modified down to a minimum of fifty percent (50%) of the required lot size, or 5,000 square feet, whichever is greater.</p>	<p>Such modifications must be approved in conjunction with a subdivision or lot line adjustment.</p> <p>No lot created by the proposed subdivision or lot line adjustment shall exceed 1.8 times the applicable minimum lot size <u>except housing affordable to lower income households with , which may be modified down to a minimum of 1,500 square feet..</u></p> <p>Also, the total number of lots created by the subdivision shall not be more than that allowed by the applicable zone.</p>
Minimum Lot Width	Minimum Lot Width may be modified to a minimum of fifty percent (50%) of the required lot width.	Minimum Lot Width shall not be modified below fifty feet (50').
Maximum Lot Depth	Maximum Lot Depth may be modified up to a maximum of twice that permitted.	Maximum Lot Depth shall not be modified to exceed eight (8) times the lot width.

99.1.1.3 Exceptions to Yard Standards.

99.1.1.3.1 Architectural Features. Cornices, eaves, canopies, bay windows, chimneys and similar architectural features may extend a maximum of two and one-half feet (2½') into the minimum required yard. (Former Section CZ#A314-15(A)(3)(a))

99.1.1.3.2 Uncovered Porches, Decks or Stairways. Uncovered porches, decks or stairways, fire escapes or landings may extend a maximum of six feet (6') into front or rear yards and three feet (3') into side yards. (Former Section CZ#A314-15(A)(3)(b))

99.1.1.3.3 Developed Block in a Residential Zone. In any RM, R2 or RS zone

where more than one-half of the existing and potential lots on the block are occupied with residential main buildings, the required front yard shall be the average of those of the improved sites to a maximum of that required for the zone. (Former Section CZ#A314-15(A)(3)(c))

99.1.1.3.4 Substandard Lots. Minimum yard standards for substandard lots less than two and one-half acres (2.5a) in size in RA, AE, TPZ and TC zones shall be reduced to:

Front	Twenty feet (20')
Rear	Ten feet (10')
Interior Side	Five feet (5')
Exterior Side	Twenty feet (20')

(Former Section CZ#A314-15(A)(3)(d); Amended by Ord. 1842, Sec. 22, 8/16/88)

99.1.1.3.5 Other Exceptions to Yard Standards. In any RS, or R-2 zone, any structure, building or any architectural feature of a building may be constructed within the front yard setback requirements in this Division without a Special Permit, and within the side and rear yard requirements in this Division provided a Special Permit is first obtained. Such reduced yard setback requirements may be conditioned upon proportional decreases in the maximum building height allowed, and may require a setback reduction agreement with the adjoining property owner(s) unless the project is for housing affordable to lower income households with covenants and restrictions ensuring long term affordability.

Exceptions to the front yard setback may only be allowed if all the following criteria are met:

- the setback is not reduced to less than 10 feet,
- the house is located on a dead end street, cul-de-sac, or secondary road that is not included in the Circulation Element of the General Plan,
- the garage is not located closer than 20 feet from the street.
- the driveway and parking area has adequate clearance from adjacent property lines and structures, and
- the street fully complies with County standards along the frontage of the lot. and
- the reduced setback is consistent with the County's Visibility Ordinance

99.1.1.4 Exceptions to Lot Coverage Standards. In any RS zone on lots 6,000 square feet or less in size, or for housing affordable to lower income households with covenants and restrictions ensuring long term affordability, any structure, building or any architectural feature of a building may be constructed in excess of

the lot coverage requirements in this Division provided a Special Permit is first obtained.

Proposed Zoning Ordinance Amendments to Implement Incentives for Affordable and Special Needs Housing – Chapter 4 (Non-Coastal Zone)

j) "Special Permit process for waiver of development standards"

314-99.1 EXCEPTIONS TO DEVELOPMENT STANDARDS

99.1.1 **Exceptions to Height Standards.** Any structure, building or any architectural feature of a building may be erected to a height greater than the maximum height limits in this Division provided that a Special Permit is first obtained. Such excess height, when allowed, will normally be conditioned upon proportional increases in the yards required, or covenants and restrictions ensuring long term affordability of housing for lower income households. (Former Section INL#316-9(a))

99.1.2 **Exceptions to Lot Size, Lot Width and Lot Depth Standards.** In order to encourage housing affordable to lower income households, or better design and cope with difficulties due to topography and other natural or man-made features, minimum lot size, minimum lot width and maximum lot depth in all zones may be modified as specified in the following table, subject to securing a Special Permit. Exceptions for housing affordable to lower income households shall be conditioned to require covenants and restrictions ensuring long term affordability: (Former Section INL#316-9(b))

EXCEPTIONS TABLE		
DEVELOPMENT STANDARD	PERMITTED MODIFICATIONS	LIMITATIONS
Minimum Lot Size	<p>Minimum Lot Size for housing affordable to lower income households may be modified down to a minimum of 1,500 square feet.</p> <p>Minimum Lot Size may be modified down to a maximum of fifty (50) percent, or 5,000 square feet, whichever is greater.</p>	<p>Such modification must be approved in conjunction with a subdivision or lot line adjustment.</p> <p>No lot created by the proposed subdivision or lot line adjustment shall exceed 1.8 times the applicable lot size <u>except housing affordable to lower income households, which may be modified down to a minimum of 1,500 square feet.</u></p> <p>Also, the total number of lots created by the subdivision shall not be more than that allowed by the applicable zone.</p>
Minimum Lot Width	Minimum Lot Width may be modified to a maximum of fifty (50) percent.	Minimum Lot Width shall not be modified below fifty (50) feet.
Maximum Lot Depth	Maximum Lot Depth may be modified up to a maximum of twice that permitted.	Maximum Lot Depth shall not be modified to exceed eight (8) times the lot width.

99.1.3 Exceptions to Yard Standards.

99.1.3.1 Architectural Features. Cornices, eaves, canopies, bay windows, chimneys and similar architectural features may extend a maximum of two and one-half feet (2 ½’) into the minimum required yard. (Former Section INL#316-9(c)(1); Amended by Ord. 1848, Sec. 17, 9/13/88)

99.1.3.2 Uncovered Porches, Decks or Stairways. Uncovered porches, decks or stairways, fire escapes or landings may extend a maximum of six feet (6’) into front or rear yards and three feet (3’) into side yards. (Former Section INL#316-9(c)(2); Amended by Ord. 1848, Sec. 17, 9/13/88)

99.1.3.3 Developed Block in a Residential Zone. In any R-1, R-2, or RS zone where more than one-half of the existing and potential lots on the block are occupied with residential main buildings, the required front yard shall be the average of those of the improved sites to a maximum of that required for the zone. (Former Section INL#316-9(c)(3); Amended by Ord. 1848, Sec. 17, 9/13/88)

99.1.3.4 Substandard Lots. Minimum yard standards for substandard lots less than 2 ½ acres in size in AE, TPZ, FR, and AG principal zones and B combining zones shall be reduced to: (Former Section INL#316-9(c)(4); Amended by Ord. 1848, Sec. 17, 9/13/88)

Front	Twenty (20) feet
Rear	Ten (10) feet
Interior Side	Five (5) feet
Exterior Side	Twenty (20) feet

99.1.3.5 Other Exceptions to Yard Standards. In any R-1, R-2 or RS zone, any structure, building or any architectural feature of a building may be constructed within the front yard setback requirements in this Division without a Special Permit, and within the side and rear yard setback requirements in this Division provided a Special Permit is first obtained. Such reduced yard setback requirements, may be conditioned upon proportional decreases in the maximum building height allowed, and may require a setback reduction agreement with the adjoining property owner(s) unless the project is for housing affordable to lower income households with covenants and restrictions ensuring long term affordability. (Added by Ord. 2313A, 12/16/03)

Exceptions to the front yard setback may only be allowed provided all the following criteria are met:

- the setback is not reduced to less than 10 feet,
 - the house is located on a dead end street, cul-de-sac, or secondary road that is not included in the Circulation Element of the General Plan,
 - the garage is not located closer than 20 feet from the street,
 - the driveway and parking area has adequate clearance from adjacent property lines and structures, and

- the street fully complies with County standards along the frontage of the lot. and
- the reduced setback is consistent with the County's Visibility Ordinance. (Added by Ord. 2313A, 12/16/03)

99.1.4 Exceptions to Lot Coverage Standards. In any R-1 zone on lots 6,000 square feet or less in size, or for housing affordable to lower income households with covenants and restrictions ensuring long term affordability, any structure, building or any architectural feature of a building may be constructed in excess of the lot coverage requirements in this Division provided a Special Permit is first obtained. (Added by Ord. 2313A, 12/16/03)

99.1.4.1 Other Exceptions to Lot Coverage Standards. In any R-1 zone on lots 6,000 square feet or less in size, any deck or decks may be constructed in excess of the lot coverage requirements in this Division without a Special Permit provided all following conditions are met:

- 99.1.4.1.1 The building area does not exceed the maximum lot coverage allowed by the zone, and
- 99.1.4.1.2 The total lot coverage of all structures on the lot including the proposed deck does not exceed forty percent (40%), and
- 99.1.4.1.3 The proposed deck does not encroach into the required setbacks, and
- 99.1.4.1.4 The deck is uncovered, and
- 99.1.4.1.5 The deck allows the passage of water so that water can percolate into the soil below. (Added by Ord. 2313A, 12/16/03)

Proposed Framework Plan Amendments to Implement Incentives for Affordable and Special Needs Housing k) “Prioritized infrastructure development:”

Note: The modifications to the §4510 and §4520 of the Framework Plan (Water and Wastewater Facilities) described earlier will also apply to affordable housing projects in those areas; no additional policies are proposed.

IMPLEMENTATION CATEGORY ITEM #4: Protecting Multifamily Uses in the Affordable Multifamily Land Inventory.

Applicable Policies, Standards and Programs in the 2010 Housing Element

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-multi-family use development.

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 December 31, 2009.

Proposed Amendments to Protect Multifamily Uses in the Affordable Multifamily Land Inventory The parcels shown in the table below will be rezoned as necessary to apply a Q-Qualified Zone to require a conditional use permit for non-multifamily uses.

Table 1. Proposed Measures to Protect Multifamily Uses in the Affordable Multifamily Land Inventory.

IMPLEMENTATION CATEGORY ITEM #5: Single Room Occupancy Units, #6: Emergency Shelters, and #7: Supportive and Transitional Housing.

Applicable Policies, Standards and Programs in the 2010 Housing Element

H-P13. Single Room Occupancy Units. The County shall support the conversion and use of motels, and hotels for single room occupancy units (SRO) units consistent with public health, safety and welfare.

H-P14. Emergency Shelters. Emergency shelters, shall be allowed as principally permitted uses on specified parcels within specified zones.

H-P31. Supportive and Transitional Housing. Transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

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

- 1) ML – Limited Industrial Zone
- 2) C-2 – Community Commercial Zone
- 3) C-3 – Industrial Commercial Zone
- 4) CG – Commercial General Zone
- 5) R-3 – Residential Multiple Family Zone
- 6) RM – Residential Medium Density Zone

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 of operation.

H-S15. Single Room Occupancy Units. The County shall allow conversion of hotels and motels to single room occupancy units (SRO) under specified conditions in selected zones in areas with public water. Plan and zone density standards may be waived for SRO units consistent with public health and safety. Permit fees may be subsidized for hotel and motel conversions to SRO units and for reviews of the legal non-conforming status or Plan amendments or zone reclassifications for motel and hotel conversions that have already occurred.

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

H-IM31. Emergency Shelters. The County shall adopt by ordinance provisions which allow emergency shelters consistent with H-P14 and H-S12. Responsible Agencies: CDS and County Counsel. Timeframe: December 31, 2009

H-IM32. Transitional and Supportive Housing. The County shall accommodate transitional and supportive housing consistent with H-P31 and H-S11. Responsible Agencies: CDS and County Counsel. Timeframe: December 31, 2009.

Proposed Framework Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

The following changes are recommended by Housing for All to clarify the language, but are not recommended by staff because they do not seem necessary. If recommended by the Commission, they would apply to the commercial designations in all community plans, coastal plans and the zoning ordinance.

2741 Commercial General (CG)

1. Character: Generally retail sales and services that should be located for convenience. Easily accessible, compatible and geared for local, neighborhood or regional needs. Density determined by level of available services and by community character.
2. Primary and Compatible Uses include: neighborhood commercial, retail sales, retail service, office and professional service, private institution, visitor serving facility, bed and breakfast establishment, transient habitation, heavy commercial,

warehousing, storage and distribution; cottage industry, emergency shelters, SRO facilities, and residential uses subordinate to the permitted use including transitional housing, supportive housing, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CG Plan designation, as well as transitional housing and emergency shelters.

3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plan.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans (Res. 85-81, 8/20/85).

2742 Commercial Services (CS)

1. Character: Heavy commercial uses and compatible light industrial uses not serving day to day needs; in addition to the retail sales and services.
2. Primary and Compatible Uses include: heavy commercial, warehousing, storage and distribution; automotive sales, service, and repair; office and professional Services; cottage industry; research/light manufacturing; commercial recreation, visitor serving facilities, transient habitation, bed and breakfast establishment; retail sales, retail service, neighborhood commercial, emergency shelters, SRO facilities, and residential uses subordinate to the permitted use including transitional housing, supportive housing, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CS Plan designation as well as transitional housing and emergency shelters...
3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows, and road and drainage systems or as determined in the Community Plans.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans (Res. 85-81, 8/20/85)

2743 Commercial Recreation (CR)

1. Character: Commercial recreation facilities and accommodations and recreation/tourist oriented sales and services geared to local and visitor needs.
2. Primary and Compatible Uses include: visitor serving facilities, transient habitation, bed and breakfast establishment; commercial recreation, recreational vehicle park, private recreation, retail sales, retail service, neighborhood commercial, cottage industry, research/light manufacturing, serving as visitor destination points such as cheese factories, wineries, and burl works; emergency shelters, and residential use subordinate to the permitted use including SRO facilities, transitional housing, supportive housing, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CR Plan designation, as well as transitional housing and emergency shelters.

3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows, and road and drainage systems or as determined in the Community Plans.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans. (Res. 85-81, 8/20/85)

Proposed Avenues Community Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

Commercial General (CG)

Character: Generally retail sales and services that should be located for convenience. Easily accessible, compatible and geared for local, neighborhood or regional needs. Density determined by level of available services and by community character.

Primary and Compatible Uses include: neighborhood commercial, retail sales, retail service, office and professional service, private institution, visitor serving facility, bed and breakfast establishment, transient habitation, heavy commercial, warehousing, storage and distribution; cottage industry, emergency shelters, SRO facilities, and residential uses subordinate to the permitted use including transitional housing, supportive housing, and apartments ~~provided the apartments occur on the upper floors of multistory structures where below are establishments engaged in other uses designated "Primary and Compatible" in the CG Plan designation, as well as transitional housing and emergency shelters.~~

Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plan.

Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans (Res. 85-81, 8/20/85).

Commercial Services (CS)

Character: Heavy commercial uses and compatible light industrial uses not serving day to day needs; in addition to the retail sales and services.

Primary and Compatible Uses include: heavy commercial, warehousing, storage and distribution; automotive sales, service, and repair; office and professional Services; cottage industry; research/light manufacturing; commercial recreation, visitor serving facilities, transient habitation, bed and breakfast establishment; retail sales, retail service, neighborhood commercial, emergency shelters, SRO facilities, and residential uses subordinate to the permitted use including emergency shelters, transitional housing, supportive housing, and apartments ~~provided the apartments occur on the upper floors of multistory structures where below are establishments engaged in other uses designated "Primary and Compatible" in the CS Plan designation.~~

Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed, and road and drainage systems or as determined in the Community Plans.

Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans (Res. 85-81, 8/20/85)

Commercial Recreation (CR)

Character: Commercial recreation facilities and accommodations and recreation/tourist oriented sales and services geared to local and visitor needs.

Primary and Compatible Uses: Visitor serving facilities, transient habitation, bed and breakfast establishment; commercial recreation, recreational vehicle park, private recreation, retail sales, retail service, neighborhood commercial, cottage industry, research/light manufacturing, serving as visitor destination points such as cheese factories, wineries, and burl works; emergency shelters, and residential use subordinate to the permitted use including ~~emergency shelters, SRO facilities, transitional housing, supportive housing,~~ and apartments provided the apartments occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CR Plan designation.

Minimum Parcel Size Range: Adequate for parking and setback requirements and consistent with planned uses of adjacent land.

Proposed Carlotta/Hydesville Community Plan (CHCP) Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

2741 Commercial General (CG)

1. Character: Generally retail sales and services that should be located for convenience. Easily accessible, compatible and geared for local, neighborhood or regional needs. Density determined by level of available services and by community character.

2. Primary and Compatible Uses include:

- Neighborhood Commercial
- Retail Sales
- Retail Service
- Office and Professional Service
- Private Institution
- Visitor Serving Facility
- Bed and Breakfast Establishment
- Transient Habitation
- Heavy Commercial
- Warehousing, Storage and Distribution
- Cottage Industry

SRO Facilities

Residential Use Subordinate to the Permitted Use including apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CG Plan designation, as well as ~~transitional housing, supportive housing~~ **and** emergency shelters.

3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and

adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plan.

4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

5. Community Policy: The C-1-Q Zone shall be utilized to explicitly classify the existing commercial uses of Assessor Parcel Numbers 204- 211-09 (saw repair shop), and 206-221-38 (barber/beauty shop) as principal permitted uses and to preclude all other commercial uses on the subject parcels.

2742 Commercial Services (CS)

1. Character: Heavy commercial uses and compatible light industrial uses not serving day to day needs in addition to the retail sales and services.

2. Primary and Compatible Uses include:

Heavy Commercial
Warehousing, Storage and Distribution
Automotive Sales, Service and Repair
Office and Professional Services
Cottage Industry
Research/Light Manufacturing
Commercial Recreation
Visitor Serving Facilities
Transient Habitation
Bed and Breakfast Establishment
Retail Sales
Retail Service
Neighborhood Commercial

SRO Facilities

Residential Uses Subordinate to the Permitted Use including apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CS Plan designation, as well ~~as transitional housing, supportive housing~~ **and** emergency shelters.

3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plans.

4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

2743 Commercial Recreation (CR)

1. Character: Commercial recreation facilities and accommodations and recreational/tourist oriented sales and services geared to local and visitor needs.

2. Primary and Compatible Uses include:

Visitor Serving Facilities

Transient Habitation
 Bed and Breakfast Establishment
 Commercial Recreation
 Recreational Vehicle Park
 Private Recreation
 Retail Sales
 Retail Service
 Neighborhood Commercial
 Cottage Industry
 Research/Light Manufacturing, serving as visitor destination points such as cheese factories, wineries and burl works
 Residential Use Subordinate to the Permitted Use ~~including apartments provided they occur on the upper floors of multistory structures where below are establishments~~ engaged in other uses designated “Primary and Compatible” in the CR Plan designation, as well as **transitional housing, SRO Facilities, supportive housing** and emergency shelters.

3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plans.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

Proposed Eureka Community Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

2741 Commercial General (CG)

1. Character: Generally retail sales and services that should be located for convenience. Easily accessible, compatible and geared for local, neighborhood or regional needs. Density determined by level of available services and by community character.

2. Primary and Compatible Uses include:

Neighborhood Commercial
 Retail Sales
 Retail Service
 Office and Professional Service
 Private Institution
 Visitor Serving Facility
 Bed and Breakfast Establishment
 Transient Habitation
 Heavy Commercial
 Warehousing, Storage and Distribution
 Cottage Industry
Emergency Shelters
SRO Facilities

Residential Use Subordinate to the Permitted Use including apartments, ~~transitional housing, and supportive housing~~ provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CG Plan designation, as well as ~~transitional housing and emergency shelters.~~

3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Plan.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

2742 Commercial Services (CS)

1. Character: Heavy commercial uses and compatible light industrial uses not serving day to day needs in addition to the retail sales and services.

2. Primary and Compatible Uses include:

Heavy Commercial
Warehousing, Storage and Distribution
Automotive Sales, Service and Repair
Office and Professional Services
Cottage Industry
Research/Light Manufacturing
Commercial Recreation
Visitor Serving Facilities
Transient Habitation
Bed and Breakfast Establishment
Retail Sales
Retail Service
Neighborhood Commercial

Emergency Shelters

SRO Facilities

Residential Uses Subordinate to the Permitted Use including apartments, ~~transitional housing, and supportive housing~~ provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CS Plan designation, as well as ~~transitional housing and emergency shelters.~~

3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plans.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

2743 Commercial Recreation (CR)

1. Character: Commercial recreation facilities and accommodations and recreational/tourist oriented sales and services geared to local and visitor needs.
2. Primary and Compatible Uses include:
 - Visitor Serving Facilities
 - Transient Habitation
 - Bed and Breakfast Establishment
 - Commercial Recreation
 - Recreational Vehicle Park
 - Private Recreation
 - Retail Sales
 - Retail Service
 - Neighborhood Commercial
 - Cottage Industry
 - Research/Light Manufacturing, serving as visitor destination points such as cheese factories, wineries and burl works

Emergency Shelters
Residential Use Subordinate to the Permitted Use including apartments, **and SRO Facilities, transitional housing, and supportive housing** provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CR Plan designation as well as transitional housing and emergency shelters.
3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plans.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

Proposed Fortuna Area Community Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

2741 Commercial General (CG)

1. Character: Retail trade services that should be grouped for convenience. Easily accessible, compatible and geared for local, neighborhood or regional needs. Density determined by level of available services and by community character.
2. Primary and Compatible Uses: General retail trade, business and professional services, motels, hotels, restaurants, offices, public assembly, SRO facilities and residential uses subordinate to the permitted use including apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CG Plan designation, as well as **transitional housing, supportive housing and** emergency shelters..
3. Minimum Parcel Size: Adequate for proposed use under the tests of parking and setback requirements, consistent with planned uses of adjacent lands and adequate water, sewer, fire flows, and urban road and drainage systems.

4. Community Policy: Traffic safety will be taken into consideration for any development associated with the Commercial General (CG) plan designation at the intersection of U.S. 101 and 12th Street.

5. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

Proposed Freshwater Community Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

2740 COMMERCIAL

2741 Commercial General (CG)

1. Character: Retail trade services that should be grouped for convenience. Easily accessible, compatible and geared for local, neighborhood or regional needs. Density determined by level of available services and by community character.
2. Primary and Compatible Uses: General retail trade, business and professional services, motels, hotels, restaurants, offices, public assembly, SRO Facilities and residential uses subordinate to the permitted use, including apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CG Plan designation, as well as ~~transitional housing, supportive housing~~ **and** emergency shelters.
3. Minimum Parcel Size: Adequate for proposed use under the tests of parking and setback requirements, consistent with planned uses of adjacent lands or as determined in the Community Plan.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

Proposed Garberville\Redway\Benbow\Alderpoint Community Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing)

2741 Commercial General (CG)

1. Character: Generally retail sales and services that should be located for convenience. Easily accessible, compatible and geared for local, neighborhood or regional needs. Density determined by level of available services and by community character.
2. Primary and Compatible Uses include:
 - Neighborhood Commercial
 - Retail Sales
 - Retail Service
 - Office and Professional Service
 - Private Institution
 - Visitor Serving Facility
 - Bed and Breakfast Establishment
 - Transient Habitation

Heavy Commercial
Warehousing, Storage and Distribution
Cottage Industry
Emergency Shelters
SRO Facilities

Residential Use Subordinate to the Permitted Use including apartments ~~transitional housing, and supportive housing~~ provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CG Plan designation, as well as ~~transitional housing and emergency shelters.~~

3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plan.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

2742 Commercial Services (CS)

1. Character: Heavy commercial uses and compatible light industrial uses not serving day to day needs in addition to the retail sales and services.
2. Primary and Compatible Uses include:
Heavy Commercial
Warehousing, Storage & Distribution
Automotive Sales, Service & Repair
Office and Professional Services
Cottage Industry
Research/Light Manufacturing
Commercial Recreation
Visitor Serving Facilities
Transient Habitation
Bed and Breakfast Establishment
Retail Sales
Retail Service
Neighborhood Commercial
Emergency Shelters
SRO Facilities
Residential Uses Subordinate to the Permitted Use including apartments, ~~transitional housing, and supportive housing~~ provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CS Plan designation as well as ~~transitional housing and emergency shelters.~~
3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plans.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

2743 Commercial Recreation (CR)

1. Character: Commercial recreation facilities and accommodations and recreational/tourist oriented sales and services geared to local and visitor needs.
2. Primary and Compatible Uses include:
 - Visitor Serving Facilities
 - Transient Habitation
 - Bed and Breakfast Establishment
 - Commercial Recreation
 - Recreational Vehicle Park
 - Private Recreation
 - Retail Sales
 - Retail Service
 - Neighborhood Commercial
 - Emergency Shelters
 - Cottage Industry
 - Residential Use Subordinate to the Permitted Use including apartments, and SRO Facilities, transitional housing, and supportive housing provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CR Plan designation as well as transitional housing and emergency shelters.
 - Research/Light Manufacturing, serving as visitor destination points such as cheese factories, wineries and burl works
3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plans.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

Proposed Jacoby Creek Community Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

2400 URBAN LAND USE

2410 COMMERCIAL AND INDUSTRIAL ...

2413 Standards

1. Character: Retail trade services that should be grouped for convenience. Easily accessible, compatible with and geared for neighborhood needs.
2. Primary Uses: General retail trade, business and professional services, SRO facilities, and residential uses subordinate to the permitted use, including apartments provided they occur on the upper floors of multistory structures where below are

establishments engaged in General retail trade, business and professional services, as well as ~~transitional housing, supportive housing and~~ emergency shelters.

3. Density: Minimum parcel size range – 2.5 acres to 6,000 square feet.
4. Zoning classification consistent with Commercial, General.
Neighborhood Commercial (C-1).
5. No use shall be permitted for areas designated as Commercial, General that detracts from the residential desirability of the neighborhood. Uses considered compatible with this designation shall be limited to:
 - A. Professional, service and business offices.
 - B. Stores, agencies and services of a light commercial nature, conducted entirely within an enclosed building.
 - C. Small animal hospitals completely enclosed within a building.
 - D. Automobile service stations.

Proposed McKinleyville Community Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

2741 Commercial General (CG)

1. Character: Retail trade services that should be grouped for convenience. Easily accessible, compatible and geared for local neighborhood or regional needs. Density determined by level of available services and by community character.
2. Primary and Compatible Uses: General retail trade, business and professional services, motels, hotels, restaurants, offices, public assembly, emergency shelters, SRO facilities, and residential uses subordinate to the permitted use, including apartments, ~~transitional housing, and supportive housing~~ provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CG Plan designation, as well as ~~transitional housing and emergency shelters.~~
3. Minimum Parcel Size: Adequate for proposed use under the tests of parking and setback requirements, consistent with planned uses of adjacent lands.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

2742 Commercial Services (CS)

1. Character: Heavy commercial uses and compatible light industrial uses not serving day to day needs. Full range of urban services required (i.e., good access, public sewer and water, electricity, fire protection, and waste disposal).
2. Primary and Compatible Uses: Heavy retail trade, repair services, construction services, wholesale trade, research and development, medical facilities, institutional uses, emergency shelters, SRO facilities, and residential uses subordinate to the permitted use, including apartments, ~~transitional housing, and supportive housing~~ provided they

~~occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CS Plan designation, as well as transitional housing and emergency shelters~~

3. Minimum Parcel Size: Adequate for proposed use under the tests of parking and setback requirements, consistent with planned uses of adjacent lands.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

Proposed Orick Community Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

2341 COMMERCIAL, GENERAL

Overview. Commercial, General areas have been designated at Davison Road, both north and south of Redwood Creek, and at the entrance to the valley. The Davison Road sites contain motels. The areas north and south of the Creek are the main part of Orick and contain the bulk of local resident and tourist serving commercial facilities. The most southern site contains a deli and other tourist related uses.

All the Commercial, General areas are currently zoned commercial. The Commercial, General designation encompasses approximately 44 acres.

Character. The Commercial, General designation is utilized to classify lands appropriate for a variety of retail commercial uses. Lands within the designation should be within, or contiguous to, developed areas to facilitate easy access, and should be geared for local, neighborhood or regional needs. Density is to be determined by level of available services and by community character.

Primary and Compatible Uses. General retail trade, business and professional services, motels, hotels, restaurants, offices, public assembly, small animal hospitals, emergency shelters, SRO Facilities, and residential uses subordinate to the permitted use, including apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CG Plan designation, ~~as well as transitional housing and supportive housing, emergency shelters, and small animal hospitals.~~

Minimum Parcel Size. Adequate for parking and setback requirements, and consistent with planned uses of adjacent lands.

Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

2342 COMMERCIAL, RECREATION

Overview. Two Commercial, Recreation areas have been designated along Highway 101 at the southern entrance to the Valley. These Orick Community Plan December, 1983 Page 10 sites are located on either side of an existing commercial area and would complement the existing tourist related facilities. Both sites are flat, stable land, have direct access to the main highway, and are included in the water line extension area. An additional area of approximately 20 acres in the center of town north of the bridge was also added. The total Commercial, Recreation designation encompasses approximately 58 acres.

Character. The Commercial, Recreation designation is utilized to classify existing or proposed private or commercial recreation or visitor-serving uses.

Primary and Compatible Uses. Commercial recreational uses, including campgrounds, R-V parks, hotels and motels, and visitor-serving uses such as gift shops, restaurants, taverns, and bait and tackle shops, emergency shelters, SRO facilities and residential uses subordinate to the permitted use, including apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated "Primary and Compatible" in the CR Plan designation, ~~, as well as transitional housing, and supportive housing~~ emergency shelters, and bait and tackle shops.

Minimum Parcel Size Range. Adequate for parking and setback requirements and consistent with planned uses of adjacent land.

Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

Proposed Willow Creek Community Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

2741 Commercial General (CG)

1. Character: Generally, retail sales and services that should be located for convenience. Easily accessible, compatible and geared for local, neighborhood or regional needs. Density determined by level of available services and by community character.

2 Primary and Compatible Uses include:

- Neighborhood Commercial
- Retail Sales
- Retail Services
- Office and Professional Service

Private Institution
Visitor Serving Facility
Bed and Breakfast Establishment
Transient Habitation
Heavy Commercial
Warehousing, Storage and distribution
Cottage Industry
Emergency Shelters
SRO Facilities

Residential Uses Subordinate to the Permitted Use including apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CG Plan designation ~~as well as transitional housing, and supportive housing, emergency shelters.~~

3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plan.
4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

2742 Commercial Services (CS)

1. Character: Heavy commercial uses and compatible light industrial uses not serving day-to-day needs in addition to the retail sales and services.
2. Primary and Compatible Uses include:

Heavy Commercial
Warehousing, Storage and Distribution
Automotive Sales, Service and Repair
Office and Professional Services
Cottage Industry
Research/Light Manufacturing
Commercial Recreation
Visitor-Serving Facilities
Transient Habitation
Bed and Breakfast Establishment
Retail Sales
Retail Service
Neighborhood Commercial
Emergency Shelters
SRO Facilities

Residential Uses Subordinate to the Permitted Use, including apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CS Plan designation ~~as well as transitional housing, and supportive housing~~ emergency shelters,.

3. Minimum Parcel Size: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plans.

4. Residential Density: Compatible with residential densities of adjacent lands or as determined in the Community Plans.

2743 Commercial Recreation (CR)

1. Character: Commercial recreation facilities and accommodations and recreational/tourist oriented sales and services geared to local and visitor needs.

2. Primary and Compatible Uses include:

Visitor Serving Facilities

Transient Habitation

Bed and Breakfast Establishment

Commercial Recreation

Recreational Vehicle Park

Private Recreation

Retail Sales

Retail Service

Neighborhood Commercial

Cottage Industry

Research/Light Manufacturing, serving as visitor destination points such as cheese factories, wineries, and burl works

Emergency Shelters

Residential Use subordinate to the Permitted Use including apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Primary and Compatible” in the CR Plan designation as well as ~~transitional housing, SRO Facilities, and supportive housing~~ emergency shelters,.

3. Minimum Parcel Size Range: Consistent with planned uses of adjacent lands and adequate for proposed use under the tests of parking and setback requirements, and adequate water, sewer, fire flows and road and drainage systems or as determined in the Community Plans.

4. Residential Density: Compatible with residential densities of adjacent

lands or as determined in the Community Plans.

Proposed McKinleyville Area Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

5.20 URBAN PLAN DESIGNATIONS...

(The standards below apply only within Urban Limits as shown in the Area Plan)

CG: COMMERCIAL GENERAL

Purpose: To allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: Retail sales, retail services, office and professional uses, ~~and residential uses subordinate to establishments engaged in other uses designated "Principal" or "Conditional" in the CG Plan designation including emergency shelters, transitional housing, and apartments.~~

Conditional Uses: ~~Hotels, and motels, and residential uses subordinate to the permitted use including emergency shelters, transitional housing, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated "Principal" or "Conditional" in the CG Plan designation.~~

CR: COMMERCIAL RECREATIONAL

Purpose: To protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

Principal Use: Commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns, for example, subject to the requirements of Section 3.25 (Recreational and Visitor Serving Uses); ~~and residential uses including emergency shelters, transitional housing, a caretaker's residence, and apartments provided they are subordinate to establishments engaged in other uses designated "Principal" or "Conditional" in the CR Plan designation.~~

Conditional Uses: ~~Single family house on existing lots, and residential uses subordinate to the permitted use including emergency shelters, transitional housing, a caretaker's residence, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated "Principal" or "Conditional" in the CR Plan designation.~~

MB: BUSINESS PARK (Amended by Res. 85-81, 8/20/85)

Purpose: to provide sites which are suitable for "business park" developments: Well designed and mixed industrially commercial areas composed of nuisance-free light industrial, research and development, administrative and business and professional office, warehousing and storage facilities, developed in a park-like environment.

Principal Uses: research/light industrial, office and professional service, administrative, and warehousing, storage and distribution, ~~and residential uses including transitional housing, a caretaker's residence, and apartments provided they are subordinate to establishments engaged in other uses designated "Principal" or "Conditional" in the MB Plan designation.~~

Conditional Uses: retail sales, retail service uses, transient habitation uses which are incidental to or supportive of principal uses and ~~residential uses subordinate to the permitted use including emergency shelters, transitional housing, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Principal” or “Conditional” in the MB Plan designation.~~

Proposed NorthCoast Area Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

5.20 URBAN PLAN DESIGNATIONS

...

CG: COMMERCIAL GENERAL

Purpose: To allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: Retail sales, retail services, office and professional uses.

Conditional Uses: Hotels, motels and SRO Facilities, and residential uses subordinate to the permitted use including emergency shelters, ~~transitional housing, supportive housing~~ and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Principal” or “Conditional” in the CG Plan designation.

CR: COMMERCIAL RECREATIONAL

Purpose: To protect sites suitable for the development of commercial recreational facilities, and for visitor service facility appropriate to assure recreational opportunity for visitors to the area.

Principal Use: Commercial recreational (such as recreational vehicle parks, hotels, and motels, and SRO Facilities) and visitor-serving developments (such as antique ships, art galleries, restaurants, and taverns) subject to the requirements of sections 3.23A, B and C of this document..

Conditional Uses: Single family residences on existing lots and residential uses subordinate to the permitted use including emergency shelters, ~~transitional housing, supportive housing~~, a caretaker's residence, and apartments, provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Principal” or “Conditional” in the CR Plan designation.

Proposed Trinidad Area Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

4.20 URBAN PLAN DESIGNATIONS

...

CG COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses.

Conditional Uses: Hotels, motels, SRO Facilities, and residential uses subordinate to the permitted use including emergency shelters, ~~transitional housing~~ supportive housing and apartments, provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Principal” or “Conditional” in the CG Plan designation,.

CR COMMERCIAL RECREATIONAL

Purpose: to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

Principal Use: commercial recreational, including recreational vehicle parks, hotels and motels, for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example subject to the requirements of Section 3.13.

Conditional Uses: single family house on existing lots, and residential uses subordinate to the permitted use including emergency shelters, ~~transitional housing~~, SRO Facilities, and supportive housing a caretaker's residence, and apartments, provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Principal” or “Conditional” in the CR Plan designation,.

Proposed McKinleyville Area Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

5.20 URBAN PLAN DESIGNATIONS

(The standards below apply only within Urban Limits as shown in the Area Plan)

RH: RESIDENTIAL/HIGH DENSITY

Purpose: To maximize effective use of limited urban lands and promote concentration of urban residential use where public services and overall community design make this both feasible and desirable.

Principal Use: Multiple-unit residential development for occupancy by individuals, groups or families, exclusive of mobile home developments, SRO facilities, and emergency shelters, transitional housing, and supportive housing.

Conditional Uses: Hotels, motels, boarding houses, ~~emergency shelters~~, ~~transitional housing~~, mobile home development, single family residences, neighborhood commercial, office and professional uses (Amended by Res. No. 85-65, effective certification: 11/25/85)

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials). (Amended by Res. No. 85-55, 5/7/85).

2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures. (Amended by Res. No. 85-55, 5/7/85).

Gross Density: 18-50 units per acre.

RM: RESIDENTIAL/MEDIUM DENSITY

Purpose: To make effective use of limited urban land and provide areas for residential use of mobile homes in urban areas, consistent with availability of public services.

Principle Use: Duplex, multiple unit and mobile home residential development for occupancy by individuals or families, SRO facilities, and emergency shelters, transitional housing, and supportive housing.

Conditional Uses: Same as RH plus guest houses, private institutions, neighborhood commercial, office and professional uses (Amended by Res. No. 85-65, effective certification: 11/25/85)

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials). (Amended by Res. No. 85-55, 5/7/85).

2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures. (Amended by Res. No. 85-55, 5/7/85).

Gross Density: 8-30 units per acre...

CG: COMMERCIAL GENERAL

Purpose: To allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: Retail sales, retail services, office and professional uses, emergency shelters, and residential uses including, transitional housing, supportive housing, and apartments provided they are subordinate to establishments engaged in other uses designated "Principal" or "Conditional" in the CG Plan designation.

Conditional Uses: Hotels, motels, and SRO facilities, ~~and residential uses subordinate to the permitted use including emergency shelters, transitional housing, and apartments provided they occur on the upper floors of multistory structures where below are~~

~~establishments engaged in other uses designated "Principal" or "Conditional" in the CG Plan designation.~~

CR: COMMERCIAL RECREATIONAL

Purpose: To protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

Principal Use: Commercial recreational, including recreational vehicle parks, hotels and motels, for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns, for example, subject to the requirements of Section 3.25 (Recreational and Visitor Serving Uses) and residential uses including SRO facilities, transitional housing, supportive housing, a caretaker's residence, and apartments provided they are subordinate to establishments engaged in other uses designated "Principal" or "Conditional" in the CR Plan designation.

Conditional Uses: Single family house on existing lots, ~~and residential uses subordinate to the permitted use including emergency shelters, transitional housing, a caretaker's residence, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated "Principal" or "Conditional" in the CR Plan designation,~~

MB: BUSINESS PARK (Amended by Res. 85-81, 8/20/85)

Purpose: to provide sites which are suitable for "business park" developments: Well designed and mixed industrially commercial areas composed of nuisance-free light industrial, research and development, administrative and business and professional office, warehousing and storage facilities, developed in a park-like environment.

Principal Uses: research/light industrial, office and professional service, administrative, and warehousing, storage and distribution, and residential uses including transitional housing, supportive housing, a caretaker's residence, and apartments provided they are subordinate to establishments engaged in other uses designated "Principal" or "Conditional" in the MB Plan designation.

Conditional Uses: retail sales, retail service uses, transient habitation uses which are incidental to or supportive of principal uses and ~~residential uses subordinate to the permitted use including emergency shelters, transitional housing, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated "Principal" or "Conditional" in the MB Plan designation.~~

Proposed Humboldt Bay Area Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

CHAPTER 4

STANDARDS FOR PLAN DESIGNATIONS

4.10 INTRODUCTION

...

A URBAN LAND USE DESIGNATIONS

RH: RESIDENTIAL/HIGH DENSITY

Purpose: To maximize effective use of limited urban lands and promote concentration of urban residential use where public services and overall community design make this both feasible and desirable.

Principal Use: Multiple-unit residential development for occupancy by individuals, groups or families, exclusive of mobile home developments and SRO facilities, transitional housing, and supportive housing.

Conditional Uses: Hotels, motels, boarding houses, emergency shelters, ~~transitional housing,~~ mobile home development, single family residences, neighborhood commercial, office and professional uses (Amended by Res. No. 85-65, effective certification: 11/25/85)

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classification (e.g. major collectors or arterials). (Amended by Res. No. 85-55, 5/7/85).

2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures. (Amended by Res. No. 85-55, 5/7/85).

RM: RESIDENTIAL/MEDIUM DENSITY

Purpose: To make effective use of limited urban land and provide areas for residential use of mobile homes in urban areas, consistent with availability of public services.

Principle Use: Duplex, multiple unit and mobile home residential development for occupancy by individuals or families and SRO facilities, transitional housing, and supportive housing.

Conditional Uses: Same as RH plus guest houses, office and professional private institutions, and neighborhood commercial (Amended by Res. No. 85-65, effective certification: 11/25/85)

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor

collectors or a higher order road classification (e.g. major collectors or arterials).
(Amended by Res. No. 85-55, 5/7/85).

2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures. (Amended by Res. No. 85-55, 5/7/85).

Gross Density: 8-30 units per acre...

...

CG: COMMERCIAL GENERAL

Purpose: To allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: Retail sales, retail services, office and professional uses.

Conditional Uses: Hotels, ~~and motels,~~ SRO facilities, and residential uses subordinate to the permitted use including emergency shelters, ~~transitional housing, supportive housing,~~ and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated "Principal" or "Conditional" in the CG Plan designation.

CR: COMMERCIAL RECREATIONAL

Purpose: To protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

Principal Use: Commercial recreational, including recreational vehicle parks, hotels and motels. for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns, for example, subject to the requirements of Section 3.25 (Recreational and Visitor Serving Uses),

Conditional Uses: Single family house on existing lots, ~~and residential uses subordinate to the permitted use including emergency shelters,~~ SRO facilities, ~~transitional housing, supportive housing,~~ a caretaker's residence, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated "Principal" or "Conditional" in the CR Plan designation,

...

B. RURAL PLAN DESIGNATIONS

...

CR: COMMERCIAL RECREATION

2. PURPOSE: to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors in the area.
3. PRINCIPAL USE: commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.27 of this document.
4. CONDITIONAL USES: single-family house on existing lots, and residential uses subordinate to the permitted use including emergency shelters, SRO facilities, ~~transitional housing, supportive housing~~, a caretaker's residence, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated "Principal" or "Conditional" in the CR Plan designation,
5. GROSS DENSITY: maximum density of twelve overnight units per gross developed acre.

Proposed Eel River Area Plan Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing

5.20 URBAN PLAN DESIGNATIONS

(The standards below apply only within Urban Limits as shown in the Area Plan.)

RM: RESIDENTIAL/MEDIUM DENSITY

Purpose: to make effective use of limited urban land and provide areas for residential use of mobile homes in urban areas, consistent with availability of public services.

Principal Use: duplex, multiple unit and mobile home residential development for occupancy by individuals or families and SRO facilities, transitional housing and supportive housing.

Conditional Uses: Hotels, motels, boarding houses, emergency shelters, ~~transitional housing~~, mobile home development, single family residences, guest houses, office and professional private institutions, and neighborhood commercial (Amended by the Board of Supervisors, Resolution 85-65; effective certification 11/25/85).

1. New neighborhood commercial development, which is conditionally permitted in urban residential land use designations, shall be restricted to locating along minor collectors or a higher order road classifications (e.g. major collectors or arterials (Amended by Res. No. 85-55, 5/7/85).
2. Neighborhood commercial uses conditionally permitted in urban residential land use designations may be prohibited pursuant to rezoning procedures (Amended by Res. No. 85-55, 5/7/85).

Gross density: 8-30 units per acre....

CG: COMMERCIAL GENERAL

Purpose: to allow the integrated development of commercial districts or neighborhood commercial centers providing for the economic well-being and convenience of the community.

Principal Use: retail sales, retail services, office and professional uses.

Conditional Uses: Hotels, motels, SRO Facilities and residential uses subordinate to the permitted use including emergency shelters, ~~transitional housing, supportive housing,~~ and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Principal” or “Conditional” in the CG Plan designation.

CR: COMMERCIAL RECREATIONAL

Purpose: to protect sites suitable for the development of commercial recreational facilities, and for visitor service facilities appropriate to assure recreational opportunity for visitors to the area.

Principal Use: commercial recreational, including recreational vehicle parks, hotels and motels for example, and visitor-serving developments, including antique shops, art galleries, restaurants, taverns for example, subject to the requirements of Section 3.25.

Conditional Uses: single family house on existing lots, and residential uses subordinate to the permitted use including emergency shelters, ~~transitional housing, SRO Facilities, supportive housing,~~ a caretaker's residence, and apartments provided they occur on the upper floors of multistory structures where below are establishments engaged in other uses designated “Principal” and “Conditional” in the CR Plan designation.

Proposed Zoning Ordinance Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing – Chapter 3 (Coastal)

**CHAPTER 3
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313-2.2 CG: Commercial General	
Use Type	Principal Permitted Use
Civic Use Types	Minor Utilities, Essential Services, Administrative, Non-Assembly Cultural
Commercial Use Types	Retail Sales Retail Services Automotive, Sales, Service and Repair Office and Professional Service
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Residential Use Types	<u>Within mapped Housing Opportunity Zones multifamily residential units, transitional housing and supportive housing subordinate to commercial establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the CG Zone.</u> <u>Emergency Shelters within areas mapped to specifically allow emergency shelters as a principally permitted use</u>
Use Type	Conditionally Permitted Use
Residential Use Types	Caretaker’s Residence <u>SRO Facilities which are conversions of existing buildings</u> <u>Outside Housing Opportunity Zones, Multi Family Residential, Emergency Shelters and Transitional Housing and Supportive Housing on the upper floors of multistory structures where below are establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the CG Zone</u> <u>Emergency Shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use</u>
Civic Use Types	Community Assembly Health Care Services Extensive Impact Civic Use Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities
Commercial Use Types	Heavy Commercial Warehousing Storage and Distribution Transient Habitation
Industrial Use Type*	Research/Light Industrial
Natural Resource Use Type	Coastal Access Facilities
Use Types Not Listed in This Table**	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the CG zone.

313-2.2		CG: Commercial General	
Development Standards			
Minimum Lot Size		5,000 square feet	
Minimum Lot Width		Fifty feet (50')	
Maximum Lot Depth		Three (3) times the lot width	
Maximum Density		(None specified.)	
Minimum Yard Setbacks***			
Front		None, except that where frontage is in a block which is partially in a Residential (RS, R2, RM) zone, the front yard shall be same as that required in such Residential zone	
Rear		Fifteen feet (15'), except that where a rear yard abuts an alley, such rear yard may be not less than five feet (5')	
Side		None, except that a side yard of an interior lot abutting on a Residential (RS, R2, RM) zone or an Agricultural (AE) zone shall not be less than the front yard required in such Residential zone or Agricultural zone.	
Flag Lots		For Flag Lots, the Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for a vehicular turn around on the lot.	
Maximum Ground Coverage		(None specified).	
Maximum Structure Height		Forty-five feet (45')	
Permitted Main Building Types		Ancillary Residential; Manufactured Home, <u>Multiple Unit</u> , <u>SRO Facility</u> Limited Mixed Residential - Nonresidential Nonresidential Detached; Multiple/Group	

313-6.2		RM: Residential Multi-Family	
	Use Type		Principal Permitted Use
	Residential Use Types		Multi Family Residential <u>Transitional Housing and Supportive Housing</u> Group Residential <u>Emergency Shelters within areas mapped to specifically allow emergency shelters as a principally permitted use.</u> <u>SRO Facilities</u> Minor Utilities
	Civic Use Types		
	Use Type		Conditionally Permitted Use
	Residential Use Types		Single Family Residential Manufactured Home Parks; subject to the Manufactured Home Park Regulations
	Civic Use Types		Essential Services Community Assembly Non-Assembly Cultural Public Recreation and Open Space Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations
	Commercial Use Types		Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations Transient Habitation Private Recreation Neighborhood Commercial Office and Professional Service Private Institution
	Commercial Timber Use Type		Timber Production
	Natural Resource Use Type		Fish and Wildlife Management Watershed Management

Use Types Not Listed in This Table**	Wetland Restoration Coastal Access Facilities Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the RM zone.
Development Standards	
Minimum Lot Size	5,000 square feet.
Minimum Lot Width	Fifty feet (50').
Maximum Lot Depth	Three (3) times the lot width.
Maximum Density	The maximum density as specified on the adopted zoning maps. A minimum of one dwelling unit (1du) per lawfully created lot is permitted, even if the specified maximum dwelling unit density is exceeded, if it meets all other development standards. The maximum density shall be calculated as the total number of dwelling units divided by the total area within the lot and within one-half of any adjacent street.

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313-47.1 EMERGENCY SHELTERS

47.1.1. 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.

47.1.2 Development Standards

47.1.2.1 Lighting. Adequate external lighting shall be provided. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood.

47.1.2.2 Common Facilities. The development may provide one or more of the following specific common facilities for the exclusive use of the residents and staff:

Central cooking and dining room(s).

Recreation room.

Counseling center.

Child care facilities.

Other support services.

47.1.2.3 Security. Parking and outdoor facilities shall be designed to provide security for residents, visitors and employees.

47.1.2.4 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.

47.1.2.5 Emergency Shelter Provider. The agency or organization operating the shelter shall comply with the following requirements:

47.1.2.5.1 Temporary shelter shall be available to residents for no more than six months.

47.1.2.5.2 Staff and services shall be provided to assist residents to obtain permanent shelter and income.

47.1.2.5.3 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.

47.1.2.6 **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 50. In no case shall occupancy of the facility exceed the limit set forth in the adopted Airport Land Use Plan.

47.1.2.7 **Proximity to Other Emergency Shelters.** Principally permitted emergency shelters shall not be located within 300 feet of each other.

47.1.2.8 **Exceptions.** Exceptions to each of the development standards 47.1.2.1 – 47.1.2.7 may be allowed with a Special Permit...

...

313-60.1 SINGLE ROOM OCCUPANCY STRUCTURES AND FACILITIES

60.1.1 **Purpose.** The purpose of these regulations is to provide opportunities for the development of permanent, affordable housing for small households and for people with special needs in Single Room Occupancy (SRO) Facilities in proximity to transit and services, and to establish standards for the small units within those facilities.

60.1.2 **Applicability.** These regulations shall apply in all zones in which the SRO Facilities use type is permitted, and where public water is available, including but not limited to proposed expansions at existing SRO Facilities, and to proposed new facilities.

60.1.3 Development Standards for SRO Facilities

60.1.3.1 **Density.** An SRO Facility which is a conversion of an existing hotel or motel 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. All other SRO Facilities shall meet the density standards of the General Plan and the occupancy standards of the adopted Airport Land Use Plan.

60.1.3.2 **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.

60.1.3.3 **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.

60.1.3.4 **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.

60.1.3.5 Solid Waste. Solid waste storage shall be within enclosed structures or screened from view on all sides and located not less than 5' from any property line.

60.1.3.6 Common Building Site. The total area occupied by the SRO Facility shall be no more than 2 contiguous acres.

60.1.3.7 Management

60.1.3.7.1. 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.

60.1.3.7.2. 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.

60.1.3.8 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.

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

60.1.3.10 Exceptions. Exceptions to the Standards of Subsections 61.1.3.1 through 61.1.3.7 of this section may be approved by the Planning Commission upon making a finding that an alternative standard is in substantial conformance with the prescriptive standard where compatible with surrounding land uses.

60.1.4 Development Standards for SRO Units

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

60.1.4.2 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.

60.1.4.3 Kitchen. Except as provided herein, 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.

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

60.1.4.5 Code Compliance. SRO units shall comply with all requirements of the California Building Code and required health and safety standards for water and sewer.

61.1.4.6 Accessibility. All SRO units shall comply with all applicable accessibility and adaptability requirements.

...

313-109.1 OFF-STREET PARKING

...

109.1.4 **Parking Spaces Required.** The number of off-street parking spaces required shall not be less than the following: (Former Section CZ#A314-26(D))

109.1.4.1.3 Hotel, Motel, Rooming House, **Transitional Housing, Supportive Housing.** One (1) parking space for each sleeping unit, plus two (2) manager parking spaces. (Former Section CZ#A314-26(D)(1)(c))

...

109.1.4.1.6 SRO Facilities. One (1) parking space per each two (2) SRO units.

...

313-137 DEFINITIONS (B)

Building Type, Residential: A group of building types that comprise the following:

...

F. Single Room Occupancy Units. A living space within an Single Room Occupancy (SRO) Facility with a minimum floor area of 150 square feet and a maximum of 400 square feet with access to kitchen and bathroom facilities. Kitchen and bathroom facilities may be wholly or partially included in each living space, or may be fully shared.

313-154 DEFINITIONS (S)

...

Single Room Occupancy Facility: A residential building or structure, or group of buildings or structures that include one or more Single Room Occupancy units.

313-177 RESIDENTIAL USE TYPES

177.15 Transitional and Supportive Housing: The Transitional and Supportive Housing Use Type includes the residential occupancy of a duplex, or multiple main building or buildings by individuals or families on a non-transient basis for the purpose of providing a stable housing environment complemented by case management to assist the residents in achieving sobriety, independence and self-sufficiency with enhanced possibilities for future success. as defined in Health and Safety Code §50675.2(h), and 50675.14(b) shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

Proposed Zoning Ordinance Amendments to Implement Single Room Occupancy Units, Emergency Shelters, and Supportive and Transitional Housing – Chapter 4 (Non-Coastal)

314-43–68: ALPHABETICAL LISTING OF USES AND ACTIVITIES

- 314-43.1 ACCESSORY USES
- 314-43.2 ALLOWED AGRICULTURAL ACTIVITIES NOT A NUISANCE (“RIGHT TO FARM ORDINANCE”)
- 314-43.3 ANIMAL KEEPING.
- 314-44.1 BED AND BREAKFAST ESTABLISHMENTS.
- 314-45.1 COTTAGE INDUSTRY.
- 314-47.1 EMERGENCY SHELTERS
- 314-50.1 HOME OCCUPATIONS AND ADDRESSES OF CONVENIENCE
- 314-55.1 MIXED USE DEVELOPMENT REGULATIONS
- 314-58.1 PUBLIC USES
- 314-~~60~~ 59.1 REMOVAL OF NATURAL MATERIALS
- 314-60.1 SINGLE ROOM OCCUPANCY STRUCTURES AND FACILITIES
- 314-61.1 STREAMSIDE MANAGEMENT AREA ORDINANCE
- 314-62.1 TEMPORARY USES
- 314-62.2 TIMBER PRODUCTION

...

314-2.1 C-1: NEIGHBORHOOD COMMERCIAL ZONE

The Neighborhood Commercial or C-1 Zone is intended to provide for neighborhood shopping centers which will provide convenient sales and service facilities to residential areas without detracting from the residential desirability of such areas. The following regulations shall apply in all Neighborhood Commercial or C-1 Zones. (Former Section INL#314-34; Ord. 1086, Sec. 7, 7/13/76; Amended by Ord. 2214, 6/6/00)

314-2.1	C-1: NEIGHBORHOOD COMMERCIAL
	Principal Permitted Uses
	Social halls, fraternal and social organizations, and clubs.
	Professional and business offices, and commercial instruction.

Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, book stores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning and laundry agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations, studios, tailor shops, enclosed theaters, variety stores, and mortuaries.	
Sales of used and secondhand goods when appurtenant to any of the foregoing.	
Caretaker's Residence which is incidental to and under the same ownership as an existing commercial use. (Added by Ord. 2166, Sec. 14, 4/7/98)	
<u>Within Housing Opportunity Zones, multiple dwellings on the upper floors of multistory structures where below are and transitional and supportive housing subordinate to commercial establishments engaged in uses designated "Principally Permitted" or "Conditionally Permitted" in the C-1 Zone.</u> <u>Emergency Shelters within areas mapped to specifically allow emergency shelters as a principally permitted use</u>	
Uses Permitted with a Special Permit	
<u>Outside Housing Opportunity Zones, apartments on the upper floors of multistory structures where below are establishments engaged in commercial uses designated "Principally Permitted" or "Conditionally Permitted" in the C-1 Zone, as well as transitional housing, and emergency shelters <u>outside areas mapped to specifically allow emergency shelters as a principally permitted use.</u></u> (Added by Ord. 2313A 12/16/2003, Amended by Ord. 2335 12/14/2004) Single Room Occupancy Facilities which are conversions of existing buildings	
Uses Permitted with a Use Permit	
Manufactured homes, hotels, motels, boarding and rooming houses, and manufactured home parks.	
Small animal hospitals completely enclosed within a building.	
Stores, agencies and services such as minor automobile repair; new automobile, trailer and boat sales, and used automobile, trailer and boat sales appurtenant thereto; bowling alleys; licensed premises not appurtenant to any restaurant, pet shops, public garages, sales of used or secondhand goods, and storage warehouses.	
Private institutions where specifically allowed by the General Plan. (Amended by Ord. 2161 on 3/3/98)	
Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the C-1 zone.	
Other Regulations	
Minimum Lot Area	2,000 square feet.
Minimum Lot Width	Twenty-five feet (25').
Minimum Yard Setbacks*	
Front	None, except that where frontage is in a block which is partially in a Residential Zone (RS, R-1, R-2, R-3, R-4) the front yard shall be the same as that required in such Residential Zone.
Rear	Fifteen feet (15'), except that where a rear yard abuts on an alley, such rear yard may be not less than five feet (5').
Side	None, except that a side yard of an interior lot abutting on a Residential Zone (RS, R-1, R-2, R-3, R-4) or Agricultural Zone (AE, AG) shall be not less than the front yard required in such Residential Zone or Agricultural Zone.
Maximum Ground Coverage	(None specified.)
Maximum Building Height	Forty-five feet (45'). (Ord. 1086, Sec. 7, 7/13/76)

314-2.2 C-2: COMMUNITY COMMERCIAL ZONE

The Community Commercial or C-2 Zone is intended to apply to areas where more complete commercial facilities are necessary for community convenience. The following regulations shall apply in all Community Commercial or C-2 Zones.

314-2.2	C-2: COMMUNITY COMMERCIAL
Principal Permitted Uses	
Social halls, fraternal and social organizations, and clubs.	
Professional and business offices, and commercial instruction.	

Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, book stores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning and laundry agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations, studios, tailor shops, enclosed theaters, variety stores, and mortuaries.(From Section INL#314-34(a)(3))	
Caretaker's Residence which is incidental to and under the same ownership as an existing commercial use. (From Section INL#314-34(a)(5); Added by Ord. 2166, Sec. 14, 4/7/98)	
Stores, agencies and services such as minor automobile repair; new automobile, trailer and boat sales, and used automobile, trailer and boat sales appurtenant thereto; bowling alleys; licensed premises not appurtenant to any restaurant, pet shops, public garages, sales of used or secondhand goods, and storage warehouses. (From Section INL#314-34(b)(3); Ord. 1086, Sec. 8, 7/13/76)	
<u>Within Housing Opportunity Zones multiple dwellings, and transitional and supportive housing on the upper floors of multistory structures where below are subordinate to commercial establishments engaged in uses designated "Principally Permitted" or "Conditionally Permitted" in the C-2 Zone</u> <u>Emergency Shelters within areas mapped to specifically allow emergency shelters as a principally permitted use.</u>	
Uses Permitted with a Special Permit	
<u>Outside Housing Opportunity Zones, apartments on the upper floors of multistory structures where below are establishments engaged in commercial uses designated "Principally Permitted" or "Conditionally Permitted" in the C-1 Zone,, as well as transitional housing, and emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use.</u> (Added by Ord. 2313A, 12/16/2003, Amended by Ord 2235, 12/14/2004) <u>Single Room Occupancy Facilities which are conversions of existing buildings</u>	
Uses Permitted with a Use Permit	
Dwellings , Hotels, motels, boarding and rooming houses and manufactured home parks.	
Small animal hospitals completely enclosed within a building.	
Stores, agencies and services such as carpentry and cabinet-making shops, clothing manufacture, contractors' yards, dry cleaning and laundry plants, handicraft manufacture, lumber yards metal-working shops, wholesale outlet stores, painters' and decorators' yards, plumbing shops, printing, lithographing and major auto repair. (Amended by Ord. 1848, Sec. 14, 9/13/88)	
Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the C-2 zone.	
Other Regulations	
Minimum Lot Area	2,000 square feet.
Minimum Lot Width	Twenty-five feet (25').
Minimum Yard Setbacks*	
Front	None, except that where frontage is in a block which is partially in a Residential Zone (RS, R-1, R-2, R-3, R-4) the front yard shall be the same as that required in such Residential Zone.
Rear	Fifteen feet (15'), except that where a rear yard abuts on an alley, such rear yard may be not less than five feet (5').
Side	None, except that a side yard of an interior lot abutting on a Residential Zone (RS, R-1, R-2, R-3, R-4) or Agricultural Zone (AE, AG) shall be not less than the front yard required in such Residential Zone or Agricultural Zone.
Maximum Ground Coverage	(None specified.)
Maximum Building Height	Seventy-five feet (75').

314-2.3 C-3: INDUSTRIAL COMMERCIAL ZONE

The Industrial Commercial or C-3 Zone is intended to apply to areas where heavy commercial uses and compatible light industrial uses not serving day to day needs are the desirable predominant uses. The following regulations shall apply in all Industrial Commercial or C-3 zones. For further description of use types, see "Glossary of Use Types" in Section D: Use Types, at the end of this Chapter. (Former Section INL#314-38; Ord. 1801, Sec. 1, 6/30/87)

314-2.3	C-3: INDUSTRIAL COMMERCIAL
Use Type	Principal Permitted Use

Commercial Use Types	Automotive Sales, Service and Repair Office and Professional Service Warehousing, Storage and Distribution
Industrial Use Types	Cottage Industry Research/Light Industrial
<u>Residential Use Types</u>	<u>Within Housing Opportunity Zones multiple dwellings, and transitional and supportive housing subordinate to on the upper floors of multistory structures where below are commercial establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the C-3 Zone. Emergency Shelters within areas mapped to specifically allow emergency shelters as a principally permitted use</u>
Use Type	Uses Permitted with a Special Permit
Residential Use Types	<u>Outside Housing Opportunity Zones, residential Uses Subordinate to the Permitted Use including caretaker’s residences and apartments on the upper floors of multistory structures where below are establishments engaged in uses designated “Principally Permitted” or “Conditionally Permitted” in the C-3 Zone, as well as transitional housing, and emergency shelters <u>outside areas mapped to specifically allow emergency shelters as a principally permitted use. Single Room Occupancy Facilities which are conversions of existing buildings</u></u>
Use Type	Uses Permitted with a Use Permit
Civic Use Types	Community Assembly
Commercial Use Types	Heavy Commercial Neighborhood Commercial Retail Sales Retail Service
Use Types Not Listed in This Table	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the C-3 zone.
Other Regulations	
Minimum Lot Area	5,000 square feet.
Minimum Lot Width	Fifty feet (50’).
Minimum Yard Setbacks*	
Front	Five feet (5’).
Rear	Five feet (5’).
Side	Five feet (5’) or ten (10’) feet on one side.
Maximum Ground Coverage	(None specified.)
Maximum Building Height	Forty-five feet (45’).

Other Regulations	
Special Regulations	All equipment and materials storage areas shall be security fenced to a height of not less than six feet (6’). (Added by Ord. 1801, Sec. 1, 6/30/87)
	In addition, all such areas shall be screened from view of any residential area, public roadway, or recreational use area. (Former Section INL#314-38(c)(5); Added by Ord. 1801, Sec. 1, 6/30/87)
	Such fencing and screening need not comply with yard setbacks, but shall comply with the Visibility Obstruction Regulations (Humboldt County Code, Section 341). (Former Section INL#314-38(c)(5); Added by Ord. 1801, Sec. 1, 6/30/87)

*Note: Setbacks may be modified by other provisions of this Code or State law. For example, see Section 314-22.1, “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11. (Former Section INL#314-38(a)(1-5); INL#314-38(b)(1-6); INL#314-38(c)(1-5))

314-2.4 CH: HIGHWAY SERVICE COMMERCIAL ZONE

The Highway Service Commercial or CH Zone is intended to provide necessary services and conveniences for the traveling public along main roads and highway frontages at proper intervals and locations in developments designed for safety, convenience and suitable appearance. The following regulations shall apply in all Highway Service Commercial or CH Zones. (Former Section INL#314-40; Ord. 1086, Sections 9 and 10, 7/13/76; Amended by Ord. 2214, 6/6/00)

314-2.4	CH: HIGHWAY SERVICE COMMERCIAL
Principal Permitted Uses	
Hotels and motels.	
Car washes.	
Nurseries and greenhouses.	
Amusement parks and commercial recreational facilities.	
Social halls, fraternal and social organizations, and clubs. (From Section INL#314-34(a)(1))	
Professional and business offices, and commercial instruction. (From Section INL#314-34(a)(2))	
Stores, agencies and services of a light commercial character, conducted entirely within an enclosed building, such as antique shops, art galleries, retail bakeries, banks, barber shops, beauty salons, book stores, clothing and apparel stores, coin-operated dry cleaning and laundries, dry cleaning and laundry agencies, drug stores, florists, food markets, furniture stores, hardware and appliance stores, radio and television sales and services, restaurants and licensed premises appurtenant thereto, automobile service stations, studios, tailor shops, enclosed theaters, variety stores, and mortuaries. (From Section INL#314-34(a)(3))	
Caretaker's Residence which is incidental to and under the same ownership as an existing commercial use. (From Section INL#314-34(a)(5); Added by Ord. 2166, Sec. 14, 4/7/98)	
Stores, agencies and services such as minor automobile repair; new automobile, trailer and boat sales, and used automobile, trailer and boat sales appurtenant thereto; bowling alleys; licensed premises not appurtenant to any restaurant, pet shops, public garages, sales of used or secondhand goods, and storage warehouses. (From Section INL#314-34(b)(3))	
<u>Within Housing Opportunity Zones multiple dwellings, and transitional and supportive housing subordinate to on the upper floors of multistory structures where below are commercial establishments engaged in uses designated "Principally Permitted" or "Conditionally Permitted" in the C-H Zone</u>	
Uses Permitted with a Special Permit	
<u>Outside Housing Opportunity Zones, apartments on the upper floors of multistory structures where below are establishments engaged in commercial uses designated "Principally Permitted" or "Conditionally Permitted" in the CH Zone, as well as transitional housing, and emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use. (Added by Ord. 2313A, 12/16/2003, Amended by Ord. 2335, 12/14/04)</u>	
Single Room Occupancy Facilities which are conversions of existing buildings	
Uses Permitted with a Use Permit	
Small animal hospitals and kennels.	
Special occupancy parks. (Amended by Ord. 2166, Sec. 15, 4/7/98)	
Dwellings, manufactured homes, manufactured home parks and boarding and rooming houses.	
Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the CH zone.	

314-2.4	CH: HIGHWAY SERVICE COMMERCIAL
Other Regulations	
Minimum Lot Area	5,000 square feet.
Minimum Lot Width	Fifty feet (50').
Minimum Yard Setbacks*	
Front	Fifteen feet (15').
Rear	None, except that where a rear yard abuts on a Residential Zone (RS, R-1, R-2, R-3, R-4) such rear yard shall not be less than twenty feet (20').
Side	None, except that, where a side yard abuts on a Residential Zone (RS, R-1, R-2, R-3, R-4), such side yard shall not be less than fifteen feet (15') provided further that such side yard, of a motel shall not be less than six feet (6').
Maximum Ground Coverage	(None specified.)
Maximum Building Height	Forty-five feet (45').

*Note: Setbacks may be modified by other provisions of this Code or State law. For example, see Section 314-22.1, "Alquist-Priolo Fault Hazard" and the "Fire Safe" Regulations at Title III, Division 11. (Former Section INL#314-40(a)(1-5); INL#314-40(b)(1-3); INL#314-40(c)(1-4))

314-3.2 ML: LIMITED INDUSTRIAL ZONE

The Limited Industrial or ML Zone is intended to apply to areas in which light manufacturing and heavy commercial uses of the non-nuisance type and large administrative facilities are the desirable predominant uses. The following regulations shall apply in all Limited Industrial or ML Zones. (Former Section INL#314-43; Ord. 1086, Sec. 11, 7/13/76; Amended by Ord. 2214, 6/6/00)

314-3.2	ML: LIMITED INDUSTRIAL
Principal Permitted Uses	
Small animal hospitals completely enclosed within a building. (From Section INL#314-37(b)(2); Ord. 1086, Sec. 8, 7/13/76)	
Stores, agencies and services such as carpentry and cabinet-making shops, clothing manufacture, contractors' yards, dry cleaning and laundry plants, handicraft manufacture, lumber yards metal-working shops, wholesale outlet stores, painters' and decorators' yards, plumbing shops, printing, lithographing and major auto repair. (From Section INL#314-37(b)(3); Ord. 1086, Sec. 8, 7/13/76)	
Administrative, business and professional offices. (From Section INL#314-43(a)(2))	
Manufacturing of electrical and electronic equipment, of household effects such as lamps, rugs and fabrics, and research and development laboratories. (From Section INL#314-43(a)(3))	
<u>Emergency Shelters within areas mapped to specifically allow emergency shelters as a principally permitted use</u>	
Uses Permitted with a Special Permit	
<u>Single Room Occupancy Facilities which are conversions of existing buildings</u>	
Uses Permitted with a Use Permit	
<u>Dwellings, manufactured homes, hotels, motels, emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use, and manufactured home parks. (Amended by Ord. 2335, 12/14/04)</u>	
Animal hospitals and kennels.	
Animal feed and sales yards.	
Manufacture of furniture, finished paper and paper products.	

Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the ML zone.	
Other Regulations	
Minimum Lot Area	One (1) acre.
Minimum Lot Width	(None specified.)
Minimum Yard Setbacks*	
Front	Fifty feet (50');
Rear	Fifty feet (50');
Side	Ten percent (10%) of average lot width but not less than twenty-five feet (25').
Maximum Ground Coverage	Twenty-five percent (25%).
Maximum Building Height	Seventy-five feet (75').
Special Regulations	All manufacturing and fabricating areas shall be enclosed in buildings; and
	All equipment and materials storage areas adjacent to Residential (RS, R-1, R-2, R-3, R-4) Zones shall be screened by walls, fences or adequate plantings to a height of not less than six feet (6'); and
	Said fencing and screening shall conform to all yard requirements.

*Note: Setbacks may be modified by other provisions of this Code or State law. For example, see Section 314-22.1, "Alquist-Priolo Fault Hazard" and the "Fire Safe" Regulations at Title III, Division 11. (Former Section INL#314-43(a)(1-3); INL#314-43(b); INL#314-43(c))

314-3.3 MH: HEAVY INDUSTRIAL ZONE

The Heavy Industrial or MH Zone is intended to apply to areas devoted to normal operations of industries subject only to regulations as are needed to control congestion and protect surrounding areas. The following regulations shall apply to all Heavy Industrial or MH Zones. (Former Section INL#314-46; Ord. 1086, Sec. 12, 7/13/76; Amended by Ord. 2214, 6/6/00)

314-3.3	MH: HEAVY INDUSTRIAL Principal Permitted Uses
Small animal hospitals completely enclosed within a building. (From Section INL#314-37(b)(2); Ord. 1086, Sec. 8, 7/13/76)	
Stores, agencies and services such as carpentry and cabinet-making shops, clothing manufacture, contractors' yards, dry cleaning and laundry plants, handicraft manufacture, lumber yards metal-working shops, wholesale outlet stores, painters' and decorators' yards, plumbing shops, printing, lithographing and major auto repair. (From Section INL#314-37(b)(3); Ord. 1086, Sec. 8, 7/13/76)	
Administrative, business and professional offices. (From Section INL#314-43(a)(2))	
Manufacturing of electrical and electronic equipment, of household effects such as lamps, rugs and fabrics, and research and development laboratories. (From Section INL#314-43(a)(3))	
Animal hospitals and kennels. (From Section INL#314-43(b)(2))	
Animal feed and sales yards. (From Section INL#314-43(b)(3))	
Manufacture of furniture, finished paper and paper products. (From Section INL#314-43(b)(4))	
Industrial manufacturing uses, except as provided in the following subsection, Uses Permitted with a Use Permit.	
Uses Permitted with a Special Permit	
Single Room Occupancy Facilities which are conversions of existing buildings	

Uses Permitted with a Use Permit	
Dwellings, manufactured homes, hotels, motels, emergency shelters, manufactured home parks, and special occupancy parks. . (Amended by Ord. 2335, 12/14/04)	
All uses except: One-family dwellings; general agriculture; rooming and boarding of not more than two (2) persons; and manufactured homes. (Former Sections 314-2(c); 314-2(b)(1-4) and 314-46(b)(2))	
Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the MH zone.	
Other Regulations	
Minimum Lot Area	One (1) acre. (From Section INL#314-43(c))
Minimum Lot Width	(None specified.) (From Section INL#314-43(c))
Minimum Yard Setbacks*	
Front	Fifty feet (50'); (From Section INL#314-43(c))
Rear	Fifty feet (50'); (From Section INL#314-43(c))
Side	Ten percent (10%) of average lot width but not less than twenty- five feet (25'). (From Section INL#314-43(c))
Maximum Ground Coverage	(None specified.)
Maximum Building Height	Seventy-five feet (75'). (From Section INL#314-43(c))

*Note: Setbacks may be modified by other provisions of this Code or State law. For example, see Section 314-2.1, “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11. (Former Section INL#314-46(a)(1-3); Ord. 1086, Sec. 12, 7/13/76) (Former Section INL#314-46(b)(1-2); Ord. 894, Sec. 1, 12/19/72; Amended by Ord. 1086, Sec. 12, 7/13/76; Amended by Ord. 2166, Sec. 16, 4/7/98)

314-6.4 R-3: RESIDENTIAL MULTIPLE FAMILY ZONE

The Residential Multiple Family or R-3 Zone is intended to apply in areas of the County where it is reasonable to permit and protect low density apartment developments. The following regulations shall apply in all Residential Multiple Family or R-3 Zones. (Former Section INL#314-30; Ord. 519, Sec. 440, 5/11/65; Amended by Ord. 1848, Sec. 12, 9/13/88; Amended by Ord. 1876, Sec. 7, 9/26/89; Amended by Ord. 2166, Sec. 12, 4/7/98)

314-6.4 R-3: RESIDENTIAL MULTIPLE FAMILY	
Principal Permitted Uses	
Two-family dwellings. (Amended by Ord. 2166, 4/7/98)	
Dwelling groups and multiple dwellings containing four or fewer units per building.. (Amended by Ord. 2313A, 12/16/03)	
Keeping of no more than two (2) household pets for each dwelling unit.	
<u>Emergency Shelters within areas mapped to specifically allow emergency shelters as a principally permitted use</u>	
<u>Transitional housing and supportive housing</u>	
Uses Permitted with a Special Permit	
<u>Single Room Occupancy Facilities</u>	
Uses Permitted with a Use Permit	
Hotels, motels, manufactured home parks, rooming and boarding houses, and <u>emergency shelters outside areas mapped to specifically allow emergency shelters as a principally permitted use transitional housing.</u> (Amended by Ord. 2335, 12/14/04)	
Private institutions.	
Professional offices.	

One family dwellings where it can be shown that the property could be developed in the future with multifamily dwellings. The Hearing Officer may require submittal of a development plan which shows how the multifamily dwelling units could be sited on the property in conformance with County requirements. (Added by Ord. 2166, Sec. 12, 4/7/98)	
Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the R-3 zone.	
Other Regulations	
Minimum Lot Area	5,000 square feet, but not less than 500 square feet for each dwelling unit.
Minimum Lot Width	Fifty feet (50').
Maximum Lot Depth	Three (3) times lot width.
Minimum Yard Setbacks*	
Front	Twenty (20) feet.
Rear	Ten (10) feet.
Interior Side	Five (5) feet.
Exterior Side	Same as front or one-half the front if all parts of the main building are more than twenty-five feet from the rear lot line, and the exterior side yard does not abut a collector or higher order street. (In questionable cases, the Public Works Director shall classify the subject street.)
Double Frontage Lots	Front and rear twenty (20) feet, except the rear yard setbacks may be reduced to ten (10) feet where such yard abuts an alley.
Flag Lots	For Flag Lots, the Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for a vehicular turn around on the lot.

*Note: Setbacks may be modified by other provisions of this Code or State law. For example, see Section 314-22.1, "Alquist-Priolo Fault Hazard" and the "Fire Safe" Regulations at Title III, Division 11.

314-6.4	R-3: RESIDENTIAL MULTIPLE FAMILY
Other Regulations, cont.	
Special yards for multiple dwellings on the same lot	The distance between separate dwelling units in a group on the same lot shall be not less than ten feet (10'). (Amended by Ord. 2214, 6/6/00) The distance between the front of any dwelling unit in the group and any other building shall be not less than twenty feet (20'). The distance between the front of any dwelling unit in the group and any side lot line shall be not less than twelve feet (12'). All of the above distances shall be increased by two feet (2') for each two feet (2') that any building on the lot exceeds two (2) stories.
Maximum Ground Coverage	Sixty percent (60%).
Maximum Building Height	Forty-five feet (45').
Maximum Density	The maximum density as specified by the General Plan. The maximum density for the parcel shall be calculated as the maximum density permitted by the General Plan land use designation (i.e. number of dwelling units per acre) divided by the total area within the lot and within one-half of any adjacent street(s). (Added by Ord. 2313A, 12/16/03)

Design Considerations (Advisory only)	<p>The following items shall guide the design of projects involving more than four units:</p> <ul style="list-style-type: none"> - Avoid letting garages, driveways and parking lots dominate the streetscape. - Design to minimize conflicts between vehicles and pedestrians. - Design public open areas to the same level of quality as any other "space" in the development. - Provide direct access to open space from the dwelling units that the open space is intended to serve. - Provide visual access to shared open spaces from individual units, preferably from the kitchen, living room or dining room. - Avoid lighting which shines directly into dwelling units on- and off-site. - Private outdoor space, including patios, porches, decks, balconies and yards should be of adequate size and within easy access of each dwelling unit. - Good landscaping is critical to the quality of any multifamily project. (Added by Ord. 2313A, 12/16/03)
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(Former Section INL#314-30(a)(1-3); INL#314-30(b)(1-4); INL#314-30(c)(1-7; Amended by Ord. 2166, 4/7/98)

314-6.5 R-4: APARTMENT PROFESSIONAL ZONE

The Apartment Professional or R-4 Zone is intended to apply in areas suitable for higher density residential uses and for professional and business offices and institutional uses. The following regulations shall apply in all Apartment Professional or R-4 Zones. (Former Section INL#314-31; Ord. 519, Sec. 440, 5/11/65; Amended by Ord. 1848, Sec. 13, 9/13/88; Amended by Ord. 1876, Sec. 8, 9/26/89; Amended by Ord. 2166, Sec. 13, 4/7/98)

314-6.5	R-4: APARTMENT PROFESSIONAL
Principal Permitted Uses	
Two-family dwellings and multiple dwellings and dwelling groups. (Amended by Ord. 2166, Sec. 13, 4/7/98)	
Transitional and supportive housing.	
Professional and business offices.	
Commercial instruction.	
Boarding and rooming houses.	
Keeping of no more than two (2) household pets for each dwelling unit.	
Manufactured home parks.	
Uses Permitted with a Special Permit	
Single Room Occupancy Facilities.	
Uses Permitted with a Use Permit	
Hotels motels, transitional housing , and emergency shelters. (Amended by Ord. 2335, 12/14/04)	
Private institutions.	
Social Halls and fraternal and social organizations.	
Noncommercial recreation facilities.	
Mortuaries.	
Small animal hospitals completely enclosed within a building.	

One family dwellings where it can be shown that the property could be developed in the future with multifamily dwellings. The Hearing Officer may require submittal of a development plan which shows how the multifamily dwelling units could be sited on the property in conformance with County requirements. (Added by Ord. 2166, Sec. 13, 4/7/98)
Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the R-4 zone.

314-6.5	R-4: APARTMENT PROFESSIONAL
Other Regulations	
Minimum Lot Area	5,000 square feet, but not less than 500 square feet for each dwelling unit.
Minimum Lot Width	Fifty feet (50').
Maximum Lot Depth	Three (3) times lot width.
Minimum Yard Setbacks*	
Front	Twenty (20) feet.
Rear	Ten (10) feet.
Interior Side	Five (5) feet.
Exterior Side	Same as front or one-half (1/2) the front if all parts of the main building are more than twenty-five (25) feet from the rear lot line, and the exterior side yard does not abut a collector or higher order street. (In questionable cases, the Public Works Director shall classify the subject street.)
Double Frontage Lots	Front and rear twenty (20) feet, except the rear yard setbacks may be reduced to ten (10) feet where such yard abuts an alley.
Flag Lots	For Flag Lots, the Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for a vehicular turn around on the lot.
Special yards for multiple dwellings on the same lot	The distance between separate dwelling units in a group on the same lot shall be not less than ten feet (10'). (Amended by Ord. 2214, 6/6/00) The distance between the front of any dwelling unit in the group and any other building shall be not less than twenty feet (20'). The distance between the front of any dwelling unit in the group and any side lot line shall be not less than twelve feet (12'). All of the above distances shall be increased by two feet (2') for each two feet (2') that any building on the lot exceeds two (2) stories.
Maximum Ground Coverage	Sixty percent (60%).
Maximum Building Height	Forty-five feet (45').
Maximum Density	The maximum density as specified by the General Plan. The maximum density for the parcel shall be calculated as the maximum density permitted by the General Plan land use designation (i.e. number of dwelling units per acre) divided by the total area within the lot and within one-half of any adjacent street(s). (Added by Ord. 2313A, 12/16/03)

Design Considerations (Advisory Only)	<p>The following items shall guide the design of projects involving more than four units:</p> <ul style="list-style-type: none"> - Avoid letting garages, driveways and parking lots dominate the streetscape. - Design to minimize conflicts between vehicles and pedestrians. - Design public open areas to the same level of quality as any other "space" in the development. - Provide direct access to open space from the dwelling units that the open space is intended to serve. - Provide visual access to shared open spaces from individual units, preferably from the kitchen, living room or dining room. - Avoid lighting which shines directly into dwelling units on- and off-site. - Private outdoor space, including patios, porches, decks, balconies and yards should be of adequate size and within easy access of each dwelling unit. - Good landscaping is critical to the quality of any multifamily project. (Added by Ord. 2313A, 12/16/03)
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*Note: Setbacks may be modified by other provisions of this Code or State law. For example, see Section 314-22.1, "Alquist-Priolo Fault Hazard" and the "Fire Safe" Regulations at Title III, Division 11. (Former Section INL#314-31(a)(1-6); INL#314-31(b)(1-7); INL#314-31(c))

314-7.3 FR: FORESTRY RECREATION ZONE

The Forestry Recreation or FR Zone is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant uses and agriculture is the secondary use, and in which protection of the timber and recreational lands is essential to the general welfare. The following regulations shall apply in all Forestry Recreation or FR Zones. (Former Section INL#314-7; Ord. 1086, Sec. 4, 7/13/76; Amended by Ord. 2166, Sec. 10, 4/7/98)

314-7.3	FR: FORESTRY RECREATION
Principal Permitted Uses	
One-family dwellings and farm dwellings.	
General agriculture, nurseries and greenhouses, and roadside stands.	
Public and private noncommercial recreational uses, including golf courses and public stables.	
Social halls, fraternal and social organizations, and clubs.	
Manufactured homes.	
Uses Permitted with a Special Permit	
<u>Single Room Occupancy Facilities.</u>	
Uses Permitted with a Use Permit	
Hotels, motels, special occupancy parks and manufactured home parks. (Amended by Ord. 2166, Sec. 10, 4/7/98)	
Two-family and multiple dwellings.	
<u>Transitional and Supportive Housing.</u>	
Restaurants, food markets and automobile service stations, and commercial recreational facilities.	
Agricultural and timber products processing plants.	
Private institutions and cemeteries.	
Hog farms, turkey farms, frog farms and fur farms.	
Animal hospitals and kennels.	
Wrecking and salvage yards.	
Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the FR zone.	
Other Regulations	
Minimum Lot Area	One (1) acre.

Minimum Lot Width	Two hundred feet (200').
Maximum Lot Depth	(None specified.)
Minimum Yard Setbacks*	
Front	Twenty feet (20').
Rear	Twenty feet (20').
Side	Ten feet (10').
Maximum Ground Coverage	(None specified.)
Maximum Building Height	Thirty-five feet (35'). (Ord. 1086, Sec. 4, 7/13/76)

*Note: Setbacks may be modified by other provisions of this Code or State law. For example, see Section 314-22.1, "Alquist-Priolo Fault Hazard" and the "Fire Safe" Regulations at Title III, Division 11. (Former Section INL#314-7(a)(1-5); INL#314-7(b)(1-8); INL#314-7(c)(1-4); Amended by Ord. 2166, Sec. 10, 4/7/98)

314-47.1 EMERGENCY SHELTERS

47.1.1. 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.

47.1.2 Development Standards

47.1.2.1 Lighting. Adequate external lighting shall be provided. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity compatible with the neighborhood.

47.1.2.2 Common Facilities. The development may provide one or more of the following specific common facilities for the exclusive use of the residents and staff:

Central cooking and dining room(s).

Recreation room.

Counseling center.

Child care facilities.

Other support services.

47.1.2.3 Security. Parking and outdoor facilities shall be designed to provide security for residents, visitors and employees.

47.1.2.4 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.

47.1.2.5 Emergency Shelter Provider. The agency or organization operating the shelter shall comply with the following requirements:

47.1.2.5.1 Temporary shelter shall be available to residents for no more than six months.

47.1.2.5.2 Staff and services shall be provided to assist residents to obtain permanent shelter and income.

47.1.2.5.3 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.

47.1.2.6 **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 50. In no case shall occupancy of the facility exceed the limit set forth in the adopted Airport Land Use Plan.

47.1.2.7 **Proximity to Other Emergency Shelters.** Principally permitted emergency shelters shall not be located within 300 feet of each other.

47.1.2.8 **Exceptions.** Exceptions to each of the development standards 47.1.2.1 – 47.1.2.7 may be allowed with a Special Permit...

314-60.1 SINGLE ROOM OCCUPANCY STRUCTURES AND FACILITIES

60.1.1 **Purpose.** The purpose of these regulations is to provide opportunities for the development of permanent, affordable housing for small households and for people with special needs in Single Room Occupancy (SRO) Facilities in proximity to transit and services, and to establish standards for the small units within those facilities.

60.1.2 **Applicability.** These regulations shall apply in all zones in which the SRO Facilities use type is permitted, and where public water is available, including but not limited to proposed expansions at existing SRO Facilities, and to proposed new facilities.

60.1.3 Development Standards for SRO Facilities

60.1.3.1 **Density.** An SRO Facility which is a conversion of an existing hotel or motel 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. All other SRO Facilities shall meet the density standards of the General Plan and the occupancy standards of the adopted Airport Land Use Plan.

60.1.3.2 **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.

60.1.3.3 **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.

60.1.3.4 **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.

60.1.3.5 **Common Building Site.** The total area occupied by the SRO Facility shall be no more than 2 contiguous acres.

60.1.3.6 Management

60.1.3.6.1. 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.

60.1.3.6.2. 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.

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

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

60.1.3.9 Exceptions. Exceptions to the Standards of Subsections 60.1.3.1 through 60.1.3.7 of this section may be approved by the Planning Commission upon making a finding that an alternative standard is in substantial conformance with the prescriptive standard where compatible with surrounding land uses.

60.1.4 Development Standards for SRO Units

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

60.1.4.2 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.

60.1.4.3 Kitchen. Except as provided herein, 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.

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

60.1.4.5 Code Compliance. SRO units shall comply with all requirements of the California Building Code and required health and safety standards for water and sewer.

60.1.4.6 Accessibility. All SRO units shall comply with all applicable accessibility and adaptability requirements.

314-109.1 OFF-STREET PARKING...

109.1.3 Parking Spaces Required. The number of off-street parking spaces required shall not be less than specified in this Section: (Former Section INL#316-13.3; Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88)

109.1.3.1.3 Hotel, Motel, Boarding and Rooming Houses, and Transitional Housing and Supportive Housing. One (1) parking space for each sleeping unit plus two (2) manager parking spaces. (Former Section INL#316-13.3(a)(3); Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88, Amended by Ord. 2335, 12/14/04)

109.1.3.1.4 Senior Housing Complex. One (1) parking space for every two (2) dwelling units. A parking space requirement study may be conducted to identify the special parking needs for such projects. Parking facilities shall include handicapped parking spaces no less than specified herein. (Former Section INL#316-13.3(a)(4); Ord. 1668, Sec. 5, 1/15/85; Amended by Ord. 1692, Sec. 2, 6/11/85; Amended by Ord. 1842, Sec. 13, 8/16/88)

109.1.3.1.5 Emergency Shelters. One (1) space for each ten (10) beds plus one (1) space for each employee at peak shift. (Added by Ord. 2335, 12/14/04)

109.1.3.1.6 SRO Facilities. One (1) parking space per each two (2) SRO units.

314-154 DEFINITIONS (S)

Single Room Occupancy Facility: A residential building or structure, or group of buildings or structures that contain one or more Single Room Occupancy units.

Single Room Occupancy Units: A living space within an SRO Facility with a minimum floor area of 150 square feet and a maximum of 400 square feet with access to kitchen and bathroom facilities. Kitchen and bathroom facilities may be wholly or partially included in each living space, or may be fully shared.

314-155 DEFINITIONS (T)

Transitional and Supportive Housing: Transitional housing and supportive housing as defined in Health and Safety Code §50675.2(h), and 50675.14(b) shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

IMPLEMENTATION CATEGORY ITEM #8: Retain Legal Non-Conforming Housing.

Applicable Policies, Standards and Programs in the 2009 Housing Element

- H-P8. Retain Legal Non-Conforming Housing.** The County shall support the retention of legal non-conforming housing through modifications to the land use codes.
- H-S10. Retain Legal Non-Conforming Housing.** General Plan density standards shall be waived for existing legal non-conforming housing in new subdivisions.

Proposed Subdivision Ordinance Amendments to Implement Support for Retaining Non-Conforming Housing

325-12. BUILDING SETBACKS.

The Advisory Agency may establish building setbacks in excess of those required by the Planning Division. Such setbacks shall be shown on the Parcel Map or Final Map. (Ord. 1146 § 59.5, 7/19/77)

325-13. WAIVER OF GENERAL PLAN DENSITY FOR LEGAL NON-CONFORMING UNITS

At the written request of the developer, existing legal non-conforming housing shall not contribute to the overall general plan density of proposed new subdivisions.

Existing legal non-conforming housing shall not contribute to the overall general plan density of proposed new subdivisions provided that the non-conforming units are located on a remainder parcel, and any new parcels created conform to the density standard under the General Plan.

IMPLEMENTATION CATEGORY ITEM #9: Consistent Density for the Residential Multifamily Plan Designation

Applicable Policies, Standards and Programs in the 2010 Housing Element

- 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.

Proposed Eureka Community Plan Amendments to Implement Consistent Density for the Residential Multifamily Plan Designation

2620 Policies

1. Residential Density and Lot Sizes:
 - (a) The Eureka Community Plan density for all Residential Single Family (RL) designations shall be from 1 to 6 dwelling units per acre.

- (b) The Eureka Community Plan density for all Residential Multiple Family (RM) designations shall be from 7 to ~~16~~ 30 dwelling units per acre.
- (c) The minimum lot sizes for all Residential zoning districts (R-1, R-2, R-3,R-4,) with the exception of the Residential Suburban (RS) zone, shall be 6,000 square feet, unless otherwise specified on the zoning maps...

2733 Residential, Multiple Family (RM)

- 1. Character: The multiple family residential designation is intended to be applied in urban areas of the County, where topography, access, utilities and public services make the area suitable for multiple family home development. Density is to be determined by community character.
- 2. Primary and Compatible Uses: Multiple family housing, professional and business offices, educational and religious activities, mobile home parks, boarding and rooming houses, social halls, fraternal and social organizations, non-commercial recreational facilities and SRO facilities.
- 3. Density Range: 7-~~16~~ 30 du/acre.

Proposed Land Use Map Amendments to Implement Consistent Density for the Residential Multifamily Plan Designation

Modify the land use maps for the Eureka Community Plan to specify a maximum density of 30 units per acre for the RM designation.

IMPLEMENTATION CATEGORY ITEM #10: Strategies for Securing and Distributing Funds in the HTF Account

The adopted 2010 Housing Element included an implementation measure to establish a Housing Trust Fund. A Housing Trust Fund helps communities provide affordable housing by dedicating revenue to a specific fund for supporting affordable housing projects.

The next step in the process for this implementation measure is to solidify the details of the trust fund in terms how money will be added to the fund, who will be able to access money from the fund, and which target populations will benefit from the program funds.

~~The first step in preparing the HTF ordinance is to set the policy direction. There are three areas to consider:~~

- ~~• Administration of Fund~~
- ~~• Programs Within the Fund~~
- ~~• Revenue Streams to Fund~~

Administration of Fund

The first step is to determine what type of HTF model should be used. The most common model when a project is started by a government and there is HOME/CDBG capacity is a government model. This means that the administration of the fund is directly accountable to the Board of Supervisors. Alternatively, some jurisdictions have a non-profit housing group administering the fund.

Initially, based on the projected size of the fund staff is recommending a Government Model. Under this model, the County would establish overall policy. A fund would be opened and held at the Treasurer's office, with funds in and out of it going through the Auditor's office. The procedures for working with the applicants, selecting projects, monitoring them for compliance, and reporting would be housed in the CDS-ED Division, as they are the most familiar with HOME/CDBG funds.

Other hybrid models are used when the government is contributing funds to a commission or a non-profit. The commission model works when the fund has enough money to support a larger bureaucracy and the non-profit model is used when there is not in-house capacity or interest.

Programs within the Fund

There are four overarching policies that must be set prior to drawing up specific guidelines. These include: 1) target recipients, 2) eligible applicants, 3) types of projects, and 4) mix of grants/loans.

1) **TARGET RECIPIENTS:** The first policy is to determine what the target population is. Implementation Measure H-IM6 defines the HTF as being for the development of "low, very low, and extremely low" units.

Other trust fund administrators use more targeted focus such as identifying a target group like the elderly, disabled, farm workers, etc., or distributing funds on a geographic basis.

2) **ELIGIBLE APPLICANTS:** The next policy decision is who would be eligible to apply. This could vary by grants and loans and will likely. It could be only non-profits, and government, quasi-governmental agencies or it could be anyone providing the housing.

3) **TYPES OF PROJECTS:** The third policy decision is to determine what types of housing projects and programs will be considered. There are an unlimited number of projects that could be considered but due to the size of the fund it is recommended that this be narrowed to a small band of projects that are helping the most imperative Housing Element priorities. It is recommended that the funds remain open to all eligible projects that meet the other criteria.

- Housing Production
 - New Construction
 - Rehabilitation
- Land or Building Acquisition
- Homeownership Assistance
- Homeless Shelters
- Community Land Trusts
- Preservation of at risk housing
- Non-Profit Predevelopment Loans

The above list could be narrowed down for a more targeted development support strategy. This may be considered in the future if the fund grows.

4) **MIX OF GRANTS/LOAN:** The last, and perhaps the most important to preserve the fund, is to set policy guidelines on how the funds will be awarded in terms of the following:

- Loans (subordinated, low interest)
- Matching Grants (requiring leverage at 3/1)

- Administration of fund (loan documents/grant agreements/monitoring)

With a start up HTF this type of policy guarantees ongoing growth of the fund, through future repayments, and a cap on administration.

Revenue Sources of the Fund

To establish a HTF two types of revenue need to be identified: 1) initial capital goal (seed money) and, 2) an annual goal, with identified on-going revenue sources. The Board of Supervisors identified eight potential sources of revenue in H-IM6. Below are more detailed descriptions of these sources.

1. ~~State & Federal Grants. This is not an easy source to find. There is one potential State Source that was made available with Proposition 1-C funds. It has a rural set-aside and a three-year window to apply (that window ends in June 2012. The amount available is \$1,000,000. This source requires: 1) \$1,000,000 match, 2) dedicated revenue source, 3) complete guidelines.~~

~~At this point with a \$500,000 goal, the county the County will not be eligible for these funds. If future grants become available for this activity and the County meets threshold requirements the County will apply.~~
2. ~~Local Financial Institutions. This funding source is not used in the Government Model, but is used in a non-profit model. In the future if the Board wishes to transfer funds to a non-profit this option would be explored.~~
3. ~~Local Jurisdictions. At this juncture the complexity, and preliminary lack of interest from other jurisdictions, makes this multi-jurisdictional model infeasible. In the future if the AHTF is established this could be reconsidered.~~
4. ~~Redevelopment Agencies. The County has a Redevelopment Agency, but it is inactive as it does not have an adopted plan. To adopt a new Redevelopment Plan will take about \$250,000 and nine months. At that point, the funds could not be placed in the fund, but they could be used as "match" to the fund.~~
5. ~~Affordable Housing In Lieu of Fees. These are also called Inclusionary Zoning In Lieu of Fees (H-IM3). This is the most commonly used Housing trust fund revenue source. The average California fee is \$4.81/square foot. These funds will only be available if an Inclusionary Zoning Program is implemented.~~
6. ~~Sale of Surplus County Property. This is not really a "dedicated revenue source" because it is not predictable. But it is a great source to assist with the initial set-up and perhaps for future influx of cash.~~

~~It should be noted if properties are sold to a developer for affordable housing, the funds may not be paid back for 30-55 years, if there are State/Federal funds in the deal. The County would sell at market value to a private developer and then to place those funds into the established HTF.~~
7. ~~Economic Development Division Set-Aside. This Set-Aside was set up to assist the division by using it as match for other grants. This fund is currently a little over \$1,000,000. It is not recommended that this be an ongoing fund as it would deplete the fund without the specific purpose for which it was established. It could be used as a "match grant" to help secure funds, if there was a grant available to help seed the HTF.~~
8. ~~County General Fund.~~

1) ~~INITIAL CAPITAL GOAL: The Board of Supervisors set a goal of \$500,000 of initial capital funds. The first step is to determine where those funds would come from. This is not considered "on-going" but it could be used for start up, and perhaps on future sales, it could give a boost to the fund. Potential sources:~~

- ~~Pre-1993 CDBG Funds~~ ~~—————~~ ~~\$ 75,000~~
- ~~Sale County Owned Property~~ ~~—————~~ ~~\$ 400,000~~
- ~~Foundation Grant(s)~~ ~~—————~~ ~~\$ 25,000~~
- ~~—————~~ ~~\$ 500,000~~

~~Alternatively, the goal could be \$1,000,000. This would allow the County to compete for the State of California Housing Trust Fund matching funds. The additional \$500,000 would be difficult to secure with our existing resources and given today's market.~~

~~2) ON-GOING REVENUE INCOME: The next step is to identify an annual goal and where to get the dedicated on-going funding.~~