

**ORDINANCE NO. SCC 2018-
AN ORDINANCE OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF SHASTA AMENDING THE SHASTA COUNTY CODE
TITLE 17 ZONING PLAN**

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION 1

Article II Definitions, of Chapter 17.02 General Provisions, is amended as follows:

Amend section 17.02.365 "Mobile home" to read in its entirety as follows:

17.02.365 - Mobile home. "Mobile home" has the meaning set forth in Health and Safety Code section 18008 as that section may be amended from time to time. At the time of adoption of this ordinance, Health and Safety Code section 18008 provides that a "Mobile home" means a structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected onsite, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Mobile home" includes any structure that meets all the requirements of this paragraph and complies with the state standards for mobile homes in effect at the time of construction. "Mobile home" does not include a commercial modular, as defined in Section 18001.8, factory-built housing, as defined in Section 19971, a manufactured home, as defined in Section 18007, a multifamily manufactured home, as defined in Section 18008.7, or a recreational vehicle, as defined in Section 18010. Notwithstanding the prior exclusion of recreational vehicles from the definition of "Mobile home," a recreational vehicle may be considered a "Mobile home" for the purposes of Chapter 17.39, in accordance with section 17.39.020(A).

SECTION 2

Chapter 17.39 Mobile Home Park Conversions is amended as follows:

Amend Chapter 17.39 "Mobile Home Park Conversions" to read in its entirety as follows:

Chapter 17.39
MOBILE HOME PARK CONVERSIONS

Sections:

- 17.39.010 Purpose.
- 17.39.020 Definitions.
- 17.39.030 Applications for mobile home park conversions.
- 17.39.040 Procedures for review.
- 17.39.050 Findings.
- 17.39.060 Conditions.
- 17.39.070 Waivers.

17.39.010 Purpose. The unrestricted conversion of mobile home parks to other uses diminishes the mobile home stock and spaces available within the County. The purpose of this chapter is to provide certain regulatory safeguards for the protection of residents and potential purchasers of mobile homes, and to implement the County's general plan policies to provide varied housing choices and opportunities.

17.39.020 Definitions. For purposes of this chapter, the following words are defined as follows:

- (A) "Mobile home" has the meaning set forth in section 17.02.365, and shall also mean a recreational vehicle that is used for human habitation, and either of the following occupancy criteria are met: (1) the recreational vehicle occupies a mobile home site in a mobile home park, on November 15, 1992, under a rental agreement with a term of one month or longer, and the recreational vehicle occupied the site in the park prior to January 1, 1991; or (2) the recreational vehicle occupies a mobile home site in a mobile home park for nine or more continuous months commencing on or after November 15, 1992.
- (B) "Park" means a mobile home park which rents spaces for mobile home dwelling units.
- (C) "Owner" means the owner, lessor, or designated agent of the park.
- (D) "Homeowner" means the owner(s) of a mobile home dwelling unit who is renting space from the owner of a park.
- (E) "Resident" means a homeowner or other person who lawfully occupies a mobile home in a mobile home park.

17.39.030 Applications for mobile home park conversions.

- (A) The use of property as a mobile home park shall not be terminated for the purpose of conversion to another land use until application for a mobile home park conversion has been made to the Director and approval has been received from the Planning Commission or the Board of Supervisors on appeal.
- (B) No building permit shall be issued on property occupied by a mobile home park for uses other than those associated with the mobile home park use until approval for mobile home park conversion has been obtained pursuant to this chapter.
- (C) Applications for a mobile home park conversion shall be made to the Director with the filing fee prescribed by the Board of Supervisors. The application shall contain the following information:
 - (1) Plans indicating the proposed use for the site for which an application for conversion is made.
 - (2) The timetable for conversion of the park.
 - (3) If the proposed conversion is to a use not consistent with the underlying zone district or general plan land use designation, or requires any approval of a tentative map, use

permit, or other entitlement, the applicant shall file concurrently an application for rezoning, general plan amendment and any additional entitlement, as applicable.

(4) The total number of spaces within the park; the number of spaces occupied; the length of time each space has been occupied by the present tenant; and the monthly rent currently charged.

(5) A Conversion Impact Report as set forth in Government Code section 65863.7, or a Relocation Impact Report as set forth in Government Code section 66427.4, as these sections may be amended from time to time.

(D) An application for a mobile home park conversion shall be subject to environmental review in accordance with the County's environmental review guidelines.

17.39.040 Procedures for review.

(A) Following the submittal of all required information in connection with an application for a mobile home park conversion and completion of the environmental review, the application shall be set for public hearing before the Planning Commission in the same manner as a use permit and in accordance with section 17.92.020.

(B) Prior to the public hearing, the applicant shall provide evidence that: (1) a copy of the Conversion Impact Report or a Relocation Impact Report was provided to all park residents and homeowners at least 15 days prior to the hearing pursuant to Government Code section 65863.7, subdivision (b), as that subdivision may be amended from time to time; and (2) notice of the hearing has been provided to all park residents and homeowners at least 15 days prior to the hearing pursuant to Civil Code section 798.56, subdivision (g), as that subdivision may be amended from time to time.

(C) The Planning Commission shall, after the close of the public hearing, render a decision whether the conversion should be approved based upon the findings set forth in section 17.39.050.

(D) Any applicant, or any other interested person may appeal the Planning Commission's determination to the Board of Supervisors in the same manner as a use permit appeal and in accordance with section 17.92.030.

17.39.050 Findings. An application for a mobile home park conversion may be approved if the following findings are made:

(A) There exists sufficient mobile home space availability within the unincorporated area of the County of Shasta to accommodate the mobile homes to be displaced by reason of the conversion.

(B) The conversion will not result in the displacement of low income individuals or households who cannot afford rents charged in other parks.

(C) That the age, type, and style of mobile homes within the park proposed for conversion can be accepted into other parks within the County of Shasta.

(D) If the conversion is to another residential use, that the residents of the mobile home park will have first opportunity to occupy the units and the construction schedule will not result in long-term displacements.

(E) The proposed conversion is consistent with the County General Plan.

(F) The proposed conversion is pursuant to the public health, safety and welfare.

(G) The conversion will not result in a shortage of housing opportunities and choices within the County of Shasta.

17.39.060 Conditions.

(A) In the approval of a mobile home park conversion, the County shall attach conditions necessary to mitigate the impacts associated with the conversion. Such mitigation measures, which may include a lump sum payment of relocation benefits, must be sufficient to allow displaced residents to relocate to comparable housing, including mobile homes in comparable mobile home parks in the community.

(B) Such conditions may include, but are not limited to, the following conditions:

(1) Payment by the owner for relocation of the resident to comparable housing.

(2) If the land occupied by the park is to be sold, the residents be given the first right of refusal accepting the offer of the seller for the purchase of the park including all improvements.

(3) The residents be given the option of a long-term lease of the land and purchase of the improvements.

(4) An effective date of the approval of the conversion of not less than one year after approval of the conversion so as to provide sufficient time for the relocation of the mobile homes to other parks.

(5) If the mobile homes cannot be physically relocated to parks in the area, payment of the in-place value of the mobile home if the mobile home park were not closing, determined by an independent appraiser with mobile home expertise.

17.39.070 Waivers. The County may waive one or more of the requirements of this Chapter upon the request of a park owner. Approval of a waiver request shall be based upon substantial evidence provided by the park owner showing that compliance with the requirement or requirements proposed to be waived would deprive the owner of all economically viable use of the property.

SECTION 3

Chapter 17.83 Density Bonus is amended as follows:

Amend section 17.83.030 "Implementation" to read in its entirety as follows:

17.83.030 - Implementation.

- A. Pursuant to Government Code Section 65915 and following, as may be amended from time to time, the County shall grant an applicant for a qualifying housing development who seeks a density bonus either (1) a density bonus, the amount of which shall be as specified in subdivision (f) of Government Code section 65915, or (2) a density bonus with one or more additional incentive(s) as described in subdivision (d) of Government Code section 65915, waivers or reductions in development standards, and/or reductions of parking ratios as described in subdivisions (e) and (p) of Government Code section 65915.
- B. As part of the approval process, a binding density bonus agreement between the County and the property owner, must be recorded with the County recorder, which agreement sets forth the conditions and terms to be met in the implementation of the density bonus law requirements and the requirements of this chapter. The agreement will also establish compliance standards and remedies available to the county should the developer/property owner fail to ensure that the identified residential units are available to eligible renters or buyers at rent or sales prices that are affordable consistent with the level of affordability identified in the agreement for the term specified in the agreement. Unless otherwise provided, the agreement shall be recorded as a covenant on the property on which the designated affordable dwelling units will be constructed, which covenant shall run with the land.
- C. To be eligible for a density bonus in accordance with this chapter, an applicant must agree to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this chapter that will contain at five or more dwelling units and any one of the following:
 - 1. A minimum of Ten percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code, as may be amended from time to time;
 - 2. A minimum of Five percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code, as may be amended from time to time;
 - 3. A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, as may be amended from time to time; or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code as may be amended from time to time;
 - 4. Ten percent of the total dwelling units in a common interest development, as defined in Section 4100 of the Civil Code, as may be amended from time to time, for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code,

as may be amended from time to time, provided that all units in the development are offered to the public for purchase;

5. Ten percent of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, as may be amended from time to time, disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.) as may be amended from time to time. The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low income units.

Amend section 17.83.045 "Processing a density bonus request" to read in its entirety as follows:

17.83.045 - Processing a density bonus request. Once a complete proposal is received by the County, the following procedures shall be followed:

A. Permit requirement.

1. The County shall notify the applicant whether the application has been deemed complete within 30 calendar days from the receipt of the application pursuant to Government Code section 65943, as that section may be amended from time to time.
2. Where a density bonus request is part of a project that includes an application for a use permit or tentative or parcel map, the density bonus proposal along with the density bonus agreement shall be processed and considered by the Planning Commission concurrently with the use permit or map application in the manner prescribed for the use permit or map application. However, (1) the planning commission shall render its decision in the form of a written resolution, which shall include a recommendation to the board of supervisors for action on the application with the density bonus, the reasons for the recommendation, the relationship of the application to the general plan and any applicable specific plan, and findings as required by this section; (2) the Director of Resource Management shall cause a report of the Planning Commission's action to be filed with the Clerk of the Board within ten working days after the Planning Commission's decision; (3) upon receipt of the report of the Planning Commission's action, the board of supervisors shall set the matter for public hearing before it and shall consider the use permit or tentative or parcel map application along with the proposed density bonus in accordance with section 17.92.020(G) or 15.08.085 as applicable; (4) the board of supervisors may continue any hearing to a specific time, date, and place without further public notice; (5) The board of supervisors shall conduct a "de novo" review of the Planning Commission's decision and shall review the report of the Planning Commission's action and any additional relevant information that may have been received at the hearing before the board of supervisors; (6) the board of supervisors may, in its discretion, refer any application back to the Planning Commission for further review and report. The Board may also, in its discretion, approve, disapprove, or modify, wholly or partly, any recommendation of the Planning Commission. The board of supervisors may also impose additional conditions; (7) following approval by the Board, the density bonus agreement shall be recorded with the County Recorder concurrently with the final or parcel map, or at the time the use permit is issued.
3. Where a request for a density bonus is a stand-alone request, the proposal shall be submitted to the Director, with all required fees. Once accepted as complete, the Director shall present

the proposal to the Planning Commission whose decision shall be rendered in the form of a written resolution, which shall include findings as required by this section and a recommendation to the board of supervisors for action on the request. Upon receipt of the report of the Planning Commission's action, the board of supervisors shall set the matter for consideration before it. A noticed public hearing shall not be required for either the Planning Commission or the Board of Supervisors. The board of supervisors may, in its discretion, refer any request back to the Planning Commission for further review and report. The Board may also, in its discretion, approve, disapprove, or modify, wholly or partly, any recommendation of the Planning Commission. Following approval by the Board, the density bonus agreement shall be recorded with the County Recorder.

- B. Findings for approval. The approval of a density bonus and other incentives and concessions shall require that the review authority first make all the following findings:
1. The residential development will be consistent with the General Plan,
 2. The approved number of dwellings can be accommodated by existing and planned infrastructure capacities.
 3. Adequate evidence exists to indicate that the project will provide affordable housing in a manner consistent with the purpose and intent of this chapter and state housing law.
 4. Remain affordable for the required time period.

Amend section 17.83.060 "Density Bonus Agreement" to read in its entirety as follows:

17.83.060 - Density Bonus Agreement.

- A. Agreement Required. An applicant requesting a density bonus shall enter into a recordable density bonus agreement ("agreement") with the County in a form approved by the County Counsel. The executed agreement shall be recorded on the property designated for the construction of the designated affordable units. The agreement shall be recorded prior to final or parcel map approval, or prior to use permit issuance, or where neither a map nor a use permit are required, prior to issuance of building permits for such properties.
- B. Project Information: The agreement shall include at least the following information about the project:
1. Identification of the qualifying category and amount of density bonus requested in accordance with this chapter and Government Code section 65915 and following, and the total number of units proposed for the housing development, including the number of designated affordable units.
 2. A description of the household income or special needs group to be accommodated by the housing development, and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing costs consistent with U.S. Department of Housing and Urban Development ("HUD") Guidelines.

3. Adequate information to determine the project cost per unit of the proposed development, including but not be limited to, capital costs, equity investment, debt service, projected revenues, operating expenses, or other information requested by the County.
4. The projected sales price or rental rates, and marketing plan for the affordable units.
5. The location, unit sizes (square feet), and number of bedrooms of the designated affordable dwelling units.
6. Proposed tenure of the use restrictions for designated affordable dwelling units as required by this section and Government Code Section 65915, as may be amended from time to time.
7. A schedule for completion and occupancy of the designated affordable dwelling units, which must be phased in in proportion to the rest of the development.
8. A description of the additional incentives or concessions, if any, being requested, with information supporting the premise that additional incentives or concessions are necessary to make the units affordable and the overall project viable.
9. A description of the additional incentives and concessions being provided by the County, if any.
10. A description of the compliance standards and remedies available to the county should the developer/property owner fail to make or maintain the identified residential units accessible to the intended households for the term specified in the agreement.
11. Other provisions to ensure successful implementation and compliance with this Section and Government Code Section 65915, as may be amended from time to time.
 - a. Minimum Requirements. The agreement shall provide, at a minimum, that:
 - 1) The deeds to the designated affordable dwelling units shall contain a covenant stating that the developer or successors-in-interest shall not assign, lease, rent, sell, sublet, or otherwise transfer any interest for designated low income or affordable dwelling units without the written approval of the County.
 - 2) When providing the written approval, the County shall confirm that the price (rent or sale) of the designated low income or affordable dwelling unit is consistent with the limits established for low and very low income households, as published by HUD.
 - 3) The County shall have the authority to enter into other agreements with the developer, or purchasers of the designated low income or affordable dwelling units, to ensure that the required dwelling units are continuously occupied by eligible households.

- 4) Applicable deed restrictions, in the form satisfactory to the County Counsel, shall contain provisions for the enforcement of owner or developer compliance. Any default or failure to comply may result in the County seeking any and all remedies available by law.
 - 5) In any action taken to enforce compliance with deed restrictions, the County Counsel shall, if compliance is ordered by a court of law, take all action that may be allowed by law to recover all of the County's costs of action including legal services.
 - 6) Compliance with the agreement will be monitored and enforced in compliance with the measures included in the agreement.
 - 7) The designated low income or affordable dwelling units that qualified the housing development for a density bonus and other incentives and concessions shall continue to be available as affordable units in compliance with the requirements of Government Code Section 65915(c).
- b. For-sale housing conditions: In the case of for-sale housing developments, the agreement shall provide for the following conditions governing the initial sale and use of designated low income or affordable dwelling units during the applicable restriction period:
- 1) A requirement that designated affordable dwelling units shall be owner-occupied by eligible households, or by qualified residents in the case of senior housing.
 - 2) Provisions as the County may require ensuring continued compliance with maintaining low income or affordable dwelling units in compliance with this section and State law.
 - 3) Terms for future sales and recapture of any equity to ensure continued affordability of dwelling units for the requisite time period, as prescribed by Government Code Section 65915(c).
- c. Rental Housing Conditions: In the case of rental housing development, the agreement shall provide for the following conditions governing the use of designated low income or affordable dwelling units during the restriction period:
- 1) The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies, and maintaining the designated affordable dwelling units for qualified tenants.
 - 2) Provisions requiring owners to annually verify to the County tenant incomes and maintain books and record to demonstrate compliance with this section.

- 3) Provisions requiring owners to submit an annual report to the County, which includes the name, address, and income of each person occupying the designated affordable dwelling units, and which identifies the number bedrooms in each dwelling and monthly rent or cost of each unit.
- 4) The applicable use restriction shall comply with the time limits for continued availability in compliance with this section and Government Code Section 65915(c), as may be amended from time to time.
- d. Execution of agreement: Following Board of Supervisors approval of the agreement and execution of the agreement by all parties, the completed agreement shall be recorded on the parcels designated for the low income or affordable dwelling units, at the County Recorder’s Office.
- e. The agreement shall be recorded prior to final or parcel map approval, or prior to use permit issuance, or where neither a map nor a use permit are required, prior to issuance of building permits for such properties.
- f. The agreement shall be binding on all future owners, developer and/or successors-in-interest.

SECTION 4

Chapter 17.86 Off-street Parking and Loading Regulations is amended as follows:

Amend subsection (A) "Parking requirements" of section 17.86.140 "Off-street parking standards" to read in its entirety as follows:

17.86.140 - Off-street parking standards.

The following parking schedule applies in all zone districts. The required parking spaces are in addition to company operated vehicles. When computing the required number of off-street parking or loading spaces, a remaining fraction of one-half or more shall be deemed a whole unit of measurement; a remaining fraction of less than one-half will be disregarded.

A. Parking requirements:

Use	Off-street Parking Space Requirements
Accessory dwelling unit	Refer to section 17.88.132
Animal care facility	5 parking spaces per doctor.
Automobile service, including repair, body shop or service station	5 parking spaces exclusive of service bays, pumping areas, or auto storage areas.
Bowling alley	5 parking spaces for each bowling lane, plus 1 parking space for each 200 square feet of gross floor area devoted to accessory uses.
Business or trade school	1 parking space per 3 students, plus 1 space per employee.

Card room	1 parking space for each 2 seats in the play area, plus restaurant and bar parking.
Church, social hall, club, lodge, community center, theater, or other place of public assembly	1 parking space for each 4 seats in the principal seating area, or 1 parking space for every 40 square feet in the principal seating area, whichever is the greater, plus 1 passenger loading space.
Condominiums or townhouses	See "multifamily residences."
Convalescent hospital	1 parking space for each 3 beds.
Day care center	1 parking space for each 10 children, plus 2 other parking spaces, plus 1 passenger loading space.
Large family day care home	In addition to the required residential parking, 1 parking space, plus 1 passenger loading space.
Emergency Shelters	1 space per employee + 1 space per ten beds for persons 16 years and older.
Flea market	1 parking space for each 500 square feet of sales or display area, plus 1 per sales booth.
Golf course	4 parking spaces per hole, plus required parking for accessory uses.
Guest house	1 space in addition to that required for the main residence.
Hotel, motel, boardinghouse, or bed and breakfast guest facility	1 parking space per guest room, plus 1 space per two employees, plus required parking for accessory uses.
Industry	1 parking space for each 1,000 square feet of manufacturing or warehousing area, or per employee, whichever is greater, plus 1 parking space for each 300 square feet of office area, plus 1 parking space for each 250 square feet of retail floor area, if retail sales are allowed.
Medical offices and clinic	1 parking space for each 250 square feet of gross floor area.
Mobile or manufactured home park	2 parking spaces per unit (tandem parking permitted), plus 1 guest parking space for each 4 units, plus 1 recreational vehicle parking space for each 5 units. For mobile or manufactured home parks restricted to seniors only, 1 parking space per unit.
Mortuary	1 parking space for each 4 seats in the principal seating area, plus 3 parking spaces; or 1 parking space for each 45 square feet in the principal seating area, whichever is the greater.
Motel	See "hotel."
Multifamily or group residence, condominiums or townhouses	1.5 parking spaces per unit; plus 1 guest parking space for each 5 units, plus 1 recreational vehicle parking space for each 10 units.* Where such units are restricted to seniors only, or are developed at 20 or more units per acre and at least 20 percent of the units are restricted for affordable housing, 1 space per unit, plus guest and RV parking* as indicated above.

	*Note: On-site RV parking spaces may be waived by the Director where there is an enforceable, binding prohibition against parking RVs on site.
One-family or two-family residence	2 parking spaces per dwelling unit.
Personal services	1 parking space for each 200 square feet of gross floor area.
Professional office, including bank and other financial institution	1 parking space for each 300 square feet of gross floor area.
Research and development	1 parking space per 2 employees.
Residential facility for the elderly	½ parking space per unit, in addition to parking for other types of residences.
Restaurant (standard) or bar	1 parking space for each 250 square feet of gross floor area or 1 space for every 4 seats based upon the capacity of the fixed or movable seating area, whichever is greater.
Restaurant (fast food)	1 parking space for each 50 square feet of gross floor area.
Retail:	
a. Enclosed — general retail	1 parking space for each 200 square feet of gross floor area.
b. Shopping center	1 parking space for each 275 square feet of gross floor area.
c. Enclosed — furniture, large appliance, carpet, piano, auto showroom or similar uses	1 parking space for each 500 square feet of retail floor area.
d. Open lot, including auto, boat, recreation vehicle and mobile home (does not include flea market or similar uses)	1 parking space for each 5000 square feet, not to exceed 5 spaces, plus 1 space for each 2 employees.
School:	
a. Grades K — 8	1 parking space per employee, plus 10 spaces.
b. Grades 9 — 12	1 parking space per 5 students, plus 1 space per 2 employees.
Supportive Housing	Supportive Housing can take the form of a single family or multi-family residential unit(s) and off-street parking shall be required in the same manner applied to the same single or multi-family residential use type in the same zone.
Transitional Housing	Transitional Housing can take the form of a single family or multi-family residential unit(s) and off-street parking shall be required in the same manner applied to the same single or multi-family residential use type in the same zone.
Convalescent hospital	1 parking space for each 3 beds.

SECTION 5

Chapter 17.88 Special Uses is amended as follows:

Amend Article III Other Special Uses as follows:

Amend section 17.88.275 "Emergency shelters" to read in its entirety as follows:

17.88.275 Emergency shelters. Emergency shelters are permitted outright in the Commercial-Light Industrial (CM) district and shall comply with all objective standards identified in Government Code Section 65583 (a) ((4), and the Shasta County Code, that include the following:

1. Off-street parking as provided under Section 17.86 of this Code.
2. Shall not be located closer than three hundred (300) feet of any other emergency shelter, unless such other emergency shelter is located within the same building or on the same lot.
3. There shall be adequate receiving and reception space inside the structure such that prospective and current residents are not required to wait on sidewalks or any other public rights-of-way.
4. A security plan is required for all emergency shelters that identify the security features for the facility such as security cameras, lighting, provided that such light does not cause light or glare on adjacent properties and uses, intake and discharge hours and procedures, and other appropriate security measures.
5. A management plan is required for all emergency shelters to address management experience, good neighbor issues, transportation, client supervision, client services, and food services. Such plan shall be submitted to and approved by the Director prior to establishing the emergency shelter. Minimum standards and practices addressed in the plan shall be as follows:
 - a. The Emergency Shelter shall be operated by or in association with an agency or organization, with prior experience in managing or providing social services.
 - b. The Emergency Shelter shall have an identified administrator and representative to address community concerns.
 - c. The Emergency Shelter shall provide at least one responsible onsite supervisor at all times for every ten residents.
 - d. Residents shall be regularly evaluated by a case manager or other person(s) experienced in emergency shelter placement and/or management.
 - e. The plan shall identify how the shelter will assist its residents with gaining access to social services, employment opportunities and other services.

- f. First aid and CPR assistance, life skills training, counseling, and personal services essential to enable homeless persons to make the transition to permanent housing shall be provided. Services may also include providing meals, as incidental to the operation of an Emergency Shelter.
- g. Referral services shall be provided to assist residents in obtaining permanent housing and income. Such services shall be available at no cost to residents of a shelter.
- h. Emergency Shelters shall be maintained in a safe and clean manner and free from refuse or discarded goods.

SECTION 6

Chapter 17.100 Reasonable Accommodation is amended as follows:

Amend Chapter 17.100 "Reasonable Accommodation" to read in its entirety as follows:

17.100 REASONABLE ACCOMMODATION

Sections:

17.100.010	Purpose
17.100.020	Applicability
17.100.030	Application
17.100.040	Approval authority
17.100.050	Grounds for approving accommodation
17.100.055	Alternative reasonable accommodations
17.100.060	Appeals

17.100.010 Purpose. The purpose of this chapter is to establish reasonable and necessary standards and procedures, pursuant to the Federal Fair Housing Amendments Act of 1988 and California Fair Employment and Housing Act, Gov. Code Section 12901 (the Acts) and following, as they may be amended from time to time, for the County of Shasta to provide people with disabilities reasonable accommodation from the various land use, zoning and building laws, rules, policies, practices and procedures of the County that may be necessary to ensure equal access to housing.

17.100.020 Applicability. In order to make specific housing available to an individual with a disability, a disabled person or their authorized representative may request reasonable accommodation relating to the various land use, zoning, and building laws, rules, policies, practices and procedures of the County. A request may be filed at any time that the accommodation may be necessary to ensure equal access to housing. If the project for which the request is being made also requires some other planning or building permit or approval, then the applicant shall file the request together with the application for such permit or approval.

17.100.030 Application. All requests for reasonable accommodation shall include the following information:

1. Assessor's Parcel Number and physical address of the property for which the request is being made;
2. The current actual use of the property;
3. The code provision, regulation or policy from which accommodation is being requested;
4. The basis for the claim (including documentation) that the individual(s) is considered disabled under the state or federal fair housing acts and why the accommodation is necessary for the individual(s) with the disability to use and enjoy the dwelling;
5. Plans showing the details of the proposed use to be made of the land or building, and any other pertinent supporting documentation as required by the Planning Department.

17.100.040 Approval authority. The Director, or his/her designee, shall have the authority to consider and act on a request for reasonable accommodation. When a request for reasonable accommodation is filed with the County, it will be referred to the Director for review and consideration. The Director shall issue a written decision within thirty (30) days of the date of receipt of a completed application and may (1) approve the accommodation request, (2) approve the accommodation request subject to specified nondiscriminatory conditions, or (3) deny the request. All written decisions shall give notice of the right to appeal and the right to request reasonable accommodation on the appeals process, if necessary. The notice of decision shall be sent to the applicant or any other person requesting notice by certified mail, return receipt requested.

If necessary to reach a determination on the request for reasonable accommodation, the Director or designee may request further information from the applicant consistent with this chapter, specifying what additional information is required. In the event a request for further information is made, the thirty (30) day period to issue a written determination shall be stayed until the applicant responds to the request. Additional information shall not be requested solely as a means to postpone the timeline for a decision. Accommodation approval shall not have any force and effect until the applicant acknowledges receipt thereof and agrees in writing to each and every term and condition thereof.

17.100.050 Grounds for approving accommodation. 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 requested accommodation, will be used by an individual protected under the Acts.
2. Whether the requested accommodation is necessary to make specific housing available to an individual with a disability under the Acts.
3. Whether the requested accommodation would impose an undue financial or administrative burden on the County.

4. Whether the requested accommodation will require a fundamental alteration to the zoning or building laws, policies or procedures of the County.

17.100.055 Alternative reasonable accommodations. When the Director determines that a request for reasonable accommodation would impose an undue financial or administrative burden on the County and/or would require a fundamental alteration to the zoning or building laws, policies or procedures of the County, the Director must engage in an interactive process with the person seeking the accommodation to determine if there is another reasonable accommodation that may provide an equivalent level of benefit.

17.100.060 Appeals. Within thirty (30) days of the date the Director issues a written decision, the applicant requesting the accommodation may appeal an adverse determination or any conditions or limitations imposed in the written determination. Any other interested person not satisfied with the decision of the Director, may file an appeal within seven (7) calendar days of the date on which the decision being appealed was rendered. All appeals shall contain a statement of the grounds for the appeal. Appeals shall be to the Board of Supervisors who shall consider the matter and render a determination as soon as reasonably practicable, but in no event later than sixty (60) days after an appeal has been filed. Following the filing of an appeal, the Board of Supervisors shall hold a public hearing on the matter. All determinations on an appeal shall address and be based upon the same findings required to be made in the original determination from which the appeal is taken.

SECTION 7

The County finds that this ordinance does not itself result in direct or indirect physical changes to the environment or in a significant effect on the environment. Therefore, this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2) (the adoption of the ordinance as proposed will not result in a direct or indirect physical change in the environment). In addition, this ordinance is exempt from CEQA in accordance with CEQA Guidelines section 15061(b)(3) (there is no possibility the adoption of the ordinance as proposed may have a significant effect on the environment). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

SECTION 8

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 9

This ordinance shall take effect and be in full force and effect 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this ___ day of _____, 2018, by the Board of Supervisors, County of Shasta, State of California, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

LES BAUGH, CHAIRMAN
Board of Supervisors
County of Shasta
State of California

ATTEST:
LAWRENCE G. LEES
Clerk of the Board of Supervisors

By: _____
Deputy