



CITY OF  
**BIG BEAR LAKE** *California*

**ORDINANCE NO. 2022-506**

**ORDINANCE OF THE CITY OF BIG BEAR LAKE CITY COUNCIL  
APPROVING DEVELOPMENT CODE AMENDMENT 2022-046,  
AMENDING THE ZONING MAP TO ESTABLISH THE R-4 ZONE  
DISTRICT AND AMENDING CHAPTERS 17.02 (DEFINITIONS),  
17.03 (GENERAL PROCEDURES), 17.25 (RESIDENTIAL ZONES),  
AND 17.35 (COMMERCIAL AND PUBLIC ZONES) AND FINDING  
THESE AMENDMENTS EXEMPT FROM THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the City of Big Bear Lake initiated Development Code Amendment 2022-046, heretofore referred to as the Application; for concurrent implementation of the 2021-2029 Housing Element, specifically Housing Element Programs implement Programs H1-A (Adequate Housing Sites), H1-B (Variety of Housing), Program H3-A (Development Review Procedures), H3-B (Emergency Shelters, Low Barrier Navigation Centers), and H6-B (Reasonable Accommodation); and which includes replacing the workforce housing overlay sites with an R-4 zone district on 6 parcels, referred to as Assessor's Parcel Number (APN) 311-411-13, 311-411-17, 311-421-02, 311-421-03, 311-421-39, and 2328-301-25 – five of which are located near the intersection of Eagle Ridge and Starvation Flats Road, and one located on the south side of Moonridge Road, just west of Evergreen Drive; as well as minor revisions to Chapters 17.02 (Definitions), 17.03 (General Procedures), 17.25 (Residential Zones), and 17.35 (Commercial and Public Zones) of the City's Municipal Code (Title 17); and

**WHEREAS**, pursuant to Sections 65800 and 65850 of the California Government Code, the City may adopt ordinances to regulate the use of buildings, structures, and land as between industry, business, residences, and open space, and other purposes; to regulate the location, height, bulk, number of stories and size of buildings and structures, the size and use of lots, yards, courts and other open spaces, the percentage of a lot which may be occupied by a building or structure, and the intensity of land use; and to establish requirements for off-street parking, in compliance with the California Government Code. The City has adopted such an ordinance, referred to as the Development Code, adopted by Ordinance No. 2003-333, on September 8, 2003, and codified in the Municipal Code as Chapter 17; and

**WHEREAS**, section 17.03.200 of the Development Code includes provisions for amendments to the Development Code; and

**WHEREAS**, opportunities for public participation, input and discussion on the Application have occurred at duly noticed Planning Commission/City Council Study Session held on April 18, 2022, at the Big Bear Lake Civic and Performing Arts Center at 39707 Big Bear Boulevard, Big Bear Lake, CA 92315; and

**WHEREAS**, the Application is not subject to the California Environmental Quality Act (CEQA) because it is covered by the "common sense" rule expressed in section 15061(b)(3) of the State CEQA Guidelines that CEQA applies only to projects, which have the potential for causing a

significant effect on the environment. The Housing Element is mandated by the State to be updated every eight years. The changes to zoning and corresponding Land Use designation in the General Plan does not create new density, because the R-4 zone and High Density Residential designation replaces the existing Workforce Housing Overlay that has been in place since the 4<sup>th</sup> cycle (2008) Housing Element. Furthermore, the existing overlay allows a minimum of 20 units per acre and does not provide a maximum density. Therefore, by creating a maximum density of 24 units per acre in the R-4 zone, the project realizes a maximum buildout on each of the six R-4 sites. None of the proposed amendments would directly result in any physical development, nor will the proposed amendments result in any change to the built-out environment as envisioned by the General Plan and it can be seen with certainty that there is no possibility that the proposed activity may have a significant effect on the environment; and

**WHEREAS**, on August 17, 2022, the Planning Commission conducted a duly noticed public hearing on the Application and upon conclusion of the public hearing, took action to adopt Resolution No. 2022-21 by a vote of 5-0, recommending that the City Council approve the Application; and

**WHEREAS**, public notice of the City Council public hearing for the Application was published in *The Grizzly* on September 7, 2022; and a notice was posted in three public places a minimum of 10 days prior to the hearing date. The City Council agenda was distributed at least 72 hours in advance of the meeting, and made available to the general public through the City's website and the Housing Element webpage; and

**WHEREAS**, on September 19, 2022, the City Council conducted a duly noticed public hearing on the Application in Hofert Hall of the Civic and Performing Arts Center, located at 39707 Big Bear Boulevard, Big Bear Lake, California, 92315, and upon conclusion of the public hearing, the City Council read the title, waived further reading, and introduced an ordinance approving Development Code Amendment 2022-046 for implementation of the 2021-2029 Housing Element; and

**WHEREAS**, on October 3, 2022, the City Council conducted a public meeting on the Application in Hofert Hall of the Civic and Performing Arts Center, located at 39707 Big Bear Boulevard, Big Bear Lake, California, 92315, and adopted an ordinance approving Development Code Amendment 2022-046 and finding the action exempt from CEQA; and

**WHEREAS**, all legal prerequisites to the adoption of this ordinance have occurred.

**NOW, THEREFORE**, the City Council of the City of Big Bear Lake does ordain as follows:

**Section 1.** The City Council hereby specifically finds that all of the facts set forth in the above recitals of this ordinance, are true and correct.

**Section 2.** The City Council hereby finds that the Application is not subject to the California Environmental Quality Act (CEQA) because it is covered by the "common sense" rule expressed in section 15061(b)(3) of the State CEQA Guidelines that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. The Housing Element is mandated by the State to be updated every eight years. The changes to zoning and corresponding Land Use designation in the General Plan does not create new density, because the R-4 zone and High Density Residential designation replaces the existing Workforce Housing Overlay that has

been in place since the 4<sup>th</sup> cycle (2008) Housing Element. Furthermore, the existing overlay allows a minimum of 20 units per acre and does not provide a maximum density. Therefore, by creating a maximum density of 24 units per acre in the R-4 zone, the project realizes a maximum buildout on each of the six R-4 sites. None of the proposed amendments would directly result in any physical development, nor will the proposed amendments result in any change to the built-out environment as envisioned by the General Plan. Therefore, the proposed Development Code Amendments are not a “project” under Public Resources Code section 21065, and, in the alternative, are exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15061(b)(3), the “common sense exemption,” where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**Section 3.** Based on the evidence presented to the City Council during the September 19, 2022 public hearing, including public testimony and written and oral staff reports, the City Council specifically finds as follows with respect to Development Code Amendment 2022-046:

1. *The proposed Development Code amendment conforms with the goals, objectives and policies of the general plan*, in that the proposed amendments would modify several sections of the Development Code with the intent to implement the Housing Element of the General Plan and comply with state mandates related to adequate sites for affordable housing development and RHNA, standards related to reasonable accommodation requests, emergency shelters, and low-barrier navigation centers. As such, the proposed amendment can be found in conformance with the general plan.
2. *The proposed Development Code amendment is necessary to implement the general plan and to provide for public safety convenience and/or general welfare*, in that the proposed amendment addresses several inconsistencies with State legislation. The amendment also includes opportunities to implement the Housing Element, specifically Housing Element Programs H1-A (Adequate Housing Inventory) and H1-B (Variety of Housing), which calls for amending the General Plan Land Use Element and Development Code Zoning to replace the Workforce Housing Overlay with an R-4 zone, establish the 20 units per acre as a minimum density and provide a maximum density of 24 units per acre because the overlay does not provide a maximum density. As such, the proposed amendment may be considered a step in furthering efforts to better implement the current general plan.
3. *The proposed Development Code amendment conforms with the intent of the Development Code and is consistent with all other related provisions thereof*, in that the proposed amendment conforms with the intent of the Development Code and consistent with all other related provisions, including consistency with definitions and standards related to the statutory requirements for emergency shelters, low barrier navigation centers, and establishes standards for the R-4 zone, which corresponds to the High Density Residential (HDR) land use designation as established by the 2021-2029 Housing Element update.
4. *The proposed Development Code amendment is reasonable and beneficial at this time*, in that the proposed amendment replaces the vague Workforce Housing Overlay with the R-4 zone and brings several areas into compliance with State law and current practice. As

such, the Development Code Amendment is considered to be reasonable and beneficial at this time.

**Section 4.** Based on the findings and conclusions as set forth in Sections 1, 2, and 3, above, the City Council hereby finds the Application is exempt from CEQA and adopts an ordinance approving Development Code Amendment 2022-046, as provided in Exhibit A and Exhibit B.

**Section 5.** The City Clerk shall certify to the adoption of this ordinance. Not later than fifteen (15) days following the passage of this ordinance, the ordinance, or summary thereof, along with the names of the City Council members voting for and against the ordinance, shall be published in three places in the City in lieu of publication unless publication is requested by the City Council or otherwise required by law.

PASSED, APPROVED AND ADOPTED this 3<sup>rd</sup> day of October, 2022.



---

Rick Herrick, Mayor

ATTEST:



---

Erica Stephenson, City Clerk

STATE OF CALIFORNIA                    )  
COUNTY OF SAN BERNARDINO        )  
CITY OF BIG BEAR LAKE                )

I, Erica Stephenson, City Clerk of the City of Big Bear Lake, California, do hereby certify that the whole number of the City Council of the said City is five; that the foregoing Ordinance No. 2022-506 is a full, true and correct original of Ordinance No. 2022-506 of the City of Big Bear Lake entitled:

**ORDINANCE OF THE CITY OF BIG BEAR LAKE CITY COUNCIL  
APPROVING DEVELOPMENT CODE AMENDMENT 2022-046,  
AMENDING THE ZONING MAP TO ESTABLISH THE R-4 ZONE  
DISTRICT AND AMENDING CHAPTERS 17.02 (DEFINITIONS),  
17.03 (GENERAL PROCEDURES), 17.25 (RESIDENTIAL ZONES),  
AND 17.35 (COMMERCIAL AND PUBLIC ZONES) AND FINDING  
THESE AMENDMENTS EXEMPT FROM THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT**

was duly passed and adopted by the said City Council, approved and signed by the Mayor of said City, and attested by the Clerk of Said City, all at a regular meeting of the said Council on the 3<sup>rd</sup> day of October 2022, and that the same was so passed and adopted by the following vote:

AYES:           Melnick, Putz, Lee, Mote, Herrick  
NOES:           None  
ABSTAIN:       None  
EXCUSED:       None

I do hereby further certify that pursuant to the provisions of Section 36933 of the Government Code of the State of California that the foregoing Ordinance No. 2022-506 was duly and regularly published according to law and the order of the City Council and circulated within the said City.

  
Erica Stephenson, City Clerk

**EXHIBIT A**  
**REDLINE VERSION**  
**Proposed Text Changes to Development Code Amendment 2022-100**

Proposed changes for the affected section of the General Plan is shown in underline for added language and ~~striketrough~~ for deleted text, below:

**DEVELOPMENT CODE SECTION 17.02.030 (DEFINITIONS)**

Low barrier navigation center as defined by California Government Code Section 65660; means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. “ Low Barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, 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 dormitory setting or in larger rooms containing more than two beds, or private rooms.

**DEVELOPMENT CODE SECTION 17.03 (GENERAL PROCEDURES)**

**17.03.350 REQUESTS FOR REASONABLE ACCOMMODATION**

A. Purpose. It is the policy of the jurisdiction, pursuant to the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act (hereafter “fair housing laws”), to provide individuals with disabilities reasonable accommodation in rules, policies, practices and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. This ordinance establishes a procedure for making requests for reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures of the jurisdiction to comply fully with the intent and purpose of fair housing laws.

B. Findings. The federal Fair Housing Amendments Act of 1988 and California’s Fair Employment and Housing Act impose an affirmative duty on local governments to make reasonable accommodation in their land use and zoning regulations and practices when such accommodation may be necessary to afford individuals with disabilities an equal opportunity to housing;

1. The Housing Element of the jurisdiction must identify and develop a plan for removing governmental constraints to housing for individuals with disabilities including local land use and zoning constraints or providing reasonable accommodation;
2. The Attorney General of the State of California has recommended that cities and counties implement fair housing reasonable accommodation procedures for making

land use and zoning determinations concerning individuals with disabilities to further the development of housing for individuals with disabilities;

3. A fair housing reasonable accommodation procedure for individuals with disabilities and developers of housing for individuals with disabilities to seek relief in the application of land use, zoning and building regulations, policies, practices and procedures will further the jurisdiction's compliance with federal and state fair housing laws and provide greater opportunities for the development of critically needed housing for individuals with disabilities.

C. Applicability. Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities. An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment. A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.

D. Notice to the Public of Availability of Accommodation Process. Notice of the availability of reasonable accommodation shall be prominently displayed at public information counters in the planning, zoning and building departments, advising the public of the availability of the procedure for eligible individuals. Forms for requesting reasonable accommodation shall be available to the public in the Planning and Building and Safety departments.

E. Requesting Reasonable Accommodation.

1. In order to make housing available to an individual with a disability, any eligible person as defined in Section C may request a reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures.

2. Requests for reasonable accommodation shall be in writing and provide the following information: (1) Name and address of the individual(s) requesting reasonable accommodation; (2) Name and address of the property owner(s); (3) Address of the property for which accommodation is requested; (4) Description of the requested accommodation and the regulation(s), policy or procedure for which accommodation is sought; and (5) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.

3. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

4. A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to

ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.

5. If an individual needs assistance in making the request for reasonable accommodation, the jurisdiction will provide assistance to ensure that the process is accessible.

F. Reviewing Authority.

1. Requests for reasonable accommodation shall be reviewed by the "reviewing authority," using the criteria set forth in Section G.

2. The reviewing authority shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in Section G.

3. If necessary to reach a determination on the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision is stayed until the applicant responds to the request.

G. Required Findings. The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following factors:

1. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;

2. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;

3. Whether the requested accommodation would impose an undue financial or administrative burden on the jurisdiction and;

4. Whether the requested accommodation would require a fundamental alteration in the nature of the jurisdiction's land use and zoning or building program.

H. Written Decision on the Request for Reasonable Accommodation.

1. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings on the criteria set forth in Section G. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals

process as set forth below. The notice of decision shall be sent to the applicant by certified mail.

2. The written decision of the reviewing authority shall be final unless an applicant appeals it to the Planning Commission.
3. If the reviewing authority fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time period allotted by Section F, the request shall be deemed granted.
4. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

#### I. Appeals.

1. Within thirty (30) days of the date of the reviewing authority's written decision, an applicant may appeal an adverse decision. Appeals from the adverse decision shall be made in writing.
2. If an individual needs assistance in filing an appeal on an adverse decision, the jurisdiction will provide assistance to ensure that the appeals process is accessible.
3. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
4. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

**DEVELOPMENT CODE SECTION 17.25 (RESIDENTIAL ZONES)**

**17.25.020 Residential Zone Districts**

D. Multiple Residential (R-4) Zone

1. The Multiple Residential (R-4) Zone is established for the development of grouped housing, such as townhouses, condominiums, apartments, and mobile home parks, at gross densities ranging from 20 to 24 dwelling units per acre. The actual permitted density shall be determined based on topographical, environmental, physical, and infrastructural constraints. In order to encourage the production of housing affordable to low-to-moderate income households, density bonuses may be granted in this zone, subject to approval of an agreement pursuant to Section 17.03.230 (Affordable Housing Agreements).
2. Development within the R-4 zone generally consists of attached or grouped dwelling units within a development site that share common access, open spaces, and amenities. The R-4 Zone permits the development of self-contained residential communities which provide recreational facilities and amenities to serve residents.
3. The R-4 zone is compatible with the Multiple Family Residential-4 (MFR-4) General Plan land use designation.

**Table 17.25.030.A  
PRINCIPAL USES PERMITTED IN RESIDENTIAL ZONES**

<b>Zone District</b>	<b>R-L</b>	<b>R-1</b>	<b>R-3</b>	<b><u>R-4</u></b>
<b><u>Residential Uses:</u></b>				
Single-family detached dwelling unit on one lot.	P	P	P	-
Care facility, residential, for 6 or fewer residents	P	P	P	-
Two, three, four, or five dwelling units in one project (attached or detached)	-	-	P	-
Six or more dwelling units in one project.	-	-	PPR	<u>PPR</u>
Workforce Housing <del>on sites greater than two acres with a minimum density of 20 units per acre and no less than 16 units on sites identified in Figure B-2 of Appendix B of the 2008-2014</del>	-	-	PPR	<u>PPR</u>

<b>Zone District</b>	<b>R-L</b>	<b>R-1</b>	<b>R-3</b>	<b><u>R-4</u></b>
Condominiums and condominium conversions.	–	–	CUP <sup>1</sup>	<u>CUP<sup>1</sup></u>
Manufactured home parks and subdivisions.	–	–	CUP <sup>1</sup>	–
Boarding and rooming houses.	–	–	CUP	–
Group living facility for over six (6) residents (i.e. dormitories, single room occupancy facilities, transitional housing, etc.).	–	–	CUP	–
<b><u>Other Principal Uses:</u></b>				
Bed and Breakfast establishments <ul style="list-style-type: none"> <li>▪ 5 or less guest rooms</li> </ul>		CUP <sup>2</sup>	CUP <sup>2</sup>	–
Churches, chapels, meeting rooms and religious institutions	CUP <sup>2</sup>	CUP <sup>2</sup>	CUP <sup>2</sup>	<u>CUP<sup>2</sup></u>
Commercial lodging facilities (hotels, motels, lodges, time-share units, bed and breakfast establishments with 6 or more guest rooms), provided that density of guest units does not exceed 12 per acre	–	–	CUP <sup>2</sup>	–
Extended stay lodging	–	–	CUP	–
Conference centers, retreat centers, and camps on sites of five acres minimum	CUP	CUP	CUP	–
Country clubs, including golf courses, alcohol sales and ancillary uses	CUP	CUP	CUP	–
Fraternal organizations, lodges, and private clubs	–	–	CUP <sup>2</sup>	–

<b>Zone District</b>	<b>R-L</b>	<b>R-1</b>	<b>R-3</b>	<b><u>R-4</u></b>
Horticulture (tree farms, truck gardening, plant nursery; prior to development)  - no retail sales on site  - limited retail sales on site	P  CUP	--  --	--  --	-
Museums	CUP	CUP	CUP	-
Parks and recreational facilities, public or private (including swimming pools, tennis courts, playgrounds, parks, trailheads, picnic areas)	CUP	CUP	CUP	-
Schools, kindergarten through grade 12	CUP	CUP	CUP	-
Social care facilities housing seven ( 7) or more residents	CUP	CUP	CUP	<u>CUP</u>
Utility installations (includes electrical substations, sewage and water pump stations, wells, water reservoirs, natural gas regulator stations, etc.)	CUP	CUP	CUP	<u>CUP</u>

P = permitted use without land use approval; other permits may be required.

PPR = permitted subject to approval of a Plot Plan Review pursuant to Section 17.03.160.

CUP = permitted subject to approval of a Conditional Use Permit pursuant to Section 17.03.170.

<sup>1</sup> Subdivision map required for any subdivision of land or air rights.

<sup>2</sup> Subject to special development and/or performance standards in this Chapter.

- =Not permitted

**Table 17.25.040.A  
ACCESSORY USES AND STRUCTURES PERMITTED IN RESIDENTIAL ZONES**

<b>Zone District</b>	<b>R-L</b>	<b>R-1</b>	<b>R-3</b>	<b><u>R-4</u></b>
<b><u>Animal Uses:</u></b>				
Keeping of domestic animals commonly kept as household pets; <ul style="list-style-type: none"> <li>▪ Single family residential use: 2 dogs and/or cats over age of 4 mos. for each lot 7200 sq. ft. or less; 3 for lots 7201-10,000sq. ft.; 4 for lots of 10,001 – 20,000 sq. ft.; maximum of 5 for each lot over 20,000 sq. ft. <sup>1</sup></li> <li>▪ Multiple family residential use: 2 dogs and/or cats over age 4 mos. per dwelling unit</li> </ul> <sup>1</sup> Additional number of dogs and/or cats may be considered through the Conditional Use Permit (CUP) process.	P	P	P	-
	-	-	P	<u>P</u>
Keeping of horses, llamas, donkeys, mules, burros, or ponies on lots of 1 acre or greater in area; 1 animal per each 10,000 sq. ft. of lot area, not to exceed 6 animals per lot or project	P	-	-	-
Keeping of exotic or wild animals	CUP	CUP	CUP	<u>CUP</u>
<b><u>Accessory Dwelling Units:</u></b>				
Junior Accessory Dwelling Units (JADUs) and Accessory Dwelling Units (ADUs)	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	<u>P<sup>1</sup></u>
Caretaker's or manager's unit as part of approved project	-	-	P <sup>1</sup>	<u>P<sup>1</sup></u>
Board and room provided to not more than 2 boarders per dwelling unit	P	P	P	<u>P</u>
<b><u>Accessory Structures:</u></b>				

<b>Zone District</b>	<b>R-L</b>	<b>R-1</b>	<b>R-3</b>	<b><u>R-4</u></b>
Animal enclosures - large animals (barns, corrals, pastures, stables)	P <sup>1</sup>	-	-	-
Animal enclosures – small animals (dog houses, etc.)	P	P	P	<u>P</u>
Decks, patios, gazebos (covered or uncovered)	P	P	P	<u>P</u>
Garages, attached or detached; maximum one per dwelling unit, maximum area of 10 percent of lot area, not to exceed 1,500 sq. ft., provided that setbacks and open space requirements are met.	P	P	P	<u>P</u>
Guest house, with no kitchen facilities	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup> (for single family use only)	-
Signs, residential identification, pursuant to Chapter 17.12 (Signs)	SP	SP	SP	<u>SP</u>
Tennis court, play court, swimming pool, jacuzzi, or other recreational facility for use by residents	P <sup>1</sup>	P <sup>1</sup>	Single-family: P <sup>1</sup>  Multi-family: part of PPR or CUP <sup>1</sup>	<u>Multi-family: part of PPR</u>
Storage buildings or children’s play house, for use by residents, not to exceed 2 such structures and a total of 1,000 square feet in area for each single family use; for multi-family, review as part of overall development plan	P	P	Single-family: P  Multi-family: part of PPR or CUP	<u>Multi-family: part of PPR</u>
<b><u>Accessory Commercial Uses:</u></b>				
Home occupation permit	HOP	HOP	HOP	<u>HOP</u>
Vacation rental	VR	VR	VR	-
<b><u>Temporary Uses:</u></b>				
Special events	SE	SE	SE	<u>SE</u>

<b>Zone District</b>	<b>R-L</b>	<b>R-1</b>	<b>R-3</b>	<b><u>R-4</u></b>
Construction staging area (on-site only)	TUP	TUP	TUP	<u>TUP</u>
Temporary construction office/trailer	TUP	TUP	TUP	<u>TUP</u>
Temporary sales office/trailer/models	TUP	TUP	TUP	<u>TUP</u>
Caretaker's or owner's residence on permitted, active construction site	TUP	TUP	TUP	<u>TUP</u>

**P** = permitted use without land use approval; other permits may be required.

**PPR** = permitted subject to approval of a Plot Plan Review pursuant to Section 17.03.160.

**CUP** = permitted subject to approval of a Conditional Use Permit pursuant to Section 17.03.170.

**TDH** = permitted subject to approval of a Temporary Dependent Housing unit, pursuant to Section 17.25.130.

**LFD** = permitted subject to approval of a Large Family Day Care, pursuant to Section 17.03.260.

**HOP** = permitted subject to approval of a Home Occupation Permit, pursuant to Section 17.03.270.

**VR** = permitted subject to approval of a vacation-rental license in accordance with Chapter 4.01 of this code.

**SE** = permitted subject to approval of a Special Event Permit, pursuant to Section 17.03.300.

**SP** = permitted subject to approval of a Sign Permit, pursuant to Chapter 17.12.

**TUP** = permitted subject to approval of a Temporary Use Permit, pursuant to Section 17.03.290.

<sup>1</sup> Subject to special development standards in this chapter.

– = Not permitted.

**17.25.050 GENERAL STANDARDS FOR RESIDENTIAL DEVELOPMENT**

E. Requests for reasonable accommodations as required by fair housing law shall be subject to Section 17.03.350.

**Table 17.25.050.A  
GENERAL DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES**

<b>Zone District</b>	<b>R-L</b>	<b>R-1</b>	<b>R-3</b>	<b><u>R-4</u></b>
<b><u>Lot Dimensions:</u></b>				
Minimum lot area (by General Plan Land Use Designation; all areas net unless otherwise indicated)				
<ul style="list-style-type: none"> <li>▪ Rural Residential</li> <li>▪ Equestrian Estates</li> <li>▪ Single Family Residential –2</li> <li>▪ Single Family Residential –3</li> <li>▪ Single Family Residential –4</li> <li>▪ Multiple Family Residential</li> </ul>	2 ½ ac. gross  40,000 sq. ft.  –  –  –  –	–  – 18,000 sq. ft.  10,000 sq. ft.  7,200 sq. ft.  –	–  –  –  7,200 sq. ft.  –	–  –  –  –  <u>40,000 sq. ft.</u>
Lot width (at required front setback)				
<ul style="list-style-type: none"> <li>▪ Interior lot</li> <li>▪ Corner lot</li> </ul>	100 ft.  100 ft.	60 ft.  65 ft.	60 ft.  65 ft.	<u>60 ft.</u>  <u>65 ft.</u>
Minimum street frontage (at front property line)	50 ft.	35 ft.	50 ft.	<u>50 ft.</u>
Minimum flag lot frontage (at front property line)	30 ft.	20 ft.	40 ft.	<u>40 ft.</u>
Minimum lot depth	100 ft.	100 ft.	100 ft.	<u>100 ft.</u>
<b><u>Setbacks:</u></b>				
Front yard and street side yard setback from property line:				
<ul style="list-style-type: none"> <li>▪ Adjacent to streets with 40 or more feet of right of way</li> </ul>	25 ft.	15 ft.	15 ft.	<u>15 ft.</u>

<b>Zone District</b>	<b>R-L</b>	<b>R-1</b>	<b>R-3</b>	<b><u>R-4</u></b>
<ul style="list-style-type: none"> <li>▪ Adjacent to streets with less than 40 feet of right of way</li> </ul>	30 ft.	20 ft.	20 ft.	<u>20 ft.</u>
Interior side yard setback <ul style="list-style-type: none"> <li>▪ On lots 30 feet or less in width</li> <li>▪ On lots over 30 feet and up to 60 feet in width;</li> <li>▪ On lots over 60 feet and up to 100 feet in width;</li> <li>▪ On lots over 100 feet in width</li> </ul>	-- -- 5 ft. + 10 ft. 10 ft.	3 ft. 5 ft. 5 ft. + 10 ft. 10 ft.	3 ft. 5 ft. 5 ft. + 10 ft. 10 ft.	-- -- <u>5 ft. + 10 ft.</u> <u>10 ft.</u>
Rear yard setback	20 ft.	15 ft.	15 ft.	<u>15 ft.</u>
<b><u>Other:</u></b>				
Building coverage (as % of total lot area) (provided that all other requirements, including open space, are provided on the site)	30%	40%	60%	<u>60%</u>
Landscaped or natural open space (as % of total lot area)	--	--	35%	<u>35%</u>
Building height <ul style="list-style-type: none"> <li>▪ Principal dwellings</li> <li>▪ Detached accessory structures (<u>not ADU's</u>)               <ul style="list-style-type: none"> <li>- Flat roof</li> <li>- Sloped roof</li> </ul> </li> </ul>	40 ft.  14 ft. 30 ft.	40 ft.  14 ft. 30 ft.	40 ft.  14 ft. 30 ft.	<u>40 ft.</u>  <u>14 ft.</u> <u>30 ft.</u>
Minimum building envelope, exclusive of setbacks and slopes greater than 40%, with access and adequate building area	2,000 sq. ft.	2,000 sq. ft.	5,000 sq. ft.	<u>5,000 sq. ft.</u>

**17.25.200            AFFORDABLE HOUSING DEVELOPMENTS**

2. In accordance with ~~Program H2.3.1~~ of the General Plan Housing Element, affordable housing incentives shall be offered to promote establishment of affordable housing, which shall include the following:
  - a. A density bonus of no greater than 100 percent of the base density, as determined by the General Plan Land Use Map; the actual density bonus shall be based upon the number of units provided to households with very low income, lower income, and qualifying residents as defined ~~in this section~~ by State law (Government Code Section 65915 for density bonuses and other incentives). The density bonus may be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.

**Table 17.35.040.A**

**ACCESSORY USES AND STRUCTURES PERMITTED IN COMMERCIAL AND PUBLIC ZONES**

ACCESSORY USES BY ZONE	C-1	C-2	C-3	C-4	C-5	P
<b>Temporary Uses:</b>						
Construction staging area	TUP	TUP	TUP	TUP	TUP	TUP
Stockpiling	--	TUP	--	TUP	TUP	TUP
Special events	SE	SE	SE	SE	SE	SE
Coaches, motor homes, trailers, temporary offices on active construction sites	TUP	TUP	TUP	TUP	TUP	TUP
<b>Residential Uses:</b>						
Accessory residential units, not to exceed a density of 12 du/ac, permitted only where primary commercial use exists and all residential standards are met on the site pursuant to Section 17.25. Accessory residential units are not to be confused with Accessory Dwelling Units (ADUs) under Section 17.25.210	P	P	P	P	--	--
Caretaker's unit, not to exceed 1 such unit per business, pursuant to Section 17.25.150	P	P	P	P	P	--
<a href="#">Low Barrier Navigation Centers, pursuant to Section 17.35.250.</a>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-
<b>Incidental Uses:</b>						
Minor assembly, repair and service of any article whose sale is permitted in the zone and sold on the premises, provided all work is conducted within an enclosed	P	P	P	P	P	--

**17.35.240 EMERGENCY SHELTERS**

- C. Emergency shelters are subject to the general development standards in Table 17.35.050.A. In accordance with the authority granted to the City in section 65583(a) (4) of the Government Code, an emergency shelter must also meet the following development and management standards:
1. The shelter may serve no more than 6 ~~persons~~ beds per night. This standard shall be reevaluated at the City's discretion based upon any changes in law or policy.
  2. ~~The shelter shall have not less than one parking space for each 250 square feet of gross floor area. Parking for the shelter shall be provided as required for multiple family residential uses in Section 17.25.070, where number of beds would replace the number of bedrooms for the parking ratio. A 6-bed shelter shall require minimum of four (4) parking spaces. unless it is demonstrated to the City by credible evidence that a different parking ratio is appropriate based on the shelter's demonstrated need.~~

### **17.35.250 LOW BARRIER NAVIGATION CENTERS**

- A. Purpose. The purpose of this chapter is to establish development standards for low-barrier navigation centers and to ensure this use is constructed and operated in a manner that is consistent with the requirements and allowances of state law, specifically Article 12 of Chapter 3 of Division 1 of Planning and Zoning Law commencing with California Government Code Section 65660.
- B. Applicability. The provisions of this chapter shall apply to all low-barrier navigation center projects.
- C. Permit Required. A planning permit is required prior to establishment of any low-barrier navigation center project meeting either of the following criteria. The permit shall be a ministerial action without discretionary review or a hearing. The City shall notify a developer whether the developer's application is complete within 30 days, pursuant to California Government Code Section 65943. Action shall be taken within 60 days of a complete application being filed.
- D. Development and Operational Standards. A low-barrier navigation center development is a use by-right in areas zoned for mixed-use and nonresidential zones permitting multifamily uses, if it meets the following requirements:
1. Connected Services. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
  2. Coordinated Entry System. It 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. "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. Code Compliant. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
  4. Homeless Management Information System. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.
- E. Definitions.
1. **Low-Barrier Navigation Centers.** A housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

“Low barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

- (a) 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.
  - (b) Pets.
  - (c) The storage of possessions.
  - (d) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
2. **Use by Right.** Use by right has the meaning defined in subdivision (i) of Section 65583.2, Division 13 (commencing with Section 21000) of the California Public Resources Code shall not apply to actions taken by a public agency to lease, convey, or encumber land owned by a public agency, or to facilitate the lease, conveyance, or encumbrance of land owned by a public agency, or to provide financial assistance to, or otherwise approve, a Low-Barrier Navigation Center constructed or allowed by this section.

**End of Exhibit A**

## **EXHIBIT B**

### **Zoning Map Excerpt, Proposed R-4 Zone**

(On the Following Page and [www.citybigbearlake.com/housingelement](http://www.citybigbearlake.com/housingelement))