

ZONING FOR A VARIETY OF HOUSING TYPES

Model City's zoning code encourages a variety of housing types, including second units, single-room occupancy, supportive housing, manufactured housing, factory-built housing, mobile homes, housing for agricultural employees, emergency shelters and transitional housing, as follows:

Second Units

Chapter 1062, Statutes of 2002 (AB 1866), effective July 2003, requires local governments to use a ministerial process for considering second-unit applications for the purpose of facilitating production of affordable housing. AB 1866 does allow cities to establish development standards for second units addressing issues such as building size, parking, height, setbacks, and lot coverage. Prior to AB 1866, the City allowed second units with a CUP on minimum lot sizes of 10,000 square feet. In June 2005, the City Council amended the Zoning Code to permit attached and detached second units ministerially in all single-family residential zoning districts on a minimum 6,000 square foot lot. The City also added development standards including a maximum size of 850 square feet for a second-unit and not more than two bedrooms, and a parking requirement of one additional off-street parking space for the second-unit. The Planning Director approves second unit applications based upon the following conditions:

- the dwelling conforms to the development standards of the zoning district;
- the unit is consistent with the design of existing dwellings in the vicinity in terms of building materials, colors, and exterior finishes;
- the main dwelling or second unit will be owner occupied; and
- public and utility services including emergency access are adequate to serve both dwellings.

Prior to June 2005, Model City received an average of 5-7 applications per year and permitted approximately 3 units. Since the amendments, the City has received an increase in interest and applications with approximately 10-15 applications per year. However, approvals have not increased in stride with the increased interest. Based on a review of the recent applications, many applications did not meet lot coverage requirements and were proposing units that exceeded the City's minimum unit size standards. As a result, the City will modify its zoning to allow deviation for lot coverage requirements for second units and include a more proactive outreach campaign to educate homeowners on opportunities for second units and how to meet the City's requirements (see Program 3-8, page IV-85).

Single Room Occupancy (SRO)

The City has recently adopted provisions in its Zoning Code (Section 230.46) to permit single-room occupancy (SRO) units in its R4 and Commercial zoning districts. Provisions of the City's ordinance include:

- requirements for on-site management;
- management Plan to address operations, safety and security and building maintenance;
- units must be a minimum of 250 square foot in size, and include a kitchenette and bathroom;
- community laundry facilities;
- closet; and
- one parking space per two units, inclusive of guest parking.

While there are no SROs currently in Model City, the element includes Program 3-10 to prioritize redevelopment funds for the development of at least one SRO development within the planning period.

Community Care Facilities

The Lanterman Developmental Disabilities Services Act (Lanterman Act) sets out the rights and responsibilities of persons with developmental disabilities. The Lanterman Act impacts local zoning ordinances by requiring the use of property for the care of six or fewer disabled persons to be classified as a residential use under zoning. More specifically, a State-authorized, certified or licensed family care home, foster home, or a group home serving six or fewer disabled persons or dependent and neglected children on a 24-hour-a-day basis is considered a residential use that is to be permitted in all residential zones. No local agency can impose stricter zoning or building and safety standards on these homes. The Zoning Code identifies "residential care limited" (six or fewer occupants) as a permitted use in all residential zoning districts.

However, the City does require a CUP process for residential care facilities for 7 or more persons. A CUP process through discretionary findings and public hearing may present a constraint on housing for persons with disabilities. To address this, the housing element includes a program to evaluate single-family zones allowing residential care facilities for seven or more persons, establish a ministerial permit process and ensure residential care facilities for seven or more persons are only subject to those restrictions that apply to other residential uses of the same type in the same zone.

Manufactured Housing

The Zoning Code permits manufactured housing in any residential district where single-family detached units are permitted and subject to the same property development standards. The City has established design criteria for manufactured homes consistent with State law.

Farm Employee Housing

Despite the limited number of farmworkers in the City and surrounding area, the City allows employee housing, including housing for farmworkers, consistent with Health and Safety Code Section 17021.5 and 17021.6. The zoning code explicitly defines housing providing accommodations for six or fewer employees as a permitted single-family use and does not require a CUP, variance or other zoning clearance that is not required of a family dwelling of the same type in the same zone. Further, any employee housing consisting of up to 36 beds or 12 units or spaces is deemed an agricultural use permitted without a CUP, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone. However, this provision has limited applicability in the City since only one, approximately 20 acre parcel remains in agriculture use.

In addition, to the above provisions, zoning is available for housing for farmworkers through the variety of other housing types encouraged in the zoning code including multifamily, single-room occupancy, manufactured housing and second units.

Supportive Housing, Transitional Housing and Emergency Shelters

For a detailed analysis of zoning for these housing types, see pages 42-46 under Special Needs.