

EXHIBIT 3a

Proposed Non-Coastal Zoning Ordinance Amendments for Density Bonus and Special Needs Housing (Clean Version)

Proposed NCZO and CZO Amendments related to Density
Bonus and Special Needs Housing

(PL23-0135)

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AMENDING ARTICLES 1, 2, 5, 7, 8, 9, 11, 16, AND 19 OF THE VENTURA COUNTY ORDINANCE CODE, NON-COASTAL ZONING ORDINANCE (VENTURA COUNTY ORDINANCE CODE DIVISION 8, CHAPTER 1) PERTAINING TO DENSITY BONUSES, SPECIAL NEEDS HOUSING, AND REASONABLE ACCOMMODATIONS

The Board of Supervisors of the County of Ventura ("County") ordains as follows:

Section 1

**ARTICLE 1:
AUTHORITY, PURPOSE, AND APPLICATION OF
CHAPTER**

Article 1, Section 8101-4.8 – Rounding of Quantities, of the Ventura County Ordinance Code is hereby amended to read in its entirety as follows:

Sec. 8101-4.8 – Rounding of Quantities

Whenever application of this Chapter results in required parking spaces or other standards being expressed in fractions of whole numbers, such fractions are to be rounded to the next higher whole number when the fraction is 0.5 or more, and to the next lower whole number when the fraction is less than 0.5, except that: (a) calculation for the number of permitted *animals* shall be in accordance with Article 7, Section 8107-2; (b) quantities expressing areas of land are to be rounded only in the case of square footage, and are not to be rounded in the case of acreage except to the nearest one-hundredth acre (e.g., 7.065 acres would be rounded to 7.07 acres); and, (c) calculations under Article 16 shall be rounded in accordance with Government Code section 65915 et seq.

Section 2

ARTICLE 2: DEFINITIONS

Article 2, Section 8102-0 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended to add the following definition in the appropriate alphabetical order:

Low Barrier Navigation Center (LBNC): Shall have the same definition as set forth in Government Code section 65660(a), as may be amended, which states: “‘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. A Low Barrier Navigation Center may be non-congregate and relocatable. ‘Low Barrier’ means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

- (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.
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.”

Article 2, Section 8102-0 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended to revise the following existing definitions to read as follows:

Emergency Shelter: Shall have the same definition as set forth in Government Code section 65582(g) and Health and Safety Code section 50801, as may be amended: “‘Emergency shelter’ means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less within any 12-month period by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.”

Family: An individual, or two or more persons living together as a single housekeeping unit in a *dwelling unit*, unless otherwise specified by state law.

Residential Care Facility: A residential facility providing nonmedical or incidental medical services on a 24-hour basis or on a less-than-24 hour basis to people who are mentally ill, mentally handicapped, physically disabled, or elderly, or are dependent or neglected children, wards of the Juvenile Court, or other persons in need of personal services, supervision, or assistance essential for sustaining the activities of everyday living or for protection of the individual. Included within this definition are "*intermediate care*

facilities/developmentally disabled-nursing" and "intermediate care facilities/developmentally disabled-habilitative" with six or fewer beds, and congregate living health facilities, pursuant to the Health and Safety Code.

Supportive Housing: Shall have the same definition as set forth in Government Code section 65582(n), as may be amended, which states: “‘Supportive Housing’ means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community.’”

Transitional Housing: Shall have the same definition as set forth in Government Code section 65582(q), as may be amended, which states: “‘Transitional Housing’ means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.”

Section 3

ARTICLE 5: USES AND STRUCTURES BY ZONE

Article 5, Section 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purposes Zones, of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated land uses:

Sec. 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purposes Zones

	OS- REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
CARE FACILITIES (SEE ALSO H. & S. C. AND W. & I. C.)												
<i>Day Care Centers (19)</i>				CUP	CUP		CUP	CUP	CUP			
<i>Family Day Care Home (28, 42)</i>		E	E	E	E	E	E	E	E	E		
<i>Intermediate Care Of 7 Or More Persons (2, 42)</i>				CUP	CUP		CUP	CUP	CUP	CUP		
<i>Residential Care of 6 or Fewer Persons* (63)</i>	Pursuant to Sec. 8107- ZZ											
<i>Residential Care Of 7 Or More Persons (7)</i>				CUP	CUP		CUP	CUP	CUP			

	OS- REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
TRANSITIONAL AND SUPPORTIVE HOUSING* (63)												
<i>Transitional Housing</i>	Pursuant to Sec. 8107-YY											
<i>Supportive Housing</i>	Pursuant to Sec. 8107-YY											

*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.

Article 5, Section 8105-5 – Permitted Uses in Commercial and Industrial Zones, of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated land uses:

Sec. 8105-5 - Permitted Uses in Commercial and Industrial Zones

	CO	C1	CPD	M1	M2	M3
CARE FACILITIES: (SEE ALSO H. & S.C. AND W. & I. C.) (6)						
<i>Day Care Center (2, 15, 27)</i>	CUP	CUP	CUP	CUP		
Residential Care of 6 or Fewer Persons* (63)	Pursuant to Sec. 8107-ZZ					
Intermediate and Residential, Care of 7 or More Persons (6)	CUP		CUP			
<i>Emergency Shelter* (42)</i>			ZC			
<i>Low Barrier Navigation Center* (63)</i>	ZC		ZC			
TRANSITIONAL AND SUPPORTIVE HOUSING* (63)						
<i>Transitional Housing</i>	Pursuant to Sec. 8107-YY					
<i>Supportive Housing</i>	Pursuant to Sec. 8107-YY					

*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.

E = Exempt ZC = Zoning Clearance unless specifically exempted	ZCW = Zoning Clearance with signed waivers PD = Planned Development Permit CUP = Conditional Use Permit	Not Allowed	Exempt	Approved by Planning Director or Designee	Approved by Planning Commission	Approved by Board of Supervisors
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Section 4

ARTICLE 7: STANDARDS FOR SPECIFIC USES

Article 7, Section 8107-44 – Emergency Shelters of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-44 – Emergency Shelters

Sec. 8107-44.1 – Purpose and Application

The purpose of this Section 8107-44 is to regulate and establish development standards for *emergency shelters* in compliance with Government Code section 65583 (a)(4). If this Section 8107-44 conflicts with any other provision of this Chapter, this Section 8107-44 shall prevail. If this Section 8107-44 conflicts with state law, the latter shall govern.

Sec. 8107-44.2 – Type of Permit Approval and Application Requirements

- a. An application for an *emergency shelter* shall be reviewed and approved with a Zoning Clearance prior to establishment or construction of any *emergency shelter*.
- b. An application for an *emergency shelter* shall include the total number of occupants, details of employee shifts, along with total number of employees, including those in the largest shift, and security personnel.
- c. The *Planning Director* or designee, in reviewing an application for an *emergency shelter*, may require the *applicant* to demonstrate that the requirements provided in this Section 8107-44 have been met.

Sec. 8107-44.3 – Emergency Shelter Development and Operational Standards

An *emergency shelter* must comply with all of the following standards:

- a. Sited within the CPD Zone;
- b. May not be established, constructed or operated in a location that is within 300 feet of the same *use*.
- c. Maximum Capacity:
 - (1) No more than 60 persons may be served nightly at the facility; and
 - (2) The maximum number of beds may not exceed one bed for every 50 square feet of *gross floor area* used for sleeping purposes.
- d. On-Site Personnel Requirements: Must provide both of the following:
 - (1) At least one on-site property manager at all times for each twenty occupants; and
 - (2) At least one attendant at all times for each twenty occupants.

- e. Parking Requirements: Subject to Government Code section 65583(a)(4)(B)(ii), on-site parking shall be a minimum of one space per employee in the largest shift.
- f. Intake and Waiting Areas:
 - (1) Shall have an interior client intake area of a minimum of 250 square feet.
 - (2) An exterior waiting area, if provided, shall be located onsite and outside of the following: designated pedestrian areas, designated *parking areas* and the public right-of-way.
- g. Outdoor Lighting:
 - (1) *Outdoor lighting* may be provided in active pedestrian areas, including sidewalks, pathways, and *driveways*.
 - (2) All *outdoor lighting* shall be *fully-shielded*, directed downward, and not directly illuminate onto adjacent properties. This requirement for shielding applies to all *light fixtures*, except *security lighting*, which may be on motion sensor with *timers*.
 - (3) Lighting provided for *parking areas* shall be consistent with Section 8108-5.12 of this Chapter.
- h. Security Personnel Required: At least one security guard shall be provided during all hours of operation.
- i. Maximum Length of Stay: Occupancy for an individual may not exceed six months within any 12-month period.
- j. Contact Information:
 - (1) Prior to the issuance of the Zoning Clearance, the *applicant* shall provide the contact information for the on-site property manager(s) to the Planning Division.
 - (2) If any contact information for the on-site property manager(s) should change, or the responsibility is assigned to another person, the property owner shall provide the Planning Division with the new information in writing within ten calendar days of the change.

Article 7, Standards for Specific Uses, of the Ventura County Ordinance Code is hereby amended to add a new **Section 8107-XX – Low Barrier Navigation Centers**, which shall read in its entirety as follows:

Sec. 8107-XX – Low Barrier Navigation Centers

Sec. 8107-XX.1 – Purpose and Application

The purpose of this section is to comply with Government Code section 65660 et seq. regarding *low barrier navigation centers* (hereafter referred to as “LBNCs,” and each

singularly an “LBNC”). If this Section 8107-XX conflicts with any other provision of this Chapter, this Section 8107-XX prevails. If this Section 8107-XX conflicts with state law, the latter shall govern.

Sec. 8107-XX.2 – Allowed Zones

As required by Government Code section 65662, LBNCs that comply with this Section 8107-XX are permitted by right in areas zoned for mixed-use and nonresidential zones permitting multifamily uses. This includes lots zoned R/MU, CO, and CPD.

Sec. 8107-XX.3 – Type of Permit Approval and Application Requirements

- a. An application for an LBNC shall be reviewed and approved with a Zoning Clearance prior to establishment or construction of any LBNC.
- b. An application for an LBNC shall include the total number of occupants, details of employee shifts, along with total number of employees, including those in the largest shift, and security personnel.
- c. The *Planning Director* or designee in reviewing an application for a LBNC, may require the *applicant* to demonstrate that the requirements provided in Section 8107-XX.4 have been met.

Sec. 8107-XX.4 - Development and Operational Standards for LBNCs

- a. Each LBNC shall comply with all of the development and operational standards provided in Section 8107-44.3 (b) through (j) of this Chapter that apply to *emergency shelters*.
- b. Operational Services: As required by Government Code section 65662, each LBNC must satisfy all of the following:
 - (1) The LBNC offers services to connect people to permanent housing through a services plan that identifies services staffing.
 - (2) The LBNC is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. For the purposes of this Section, a “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.
 - (3) The LBNC complies with Chapter 6.5 (commencing with section 8255) of Division 8 of the Welfare and Institutions Code.
 - (4) The LBNC 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.

Article 7, Standards for Specific Uses, of the Ventura County Ordinance Code is hereby amended to add a new **Section 8107-YY - Transitional and Supportive Housing**, which shall read in its entirety as follows:

Sec. 8107-YY – Transitional and Supportive Housing

Sec. 8107-YY.1 - Purpose and Application

The purpose of this Section 8107-YY is to comply with Government Code sections 65583(c)(3) and 65650 et seq. regarding *transitional housing* and *supportive housing*, as such terms may be amended. If this Section 8107-YY conflicts with any other provision of this Chapter, this Section 8107-YY shall prevail. If this Section 8107-YY conflicts with state law, the latter shall govern.

Sec. 8107-YY.2 – Allowed Zones

Transitional housing and *supportive housing* are allowed in all zones that allow residential *dwelling*s. This includes *lots* zoned R1, R2, RES, RPD, R/MU, RHD, RA, RE, RO, CO, CPD, OS, AE, and TP.

Sec. 8107-YY.3 – Type of Permit and Applicable Development Standards for Transitional and Supportive Housing

- a. In accordance with Government Code section 65583(c)(3), *transitional housing* and *supportive housing* are considered a residential *use* of property and are subject only to those standards that apply to other residential *dwelling*s of the same type (e.g., other *single-family*, *two-family*, or *multifamily dwelling*s) in the same zone.

For example, *supportive housing* proposed in a new *multifamily dwelling* in the RPD Zone would require the same type of permit and meet the same development standards as other *multifamily dwelling*s in the RPD Zone, unless such housing qualifies for approval as a *use* by right pursuant to Section 8107-YY.3.1 below.

- b. *Supportive housing* that complies with the requirements of Section 8107-YY.3.1 below shall qualify for approval as a *use* by right in accordance with Government Code section 65651(a), and shall meet the standards of that section.

Sec. 8107-YY.3.1 - Supportive Housing as a Use by Right with Approval of a Zoning Clearance

- a. Standards and Requirements:

- (1) *Supportive housing* that complies with the requirements of this Section 8107-YY.3.1 is considered a *use* by right in all zones where multifamily and mixed *uses* are permitted, including nonresidential zones permitting multifamily *uses*. This includes *lots* zoned R2, RPD, RHD, R/MU, RES, CO, and CPD.

As required by Government Code section 65650, for purposes of this Section 8107-YY.3.1, *supportive housing* includes nonresidential uses and administrative office space as provided in Section 8107-YY.3.1(a)(2)(vi) below, as well as *transitional housing* for youth and young adults.

- (2) To qualify for approval as a *use* by right pursuant to this Section 8107-YY.3.1, all of the following must be satisfied:
- i. The development consists of 50 units or fewer.
 - ii. Units within the development are subject to a recorded affordability restriction for 55 years. A deed restriction ensuring the continued affordability of the units consistent with this Section 8107-YY.3.1 shall be recorded with the County Recorder in a form approved by the County at the property owner's expense prior to the issuance of a Zoning Clearance for construction of the development.
 - iii. 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 units to lower income households. 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. For purposes of this subsection, "lower income households" has the same meaning as defined in section 50079.5 of the Health and Safety Code, as may be amended.
 - iv. 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*. For purposes of this subsection, "target population" has the same meaning set forth in Government Code section 65650(c) and Health and Safety Code section 50675.14, as may be amended, which include persons, including persons with *disabilities*, and families who are "homeless," as that term is defined by section 11302 of Title 42 of the United States Code, or who are "homeless youth," as that term is defined by Government Code section 12957(e)(2).
 - v. The *applicant* provides the County with the information required by Government Code section 65652, outlined in Section 8107-YY.3.1(b)(2) below.
 - vi. Nonresidential floor area shall be used for on-site supportive services and administrative office space in the amounts specified below.

For purposes of this subsection, "supportive services" has the same meaning set forth in Government Code sections 65650 and 65582,

as may be amended, and includes, but is not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy. “Administrative office space” has the meaning set forth in Government Code section 65650(a), as may be amended, and means an organizational headquarters or auxiliary office space utilized by a nonprofit organization for the purpose of providing on-site supportive services at a *supportive housing* development authorized by this Section 8107-YY.3.1 and includes other nonprofit operations beyond the scope of the corresponding *supportive housing* development. “Administrative office space” includes parking necessary to serve the office space.

- A. For a development with 20 or fewer total units, at least 90 square feet shall be provided for on-site supportive services.
 - B. For a development with more than 20 units, at least 3 percent of the total floor area shall be provided for on-site supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community *kitchens*.
 - C. Administrative office space shall not exceed 25 percent of the total floor area.
- vii. The developer replaces any *dwelling units* on the site of the *supportive housing* development in the manner provided in Government Code section 65915(c)(3).
 - viii. 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.
- (3) In accordance with Government Code section 65651(b)(1), a *supportive housing* development subject to this Section 8107-YY.3.1 must comply with all objective development standards and policies that apply to other multifamily development within the same zone.
 - (4) If the *supportive housing* development is located within ½-mile of a public transit stop, no parking is required for the units occupied by *supportive housing* residents as set forth in Government Code section 65654.
- b. Application Requirements for Supportive Housing as a Use By Right:
- (1) An application for *supportive housing* shall be reviewed and approved with a Zoning Clearance prior to establishment or construction of any *supportive housing* pursuant to this Section 8107-YY.3.1.
 - (2) In accordance with Government Code section 65652, the application shall include a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents

in the project, as required by this Section 8107-YY.3.1 and Government Code section 65651, and describing those services, which shall include all of the following:

- i. The name of the proposed entity or entities that will provide supportive services;
- ii. The proposed funding source or sources for the provided on-site services; and
- iii. Proposed staff resources and staffing requirements to manage the on-site supportive services.

Article 7, Standards for Specific Uses, of the Ventura County Ordinance Code is hereby amended to add a new **Section 8107-ZZ – Residential Care Facilities Serving Six or Fewer**, which shall read in its entirety as follows:

Sec. 8107-ZZ – Residential Care Facilities Serving Six or Fewer Persons

Sec. 8107-ZZ.1 – Purpose

The purpose of this Section 8107-ZZ is to regulate *residential care facilities* serving six or fewer persons in accordance with state law (See Health and Safety Code, §§ 1267.8, 1566.3, 1568.0831, and 11834.23.).

Sec. 8107-ZZ.2 – Allowable Zones

Residential care facilities serving six or fewer persons are allowed in all zones that allow residential *dwellings*. This includes *lots* zoned R1, R2, RES, RPD, R/MU, RHD, RA, RE, RO, CO, CPD, OS, AE, and TP.

Sec. 8107-ZZ.3 – Standards and Requirements

- a. When required by state or federal law, a *residential care facility* serving six or fewer persons is considered a residential *use* of property by a *family* under this Chapter, and is subject to the following:
 - (1) A *residential care facility* serving six or fewer persons shall comply with the *setback*, *building lot coverage*, *height* limit, sign-placement and other development standards applicable to a family dwelling of the same type and in the same zone.
 - (2) No additional development standards other than those identified in subsection (a)(1) above shall apply to a *residential care facility* serving six or fewer persons.
 - (3) Use of a family dwelling for purposes of a *residential care facility* serving six or fewer persons shall not constitute a change of occupancy for purposes of local building codes or Part 1.5 (commencing with section 17910) of Division 13 of the Health and Safety Code, as may be amended. However, nothing in this Section 8107-ZZ.3 is intended to supersede

Health and Safety Code sections 13143 or 13143.6, to the extent such sections are applicable to *residential care facilities* serving six or fewer persons.

- b. Subject to subsection (c) below, for purposes of this section, “family dwelling” has the same meaning as provided in Health and Safety Code section 1566.3(g), as it may be amended, which states: “‘family dwelling’ includes, but is not limited to, single-family dwellings, units in multifamily dwellings, including units in duplexes and units in apartment dwellings, mobilehomes, including mobilehomes located in mobilehome parks, units in cooperatives, units in condominiums, units in townhouses, and units in planned unit developments.”
- c. Notwithstanding subsection (b) above, the term “family dwelling” as used in this section shall mean a *single-family dwelling* if the *residential care facility* is any of the following: an alcoholism or drug abuse recovery or treatment facility subject to Health and Safety Code section 11834.23, or an *intermediate care facility/developmentally disabled habilitative, intermediate care facility/developmentally disabled—nursing*, or a congregate living health facility subject to Health and Safety Code section 1267.8.

Section 5

ARTICLE 8

PARKING AND LOADING REQUIREMENTS

Article 8, Section 8108-4.7 – Table of Parking Space Requirements by Land Use is hereby amended to read as follows with respect to the below-stated emergency shelter and low barrier navigation center land uses:

Sec. 8108-4.7 – Table of Parking Space Requirements by Land Use

The table below indicates the number of required off-street motor vehicle and bicycle parking spaces that shall be provided for various land *uses*. For non-residential land *uses*, the number of motor vehicle parking spaces set forth in the table, plus or minus 10 percent of the total, represents the minimum required and the maximum allowed number of spaces, unless varied pursuant to Section 8108-4.8 below. For residential land *uses* the number of motor vehicle parking spaces set forth in the table represents the minimum required number of spaces unless varied pursuant to Section 8108-4.8 below.

The number of motor vehicle parking spaces required in this section is intended to address the needs of residents, employees and regular users of an establishment. The number is not intended to reflect the need for parking large delivery trucks, vans or buses; storage of vehicle inventory; or other specialty parking needs related to the operation of specific land *uses*.

The *Director* has the authority to determine the parking space requirements for any land *use* not specifically listed based on the requirements for the most comparable land *use*.

Land Use	Motor Vehicle Spaces Required	Bicycle Spaces Required
<i>Emergency Shelter or Low Barrier Navigation Center</i>	A minimum of one (1) space per employee in the largest shift, subject to Government Code section 65583(a)(4)(B)(ii).	

Section 6

ARTICLE 9: STANDARDS FOR SPECIFIC ZONES AND ZONE TYPES

Article 9, Section 8109-1.3.3 – General Density Standards within Section 8109-1.3 – Standards for the Residential High Density (RHD) Zone of the Ventura County Ordinance Code is hereby amended to read in its entirety as follows:

Sec. 8109-1,3,3 – General Density Standards

Multi-family residential projects in the RHD Zone must comply with the following general density standards:

- Minimum multi-family residential project density shall be no less than that specified by the zone suffix.
- Maximum multi-family residential project density shall not exceed 110 percent of the density specified by the zone suffix, unless the *applicant* is granted a density bonus in accordance with Article 16.

Section 7

ARTICLE 11: ENTITLEMENTS – PROCESS AND PROCEDURES

Article 11, Section 8111-9 - Reasonable Accommodation of the Ventura County Ordinance Code is hereby amended to read in its entirety as follows:

Section 8111-9 - Reasonable Accommodation

Sec. 8111-9.1 – Purpose

- Pursuant to the Federal Fair Housing Act, and the California Fair Employment and Housing Act (the Acts), it is the policy of the County to provide individuals with *disabilities* reasonable accommodations in land *use* and zoning rules, policies, practices and procedures that may be necessary to afford disabled

persons an equal opportunity to use and enjoy a *dwelling* or housing opportunity. Requests for reasonable accommodation shall be processed in accordance with this section.

- a. Reasonable accommodations may include, but are not limited to, *setback* area encroachments for ramps, handrails, or other such accessibility improvements; *hardscape* additions, such as wicened *driveways*, *parking area* or walkways that would not otherwise comply with required landscaping or open space area provisions; and *building* addition(s) necessary to afford the *applicant* an equal opportunity to use and enjoy a *dwelling* or housing opportunity.

Sec. 8111-9.2 – Reasonable Accommodation Requests

- b. An *applicant* may initiate a “Reasonable Accommodation Request” either orally or in writing. Although not required by the Acts, the Planning Division has created a Reasonable Accommodation Request application to streamline the process. While the County recommends that *applicants* utilize this application, the County will not require *applicants* to use a particular form or medium to initiate a Reasonable Accommodation Request.
- c. If the project for which the request is being made requires a *discretionary decision*, the County recommends that the *applicant* file the Reasonable Accommodation Request application concurrently with the application for discretionary approval. In this case, the review period for the Reasonable Accommodation Request shall be the same as the application review period for the *discretionary decision*.
- d. Although the *applicant* may be represented by an agent, the *applicant* must qualify as a protected individual under the Acts. The Acts require the reasonable accommodation process to be iterative and interactive. To ensure that the process is accessible to the *applicant*, Planning Division staff will assist *applicants* with submitting Reasonable Accommodation Requests or processing any appeals associated with such requests.

Sec. 8111-9.3 – Reasonable Accommodation Determination

Upon receipt of a Reasonable Accommodation Request, the *Planning Director* or designee shall review the request and make a determination whether to approve or deny it, in whole or in part. All references to the *Planning Director* in this Section 8111-9 shall include their designee. If additional information is needed to make a determination, the *Planning Director* shall request the necessary information from the *applicant*, in writing. The *applicant* shall provide the information prior to the *Planning Director* acting upon and/or making a determination on the Reasonable Accommodation Request.

Sec. 8111-9.4 – Standards for Determining Reasonable Accommodation Requests

The *Planning Director* shall consider the following criteria in making a determination on a Reasonable Accommodation Request:

- a. The *applicant* seeking the accommodation(s) is a qualified individual protected under the Acts.
- b. When housing is the subject of the Reasonable Accommodation Request, the housing will be used by a qualified individual protected under the Acts.
- c. As applicable, the requested accommodation is necessary to make a *dwelling* or housing opportunity available to a qualified individual protected under the Acts.
- d. The requested accommodation(s) would not impose an undue financial or administrative burden on the County.
- e. The requested accommodation would not require a fundamental alteration in any County program, policy, practice, ordinance, and/or procedure, including zoning ordinances.
- f. The requested accommodation will not result in a direct and significant threat to the health or safety of other persons or substantial physical damage to the property of others.

Sec. 8111-9.5 – Conditions of Approval

The *Planning Director* may impose conditions on the approval of a Reasonable Accommodation Request, which may include, but are not limited to, any or all of the following:

- a. Periodic inspection of the affected premises by the County's Code Compliance Division to verify compliance with this section and any applicable conditions of approval;
- b. Removal of the improvements by the *applicant* when the accommodation is no longer necessary to afford the *applicant* an equal opportunity to use and enjoy the *dwelling unit(s)* or housing opportunity, if removal would not constitute an unreasonable financial burden;
- c. Expiration of the approval when the accommodation is no longer necessary to afford the *applicant* an equal opportunity to use and enjoy the *dwelling unit* or housing opportunity; and/or
- d. A requirement that the *applicant* advise the Planning Division if the *applicant* no longer qualifies as an individual with a *disability* under the Acts or if the accommodation granted is no longer reasonable or necessary to afford the *applicant* an equal opportunity to use and enjoy a *dwelling unit(s)* or housing opportunity.

Sec. 8111-9.6 – Written Determination on the Request for Reasonable Accommodation

- a. Except as provided in Section 8111-9.2, not more than 45 days after receiving a completed Reasonable Accommodation Request, the *Planning Director* shall issue a written determination and shall set forth in detail the basis for the determination, the findings on the criteria set forth in Section 8111-9.4, and the

conditions of approval. The determination shall be sent to the *applicant* by certified mail and shall give notice of the *applicant's* right to appeal as set forth in Section 8111- 9.7.

- b. Upon the request of the *Planning Director* to the *applicant* to provide additional information pursuant to Section 8111-9.3, the 45-day determination period shall be stopped. Once the *applicant* provides the *Planning Director* the information requested, a new 45-day period shall begin.

Sec. 8111-9.7 – Appeals

Within ten calendar days of the date of the *Planning Director's* written determination, the *applicant* may file an appeal of the determination pursuant to Section 8111-7 of this Chapter. Appeals of decisions on Reasonable Accommodation Requests will be heard by the *Planning Commission*.

Sec. 8111-9.8 – Limitations on Approvals of Reasonable Accommodation Requests

Any grant of accommodation shall be personal to the *applicant* and shall not run with the land.

Section 8

ARTICLE 16: DENSITY BONUS AND AFFORDABLE HOUSING INCENTIVES PROGRAM

Article 16, Density Bonus and Affordable Housing Incentives Program, of the Ventura County Ordinance Code is hereby repealed and reenacted to read in its entirety as follows:

Sec. 8116-0 – Purpose and Application

Government Code section 65915 et seq., known as California Density Bonus Law, requires local jurisdictions to grant a density bonus, incentives or concessions, and waivers or reductions in development standards to qualifying projects that commit a certain percentage of *dwelling units* to affordable housing. The purpose of this Article 16 is to promote affordable *dwelling units* and allow density bonuses and other affordable housing incentives to qualifying projects in accordance with state law.

Sec. 8116-1 – Density Bonus and Affordable Housing Incentives

The density bonuses, incentives or concessions, and waivers or reductions in development standards required by state law, including, but not limited to, Government Code section 65915 et seq., shall be available to qualifying projects on the terms and conditions specified in state law.

Section 9

ARTICLE 19: SPECIFIC STANDARDS FOR AREA PLANS

Article 19, Section 8119-1.2 – Permitted Uses within Section 8119-1 – Old Town Satcoy Development Code of the Ventura County Ordinance Code is hereby amended to add a row for *Low Barrier Navigation Center*, revise the row for *Residential Care Facility Serving Six or Fewer*, and add rows for *Transitional Housing* and *Supportive Housing* under subsection (A) Principal Uses. These rows shall be placed in the appropriate alphabetical order and read in their entirety as follows:

Section 8119-1.2 – Permitted Uses

PERMITTED USES IN OLD TOWN SATICOY, BY ZONE				
	TC	R/MU	RES	IND
CARE FACILITIES (SEE ALSO H. & S. C. AND W. & I. C.)				
Day Care Centers	CUP	PD	CUP	
Family Day Care Homes		E	E	
Intermediate Care of 7 or More Persons	CUP	CUP	CUP	
Low Barrier Navigation Center*		ZC		
Residential Care of Six or Fewer Persons*	Pursuant to Sec. 8107- ZZ			
TRANSITIONAL AND SUPPORTIVE HOUSING *				
Transitional Housing	Pursuant to Sec. 8107- YY			
Supportive Housing	Pursuant to Sec. 8107- YY			

* There are specific regulations for this use; see Article 7.

E = Exempt ZC = Zoning Clearance ¹ ZC-W = Zoning Clearance with signed waivers ¹	PD = Planned Development Permit ¹ CUP = Conditional Use Permit ¹	Not allowed	Exempt	Approved by Planning Director or Designee	Approved by Planning Commission	Approved by Board of Supervisors
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Section 10

If any section, subsection, sentence, clause phrase, word or provision of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The County Board of Supervisors hereby declares that it would have passed and adopted this ordinance, and each and all provisions hereof, irrespective of the fact that any one or more provisions may be deemed invalid or unconstitutional.

Section 11

This ordinance shall become effective and operative 30 days after adoption.

PASSED AND ADOPTED this ___ day of _____, 2024, by the following vote:

AYES: Supervisors _____

NOES: Supervisors _____

ABSENT: Supervisors _____

CHAIR, BOARD OF SUPERVISORS

ATTEST:

DR. SEVET JOHNSON

Clerk of the Board of Supervisors

County of Ventura, State of California

By _____
Deputy Clerk of the Board