

PLANNING COMMISSION AGENDA
REGULAR MEETING of THE HOLTVILLE PLANNING COMMISSION
121 WEST FIFTH STREET - HOLTVILLE, CALIFORNIA

Monday, November 18, 2024 - 5:30 PM

- | | | |
|---|--|--|
| <input type="checkbox"/> Ross Daniels, Chairman | <input type="checkbox"/> Vanessa Ramirez, Commissioner | <input type="checkbox"/> Steve Walker, Legal Counsel |
| <input type="checkbox"/> Georgina Camacho, Vice Chair | <input type="checkbox"/> Ex Officio Member | <input type="checkbox"/> George Galvan, City Planner |
| <input type="checkbox"/> John Britschgi, Commissioner | <input type="checkbox"/> Raylene Tapiceria, Building Inspector | <input type="checkbox"/> Nick Wells, City Manager /
Executive Officer |
| <input type="checkbox"/> Cindy Pacheco, Commissioner | <input type="checkbox"/> Yvette Rios, City Clerk | |

THIS IS A PUBLIC MEETING

The City of Holtville values public input on issues concerning the Planning Commission. If there is an issue on which you wish to be heard, comments will be accepted for items listed on the agenda and for items of general concern. The Chairman reserves the right to place a limit on each person's comments. Individual are required to provide their name and address for the record. Personal attacks on individuals, comments which are slanderous and/or which may invade an individual's personal privacy are not permitted.

MEETING CALLED TO ORDER

PLEDGE of ALLEGIANCE:

COMMISSION SECRETARY RE: Verification of Posting of the Agenda

PUBLIC COMMENTS: This is time for the public to address the Planning Commission **on any item that does not appear on the agenda for this meeting** within the subject matter jurisdiction of the Commission. If you wish to speak, the Chairman will recognize you.

1. CONSENT AGENDA:

Items on the Consent Agenda are to be approved without comment. Should any Commission Member or member of the public wish to discuss an item, they may request that the item be removed from the Consent Agenda and placed on the NEW BUSINESS agenda.

- a. Approval of the Minutes from the Regular Meeting of Monday, May 20, 2024.

REPORTS of OFFICERS, COMMISSIONS, COMMITTEES and COMMUNIQUES:

2. UNFINISHED BUSINESS: *None*

3. NEW BUSINESS:

- a. **PUBLIC HEARING: Discussion/Related Action to Adopt RESOLUTION PC #24-06**
Recommending the Approval of a Textual Amendment to Title 17 of the City of Holtville
Municipal Code to the City Council

George Galvan City Planner

4. INFORMATION ONLY: *None*

5. STAFF REPORTS

- a. **City Manager Report - *Nick Wells***
- b. Legal Counsel Report - *Steve Walker* *Not included*
- c. Planning Report - *George Galvan* *Not included*
- d. Building Inspector - *Raylene Tapiceria*
- e. Fire Prevention Officer - *Francisco Hernandez*

6. Items for future meetings

7. ADJOURNMENT:

I, Yvette Rios, City Clerk of the City of Holtville, California, **DO HEREBY CERTIFY** that the foregoing agenda was duly posted at Holtville City Hall and on the City of Holtville's website (www.Holtville.ca.gov) on Friday, November 15, 2024.

NOTICE: *In compliance with the American Disabilities Act (ADA), the City of Holtville will make reasonable efforts to accommodate persons with qualified disabilities. If you require special assistance, please contact the City Clerk's office at (442) 206-0201 at least 48 hours in advance of the meeting. Any writings or documents provided to a majority of the Holtville Planning Commission regarding any item on this agenda will be made available for public inspection in the City Clerk's office located at City Hall, 121 W Fifth Street, during normal business hours.*

**THE MINUTES OF THE REGULAR MEETING OF
THE HOLTVILLE PLANNING COMMISSION**

Monday, May 20, 2024

MEETING DATE:	<u>11/18/24</u>
ITEM NUMBER	<u>1 a</u>
Approvals	CITY MANAGER _____
	FINANCE MANAGER _____
	CITY ATTORNEY _____

The Regular Meeting of the Holtville Planning Commission was held on Monday, May 20, 2024, at 5:30 PM in the Civic Center. Vice Chairman Georgina Camacho was present, as were Commissioners Cindy Pacheco, and Vanessa Ramirez. Chairman Ross Daniels and Commissioner John Britschgi were absent. Also present were City Planner George Galvan, Mayor Anderson in place of Ex Officio Member Ginger War, Legal Counsel Steve Walker, City Manager/Executive Officer Nick Wells, and City Clerk Yvette Rios.

PLANNING COMMISSION MEETING CALLED TO ORDER:

Vice Chairwoman Camacho called the meeting to order at 5:30 PM.

PLEDGE OF ALLEGIANCE: *Ms. Ramirez led the Pledge of Allegiance.*

VERIFICATION OF POSTING OF AGENDA:

Ms. Rios verified that the agenda was duly posted on Thursday, May 16, 2024.

PRESENTATION: *Community input on proposed trestle bridge bike path* *George Galvan, City Planner
The Holt Group*

Mr. Galvan explained the purpose of the 2025 Active Transportation Program (ATP), which is a competitive program for state funds that are intended to encourage active transportation, such as walking and biking. THG plans to submit an application on behalf of the City of Holtville through ATP for the eligible project of small infrastructure, the westward extension of the Pete Mellinger Alamo River Trail along State Highway 115 (Evan Hewes Highway). The extension would begin at the Trestle bridge and serve for multi-use non-motorized transportation towards El Centro and IVC.

A Public Hearing was opened by Vice Chairwoman Camacho at 5:45 PM

Bryan Vega (663 Pine Avenue) shared that as a young person who rides their bike, the project is very exciting. Bryan asked Mr. Galvan questions regarding the timeline for the project and if the requested \$2.5M will cover all costs for the project. Mr. Galvan outlined the project timeline and explained that requested funds should cover the estimated project expenditures. Mr. Galvan also listed other transportation projects that THG is actively assisting the City with.

The Public Hearing was closed at 5:52 PM.

PUBLIC COMMENTS: *None*

1. CONSENT AGENDA:

a. Approval of the Minutes from the Regular Meeting of Monday, April 15, 2024.

A motion was made by Ms. Ramirez and seconded by Ms. Pacheco to approve the Consent Agenda as presented. The motion passed in the form of a roll call vote.

AYES: *Camacho, Pacheco, Ramirez*

NOES: *None*

ABSENT: *Britschgi, Daniels*

ABSTAIN: *None*

REPORTS OF OFFICERS, COMMISSIONS, COMMITTEES, AND COMMUNIQUE:

Mr. Galvan had nothing to report.

Mayor Anderson reported that the City is looking to appoint two representatives to the IVHA Board of directors due to the fact that he and Mayor Pro Tem Munger had to resign for being elected officials. He also extended an invitation to the Commissioners to attend the upcoming League of Cities Dinner.

Ms. Pacheco, Ms. Camacho, Ms. Ramirez, Mr. Walker, and Ms. Rios had nothing to report.

Mr. Wells reported that he submitted an application for federal funding for the Public Safety Building and received notification from Congressman Ruiz that he recommended our project for acceptance to the second round of selections.

2. UNFINISHED BUSINESS: *None*

3. NEW BUSINESS:

a. PUBLIC HEARING: Discussion/Related Action to Adopt Resolution PC 24-05

Approving Extension of the Conditional Use Permit 20-01 Previously Issued via Resolution PC 20-01 for the Property Located at 704 East 3rd Street (APN 045-330-033)

George Galvan City Planner

Mr. Galvan explained that the project associated with 704 East 3rd Street was granted a Conditional Use Permit (CUP) via resolution PC 20-01. In 2023, the project was issued a building permit to begin construction on fencing and electricity. The project has recently been at an impasse due to a lack of funding. Nevertheless, project managers are in search of more funds are requesting an extension of their CUP as to prevent any further delays once funds are available.

A Public Hearing was opened by Vice Chairwoman Camacho at 5:58 PM

Ms. Ramirez asked Mr. Galvan a question regarding the provisions of the CUP.

The Public Hearing was closed at 6:01 PM.

A motion was made by Ms. Camacho and seconded by Ms. Pacheco to approve the action as presented. The motion passed in the form of a roll call vote.

AYES: *Camacho, Pacheco, Ramirez*

NOES: *None*

ABSENT: *Britschgi, Daniels*

ABSTAIN: *None*

4. INFORMATION ONLY: *None*

5. STAFF REPORTS:

a. **City Manager Report** - *Nick Wells announced that he will be giving new Commissioners Ms. Ramirez and Ms. Pacheco a tour of City facilities and that there will be a Memorial Day ceremony in Holt Park next Monday.*

b. **Legal Counsel** - *Steve Walker*

c. **Planning Report** - *George Galvan*

6. Items for Future Meetings: *None*

7. ADJOURNMENT: *There being no further business to come before the Commission, Mr. Camacho adjourned the meeting at 6:09 PM.*



City of Holtville Report to Planning Commission

Meeting Date:	November 18, 2024
Item Number:	___ 3 a ___
Approvals	City Manager _____
	Finance Manager _____
	City Attorney _____

To: Nicholas D. Wells, City Manager
Holtville Planning Commission

From: George Galvan, AICP, City Planner

Prepared By: Francisco Barba, Associate Planner

Date: November 18, 2024

Project: Textual amendment to Title 17 of the City of Holtville Code of Ordinances as it relates to density bonus provisions, Accessory Dwelling Units and Junior Accessory Dwelling Units, and alleviating constraints for the production of a variety of housing types

SUMMARY:

Subject of Report:	Textual amendments to the City of Holtville Zoning Ordinance for Housing Element compliance
Project Location:	RR-1 (Low Density Rural Residential Zone), RR-2 (Medium Density Rural Residential Zone), R-1 (Single-Family Zone), R-2 (Two-Family Zone), R-3 (Multifamily Zone), R-4 (Mobile Home Park Zone), RC (Residential Commercial Mixed-Use Zone), D-A (Downtown A District), and D-B (Downtown B District)
Pending Action:	Adopt Resolution No. PC 24-06 (Attachment E – Resolution No. PC 24-06) recommending approval of the proposed textual amendments for Housing Element compliance to the City Council.
Zoning:	RR-1 (Low Density Rural Residential Zone), RR-2 (Medium Density Rural Residential Zone), R-1 (Single-Family Zone), R-2 (Two-Family Zone), R-3 (Multifamily Zone), R-4 (Mobile Home Park Zone), RC (Residential Commercial Mixed-Use Zone), D-A (Downtown A District), and D-B (Downtown B District)
General Plan:	RR (Rural Residential), LDR (Low-Density Residential), MDR (Medium-Density Residential), HDR (High-Density Residential), RC (Residential Commercial Mixed-Use), and Downtown Project Area
Environmental:	Exempt – 15061(b)(3) Common Sense Exemption

BACKGROUND AND HISTORY

On May 23, 2022, the City Council of the City of Holtville adopted its 2021-2029 Housing Element in compliance with the State Housing Element law (Government Code Sections 65580 through 65589.11). Upon approval, the adopted Housing Element was submitted to the Department of Housing and Community Development (HCD) where a communication confirming the City's compliance with the Housing Element law was sent to City on July 22, 2022. While the communication confirms the City's compliance with state law, HCD further stipulates that the City of Holtville must proceed with the timely implementation of the 2021-2029 Housing Element programs. In furtherance of the established Housing Element programs, textual amendments consisting of the establishment of an Accessory Dwelling Unit (ADU) ordinance, updating the City's density bonus ordinance, and alleviating constraints for the development of multi-family developments, emergency shelters, permanent supportive housing, residential care homes, and low barrier navigation centers in the zones listed on Exhibit A below and illustrated in **Attachments A – Affected Zoning Designations** and **Attachment B – Affected Land Use Designations**.

Exhibit A – Affected Zones

RR-1	Low Density Rural Residential Zone
RR-2	Medium Density Rural Residential Zone
R-1	Single-Family Zone
R-2	Two-Family Zone
R-3	Multifamily Zone
R-4	Mobile Home Park Zone
RC	Residential Commercial Mixed-Use Zone
D-A	Downtown A District
D-B	Downtown B District

The purpose of this item is to provide an overview of the subject policies and present the textual amendments to the Planning Commission where upon reviewing all comments and documentation for the proposed amendments, a recommendation to approve or deny the amendments will be made to the City Council.

ISSUES FOR DISCUSSION

Housing Element. The Housing Element is one of seven required Elements of the General Plan which serve as the City's "road map" for how future growth and development. The Housing Element sets forth goals, objectives, and policies to adequately meet the housing needs of everyone in the community. State Law requires that Housing Elements be updated and all goals and objectives to be achieved every eight years to coincide with the Southern California Association of Governments' (SCAG's) adoption of the Regional Housing Needs Assessment (RHNA). To comply with HCD's approval, the following Housing Element programs are proposed for implementation:

- Program No. 29 Accessory Dwelling Units/Second Units - The City will update its Zoning Ordinance to reduce development constraints to encourage the production of ADUs in conformance with the state ADU law.
- Program No. 30 Density Bonus - The City will update Chapter 17.49 of the Zoning Ordinance to comply with the changes made to the State Density Bonus Law via Senate Bill 728.
- Program No. 31 Zoning Ordinance Update - The City will update its Zoning Ordinance to alleviate constraints for the production of a variety of housing types which includes emergency shelters, permanent supportive housing, residential care homes of seven or more people, and low barrier navigation centers.
- Program No. 33 Maximum Lot Coverage - The City of Holtville will review the maximum allowed lot density for R-3 (Multi-family) zones and make updates to remove constraints to housing production.

Density Bonus Ordinance. Originally enacted in 1979, California’s Density Bonus Law (Gov. Code §§65915 - 65918) allows a developer to increase density on a property above the maximum set under a jurisdiction’s General Plan Land Use Element. In exchange for the increased density, a certain number of the new affordable dwelling units must be reserved at below market rate (BMR) rents. Qualifying applicants can also receive reductions in the required development standards while greater benefits are available for projects that reach higher percentages of affordability. Besides granting rights to housing and mixed-used developments to increase density, the law provides three provisions that require local governments to grant qualifying projects: 1) incentives (or concessions) that provide cost reductions; 2) waivers of development standards that would physically preclude the development of a project at the density permitted and with the incentives granted, and; 3) reductions in parking requirements.

On January 23, 2017, the City of Holtville adopted Ordinance No. 486 establishing Chapter 17.49 (Density Bonus). Since the adoption of Ordinance No. 486, the California Legislature has approved, and the Governor has signed several new bills further amending the Density Bonus Law. Thus, the current iteration of the City of Holtville Density Bonus Ordinance is not in compliance with California Government Code Sections 65915 through 65918. Therefore, the proposed amendments to Chapter 17.49 of the City of Holtville Zoning Ordinance are intended to implement Program No. 30 of the 2021-2029 Housing Element and comply with changes to the State Density Bonus Law by implementing the following key updates:

1. Definitions.

- A. **Affordable Housing.** The definition is updated to clarify that it refers to dwelling units with a sales price or rent within the means of a low- or moderate-income household as defined by state or federal legislation.
- B. **Incentives.** The definition has been modified to explicitly state that incentives are limited to waivers or modifications of development standards. It also removes extraneous and redundant language.
- C. **Total Units.** The definition is updated to clarify that the calculation excludes units added by density bonuses but includes units designated to satisfy inclusionary zoning requirements.

2. Eligibility and Requirements for Density Bonuses and Incentives

- A. **Eligible Projects.** The document adds a new category of eligible projects: housing developments for transitional foster youth, disabled veterans, or homeless persons, with a 55-year affordability restriction.
- B. **Ineligible Projects.** The document further refines the criteria for ineligible projects, specifying that a project cannot receive a density bonus if it is proposed on a property with units that are subject to rent control or occupied by lower- or very low-income households, unless the project replaces those units and meets specific affordability requirements.
- C. **Application Process.** The document adds several new requirements for applications, including the need to specifically state each requested affordable housing benefit and provide detailed information to support the request.
- D. **Parking Standard Modifications.** The document clarifies the requirements for parking standard modifications, outlining the maximum parking ratios allowed based on the type of housing development and the percentage of affordable units included.
- E. **Density Bonus for Land Donations.** The document includes a table outlining the density bonus allowances for qualified land donation projects, specifying the minimum percentage of very low-income units required and the maximum possible density bonus.
- F. **Condominium Conversion Projects.** The document provides updated requirements for density bonuses or incentives for condominium conversion projects, including detailed information on eligibility, application procedures, and conditions for approval.

3. Affordable Housing Agreements

- A. **Equity Sharing Agreements.** The document includes detailed provisions for equity sharing agreements, outlining how appreciation is shared between the homeowner and the city upon resale.
- B. **Enforcement Provisions.** The document strengthens the city's enforcement powers, outlining the city's authority to ensure compliance with the affordable housing requirements.

ADU Ordinance. Over the past years, California policymakers have implemented proactive measures and reforms to simplify the development of both ADUs and JADUs, aiming to create more affordable housing options throughout the state. To further this goal, the state enacted SB 1160 in 1982 which encouraged localities to allow the construction of ADUs on single-family lots. Following Senate Bill (SB) 1160, Assembly Bill (AB) 1866 was enacted in 2002 which required cities and counties to adopt a more straightforward approach to the ADU approval process, and eliminating the need for special permits and extensive reviews. To further address issues with the low ADU development rates and combat the housing crisis throughout the state, policymakers introduced a series of new ADU laws in 2016 to streamline the permitting process and establish workable statewide standards. In recent years, the California Legislature has approved, and the Governor has signed into law several bills that, among other things, amended various sections of the Government Code to impose new limits on local authorities to regulate

ADUs and JADUs. The most recent bills were adopted on September of 2024 via AB 2533 and SB 1211 that further amend state ADU law.

The current iteration of the City of Holtville Zoning Ordinance does not have an established ADU ordinance in compliance with the State ADU Law (California Government Code sections 66310 through 66342). Thus, the City of Holtville is not in compliance with the State ADU Law. Therefore, the proposed amendments to Chapter 17.49 of the City of Holtville Zoning Ordinance are intended to implement Program No. 29 of the 2021-2029 Housing Element and comply with the requirements of the State ADU Law. The proposed ADU ordinance consists of the following:

1. **Definitions.** This section outlines various definitions related to housing regulations, particularly focusing on Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). The intent of this section is to clarify the meanings of specific terms and phrases used throughout the ADU ordinance to ensure a common understanding of key concepts and reduce ambiguity and potential misinterpretations. The following terms are defined in this section:

- Accessory dwelling unit or ADU
- Accessory structure
- Complete independent living facilities
- Efficiency kitchen
- Junior accessory dwelling unit or JADU
- Livable space
- Living area
- Nonconforming zoning condition
- Passageway
- Proposed dwelling
- Public transit
- Tandem parking

2. **Permit Requirements.** This section outlines the approval process for ADUs and JADUs which consists of the following:

- A. **Building Permit Only.** Certain ADUs and JADUs only require a building permit for approval. This includes:

- a. One ADU and one JADU on a single-family lot if the ADU or JADU meets specific requirements like being located within the existing space of the main dwelling or accessory structure, having independent exterior access, and meeting fire and safety setbacks.
- b. One detached ADU on a single-family lot, in addition to a JADU permitted under the previous category, as long as the ADU meets specific limitations such as setbacks, floor area, and height limits.
- c. ADUs converted from non-livable spaces in multifamily dwellings, limited to 25% of the existing multifamily units.
- d. Up to two detached ADUs on a multifamily lot with a proposed dwelling or up to eight detached ADUs on a lot with an existing multifamily dwelling, as long as they meet setback, height, and quantity requirements.

- B. **ADU Permit.** In scenarios other than those listed above, an ADU requires both a building permit and a separate ADU permit. The City may charge a processing fee for these permits.

- C. Process and Timing.
 - a. The approval process for an ADU permit is ministerial, meaning it does not require discretionary review or a hearing.
 - b. The city has 60 days to approve or deny an ADU or JADU application.
 - c. Applications are deemed approved if the city does not take action within the 60-day timeframe, unless the applicant requests a delay, or the ADU/JADU application is submitted with a new dwelling permit application.
 - d. If an application is denied, the city must provide the applicant with a list of deficiencies and instructions on how to remedy them within the 60-day period.
 - e. Applications for ADUs replacing detached garages are reviewed and issued concurrently with the demolition permit for the garage.
3. **General ADU and JADU Requirements.** This section outlines general requirements for ADUs and JADUs consisting of the following:
- A. Zoning Requirements
 - a. ADUs requiring only a building permit can be built in residential or residential mixed-use zones.
 - b. ADUs requiring an ADU permit are allowed on lots zoned for single-family or multifamily dwellings.
 - c. JADUs can only be built on lots zoned for single-family residences.
 - B. Height Restrictions
 - a. Detached ADUs on lots with single-family or multifamily dwellings are limited to 16 feet in height, unless otherwise specified.
 - b. Detached ADUs near major transit stops or high-quality transit corridors can reach 18 feet, with a potential increase to 20 feet to align with the primary dwelling's roof pitch.
 - c. Detached ADUs on lots with multifamily dwellings exceeding one story above grade can be up to 18 feet tall.
 - d. Attached ADUs cannot exceed 25 feet or the height limit for the primary dwelling, whichever is lower. They are also limited to two stories.
 - e. Height is measured from existing legal grade or the lowest floor to the structure's peak. Note that ADUs cannot exceed one story in height. See additional discussion on page
 - C. Other Requirements
 - a. Fire Sprinklers. ADUs require fire sprinklers only if they are also required in the primary residence. ADU construction does not necessitate sprinkler installation in the existing primary dwelling.
 - b. Rental Term. ADUs and JADUs cannot be rented for less than 30 days.

- c. Separate Conveyance. ADUs and JADUs can be rented, but generally cannot be sold or conveyed separately from the primary dwelling and lot.
- d. Septic System. ADU/JADU applications requiring connection to an onsite wastewater system need a percolation test conducted within the last five years, or ten years if recertified. This is not applicable to the City of Holtville as septic systems are not permitted, but state law requires language to be included.
- e. Owner Occupancy. ADUs built on or after January 1, 2020, do not have owner-occupancy requirements. All JADUs require a person with legal or equitable title to the property to reside in either the primary dwelling or JADU. This requirement is waived if the property is fully owned by a government agency, land trust, or housing organization.
- f. Deed Restriction. Before a building permit for an ADU or JADU is issued, a deed restriction must be recorded and filed. This restriction outlines:
 - i. The inability to sell the ADU or JADU separately from the primary dwelling, except as permitted by Government Code Section 66341.
 - ii. Limitations on size and attributes of the ADU/JADU.
 - iii. The restriction applies to all future owners.
 - iv. Removal of the restriction is possible by eliminating the ADU/JADU, which can involve removing the kitchen facilities.
 - v. Enforcement of the restriction lies with the Planning Department, and failure to comply can lead to legal action and potential remedies like injunction or abatement.

D. Building and Safety

- a. Building Code Compliance. ADUs and JADUs must adhere to local building codes, with a potential exception outlined further in the proposed ADU ordinance.
- b. Occupancy Change. ADU construction does not automatically constitute an occupancy change under the building code unless the building official determines a specific, adverse impact on public health and safety. The city retains the right to change the occupancy code for spaces converted from uninhabitable or non-residential use to residential use.

4. Specific ADU Requirements. This section outlines the specific requirements for ADUs that require an ADU permit which consists of the following:

A. Size Limitations

- a. The maximum size for a detached or attached ADU is 850 square feet for studios or one-bedroom units and 1,000 square feet for units with two or more bedrooms.
- b. For attached ADUs built on lots with existing primary dwellings, the size is further limited to 50% of the existing primary dwelling's floor area.

- c. However, the application of other development standards, such as lot coverage, cannot require the ADU to be smaller than 800 square feet, even if it means exceeding the percentage-based size limit or setback requirements.

B. Setback Requirements

- a. ADUs generally must comply with 4-foot side and rear setbacks and a 20-foot front setback. No setback is required for an ADU built in the same location and with the same dimensions as an existing structure.

C. Lot Coverage and Open Space

- a. An ADU cannot increase the total lot coverage beyond 50%.
- b. Similarly, the ADU cannot reduce the total open space on the lot to below 50%.
- c. These lot coverage and open space limitations are subject to the minimum size requirement of 800 square feet mentioned earlier.

D. Parking Requirements

- a. One off-street parking space is generally required for each ADU, which can be located in setback areas or as tandem parking which is defined as two or more automobiles parked on a driveway or in any other location on a lot, lined up behind one another.
- b. However, parking is not required in several specific situations:
 - i. The ADU is within a half-mile walking distance of public transit. The City of Holtville has two existing bus stops serviced by the Imperial Valley Transit. Please refer to **Attachment C – Public Transit Location** for a visual of the half mile radius beginning from the two transit stops located within the City of Holtville.
 - ii. The ADU is located in an architecturally and historically significant historic district. Note that there are no such districts in the City of Holtville, but state law requires that the language to be included.
 - iii. The ADU is integrated into the existing primary residence or an accessory structure.
 - iv. On-street parking permits are required but not offered to the ADU occupant.
 - v. A car share vehicle stop is located within one block of the ADU. For the purposes of this subsection, a car share vehicle stop is a designated parking space for vehicles that are part of a car sharing program. The City of Holtville has no such locations, but state law requires that the language to be included.
 - vi. The ADU permit application is submitted along with an application for a new single-family or multifamily dwelling on the same lot, as long as the ADU or lot meets other parking exemption criteria.

- c. If a garage, carport, or covered parking structure is demolished or converted into an ADU, the existing parking spaces do not have to be replaced. However, replacement parking is still required if an existing integral garage is converted into a JADU. For the purposes of this subsection an integral garage is a garage that is built into the main structure of a house, with special attention to the aesthetics of the entire home. While the State ADU law restricts cities from requiring replacement for ADUs, such restrictions do not extend to JADUs and are left at the discretion of local governments.

E. Architectural Requirements

- a. The ADU's exterior walls, roof, windows, and doors must match the primary dwelling's materials and colors.
- b. The ADU's roof slope must match the dominant roof slope of the primary dwelling.
- c. Exterior lighting must be limited to down-lights or as required by building or fire codes.
- d. The ADU must have a separate exterior entrance from the primary dwelling.
- e. The ADU's interior dimensions must be at least 10 feet wide in all directions and have a minimum interior wall height of 7 feet.
- f. No windows or doors in the ADU can have a direct line of sight into an adjacent residential property. This can be achieved through strategic placement or the use of fencing, landscaping, or privacy glass.
- g. For windows and doors less than 30 feet from a property line that is not a public right-of-way, windows must be clerestory (with the bottom of the glass at least 6 feet above the floor) or use frosted or obscure glass.

F. Historical Protections

- a. ADUs located on or within 600 feet of a property listed in the California Register of Historic Resources must not be visible from any public right-of-way. Note that there are no such districts in the City of Holtville, but state law requires that the language to be included.

G. Allowed Stories

- a. ADUs cannot have more than one story, except for attached ADUs, which can have the number of stories allowed for the primary dwelling.

5. **Fees.** This section outlines the fees associated with ADUs which consist of the following:

A. Impact Fees

- a. ADUs under 750 square feet are exempt from impact fees.
- b. Impact fees include fees under the Mitigation Fee Act and the Quimby Act, but do not include connection fees or capacity charges for water or sewer service.
- c. ADUs 750 square feet or larger are subject to impact fees, calculated proportionally to the size of the primary dwelling unit.

- i. The fee is determined by dividing the ADU's floor area by the primary dwelling's floor area and then multiplying that by the typical fee for a new dwelling.

B. Utility Fees

- a. ADUs built with a new single-family home require a separate utility connection and payment of standard connection and capacity charges.
 - b. Converted ADUs created from existing space within a single-family home do not require a new or separate utility connection or any related fees.
 - c. All other ADUs require a new, separate utility connection for any city-provided utility, with connection fees or capacity charges based on floor area or drainage-fixture units (DFU) values.
 - i. Utilities not provided by the city are subject to the connection and fee requirements of the specific utility provider.
 - d. The portion of the connection fee or capacity charge charged by the city cannot exceed the reasonable cost of providing the service.
6. **Nonconforming ADUs and JADUs** - This section outlines the City's approach to handling nonconforming zoning conditions, building code violations, and unpermitted structures when reviewing applications for ADUs and JADUs. The city will not deny an ADU or JADU application solely based on existing nonconforming zoning conditions, building code violations, or unpermitted structures on the lot if these issues do not pose a threat to public health and safety and are not directly affected by the ADU or JADU construction. Furthermore, the city is prohibited from denying a permit to legalize an unpermitted ADU and JADU constructed before January 1, 2020, subject to the following exceptions:
- A. The city can deny a permit to legalize an unpermitted ADU or JADU constructed before January 1, 2020, if it determines that correcting a violation is necessary to meet the standards outlined in California Health and Safety Code section 17920.3. This section of the California Health and Safety Code pertains to substandard buildings.
 - B. The city can deny a permit to legalize an unpermitted ADU or JADU if the building is deemed substandard according to California Health and Safety Code section 17920.3.

Additional Ordinance Updates. State law requires that the City's Zoning Ordinance give certain considerations to a variety of housing types including emergency shelters, permanent supportive housing, residential care homes of seven or more persons, and low barrier navigation centers. To meet the requirements set forth by State law, the City implemented Program No. 31 in its 2021-2029 Housing Element which proposed the following updates:

1. **Emergency Shelters.** As stated in Section 17.04.060 of the City of Holtville Zoning Ordinance, emergency shelters are defined as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless

person where no individual or household may be denied emergency shelter because of an inability to pay.

In 2010, the City of Holtville City Council adopted Ordinance No. 472 which lists emergency shelters as a permitted use in R-2 and R-3 zones and establish special objective standards for the development of emergency shelters in the city. Since the initial adoption of Ordinance No. 472 by the City, the California Legislature has enacted numerous bills with the intent to facilitate the development of emergency shelters throughout the state. As part of their review of the 2021-2029 Housing Element, HCD requires the City of Holtville to amend its Zoning Ordinance to comply with the new standards for emergency shelters established via AB 139.

To comply with the requirements of AB 139, amendments to Chapters 17.26 through 17.32 and 17.41 of the Zoning Ordinance are proposed to permit emergency shelters by right in R-2, R-3, R-4, RC, D-A, and D-B zones. The proposed amendment will also remove the limit placed on the maximum number of beds for emergency shelters and update the parking standards to only require enough parking spaces to accommodate all staff working in the emergency shelter.

2. **Permanent Supportive Housing.** As stated in Section 17.04.200 of the City of Holtville Zoning Ordinance, supportive housing is defined as housing with no limit on length of stay, that is occupied by the target population and that is linked to an on-site or off-site service that assists 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.

On January 23, 2017, the City Council of the City of Holtville adopted Ordinance No. 486 which lists emergency shelters as a permitted use in all residential and non-residential zones that permit multi-family developments. Since the initial adoption of Ordinance No. 486 by the City, the California Legislature enacted AB 1584 which amended Section 65651 of the California Government Code to establish procedures and requirements for the development of supportive housing projects throughout the state. As part of their review of the 2021-2029 Housing Element, HCD requires the City of Holtville to amend its Zoning Ordinance to establish the following standards in compliance with Section 65651 of the California Government Code:

- A. Units within the development are subject to a recorded affordability restriction for 55 years.
- B. One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure the affordability of the housing to lower income Californians. The rents in the development shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the development.
- C. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of

the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.

- D. The developer provides the City of Holtville with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, and describing those services, which shall include all of the following:
 - a. The name of the proposed entity or entities that will provide supportive services.
 - b. The proposed funding source or sources for the provided onsite supportive services.
 - c. Proposed staffing levels.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 - a. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 - b. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in Chapter 17.49.
- G. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

Thus, the proposed amendment will update Chapters 17.16 through 17.32, 17.36, and 17.41 of the Zoning Ordinance to establish the requirements listed in Section 65651 of the California Government Code with regard to supportive housing developments.

- 3. **Residential Care Homes.** Residential care facilities include facilities for the elderly, adult residential facilities, and group homes, including small family homes for children. They are licensed as community care facilities by the state Department of Social Services and provide 24-hour care, meals, support, and maintenance services to children, the elderly, and adults with intellectual and physical disabilities.

The current iteration of the City of Holtville Zoning Ordinance lists residential care homes serving up to six clients as a permitted use in all residential zones while residential care homes serving greater than six clients are only permitted in R-2 and R-3 zones. As part of their review of the 2021-2029 Housing Element, HCD requires the City of Holtville to amend its Zoning Ordinance to list residential care homes serving greater than six clients as a permitted use in all residential zones. Therefore, the proposed amendment will update Chapters 17.20 through 17.24, 17.30, 17.32, and 17.41 of the Zoning Ordinance to list residential care homes serving greater than six clients as a permitted use in all residential zones.

4. **Low Barrier Navigation Centers.** Low barrier navigation centers are defined as a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

Section 65662 of the California Government Code requires all cities to allow low barrier navigation centers by right in all zones permitting multifamily and mixed-use developments. The current iteration of the City of Holtville Zoning Ordinance does not provide any standards for low barrier navigation centers and is therefore not in compliance with Section 65662 of the California Government Code. Thus, the proposed amendment will update Chapters 17.28 through 17.32, and 17.41 of the Zoning Ordinance to list low barrier navigation centers as a permitted use and establish the following standards stated in Section 65662 of the California Government Code:

- A. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
 - B. It is linked to a coordinated entry system, so that staff in the interim facility or staff who colocate in the facility may conduct assessments and provide services to connect people to permanent housing.
 - C. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
 - D. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.
5. **Maximum Lot Coverage.** During the preparation of the 2021-2029 Housing Element update, the city held numerous workshops with the goal of gathering comments from the public and local stakeholders. Upon completion of the established workshops, the city received a comment from affordable housing developers pointing out their concern with the maximum lot coverage requirement for R-3 zones.

An analysis of the current development standards on Section 17.28.040 found that a maximum lot coverage of 40% is required for R-3 zones while all other residential zones that permit multi-family developments have a maximum lot coverage of 50%. Upon making this finding, Program No. 33 was implemented in the 2021-2029 Housing Element. The ordinance proposes to update Section 17.28.040 to increase the maximum permitted lot coverage for R-3 zones from 40% to 60%. The General Plan Land Use Element states that R-3 zones are intended for the development of high-density single family attached and detached residential dwellings, duplexes, apartments, condominiums, and townhouses at a greater density than other residential zones in the city. The current maximum lot coverage limits the development of larger dwelling units in R-3 zones by reducing the building area for residential multi-family developments.

According to the 2021-2029 Housing Element, 11.6% of all households in the City of Holtville are classified as large households of five or more persons. These households are considered a special needs group because of the often-limited supply of adequately sized

and affordable housing units in a community. To save for other necessities such as food, clothing, and medical care, it is common for lower-income large households to reside in smaller units, which frequently results in overcrowding of which 15.1% of all households in Holtville are classified as. By increasing the maximum lot coverage, developers will have a larger build area which in turn may provide sufficient space to implement larger dwelling units of three bedrooms or more in future developments. This increase in large units will help cut down the number of overcrowded units in the city and further Housing Element Program No. 11 which consists of facilitating the development of dwelling units for special needs groups.

- 6. Off-Street Parking Requirement for R-1 Zones.** As previously stated, the Housing Element sets forth goals, objectives, and policies to adequately meet the housing needs of everyone in the community. Section 17.52.040 of the Zoning Ordinance restricts the placement of parking spaces in the front yard setbacks in all residential zones. The ordinance update is proposing a change to Section 17.52.040 to allow the placement of off-street parking spaces within the front yard setbacks in R-1 zones only. The proposed changes will facilitate the development of new residential dwelling units in the city by no longer restricting the placement of required off-street parking spaces within the front yard setback.

ENVIRONMENTAL

The textual amendments are exempt from the California Environmental Quality Act (CEQA). Pursuant to CEQA requirements a Notice of Exemption will be filed with the Office of Planning and Research citing an exemption via Section 15061(b)(3) of the California Code of Regulations. Under this section, projects that can be seen with certainty to have no potential for causing a significant effect on the environment are not subject to CEQA.

PUBLIC NOTICING

Pursuant to Section 17.64.110(A) of the Zoning Ordinance, the Planning Commission may recommend approval of a textual amendment to the City Council subject to a public hearing. The amendments proposed were initiated under the adopted 2021-2029 Housing Element. A Public Hearing notice was sent to a local newspaper for posting on November 4, 2024 and posted at City Hall on the same day. Refer to **Attachment D – Public Hearing Notice** for additional information.

RECOMMENDATION AND PENDING ACTION

Pursuant to Section 17.64.130 of the Zoning Ordinance, the Planning Commission must review all relevant documentation and consider all testimonies for and against the proposed amendment prior to making one of the following actions:

- Adopt Resolution No. PC 24-06 recommending approval of the proposed textual amendments for Housing Element compliance to the City Council;

or

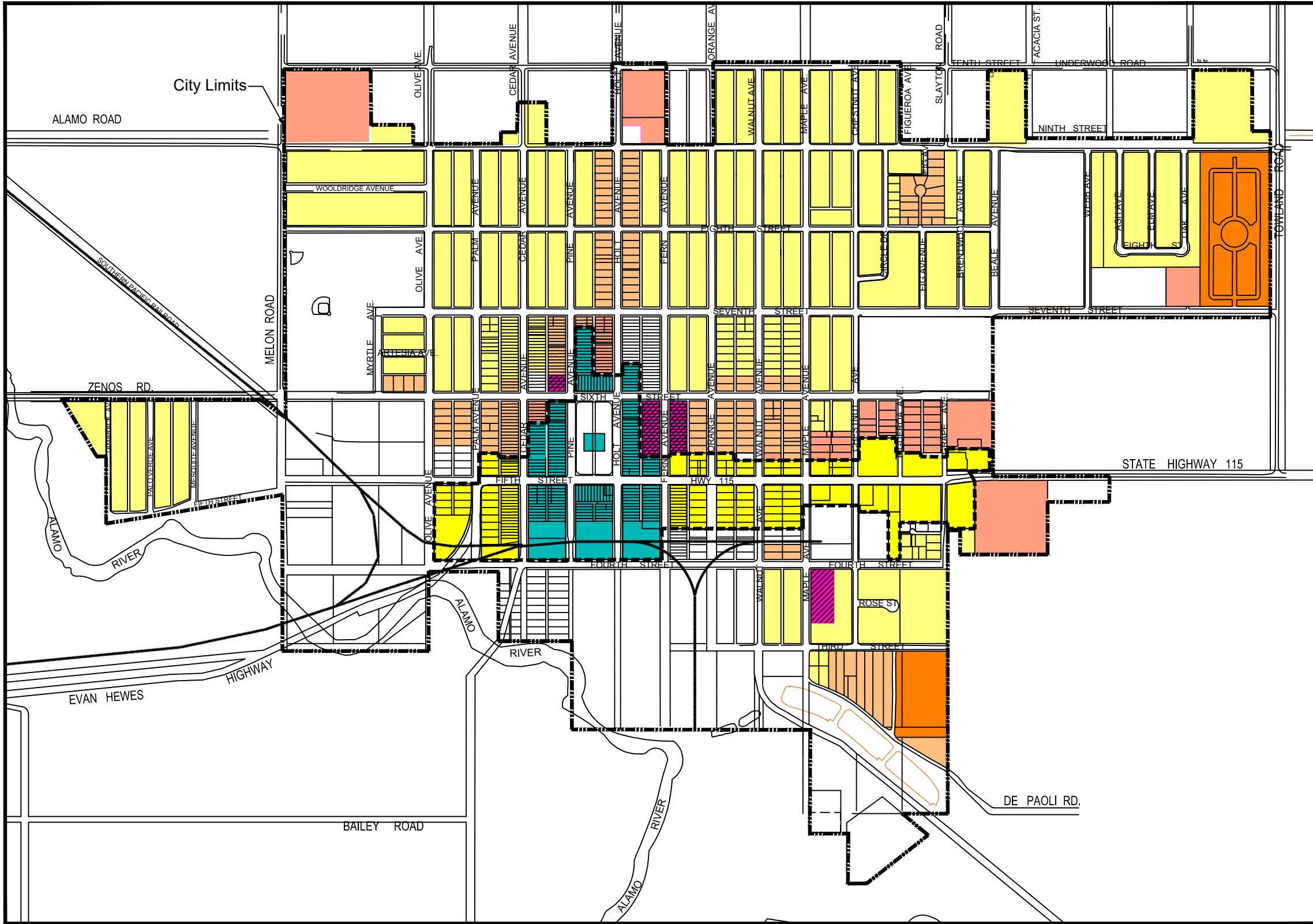
- Adopt Resolution No. PC 24-06 recommending approval of the proposed textual amendments Housing Element compliance to the City Council with modifications as deemed necessary by the Planning Commission;

or

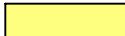







- Not Adopt Resolution No. PC 24-06 recommending approval of the proposed textual amendments Housing Element compliance to the City Council.

Attachments: Attachment A – Affected Zoning Designations
 Attachment B – Affected Land Use Designations
 Attachment C – Public Transit Radius
 Attachment D – Public Hearing Notice
 Attachment E – Resolution No. PC 24-06
 Exhibit A – Zoning Textual Amendments

Attachment A – Affected Zoning Designations



Legend

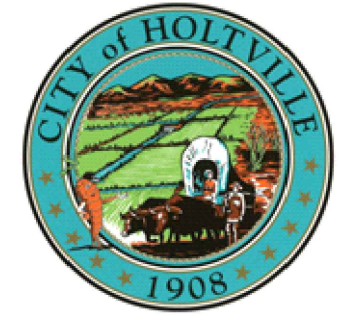
-  R-1 Single Family
-  R-2 Two Family
-  R-3 Multi-Family
-  R-4 Mobile Home Park
-  RC Residential Commercial Mixed-Use
-  Downtown - A Zone
-  Downtown - B Zone
-  Existing City Limits



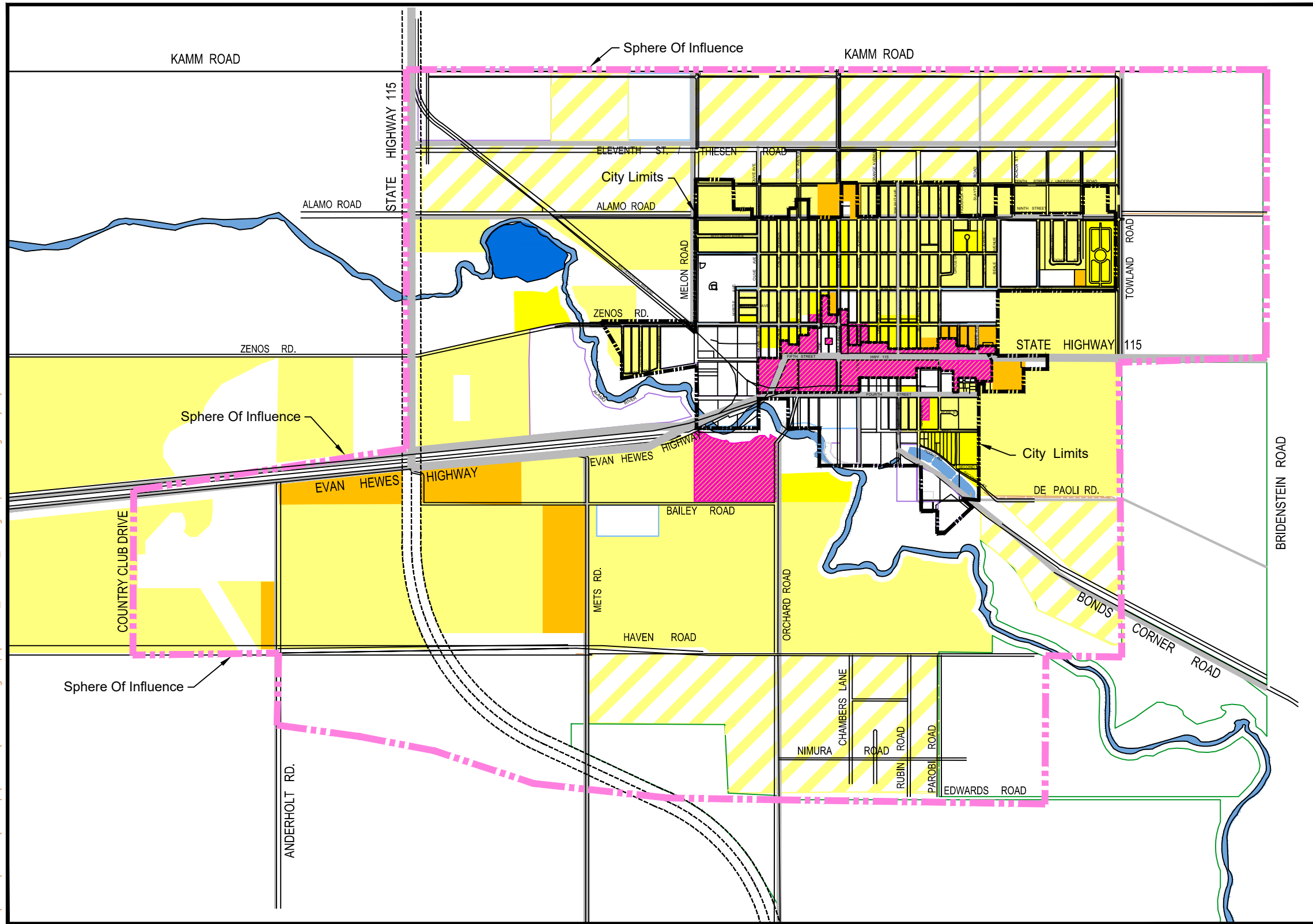
NOT TO SCALE

AFFECTED ZONING DESIGNATIONS









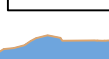
Attachment B – Affected Land Use Designations



C:\Users\EGarcia\Desktop\Holtville\LU & Zoning Map\116.500_11.07.24_Zoning Map & LU.dwg 11/07/2024 14:07



Legend

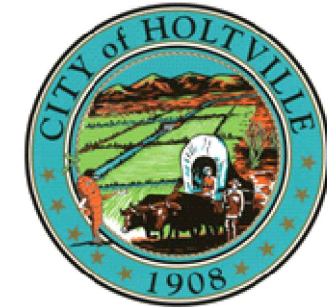
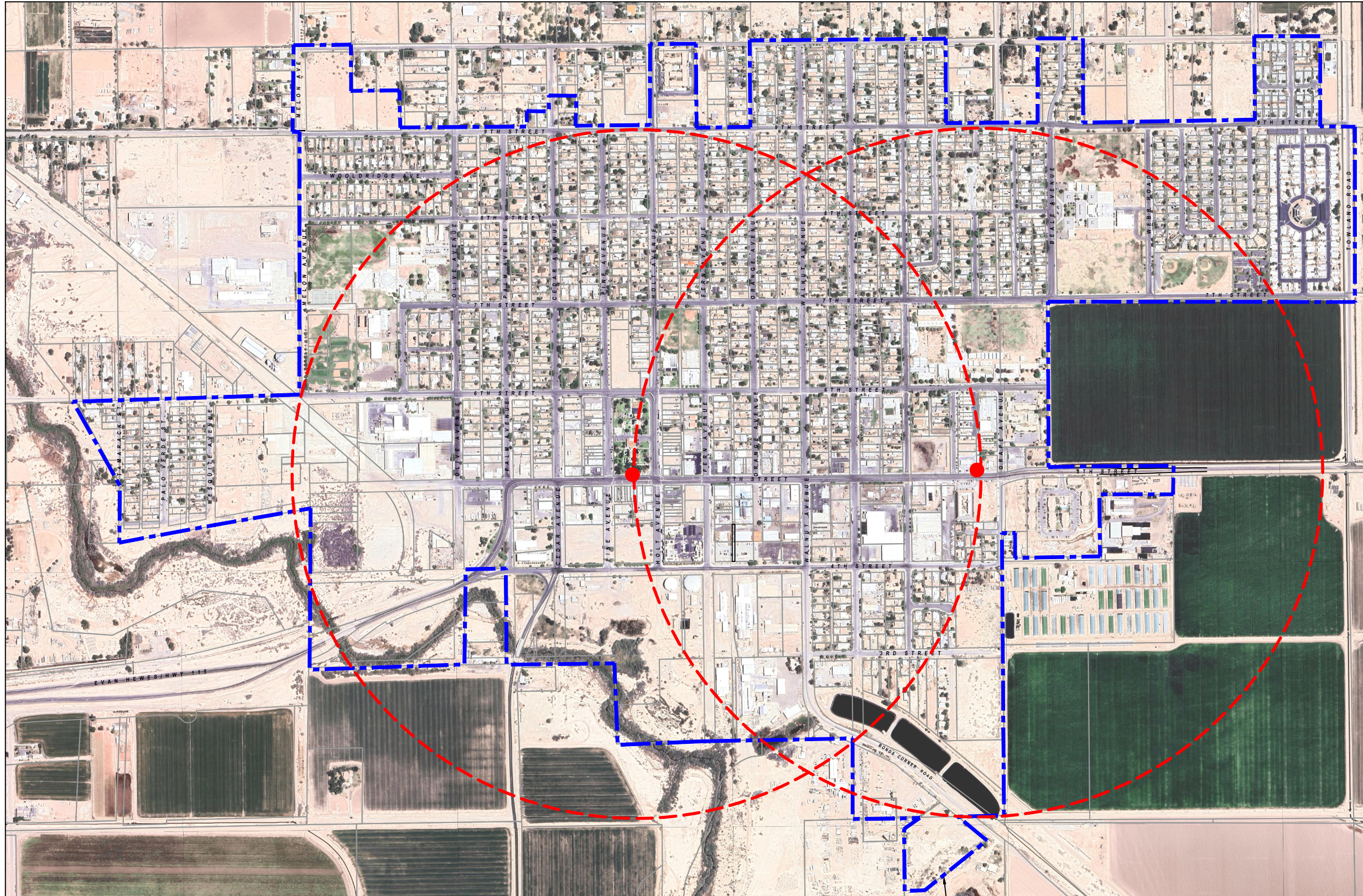
-  RR Rural Residential
-  LDR Low Density Residential
-  MDR Medium Density Residential
-  HDR High Density Residential
-  RC Residential Commercial Mixed-Use
-  Downtown Project Area
-  Existing Sphere of Influence
-  Existing City Limits
-  Alamo River / Wetlands



NOT TO SCALE

AFFECTED LAND USE DESIGNATIONS

Attachment C – Public Transit Radius



Legend:

- City Limits
- Parcel Line
- Bus Stop
- 2,640ft Radius



NOT TO SCALE

PUBLIC TRANSIT RADIUS

Attachment D – Public Hearing Notice



Notice of Public Hearing

City of Holtville

Notice is hereby given that a public hearing will be held by the City of Holtville Planning Commission at the date, time, and place indicated below. The purpose of the public hearing will be to hear comments from the public regarding the following subject:

Project: Textual amendment to Title 17 of the City of Holtville Code of Ordinances as it relates to density bonus provisions, accessory dwelling units and junior accessory dwelling units, and alleviating constraints for the production of a variety of housing types	Location: All Downtown, Residential, and Mixed-use Zones
--	--

In furtherance of Programs 29 through 31, and 33 of the 2021-2029 City of Holtville Housing Element, the Planning Commission will consider textual amendments to the Zoning Ordinance. The goal of the amendments is to reduce development constraints for emergency shelters, supportive housing, residential care homes, and low barrier navigation centers in conformance with state law. Additional updates consist of updating the City's Density Bonus Ordinance and implementing an Accessory Dwelling Unit Ordinance to comply with recent changes to state law. The proposed amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) via Section 15061(b)(3) of the California Code of Regulations. The purpose of this public hearing is to present the proposed amendments to the Planning Commission where upon reviewing all pertinent information and public comments, a motion to recommend or not recommend approval of the proposed amendments to the City Council will be made.

Planning Commission Hearing Date: November 18, 2024

Hearing Time: 5:30 PM

Hearing Location: City Hall
121 W. 5th Street

Copies of pertinent information are available for review at the City Hall during regular business hours. If you would like to know more about the proposed project prior to the public hearing, please contact Francisco Barba, Associate Planner, at (760) 337-3883 or via email at fbarba@theholtgroup.net.

Any person desiring to comment on the above project may do so in writing or may appear in person at the public hearing. Written comments should be directed to the Holtville City Clerk, 121 West 5th Street, Holtville, CA 92250 and be delivered prior to the Public Hearing date. Please reference the project name in all written correspondence.

Posted: *Upton Riss*

Date: 11/4/24

Attachment E – Resolution No. PC 24-06

Exhibit A – Draft Textual Amendment

RESOLUTION NO. PC 24-06

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HOLTVILLE
RECOMMENDING THE APPROVAL OF A TEXTUAL AMENDMENT TO TITLE 17
OF THE CITY OF HOLTVILLE MUNICIPAL CODE TO THE CITY COUNCIL AS IT
RELATES TO DENSITY BONUS PROVISIONS, ACCESSORY DWELLING UNITS
AND JUNIOR ACCESSORY DWELLING UNITS, AND ALLEVIATING
CONSTRAINTS FOR THE PRODUCTION OF A VARIETY OF HOUSING TYPES**

WHEREAS, the City Council of the City of Holtville adopted its 2021-2029 Housing Element in compliance with the State Housing Element law (Government Code Sections 65580 through 65589.11); and

WHEREAS, the 2021-2029 Housing Element incorporated policies and respective action programs that necessitate amendments to the City of Holtville Zoning Ordinance and establishment of an Accessory Dwelling Unit (ADU) Ordinance for compliance with State Law; and

WHEREAS, a duly noticed public hearing was scheduled and held on November 18, 2024 by the Planning Commission pursuant to Section 17.64.130 of the Zoning Ordinance; and

WHEREAS, upon hearing and considering all testimony and arguments, analyzing the information submitted by staff and considering any written and oral comments received, the Planning Commission of the City of Holtville considered all facts relating to the proposed amendments to the City of Holtville Zoning Ordinance.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Holtville as follows:

- A) That the foregoing recitations are true and correct; and
- B) That the Planning Commission initiated the proposed Zoning Text Amendments, under **Exhibit A - Zoning Text Amendment**, pursuant to Section 17.64.110(A) of the Zoning Ordinance; and
- C) That the proposed text amendment is exempt from CEQA via Section 15061 (b)(3) of the CEQA Guidelines for Implementation under the California Code of Regulations; and
- D) That the proposed text amendment is consistent with the intent of the City of Holtville Zoning Ordinance and General Plan; and
- E) That based on the evidence presented at the public hearing, the Planning Commission hereby recommends adoption of the Zoning Text Amendment, under **Exhibit A - Zoning Text Amendment**, to the City Council of the City of Holtville.

PASSED, APPROVED AND ADOPTED by Planning Commission of the City of Holtville at a regularly scheduled meeting held on this 18th day of November 2024, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Ross Daniels, Chairman

Attest: _____
Yvette Rios, City Clerk

Exhibit A – Draft Textual Amendment

DRAFT – ZONING TEXT AMENDMENT

CITY OF HOLTVILLE – ZONING ORDINANCE TEXTUAL AMENDMENT FOR HOUSING ELEMENT COMPLIANCE

- Underline is proposed new language
- ~~Strike through is existing language to be deleted~~
- Standard type is existing language to be retained

CHAPTER 17.04 DEFINITIONS

Sections:

17.04.070 "F" definitions.

17.04.130 "L" definitions.

17.04.070 "F" definitions.

"Family" means ~~an individual, or two or more persons related by blood, marriage or adoption, or a group of persons, who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit in a single dwelling unit.~~ two or more individuals related by birth, marriage, adoption or convenience who occupy the same dwelling unit. A family also includes the residents of residential care facilities and group homes for people with disabilities. A family does not include larger institutional group living situations such as dormitories, fraternities, sororities, monasteries or nunneries, nor does it include such commercial group living arrangements as boardinghouses, lodging houses and farm labor camps.

17.04.130 "L" definitions.

"Low barrier navigation center" means a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

"Low barrier" means best practices to reduce barriers to entry, and may include, but is not limited to (1) the presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth, (2) pets, (3) the storage of possessions, and (4) privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

"Lower income households" means persons and families whose income does not exceed the qualifying limits for lower income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937.

CHAPTER 17.20 RR-1 LOW DENSITY RURAL RESIDENTIAL ZONE

Sections:

17.20.030 Conditional Uses.

[17.20.050 Special Objective Standards for Supportive Housing](#)

17.20.030 Conditional Uses.

Conditional uses allowed in the RR-1 zone, subject to the conditional use permit regulations, are set forth in Table 17.20-1.

**Table 17.20-1
RR-1 Low Density Rural Residential Zone
- Permitted and Conditional Uses**

Uses	Permitted Use ¹	Conditional Use ²
Accessory buildings and structures	X	
Agricultural crops	X	
Animals on lots or parcels at least one-half acre in size with large animals restricted to one per half-acre, except that parcels larger than five acres could have one large animal per half-acre for the first five acres and four per acre for all acres beyond the initial five acres	X	
Hatching, raising and fattening of chickens, rabbits or cattle for domestic use only. There shall be no killing or dressing of any such animals or poultry on the premises for commercial purposes	X	
Orchards and nurseries	X	
Home occupations as provided in Chapter 17.46 HMC	X	
Single-family homes and mobile homes	X	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	X	
Residential care homes serving greater than six clients, includes foster family homes and small family homes for nonmedical assisted group care	<u>X</u>	
Second-unit	X	
Farm worker housing for 6 persons or fewer	X	
Farm worker housing, consisting of no more than 36 beds in group quarters or 12 units or spaces each designed for use by a single family or household	X	
Transitional housing or Supportive housing	X	
Churches, temples or other places used exclusively for religious worship		X
Communications equipment buildings		X
Country clubs		X
Electric distribution substations, including microwave facilities		X
Fire stations		X
Golf courses		X

Libraries		X
Museums		X
Police stations		X
Service stations/convenience stores		X
Schools, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the State of California, but excluding trade or commercial schools		X
Storage, temporary, of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines and similar uses		X

¹ Other similar uses shall be allowed subject to recommendation by the planning commission and adoption by the city council.

² These uses shall be permitted subject to a conditional use permit.

17.20.050 Special Objective Standards for Supportive Housing

All supportive housing in the RR-1 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. Units within the development are subject to a recorded affordability restriction for 55 years.
- B. One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. The rents in the development shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the development.
- C. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.
- D. The developer provides the City of Holtville with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, and describing those services, which shall include all of the following:
 1. The name of the proposed entity or entities that will provide supportive services.
 2. The proposed funding source or sources for the provided onsite supportive services.
 3. Proposed staffing levels.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 1. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 2. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are

limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.

- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in Chapter 17.49.
- G. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

CHAPTER 17.22 RR-2 MEDIUM DENSITY RURAL RESIDENTIAL ZONE

Sections:

17.22.030 Conditional Uses.

[17.22.050 Special Objective Standards for Supportive Housing](#)

17.22.030 Conditional Uses.

Conditional uses allowed in the RR-2 zone, subject to the conditional use permit regulations, are set forth in Table 17.22-1.

**Table 17.22-1
RR-2 Medium Density Rural Residential Zone
- Permitted and Conditional Uses**

Uses	Permitted Use ¹	Conditional Use ²
Accessory buildings and structures	X	
Agricultural crops	X	
Animals, large and small, subject to the following limitations: (A) In order to keep large animals such as cattle and horses, the parcel size shall be at least one-half acre, except that no more than 10 large animals shall be kept regardless of the parcel size; and (B) the number of small animals such as goats, sheep and swine shall be limited to no more than two per one-half acre lot or parcel, with a limit of 10 per lot or parcel	X	
Home occupations as provided in Chapter 17.46 HMC	X	
Single-family homes and mobile homes	X	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	X	
Residential care homes serving greater than six clients, includes foster family homes and small family homes for nonmedical assisted group care	<u>X</u>	
Transitional housing or Supportive housing	X	
Second unit	X	
Farm worker housing for 6 persons or fewer	X	
Farm worker housing, consisting of no more than 36 beds in group quarters or 12 units or spaces each designed for use by a single family or household	X	
Orchards and nurseries	X	
Churches, temples or other places used exclusively for religious worship		X
Communication equipment buildings		X
Country clubs		X
Day care centers		X
Electric distribution substations, including microwave facilities		X
Fire stations		X
Golf courses		X

Libraries		X
Museums		X
Police stations		X
Service stations/convenience stores		X
Schools, through grade 12, accredited, including appurtenant facilities, which offer instruction required to be taught in the public schools by the Education Code of the State of California, but excluding trade or commercial schools		X
Storage, temporary, of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines and similar uses		X

¹ Other similar uses shall be allowed subject to recommendation by the planning commission and adoption by the city council.

² These uses shall be permitted subject to a conditional use permit.

17.22.050 Special Objective Standards for Supportive Housing

All supportive housing in the RR-2 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. Units within the development are subject to a recorded affordability restriction for 55 years.
- B. One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. The rents in the development shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the development.
- C. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.
- D. The developer provides the City of Holtville with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, and describing those services, which shall include all of the following:
 1. The name of the proposed entity or entities that will provide supportive services.
 2. The proposed funding source or sources for the provided onsite supportive services.
 3. Proposed staffing levels.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 1. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 2. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are

limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.

- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in Chapter 17.49.
- G. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

CHAPTER 17.24 R-1 SINGLE-FAMILY ZONE

Sections:

17.24.030 Conditional Uses.

[17.24.060 Special Objective Standards for Supportive Housing](#)

17.24.030 Conditional Uses.

Conditional uses allowed in the R-1 zone, subject to the regulations of a conditional use permit, are set forth in Table 17.24-1.

**Table 17.24-1
R-1 Single-Family Zone
- Permitted and Conditional Uses**

Uses	Permitted Use ¹	Conditional Use ²
Accessory buildings and structures including auto-mobile garages and carports	X	
Animals in accordance with Chapter 7.12 HMC and usual household pets	X	
Home occupations as provided in Chapter 17.46 HMC	X	
Private greenhouses and horticultural collections, flower and vegetable gardens	X	
Single-family detached residential dwellings including mobile homes	X	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	X	
Residential care homes serving greater than six clients, includes foster family homes and small family homes for nonmedical assisted group care	X	
Transitional housing or Supportive housing	X	
Second unit	X	
Farm worker housing for 6 persons or fewer	X	
Churches, convents, monasteries, and other religious institutions		X
Day nurseries and nursery schools		X
Educational institutions		X
Flag poles, radio towers, masts or aerials in excess of 35 feet above the ground		X
Public libraries and museums		X
Public parks and recreational facilities		X
Public utility and public service facilities		X

¹ Similar uses shall be permitted subject to a recommendation by the planning commission and adoption by the city council.

² These uses shall be permitted subject to a conditional use permit.

17.24.060 Special Objective Standards for Supportive Housing

All supportive housing in the R-1 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. Units within the development are subject to a recorded affordability restriction for 55 years.
- B. One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. The rents in the development shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the development.
- C. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.
- D. The developer provides the City of Holtville with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, and describing those services, which shall include all of the following:
 1. The name of the proposed entity or entities that will provide supportive services.
 2. The proposed funding source or sources for the provided onsite supportive services.
 3. Proposed staffing levels.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 1. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 2. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in Chapter 17.49.
- G. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

CHAPTER 17.26 R-2 TWO-FAMILY ZONE

Sections:

17.26.050 Special Objective Standards for Transitional Housing Facilities and Emergency Shelters

[17.26.060 Special Objective Standards for Supportive Housing](#)

17.26.050 Special Objective Standards for Emergency Shelters

All emergency shelters in the R-2 zone shall meet all the applicable development standards as listed above, and in addition meet the following requirements:

- ~~A. Emergency shelters shall be limited to a maximum of ten beds.~~
- A. [Each facility shall include sufficient parking to accommodate all staff working in the shelter](#) ~~Parking requirements shall be the same as for nursing homes and convalescent hospitals as described in Table 17.52-1.~~
- B. All waiting and intake areas shall be within an enclosed building and shall have a legal occupancy rating of ten people.
- C. Each facility shall accommodate a minimum daytime staff of one staff member per ten occupied beds, and a minimum nighttime staff of one staff per ten occupied beds.
- D. No parcel with an emergency shelter shall be established closer than 300 feet from another parcel with an emergency shelter use.
- E. The length of stay within an emergency shelter shall be limited to a maximum of six months.
- F. The exterior lighting of the building housing the emergency shelter shall be provided to adequately illuminate all sides of the building to allow for security to monitor all sides of the structure.
- G. Security staff or electronic cameras with video monitors that can be viewed by nighttime staff shall be provided to monitor the exterior of the building housing the emergency care facilities. The exterior of the building shall be monitored by security staff or electronic cameras between 10:00 p.m. and 6:00 a.m.

17.26.060 Special Objective Standards for Supportive Housing

[All supportive housing in the R-2 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:](#)

- A. [Units within the development are subject to a recorded affordability restriction for 55 years.](#)
- B. [One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. The rents in the development shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the development.](#)
- C. [At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.](#)

- D. The developer provides the City of Holtville with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, and describing those services, which shall include all of the following:
1. The name of the proposed entity or entities that will provide supportive services.
 2. The proposed funding source or sources for the provided onsite supportive services.
 3. Proposed staffing levels.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
1. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 2. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in Chapter 17.49.
- G. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

CHAPTER 17.28 R-3 MULTIFAMILY ZONE

Sections:

17.28.030 Conditional Uses.

17.28.040 Minimum property development standards.

17.28.060 Special Objective Standards for Transitional Housing Facilities and Emergency Shelters

[17.28.070 Special Objective Standards for Supportive Housing](#)

[17.28.080 Special Objective Standards for Low Barrier Navigation Centers](#)

17.28.030 Conditional Uses.

Conditional uses allowed in the R-3 zone, subject to the conditional use permit regulations, are set forth in Table 17.28-1.

**Table 17.28-1
R-3 Multifamily Zone
- Permitted and Conditional Uses**

Uses	Permitted Use ¹	Conditional Use ²
Accessory buildings and structures	X	
Home occupations as provided in Chapter 17.46 HMC	X	
Household pets in accordance with Chapter 7.12 HMC	X	
Multiple housing units, including apartments, condominiums and townhouses	X	
Single-family and two-family residential dwellings, including mobile homes	X	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	X	
Residential care homes serving greater than six clients, includes foster family homes and small family homes for nonmedical assisted group care	X	
Emergency shelters serving six or fewer persons	X	
Transitional housing or Supportive housing	X	
Low barrier navigation centers	X	
Second unit	X	
Farm worker housing for 6 persons or fewer	X	
Day nurseries and nursery schools		X
Educational institutions		X
Flag poles, radio towers, masts or aerials in excess of 35 feet above the ground surface		X
Hospitals, nursing homes and long-term care facilities		X
Public libraries and museums		X
Public parks and public recreational facilities		X
Public utility and public service facilities		X
Religious institutions		X
Roominghouses and boardinghouses		X

¹ Similar uses shall be allowed subject to a recommendation by the planning commission and adoption by the city council.

² These uses shall be permitted subject to a conditional use permit.

17.28.040 Minimum property development standards.

The property development standards set forth in Table 17.28-2 shall apply to all land and buildings in the R-3 zone, except that any lot shown on an official subdivision map duly approved and recorded, or any lot for which a bona fide deed has been duly recorded prior to November 15, 1977, may be used as a building site as provided in HMC 17.10.060.

Table 17.28-2

**R-3 Multifamily Zone
- Minimum Property Development Standards**

Development Standards	R-3 Multifamily Zone
Minimum lot area	1 acre
Maximum density	20 dwelling units/acre
Maximum lot coverage	40 60 percent
Maximum building height	35 feet
Minimum distance between buildings	20 feet
Minimum lot width	150 feet
Minimum lot depth	120 feet
Minimum front yard requirements	20 feet
Minimum side yard requirements	10 feet each side
Minimum rear yard requirements	20 feet

17.28.060 Special Objective Standards for Emergency Shelters

All emergency shelters in the R-3 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- ~~A. Emergency shelters shall be limited to a maximum of ten beds.~~
- A. Each facility shall include sufficient parking to accommodate all staff working in the shelter ~~Parking requirements shall be the same as for nursing homes and convalescent hospitals as described in Table 17.52-1.~~
- B. All waiting and intake areas shall be within an enclosed building and shall have a legal occupancy rating of ten people.
- C. Each facility shall accommodate a minimum daytime staff of one staff member per six occupied beds, and a minimum nighttime staff of one staff per ten occupied beds.
- D. No parcel with an emergency shelter shall be established closer than 300 feet from another parcel with an emergency shelter use.
- E. The length of stay within an emergency shelter shall be limited to a maximum of six months.

- F. The exterior lighting of the building housing the emergency shelter shall be provided to adequately illuminate all sides of the building to allow for security to monitor all sides of the structure.
- G. Security staff or electronic cameras with video monitors that can be viewed by nighttime staff shall be provided to monitor the exterior of the building housing the emergency care facilities. The exterior of the building shall be monitored by security staff or electronic cameras between 10:00 p.m. and 6:00 a.m.

17.28.070 Special Objective Standards for Supportive Housing

All supportive housing in the R-3 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. Units within the development are subject to a recorded affordability restriction for 55 years.
- B. One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. The rents in the development shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the development.
- C. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.
- D. The developer provides the City of Holtville with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, and describing those services, which shall include all of the following:
 - 1. The name of the proposed entity or entities that will provide supportive services.
 - 2. The proposed funding source or sources for the provided onsite supportive services.
 - 3. Proposed staffing levels.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 - 1. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 - 2. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in Chapter 17.49.
- G. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

17.28.080 Special Objective Standards for Low Barrier Navigation Centers

All low barrier navigation centers in the R-3 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- B. It is linked to a coordinated entry system, so that staff in the interim facility or staff who colocate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- C. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- D. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

CHAPTER 17.30 R-4 MOBILE HOME PARK ZONE

Sections:

17.30.030 Conditional Uses.

[17.30.210 Special Objective Standards for Emergency Shelters](#)

[17.30.220 Special Objective Standards for Supportive Housing](#)

[17.30.230 Special Objective Standards for Low Barrier Navigation Centers](#)

17.30.030 Conditional Uses.

Conditional uses allowed in the R-4 zone, subject to the conditional use permit regulations, are set forth in Table 17.30-1.

**Table 17.30-1
R-4 Mobile Home Park Zone
- Permitted and Conditional Uses**

Uses	Permitted Use ¹	Conditional Use ²
Accessory buildings and/or structures	X	
Home occupations as provided in Chapter 17.46 HMC	X	
Household pets in accordance with Chapter 7.12 HMC	X	
Mobile homes not on a permanent foundation	X	
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	X	
Residential care homes serving greater than six clients, includes foster family homes and small family homes for nonmedical assisted group care	<u>X</u>	
Emergency shelters serving six or fewer persons	<u>X</u>	
Transitional housing or Supportive Housing	<u>X</u>	✗
Low barrier navigation centers	<u>X</u>	
Apartments, at the same density and standards as permitted in this zone but limited to 15 feet or one story		X
Commercial recreation facilities		X
Flag poles, radio towers, masts or aerials in excess of 35 feet above the ground		X
Incidental uses ³ : 1. Dwelling for owner and/or manager 2. Food markets related only to the park 3. Restroom facilities 4. Nonalcoholic beverage services related only to the park 5. Personal services 6. Recreation facilities 7. Restaurants, including dancing and alcoholic beverage sales for park use only		X

8. Sale of items related to maintenance and operations of mobile homes within the park		
Recreational vehicle park: 1. Motor homes 2. Recreation vehicles 3. Campers 4. Camp cars 5. Tent campers		X
Trailers occupied for uses other than habitation		X
Travel trailer park: 1. Trailers		X

¹ Similar uses shall be permitted subject to recommendation by the planning commission and adoption by the city council.

² These uses shall be permitted subject to a conditional use permit.

³ Incidental uses operated primarily for the convenience of mobile home park residents. There shall be no sign advertising such uses visible from the street. The incidental uses shall be located not less than 50 feet from any street.

17.30.210 Special Objective Standards for Emergency Shelters

All emergency shelters in the R-4 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. Each facility shall include sufficient parking to accommodate all staff working in the shelter.
- B. All waiting and intake areas shall be within an enclosed building and shall have a legal occupancy rating of ten people.
- C. Each facility shall accommodate a minimum daytime staff of one staff member per six occupied beds, and a minimum nighttime staff of one staff per ten occupied beds.
- D. No parcel with an emergency shelter shall be established closer than 300 feet from another parcel with an emergency shelter use.
- E. The length of stay within an emergency shelter shall be limited to a maximum of six months.
- F. The exterior lighting of the building housing the emergency shelter shall be provided to adequately illuminate all sides of the building to allow for security to monitor all sides of the structure.
- G. Security staff or electronic cameras with video monitors that can be viewed by nighttime staff shall be provided to monitor the exterior of the building housing the emergency care facilities. The exterior of the building shall be monitored by security staff or electronic cameras between 10:00 p.m. and 6:00 a.m.

17.30.220 Special Objective Standards for Supportive Housing

All supportive housing in the R-4 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. Units within the development are subject to a recorded affordability restriction for 55 years.

- B. One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. The rents in the development shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the development.
- C. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.
- D. The developer provides the City of Holtville with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, and describing those services, which shall include all of the following:
 - 1. The name of the proposed entity or entities that will provide supportive services.
 - 2. The proposed funding source or sources for the provided onsite supportive services.
 - 3. Proposed staffing levels.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 - 1. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 - 2. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in Chapter 17.49.
- G. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

17.30.230 Special Objective Standards for Low Barrier Navigation Centers

All low barrier navigation centers in the R-4 zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- B. It is linked to a coordinated entry system, so that staff in the interim facility or staff who colocate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

- C. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- D. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

CHAPTER 17.32 RC RESIDENTIAL COMMERCIAL MIXED-USE ZONE

Sections:

17.32.040 Conditional Uses.

[17.32.080 Special Objective Standards for Emergency Shelters](#)

[17.32.090 Special Objective Standards for Supportive Housing](#)

[17.32.100 Special Objective Standards for Low Barrier Navigation Centers](#)

17.32.040 Conditional Uses.

As indicated in Table 17.32-1, all new development or uses within the RC zone will require a conditional use permit in order to ensure compatibility, zoning and general plan consistency, and to assure the uses and development do not undermine the intent of the RC zone.

**Table 17.32-1
RC Residential Commercial Mixed Use Zone
- Permitted and Conditional Uses**

Uses	Permitted Use ¹	Conditional Use ²
Accessory buildings and/or structures	<u>X</u>	
All uses permitted in Chapters 17.26, 17.28 and 17.36 HMC existing on October 7, 1996	X	
Emergency shelters serving six or fewer persons	<u>X</u>	
Farmworker housing for 6 persons or more	X	
Second unit		✗
Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care	<u>X</u>	✗
Residential care homes serving greater than six clients, includes foster family homes and small family homes for nonmedical assisted group care	<u>X</u>	
Transitional housing	<u>X</u>	✗
Low barrier navigation centers	<u>X</u>	
Supportive housing	<u>X</u>	✗
A conditional use permit will be required for all new development or uses within the residential/commercial mixed use zone to ensure compatibility, zoning and general plan consistency, and to ensure they do not undermine the intent of the RC zone.		X

¹ Similar uses shall be permitted subject to a recommendation by the planning commission and adoption by the city council.

² This use shall be permitted subject to a conditional use permit.

17.32.080 Special Objective Standards for Emergency Shelters

All emergency shelters in the RC zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. Each facility shall include sufficient parking to accommodate all staff working in the shelter.
- B. All waiting and intake areas shall be within an enclosed building and shall have a legal occupancy rating of ten people.
- C. Each facility shall accommodate a minimum daytime staff of one staff member per six occupied beds, and a minimum nighttime staff of one staff per ten occupied beds.
- D. No parcel with an emergency shelter shall be established closer than 300 feet from another parcel with an emergency shelter use.
- E. The length of stay within an emergency shelter shall be limited to a maximum of six months.
- F. The exterior lighting of the building housing the emergency shelter shall be provided to adequately illuminate all sides of the building to allow for security to monitor all sides of the structure.
- G. Security staff or electronic cameras with video monitors that can be viewed by nighttime staff shall be provided to monitor the exterior of the building housing the emergency care facilities. The exterior of the building shall be monitored by security staff or electronic cameras between 10:00 p.m. and 6:00 a.m.

17.32.090 Special Objective Standards for Supportive Housing

All supportive housing in the RC zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. Units within the development are subject to a recorded affordability restriction for 55 years.
- B. One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. The rents in the development shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the development.
- C. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.
- D. The developer provides the City of Holtville with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, and describing those services, which shall include all of the following:
 - 1. The name of the proposed entity or entities that will provide supportive services.
 - 2. The proposed funding source or sources for the provided onsite supportive services.

3. Proposed staffing levels.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 1. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 2. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in Chapter 17.49.
- G. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

17.32.100 Special Objective Standards for Low Barrier Navigation Centers

All low barrier navigation centers in the RC zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- B. It is linked to a coordinated entry system, so that staff in the interim facility or staff who colocate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- C. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- D. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

CHAPTER 17.41 DOWNTOWN CODE

Sections:

17.41.050 Allowed Uses.

[17.41.120 Special Objective Standards for Emergency Shelters](#)

[17.41.130 Special Objective Standards for Supportive Housing](#)

[17.41.140 Special Objective Standards for Low Barrier Navigation Centers](#)

17.41.050 Allowed Uses.

- A. District Descriptions. The downtown code establishes two districts that will regulate development and drive design standards for downtown Holtville, the D-A and D-B district. These districts are described below.
1. D-A District. This district is the core downtown district. It offers a variety of mixed commercial, retail, and residential uses, oriented around the heart of downtown: Holt Park. This central node offers more potential for unique, boutique storefronts and destination shopping. Oriented around the park, uses are easily accessed through pedestrian travel.
 2. D-B District. This district applies to areas of the downtown/central business district not within the D-A district. While also offering a variety of mixed commercial, retail, and residential uses, it offers more opportunity for redevelopment and infill residential development. This district can accommodate larger building footprints. The area is characterized by a predominance of commercial and retail uses, with complementary light industrial use, mixed use, and residential units.
- B. Allowed Uses. Table 17.41.050-1 (Allowed Uses) identifies the allowed uses within the downtown. These allowed use regulations are listed by zoning district (D-A or D-B). The uses listed are defined in HMC 17.41.030(B) (Allowed Use Definitions). The symbols in the table are defined as:

P – Permitted use (permitted by right)

C – Conditionally permitted use (conditional use permit required)

N – Not permitted

Uses not listed as allowed are by default prohibited.

Table 17.41.050-1: Allowed Uses

Uses	D-A Zone	D-B Zone
Accessory buildings and/or structures	X	X
Attached Single-Family Residential	N	C
Commercial Recreation and Entertainment	P ¹	P ¹
Detached Single-Family Residential	N	C
Government/Institutional	P	P
Home Occupation	N	P
Hotel/Motel	P	P
Single-Room Occupancy	N	P
Live/Work Space	P	P

Mixed Use	P	P
Multifamily Residential	C	C
<u>Emergency shelters</u>	<u>X</u>	<u>X</u>
Farm worker housing for 6 persons or fewer	N	C
Transitional housing or Supportive housing	<u>X</u> €	<u>X</u> €
<u>Low barrier navigation centers</u>	<u>X</u>	<u>X</u>
<u>Residential care homes serving up to six clients, includes foster family homes and small family homes for nonmedical assisted group care</u>	<u>X</u>	<u>X</u>
<u>Residential care homes serving greater than six clients, includes foster family homes and small family homes for nonmedical assisted group care</u>	<u>X</u>	<u>X</u>
Second unit	N	€
Offices	P	P
Retail Commercial	P ¹	P ¹

¹ Alcohol sales permitted on premises.

17.41.120 Special Objective Standards for Emergency Shelters

All emergency shelters in the Downtown zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. Each facility shall include sufficient parking to accommodate all staff working in the shelter.
- B. All waiting and intake areas shall be within an enclosed building and shall have a legal occupancy rating of ten people.
- C. Each facility shall accommodate a minimum daytime staff of one staff member per six occupied beds, and a minimum nighttime staff of one staff per ten occupied beds.
- D. No parcel with an emergency shelter shall be established closer than 300 feet from another parcel with an emergency shelter use.
- E. The length of stay within an emergency shelter shall be limited to a maximum of six months.
- F. The exterior lighting of the building housing the emergency shelter shall be provided to adequately illuminate all sides of the building to allow for security to monitor all sides of the structure.
- G. Security staff or electronic cameras with video monitors that can be viewed by nighttime staff shall be provided to monitor the exterior of the building housing the emergency

care facilities. The exterior of the building shall be monitored by security staff or electronic cameras between 10:00 p.m. and 6:00 a.m.

17.41.130 Special Objective Standards for Supportive Housing

All supportive housing in the Downtown zone shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. Units within the development are subject to a recorded affordability restriction for 55 years.
- B. One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. The rents in the development shall be set at an amount consistent with the rent limits stipulated by the public program providing financing for the development.
- C. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.
- D. The developer provides the City of Holtville with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, and describing those services, which shall include all of the following:
 1. The name of the proposed entity or entities that will provide supportive services.
 2. The proposed funding source or sources for the provided onsite supportive services.
 3. Proposed staffing levels.
- E. Nonresidential floor area shall be used for onsite supportive services in the following amounts:
 1. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 2. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- F. The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in Chapter 17.49.
- G. Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

17.41.140 Special Objective Standards for Low Barrier Navigation Centers

All low barrier navigation centers in the DC zones shall meet all the applicable development standards listed in the applicable zone, and in addition meet the following requirements:

- A. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- B. It is linked to a coordinated entry system, so that staff in the interim facility or staff who colocate in the facility may conduct assessments and provide services to connect people to permanent housing. "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- C. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- D. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

CHAPTER 17.48 ACCESSORY ~~SECOND~~ DWELLING UNITS

Sections:

- 17.48.010 Intent
- 17.48.020 ~~Prohibition~~ Effect of Conforming
- 17.48.030 Definitions
- 17.48.040 ~~Environment~~ Approvals
- 17.48.050 ~~Development Standards and conditions for approval of new second units~~ General ADU and JADU Requirements
- 17.48.060 ~~Required Findings and Conditions~~ Specific ADU Requirements
- 17.48.070 ~~Procedure for Establishing Second Unit Fees~~
- 17.48.080 Nonconforming Zoning Conditions, Building Code Violations, and Unpermitted Structures

17.48.010 Intent.

The intent of this chapter is to ~~provide development standards for second dwelling units on lots that contain single family dwellings to ensure that second units are compatible with existing neighborhoods. (Ord. 441 § 1, 2000).~~ allow and regulate accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in compliance with California Government Code Sections 65852.2 and 65852.22.

17.48.020 ~~Prohibition~~ Effect of Conforming.

An ADU or JADU that conforms with the standards in this section will not be:

- A. Deemed to be inconsistent with the city's General Plan and zoning designation for the lot on which the ADU or JADU is located.
- B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
- C. Considered in the application of any local ordinance, policy, or program to limit residential growth.
- D. Required to correct a nonconforming zoning condition, as defined in subsection 17.48.030(G) below. This does not prevent the city from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

17.48.030 Definitions.

~~"Second unit" means a dwelling unit that provides complete independent living facilities for one or more persons. (Ord. 441 § 1, 2000).~~ As used in this section, terms are defined as follows:

- A. "Accessory dwelling unit" or "ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - 1. An efficiency unit, as defined by Section 17958.1 of the California Health and Safety

Code; and

2. A manufactured home, as defined by Section 18007 of the California Health and Safety Code.
- B. “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot.
- C. “Complete independent living facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
- D. “Efficiency kitchen” means a kitchen that includes all of the following:
 1. A cooking facility with appliances.
 2. A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
- E. “Junior accessory dwelling unit” or “JADU” means a residential unit that satisfies all of the following:
 1. It is no more than 500 square feet in size.
 2. It is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure.
 3. It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure.
 4. If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.
 5. It includes an efficiency kitchen, as defined in subsection (D) above.
- F. “Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.
- G. “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- H. “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.
- I. “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- J. “Proposed dwelling” means a dwelling that is the subject of a permit application and

that meets the requirements for permitting.

- K. “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- L. “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

17.48.040 Environment Approvals.

~~The approval of a second unit in the single family residential zone is exempt from the provisions of the California Environmental Quality Act (CEQA). Second units on a block are limited to four in number and shall not be constructed on blocks without alleys for the following reasons:~~ The following approvals apply to ADUs and JADUs under this section:

- A. ~~Since the city has approximately four miles citywide of unpaved alleys, second units shall be limited to four in number per block to ensure that no further adverse impacts occur from dust generation, trackout and traffic generation; and~~ **Building Permit Only.** If an ADU or JADU complies with each of the general requirements in Section 17.48.050, it is allowed with only a building permit in the following scenarios:
 - 1. **Converted on Single-family Lot:** One ADU as described in this subsection and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - a. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
 - b. Has exterior access that is independent of that for the single-family dwelling; and
 - c. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
 - d. The JADU complies with the requirements of Government Code Section 66333 through 66339.
 - 2. **Limited Detached on Single-family Lot:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection 17.48.040(A)(1), if the detached ADU satisfies each of the following limitations:
 - a. The side- and rear-yard setbacks are at least four feet.
 - b. The total floor area is 800 square feet or smaller.
 - c. The peak height above grade does not exceed the applicable height limit in subsection 17.48.050(B).

3. Converted on Multifamily Lot: One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection, at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.
 4. Limited Detached on Multifamily Lot: No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:
 - a. The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.
 - b. The peak height above grade does not exceed the applicable height limit provided in subsection 17.48.050(B).
 - c. If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.
- B. ~~Second units shall not be constructed in blocks without alleys since tandem parking of a second unit vehicle is not permitted. (Ord. 441 § 1, 2000).~~ **ADU Permit.**
1. Except as allowed under subsection 17.48.040(A), no ADU may be created without a building permit and an ADU permit in compliance with the standards set forth in Sections 17.48.050 and 17.48.060.
 2. The city may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the city's ADU ordinance. The ADU-permit processing fee is determined by the City of Holtville Planning Department and approved by the City Council by resolution.
- C. **Process and Timing.**
1. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.
 2. The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a completed application. If the city has not approved or denied the completed application within 60 days, the application is deemed approved unless either:
 - a. The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
 - b. When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the

city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

3. If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection 17.48.040(C)(2).
4. A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

17.48.050 General ADU and JADU Requirements ~~Development Standards and Conditions for Approval of New Second Units.~~

The following requirements apply to all ADUs and JADUs that are approved under subsections 17.48.040(A) or 17.48.040(B): ~~Table 17.48-1 depicts development standards for second dwelling units.~~

~~Table 17.48-1-~~

~~Second Dwelling Units – Development Standards and Conditions for Approval of New Second Units~~

Second Dwelling Units	Standards and Conditions
New second dwelling units	Must meet requirements of Chapter 17.20 HMC relating to height, setback, lot coverage, parking, architectural review, site plan review fees and charges
Parking	One off-street paved parking space
Height	No more than two stories, with parking in the lower level
Minimum lot area	6,000 square feet (lot shall contain an existing residential dwelling which is owner-occupied)
Maximum unit size	A. 30 percent of the existing residential floor area, if attached

	B. Not exceeding 1,200 square feet if detached
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~~In addition to the development standards described in Table 17.48-1, the following development standards also apply to second dwelling units:~~

~~A. The second dwelling unit shall meet requirements of the zone in which it is located relating to height, setback, lot coverage, architectural review, site plan review, fees and charges; **Zoning.**~~

- An ADU subject only to a building permit under subsection 17.48.040(A) may be created on a lot in a residential or residential mixed-use zone.
- An ADU subject to an ADU permit under subsection 17.48.040(B) may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- In accordance with Government Code section 66333(a), a JADU may only be created on a lot zoned for single-family residences.

~~B. The second dwelling unit may be constructed within an existing building or detached accessory building; **Height.**~~

- Except as otherwise provided by subsections 17.48.050(B)(2) and 17.48.050(B)(3), a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.
- A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or high quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.
- A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.
- An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection may not exceed two stories.
- For purposes of this subsection, height is measured from existing legal grade or the level of the lowest floor, whichever is lower, to the peak of the structure.

~~C. The second living unit shall conform in design, materials and colors consistent with the main living unit, when attached; **Fire Sprinklers.**~~

- Fire sprinklers are required in an ADU if sprinklers are required in the primary

residential structure.

2. The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
- D. ~~The owner shall pay to the city all appropriate fees at the time the building permit is obtained;~~ **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.
- E. ~~The second unit may not be sold separately. However, the second unit shall be provided separate water and electric meters;~~ **No Separate Conveyance.** An ADU or JADU may be rented, but, except as otherwise provided in Government Code Section 65852.26, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).
- F. ~~Property owners within a 300 foot radius of the site, and property owners within the existing block, will be notified in writing of the proposed second unit, and shall be notified at least 10 days prior to a decision by the planning commission; and~~ **Septic System.** If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.
- G. ~~In the case where an existing small dwelling unit abuts an alley, the new second dwelling unit maximum size may be larger as long as the total lot coverage does not exceed 50 percent. (Ord. 441§ 1, 2000).~~ **Owner Occupancy.**
1. ADUs created under this section on or after January 1, 2020, are not subject to an owner-occupancy requirement.
 2. As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement in this subsection does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
- H. **Deed Restriction.** Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Planning Department. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the city and must provide that:
1. Except as otherwise provided in Government Code Section 66341, the ADU or JADU may not be sold separately from the primary dwelling.
 2. The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
 3. The deed restriction runs with the land and may be enforced against future property

owners.

4. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request to the Planning Department, providing evidence that the ADU or JADU has in fact been eliminated. The Planning Department may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Planning Department's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
5. The deed restriction is enforceable by the Planning Department for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

I. Building & Safety.

1. **Must comply with building code.** Subject to subsection 17.48.050(I)(2), all ADUs and JADUs must comply with all local building code requirements.
2. **No change of occupancy.** Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

17.48.060 Specific ADU Requirements ~~Required Findings and Conditions~~

~~A conditional use permit in accordance with this chapter shall be required to be issued by the planning commission provided the following findings are made:~~ The following requirements apply only to ADUs that require an ADU permit under subsection 17.48.040(B):

- A. ~~The proposed second unit is conformity with the standards of the zone and other applicable ordinances;~~ **Maximum Size.**
 1. The maximum size of a detached or attached ADU subject to this subsection is 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two or more bedrooms.
 2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.

3. Application of other development standards in this subsection, such as lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection 17.48.060(A)(2) or front setback, lot coverage limit, or open-space requirement may require the ADU to be less than 800 square feet.
- B. ~~The plan for the second unit reflects sufficient consideration of the relationship between the proposed buildings, structures, traffic demands, parking, and those that already exist or have been approved for the general neighborhood so as to preserve and protect neighborhood character, and once in place will not adversely impact this neighborhood character;~~ Setbacks.
1. ADUs that are subject to this subsection must conform to 4-foot side and rear setbacks, and a 20-foot front setback, subject to subsection 17.48.060(A)(3).
 2. No setback is required for an ADU that is subject to this subsection if the ADU is constructed in the same location and to the same dimensions as an existing structure.
- C. ~~The second unit is not so different in its exterior design and appearance from that of other existing structures in the general neighborhood so as to cause the local environs to materially depreciate in appearance and value;~~ Lot Coverage. No ADU subject to this subsection may cause the total lot coverage of the lot to exceed 50 percent, subject to subsection 17.48.060(A)(3).
- D. ~~All necessary city permits will be obtained prior to construction; and~~ Minimum Open Space. No ADU subject to this subsection may cause the total percentage of open space of the lot to fall below 50 percent, subject to subsection 17.48.060(A)(3).
- E. ~~Construction work must begin under the building permit within 12 months after the effective date of the building permit and carried on diligently to completion or the permit shall expire. (Ord. 441 § 1, 2000).~~ Passageway. No passageway, as defined by subsection 17.48.030(H), is required for an ADU.
- F. Parking.
1. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection 17.48.030(K) and per the parking standards listed on Section 17.52.060.
 2. Exceptions. No parking under subsection 17.48.060(F)(1) is required in the following situations:
 - a. The ADU is located within one-half mile walking distance of public transit, as defined in subsection 17.48.030(I).
 - b. The ADU is located within an architecturally and historically significant historic district.
 - c. The ADU is part of the proposed or existing primary residence or an accessory structure under subsection 17.48.040(A)(1).
 - d. When on-street parking permits are required but not offered to the occupant of the ADU.
 - e. When there is an established car share vehicle stop located within one block of the ADU.

- f. When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections 17.48.060(F)(2)(a) through 17.48.060(F)(2)(e).
3. Replacement Parking. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced. Replacement parking is still required for a garage, carport, or covered parking structure that is converted into a JADU.

G. Architectural Requirements.

1. The materials and colors of the exterior walls, roof, and windows and doors must match the appearance of those of the primary dwelling.
2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.
4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.
5. The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.
6. No window or door of the ADU may have a direct line of sight to an adjoining residential property. Each window and door must either be located where there is no direct line of sight or screened using fencing, landscaping, or privacy glass to prevent a direct line of sight.
7. All windows and doors in an ADU are less than 30 feet from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.

H. Historical Protections. An ADU that is on or within 600 feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.

I. Allowed Stories. No ADU subject to this subsection may have more than one story, except that an ADU that is attached to the primary dwelling may have the stories allowed under subsection 17.48.050(B)(4) of this section.

17.48.070 **Procedure for Establishing Second Unit Fees**

~~A second unit must be established through the conditional use permit process described in Chapter 17.60 HMC. (Ord. 441 § 1, 2000).~~ The following requirements apply to all ADUs that are approved under subsections 17.48.040(A) or 17.48.040(B).

A. Impact Fees.

1. No impact fee is required for an ADU that is less than 750 square feet in size. For purposes of this subsection, "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water

or sewer service.

2. Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

B. Utility Fees.

1. If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
2. Except as described in subsection 17.48.070(B)(1), converted ADUs on a single-family lot that are created under subsection 17.48.040(A)(1) are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.
3. Except as described in subsection 17.48.070(B)(1), all ADUs that are not covered by subsection 17.48.070(B)(2) require a new, separate utility connection directly between the ADU and the utility for any utility that is provided by the city. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.
 - a. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
 - b. The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.

17.48.080 Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.

- A. **Generally.** The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.
- B. **Unpermitted ADUs and JADUs constructed before 2018 2020.**
 1. **Permit to Legalize.** As required by the state law, the city may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if denial is based on either of the following grounds:
 - a. The ADU or JADU violates applicable building standards, or
 - b. The ADU or JADU does not comply with the state ADU or JADU law or this ADU ordinance (Chapter 17.48).
 2. **Exceptions:**
 - a. Notwithstanding subsection 17.03.280(B)(1) above, the city may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2018, January 1, 2020, if the city makes a finding that correcting a violation is necessary to comply with the standards specified in California Health and Safety Code section 17920.3.

- b. Subsection 17.48.080(B)(1) does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

Chapter 17.49 Density Bonus

Sections:

- 17.49.010 Purpose
- 17.49.020 Applicability
- 17.49.030 Definitions
- 17.49.040 Eligibility for Density Bonus and Incentives
- 17.49.050 Application and Fees Required
- 17.49.060 Effect of Proposal for Waiver or Reduction of Development Standards
- 17.49.070 Density Bonus Allowance for Housing Development with Affordable Housing Component
- 17.49.080 Density Bonus for Housing Development with Affordable Housing Component and Child Care Facility
- 17.49.090 Density Bonus for Senior Citizen Housing Development
- 17.49.100 Density Bonus for Land Donations
- 17.49.110 Affordable Housing Incentives
- 17.49.120 Number of Incentives Granted
- 17.49.130 Criteria for Denial of Application for Incentives
- 17.49.140 Waiver or ~~Reduction~~ ~~Modification~~ of Development Standards
- 17.49.150 Parking Standard Modifications for Qualified Housing Development
- 17.49.160 Density Bonus and Affordable Housing Incentives Program
- 17.49.170 Determination on Density Bonus and Affordable Housing Incentives Program Requirements
- 17.49.180 Affordable Housing Agreements and Equity Sharing Agreements
- 17.49.190 Density Bonus or Incentives for Condominium Conversion Projects
- 17.49.200 Enforcement Provisions

17.49.010 Purpose

This chapter implements the statutory requirements set forth in Government Code § 65915 et seq. (known as state density bonus law). To the extent practicable, the citation to the governing statutory provision is included next to the implementing ordinance section. If any provision of this chapter conflicts with state law, the latter shall control. Applicable statutes should be consulted for amendments prior to applying the ordinance provision.

17.49.020 Applicability

The density bonuses and incentives contained in this chapter shall apply to housing developments eligible for a density bonus [and under regulatory incentives provided](#) under state density bonus law. When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within, the City's jurisdiction that meets the requirements set out in California Government Code § 65915, the actions and procedures set out in this chapter shall apply. The burden is on the applicant to show that the housing development meets such requirements. The density bonus provisions of California Government Code §§ 65915–65918 (state density bonus law), as may be amended from time to time, are incorporated by reference into this chapter. The City reserves the right to review applications for a density bonus in accordance with California Government Code §§ 65915–65918.

17.49.030 Definitions

In addition to the definitions in Chapter 17.04, the following definitions in this section apply to this chapter and shall control where there is a conflict with the definitions in Chapter 17.04. State law definitions, as they may be amended from time to time, control over the definitions in this section. Where the definitions are provided by state law, the citation to the statute follows.

- A. “Affordable Housing Benefits”: Means one or more of the following:
 - 1. A density bonus pursuant to Section 17.49.070.
 - 2. An incentive pursuant to Section 17.49.110.

3. A development standard waiver or reduction ~~modification~~ pursuant to Section 17.49.140.
 4. A parking standard modification pursuant to Section 17.49.150.
- B. “Affordable Housing”: Dwelling units with a sales price or rent within the means of a low- or moderate-income household as defined by state or federal legislation. As used in this Development Code:
1. Very low income refers to family units/household whose annual income is fifty percent (50%) or less of the area's median income as defined in Health and Safety Code Section 50105. (Gov. Code § 65915(b)(1)(B))
 2. Low income refers to family units/households whose annual income is between fifty percent (50%) and eighty percent (80%) of the area's median income as defined in Health and Safety Code Section 50079.5. (Gov. Code § 65915(b)(1)(A))
 3. Moderate income refers to family units/households whose annual income is between eighty percent (80%) and one-hundred twenty percent (120%) of the area's median income as defined in Health and Safety Code Section 50093. (Gov. Code § 65915(b)(1)(D))
- C. “Affordable Housing Cost”: The definition set forth in Health and Safety Code Section 50052.5. (Gov. Code § 65915(c)~~(H)~~(2)(A)(i))
- D. “Affordable Housing Developer”: The applicant or permittee of a qualified housing development and its assignees or successors in interest.
- E. “Affordable Rent”: The definition set forth in Health and Safety Code Section 50053. (Gov. Code § 65915(c)(1)(B)(i))
- F. “Child Care Facility”: A child day care facility other than a family day care home, including but not limited to infant centers, preschools, extended day care facilities, and school age child care centers. (Gov. Code § 65915(h)(4))
- G. “Common Interest Development”: Any of the following: a community apartment project, a condominium project, a planned development, and a stock cooperative pursuant to Civil Code Section 1351(c) and pursuant to Civil Code Section 4100. All Common Interest Development units must be offered to the public for purchase. (Gov. Code § 65915(i)(b)(1)(D))
- H. “Condominium Conversion Project”: A residential project in which the applicant proposes to convert apartment units to condominiums pursuant to Government Code Section 65915.5(a).
- I. “Density Bonus Units”: Dwelling units granted pursuant to Section 17.49.040 which exceed the otherwise Maximum Allowable Residential Density.
- J. “Density Bonus”: A density increase over the otherwise maximum allowable gross density as of the date of application by the applicant to the city, or, if elected by the applicant, a lesser percentage of density increase, including, but not limited to, no increase in density. The amount of density increase to which the applicant is entitled shall vary accordingly to the amount by which the percentage of affordable housing units exceeds the percentage established in Section 17.49.040. ~~A process by which a city, at the request of an applicant, can increase the density within a development project by a percentage established by law or through which the city offers incentives supporting economic viability in return for~~

~~guarantees with respect to the preservation of the rights of use or sale for affordable housing purposes.~~

- K. “Development Code”: The City development code set forth in Title 19 of the City of Holtville Municipal Code.
- L. “Development Standard”: A site or construction condition, including but not limited to a height limitation, a setback requirement, a floor area ratio, an on-site open-space requirement, [a minimum lot area per unit requirement](#), or a parking ratio, that applies to a residential development pursuant to the Development Code, the General Plan, or other City condition, law, policy, resolution, or regulation. (Gov. Code § 65915(o)(1))
- M. “Housing Development”: A development project of five or more residential units, including mixed-use developments, and includes a subdivision or Common Interest Development that is approved by the City and consists of residential units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling where the result of the rehabilitation would be a net increase in available residential units. (Gov. Code § 65915(i))
- N. ~~“Incentive”: Means “Incentives and Concessions”: as that phrase is used in Government Code Section 65915. Specifically, incentives or concessions shall be limited to waivers or modifications of development standards.~~ [means any of the following:](#)
1. [A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 \(commencing with Section 18901\) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code Section 65915\(c\). \(Gov. Code § 65915\(k\)\(1\)\).](#)
 2. [Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located. \(Gov. Code § 65915\(k\)\(2\)\).](#)
 3. [Other regulatory incentives or concessions proposed by the developer or the city that result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code Section 65915\(c\). \(Gov. Code § 65915\(k\)\(3\)\).](#)
- O. “Market-rate Unit”: A dwelling unit that is not an Affordable Unit.
- P. “Maximum Allowable Residential Density”: The [maximum](#) density allowed under the Development Code and the Land Use Element of the General Plan, or if a range of density is permitted, means the maximum allowable gross density for the specific district density range applicable to the project. If the density allowed under the Development Code is inconsistent

with the density allowed under the Land Use Element of the General Plan, the General Plan density shall prevail. (Gov. Code § 65915(o)(~~6~~)(2)).

- Q. “Minimum Affordable Housing Component”: A Housing Development project which includes a minimum of any of the following:
1. Very Low Income Minimum Affordable Housing Component – Provides at least five percent (5%) of the total units for very low-income household residents (Gov. Code § 65915(b)(1)(B)); or
 2. Low Income Minimum Affordable Housing Component – Provides at least ten percent (10%) of the total units for low-income households (Gov. Code § 65915(b)(1)(A)); or
 3. Moderate Income Minimum Affordable Housing Component – Provides at least ten percent (10%) of the total dwelling units in a Common Interest Development for moderate-income households (Gov. Code § 65915(b)(1)(D)).
- R. “Natural or Constructed Impediments”: Includes but is not limited to, freeways, rivers, mountains, and bodies of water, but does not include residential structures, shopping centers, parking lots, or rails used for transit.
- S. “Other Incentives of Equivalent Financial Value”: The reduction or waiver of requirements which the City might otherwise apply as conditions of condominium conversion approval but shall not be construed to require the City to provide cash transfer payments or other monetary compensation. (Gov. Code § 65915.5(c))
- T. “Qualified Housing Development”: A housing development that meets the requirements of Section 17.49.040 for density bonus.
- U. “Qualified Land”: Land offered for donation in accordance with Section 17.49.100 that meets the criteria set forth in Section 17.49.100.A.
- V. “Senior Citizen Housing Development”: A residential development that is developed, substantially rehabilitated, or substantially renovated for, senior citizens and that has at least thirty-five (35) senior citizen housing development units. (Gov. Code § 65915(b)(1)(C))
- W. “Senior Citizen Housing Development Unit”: A residential dwelling unit within a senior citizen housing development that is available to, and occupied by, a senior citizen as defined in Civil Code § 51.3.
- X. “Specific, Adverse Impact”: A significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application for the housing development was deemed complete. Inconsistency with the Development Code or General Plan land use designation shall not constitute a specific, adverse impact upon the public health or safety. (Gov. Code § 65589.5(d)(2))
- Y. “Total Units” or and “Total Dwelling Units”: ~~Dwelling units other than density bonus units. (Gov. Code § 65915(b)(3))~~ Means a calculation of the number of units that:
1. Excludes a unit added by a density bonus awarded pursuant to this chapter.
 2. Includes a unit designated to satisfy an inclusionary zoning requirement of the City. (Gov. Code § 65915(8)(A))

For purposes of calculating a density bonus granted for a shared housing building, “unit” means one shared housing unit and its pro rata share of associated common area facilities. (Gov. Code § 65915(o)(8))

17.49.040 Eligibility for Density Bonus and Incentives

- A. ~~Density bonuses are available to affordable housing developers in accordance with this chapter for the following:~~ Eligible projects. Except as provided in Subsection B below, one density bonus shall be granted, the amount of which shall be specified in Section 17.49.070, and, if requested by the applicant and consistent with the applicable requirements of this chapter, incentives or concession, as described in Section 17.49.110 through 17.49.130, waivers and reductions of development standards, as described in Section 17.49.140, and parking ratios, as described in Section 17.49.150, if an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this chapter, that will contain at least one of the following:
1. ~~Housing developments which include a minimum affordable housing component (Section 17.49.070 and Section 17.49.190.A)~~ Housing developments. A housing development for five or more residential units, including mixed-use developments, which will contain at least one of the following:
 - a. Ten percent of the total units of a housing development, including shared housing building development, for rental or sale to lower income households, as defined in Section 17.49.030(B)(2);
 - b. Five percent of the total units of a housing development, including a shared housing building development, for rental or sale to very low income households, as defined in Section 17.49.030(B)(1);
 - c. A senior citizen housing development, as defined in Section 17.49.030(V). For purposes of this subsection, “development” includes a shared housing building development;
 - d. A mobile home park that limits residency based on age requirements for housing for older persons pursuant to Government Code Section 65915(b)(1)(C) or successor statute;
 - e. Ten percent of the total dwelling units of a housing development are sold to persons and families of moderate income, as defined in Section 17.49.030(B)(3), provided that all units in the development are offered to the public for purchase;
 - f. Ten percent of the total units of a housing development for transitional foster youth (Section 60025.9 of the Education Code), disabled veterans (Section 18541), or homeless persons, (42 U.S.C. Sec 11301 et seq.) subject to a recorded affordability restriction of 55 years and provided at the same affordability level as very low income units; (Gov. Code § 65915(b)(1)(E));
or
 - g. One hundred percent of all units in the development, including total units and density bonus units, but exclusive of a manager’s unit are for lower income households as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the units in the development, including total units and density bonus units may be for moderate income households, as

defined in Section 50053 of the Health and Safety Code. For purposes of this subsection, “development” includes a shared housing building development.

2. ~~Housing developments which include a minimum affordable housing component and a child care facility (Section 17.49.080)~~ Condominium projects. A project to convert apartments to a condominium that will provide at least 33 percent of the total units of the proposed condominium project to persons and families of low or moderate income, or at least 15 percent of the total units of the proposed condominium project to lower income households pursuant to Government Code Section 65915.5 or successor statute.
 3. ~~Senior citizen housing developments (Section 17.49.090); and~~
 4. ~~Land donations for very low income housing (Section 17.49.100)~~
 5. ~~Housing developments for transitional foster youth (Section 66025.9 of the Education Code), disabled veterans (Section 18541), or homeless persons, (42 U.S.C. sec 11301 et seq.) at the same affordability level as very low income units with a 55 year affordability restriction.~~
- B. ~~For the purpose of calculating a density bonus, the residential units must be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. (Gov. Code § 65915(i)).~~ Ineligible projects. The following projects shall be ineligible for density bonuses or other incentives or concessions:
1. Ineligible housing developments. An applicant shall be ineligible for a density bonus or any other incentives or concessions under this Chapter and Government Code Section 65915 if the housing development is proposed on any property that includes a parcel or parcels on which rental dwelling units are located or, if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control through a public entity’s valid exercise of its police power; or occupied by lower or very low income households, unless the proposed housing development replaces those units, as defined in Government Code Section 65915(c)(3)(B), and either of the following applies:
 - a. The proposed housing development, inclusive of the units replaced pursuant to this paragraph, contains affordable units at the percentages set forth in Subdivision A above.
 - b. Each unit in the development, exclusive of a manager’s unit or units, is affordable to, and occupied by, either a lower or very low income household. (Gov. Code § 65915(c)(3)(A).
 2. Ineligible condominium projects. The following projects shall be ineligible for density bonuses or other incentive or concessions:
 - a. The apartments proposed for conversion constitute a housing development for which a density bonus or other incentives were provided under this Chapter and or Government Code Section 65915. (Gov. Code § 65915.5(f)).
 - b. The condominium project is proposed on any property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five-year period preceding the application,

have been subject to a recorded covenant, or ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control through a public entity's valid exercise of its police power; or occupied by lower or very low income households, unless the proposed condominium project replaces those units, as defined in Government Code Section 65915(c)(3)(B), and either of the following

c. applies:

- i. The proposed condominium project, inclusive of the units replaced pursuant to Government Code Section 65915(c)(3)(B), contains affordable units at the percentages set forth in Section 17.49.190.
- ii. Each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household. (Gov. Code § 65915.5(g)).

C. For the purpose of calculating a density bonus, the residential units must be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. ~~The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.~~ (Gov. Code § 65915(i))

D. For the purposes of calculating the amount of the density bonus pursuant to Section 17.49.070, an applicant who requests a density bonus pursuant to this section shall elect whether the bonus shall be awarded on the basis of subparagraph a, b, c, d, e, f, g, or h of paragraph 1 of subdivision A of Section 17.49.040. (Gov. Code § 65915(b)(2)).

17.49.050 Application and Fees Required

A. Application Filing and Processing. When an applicant seeks a density bonus, incentive or concession, waiver of reduction of development standards, parking standard modification, or any combination thereof, for a housing development that meets the criteria set out in Section 17.49.070 (California Government Code Section 65915) the applicant shall ~~affordable housing developer must~~ comply with all of the following requirements:

1. File an application with the City in writing concurrently with the filing of any other entitlements required for the proposed housing development and the required application fee(s). ~~for a density bonus in accordance with this section that includes a minimum affordable housing component, whether or not the project also requires or has been granted a Conditional Use Permit or other permits or approvals. (Gov. Code § 65915(d)(1))~~
2. ~~State in the application the specific minimum affordable housing component proposed for the housing development. (Gov. Code § 65915(b)(2))~~
3. Enter into an agreement with the City or its designee pursuant to Section 17.49.180 to maintain and enforce the affordable housing component of the housing development. (Gov. Code § 65915(c)).
4. The application shall specifically state each requested affordable housing benefit and contain the information and documentation necessary to allow the City to fully evaluate the request under the requirements of this Chapter and Government Code Section 65915, including, but not limited to, the following minimum information:

- a. Requested Density Bonus. All housing developments or projects requesting a density bonus shall include the following minimum information:
 - i. Summary table showing the maximum number of dwelling units permitted by the applicable zone, number of proposed affordable units by income level, proposed bonus percentage, number of density bonus units proposed, total number of dwelling units proposed on the site, and resulting density units per acre.
 - ii. A site plan, drawn to scale, showing the number and location of all proposed units and designating the location of proposed affordable units and density units.
 - iii. The zoning and Assessor's Parcel Number(s) of the housing development site.
 - iv. A description of all dwelling units existing on the site in the five-year period preceding the date of submittal of the application and identification of any units rented in the five-year period and whether they were rented as affordable units.
 - v. If dwelling units on the site are currently rented, identify the income and household size of all residents of currently occupied units, if known.
 - vi. If any dwelling units on the site were rented in the five-year period but are not currently rented, identify the income and household size of residents occupying the dwelling units when the site contained the maximum number of dwelling units, if known.
 - vii. Description of any recorded covenant, ordinance, or law applicable to the site that restricted rents to a level affordable to very low income or low income households in the five-year period preceding the date of submittal of the application.
 - viii. Any other information the City Planner reasonably determines necessary to process and evaluate the application consistent with Government Code Section 65915 and Section 17.49.040.
- b. Requested Incentives or Concessions. All housing developments or projects requesting an incentive or concession shall include the following minimum information for each incentive or concession requested shown on the site plan:
 - i. The applicable development standards of the base zone and overlay zones and the requested incentive or concession for each development standard where requested.
 - ii. Except where mixed-use zoning is proposed as a an incentive or concession, reasonable documentation to show why any requested incentive or concession will reduce affordable housing costs or rents.
 - iii. If approval of mixed-use zoning is proposed, reasonable documentation the nonresidential land uses will reduce the costs of the housing development, that the nonresidential land uses are compatible with the housing development and the existing or planned

development in the area where the proposed housing development will be located, and that mixed-use zoning will provide for affordable housing costs and rents.

- iv. If relief from a requirement for mixed-use zoning is proposed, reasonable documentation that residential use without a commercial component is compatible with the existing and planned development in the area where the proposed housing development will be located, and that not including a proposed commercial development will provide for affordable housing costs and rents.
 - v. Any other information the City Planner reasonably determines necessary to process and evaluate the application consistent with Government Code Section 65915 and Section 17.49.110 and 17.49.120.
- c. Requested Waivers of Reduction of Development Standards. All housing developments or projects requesting waivers or reductions of development standards pursuant to Government Code Section 65915 shall include the following minimum information for each waiver or reduction requested shown on a site plan:
- i. The applicable development standards of the base zone and overlay zones and the requested waiver or reduction of standards for each base development standard where requested.
 - ii. Reasonable documentation that the development standards for which a waiver or reduction of a development standard is requested will have the effect of physically precluding the construction of a development at the densities or with the incentives or concessions permitted by California Government Code Section 65915.
 - iii. Any other information the City Planner reasonably determines necessary to process and evaluate the application consistent with Government Code Section 65915 and Section 17.49.140.
- d. Requested Parking Standard Modification. All housing developments or projects requesting parking standards modifications pursuant to Government Code Section 65915 shall include a table showing parking in compliance with Government Code Section 65915(p) and the City of Holtville Zoning Ordinance Section 17.49.150, and reasonable documentation that the project is eligible for the requested parking reduction.
- e. Donation of Land. All housing developments or projects requesting a density bonus for the donation of land to the City shall include the location of the land to be dedicated, proof of site control, proof of any debt associated with the land, and reasonable documentation that the requirements of Government Code Section 65915(g) and City of Holtville Zoning Ordinance Section 17.49.100 can be met.
- f. Childcare Facility. All housing developments pursuant to Government Code Section 65915 requesting a density bonus for a childcare facility shall show the location and square footage of the childcare facility and include reasonable documentation the requirements of Government Code Section 65915(h) and

City of Holtville Zoning Ordinance Section 17.49.080 and/or Section 17.49.120(B) can be met.

- g. Condominium Conversion. All housing developments or projects requesting a condominium conversion of five or more units shall include reasonable documentation the requirements of Government Code Section 65915.5 and City of Holtville Zoning Ordinance 17.49.190 can be met.
 - h. Commercial Development Bonus. All commercial development projects requesting a commercial development bonus shall include reasonable documentation that the requirements of Government Code Section 65915.7 can be met, which includes, where applicable, an agreement between the developer and a partnered affordable housing organization that allows for a contribution of affordable housing through a joint project or two separate projects encompassing affordable housing.
- 5. The location, design, and phasing criteria required by Section 17.49.160(A), including any proposed development standard(s) modifications or waivers pursuant to Section 17.49.140.
 - 6. The application for a qualified housing development must state the level of affordability of the affordable units and include a proposal for compliance with Section 17.49.180 for ensuring affordability.

B. Application Fees. Application fees shall be as set by the city council by resolution.

- 1. If an application for a density bonus requires an unusual amount or specialized type of study or evaluation by city staff, a consultant or legal counsel, city staff shall estimate the cost thereof and require the applicant to pay an additional fee or make one or more deposits to pay such cost before the study or evaluation is begun. On completion of the study or evaluation and before the city council decides the application, city staff shall determine the actual cost of the work and the difference between the actual cost and the amount paid by the applicant and shall require the applicant to pay any deficiency or shall refund to the applicant any excess.

17.49.060 Effect of Proposal for Waiver or Reduction of Development Standards

A proposal for the waiver or reduction of development standards shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to California Government Code § 65915(d) and 65915(e)(2)).

17.49.070 Density Bonus Allowance for Housing Development with Affordable Housing Component

- A. If the requirements of Sections 17.49.040(A)(1)(a), (b), and (e) are met, then the applicant ~~affordable housing developer~~ is entitled to a density bonus pursuant to Government Code § 65915(f) as follows:

Table 17.49.070–1

Density Bonus Allowance for Housing Development Projects with Affordable Housing Component

Household Income Category	Minimum Percent of Affordable Units	Minimum Density Bonus	Additional Density Bonus for Each 1% Increase in Affordable Units	Maximum Percent of Affordable Units	Maximum Possible Density Bonus
Affordable Housing Development					
Very Low Income	5%	20%	2.50% <u>3.75%*</u>	11 <u>15%</u>	35 <u>50%</u>
Low Income	10%	20%	1.50% <u>3.75%**</u>	20 <u>24%</u>	35 <u>50%</u>
Moderate Income (Common-Interest-Developments)	10%	5%	1% <u>3.75%***</u>	40 <u>44%</u>	35 <u>50%</u>
<u>Footnote:</u>					
<u>* The additional density bonus for each 1% increase in affordable units exceeding 11%</u>					
<u>** The additional density bonus for each 1% increase in affordable units exceeding 20%</u>					
<u>*** The additional density bonus for each 1% increase in affordable units exceeding 40%</u>					

- B. If the requirements of Sections 17.49.040(c) and (d) are met, then the density bonus shall be 20 percent of the number of senior housing units. (Gov. Code § 65915(f)(3)(A)).
- C. If the requirements of Section 17.49.040(f) are met, then the density bonus shall be 20 percent of the number of the type of units giving rise to a density bonus under that section. (Gov. Code § 65915(f)(3)(B)).
- D. If the requirements of Section 17.49.040(g) are met, then the density bonus shall be 35 percent of the student housing units. (Gov. Code § 65915(f)(3)(C)).
- E. If the requirements of Section 17.49.040(h) are met, then the following shall apply:
 - 1. Except as otherwise provided in clauses (b) and (c), the density bonus shall be 80 percent of the number of units for lower income households.
 - 2. If the housing development is located within one-half mile of a major transit stop, the city shall not impose any maximum controls on density.
 - 3. If the housing development is located in a very low vehicle travel area, the city shall not impose any maximum controls on density. (Gov. Code § 65915(f)(3)(D)).
- F. When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the city in accordance with this subdivision, the applicant shall be entitled to a 15 percent increase above the otherwise maximum allowable residential density for the entire development, as follows:

Table 17.49.070-2

Density Bonus Allowance for Qualified Land Donation Projects

<u>Household Income Category</u>	<u>Minimum Percent of Affordable Units</u>	<u>Minimum Density Bonus</u>	<u>Additional Density Bonus for Each 1% Increase in Affordable Units</u>	<u>Maximum Percent of Affordable Units</u>	<u>Maximum Possible Density Bonus</u>
<u>Affordable Housing Development</u>					
<u>Very Low Income</u>	<u>10%</u>	<u>15%</u>	<u>1%</u>	<u>30%</u>	<u>35%</u>

- G. As demonstrated in Table 17.49.070-1, the amount of density bonus to which the applicant is entitled shall vary according to the amount by which the percentage of affordable units offered by the applicant exceeds the percentage of the minimum affordable housing component; the applicant may also elect to accept a lesser percentage of density ~~bonus~~ increase, including, but not limited to, no increase in density (Gov. Code § 65915(f).).
- H. All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not require, or be interpreted, in and of itself, to require a General Plan amendment, zoning change, or other discretionary approval (Gov. Code § 65915(f)(5).).

~~D. For housing developments for transitional foster youth, disabled veterans, or homeless persons, the density bonus shall be 20 percent of the number of the specified unit type.~~

17.49.080 Density Bonus for Housing Development with Affordable Housing Component and Child Care Facility

- A. Criteria. For a density bonus to be granted pursuant to Section 17.49.080.B for including a minimum affordable housing component with a child care facility in a housing development, all of the following must be satisfied:
1. Compliance with each requirement in Section 17.49.040. (Gov. Code § 65915(h)(1))
 2. The housing development must include a child care facility that will be located on the premises of, as part of, or adjacent to, the housing development. (Gov. Code § 65915(h)(1))
 3. Approval of the housing development must be conditioned to ensure that both of the following occur:
 - a. The child care facility must remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units ~~affordable units~~ are required to remain affordable pursuant to Section 17.49.180. (Gov. Code § 65915(h)(2)(A))
 - b. Of the children who attend the child care facility, the children of very low-income households, low-income households, or moderate-income households must equal a percentage that is equal to or greater than the percentage of dwelling units that are required under the respective minimum affordable housing component income category for which the density bonus is sought pursuant to Section 17.49.040. (Gov. Code § 65915(h)(2)(B))

4. The City has not made a finding based upon substantial evidence that the community has adequate child care facilities. (Gov. Code § 65915(h)(3))
- B. Density Bonus Allowance. If the requirements of Section 17.49.080.A are met, then an applicant for a housing development with an affordable housing component and child care facility is entitled to:
1. A density bonus pursuant to Section 17.49.070; and
 2. 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. (Gov. Code § 65915(h)(1)(A))

17.49.090 Density Bonus for Senior Citizen Housing Development

An applicant for a senior citizen housing development or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Civil Code Sections 798.76 or 799.5 is entitled to a density bonus of twenty percent (20%) of the number of senior citizen housing development units and up to the amount permitted in ~~a maximum of fifty percent (50%).~~ (Gov. Code § 65915(b)(1)(C) & (f)(3)).

17.49.100 Density Bonus for Land Donations

- A. Criteria. For a density bonus for a qualified land donation to be granted pursuant to Section 17.49.100.B, all of the requirements of this section must be met.
1. The applicant must be applying for a tentative subdivision map, parcel map, or other residential development approval. (Gov. Code § 65915(g)(1))
 2. The application must include at least a ten percent (10%) minimum affordable housing component for very low-income households. (Gov. Code § 65915(g)(1))
 3. The applicant must agree to donate and transfer qualified land which is land that meets both of the following criteria:
 - a. The developable acreage and zoning classification of the land being transferred must be sufficient to permit construction of units affordable to very low-income households in an amount not less than ten percent (10%) of the number of residential units of the proposed development pursuant to ~~Section 8116-2.5.1(a)~~ (Gov. Code § 65915(g)(2)(B)); and
 - b. The transferred land must be at least 1 acre in size or of sufficient size to permit development of at least 40 units, have the appropriate General Plan land use designation, be appropriately zoned with appropriate development standards for development at the density described in Government Code Section 65583.2(c)(3), and is or will be served by adequate public facilities and infrastructure (Gov. Code § 65915(g)(2)(C)).
 4. The qualified land must be transferred to the City or to a housing developer approved by the City. The City may require the applicant to identify and transfer the land to an approved housing developer. (Gov. Code § 65915(g)(2)(F))
 5. The qualified land must have all of the permits and approvals, other than building permits, necessary for the development of the very low-income housing affordable units on the qualified land, not later than the date of approval of the final subdivision map, parcel map, or residential development application filed. However, the City may

subject the proposed development to subsequent design review to the extent authorized by Government Code Section 65583.2(i) if the design is not reviewed by the City prior to the time of transfer. (Gov. Code § 65915(g)(2)(D))

6. The qualified land must be donated and transferred no later than the date of approval of the final subdivision map, parcel map, or residential development application. (Gov. Code § 65915(g)(2)(A))
7. The qualified land and the affordable units must be subject to a deed restriction ensuring continued affordability of the units consistent with Section 17.49.180, which must be recorded against the qualified land at the time of the transfer. (Gov. Code § 65915(g)(2)(E))
8. The qualified land must be within the boundary of the proposed development or, if the City agrees, within one-quarter mile of the boundary of the proposed development. (Gov. Code § 65915(g)(2)(G))
9. A proposed source of funding for the very low-income household units must be identified not later than the date of approval of the final subdivision map, parcel map, or residential development application. (Gov. Code § 65915(g)(2)(H))

- B. Density Bonus Allowance for Qualified Land Donation for Very Low Income Housing. If the requirements of Section 17.49.100.A are satisfied, the applicant shall be entitled to at least a fifteen percent (15%) increase above the otherwise maximum allowable residential density for the entire development, as follows ~~(listed~~ in Gov. Code § 65915(g)(1)):

Table 17.49.100-1

Density Bonus Allowances for Qualified Land Donation Projects

Household Income Category	Minimum Percentage of Very Low Income Units	Density Bonus	Additional Density Bonus for Each 1% Increase in Very Low Income Units	Maximum Possible Density Bonus
Very Low Income Housing	10% of entire development	15%	1%	50% (max. combined)

- C. All density calculations resulting in fractional units shall be rounded up to the next whole number. (Gov. Code § 65915(g)(2))

17.49.110 Affordable Housing Incentives or Concessions

- A. Government Code subsections 65915(d), (j), (k), and (l) govern the following provisions regarding affordable housing incentives or concessions.
- B. Qualifications for Incentives or Concessions. Subject to Section 17.49.130, all of the following applicable requirements must be satisfied to be granted an incentive(s) or concession(s) pursuant to Sections 17.49.110.B and 17.49.120:
 1. The applicant for an incentive or concession must also be an applicant for a density bonus and qualify for a density bonus pursuant to Section 17.49.040 (Gov. Code § 65915(d)(1)).

2. A specific written proposal for an incentive(s) or concession(s) must be submitted with the application for a density bonus (Gov. Code § 65915(b)(1) and (d)(1)).
 3. If an incentive(s) pursuant to Sections 17.49.110 and 17.49.120 is sought, the applicant must establish that each requested incentive would result in identifiable and actual cost reductions for the qualified housing development (Gov. Code § 65915(k)(1) & (3)).
 4. If an incentive(s) pursuant to Section 17.49.110.B.2 is sought, the applicant must establish that requirements of that section are met (Gov. Code § 65915(a)(4)(2)).
 - ~~5. If an additional incentive for a child care facility is sought pursuant to Section 17.49.120.B, the applicant must establish that requirements of that section are met (Gov. Code § 65915(h)(1)(B)).~~
 6. The granting of an incentive or concession shall not require or be interpreted, in and of itself, to require a General Plan amendment, zoning change, study, or other discretionary approval. The term “study” does not include reasonable documentation to establish eligibility for the incentive or concession or to demonstrate demonstrative that the incentive or concession meets the definition set forth in Section 17.49.030(N) (Gov. Code § 65915(j)) ~~pursuant to State law (Gov. Code § 65915(j)).~~ An incentive is applicable only to the project for which it is granted. An applicant for an incentive may request a meeting with the Community Development Director (Director) and, if requested, the Director will meet with the applicant to discuss the proposal. (Gov. Code § 65915(d)(1).)
- C. Nothing in this section limits or requires the provision of direct financial incentives by the City for the housing development, including the provision of publicly owned land, or the waiver of fees or dedication requirements. (Gov. Code § 65915(l)). ~~Types of Incentives. For the purposes of this chapter, “incentive” means any of the following:~~
- ~~1. A reduction in site development standards or a modification of Development Code requirements or design guidelines that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces (beyond the parking reductions already allowed under Section 17.49.150) that would otherwise be required that results in identifiable, and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set. (Gov. Code § 65915(k)(1)).~~
 - ~~2. Approval of mixed-use zoning in conjunction with the qualified housing development if commercial, office, industrial, or other land uses will reduce the cost of the qualified housing development and if the commercial, office, industrial, or other land uses are compatible with the qualified housing development and the existing or planned development in the area where the proposed qualified housing development will be located. (Gov. Code § 65915(k)(2)).~~

- ~~3. Other regulatory incentives proposed by the affordable housing developer or the City that result in identifiable, and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set. (Gov. Code § 65915(k)(3))~~
- ~~4. Nothing in this section limits or requires the provision of direct financial incentives by the City for the qualified housing development, including the provision of publicly owned land, or the waiver of fees or dedication requirements. (Gov. Code § 65915(l))~~

17.49.120 Number of Incentives Granted

- A. Subject to Section 17.49.130, the applicant who meets the requirements of Section 17.49.110(B)A shall receive the following number of incentives or concessions described below and as shown in Table 17.49.120-1.
 1. One incentive or concession for qualified housing development projects that include at least ten percent (10%) of the total units for low-income households, at least five percent (5%) for very low-income households, or at least ten percent (10%) for persons and families of moderate-income in a development in which the units are for sale households in a common interest development. (Gov. Code § 65915(d)(2)(A))
 2. Two incentives or concessions for qualified housing development projects that include at least seventeen percent (17%) ~~twenty percent (20%)~~ of the total units for low-income households, at least ten percent (10%) for very low-income households, or at least twenty percent (20%) for persons and families of moderate-income in a development in which units are for sale households in a common interest development. (Gov. Code § 65915(d)(2)(B))
 3. Three incentives or concessions for qualified housing development projects that include at least twenty-four percent (24%) ~~thirty percent (30%)~~ of the total units for low-income households, at least fifteen percent (15%) for very low-income households, or at least thirty percent (30%) for persons and families of moderate-income in a development in which the units are for sale households in a common interest development. (Gov. Code § 65915(d)(2)(C))
 4. Five incentives or concessions for projects meeting the criteria of Section 17.49.040(A)(1)(h). If the project is located within one-half mile of a major transit stop or is located in a very low vehicle travel area in a designated county, the applicant shall also receive a height increase of up to three additional stories, or 33 feet. (Gov. Code § 65915(d)(2)(D))
 5. One incentive or concession for projects that include at least 20 percent of the total units for low-income students in a student housing development. (Gov. Code § 65915(d)(2)(E))
 6. Four incentives or concessions for projects that include at least 16 percent of the units for very low income households or at least 45 percent for persons and families of moderate income in a development in which the units are for sale. (Gov. Code § 65915(d)(2)(F))
- B. A qualified housing development proposal that includes a child care facility shall be granted an additional incentive that contributes significantly to the economic feasibility of the construction of the child care facility. (Gov. Code § 65915(h)(1)(B))

Table 17.49.120-1

Incentive or Concession Allowances for Qualified Housing Developments

Income Category	Minimum % of Affordable Units				
Very Low Income	5%	10%	15%	<u>16%</u>	<u>N/A</u>
Low Income	10%	17% <u>20%</u>	24% <u>30%</u>	<u>N/A</u>	<u>80%*</u>
<u>Low Income Student Housing</u>	<u>20%</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
Common Interest Development (Moderate Income)	10%	20%	30%	<u>45%</u>	<u>Maximum 20%*</u>
Incentives Allowed	1	2	3	<u>4</u>	<u>5</u>
<u>*Pursuant to Section 17.49.040(A)(1)(h)</u>					

17.49.130 Criteria for Denial of Application for Incentives

- A. Except as otherwise provided in this chapter or by state law, if the requirements of Section 17.49.110(B)A are met, the City shall grant the incentive(s) or concession(s) that are authorized by Sections 17.49.110.B and 17.49.120 unless a written finding, based upon substantial evidence, is made with respect to any of the following, in which case the City may refuse to grant the incentive(s):
1. The incentive or concession does not result in identifiable and actual cost reductions, consistent with Section 14.49.030(N), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code Section 65195(c). (Gov. Code § 65915(d)(1)(A)) ~~is not required in order to provide affordable housing costs or affordable rents for the affordable units subject to the qualified housing development application. (Gov. Code § 65915(d)(1)(A))~~
 2. The incentive or concession would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon the 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 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. (Gov. Code § 65915(d)(1)(B); Gov. Code § 65915 (d)(3))
 3. The incentive would be contrary to state or federal law. (Gov. Code § 65915(d)(1)(C))
 4. The community has adequate child care facilities, in which case the additional incentive for a child care facility pursuant to Section 17.49.120.B may be denied. (Gov. Code § 65915(h)(3))

17.49.140 Waiver or **Reduction Modification** of Development Standards

A. Requirements for Waiver or **Reduction Modification** of Development Standards

1. Application. To qualify for a waiver or reduction of one or more development standards, the applicant must submit a written application (together with an application for a qualified housing development) that states the specific development standard(s) sought to be **modified or** waived **or reduced** and the basis of the request (Gov. Code § 65915(e)(1)). Subject to subdivision B, an applicant may submit to the city a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of Government Code Section 65195(b) at the densities or with the incentives or concessions permitted under this chapter. An applicant for a waiver or **reduction modification** of development standard(s) pursuant to this section may request a meeting with the Director to review the proposal. If requested, the Director shall meet with the applicant (Gov. Code § 65915(e)(1)). An application for the waiver or reduction of development standard(s) pursuant to this section shall neither reduce nor increase the number of incentives to which the applicant is entitled pursuant to Section 17.49.110. (Gov. Code § 65915(e)(2))
 2. Findings. All of the following findings must be made for each waiver or reduction requested:
 - a. The development standard for which a waiver or reduction is requested will have the effect of physically precluding the construction of the proposed qualified housing development at the densities or with the incentives permitted under this chapter. (Gov. Code § 65915(e)(1))
 - b. The requested waiver or reduction of a development standard will not have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon the health, safety, or physical environment or, if such a specific, adverse impact exists, there is a feasible method to satisfactorily mitigate or avoid the specific, adverse impact. (Gov. Code § 65915(e)(1))
 - c. The requested waiver or reduction of a development standard will not have an adverse impact on any real property that is listed in the California Register of Historical Resources. (Gov. Code § 65915(e)(1))
 - d. The requested waiver or reduction of a development standard is not contrary to state or federal law. (Gov. Code § 65915(e)(1))
 3. Granting Application for Waiver or **Reduction Modification** of Development Standards. If the requirements of Sections 17.49.140.A are satisfied, the application for waiver or **reduction modification** of development standard(s) shall be granted. If the requirements of Sections 17.49.140.A are satisfied, the City shall not apply a development standard that will have the effect of physically precluding the construction of a qualified housing development at the densities or with the incentives permitted by this chapter. (Gov. Code § 65915(e)(1))
- B. A housing development that receives a waiver from any maximum controls on density pursuant to Section 17.49.070(E)(b) shall only be eligible for a waiver or reduction of development standards as provided in Section 17.49.120(A)(4) and Section 17.49.070(E)(b).

unless the city agrees to additional waivers or reduction of development standards. (Gov. Code § 65915(e)(3))

- C. Subject to Sections 17.49.140(A) and (B), the City shall grant the waiver or reduction of development standards requested by the applicant unless it makes a written finding to deny, based upon substantial evidence, of any of the following:
1. The waiver or reduction would have a specific, adverse impact, as defined in Government Code Section 65589.5(d)(2), upon the health, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact; or
 2. The waiver or reduction of development standards would have an adverse impact on any real property listed in the California Register of historic Resources; or
 3. The requested waiver would be contrary to State or Federal law.

17.49.150 Parking Standard Modifications for Qualified Housing Development

- A. Requirements for Parking Standard Modifications. Parking standard modifications pursuant to this section shall apply to a development that meets the requirements of Section 17.49.040 and Government Code Section 65195(c), but only at the request of the applicant. (Gov. Code § 65915(p)(5)). ~~Parking standard modifications pursuant to Section 17.49.150.B are available only for qualified housing developments.~~ An application for parking standard modifications stating the specific modification requested pursuant to Section 17.49.150.B must be submitted with the qualified housing development application. (Gov. Code § 65915(p)(3))
- B. Parking Standard Modifications. If the requirements of Section 17.49.150.A are met, the vehicular parking ratio, inclusive of handicapped and guest parking, shall not exceed the following ratios (Gov. Code § 65915(p)(1)), except where noted under Section 17.49.150.C:
1. Zero to one bedroom: one on-site parking space.
 2. Two to three bedrooms: ~~two on-site parking spaces.~~ One and one-half onsite parking spaces.
 3. Four and more bedrooms: two and one-half on-site parking spaces.
- C. Exceptions. Upon request of the applicant, the following maximum parking standards shall apply, inclusive of handicap and guest parking, to the entire housing development subject to this chapter, as required by Government Code Section 65915(p)(2):
1. A maximum of 0.5 parking spaces per bedroom shall apply when all of the following conditions apply:
 - a. The development includes at least 20 percent low-income units for housing development meeting the criteria of Section 17.49.040(A)(1)(a) or at least 11 percent very low-income units for housing developments meeting the criteria of Section 17.49.040(A)(1)(b). ~~the maximum percentage of low- or very low-income units provided for Section 17.49.070, Density Bonus Allowance for Housing Development with Affordable Housing Component.~~
 - b. The development is located within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code.

- c. There is unobstructed access to the major transit stop from the development. A development shall have unobstructed access to a major transit stop if a resident is able to access the major transit stop without encountering natural or constructed impediments.
 2. A maximum of 0.5 parking spaces per unit shall apply when all of the following conditions apply:
 - a. The development includes at least 40 percent moderate-income units for housing developments meeting the criteria of Section 17.49.040(A)(1)(e). ~~consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in Section 50052.5 of the Health and Safety Code.~~
 - b. The development is located within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code.
 - c. ~~There is~~ The residents of the development have unobstructed access to the major transit stop from the development. A development shall have unobstructed access to a major transit stop if a resident is able to access the major transit stop without encountering natural or constructed impediments.
 3. ~~A maximum of 0.5 parking spaces per unit shall apply when all of the following conditions apply:~~ If a development meets the criteria of Section 17.49.040(A)(1)(h), vehicular parking standards shall not be imposed if the development meets any of the following criteria:
 - a. ~~The development consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in Section 50052.5 of the Health and Safety Code.~~ The development is located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development.
 - b. ~~The development is for individuals who are 62 years of age or older which complies with Sections 51.2 and 51.3 of the Civil Code.~~ The development is a for-rent housing for individuals who are 55 years of age or older that complies with Section 51.2 and 51.3 of the Civil Code and the development has either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.
 - c. ~~The development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.~~ The development is either a special needs housing development, as defined in Section 51312 of the Health and Safety Code. A development that is a special needs housing development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.
 4. ~~A maximum of 0.3 parking spaces per unit shall apply when all of the following conditions apply:~~
 - a. ~~The development consists solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families, as provided in Section 50052.5 of the Health and Safety Code.~~

- b. ~~The development is a special needs housing development, as defined in Section 51312 of the Health and Safety Code.~~
 - c. ~~The development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.~~
- D. If the total number of parking spaces required for the qualified housing development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this section, “on-site parking” may be provided through tandem parking or uncovered parking, but not through on-street parking. (Gov. Code § 65915(p)(4)(2))
- E. Except as otherwise provided in this section, all other provisions of Chapter 17.54 (Off-Street Parking) applicable to residential development apply.
- F. An applicant may request additional parking incentives beyond those provided in this section if applied ~~for~~ pursuant to Sections 17.49.110, .120, and .130. A request pursuant to this section shall neither reduce not increase the number of incentives or concessions to which the applicant is entitled pursuant to Sections 17.49.110, .120, and .130. (Gov. Code § 65915(p)(5) & (8)(3))
- G. This section does not preclude the City from reducing or eliminating a parking requirement for development projects of any type in any location. (Gov. Code § 65915(p)(6))
- H. Notwithstanding allowances in Section 17.49.150(C) above, if the City or an independent consultant has conducted an area-wide or jurisdiction-wide parking study in the last seven years, then the City may impose a higher vehicular parking ratio not to exceed the ratio described in Section 17.49.150.B, based on substantial evidence found in the parking study that includes, but is not limited to, an analysis of parking availability, differing levels of transit access, walkability access to transit services, the potential for shared parking, the effect of parking requirements on the cost of market-rate and subsidized developments, and the lower rates of car ownership for low- and very low-income individuals, including seniors and special needs individuals. The City shall pay the costs of any new study. The City shall make findings, based on a parking study completed in conformity with this paragraph, supporting the need for the higher parking ratio. (Gov. Code § 65915(p)(7))

17.49.160 Density Bonus and Affordable Housing Incentives Program

- A. Project Design and Phasing. Projects seeking an affordable housing benefit pursuant to this chapter must comply with the following requirements, unless otherwise specified in writing by the Director:
1. Location/Dispersal of Units. Affordable units shall be reasonably dispersed throughout the development where feasible and shall contain on average the same (or greater) number of bedrooms as the market-rate units.
 2. Phasing. If a project is to be developed in phases, each phase must contain the same or substantially similar proportion of affordable units and market-rate units.
 3. Exterior Appearance. The exterior appearance and quality of the affordable units must be similar to the market-rate units. The exterior materials and improvements of the affordable units must be similar to, and architecturally compatible with, the market-rate units.

B. Application Requirements. An application for one or more affordable housing benefits must be submitted as follows:

1. Each affordable housing benefit requested must be specifically stated in writing on the application form provided by the City.
2. The application must include the information and documents necessary to establish that the requirements of this chapter are satisfied for each affordable housing benefit requested, including:
 - a. For density bonus requests, that the requirements of Section 17.49.040 are met;
 - b. For incentive requests, that the requirements of Section 17.49.110 are met;
 - c. For development standard waiver or ~~reduction~~ ~~modification~~ requests, that the requirements of Section 17.49.140 are met; and/or
 - d. For parking standard modification requests, that the requirements of Section 17.49.150 are met.
3. The application must be submitted concurrently with a complete application for a qualified housing development.
4. The application must include a site plan that complies with and includes the following:
 - a. For senior citizen housing development projects, the number and location of proposed total units and density bonus units.
 - b. For all qualified housing development projects other than senior citizen housing development projects, the number and location of proposed total units, affordable units, and density bonus units. The density bonus units shall be permitted in geographic areas of the qualified housing development other than the areas where the affordable units are located. (Gov. Code § 65915(i))
 - c. The location, design, and phasing criteria required by Section 17.49.160.A, including any proposed development standard(s) modifications or waivers pursuant to Section 17.49.140.
5. The application for a qualified housing development must state the level of affordability of the affordable units and include a proposal for compliance with Section 17.49.180 for ensuring affordability.
6. If a density bonus is requested for a qualified land donation pursuant to Section 17.49.100, the application must show the location of the qualified land in addition to including sufficient information to establish that each requirement in Section 17.49.100 has been met.
7. If an additional density bonus or incentive is requested for a child care facility pursuant to Section 17.49.080 and/or Section 17.49.120.B the application shall show the location and square footage of the child care facility and include sufficient information to establish that each requirement in Section 17.49.080 and/or Section 17.49.120.B has been met.

C. An application for an affordable housing benefit under this chapter will not be processed until all of the provisions of this section are complied with as determined by the Director

and shall be processed concurrently with the application for the qualified housing development project for which the affordable housing benefit is sought. Prior to the submittal of an application for a qualified housing development, an applicant may submit to the Director a preliminary proposal for affordable housing benefits. The Director shall, within 90 days of receipt of a written proposal, notify the applicant of the Director's preliminary response and schedule a meeting with the applicant to discuss the proposal and the Director's preliminary response.

17.49.170 Determination on Density Bonus and Affordable Housing Incentives Program Requirements

- A. ~~The decision-making body for the underlying qualified housing development application is authorized to approve or deny an application for an affordable housing benefit in accordance with this chapter. The City shall process an application within 30 calendar days after receiving the application and shall notify the applicant in writing whether or not the application is deemed complete in a manner consistent with Government Code Section 65943. If additional time is required for the City to review an application, the City shall inform the applicant in writing of the reason for the additional time necessary to review the application.~~
1. ~~Affordable Housing Benefit Determinations.—An application for an affordable housing benefit shall be granted if the requirements of this chapter are satisfied unless:~~
 - a. ~~The application is for an incentive for which a finding is made in accordance with Section 17.49.130; or~~
 - b. ~~The underlying application for the qualified housing development is not approved independent of and without consideration of the application for the affordable housing benefit.~~
 - c. ~~The housing development is proposed on any property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; or occupied by lower or very low income households, unless the proposed housing development replaces those units, and either of the following applies: (i) the proposed housing development, inclusive of the units replaced pursuant to this paragraph, contains affordable units at the percentages set forth under state law; or (ii) each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household.~~
 2. ~~Affordable Housing Benefit Compliance Provisions. To ensure compliance with this chapter and state law, approval of an application for an affordable housing benefit may be subject to, without limitation:~~
 - a. ~~The imposition of conditions of approval to the qualified housing development, including imposition of fees necessary to monitor and enforce the provisions of this chapter;~~

- ~~b. An affordable housing agreement and, if applicable, an equity sharing agreement pursuant to Section 1.72.190; and~~
 - ~~c. Recorded deed restriction implementing conditions of approval and/or contractual or legally mandated provisions.~~
 - ~~d. A decision regarding an affordable housing benefit application is subject to the appeal provisions of Section 8111-7.~~
- B. If the City notifies the applicant that the application is deemed complete pursuant to Section 17.49.170(A), the City shall also provide the applicant with the following determinations, which shall be based on the development project at the time the application is deemed complete, and may be adjusted by the City based on any changes to the project during the course of development:
 1. The amount of density bonus for which the applicant may be eligible;
 2. If an adjusted parking ratio is requested, the parking ratio for which the applicant may be eligible; and
 3. If an incentive or concession, or waiver or reduction of development standards has been requested, whether the applicant has provided adequate information for the City to make a determination as to those incentives, concessions, waivers, or reductions in development standards and if adequate information has not been provided, a list of what necessary information is required.
- C. Any determination required by subsection B above shall be based on the development project at the time the application is deemed complete. The City shall adjust the amount of density bonus and parking ratios awarded pursuant to section based on any changes to the project during the course of development.
- D. To ensure that an application for housing development conforms with the provisions of Government Code Section 65915, the record of decision shall state whether the application conforms to the following requirements under State law as applicable:
 1. That the housing development provides the housing required by Government Code Section 65915 to be eligible for the density bonus and any requested incentive or concession, waiver or reduction of development standards, adjusted parking ratios, or any combination thereof, including the replacement of units rented or formerly rented to very low-income and low-income households as required by Government Code Section 65915(c)(3).
 2. If an incentive or concession is requested, that any requested incentive will result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5, or for affordable rents, as defined in Health and Safety Code Section 50056; except that, if a mixed-use development is requested, the application must instead meet all of the requirements of Government Code Section 65915(k)(2).
 3. If a waiver or reduction of development standards is requested, that the housing development project is eligible for a waiver, and the development standards for which a waiver is requested would have the effect of physically precluding the construction of the housing development at the densities or with the concessions or incentives permitted by Government Code Section 65915.

4. If parking reductions are requested, that the housing development is eligible for any requested parking reduction under Government Code Section 65915(p).
 5. If the density bonus is based, all or in part, on donation of land, that all requirements in Government Code Section 65915(g) have been met.
 6. If the density bonus or incentive is based, all or in part, on the inclusion of a childcare facility, that all requirements in Government Code Section 65915(h) have been met.
 7. If the density bonus or incentive is based, all or in part, on the inclusion of a condominium conversion, that the requirements in Government Code Section 65915.5 have been met.
- E. A decision regarding an affordable housing benefit application is subject to the appeal provisions of Section 8111-7.
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17.49.180 Affordable Housing Agreements and Equity Sharing Agreements

- A. An applicant seeking a density bonus for a housing development shall enter into an affordable housing agreement with the City, on a form approved by the City, to ensure the continued affordability of the units pursuant to Government Code Section 65915. Following execution of the agreement by all parties, the completed agreement shall be recorded by the applicant as a deed restriction against the property on which the project will be located. The agreement shall run with the land and be binding on all future owners and successors in interest of the property. The approval and recordation of the agreement shall take place prior to final map approval, or where a map is not processed, prior to issuance of any building permit for the property on which the project will be located.
- B. For rental projects, the affordable housing requirement shall require the continued affordability of all very low and low-income rental units that qualified the applicant for the award of the density bonus, incentive or concession, waiver or reduction of development standards, or adjusted parking ratio for a minimum of 55 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program; shall identify the type, size and location of each affordable unit; shall specify the eligible occupants; and shall specify phasing of the affordable units in relocation to the market-rate units. Rents for the lower income units shall be set at an affordable rent as defined by Government Code Section 65915.
- C. Except as otherwise provided in subsection a, rents for the lower income density bonus units shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.
 1. For housing development meeting the criteria of Section 17.49.040(A)(1)(h), rents for all units in the development, including both base density and density bonus units, shall be as follows:
 - a. The rent for at least 20 percent of the units in the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.
 - b. The rent for the remaining units in the development shall be set at an amount consistent with the maximum rent levels for lower income households, as those rents and incomes are determined by the California Tax Credit Allocation Committee.

- D. For for-sale projects, the affordable housing requirement shall require that a for-sale unit that qualified the applicant for the award of the density bonus incentive or concession, waiver or reduction of development standards, or adjusted parking ratio meets one of the following:
1. The unit is initially sold to and occupied by a person or family of very low, low, or moderate income, as required, and it is offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code and is subject to an equity sharing agreement.
 2. If the unit is not purchased by an income-qualified person or family within 180 days after the issuance of the certificate of occupancy, the unit is purchased by a qualified nonprofit housing corporation that meets Government Code Section 65915(c)(2)(A)(ii).
- E. The local government shall enforce an equity sharing agreement required pursuant to Government Code Section 65915(c)(2)(C) and Section 17.49.180(D)(a) or (b), unless it is in conflict with the requirements of another public funding source or law or may defer to the recapture provisions of the public funding source.
- F. Where a density bonus, incentive or concession, waiver or reduction of development standards, or adjusted parking ratio is provided for a market-rate senior housing development, the applicant shall enter into a restrictive covenant with the City, running with the land, in a form approved by the City, requiring the housing development to be operated as "housing for older persons" consistent with State and Federal fair housing laws.
- G. The affordable housing agreement shall also include the following information:
1. The number of units approved for the housing development, including the number and type of affordable and density bonus units;
 2. The location, unit size(s) (square footage), and number of bedrooms of affordable units;
 3. Schedule for production of affordable units;
 4. Incentives or concessions or waiver or reduction of development standards provided by the City;
 5. Where applicable, limits on tenure and conditions governing the initial sale of the affordable units;
 6. Where applicable, tenure and conditions establishing rules and procedures for qualifying tenants, setting rental rates, filling vacancies, and operating and maintaining units for affordable rental dwelling units;
 7. Compliance with State and Federal laws;
 8. Prohibition against discrimination;
 9. Indemnification of City;
 10. City's right to inspect units and documents;
 11. Remedies; and

12. Any additional information or documentation that may be required by the City.

- H. General Requirements. No density bonus pursuant to Section 17.49.040 shall be granted unless and until the affordable housing developer, or its designee approved in writing by the Director, enters into an affordable housing agreement and, if applicable, an equity sharing agreement, with the City or its designee pursuant to and in compliance with this section (Gov. Code § 65915(c)). The agreements shall be in the form provided by the City which shall contain terms and conditions mandated by, or necessary to implement, state law and this Article. The Director may designate a qualified administrator or entity to administer the provisions of this section on behalf of the City. The affordable housing agreement shall be recorded prior to, or concurrently with, final map recordation or, where the qualified housing development does not include a map, prior to issuance of a building permit for any structure on the site. The Director is hereby authorized to enter into the agreements authorized by this section on behalf of the City upon approval of the agreements by City Attorney for legal form and sufficiency.
- I. Low or Very Low Income Minimum Affordable Housing Component or Senior Citizen Housing Development.
1. The affordable housing developer of a qualified housing development based upon the inclusion of low income- and/or very low-income affordable units must enter into an agreement with the City to maintain the continued affordability of the affordable units for 55 years (for rental units) or 30 years (for for-sale units), or a longer period if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program, as follows (Gov. Code § 65915(c)(1)). The agreement shall establish specific compliance standards and specific remedies available to the city if such compliance standards are not met. The agreement shall, among other things, specify the number of lower-income affordable units by number of bedrooms; standards for qualifying household incomes or other qualifying criteria, such as age; standards for maximum rents or sales prices; the person responsible for certifying tenant or owner incomes; procedures by which vacancies will be filled and units sold; required annual report and monitoring fees; restrictions imposed on lower-income affordable units on sale or transfer; and methods of enforcing such restrictions.
 2. Rental units. Rents for the low-income and very low-income affordable units that qualified the housing development for the density bonus pursuant to Section 17.49.040 shall be set and maintained at an affordable rent (Gov. Code § 65915(c)(1)). The agreement shall set rents for the lower-income density bonus units at an affordable rent as defined in Health and Safety Code Section 50053. The agreement shall require that owner-occupied units be made available at an affordable housing cost as defined in Health and Safety Code Section 50052.5.
 3. For-Sale Units. Owner-occupied low-income and very low-income affordable units that qualified the housing development for the density bonus pursuant to Section 17.49.040 shall be available at an affordable housing cost (Gov. Code § 65915(c)(1)). The affordable housing developer of qualified housing development based upon a very low- or low-income minimum affordable component shall enter into an equity sharing agreement with the City or developer. The agreement shall be between the City and the buyer or the developer and the buyer if the developer is the seller of the unit. The City shall enforce the equity sharing unless it is in conflict with the requirements of

another public funding source or law (Gov. Code § 65915(c)(2)). The equity sharing agreement shall include at a minimum the following provisions:

- a. 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 City shall recapture any initial subsidy, as defined in subparagraph (b), and its proportionate share of appreciation, as defined in subparagraph (c), which amount 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 homeownership.
 - b. For purposes of this section, the City's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the very low-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.
 - c. For purposes of this subdivision, the City's proportionate share of appreciation shall be equal to the ratio of the City's initial subsidy to the fair market value of the home at the time of initial sale.
4. Senior Units. At least thirty-five (35) senior citizen housing development units are maintained and available for rent or sale to senior citizens as defined in Civil Code Section 51.3.

J. Moderate-Income Minimum Affordable Housing Component.

1. The affordable housing developer of a qualified housing development based upon the inclusion of moderate-income affordable units in a common interest development must enter into an agreement with the City ensuring that:
 - a. The initial occupants of the moderate income affordable units that are directly related to the receipt of the density bonus are persons and families of a moderate-income household.
 - b. The units are offered at an affordable housing cost. (Gov. Code § 65915(c)(2))
2. The affordable housing developer of a qualified housing development based upon a moderate-income minimum affordable component shall enter into an equity sharing agreement with the City or developer (Gov. Code § 65915(c)(2)). The agreement shall be between the City and the buyer or the developer and the buyer if the developer is the seller of the unit. The City shall enforce the equity sharing agreement unless it is in conflict with the requirements of another public funding source or law (Gov. Code § 65915(c)(2)). The equity sharing agreement shall include at a minimum the following provisions:
 - a. Upon resale, the seller of the unit shall retain the value of improvements, the down payment, and the seller's proportionate share of appreciation. The City shall recapture any initial subsidy, as defined in subparagraph b, and its proportionate share of appreciation, as defined in subparagraph c, which amount shall be used within five years for any of the purposes described in Health and Safety Code Section 33334.2(e) that promote homeownership. (Gov. Code § 65915(c)(2)(A))

- b. The City's initial subsidy shall be equal to the fair market value of the unit 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. (Gov. Code § 65915(c)(2)(B))
 - c. The City's proportionate share of appreciation shall be equal to the ratio of the City's initial subsidy to the fair market value of the unit at the time of initial sale. (Gov. Code § 65915(c)(2)(C))
 3. Minimum Affordable Housing Component and Child Care Facility. If an additional density bonus or incentive is granted because a child care facility is included in the qualified housing development, the affordable housing agreement shall also include the affordable housing developer's obligations pursuant to Section 17.49.080.A.3 for maintaining a child care facility, if not otherwise addressed through conditions of approval.

17.49.190 Density Bonus or Incentives for Condominium Conversion Projects

- A. Requirements for density bonus or incentive for condominium conversion projects.
 1. Applicant to convert apartments to a condominium project agrees to provide at least:
 - a. Thirty-three percent (33%) of the total units of the proposed condominium project to persons and families of [low or moderate-income households as defined in Section 50093 of the Health and Safety Code](#), or
 - b. Fifteen percent (15%) of the total units of the proposed condominium project to persons and families of low-income households [as defined in Section 50079.5 of the Health and Safety Code. \(Gov. Code § 65915.5\(a\)\)](#)
 2. If applicant agrees to pay for the reasonably necessary administrative costs incurred by the City pursuant to this section, the City shall either:
 - a. Grant a density bonus, or
 - b. Provide other incentives of equivalent financial value. (Gov. Code § 65915.5(a)).
 - i. [For purposes of this section, "other incentives of equivalent financial value" shall not be construed to require a the City to provide cash transfer payments or other monetary compensation but may include the reduction or waiver of requirements which the City might otherwise apply as conditions of conversion approval. \(Gov. Code § 65915.5\(c\)\)](#)
- B. Definition of Density Bonus for Condominium Conversion Projects. If the requirements of Section 17.49.190.A are met, then the condominium conversion project will be entitled to an increase in units of twenty-five percent (25%) over the number of apartments, to be provided within the existing structure(s) proposed for conversion from apartments to condominiums. (Gov. Code § 65915.5(b))
- C. Pre-Submittal Preliminary Proposals for Density Bonus or Incentive for Condominium Conversion Projects. Prior to the submittal of a formal request for subdivision map approval or other application for necessary discretionary approvals, an applicant to convert

apartments to a condominium project may submit to the Director a preliminary proposal for density bonus or other incentives of equivalent financial value. The Director shall, within 90 days of receipt of a written proposal, notify the applicant of the Director's preliminary response and schedule a meeting with the applicant to discuss the proposal and the Director's preliminary response. (Gov. Code § 65915.5(d))

D. Application for Density Bonus or Incentives for Condominium Conversion Projects. An applicant must submit a completed application provided by the City for a density bonus or for other incentives of equivalent financial value. The application must be submitted concurrently with the application for the condominium conversion project. The application must include the following:

1. All information and documentation necessary to establish that the requirements of Section 17.49.190.A are met;
2. The proposal for a density bonus or the proposal for other incentives of equivalent financial value;
3. Site plans demonstrating the location of the units to be converted, the affordable units, the market-rate units, and the density bonus units in the condominium conversion project; and
4. Any other information and documentation requested by the City to determine if the requirements of Section 17.49.190.A are met.

E. Both the application for a density bonus or other incentives of equivalent financial value and the application for the condominium conversion must be complete before the application for a density bonus or other incentives of equivalent financial value will be considered.

F. Granting Density Bonus or Incentive for Condominium Conversion Projects.

1. Approval

a. If the requirements of Section 17.49.190.A are met, the decision-making body for the condominium conversion project application is authorized to grant an application for a density bonus or other incentives of equivalent financial value, subject to Section 17.49.190.F.2.

b. Reasonable conditions may be placed on the granting of a density bonus or other incentives of equivalent financial value that are found appropriate, including but not limited to entering into an affordable housing agreement pursuant to Section 17.49.180 which ensures continued affordability of units to subsequent purchasers who are persons and families of low and moderate income or lower income households ~~moderate income or low income households~~. (Gov. Code § 65915.5(a))

~~2. Ineligibility. An applicant shall be ineligible for a density bonus or other incentives of equivalent financial value if the apartments proposed for conversion constitute a qualified housing development for which a density bonus as defined in Section 16-411 or other incentives were provided. (Gov. Code § 65915.5(f).)~~

3. Decision on Condominium Conversion Project. Nothing in this section shall be construed to require the City to approve a proposal to convert apartments to condominiums. (Gov. Code § 65915.5(e))

17.49.200 Enforcement Provisions

- A. **Occupancy.** Prior to occupancy of an affordable unit, the household's eligibility for occupancy of the affordable unit must be demonstrated to the City. This provision applies throughout the restricted time periods pursuant to Section 17.49.180 and applies to any change in ownership or tenancy, including subletting, of the affordable unit.
- B. **Ongoing Compliance.** Upon request, the affordable housing developer must show that the affordable units are continually in compliance with this chapter and the terms of the affordable housing agreement. Upon 30-day notice, the City may perform an audit to determine compliance with this chapter and the terms of any agreement or restriction.
- C. **Enforcement.** The City has the authority to enforce the provisions of this chapter, the terms of affordable housing agreements and equity sharing agreements, deed restrictions, covenants, resale restrictions, promissory notes, deed of trust, conditions of approval, permit conditions, and any other requirements placed on the affordable units or the approval of the qualified housing development. In addition to the enforcement powers granted in this chapter, the City may, at its discretion, take any other enforcement action permitted by law, including those authorized by City ordinances. Such enforcement actions may include, but are not limited to, a civil action for specific performance of the restrictions and agreement(s), damages for breach of contract, restitution, and injunctive relief. The remedies provided for herein shall be cumulative and not exclusive and shall not preclude the City from seeking any other remedy or relief to which it otherwise would be entitled under law or equity.

Chapter 17.52 Off-Street Parking

Sections:


17.52.040 Site Requirements

17.52.040 Site Requirements

- A. Off-street parking facilities shall consist of a site, or a portion of a site, for off-street parking of vehicles, and shall include parking spaces, aisles, access drives, and landscaped areas, and shall provide vehicular access to a public right-of-way.
- B. Required off-street parking spaces shall be located on the site with the use that they serve. However, in any nonresidential zone, with the exception of the C-1 zone, the requirements of this chapter shall be considered satisfied if the required parking is provided within 300 feet of the site of the use being served, such distance being measured in a direct line from the building or, if no building exists, from the property line.
- C. Unless otherwise specified in subsection D below, ~~In any residential zone,~~ none of the required parking spaces shall be in the required front yard setback in any residential zone.
- D. Required off-street parking spaces in the R-1 zone may be located within the required front yard setback.

City of Holtville

REPORT TO COUNCIL

MEETING DATE:	<u>11/18/24</u>
ITEM NUMBER	<u>5 a</u>
Approvals	CITY MANAGER 
	FINANCE MANAGER _____
	CITY ATTORNEY _____

DATE ISSUED: November 08, 2024
FROM: Nick Wells, City Manager
SUBJECT: City Manager Update

INFORMATION ONLY – NO ACTION REQUIRED AT THIS TIME

ADMINISTRATION

Public Safety Lot/New Construction – Rubio Medina of Irvine, California was engaged in April, 2023, to perform Architecture services to design Phase I (Fire Apparatus Bay) and Phase II (PS Administration & Fire Dormitories) of this project. Staff met with Mr. Medina multiple times in early May, wherein iterative documents were discussed and revised. Pursuant to discussions between Council, Chief Silva, the CM and Mr. Medina regarding configuration, direction solidified for constructing a 3-bay apparatus section and a 2-story administration/residence area. Further discussion also clarified the placement of the building on the site and the external motif of the building. Feedback was provided and Mr. Medina was very open to incorporating ideas presented. Mr. Medina has moved forward with subconsultants for plumbing, electrical, HVAC, etc. Due to an increase in the size of the project over that which was called out in the RFP, the architect has approached the City about augmented funding, which may be brought to Council in the future. More solid delineation of cost estimates for the phasing of the project were presented in August and presented to Council for consideration.

Staff met with representatives of USDA Rural Development in September to discuss financing the remaining unfunded portion of the project. Unfortunately, although their website notes capability of disadvantaged communities with populations under 12,000 to apply for 50% grant, 50% loan funding, that program is capped at \$50,000 for grants, so any hope that grant funding may be available is not there. Rates were adjusted on October 1, from 4% down to 3.75%, so the loan payment calculation improved, but not drastically.

Multiple conversations regarding augmented funding have taken place with staff, Council, and various entities. The CM compiled information from various sources and submitted an application for directed Congressional funding to Raul Ruiz’s office in early May. The City received word that the project was selected by the Congressman and recommended to the Congressional budget committee. Although we received word that the project is on track to receive some funding, the amount projected to be received will likely be a fraction of the amount requested, so sizing the project down is probably on the horizon.

Staff continues to pursue additional funding sources. At the recent League of Cities Annual Conference, Mayor Anderson, Councilman Goodsell and the CM had multiple conversations with firms and organizations that show promise as potential funding sources. We have followed up with some and will continue to attempt to develop those leads. ***One proposal has been received and will be discussed with Council soon.***

EVENTS – Farmers Markets continue to be a hit in the community, with the “Trunk or Treat” event of October drawing a large group of kids and parents. The annual Trail Walk continued its growth pattern, with over 90 walkers, our biggest turnout yet and ***the Veterans Day Parade, as well as the subsequent event in the Park were very well attended. See final page for upcoming Holidays/Christmas events.***

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PUBLIC WORKS

TRANSPORTATION PROJECTS

Citywide Pavement Maintenance Project – a Streets Assessment report was prepared by the City Engineer earlier this year reporting the general condition of the over 16 miles of streets maintained by the City. Nearly all of the system is in good condition, requiring maintenance rather rehabilitation or construction. A recommendation has been made to perform crack sealing and slurry coat to the bulk of the system to prolong life of the system and forestall major work to a future date. At the July Council meeting, direction was given to proceed with preparation of specifications for the project. ***In October, Council approved moving the project forward with advertisement for construction bidding.***

Pear Canal Undergrounding/Ninth Street Improvements (Olive to Melon) – this project has been discussed for some time. Initial action to proceed was taken in early 2021. A deposit was forwarded to IID to begin design and multiple site visits with staff, the IID and City Engineer took place to discuss issues that need to be addressed in design. Undergrounding work was scheduled to take place in December 2021, however, delays were discussed in those meetings from the IID side which eventually led to construction work being pushed back. The City has been awarded funding through ICTC for the resulting necessary sidewalk and roadway improvements. LC Engineering was awarded the contract for design in February.

A construction challenge for IID existed for this project, as it would make it difficult to continue to service several nearby County-area residences served by surface water. It was determined that incentivizing these properties to convert to City water would be in the best interest of the project. Staff worked with IID to encourage the residents to switch. In March, the final remaining holdout submitted paperwork to connect to City water service, so staff is working with IID to get the project reinitialized. Separately, staff met with a contractor to establish physical connections. The CM is working with IID to schedule the work prior to the undergrounding operation. The CM has had multiple conversations with IID and ICTC in the past several weeks and we will keep this moving forward.

A new wrinkle developed wherein the dedicated Congressional funding IID procured is not immediately accessible. Although that is expected to be resolved fairly soon, the uncertainty begat the need to push the City’s project funding into next fiscal year to avoid non-performance. David Aguirre with ICTC worked with SCAG and Caltrans to accomplish that. At present, we await final paperwork issues for the dispersal of Congressional funds for the project. It looks as if the funding will be directed to the City to administer,. In a significant development last week, it was relayed to staff that by taking on administration of the funding, the City would now be responsible for paying the 11.47% matching funds necessary for the grant, which could be in the neighborhood of \$100k. ***An agreement was approved with IID to administer the funding and further action is on the current agenda to fund installation of water infrastructure to serve the affected residents that are moving off of IID service.***

A web conference was held in September to clarify the need to move a portion of the funding for the street project into the current fiscal year.

Pine Avenue Sidewalks – Subsequent to the awards of funding for streets projects utilizing Federal

Highways dollars through ICTC in early 2022, another year of projects was quickly requested to be added. Holtville submitted a project to capture CMAQ dollars to add sidewalks to either side of Pine Avenue between Fourth and Fifth Streets. Action to approve was taken in October, 2023.

Capital Improvements Project Listing – a meeting was held in November, 2023, with staff, including the City Manager, City Engineer, City Planner and Water/Wastewater Lead Operator to discuss long term capital improvements needed in the City. Water system improvements, sewer system upgrades, streets projects and other issues were discussed and expected to be further explored. A more complete detailing of the discussion will be presented to the Council in the near future.

PARKS

Holtville Wetlands Project – In late 2016, approximately \$3 million was granted to the City through the US Bureau of Reclamation (BoR). THG was selected for Grant Administration tasks and George Cairo Engineering (GCE) for design services. GCE was significantly behind schedule from the outset, but finally produced approved plans in 2021.

A construction RFP was released in early 2022 netted only one bid, which was significantly over (+/- \$1.4 million) the construction budget. The BoR representative, Jeremy Brooks, was extremely helpful in moving the project along. In September, 2022, he was able to secure funding to bridge the gap to pay for construction. That funding was officially awarded in early February, 2023. Action to officially award the construction contract was taken in March and a pre-con meeting was held in early May, with the contractor onsite performing various activities simultaneously.

The site has now been fully constructed with regard to major earth work, piping and the inlet headworks, however there was a substantial holdup with a permit from the Army Corps of Engineers (USACE). Originally applied for as a renewal in October, 2023, a new analyst required much more information than previously required. Through various meetings and multiple iterations, THG completed work on additional documents requested by USACE and the permit was finally approved in June (though still not officially issued!). In early August, the USACE permit was finally officially granted and issued!

The long wait for the USACE permit necessitated a time extension request in January, which was granted. The new completion deadline was pushed to September, 2024. Now that the USACE permit is in hand, it would be possible to complete the planting in a short amount of time, however, the potential success of establishing foliage during the Imperial Valley summer months is a difficult endeavor, so due to the length of time taken by USACE, another extension needed to be requested in July. The extension to December 31 was granted in August. THG recently updated the required stormwater plan (SWPPP) and we await an updated construction schedule from the contractor.

THG contacted the contractor to ramp back up when possible. The horticulture contractor has ordered plants for the project. It is assumed that we will be able to tap into the River and begin the process populating the beds with plant species proceed in late-September or early October when the material is in hand. Staff has begun discussions with BoR to schedule a ribbon cutting in the Fall. Staff has continued to follow up on this, but we still await scheduling information from the contractor. ***A site meeting was held in late October and construction has resumed. A ribbon cutting ceremony has been scheduled for Thursday, November 21, at 10 am.***

Railroad Trestle Repair – A grant was secured from the California Natural Resources Agency to repair the railroad trestle burned in a river bottom fire several years ago. This is necessary to connect the Trail to east side of the river and eventually the future Wetlands area. After over a decade and a half of being somewhat unsightly and unusable, the trestle will soon be fixed cosmetically and usable for pedestrian and non-motorized traffic. Documentation was finally signed for this grant in late October, 2021. The City Engineer completed the technical specification for the Scope of Work in June 2022 for the RFP. A decision

was made to forestall the bid process a bit to allow construction costs to stabilize. Eventually, Kleinfelder, Inc., was selected for Design services in April. A meeting with the design team was held in early May wherein various facets of the project were discussed. Ginger Ward volunteered to sit in on meetings for this project when possible, so she and staff met multiple times with the design team via Zoom to discuss design concepts. Multiple ideas to control costs and stretch the project dollars were decided upon. The decision was made to proceed with the general direction of keeping the original character of the structure, while making concessions to keep costs under control.

A January update meeting between the Design team, the City Planner and the CM revealed that the project had stalled due to a needed topographical study that the consultant thought the City would provide. After discussion, Kleinfelder engaged a local consultant to produce the document and the project is back in motion. Pursuant to a periodic plan check, reprioritization of the elements to be completed vis a vis available funding was amended in May. Kleinfelder provided 90% plans in late September, so this phase nears completion. Included in that plan set were construction estimates. After some analysis, staff will be bringing this to Council to approve advertising and bidding. THG reviewed the plans and sent them back to Kleinfelder for clarification and/or correction.

Holtville East Trail Link - The City Manager had multiple discussions in recent years about a Trail extension from the Trestle to the Country Club area, then to the UC Research station and eventually to Hwy 111 for easier access to IVC with active transportation funding options. The idea has been well received by SCAG staff and the head of County Public Works. An application for Active Transportation funding was developed in mid-2024 and a grant application was submitted in June to fund design of the project.

Mellinger Alamo River Trail - A grant was awarded in early 2024 to River Partners, a non-profit that deals in habitat restoration, for a project that would include a Wetlands trail spur. RP met with the City Manager and toured the site, then engaged Nicklaus Engineering to design the project. Staff was contacted by NEI in March to discuss design elements. River Partners staff continued to meet with the CM throughout the Spring and early Summer, performing a few physical “scouting” trips to decide the best path for the trail extension. They have done some preliminary exploration and soil sampling and continue to move the project forward. A tentative map was forwarded to the City this week. The original template is aggressive (i.e. “Expensive”), so it is assumed that discussions and concessions will be forthcoming. River Partners presented a slightly revised plan to the Council in early October to get feedback on the direction of the project.

BUILDING DEPT - The City issued **110** building permits in 2024. A list of permits issued by month is available on the City’s website at <https://www.holtville.ca.gov/building-planning/building-and-planning/building-department/>

Melon, LLC Housing Project (± 50) – A project has been in the works for some time at the northeast corner of Ninth and Melon, just outside the City limits. After years of confusion regarding the process, the project’s ownership group, led by John Hawk, engaged Development Design & Engineering in 2016 to assist in moving the project along. DD&E completed CEQA compliance, and a Mitigated Negative Declaration was adopted by the Planning Commission and City Council in late 2020.

The project was presented at the Planning Commission in October 2020 and drew a good deal of public opposition. PC action pushed the project forward with a designation of allowing R-1 or R-2 development, with Council accepting the PC recommendation in November, 2020. The denser R-2 zoning designation would allow up to 8 units per acre or approximately 65 units. The annexation was approved by LAFCo in February, 2021. We await further submission from the project proponent.

Staff spoke with Mr. Hawk multiple times to remind him that there are still several requirements to move his project forward, which he could be doing concurrently with the preparation and construction of the IID

and City improvements. He said he will be speaking to his partners. As the undergrounding and street work are imminent, he still needs to produce a site plan, building plans, pull permits, etc. The City's project should now have no bearing on his timeline. This was reiterated to Mr. Hawk again in January and again in July. A conversation with Mr. Hawk in early October revealed that he is still pursuing developer investment. We discussed the coming timeline with the undergrounding and the street project. He hopes to have some momentum by the time those things are complete.

AMG Sunset Rose Senior Apartments (± 33) – In July, 2022, the City was granted HOME funding for this AMG & Associates apartment project, proposed in the area of Third and Grape. This will create some long-term oversight by the City, but it does continue to add housing. A subdivision map was approved for the property. A consultant to administer this grant was engaged in May, 2022, and an application for additional subsidized financing was approved by the City in late November.

A pre-submittal meeting was held in early November to discuss necessary aspects to the construction with the project proponent, including offsite improvements. Much of the discussion centered on handling stormwater. Final map and the necessary proposed lot split were approved in late February as well. Since the closing of the financing, several paperwork/compliance issues cropped up that the City was left to work on. This was not the “deal” as originally presented, so staff sought assistance. Staff met with HCD representatives on this project in October. We are hoping they will assist in working with the contractor to get the project running more smoothly.

Start was delayed as construction bids came in significantly over projections. The developer has now made a drawdown on funding, however, the ownership group has been somewhat unresponsive as the project continues to sit in limbo. An extension on their CUP was requested and was granted by Planning Commission in May, so we still await the start of construction activities. The CM had a recent conversation with AMG to express disappointment over the lack of information flow. It was promised that more updates would begin to flow.

Staff was recently apprised of the fact that a contractor has been engaged to begin earth moving to build up pads to start construction. We have communicated the need to schedule a pre-construction meeting to the developer and expect that soon

AMG Pine Crossing Apartments (± 64) – This is a proposed mirror image project across from Fern Crossing complex. The Building Inspector and City Engineer have coordinated with a plan check firm on the plans that were first submitted in June. After a few iterations and resubmissions, the building plans were approved in early October. AMG is still working with The City Engineer and staff on finalizing all site work and off-site plans for utilities and stormwater handling. There continues to be back and forth regarding these issues now, particularly the abandonment of the Artesian well on the property.

Peri & Sons Ag Labor Housing (66) – this project was introduced to Planning Commission earlier this week. It proposes to construct USDA-approved dormitory style housing for up to 660 H2A Visa Program agriculture laborers working for the applicant firm. PC approved the site plan and density waiver contingent on City Council approval of the land use designation and Conditional Use Permit. A Public Hearing was held at the last City Council meeting and the project was approved. We will now await more definitive site plans and building design for review.

WATER ENTERPRISE

Rate Study – The profitability of the Water Enterprise has been problematic in recent years. Coupled with the debt covenant to budget a net revenue of 120% of the annual debt service, a rate adjustment has been explored. A formal Water Rate Study must be completed, which will be brought back for discussion at some point in the future.

MEETINGS & EVENTS RECENTLY ATTENDED :

- 10/28/24 Department Head Meeting *City Hall*
- 10/28/24 Holtville City Council Meeting *City Hall*
- 10/30/24 BOOST Assistance Strategy Session *Web Conference*
- 11/01/24 Holtville Rotary Club Meeting *St. Paul's Lutheran Church*
- 11/01/24 CA FFA Foundation Board Meeting *Video Conference*
- 11/02/24 11th Annual IV Veterans Day Parade *Fifth Street*
- 11/02/24 Holtville Farmers Market & Street Fair *Holt Park*
- 11/04/24 Department Head Meeting *City Hall*
- 11/05/24 Holtville Wetlands Project Status Meeting *Project Site*
- 11/05/24 Meet w/ Contractor *re: Olive/Underwood Water Services* *City Hall*
- 11/05/24 Participated in Saving America *The Ballot Box*
- 11/05/24 Meeting w/ ICSO Personnel *re: Contract Extension* *City Hall*
- 11/08/24 Holtville Rotary Club Meeting *St. Paul's Lutheran Church*
-

UPCOMING EVENTS :

- 11/11/24 Veterans Day Observed *(City Hall Closed)*
- 11/12/24 Department Head Meeting *City Hall*
- 11/12/24 Holtville City Council Meeting *City Hall*
- 11/12/24 Citywide Pavement Project Pre-Con Meeting *Video Conference*
- 11/13/24 ICTC Management/CCMA Meetings *City of Westmorland*
- 11/14/24 Imperial-Mexicali Bi-National Alliance Meeting *Imperial County*
- 11/18/24 Holtville Planning Commission Meeting *City Hall*
- 11/19/24 Alamo River Trail (Wetlands Spur) Check-in Meeting *Web Conference*
- 11/19/24 BOOST Assistance Strategy Session *Web Conference*
- 11/20/24 IV Foreign Trade Zone Meeting *IC Workforce Development (EC)*
- 11/21/24 El Centro Rotary Club Meeting *PAL Building (EC)*
- 11/21/24 Holtville Wetlands Ribbon Cutting *Project Site*
- 11/25/24 Holtville City Council Meeting
- 11/28/24 Thanksgiving Day *(City Hall Closed)*
- 11/29/24 Thanksgiving Observed *(City Hall Closed)*
- 12/03/24 Citywide Pavement Project Bid Meeting *City Hall*
- 12/05/24 Tree Lighting Ceremony *Holt Park*
- 12/09/24 Holtville City Council Reorganization Meeting *City Hall*
- 12/19/24 Employee Christmas Luncheon *Holtville Fire Department*
- 12/19/24 Holtville CofC Christmas in the Park *Holt Park*
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If you have any questions about any of the items presented, please feel free to contact me directly.

Respectfully submitted,



Nicholas D. Wells, City Manager

City of Holtville
REPORT TO PLANNING COMMISSION

DATE ISSUED: October 1, 2024
FROM: Raylene Tapiceria
SUBJECT: Building Inspections Quarterly Report 07/01/2024 - 9/30/2024

MEETING DATE:	<u>11/18/24</u>
ITEM NUMBER	<u>5 d</u>
Approvals	CITY MANAGER _____
	FINANCE MANAGER _____
	CITY ATTORNEY _____

**THIS REPORT IS PROVIDED TO THE CITY COUNCIL FOR THEIR INFORMATION
 NO ACTION IS REQUIRED AT THIS TIME**

The purpose of this report is to inform Council of Building Inspection activities during the period of July through September 2024

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<u>TYPE</u>	<u>#</u>	<u>TYPE</u>	<u>#</u>	<u>TYPE</u>	<u>#</u>	<u>TYPE</u>	<u>#</u>	<u>TYPE</u>	<u>#</u>
Roof Nailing	13	Roofing	16	Replace A/C	2	Windows	2	Gas	0
Water Heater	1	Insulation	0	Electrical	13	Pool Demo	0	Courtesy Inspection	3
Framing	5	Plumbing	7	Lath	2	Roof Collapse	0	Fire Restoration	0
Set Back	9	Rebar	3	Solar Panel	5	Concrete	3	Fence	0
Underlyment Paper	13	Footing	4	Drywall Nai	3	Signs	1	Fire Sprinklers	0

31 Permits received Final Inspections

(for Windows, Upgraded Electrical Panels, Pool Demos, Solar Panels and A/C Units.)

- 720 Chestnut Ave. - Demo Reroof
- 321 Chestnut Ave. - Demo Reroof
- 340 Chestnut Ave. - Demo Reroof
- 731 E. Fourth St. - Demo Reroof
- 731 E. Fourth St. - Patios x2
- 731 E. Fourth St. - Electrical Panel Upgrade
- 804 Olive Ave. - Swimming Pool
- 521 Cedar Ave. - Remodel
- 838 Olive Ave. - Water Heater Replacement
- 500 Tamarack Ave. - Solar Panels
- 645 Cedar Ave. - Solar Panels
- 506 W. Fifth St. - Demo Reroof
- 525 E. Fifth St. - Install Power Pole
- 829 Fern Ave. Unit B. - Enclosed Garage
- 713 Fern Ave. - Demo Reroof
- 761 Orange Ave. - Demo Reroof
- 760 Fern Ave. - Reroof

Plan Review / Building Permits

- 731 E. Fourth St. - Upgrade Electrical Panel
 - 804 Olive Ave. - New Swimming Pool
 - 500 Tamarack Ave. - Solar Panels
 - 547 Figueroa Ave. - Solar Panels
 - 854 Palm Ave. - Shade / Patio
 - 829 Fern Ave. Unit B. - Enclosed Garage
 - 636 E. Third St. - Solar Panels
 - 340 Chestnut Ave. - Demo Reroof
 - 731 E. Fourth St. - Demo Reroof / 2 Patios
 - 645 Cedar Ave. - Solar Panels
 - 812 Ash Ave. - Solar Panels / Electrical Panel Upgrade
 - 525 E. Fifth St. - Install Power Pole
 - 506 W. Fifth St. - Demo Reroof
 - 524 E. Seventh St. (Parcel 1 only) - Remodel
 - 927 Figueroa Ave. - Solar Panels
 - 437 Grape Ave. - Electrical Panel Upgrade
 - 805 E. Fifth St. - Sign
 - 820 E. Fifth St. - New Residential Home, ADU, Mini Storage
 - 524 E. Seventh St. - ADU
 - 753 Orange Ave. - Solar Panels / Electrical Panel Upgrade
 - 407 Maple Ave. - Carport, Demo Reroof, Storage Room & Laundry Room
 - 407 Maple Ave. - Demo Reroof, Concrete & 2 Patios
 - 713 Fern Ave. - Demo Reroof
 - 760 Fern Ave. - Reroof
 - 673 Chestnut Ave. - Adding 240 sq.ft. to existing home.
 - 868 Elm Ave. - Demo Reroof
 - 720 Chestnut Ave. - Solar Panels
 - 644 Cedar Ave. - Solar Panels
 - 719 Beale Ave. - Demo Reroof
 - 825 Cedar Ave. - Demo / Storage Shed
 - 545 E. Seventh St. - Demo Reroof
- On July 9th, a meeting was held with myself and Robert Chells contractor to review the new home project.

Red Tags:

- 720 Chestnut Ave. - Installed solar panels without building permit. 07/08/2024

Courtesy Inspections:

- 437 Grape Ave. - Electrical
- 548 Holt Ave. - Electrical
- 422 W. Ninth St. - Electrical

Respectfully Submitted,

Building Inspector
Raylene Tapiceria

MEETING DATE:	<i>11/18/24</i>
ITEM NUMBER	<i>5 e</i>
Approvals	CITY MANAGER _____
	FINANCE MANAGER _____
	CITY ATTORNEY _____

City Of Holtville

Report To City Council

Date issued : october, 2 2024

From : Francisco Hernandez

Subject : Fire Prevention Inspections

September

- 460 palo verde ave - miscellaneous items from backyard like sofa, treadmill, porta potty 522
- Palo Verde - washer machine blocking the alleyway
- 554 Palo Verde - miscellaneous items leaning against the fence
- 564 Palo Verde - miscellaneous items leaning against the fence such as car seat, pile of branches
- 548 Palo Verde- miscellaneous items in front yard and backyard
- 411 palo Verde - toilet seat in alleyway
- 453 Palo Verde - couch in alleyway trash around shed and front of home as well as a washer machine in front of the house
- 525 Palo Verde - overgrown weeds and bed frame under car port
- 517 palo Verde - miscellaneous items from back yard must be removed
- 557 palo Verde - trash and bed must be removed from the outside
- 545 Palo Verde - miscellaneous items around the house and trash around the home
- 573 Palo Verde - miscellaneous items from around the home
- 589 Palo Verde - bed under carport
- 535 Mesquite - mattress, truck cover, chairs in backyard
- 525 Mesquite - wood pallets, door, tires, and trash

Businesses

- 523 Pine Ave - Viking gym not passed
- 534 Holt Ave - osvados clothing passed

I would like to apologize for such a short report. I haven't done fire prevention since I've been going to the strike team these past 3 months and covering the other firefighters that have been on the strike team as well.

Respectfully Submitted,
 Fire Prevention
 Francisco Hernandez