

5.0 POTENTIAL HOUSING CONSTRAINTS

5.1 POTENTIAL GOVERNMENT CONSTRAINTS

Local governments have little or no influence upon the national economy or Federal monetary policies, which influence it. Yet these two factors most significantly impact the overall cost of housing. The local housing market, however, can be encouraged and assisted locally. Part of the housing element's purpose is to require local government to evaluate its past performance in this regard. By reviewing local conditions and regulations that may impact the housing market, the local government can prepare for future growth through actions that protect the public's health and safety without unduly adding to the cost of housing production.

Land Use

General Plan Designations and Zoning

The land use element designates the general distribution, intensity, and ranges of appropriate land uses within the Planning Area. Standards of development density for residential uses are stated as the allowable range of dwelling units (DU) per gross acre. Below is a brief description of each general plan residential land use district.

Low Density Residential

This land use category is designed to establish areas suitable for single family homes at relatively low densities of 1-5 dwelling units per acre. In Lake County, the consistent zoning district is R1 and is only located within Community Growth Boundaries.

Medium Density Residential

This land use category is designed to provide areas for residential developments such as duplexes, triplexes, and mobile home parks at a density of 6-9 dwelling units per acre. In Lake County the consistent zoning districts include, but are not limited to, R2, R3 and PDR, and are only located inside of Community Growth Boundaries.

High Density Residential

This land use category is designed to provide for areas of multi-family residential uses that include a wide range of living accommodations, including duplexes, townhouses, and apartments at a density of 10-19 dwelling units per acre. In Lake County the consistent zoning districts include, but are not limited to, R2, R3 and PDR, and are also only located within Community Growth Boundaries.

Suburban Residential Reserve

This land use category serves as a transitional designation between rural residential and urban residential uses, but due to soil and slope characteristics, lots densities range from 1 dwelling unit per acre to 1 dwelling unit per in excess of 3 acres. The consistent

zoning district is Suburban Reserve. This designation is located inside of Community Growth Boundaries. However, exceptions have been made for existing subdivisions located outside of Community Growth Boundaries, and additional land division may be appropriate on parcels already designated Suburban Residential Reserve when found to be consistent with the existing development pattern already established in the vicinity.

Rural Residential

This land use category is designed to provide single-family residential development in a semi-rural setting at densities that range from 1 dwelling unit per 5 acres to 1 dwelling unit per 10 acres if average cross slope is 30% or greater. Typical uses permitted by right include single family residences; crop production; poultry, rabbits, and other small animals for domestic use; bovine animals, horses, sheep, and goats for domestic use; and sale of crops produced on the premises. Typical uses permitted conditionally include agricultural-related services and recreational facilities. The consistent zoning district is Rural Residential. This land use designation is primarily located outside of Community Growth Boundaries, but some areas will be appropriate inside these boundaries as well.

Rural Lands

The purpose of this land use category is to allow rural development in areas that are primarily in their natural state at densities of 1 dwelling unit per 20-60 acres, depending on slope characteristics. Typical uses permitted by right include, but are not limited to, animal raising, crop production, single family residences, game preserves and fisheries. Other typical uses permitted conditionally include, but are not limited to, recreational facilities, manufacturing and processing operations, mining, and airfields. The consistent zoning district is Rural Lands. This designation is located outside of the Community Growth boundaries.

Community Growth Boundaries

General Plan policy LU 2.6 indicates that the County shall limit urban development to the areas within designated Community Growth Boundaries which are located in the following communities: Clearlake Oaks, Clearlake Riviera, Coyote Valley, Kelseyville, Lower Lake, Lucerne, Middletown, Nice, North Lakeport, Soda Bay, South Lakeport, and Upper Lake. (3-17) Each of the boundaries contain enough vacant or underutilized land to accommodate a high, 3 percent average growth rate through the year 2030. (3-2) Policy LU 2.2 encourages infill development within community growth boundaries where public services such as water and sewer systems, schools, and roads already exist and capacity is sufficient. Community Growth Boundaries can be considered as constraints to housing development, however the boundaries separate land to be developed at urban densities from land to be protected for natural resources or developed at rural densities (3-2) which cannot accommodate higher densities due to terrain, natural hazard and or lack of infrastructure.

Building Density

The maximum building density for residential districts that would be permitted by each Land Use Designation is summarized in Table 5-1 below.

Table 5-1: General Plan & Residential Development Permitting				
General Plan Designation	Residential Use	Density Range	Corresponding Zoning Districts	Community Growth Boundary Location
Medium Density Residential	Duplexes, triplexes, or mobile home parks	6-9 units/ gross acre	R2	Inside
			R3	
High Density Residential	Multi-family units	10-19 units/ gross acre	R2	Inside
			R3	
Low Density Residential	Single family units	1.0-5.0 units/ gross acre	R1	Inside
Suburban Residential Reserve	Single family units	1.0 unit/ 1-3 gross acres	SR	Inside
Rural Residential	Single family units	1.0 unit/ 5-10 gross acres	RR	Inside/ Outside
Rural Lands	Single family units	1.0 unit/ 20-60 gross acres	RL	Outside
Source: Lake County General Plan, 2008				

General Plan Policy Constraints

The general plan includes many elements that contain goals, policies, and implementation measures designed to protect and protect the public health, safety, and welfare of the community from any unreasonable risks while minimizing damage to structures, property, and infrastructure resulting from natural and man made disasters. It further protects and enhances the natural and cultural resources that make Lake County unique, including but not limited to agricultural, mineral, energy, water, biological, cultural, scenic, open space, and recreational resources. (9-1) These policies can be considered constraints to housing; however they are in accordance with government code and various environmental laws.

Substandard Older Subdivision Combining District (SOS)

"The incorporation of the Substandard Older Subdivision or "SOS" combining district is intended to set minimum public health and safety standards, to provide basic access and fire protection for older subdivided lands, and to ensure geologic stability. The "SOS" district is applied to undersized subdivision lots in the planning area with no access to public services such as water, sewer, roads and power. These areas are concentrated in the paper subdivision lots traversing the steep ridges outside of the Lucerne and Clearlake Oaks community areas. Prior to obtaining a building permit in a "paper subdivision" that includes the "SOS" zoning district, a property owner may be asked to improve access to the property, fire protection facilities or public water and/or sewer systems. " (shoreline AP)

Zoning Ordinance

The current Lake County Zoning Ordinance was adopted in 1986, although several minor revisions have since occurred. It is a typical ordinance in that it establishes districts that allow particular uses either by right or by discretionary permit. Within each district, certain requirements are established regarding lot coverage, construction height and setbacks, and minimum parking standards.

There are seven residential zoning districts in Lake County, "R1" Single-Family Residential, "R2" Two-Family Residential, "R3" Multi-Family Residential, "RL" Rural Lands, "RR" Rural Residential, "PDR" Planned Development Residential, and "SR" Suburban Reserve.

Single-Family Residential, R1 . The permitted uses in this district include:

One (1) single-family dwelling or mobilehome, One (1) foster or small family home, family care home, supportive housing unit, transitional housing unit or small family day care home not to exceed six (6) persons in addition to the resident family, One (1) granny unit or one (1) residential second unit, One (1) guest house, bed and breakfast, and residential accessory uses and accessory structures. A use permit is required for a community care facility, and a large family day care.

Two-Family Residential, R2. The permitted uses in this district include: One (1) single-family dwelling or mobilehome, duplexes up to five (5) per project, one (1) foster or small family home, family care home, supportive housing unit, transitional housing unit or small family day care home not to exceed six (6) persons in addition to the resident family, one (1) granny unit or one (1) residential second unit, bed and breakfast, and residential accessory uses and accessory structures. A use permit is required for community care facility, large family day care, and mobilehome parks and duplexes over five (5) per project.

Multi-Family Residential, R3. The permitted uses in this district include: Duplexes, triplexes, fourplexes or apartment buildings; multi-family dwelling groups up to twenty (20) dwelling units per project, accessory residence, bed and breakfast, and residential accessory uses and accessory structures. A minor use permit is required for dwelling groups such as townhouses, time shares and condominiums, but not including single-

family residences and mobile homes, multi-family dwelling groups containing more than twenty (20) residential dwelling units per project, mobilehome parks, community care facility, bed and breakfast inn, and large family day care.

Rural Lands, RL. The permitted uses in this district include: One (1) single-family dwelling or mobilehome, one (1) granny unit or one (1) residential second unit, farm labor quarters and one (1) guest house, bed and breakfast, and agricultural and residential accessory uses and accessory structures. A use permit is required for bed and breakfast inn, large family day care, community care facility and farm labor camps.

Rural Residential, RR. The permitted uses in this district include: One (1) single-family dwelling or mobilehome, agricultural and residential accessory uses and accessory structures, one (1) foster or small family home, family care home, supportive housing unit, transitional housing unit or small family day care home not to exceed six (6) persons in addition to the resident family, one (1) granny unit or one (1) residential second unit, farm labor quarters or one (1) guest house, and bed and breakfast. A use permit is required for bed and breakfast inn, community care facility, large family day care and private or public campgrounds.

Planned Development Residential, PDR. The permitted uses in this district include: One (1) single-family dwelling or mobilehome, agricultural and residential accessory uses and accessory structures, including barns and stables, one (1) foster or small family home, family care home, supportive housing unit, transitional housing unit or small family care home not to exceed six (6) persons in addition to the resident family, ag-family dwelling, bed and breakfast, farm labor quarters, granny unit, and guesthouse.

Suburban Reserve, SR. The permitted uses in this district include: One (1) single-family dwelling or mobilehome, agricultural and residential accessory uses and accessory structures, one (1) foster or small family home, family care home, supportive housing unit, transitional housing unit or small family day care home not to exceed six (6) persons in addition to the resident family, one (1) granny unit or one (1) residential second unit, one (1) guest house, and bed and breakfast. A use permit is required for community care facility, bed and breakfast inn, and large family day care.

Permitted Uses and Residential Development Standards

Table 5-2 summarizes permitted uses in County residential zones. Table 5-3 summarizes development standards for the same residential zoning categories.

Table 5-2: Residential Permitted Uses

Zoning District	Single Family Dwelling	Duplex	Triplexes, Fourplexes or Apartments	Multifamily dwelling (up to 20 per project)	Multifamily dwelling groups (more than 20 per project)	Mobilehome Park	Townhouse/ Timeshare/ condos
R1	P						
R2	P	P less than 5 UP over 5				UP	
R3		P	P	P	MUP	UP	UP
PDR	P				UP	UP	UP
SR	P						
RR	P						
RL	P						
P = Permitted, MUP = Minor Use Permit, UP = Use Permit							

Table 5-3: Residential Zoning District Standards

Zone	Typical Uses Permitted	Min. Lot Area					Minimum Setback (ft)			Building Height Limits (ft)	Lot Coverage (%)	Min. Density	Minimum Open Space per Unit	
		Water	Sewer	Well	Septic	Sq.ft.	FY	SY	RY					
R1	Single Family Dwellings						20	5	15	Primary- 35 ft.	One story – 35%	6,000 sq.ft./ DU	NA	
		X	X			6,000				Accessory- 20 ft.	Two story – 30%			
			X	X		15,000								
		X			X	15,000								
				X	X	40,000								
R2	Single Family Dwellings; Duplexes	X	X			8,000	20	5	15	Principal- 35 ft.	One story – 40%	Single Family - 6,000 sq.ft. Duplex - 4,000 sq.ft.	NA	
			X	X		15,000				Accessory- 20 ft.	Two story – 35%			
		X			X	15,000								
				X	X	40,000								
R3	Multifamily Dwellings	X	X			10,000	20	5	20	Principal - 45 ft.	One story – 40%	1 DU/ 3,000 sq.ft.	Apartment units - (100 sq. ft.) <7 dwelling units - (300 sq. ft.)	
			X	X		20,000				Accessory - 20 ft.	Two story – 35%			
		X			X	20,000								Three story 30%
		-		X	X	40,000								
PDR	Planned Development Plans	NA					NA			NA	One story – 40%	1DU/ 3,000- 6,000 sq.ft.	SFD (1000) Townhouse- >7 units (300 sq. ft.)	
									Two story – 35%		Townhouse- >7 units (300 sq. ft.)			
									Three story – 30%		Apts - (100 sq. ft.)			
SR	Single Family Dwellings	40,000 sq.ft.					30	5	20	Principal- 35 ft.		1 DU/ 40,000 sq.ft.	NA	
										Accessory- 20 ft.				
RR	Single Family Dwellings; Farmworker Housing; Farm Labor Camps	5 acres					30	15	25	Principal- 35ft.	-	-	N/A	
										Accessory- 20ft. Agricultural Accessory- 45ft.				

RL	Single Family Dwellings; Farmworker Housing; Farm Labor Camps (MUP)	20 acres	30	15	25	Principal- 35 ft.	-	-	N/A
						Accessory- 20 ft.			
						Agricultural Accessory- 45 ft.			

Analysis of Land Use and Development Standards Related to Residential Development and Affordable Housing

The County has more than enough vacant land, zoned at a variety of densities, to accommodate its housing needs. Current adopted residential development standards have not posed any significant constraints to the creation of more affordable housing.

Site development Standards

Through its Zoning Ordinance, the County enforces minimum site development standards for new residential uses. These include: maximum number of dwelling units, minimum lot size and width, setbacks, lot coverage, maximum building height, minimum parking standards, open space and overlay districts and manufactured homes.

Maximum number of dwelling units

The county permits a maximum of two dwelling units within the R1, SR, RR, RR and PDR zoning districts. The R2 zoning district permits up to five duplexes per project if the project does not exceed a maximum permitted density of 4,000 square feet per dwelling unit and the General Plans allowed density. The R3 zoning district permits duplexes, triplexes, fourplexes or apartment buildings, multi-family dwelling groups up to 20 dwelling units per project if the project does not exceed a maximum permitted density of the General Plan. Approval of a use permit can allow duplexes over 5 per project and mobile home parks within the R2 zoning district. The R3 zoning district allows mobile home parks, dwelling groups such as town houses, timeshares and condominium, and multifamily dwelling groups containing more than twenty (20) residential dwelling units per project and those projects requesting a reduction in development standards, subject to approval of a Minor use permit. Affordable housing projects are expedited through the approval process. Alternative design projects, such as clustered housing, can use the discretionary "Planned Development Residential" procedure, which permits customized development standards. The County does grant density bonuses, reduction or alteration of standards, fee waivers or other incentives to projects, which provide affordable, senior, energy-saving and/or innovative design housing.

Minimum Lot Size and Width, Setbacks and Maximum Building Height

These development standards are identified in table 1-51. Minimum lot sizes range from 6,000-40,000 square feet and minimum lot widths 60-150 feet for the R1, R2, R3

and SR zoning districts. The RR, and RL zoning districts minimum lot sizes vary depending upon slope, fuel loading and landslide risk. Those minimum lot sizes range from 5-65 acres and the minimum lot width ranges from 200-400 feet. The maximum building height for a single family residence is 35 feet, unless the development is proposed within the scenic corridor. The scenic height regulations provide a maximum building height range of 18-35 feet depending upon setback from scenic roadway. The maximum building height within the R3 zoning district is 45 feet and the height limit may be increased subject to obtaining a use permit. These standards are comparable to those in other counties and do not pose any undue constraints to the development of housing in the County.

Exceptions to Certain Development Standards

Because of Lake County's often mountainous terrain and a surplus of older subdivision lots created prior to any local regulation, many properties are difficult to develop in accordance with the normal zoning standards. Therefore, the 1986 Zoning Ordinance included special provisions that allow reduced setbacks by right when certain conditions exist, such as substandard lot size or width, substantial slope, or for infill in an older neighborhood. Where one of the special provisions does not apply, a setback reduction of not more than 25 percent may be approved through a "minor use permit" provision. Since the Community Development Director is designated as the public hearing officer, this procedure is faster and less expensive than the previously required variance from the county's Planning Commission. The state-mandated variance findings, which often are difficult to make, also are unnecessary in approving a minor use permit.

Lot Coverage

The maximum lot coverage requirements on R1, R2, and R3 lots range from 30-40%. SR, RR and RL zoned lots do not have a maximum lot coverage requirement. These requirements do not pose a constraint or undue hardship upon development.

Table 5-4: Parking Requirements for New Housing

<i>Unit Type</i>	<i>Parking Requirements</i>
Single Family Dwelling	2 uncovered
Single Family Dwelling within the RD District	2 covered
Single Family Dwelling with Granny Unit less than 720 sq ft	3 uncovered
Single Family Dwelling with Granny Unit between 720-1008 sq ft	4 uncovered
Single Family Dwelling 2 bd or less within the PDR District	1 covered / 1 uncovered
Single Family Dwelling 3 bd or more within the PDR District	2 covered / 1 uncovered
Residential Second Unit	2 uncovered
Duplex	2 uncovered per unit
Multi Family	2 spaces per unit, 1/2 uncovered guest parking for each unit, and 1 RV space per 5 units

Source: Article 46, Lake County Zoning Ordinance

The parking standards are identified in Table 1-52 above. The zoning ordinance provides for exceptions to the required parking through the minor use permit procedure when the following findings are made by the Review Authority:

1. The characteristics of a use or its immediate vicinity do not necessitate the number of parking spaces, type of design, or improvements required by this Chapter; and
2. That reduced parking will be adequate to accommodate on the site all parking needs generated by the use.

Pursuant to Section 21-46-13 Location Requirements:

- (a) Parking required in any district shall be located on the same lot as the building or use that it is to serve, or located on an adjacent or contiguous lot pursuant to an agreement with the County that the lots in question be held as one lot for the life of the project or merged to create one lot, except as provided in Subsections (b) and (d) below. Off-street parking shall be available without charge except for public institutions.
- (b) Off-street, off-site, and non-contiguous parking lots may be permitted when located within three hundred (300) feet of the lot line, containing the building or use that the parking is to serve subject to a minor use permit, or when located further than three hundred (300) feet of the lot line, containing the building or use the parking is to serve subject to a major use permit, and provided that the parking lot is in the same ownership as the use, or is under a recorded lease with the use that provides that the parking will exist as long as the use it serves, unless the parking is replaced with other spaces that satisfy the requirements of this Article.
- (c) Shared on-site parking adjustment: Where two (2) or more nonresidential uses are on a single site, the number of parking spaces may be reduced through adjustment at a rate of five (5) percent for each separate use, up to a maximum of ten (10) percent as long as the total number of spaces is not less than required for the use requiring the largest number of spaces. The parking adjustment shall be reviewed and approved by the Review Authority.
- (d) Joint use parking adjustment: Where two (2) or more nonresidential uses propose to share parking spaces on or off-site, the applicant shall meet the applicable requirements of Subsection (b) and the applicant shall show that there is no substantial conflict in the operating hours or uses. The required parking shall equal that of the use requiring the higher number of parking spaces pursuant to this Article.

Open Space and Building Separation

The R3 zoning district has open space and building separation requirements that apply to multifamily and other dwelling groups. Apartment units are required to have 100 square feet per unit of private open space and developments over 7 units are required to have a usable open recreational and leisure area totaling at least 300 square feet.

The minimum building separation requirements depend upon building configurations and range from 10-to over 30 feet.

Overlay Zoning Districts

A series of “overlay” districts can vary the required residential development standards. In most of the unincorporated county, a single residence must include a minimum of 720 square feet living area. A minimum width of fifteen feet also is imposed, which ensures that a manufactured home will be a double-wide unit. The attachment of “Residential Design” to the base zoning (as in “R1-RD”) raises the minimum living area to 1,000 square feet. A two-car garage also is required within the “RD”. However, the “RD” overlay district is used only in subdivisions where requested by the homeowners association, and is adopted subsequent to the required public hearings.

Manufactured Homes

Manufactured homes certified under the National Manufactured Home Construction and Safety Standards Act of 1974 may be utilized wherever a residence is permitted, (including granny units and residential second units) subject only to the minimum development standards of the zoning district. Older mobile homes occasionally are permitted for special uses by special permit. Lake County, however, does not regulate the placement of mobiles within its State-licensed mobile home parks.

~~The Community Development Department processes and approves in the neighborhood of 90 permit applications per year for manufactured homes. This figure represents n~~Nearly one-third of the residential units developed annually in the County, are for manufactured homes. As discussed previously, these dwellings cost approximately 50% of what a site-built home costs. A permit tracking process should be developed that can track how many of these units meet the criteria for affordable housing. Certainly, double-wide manufactured homes that are placed on smaller lots without garages are meeting thresholds for affordable housing, and the Community Development department believes that small-lot subdivisions within the “PDR” zoning district developed with 1,200 to 1,400 square foot manufactured homes could also be developed for affordable housing.

Bonus Densities and Inclusionary Zoning

According to the Lake County Zoning Ordinance, a developer who plans to construct a residential development that meets the Density Bonus provisions will be granted a density bonus and an additional incentive or financial equivalent incentive as determined by the County. The density bonus is allowed with a Major Use Permit within the following zoning districts: R1, R2, R3, SR, and RR.

5.2 SPECIAL HOUSING

Special Housing types are identified in Table ~~54-53~~, below.

Table 5-5 Special Housing Types								
Zoning District	R1	R2	R3	PDR	SR	RR	RL	Parking Spaces
Family Homes (foster or small family home, family care home, supportive housing unit, transitional housing unit or small family day care home) for six or less persons	P	P		P	P	P		2 spaces
Emergency Shelter	UP	UP	UP		UP	UP	UP	Determined through process
Community Care Facility	UP	UP	UP		UP	UP	UP	Currently determined through Permitting Process
Granny Unit/ Residential Second unit	P	P		P Granny Unit only	P	P	P	Granny Units under 720 sq ft. - 1 space (otherwise 2 spaces) Residential Second Unit - 2 spaces

Farm Labor Quarters				P		P	P (Farm Labor Camps - UP)	2 spaces
Guesthouse and Hardship Guesthouse	P			P	P	P	P	1 space
Ag-Family dwelling				P				1 space
Temporary Dwelling	P	P		P	P	P	P	2 spaces
Accessory Residence	Permitted within all commercial zoning districts							1 space
P = Permitted, MUP = Minor Use Permit, UP = Use Permit								

The Zoning Ordinance defines *family* as: One or more persons occupying a premises and living as a single housekeeping unit as distinguished from a group occupying a hotel, club, fraternity or sorority house. The family shall be deemed to include necessary servants.

Foster or Small Family Home

The Zoning Ordinance defines a Foster family home as: Any residential facility providing twenty-four (24) hour care for six (6) or fewer children which is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. A Family home, small is: Any residential facility providing twenty-four (24) hour care for six (6) or fewer foster children who have mental disorders or developmental or physical disabilities and who require special care and supervision as a result of their disabilities.

Small Family Day Care Home

A Small family day care home is a home which regularly provides care, protection and supervision of six or fewer children (including children who reside at the home) for periods of less than twenty-four (24) hours per day.

Family Care Home

A family care home is defined as: Any residential facility providing twenty-four (24) hour care and supervision for six (6) or fewer juveniles or adults.

Community Care Facility

The Lake County Zoning Ordinance defines Community Care Facilities as Any facility, place, or building which is maintained and operated for more than six (6) person(s) to provide non-medical residential care, adult day care, or home finding agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, or incompetent persons. "Community care facility" shall include residential facility, residential care facility for the elderly, adult day care facility, home finding agency, and social rehabilitation facility, as defined in Section 1502 of the Health and Safety Code and Supportive Housing as defined in subdivision (b) of Section 50675.14 of Health and Safety Code and Transitional Housing as defined in subdivision (h) of Section 50675.2 of the Health and Safety Code. Community Care Facilities are currently permitted with a Major Use Permit in the

following zones: RL, RR, SR, R1, R2, R3, C2, and C3. These regulations are not consistent with state code.

Emergency Shelter

The Lake County Zoning Ordinance defines Community Care Facilities as a facility which provides shelter not exceeding a one hundred twenty day duration within a 12-month period to homeless persons or others in need of shelter. Such accommodations may include lodging, meals, laundry, facilities, bathing, and or other basic non-medical support services. Emergency Shelters are permitted with a Use permit in "RL, RR, SR, R1, R2, R3, C1, and C2" Zoning Districts and within the C3 zoning district with a zoning permit, subject to the following terms and conditions.

1. Purpose. The purpose of these regulations is to establish standards to ensure that the development of emergency shelters (shelters) does not adversely impact adjacent parcels or the surrounding neighborhood and that they are developed in a manner which protects the health, safety and general welfare of the nearby residents and businesses. These performance standards shall apply to all shelters. A use permit is required to establish a shelter that does not meet the location, development, and/or operational standards of this section or that would provide more beds than allowed by this section.
2. Location. A shelter may be established in any "C3" Service Commercial District; provided, that the property boundaries are located more than three hundred (300) feet from any other shelter (measured from property line to property line) unless it is separated there from by a state highway.
3. Maximum Number of beds. A maximum of twenty-four beds may be provided.
4. Property Development Standards. The development shall conform to all property development standards of the C3 zoning district, as well as Sections 21-41, 21-45, 21-46.10, and 21-53.
5. Length of Stay. The maximum length of stay at the facility shall not exceed one hundred twenty days in a three-hundred-sixty-five day period.
6. Hours of Operation. Shelters shall establish and maintain set hours for client intake/discharge. Hours of operation must be prominently posted on site. Clients shall be admitted to the facility between six p.m. and eight a.m. during Pacific Daylight Time and five p.m. and eight a.m. during Pacific Standard Time. All clients must vacate the facility by eight a.m. and have no guaranteed bed for the next night. Clients using optional Facilities/Services may remain onsite outside of these hours.
7. Onsite Parking. Onsite parking shall be provided in the ratio of one space for every six adult beds or one-half space per bedroom designated for family units

- with children. One space shall be provided for each manager/staff member. Bike rack parking shall also be provided by the facility.
8. Lighting. Adequate exterior lighting shall be provided for security purposes. The lighting shall be stationary and shielded/down lit away from adjacent properties and public right of way.
 9. Required Facilities. Shelters shall provide the following facilities.
 - i. Indoor client intake/waiting area of at least one hundred square feet. If an exterior waiting area is provided, it shall not be located adjacent to the public right of way and shall be visibly separated from public view by minimum six foot tall visibly screening mature landscaping or a minimum six foot tall decorative masonry wall. Provisions for shade and or rain protection shall be provided.
 - ii. Interior and or exterior common space for clients to congregate shall be provided on the property at a ratio of not less than fifteen square feet per client, with a minimum overall area of one hundred square feet. Common space does not include intake areas.
 10. Optional Facilities/Services. Shelters may provide one or more of the following types of common facilities for the exclusive use of residents:
 - i. Central cooking and dining room(s) subject to compliance with county health department requirements. Only clients that have been guaranteed a bed shall be eligible for a meal.
 - ii. Recreation room.
 - iii. Counseling center.
 - iv. Child-care facilities.
 - v. Other support services intended to benefit homeless clients.
 11. Shelter Management. The shelter provider or management shall demonstrate that they currently operate a shelter within the state of California or have done so within the past two years and shall comply with the following requirements:
 - i. At least two facility managers shall be on site and one shall be awake at all times the facility is open. The manager's area shall be located near the entry to the facility. Additional support staff shall be provided as necessary, to ensure that at least one staff member is provided in all segregated sleeping areas, as appropriate.

- ii. An operational and management plan (plan) shall be submitted for review and approval by the Community Development Director. The approved plan shall remain active throughout the life of the facility, and all operational requirements covered by the plan shall be complied with at all times. At a minimum, said plan shall contain provisions addressing the following issues:
 - (aa) Security and safety: Addressing both on and offsite needs, including provisions to ensure the security and separation of male and female sleeping areas, as well as any family areas within the facility.
 - (ab) Loitering/noise control: providing specific measures regarding operational controls to minimize the congregation of clients in the vicinity of the facility during hours that clients are not allowed on site and or when services are not provided.
 - (ac) Management of outdoor areas: including a system for daily admittance and discharge procedures and monitoring of waiting areas with a goal to minimize disruption to nearby land uses. Smoking shall be allowed in designated areas only.
 - (ad) Staff training: with objectives to provide adequate knowledge and skills to assist clients in obtaining permanent shelter and income. At least one facility manager shall be CPR and First Aid certified.
 - (ae) Communication and outreach with objectives to maintain effective communication and response to operational issues which may arise in the neighborhood as may be identified by city staff or the general public.
 - (af) Adequate and effective screening: with the objectives of determining admittance eligibility of clients and providing first service to Lake County area residents.
 - (ag) Litter control: with the objective of providing for the regular daily removal of litter attributable to clients within the vicinity of the facility.

Supportive Housing

Supportive Housing is defined as Housing with no limit on length of stay that is occupied by the target population as defined in Health and Safety Code Section 50675.14(3), and that is linked to on and off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and when possible, work in the community.

Transitional Housing

Transitional Housing and Transitional Housing Developments is defined as Buildings configured as rental housing developments, but operated under program requirements (Health and Safety Code 50675 Multifamily Housing Program) that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.”

Granny Unit/Residential Second Unit

“Granny” units not exceeding 720 square feet of living area can be constructed or installed on any residentially-zoned lot under 40,000 square feet, as long as residential design standards can be met. For lots over 40,000 square feet, Granny units can be up to 1,008 square feet of living area. The County requires one uncovered parking space for units under 720 square feet and two for units over 720 square feet to be provided for the exclusive use of the granny unit in addition to the parking requirements of the principal residence.

If the lot has at least twice the land area required by the general plan’s minimum density standards, a residential second unit which meets the residential design standards can be constructed. For residential second units, there is no maximum lot square footage (size) requirement but a minimum size of 720 square feet is required. The County requires two uncovered parking spaces for residential second units in addition to the parking requirements of the principal residence.

Building permit fees run approximately \$1.30 1.34 square foot of living area for both granny units and residential second units that are site-built. The permit fees are much lower for installation of manufactured homes, since only the foundation and installation need be inspected. Applicants requesting a granny unit or second unit permit must fill out an over-the-counter zoning permit, which takes approximately 30 minutes for the applicant to complete and the County to issue. The zoning permit is a ministerial permit, and is typically issued along with the issuance of the building permit, which simplifies the process for the applicant. The County is in compliance with AB 1866, and will continue to promote the use of granny units and residential second units.

The County approves an average of 30-15 second units per year. Roughly half of those are granny units and half are residential second units. The lower cost of manufactured homes, and the lower building permit fees are incentives for development of second units.

Farm Worker Housing

In Lake County, farm labor quarters are the primary source of permanent and temporary farm worker housing. Farm labor quarters, are generally rooming and boarding houses, trailer coaches, mobile homes, single family dwellings and mess halls for any numbers of farm help customarily employed principally on land owned by the owner of the building site occupied by said structures, are an allowed use under the following zoning districts: APZ, A, TPZ, RL, RR, PDR, & PDC. The County continues to support

development of farm labor quarters. These projects are approved via an over-the-counter zoning permit, which costs \$65. Once a Zoning Permit is granted, the applicant need only apply for building permit and pay normal sewer, water, fire, school and building permit fees. The building permit fee is reduced by 50% for farm labor quarters, in accordance with Chapter 5 of the Lake County Code. A Farm Labor Camp is allowed in APZ, A, and RL subject to obtaining a Major Use Permit. A farm labor camp is defined as: Living accommodations, including structures, tents, trailers and mobile homes, mess halls, garages, and accessory buildings and uses, for any number of persons, maintained in connection with any work or place where work is being performed, and including the premises on which said building and uses are situated or the area set aside for them. Labor camp and labor quarters shall also include any such living accommodations, and the premises which they occupy, which are owned, operated or maintained by any person engaged in the business of supplying lodging or meals for five (5) or more persons who are or may be employed by him or by others.

Permanent rental housing affordable to low and very low income households is another option for farmworkers in need of housing. Locations identified for multi-family residential, such as the “R3” district, would provide sites to accommodate farmworker households.

Health and Safety code section 17021.5 and 17021.6 generally requires employee housing to be a permitted use without a use permit and to be regarded as a single family residential use for less than six persons.

Guesthouse and Hardship Guesthouse

A guesthouse can be permitted on a site where a granny unit or residential second unit has not been constructed. The guesthouse is a detached living quarter that does not contain a kitchen. A hardship guesthouse with a temporary kitchen may alternatively be permitted through the minor use permit process provided that it meets the conditions listed in section 21-27.3i(9) of the Zoning Code. One of the requirements is that “The Review Authority granting a use permit for a hardship unit shall find, based on a physician’s or other licensed health care professional’s documentation, that a physical or mental impairment has resulted in the need for a supervised living environment for the impaired person. For a hardship guest house located in the “APZ”, “A”, or “TPZ” districts, physical impairment shall not include any respiratory, allergic, or other impairment incompatible with agricultural operations.”

Agricultural Family dwelling

A single residence is also permitted in the “Agricultural” district and Planned Development Residential, although an additional residence for another family member or for farm labor is allowed by right when certain criteria are met regarding the property’s size and/or use.

Temporary Housing (dwelling)

Lake County permits by right use of a temporary housing unit, such as a recreational vehicle, on a site where a permanent home is being constructed. Under certain

conditions the temporary unit can be used for up to three years. This provision is most often used by persons who are personally constructing their own home, saving in both construction and rental costs.

Single Room Occupancy Units (SRO)

Apartment buildings are a use permitted within the R3 zoning district. The apartment units contain a room or rooms within a building but comprising an independent self contained dwelling unit, with kitchen or cooking facilities, occupied or suitable for occupation as a residence for eating, living and sleeping purposes.

Accessory Residence (Mixed Use Residential Units)

The County currently allows one accessory residence to a commercial use in all of its commercial districts: R3, C1, C2, C3, CR, CH, M1, M2, MP and PDC, As long as a primary commercial use is established or proposed to be constructed, an accessory residence can be constructed above the commercial use, or behind it on the rear half of the lot. The residence can be a manufactured home or a site-built structure.

Revisions to the Lake County Zoning Ordinance are underway that includes a proposal to allow mixed-uses. This would allow multi-family residential development above ground-floor commercial in downtown community areas throughout the County. There are numerous benefits to mixed used development within community commercial areas. The Community Development Department intends to formally propose this concept to the Board of Supervisors as part of the draft zoning ordinance, in 2011.

If Lake County does adopt an ordinance to allow mixed use development within the community commercial areas in the County, this will open up significant opportunities for affordable housing to be developed within town centers. There are presently approximately 155 “C2” zoned, Community Commercial Designated parcels within the various Community Areas in Lake County. It is difficult to speculate how many units would actually be developed in the next five years.

5.3 FEES AND EXACTIONS

Lake County collects development fees to recover the capital costs of providing community services and the administrative costs associated with processing applications. New housing typically requires payment of the following fees: school impact, fire district impact, sewer and water expansion and lateral fees, traffic impact and building permit. These fees comprise a significant part of housing costs in the County. However, the County’s fee structure does not appear to pose an undue constraint on the production of housing. The County’s fees are lower than those of other jurisdictions in the region. Table 1-54 identifies the basic fees that apply to new residential construction in Lake County.

Building Permits

Typical building permit fees 2009~~09~~13, including zoning clearance, plan check, and permit fees, for a site-built dwelling are \$1.34 per square foot of living area (which includes the garage and a typically-sized deck or porch). Fees for a typical 1,500-square-foot house with a two-car garage and 10 X 20 front porch would be \$2,000. The average building permit fees for installation of a manufactured home are \$500, however the fees can range up to \$900 if a garage is included.

School and Fire District

School and fire district impact fees are required for new residential development. The typical school impact fee is \$2.67 per square foot, based on living area. The fire district impact fees range from \$.44 to \$1.00 per square foot for all floor space under roof. These fees would amount to about \$5,085 for the typical 1,500-square-foot house described above.

Table 5-6: Building Impact Fees (Schools)

<i>School Fee Description</i>	<i>Fee</i>
School Impact Fees	Fee
Kelseyville	\$2.24/square foot
Konocti	\$2.97/square foot
Lakeport	\$2.24/square foot
Lucerne	\$2.97/square foot
Middletown	\$2.97/square foot
Upper Lake	\$2.63/square foot

Table 5-7: Building Impact Fees (Fire Districts)

<i>Fire Impact Fees</i>	<i>Fee</i>
Lakeport	\$1.00/square foot
Kelseyville	\$.85/square foot
Lake County Fire Protection District	\$.44/square foot
Northshore Fire Protection District	\$.80/square foot
Southlake County Fire Protection District	\$1.00/square foot

Sewer

Sewer capacity expansion fees are also required for residential development within the service areas of Lake County. Please refer to Table 30 for the current fees. In addition, there may be additional fees such as system capacity fees and connection charges which will vary depending upon location.

Table 5-8: 2010 Building Impact Fees (Sewer)

<i>Sewer Fee Description</i>	<i>Fee</i>
Sewer Capacity Expansion Fee (SERWTP) ¹	\$4,659
System Capacity Fee	\$4,919
Sewer Capacity Expansion Fee (NWRWTP) ²	\$4,002
Sewer Capacity Expansion Fee (Middletown)	\$4,659
Special Connection Charge ³	\$1,575
Sewer Capacity Expansion Fee (Assessment District 9-2)	\$4,555
Sewer Capacity Expansion Fee (Assessment District 9-1 and 9-3)	Determined by City of Lakeport
Sewer Capacity Expansion Fee (KCWWD#3) ⁴	\$4,555
Sewer Lateral ⁵	\$50 inspection fee
¹ Southwest Regional Wastewater Treatment Plant ² Northwest Regional Wastewater Treatment Plant ³ For new construction not assessed under original Assessment District 2-2 ⁴ Kelseyville County Waterworks District #3 ⁵ Lateral Taps are constructed by a licensed contractor	

Table 5-9: 2010 Building Impact Fees (Water)

<i>Water Fee Description</i>	<i>Fee</i>
Capacity Expansion Fee (CSA #2, Spring Valley) ⁶	\$19,217
* Meter Set, (with Tap to Main)	\$797 (\$911)
Capacity Expansion Fee (CSA #2, Finley)	\$2,500
* Meter Set, (with Tap to Main)	\$350 (\$450)
Capacity Expansion Fee (CSA # 7, Bonanza Springs)	\$1,500
* Meter Set (with Tap to Main)	\$350 (\$450)
Capacity Expansion Fee (CSA # 13, Kono Tayee)	\$1,500
* Meter Set (with Tap to Main)	\$350 (\$450)
Capacity Expansion Fee (CSA # 16, Paradise Valley)	\$1,500
* Meter Set (with Tap to Main)	\$350 (\$450)
Capacity Expansion Fee (CSA # 18, Starview)	\$2,000
* Meter Set (with Tap to Main)	\$350 (\$450)
Capacity Expansion Fee (CSA # 20, Soda Bay)	\$4,555
Soda Bay Capital Improvement Fee ⁷	\$6,750
* Meter Set (with Tap to Main)	\$797 (\$911)
Capacity Expansion Fee (CSA # 21, North Lakeport)	\$4,555
North Lakeport Capital Improvement Fee ⁸	\$5,900
* Meter Set (with Tap to Main)	\$797 (\$911)
Capacity Expansion Fee (CSA # 22, Mt. Hannah)	\$1,500
* Meter Set (with Tap to Main)	\$350 (\$450)
Capacity Expansion Fee (Kelseyville County Waterworks, District. #3)	\$2,500
* Meter Set (with Tap to Main)	\$350 (\$450)

⁶ Connection Moratorium currently in place

⁷ Applies to Properties without a previously incurred debt from the Department of Water Resources

⁸ Compliance order in effect restricting new service connections

Multi-family

With regard to multi-family development, the sewer, water, school and fire fees are typically the same as for single family development on a per unit basis. However, the building permit fees are usually lower, as these fees are based on contract cost of the project, which includes economies of scale. Counting impact and building permit fees, the total cost of permits for a 30 unit-complex consisting of two-bedroom, 1020 square foot apartments would be approximately \$8,410, which is considered comparable to other jurisdictions in the region.

Table 5-10: Building Impact Fees (Other)

<i>Fee Description</i>	<i>Fee</i>
Traffic Impact Fee	50% of 1% of value
State Fee for Green Building Standards	\$ 1 per \$25,000
Seismic Fee (Strong--Motion Instrumentation and Seismic Hazard Mapping Fee)	\$17
Building Permit Fee ⁹	\$1.34/square foot

⁹ Fee for Typical 1,500 square foot home with two car garage and front porch

Planning / Development

Building related and impact fees are due at the time of building permit issuance. The County also requires fees for processing development applications. The fees are based on the average cost of processing an application. The current (2010) fees include the following:

Table 5-11: Planning Fees

<i>Planning and Application Fees</i>	<i>Single Family / Multi-Family</i>	<i>Multi-Family</i>
Zoning Clearance	\$60	\$115
Zoning Permit	\$60	\$60
Minor Use Permit	\$430 simple \$ 593 complex	\$430 simple \$ 593 complex
Design Review/Development Review	\$362	\$362
Variance	\$752	\$752
Use Permit	\$1,667	\$1,667
General Plan of Development	\$1,827	\$1,827
Specific Plan of Development	\$1,667	\$1,667
Rezone	\$1,512	\$1,512
General Plan Amendment	\$1,792	\$1,792
Subdivision		
Lot Line Adjustment	\$678	\$678
Parcel Map	\$1,572	1572
Final Parcel Map	\$808	\$808
Subdivision Map	\$2351 plus \$65 per lot	\$2351 plus \$65 per lot
Final Subdivision Map fee	\$1865 plus \$43 per lot	\$1865 plus \$43 per lot
Subdivision Develop. Agreement	\$633	\$633

Environmental		
Initial Study	\$250	\$250
Categorical Exemptions	\$65	\$65
Environ. impact Report (staff)	\$46/hr with \$2000 non ref. dep.	\$46/hr with \$2000 non ref. dep.
Environ. impact Report (consultant)	%15 of contract w/\$2000 non ref. dep.	%15 of contract w/\$2000 non ref. dep.

Open Space and Park Requirements

Lake County follows Quimby Act requirements (Government Code Section 66447, et seq.) for parkland dedications in new subdivisions. Neither the amount of open space set aside in the General Plan nor the County's park dedication requirements represent excessive constraints on residential development. The County's Subdivision Ordinance has a calculation of fees in lieu of park land dedication which was determined by taking the average cost to acquire 1 acre of park property and to develop park facilities in the County. The Park in lieu was determined to be \$3,393 per dwelling unit. These requirements would not impede the County's ability to meet its overall share of the region's housing needs.

Fees as a Percentage of Total Development Costs

It is difficult to determine specific information in regards to the actual impact of fees and exactions as a percentage of total development. The actual cost of fees and total development cost is site specific. Site improvements are required to supply services, mitigate site and environmental constraints, and ensure community compatibility. Site improvements may include wells, septic systems, basic infrastructure improvement, mitigations to address flooding, steep slopes, seismic or other environmental constraints.

The two most variable costs to development concern the construction of housing in areas that do not have access to public water or sewer service and require the individual provision of these basic services. The feasibility of water and septic depends on the groundwater level and percolation rate of soils. In general, water availability can vary widely from lot to lot. Costs for drilling a well range from \$5,000 to over \$15,000 depending on the depth of the well and groundwater levels. The cost of the pump system can range from \$4,000 to \$10,000. Depending upon water quality the inclusion of a filtration system may also be necessary; these systems are specific to the individual needs of the site and vary widely in cost. With these costs combined the cost of developing a well can be as high as \$25,000. In addition to the costs of drilling the wells, the Lake County Environmental Health Division requires a well permit fee of \$248.

The engineering, design, and installation of septic systems can cost between \$7,500 to \$14,000 for standard systems and \$16,000 to \$25,000 for engineered systems. The Lake County Environmental Health Division also requires a site evaluation fee of \$319 and a septic permit fee for \$473 for standard systems and \$580 for engineered systems.

Fees of all types add to the final cost of housing in Lake County. The extent to which they affect housing costs depends greatly on what permits are required, where the structure(s) are proposed and the size and number of units in the development. These variables make it extremely difficult to create a single countywide average percentage of housing costs attributable to fees. Table 5-12 below depicts six typical building scenarios which are a representative sample of standard housing permit options. A multitude of other options exist, but for the most part are variations and combinations of the six options outlined in Table 5-12.

Table 5-12: Fees as a Percentage of Total Development Costs

Costs	1200 sq. ft. Manufactured Home (with public infrastructure)	1200 sq. ft. Manufactured Home (without public infrastructure)	1200 sq. ft. standard Single- Family Unit (with public infrastructure)	1200 sq. ft. standard Single- Family Unit (without public infrastructure)	4-unit Multiple Family Housing Complex (600 sq. ft per unit)	21-unit Multiple Family Housing Complex (800 sq. ft. average unit size)
Building Permit & Plan Check	\$411	\$411	\$1,668	\$1,608	\$2,482	\$8,145
Design Review	\$0	\$0	\$0	\$0	\$362	\$0
Use Permit	\$0	\$0	\$0	\$0	\$0	\$1,667
Septic System Permit	\$0	\$792	\$0	\$792	\$0	\$0
Well Permit Fee	\$0	\$248	\$0	\$248	\$0	\$0
Public Water Meter Set ¹	\$449	\$0	\$449	\$0	\$1,796	\$9,429
Sewer Lateral Tap ²	\$1,195	\$0	\$1,195	\$0	\$4,780	\$25,095
Traffic Impact Fee ³	\$75	\$75	\$617	\$617	\$1,126	\$5,157
School District Impact Fee ⁴	\$3,204	\$3,204	\$3,204	\$3,204	\$6,408	\$44,856
Fire District Impact Fee ⁵	\$984	\$984	\$984	\$984	\$1,968	\$13,776
Subtotal Fees/Exactions	\$6,318	\$5,714	\$8,117	\$7,453	\$18,922	\$108,125
Development Costs ⁶	\$85,800	\$77,800	\$240,000	\$240,000	\$390,000	\$2,520,000
Septic ⁷ /Well Costs ⁸	\$0	\$38,500	\$0	\$38,500	\$0	\$0
TOTAL COSTS	\$85,800	\$116,300	\$240,000	\$278,500	\$390,000	\$2,520,000
FEES AS A PERCENTAGE OF TOTAL HOUSING COST	7.4%	4.9%	3.4%	2.7%	4.9%	4.3%

¹ Midpoint, Ranges from \$350-797² Midpoint, Ranges from \$1,185-1,205³ Equals 1/2 of 1% of the total of project value⁴ Midpoint, Ranges from \$2.24-2.97⁵ Midpoint, Ranges from \$0.44-1.00⁶ Single-Family Unit costs are based on 2009 Building Industry Association figures of \$200 per sq. ft., \$150 per sq.ft for Multi-Family units (Manufactured Home rate of \$59 per sq. ft. based on Baughn & Cameron, Lower Lake estimate, December 2011)⁷ Midpoint, Ranges from \$8,800-25,000 (Lake County Environmental Health & CK Doud Construction estimates, February 2012)⁸ Midpoint, Ranges from \$9,000-35,000 (Lake County Environmental Health and Weeks Drilling estimates, February 2012)

As demonstrated above in Table 5-12 fees as a percentage of total development costs is variable and dependant upon specific types of construction and fluctuate depending upon the individual site needs of a lot. Overall, the fees and exactions for the development of housing in Lake County account for a minor portion of the total development cost, and do not represent an undue constraint to housing. The County's fees are comparable to or lower than those of other jurisdictions in the region.

5.4 PROCESSING AND PERMIT PROCEDURES

A lengthy review process can add to the cost of development. Processing times for development review varies. The review time is necessary for public agencies to comment and the planners to prepare the development proposal and environmental studies. The County works closely with developers to expedite approval procedures.

Table 5-13: Timelines for Permit Procedures

<i>Types of Approval Or Permit</i>	<i>Typical Processing Time</i>	<i>Approval Body</i>
Zoning Clearance	over the counter	Ministerial (Staff)
Zoning Permit	over the counter	Ministerial (Staff)
Categorical Exemptions	up to 1 week	Ministerial (Staff)
Minor Use Permit	2 to 3 months	Zoning Administrator
Design Review/Development Review	1 month	Zoning Administrator
Variance	3 to 5 months	Planning Commission
Use Permit	3 to 5 months	Planning Commission
Administrative Appeal	4-8 weeks	Planning Commission
Parcel Map (tentative)	3-6 months	Planning Commission
Subdivision Map (tentative)	3-8 months (depending upon # of lots)	Board of Supervisors
General Plan of Development	4-6 months	Board of Supervisors
Rezone	4-6 months	Board of Supervisors
General Plan Amendment	4-6 months	Board of Supervisors
Board Appeals	4-8 months	Board of Supervisors

Land Divisions

Permit processing can have a significant impact on the cost of housing. All private divisions of land are subject to the requirements of the Subdivision Map Act and the Lake County Subdivision Ordinance, with environmental review under the California Environmental Quality Act (CEQA). Minor subdivisions (four or fewer lots) are processed as tentative parcel maps and are typically subject to lesser development standards than are major subdivisions. The above regulations along with the State's Permit Streamlining Act include time limits under which the County operates. An application submitted with all the information necessary to determine compliance with the applicable regulations typically takes substantially less time to process through the County system than what is permitted by law. Single family and multi-family developments typically take four months or less to process, which is considered a

reasonable timeframe and comparable to most jurisdictions. Processing time for administrative building permit approval is 2-weeks (often less time).

Minor Use Permit for Multi-Family Housing Developments of Greater than 20

Discretionary permit approvals are not required for single family development, unless a subdivision is being proposed as part of the overall development. As far as procedures for multi-family development, projects up to 20 units do not require approval of a use permit. Larger multi-family developments require a minor use permit to be approved by the Planning Commission.

Design Review

Design Review is typically required for all commercial, industrial, and multi-family residential for the following issues: new buildings for businesses or industries, new apartment buildings, and substantial additions to existing commercial buildings. The Development Review committee is the review authority. The review is intended to ensure that the development is consistent with adopted standards, adopted community plan guidelines and is to ensure aesthetic compatibility between uses. The review may cover traffic and circulation, building arrangement, architectural design, setbacks, wall and fences, noise emissions, parking, grading and drainage, landscaping, lighting, signs, and public services and utilities. The Design Review process typically takes about 1 month. ~~These design standards do not represent a constraint to development, but are simply to ensure orderly and safe development in the City.~~ The Community Development Department often waives the Design Review process for residential development proposals, provided that the architecture, parking and landscaping details are provided and are consistent with Zoning Ordinance standards. In addition, larger projects that trigger a use permit and are therefore decided by the Planning Commission receive their design approval by the Planning Commission at the approval hearing. ~~This allows staff to avoid requiring a Design Review process. Two recent examples of the Planning Commission approving housing project design are the Eskaton project in Clearlake Oaks and the RCHDC proposal in Nice.~~ The Pre-application Development Review process allows Department staff to work with potential housing developers in the preliminary project design stages so that staff can advise applicant how to design the project so as to avoid the need for Design Review.

5.5 CODES, ENFORCEMENT AND ON AND OFFSITE IMPROVEMENT STANDARDS

New construction in Lake County must comply with the 201307 California Building, Plumbing, Mechanical Codes and the 201308 National Electric Codes. The codes are also enforced through Chapter 5 of the Lake County Code, and the 2009 International Property Maintenance Code, as amended by County Ordinance.

Enforcement of the California Building Code is the responsibility of the County Building and Safety Division and is carried out through the plan check process, as well as at the

time of site or building inspection. All work for which a building permit is issued must be inspected at the time of completion or at specified stages of construction. Inspections may also be conducted in response to public complaints or an inspector's observation that construction is occurring without permits. The main purposes of these codes are to protect health, safety and general welfare. ~~They and~~ do not pose a constraint on the development of housing.

Lake County requires that developers complete both on and off site improvements for new residential subdivisions. The requirements include proper grading, road frontage improvements, main line extensions for water and/or sewer service when necessary, offer of off-site roadway dedication when necessary, and typical on-site improvement requirements for drainage and roads with curb, gutter, and, in smaller lots subdivisions, sidewalks. Any sewage disposal systems must meet County Health Department and State Regional Water Quality Control standards. Water systems must meet County Health Department requirements. All standards and requirements are typical of and similar to other California counties and do not adversely affect the provision of affordable housing in Lake County.

Lake County is in compliance with Health and Safety Code 17980(b)(2) and gives preference to the repair of a substandard building rather than requiring vacation when economically feasible to do so.

5.6 CONSTRAINTS—HOUSING FOR PERSONS WITH DISABILITIES

Both single family and multi-family housing in Lake County may accommodate persons with disabilities. State laws and building codes mandate accessibility provisions for certain types and sizes of housing developments. Article 70 of the Lake County Zoning Ordinance, The County does not require any fees, in addition to the standard residential development fees, associated with the development or rehabilitation of housing for people with disabilities. Reasonable Accommodation provides a process for individuals with disabilities to make requests for reasonable accommodation in regard to relief from the various land use, zoning or building laws, rules, policies, practices and/or procedures of the County to ensure equal access to housing.

Lake County complies with state laws that regulate residential care facilities with fewer than six persons. As discussed under Special Housing, foster or small family home, family care home, and transitional and supportive housing and small family day care home are permitted within R1, R2, SR, RR and PDR zoning districts. The County's Zoning Ordinance definition of family does not discern between unrelated and related individuals and only refers to persons.

The County's Zoning Ordinance allows for Community Care Facilities, with a use permit, in almost all of its residential zones (i.e., RL, RR, SR, RL, RR, SR, R1, R2, R3) and two of its non-residential zones (i.e., C2, C3). These facilities, which serve the physically handicapped, mentally impaired, or incompetent persons, are subject to all applicable

State regulations and limitations. The parking standards require one space for each two beds plus one space for manager or owner.

The Zoning Ordinance allows Emergency Shelters as a use permitted within the C3 zoning district and with a Major Use Permit in the RL, RR, SR, R1, R2, R3 and C2 zones.

5.7 NON-GOVERNMENTAL CONSTRAINTS

Environmental Features

Land in some areas of Lake County is unavailable for development because of environmental features. These features either pose a hazard to those who may otherwise choose to develop in the area or diminish valuable natural resources. As a result, housing developers avoid these areas, because they understand the danger or potential loss involved or do not wish to incur the added cost of building in these areas.

The Lake County General Plan identifies environmental features that may influence housing development potential. These features include:

Erosion Hazards

Some areas of the county contain soils that will erode heavily when disturbed by development. As a result, they may be unstable for building construction or add considerable cost to correct the problem. In addition, erosion may degrade water quality of nearby watercourses or bodies.

Excessive Slope

In areas of 30 percent slope, improvements for accessibility, site preparation, and sewage disposal are very difficult. Development on steep slopes also can result in erosion problems. Consequently, these areas are generally avoided for residential development.

Fire Hazard

The State of California has identified portions of Lake County as having a high or very high fire hazard risk. Fire hazard is a way to measure the physical fire behavior so that people can predict the damage a fire is likely to cause. The most prominent criteria forming an area's fire hazard risk considers vegetation, topography, typical weather patterns and other similar items. Additional building code requirements and infrastructure improvements (i.e. road widths & water supply) may be required for new construction and development in areas designated as having a high or very high fire hazard rating. ~~Sites Higher density zoning reserved for Very Low and Low income housing designations~~ are located outside of High Fire Severity zones, within Community Growth Boundaries where fuel loading is reduced. However, most of the land available for Moderate and Above Moderate housing development in Lake County is located

within High Fire Severity zones, resulting in increased construction and property maintenance costs.

Flood Hazards

Development in flood hazard areas can result in property damage and loss of life. Flood hazards in Lake County are most significant adjacent to Clear Lake and Scotts Creek, Cache Creek, Adobe Creek, Putah Creek, Cole Creek, and Kelsey Creek. Development in flood prone areas is either discouraged or additional construction measures are required. Development within the floodplain, which is designated by the "Floodway Fringe" overlay district, requires an additional three feet in height for finished floor elevation of all development.

~~The adoption of AB 162 in 2007 by the State Legislature amending Government Code Section 65302 requires planning agencies during housing element revisions to regularly review lands designated for affordable housing development. This regular review includes an analysis of flood risk such as location within a designated Flood Zone or any other feature which may make a site prone to unreasonable flood risk.~~

Community Development staff paid close attention to flood hazard risks in its analysis of housing sites suitable for the development of affordable housing, ~~specifically those sites designated for very low- and low-income housing, noted as (Table 2-6) of this Housing Element.~~ Of the thirty-four (34) ~~designated~~identified sites, eight (8) ~~had~~have a ~~potions of the property locations were thoroughly analyzed through the review of FEMA flood mapping, compliance with general plan policies regarding flood risk avoidance and by individual on-site evaluations.~~ portion of the parcel in a flood prone area. ~~Through this~~Further analysis ~~it was~~ determined that flood hazards could be mitigated ~~wi~~ether through avoidance or elevation of building pads. In those areas where avoidance is necessary, either due to environmental or fiscal restraints, adequate developable areas outside of these designated flood zones are readily available. ~~The Community Development Department will continue to review these sites on an annual basis for updates in flood zone mapping or any other known risk that may make the site prone to unreasonable flood risk.~~

The AB 162 revisions to Government Code Section 65302 also include provisions requiring jurisdictions to revise and regularly update their Land Use, Conservation, and Safety Elements of their respective General Plan for greater management of flood hazard. One specific provision will require the County to identify rivers, creeks, streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of ground water recharge and stormwater management. It is possible that the mapping and delineation of these areas will have an effect on existing properties listed within the affordable housing site inventories of this Housing Element. As these ground water recharge and stormwater management areas are identified, the

Community Development Department will need to revisit and analyze the continued suitability of designated areas for affordable housing.

Geologic Hazards

The State has identified several areas in Lake County with significant seismic activity potential. Within these Alquist-Priolo Act earthquake zones, geotechnical studies identifying hazard potential and necessary construction requirements are required prior to any land subdivision.

Severe Septic Tank Limitations

The ability of the soil to accept septic tank filter fields outside sewer service areas is an important determinant of rural housing development. Impermeable surfaces or steep slopes can prevent septic systems from working properly and can foreclose the possibility of residential development in these areas. Several areas in the County, including lands in the vicinity of Upper Lake, Clear Lake, and Lakeport, have experienced problems with septic tank failures.

Land Costs (2010)

Land costs vary widely in Lake County, depending on location and availability of services. Land near Clear Lake and in established communities tend to be more expensive than other outlying, more remote areas. The cost of lakefront lots or view lots can be considerably higher.

The Lake County Assessors records provided the information on the table 5-13 below. The table details the average assessed value per zoning designation that have an improvement value of less than \$1,000 within communities in Lake County. Land costs in Lake County are considerably less than the majority of California.

Table 5-14 Average Assessed Value

Zoning District	R1	R2	R3	SR	RR	RL
Average Assessed Value	\$18,832	32,910	46,693	20,715	19,524	62,898

Source: Lake County Assessor's Office, 2010

Development Costs (2010)

Site Improvement Costs: Upon securing the raw land, a residential developer would have to make certain improvements to "finish" the lot before a home could actually be built on the property. Improvements required include proper grading, installation of water and sewer systems, storm water drainage, and streets.

Construction Costs: Construction costs in the county vary widely due to site constraints, such as steep slopes or expansive soils, and type of home. Manufactured homes,

which are common in Lake County, range in cost from about \$35 per square foot for used homes. According to a local manufactured home dealer a new 1,200 square foot home, including setup and delivery, ranges from \$57 - \$65 per square foot.

Availability of Financing

The Lake County Housing Administration office administers the First time Home Buyers Program. The First Time Home Buyer Assistance Program is aimed at providing financial support to families who might otherwise be unable to purchase a home. ~~In addition, the local yellow pages advertise several agencies that offer real estate loans.~~ The average mortgage interest rates for the years 2005-2009 can be found in table 34 below. The federal government passed legislation that allows first time home buyer to receive a \$8,000 tax credit for homes purchased in 2009 and 2010. California also passed legislation in 2009 that allows first time home buyers a \$10,000 tax credit.

Table 5-15: Average Annual Mortgage Interest Rate 2005-2009

<i>Year</i>	<i>Annual Average</i>
2005	5.87
2006	6.41
2007	6.34
2008	6.03
2009	5.06

Source: Freddie Mac, Monthly Average Commitment Rate and Points on 30-year Fixed-Rate Mortgages

Today's Economy

~~The housing bubble, coupled with lower interest rates, subprime and predatory lending, US households and financial institutions became increasingly indebted or overleveraged. When housing prices began to drop and interest rates began to rise, the borrower that assumed a difficult mortgage could not refinance. Defaults and foreclosure activity increased dramatically. Most homeowners today have little or no equity in their home and it is very difficult for them to obtain financing.~~