

Ordinance amending
Title 21-
Non-Coastal Zoning Ordinance

REF100052
Board of Supervisors
May 24, 2011

1

Background

2009-2014 Housing Element

- Adopted by Board of Supervisors on June 15, 2010
- Required Zoning Ordinance update within one year of adoption of Housing Element

2

Housing Element Requirements

- Goal H.4 Develop new ordinances/amendments
 - Amend current zoning definition of "Family"
 - Residential Care Facilities
 - Transitional Housing/ Supportive Housing
 - Agricultural Employee Housing
 - Employee Housing
 - Single Room Occupancy (SRO) Units
 - Homeless Shelters
 - Accessory Dwelling Units
 - Reasonable Accommodation
 - Density Bonuses and Incentives

3

Approach

Ensure Consistency with

- General Plan
 - (Including Housing Element)
- State and Federal Law

4

Approach

Public Participation

- Agricultural Advisory Committee
- Housing Advisory Committee
- Planning Commission Workshop
- Planning Commission Hearing

5

Ordinance Regulations

Definition of **Family**

- Remove potential discriminatory language.

"Family means one or more non-transient, related or unrelated persons living together in a dwelling unit."

6

Ordinance Regulations

Residential Care Facility

- Licensed Care in Residences.
- Same as a Single Family dwelling
- Small (up to 6 residents) allowed
- Large (7-13 residents) with Use Permit

7

Ordinance Regulations

Transitional Housing

Supportive Housing

- Facilities to assist individuals
- Allowed in the same manner other dwelling units are permitted.

8

Ordinance Regulations

Agricultural Employee Housing

- 12 Dwelling Units or 36 Group Quarters
 - Allowed in Ag Districts
- 13 or more Dwelling Units or 37 Group Quarters – Use Permit.

Employee Housing

- Up to 6 Residents same as a residence

9

Ordinance Regulations

Single Room Occupancy (SRO) Facility

- Small affordable units
- With or without kitchen and bathroom – Community facilities.
- Allowed with Use Permit
- **Homeless Shelters**
 - Law Requires County allow in at least one zoning District – HDR and Mixed use.
- Community Plan and Rural Centers

10

Ordinance Regulations

Accessory Dwelling Units

- Second Unit Law mandated by State.
- Eliminate Senior Unit
- Replace Caretaker Unit with Accessory Dwelling Unit.
- Prohibited in certain locations
 - Where limited by General Plan
 - Limits imposed by B-8 Zoning

11

Ordinance Regulations

Reasonable Accommodation

- Access to Dwelling for People with Disabilities
- Ministerial Approval
- Planning Commission would like Similar provision for all residential structures. With discretionary process.

12

Ordinance Regulations

Density Bonuses and Incentives

- Implement State Requirements
- Coordinate County Inclusionary Requirements.
- Most standards are State mandated.

13

Environmental Review

- Initial Study/Negative Declaration
 - Circulated from February 18-March 19, 2011
 - Comment letter received from State Dept. of Transportation with no substantive issues identified

14

Conclusion

Recommend the Board of Supervisors:

- a. Adopt Negative Declaration for amendments to Title 21 and Title 20;
- b. Adoption of an ordinance to amend Title 21 (non-coastal zoning) of the Monterey County Code to implement the 2009-2014 Housing Element of the Monterey County General Plan,
- c. Direct staff to initiate preparation of an ordinance to establish a process that would allow property owners to make their homes accessible to people with disabilities.

15

16