

# Attachment 5

Addressed: Persons with Disabilities

### **Program 7: Zoning Code Amendments – Housing Constraints**

The City shall update the Zoning Code to remove constraints to housing development and ensure the City's standards and permitting requirements are consistent with State law. The update shall address the following:

- A. **Mixed-Use Standards.** The Zoning Code shall be updated to address standards related to mixed-use development at densities and intensities consistent with the Mixed-Use land use designations adopted as part of the City's comprehensive General Plan Update approved in 2020. This process is anticipated to be completed by the end of 2022. See Program 1 (Shortfall Program) for more information.
- B. **Low Barrier Navigation Centers:** The Zoning Code shall be updated to define and permit low-barrier navigation centers consistent with the requirements of Government Code Sections 65660 through 65668, including treating low-barrier navigation centers as a by-right use in areas zoned for mixed use and in nonresidential zones permitting multi-family uses (if applicable).
- C. **Transitional and Supportive Housing:** The Zoning Code shall be revised as necessary to ensure that transitional and supportive housing are allowed in residential and mixed-use zones in accordance with Government Code Section 65583(c)(3), and to allow eligible supportive housing in zones where multi-family and mixed uses are permitted in accordance with Government Code Sections 65650 through 65656.
- D. **Employee Housing and Agricultural Worker Housing:** The Zoning Code will be updated to comply with Health and Safety Code Sections 17021.5, .6, .8. Specifically, the City will only refer to it as employee housing and not make a distinction between agricultural versus employee housing types.
- E. **Streamlined and Ministerial Review for Eligible Affordable Housing Projects:** The Zoning Code will be updated to ensure that eligible multi-family projects with an affordable housing component are provided streamlined review and are subject only to objective design standards consistent with relevant provisions of SB 35 and SB 330, as provided for by applicable sections of the Government Code, including but not limited to Sections 65905.5, 65913.4, 65940, 65941.1, 65950, and 66300. State law defines objective design standards as those that "involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and public official prior to submittal."
- F. **Emergency Shelter Parking:** The Zoning Code will be updated to require sufficient parking to accommodate all staff working in an emergency shelter, provided that the standards will not require more parking for emergency shelters than other residential or commercial uses within the same zone, in compliance with AB 139.

- G. **Residential Care Facilities.** Amend the Zoning Code and permit procedures to allow group homes of seven or more persons in all residential zone districts with objective standards to promote approval certainty similar to other residential uses of the same form and consistent with State law and fair housing requirements.
- H. **Reasonable Accommodation.** The Municipal Code will be amended to ensure that the City's reasonable-accommodation procedures and findings comply with State and federal fair-housing and disability laws and do not pose an illegal constraint on housing for persons with disabilities. The amendments will change the City's "grounds for accommodation" findings to focus on the statutory criteria. Additionally, the City will make express the City's existing practice of allowing persons to make a request for accommodations orally (not only in writing) and of making staff available to assist in preparing necessary written documentation to facilitate a request. Finally, the City will relocate the reasonable-accommodation section of the Municipal Code out of Title 9, Planning and Zoning, to a more generally applicable location in the Code to make clear that the process applies to governmental programs besides just planning and zoning requirements.

Responsible Agencies: Community Development Department

Funding Sources: General Fund

2021-2029 Objectives: Ensure that the City's Zoning Code is consistent with State law and update the Zoning Code as needed to comply with future changes.

Timeframe: Zoning Code Amendments adopted by June 2023.

Fair Housing Issues Addressed: Segregation and Integration; Disparities in Access to Opportunity

Contributing Factors Addressed: Lack of Affordable In-Home or Community-Based Supportive Services; Lack of Assistance for Transitioning from Institutional Settings to Integrated Housing; Land Use and Zoning Laws; Occupancy Codes and Restrictions

## Program 8: Accessory Dwelling Units

Accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) help meet the City's housing needs for all income levels and also provide a housing resource for seniors, students, and low- and moderate-income households throughout the entire Lake Forest community, not just in any single geographic area. The City will continue to apply Zoning Code regulations that allow ADUs and JADUs (also known as second units or granny flats) by right in all residential zones, in accordance with State law. The City of Lake Forest will amend the ordinance as necessary to comply with current State Law. Based on future changes to State law, the City will continue to amend the ordinance as necessary and work with HCD to ensure continued compliance with State