

**MONTEREY COUNTY BOARD OF SUPERVISORS**

<b>MEETING:</b> May 24, 2011 at 1:30 P.M.		<b>AGENDA NO:</b> S-4
<b>SUBJECT:</b> Public hearing to consider:		
<p>a. Adoption of a Negative Declaration for amendments to Title 21 and Title 20 to implement the 2009-2014 Housing Element;</p> <p>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, to provide regulations and development standards for Requests for Reasonable Accommodation, Accessory Dwelling Units, Agricultural Employee Housing, Employee Housing, Residential Care Facilities, Transitional Housing and Transitional Housing Development, Supportive Housing, Single Room Occupancy Facilities, Homeless Shelters, and density bonuses and incentives and to revise the definition of family.</p> <p>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.</p>		
(Housing Ordinance Amending Title 21 (Non-Coastal Zoning Ordinance) –REF100052, County of Monterey, County-wide (Non-Coastal Areas)		
<b>Project Location:</b>	County-wide (Non-Coastal Areas)	<b>APN:</b> County-wide
<b>Planning Number:</b>	REF100052	<b>Name:</b> County of Monterey
<b>Plan Area:</b>	County-wide (Non-Coastal Areas)	<b>Flagged and No</b>
<b>Zoning Designation:</b>	Various	
<b>CEQA Action:</b>	Negative Declaration	<b>Staked:</b>
<b>DEPARTMENT:</b>	RMA – Planning Department	

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Adopt a resolution (Exhibit B) adopting the Negative Declaration; and
- b. Adopt an ordinance (Exhibit C) amending Title 21 (Non-Coastal Zoning Ordinance) to implement the 2009-2014 Housing Element of the Monterey County General Plan by adding Chapter 21.61 (Reasonable Accommodation) and Chapter 21.65 (Density Bonuses and Incentives) and amending Chapters 21.06 (Definitions), 21.58 (Parking) 21.64 (Special Regulations), 21.66 (Development Standards), 21.10 (High Density Residential), 21.12 (Medium Density Residential), 21.14 (Low Density Residential), 21.16 (Rural Density Residential), 21.30 (Farmlands), 21.32 (Rural Grazing), 21.34 (Permanent Grazing), 21.36 (Resource Conservation), and 21.39 (Community Plan) to provide regulations and development standards for Residential Care Facilities, Transitional Housing and Transitional Housing Development, Supportive Housing, Agricultural Employee Housing, Employee Housing, Single Room Occupancy Facility, Homeless Shelter, Reasonable Accommodations, Density Bonuses, Accessory Dwelling Units and to revise the definition of family.
- 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.

**SUMMARY:**

The Board of Supervisors adopted the 2009-2014 Housing Element on June 15, 2010. The Housing Element identified the need to amend and update the County Zoning ordinances in the following areas in order to conform to and implement Federal and State law:

- Density Bonuses and Incentives
- Second Dwelling Units
- Transitional Housing
- Supportive Housing

- Farm or Agricultural Employee Housing Facilities
- Residential Care Facilities
- Emergency Shelters
- Single Room Occupancy (SRO) Units
- Definition of "Family"
- Reasonable Accommodation

These changes will be needed to both Title 21 (inland) and Title 20 (coastal). The changes to Title 21 are included in the ordinance currently being presented to the Board of Supervisors. Title 20 is expected to be presented to the Board in the later part of June 2011.

The ordinance was reviewed by the Agricultural Advisory Committee and Housing Advisory Committee, prior to review by the Planning Commission. The Agricultural Advisory Committee and Housing Advisory Committee recommended adoption of the ordinance with unanimous votes. The Planning Commission reviewed the draft ordinance at a workshop and the public hearing and recommended revisions which have been incorporated into the draft now presented to the Board. The Planning Commission recommended adoption of the ordinance with a 9-0 vote. One issue that arose at the Planning Commission was developing a process for homeowners to make their property accessible to people with disabilities when Zoning Ordinance regulations would otherwise preclude improvements needed to provide this access. The Planning Commission recommended that the Board of Supervisors direct staff to initiate preparation of an amendment to the Zoning Ordinance to accomplish this.

The response to the ordinance being presented to the Board of Supervisors has been favorable, and no outstanding issues exist.

**DISCUSSION:**

A detailed discussion is provided in Exhibit A.

**OTHER AGENCY INVOLVEMENT:**

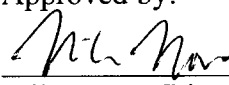
The following agencies have reviewed the project and those that are checked ("✓") have participated in the development of these ordinances:

✓	Redevelopment and Housing Office
✓	County Counsel

**FINANCING:**

Funding for staff time associated with this project is included in FY10-11 Budget for the Planning Department.

Prepared by:   
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Approved by:   
 Mike Novo, Director of Planning

cc: Front Counter Copy; Board of Supervisor's (16); County Counsel; Environmental Health Division; Public Works; Monterey County Water Resources Agency; Marti Noel, Housing and Redevelopment, Alana Knaster; Mike Novo; Carl Holm; John H. Ford, Planning Services Manager; Project File REF100052

- Attachments:
- Exhibit A Discussion
  - Exhibit B Resolution Adopting Negative Declaration
  - Exhibit C Ordinance to Amend Title 21
  - Exhibit D Planning Commission Resolution No 11-019
  - Exhibit E Negative Declaration