



Accessory Dwelling Units & Transitional/Supportive Housing PLN17-0026; ORD17-1

BOARD OF SUPERVISORS
SEPT. 12, 2017



Background

- Accessory Dwelling Units: SB1069 and AB2299
 - Effective Jan. 1, 2017

Transitional/Supportive Housing

- SB2/Housing Element Program EO-8.5.4

SB 1069

□ Parking

- Reduces ADU Parking to 1 Space Per Bedroom or Unit

□ Fees

- ADUs not considered new residential uses for the purpose of calculating utility connection fees or capacity charges, including water and sewer service.

□ Fire Requirements

- Fire sprinklers not required in ADU if not required in primary residence

□ ADU w/in Existing Space - Single Family Residential Zone

- Jurisdiction must approve ADU if unit is:
 - Contained w/in Existing Residence or Accessory Structure
 - Has Independent Exterior Access from the Existing Residence
 - Has Side and Rear Setbacks Sufficient for Fire Safety

□ No Total Prohibition

- Prohibits Local Government from Adopting Ordinance that Precludes ADUs

AB 2299

- **Requires Jurisdictions Administratively (w/in 120 days) Approve ADUs if:**
 - Not for Sale From Primary Residence
 - Zoned for SFD or MFD and Developed w/ Existing SFD
 - Attached to, (or within) Existing SFD
- **Maximum Allowable Size Of Attached ADU**
 - Attached ADU Floor Area Max. ~~30%~~ 50% of Primary SFD or 1,200 sf
- **Requirements**
 - No Passageway Can Be Required.
 - No Setback Can Be Required For Existing Garage/Accessory Structure Converted to an ADU so long as fire safety requirements are met
 - Compliance with Local Building Code Requirements
 - Health Officer Approval for Private Sewage Disposal System

Transitional & Supportive Housing

SB 2

- Transitional and supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.

Housing Element (2014-2019)

Program EO-8.5.4: To encourage transitional and supportive housing, the County will amend its zoning ordinance in accordance with Government Code Section 65583(a)(5) to permit transitional housing and supportive housing as a residential use, subject only to those regulations that apply to other residential dwellings (e.g., single family, duplex, condominiums, apartments) of the same type in the same zone.

For example, transitional housing located in an apartment building is permitted in the same manner as an apartment building in the same zone or supportive housing located in a single family home is permitted in the same manner as a single family home in the same zone.

In addition, the County shall review and if necessary amend the zoning ordinance definitions of “transitional housing” and “supportive housing” to be consistent with Government Code Section 65582.

Timeframe: Within one year of adoption of this Housing Element Update

Definitions

SUPPORTIVE HOUSING - Housing with no limit on the length of stay, that is occupied by the target population (persons with disabilities or families who are homeless), and that is linked to onsite and offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible work in the community. Supportive Housing can take the form of a single family or multi-family residential unit(s) and shall be permitted in the same manner applied to the same single or multi-family residential use type in the same zone.

TRANSITIONAL HOUSING – ~~Shelter provided to the homeless for an extended period, often as long as 18 months, and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through acquisition of stable income and permanent housing. Transitional housing facilities must be operated by, or under contract with, a governmental entity, non-profit organization, or church.~~ Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Transitional Housing can take the form of a single family or multi-family residential unit(s) and shall be permitted in the same manner applied to the same single or multi-family residential use type in the same zone.

Planning Commission Action

Environmental

- Project Exempt from CEQA - 15061(b)(3), 15268, 15285(h)
- 4-0 Vote, 1 absent

Project (ORD17-1)*

- ADUs and Transitional/Supportive Housing
- 3-1 Vote, 1 absent; District IV dissenting vote

*In making a recommendation on the project the Planning Commission also made an additional recommendation that the Board of Supervisors consider dropping the current restriction that accessory dwelling units can only be occupied as long as there is an owner occupant on the property