



CITY OF CARMEL-BY-THE-SEA PLANNING COMMISSION

Mel Ahlborn, Erin Allen, Stefan Karapetkov, Michael
LePage, Stephanie Locke

All meetings are held in the City Council Chambers
East Side of Monte Verde Street
Between Ocean and 7th Avenues

SPECIAL MEETING Tuesday, February 25, 2025

MEETING 4:00 PM

THIS MEETING WILL BE HELD VIA TELECONFERENCE AND IN PERSON AT CITY HALL. The public is welcome to attend the meeting in person or remotely via Zoom; however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible.

**To attend in person, visit the City Council Chambers at City Hall located on Monte Verde Street between Ocean and Seventh Avenues. To view or listen to the meeting remotely, you may access the YouTube Live Stream at:
<https://www.youtube.com/@CityofCarmelbytheSea/streams>, or use the link below to view or listen to the meeting via Zoom teleconference:**

**[https://ci-carmel-ca-us.zoom.us/j/86111990178?](https://ci-carmel-ca-us.zoom.us/j/86111990178?pwd=qUAKKxK1jkff4xhSSmbL7wTPUMbJJ.1)
[pwd=qUAKKxK1jkff4xhSSmbL7wTPUMbJJ.1](https://ci-carmel-ca-us.zoom.us/j/86111990178?pwd=qUAKKxK1jkff4xhSSmbL7wTPUMbJJ.1). To attend Zoom webinar via telephone, dial +1 (669) 444-9171. Webinar ID: 861 1199 0178. Passcode: 001916.**

HOW TO OFFER PUBLIC COMMENT: Public comments may be given in person at the meeting, or using the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to mwaffle@ci.carmel.ca.us. Comments must be received at least 2 hours before the meeting in order to be provided to the legislative body. Comments received after that time and up to the beginning of the meeting will be made part of the record.

ROLL CALL - CHAMBERS

PUBLIC APPEARANCES - Under the Brown Act, public comments for matters on the agenda must relate to that agenda item, and public comments for matters not on the agenda must relate to the subject matter jurisdiction of this legislative body. Hateful, violent, and threatening speech is impermissible public comment, as it disrupts the conduct of the public meeting. This is a warning that if a member of the public attending this meeting remotely violates the Brown Act by failing to comply with these requirements of the Brown Act meeting, that speaker will then be muted.

Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Appearances. Each person's comments shall be limited to 3 minutes, or as otherwise established by the Chair. Matters not appearing on the agenda will not receive action at this meeting and may be referred to staff. Persons are not required to provide their names, and it is helpful for speakers to state their names so they may be identified in the minutes of the meeting.

ANNOUNCEMENTS

ORDERS OF BUSINESS

1. **Housing Element Implementation Workshop:** The Planning Commission will hold a public workshop to review revisions to the Carmel-by-the-Sea Municipal Code as part of the 6th cycle Housing Element implementation. Revisions include, but are not limited to, removing regulatory barriers to multi-family housing construction. The Commission will discuss permitting, parking, density, incentives, and housing types.

FUTURE AGENDA ITEMS

2. Next Regular Meeting: March 12, 2025

CORRESPONDENCE

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, located on the NE corner of Ocean Avenue and Lincoln Street, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage <http://www.ci.carmel.ca.us> in accordance with applicable legal requirements.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the Planning Commission regarding any item on this agenda, received after the posting of the agenda will be available at City Hall located on Monte Verde Street between Ocean and Seventh Avenues during regular business hours.

SPECIAL NOTICES TO PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).



CITY OF CARMEL-BY-THE-SEA PLANNING COMMISSION Staff Report

February 25, 2025
ORDERS OF BUSINESS

TO: Chair LePage and Planning Commissioners

SUBMITTED BY: Marnie R. Waffle, AICP, Principal Planner

APPROVED BY: Anna Ginette, AICP, Director of Community Planning and Building

SUBJECT: **Housing Element Implementation Workshop:** The Planning Commission will hold a public workshop to review revisions to the Carmel-by-the-Sea Municipal Code as part of the 6th cycle Housing Element implementation. Revisions include, but are not limited to, removing regulatory barriers to multi-family housing construction. The Commission will discuss permitting, parking, density, incentives, and housing types.

Application:

APN:

Block:

Lot:

Location:

Applicant:

Property Owner:

Executive Summary:

The Planning Commission is hosting a public workshop to receive a presentation from city staff on proposed revisions to the Carmel-by-the-Sea Municipal Code as part of the 6th cycle Housing Element implementation. The proposed amendments focus on removing regulatory barriers to the construction of housing. The Commission will discuss permitting, parking, density, incentives, and housing types. This is an opportunity for the Commission and the public to discuss potential amendments and provide feedback. No action will be taken to amend the Carmel Municipal Code at this meeting.

Recommendation:

Receive presentation and public comment. Provide feedback and direction.

Background and Project Description:

California state law requires all cities to adopt a general plan for the physical development of their city (Gov. Code Section 65300). The plan must include certain topics, referred to as elements, one of which is the Housing Element. The Housing Element assesses current and projected housing needs for all economic

segments of the community. It also includes policies for providing adequate housing and action programs to implement those policies. The Housing Element is updated on a schedule set by the State of California Department of Housing and Community Development (HCD). California is now in its 6th housing element update cycle.

On April 8, 2024, the City Council adopted the 6th cycle Housing Element (Attachment 1). The updated Housing Element was found to be in substantial compliance with State law (Gov. Code Section 65580 et seq) by HCD on April 25, 2024 (Attachment 2). To remain compliant, the city must implement the programs outlined in Housing Element Chapter 2, *Goals, Policies, and Programs* (Attachment 3).

The 6th cycle Housing Element includes the following five goals listed below. Each goal has associated policies and implementing programs. All programs have a timeframe in which implementation is to be accomplished.

Goal HE-1 Facilitate Housing Construction

- 4 policies, 20 programs

Goal HE-2 Protect Affordable Housing and Improve the Housing Stock

- 4 policies, 7 programs

Goal HE-3 Provide Opportunities for New Affordable and Other Special Needs Housing

- 3 policies, 15 programs

Goal HE-4 Exemplify Sustainable Development and Energy Conservation

- 1 policy, 2 programs

Goal HE-5 Publicize Housing Needs and Resources

- 2 policies, 5 programs

This workshop focuses primarily on programs, which are discussed in detail below, with a 2024 due date, many of which require amendments to Title 17 Zoning of the Carmel-by-the-Sea Municipal Code (CMC). The purpose of the amendments is to:

- 1) Remove regulatory barriers to the construction of housing,
- 2) Define various housing types, and
- 3) Provide incentives to construct affordable housing.

Future workshops will discuss implementing other programs, such as the accessory dwelling unit ordinance, density bonus ordinance, and objective design and development standards.

Summary of Topics:

Below is a list of Housing Element programs that require a zoning code amendment as an implementing measure with a December 2024 timeframe for completion.

- **Program 1.1.C: Development on Small Sites**
 - o Evaluate the residential parking requirements in the Service Commercial (SC) and Residential & Limited Commercial (RC) zoning districts to help facilitate market-rate housing.
- **Program 1.3.F: Employee Housing**
 - o Add a definition for employee housing that permits employee housing for six or fewer employees to be treated as a single-family structure.
- **Program 1.3.G: Manufactured Homes on a Foundation System**
 - o Add manufactured homes as a permitted use in the R-1 zoning district subject to the same design and development standards to which a conventionally built single-family residential

dwelling on the same lot would be subject.

- **Program 1.3.J: Emergency Shelters**
 - o Define emergency shelters and clearly state they are permitted as a by-right use, requiring no discretionary review in the CC, SC, and RC commercial zoning districts.
- **Program 1.3.K: Forest and Beach Commission Required Findings**
 - o Review and modify the Forest and Beach Commission required findings to ensure they are not an impediment to multi-family development on the basis of base floor area.
- **Program 1.4.A: Eliminate Unnecessary Use Permits**
 - o Eliminate [Use Permit] requirements to remove the constraint to the development of multifamily residential units and licensed residential care facilities of seven or more persons.
- **Program 2.1.A: Incentives for Mixed-Use Development**
 - o Increase the floor area bonuses from 15 to 25 percent for projects that include housing for Moderate, Low, or Very Low-income households (as defined in CMC 17.70).
- **Program 3.1.C: Density Bonus**
 - o Amend the City's Density Bonus provisions to be consistent with recent changes to State Density Bonus Law.
- **Program 3.1.E: Reduced Parking Requirements**
 - o Waive parking in-lieu fees for affordable units,
 - o Clarify program requirements in the Central Commercial (CC) zoning district, and
 - o Reduce parking requirements in the Multi-Family Residential (R-4), Residential & Limited Commercial (RC), and Service Commercial (SC) zoning districts.
- **Program 3.1.G: Establish Minimum Densities and Ministerial Approval Process**
 - o Establish a minimum density of 33 dwelling units per acre as part of the base zoning in the CC, SC, RC, and R4 zoning districts.
 - o Restrict new single-family development in the CC, SC, RC, and R-4 zoning districts.
 - o Modify development standards in the CC, SC, RC, and R-4 zoning districts to ensure the standards support the minimum density.
- **Program 3.3.A: Zoning for Transitional and Supportive Housing**
 - o Add definitions for Transitional and Supportive Housing consistent with state law.
- **Program 3.3.B: Low-Barrier Navigation Centers**
 - o Add a definition for Low Barrier Navigation Center, and
 - o Develop by-right procedures for processing low-barrier navigation centers.
- **Program 3.3.D: Single Room Occupancy (SRO) Units**
 - o Add a definition for single room occupancy unit.

Staff Analysis:

Discussion of Proposed Amendments:

Below is the full text of the programs listed above from Chapter 2, *Goals, Policies, and Programs* of the adopted Housing Element, followed by a discussion of the proposed amendment. The following acronyms are used throughout the discussion:

HCD: Housing and Community Development, State of California Department of

CC: Central Commercial zoning district (the color Red on the zoning map)

SC: Service Commercial zoning district (the color Pink on the zoning map)

RC: Residential & Limited Commercial zoning district (the color Purple on the zoning map)

R-4: Multi-family zoning district (the color Orange on the zoning map)

UP or CUP: Use Permit or Conditional Use Permit

The Zoning Map is included as Attachment 5. You can also view the zoning districts using our online GIS Map:

<https://planningsites.org/CarmelPlanning/>

Program 1.1.C: Development on Small Sites

Small sites can be difficult to develop particularly when development standards don't adequately take into account small lot dimensions. The City will continue to offer incentives and concessions that facilitate development on small sites in the commercial and multi-family districts, including density bonuses that allow for development up to 88 dwelling units/acre. Presently, CMC Section 17.14.060 (Central Commercial (CC) District Regulations Applicable) waives off-street parking entirely for apartments in the CC district. In the Service Commercial (SC) District, the required parking for an affordable housing unit is ½ space per unit and for senior housing it is ¾ space per unit. Senior housing also has a guest parking requirement of 1 space per 4 housing units. The City will further evaluate the residential parking requirements in the Service Commercial (SC) and Residential & Limited Commercial (RC) zoning districts to help facilitate market rate housing. Alternative parking programs such as bike and/or car share, or free or discounted bus passes, will be evaluated to offset reduced parking.

Proposed Amendment: The parking requirement for a "permanent residential use" in the RC and R-4 districts is 1.5 spaces per unit, which is 0.5 spaces higher than in the CC and SC districts.

Affordable housing in the CC, SC, RC, and R-4 already has a reduced parking requirement of 0.5 spaces per unit, while senior housing has a reduced parking rate of 0.3 spaces per dwelling unit plus 1 guest space for every 4 units.

To implement Program 1.1.C, staff proposes that the parking requirement for a permanent residential use in the RC and R-4 districts be reduced to 1 space per unit.

To offset the reduction in parking, alternative parking programs will be researched and presented at a future workshop.

Program 1.3.F: Employee Housing

As stated in Appendix A [of the Housing Element], there are no farmworkers or agricultural employment in Carmel-by-the-Sea. Accordingly, the City has not identified a need for specialized farmworker housing beyond overall programs for housing affordability.

In compliance with Employee Housing Act (Health and Safety Code § 17000 et seq.) Sections 17021.5 and 17021.6, the City of Carmel-by-the-Sea will amend the Municipal Code to include a definition for employee housing that permits employee housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone.

Proposed Amendment: To implement Program 1.3.F, staff proposes adding employee housing as a residential housing type in CMC Chapter 17.68 (Use Classifications) and 17.70 (List of Terms and Definitions) and identify it as a permitted use in the single-family residential district.

Program 1.3.G: Manufactured Homes on a Foundation System

The City currently permits manufactured homes on a foundation system on lots zoned for conventionally built single-family residential dwellings pursuant to state law Government Code 65852.3. Manufactured homes represent an affordable and cost-effective form of housing. The City will amend the Municipal Code to include manufactured homes as a permitted use in the R-1 zoning district subject to the same development standards to which a conventional single-family residential dwelling on the same lot would be

subject.

Proposed Amendment: To implement Program 1.3.G, staff proposes adding manufactured homes on a permanent foundation as a residential housing type in CMC Chapter 17.70 (List of Terms and Definitions) and as a permitted use in Chapter 17.08 (Residential Zoning Districts).

Manufactured homes are not currently prohibited and would remain subject to the residential design guidelines. This amendment clarifies that they are a distinct housing type that is allowed.

Program 1.3.J: Emergency Shelters

In compliance with AB 2339 Statutes of 2022, the City will amend CMC Title 17 to define emergency shelters and clearly state they are a permitted by-right use, requiring no discretionary review in the CC, SC, and RC commercial districts.

Proposed Amendment: An emergency shelter is covered in the City's definition of Community Social Service Facilities (below) and is a by-right permitted use in three commercial zoning districts (CC, SC, and RC). Staff proposes the creation of a stand-alone definition of Emergency Shelters. The State Department of Housing and Community Development defines an Emergency Shelter as *housing with minimal supportive services for people experiencing homelessness and limited to occupancy of six months or less. No individual or household may be denied emergency shelter because of an inability to pay.*

Community Social Service Facilities. Any noncommercial housing facility, such as homeless shelters or emergency shelters, which may also provide meals, showers, and/or laundry facilities. Specialized programs and services related to the needs of the residents may also be provided. This classification excludes transitional housing facilities that provide long-term living accommodations.

Program 1.3.K: Forest and Beach Commission Required Findings

To remove potential constraints to the development of multi-family housing (as defined in CMC Chapters 17.68 and 17.70), the City will review and modify the Forest and Beach Commission required findings to ensure they do not impede multi-family development on the basis of base floor area.

Proposed Amendment: CMC Section 17.48.070 (Findings Required for Significant Trees) prohibits the removal of "significant" trees to facilitate construction or development unless specific findings are met. When removal is related to construction, it must meet one of the following two findings:

1. That removal of the tree is required to protect public health or safety; or
2. That the following four conditions exist:
 - a. The existing site is vacant or is developed to an extent less than one-third of the base floor area allowed by the zoning applicable to the site; and
 - b. The available land area of the site not occupied by significant trees (including land within six feet of the trunk of significant trees) does not adequately and practically provide space for development of at least one-third of the base floor area allowed by the zoning for the site; and
 - c. The issuance of a variance for development in one or more setbacks has been considered and would not provide a remedy or would be inappropriate due to a significant overriding inconsistency with another policy or ordinance of the LCP; and
 - d. Failure to authorize removal of the tree(s) would deprive the owner of all reasonable economic use

of the property.

These findings have been identified as a potential constraint to multi-family housing development. To address the constraint and implement Program 1.3.K, staff recommends that a third finding be included that allows for the removal of a significant tree when removal is needed to facilitate the construction of multi-family housing.

3. That removal of the tree(s) is required to facilitate the construction of multi-family housing.

Program 1.4.A: Eliminate Unnecessary Use Permits

Multi-family and duplex housing units constituted approximately 13 percent of Carmel’s housing stock. The use permit (UP) (or conditional use permit (CUP)) requirement is implemented as an additional regulatory tool and adds extra regulations, review, and required findings, to a variety of development standards that affect multi-family development. Municipal Code Chapter 17.64 - Findings Required for Permits and Approvals, includes a broad list of applicable conditional uses and incentives. There are opportunities to reduce redundancies and facilitate residential construction while still enabling development to meet City regulations. For example, a use permit is required in:

- CMC Section 17.64.190, Residential Construction at Densities Between 33 and 44 Units per Acre;
- CMC Section 17.64.230, Affordable Housing – Residential Construction at Densities Between 45 and 88 Units Per Acre for developments the request a bonus density or a density bonus; and
- CMC Section 17.14.150, Building Height requires a use permit for additional underground floors used for parking vehicles, storage and mechanical equipment. The additional use permit requirement can affect how much parking can be accommodated and limit the number of units.

The City will eliminate [Use Permit] requirements to remove the constraint to the development of multifamily residential units, and licensed residential care facilities of seven or more persons. Additionally, the City will remove subjective language from the required findings for UP and adopt objective findings to promote approval certainty.

Proposed Amendment: To implement Program 1.4.A, staff proposes eliminating the requirement for a Use Permit as outlined in the program. Fewer discretionary land use permits reduce regulatory requirements, making review and approval of projects easier.

Eliminating the use permit requirement for residential construction at densities between 33 and 44 units per acre would not have a significant impact as the findings are already written as objective standards (see Table 1 below). However, the findings for residential construction at densities between 45 and 88 dwelling units per acre include a mix of objective and subjective findings (see Table 2 below). The subjective findings would need to be rewritten in such a way that they are entirely objective. This can be accomplished by developing Objective Design and Development Standards (ODDS) for multi-family projects. Staff released a Request for Proposals in December 2024 to engage a consultant in the development of ODDS. The deadline to submit a proposal has been extended to March 3rd to allow for greater participation by consultants.

Table 1. Findings for residential construction at densities between 33 and 44 dwelling units per acre in the R4 District.

Finding	Type
1. That at least 20 percent of all units on the site will be used as housing for “lower-income households” as defined by the Association of Monterey Bay Area Governments	Objective

(AMBAG); or	
2. That at least 10 percent of all units on the site will be used as housing for “very low-income households” as defined by AMBAG; or	Objective
3. That at least 50 percent of all dwelling units on the site will be used as housing for “senior citizens” as established in California Housing Statutes.	Objective
Affordable housing units produced pursuant to subsection (A) or (B) of this section or CMC 17.14.140(D) shall be administered by a City-approved public or quasi-public agency involved in affordable housing programs, or will be verified by the City based on documentation supplied annually by the property owner, in conformance with State Density Bonus Law.	Objective

Table 2. Findings for residential construction at densities between 33 and 44 dwelling units per acre in the CC, SC, and RC Districts.

Finding	Type
1. In order to facilitate the provision of affordable housing, the City shall grant a density bonus and other incentives and concessions for residential developments in conformance with State Density Bonus Law (Government Code Sections 65915 et seq.) as it may be amended from time to time.	Objective
2. Affordable housing projects produced in accordance with this section shall be in conformity with the Local Coastal Program (including with regard to preservation of community character, tree and urban forest protections, preservation of public views, provision of public recreational access, and open space protections), with the exception of the density provisions.	Subjective
3. Affordable housing projects produced in accordance with this section shall be located in areas with core commercial and/or residential/commercial land use designations.	Objective
Affordable housing units produced pursuant to subsection (A) or (B) of this section or CMC 17.14.140(D) shall be administered by a City-approved public or quasi-public agency involved in affordable housing programs, or will be verified by the City based on documentation supplied annually by the property owner, in conformance with State Density Bonus Law.	Objective

Table. 3 Findings for residential construction at densities between 45 and 88 dwelling units per acre (CC, SC, RC)

Finding	Type
A. That the project consists entirely of affordable housing units for low- and/or very low-income households, as defined in Chapter 17.70 CMC.	Objective
B. That the project, and any zoning exceptions requested, will not be detrimental to adjacent properties or injurious to public health, safety or welfare.	Subjective
C. That the project is consistent with the applicability of provisions found in CMC 17.14.090 and the basic review standard found in CMC 17.14.100 and that new construction represents an improvement over existing conditions.	Subjective
D. That the project will preserve the community character and will be compatible with the streetscape, mass, bulk and height of the surrounding neighborhood context.	Subjective
E. That the affordable housing units will be administered by a City-approved public or quasi-public agency involved in affordable housing programs, or will be verified by the City based on documentation supplied annually by the property owner.	Objective
F. That the project will not diminish the village character by excessively blocking important public or private views and disturbing natural topography, mature trees, or native growth.	Subjective

There are no special findings specific to underground floors.

Program 2.1.A: Incentives for Mixed-Use Development

Providing additional development capacity of any type increases project feasibility. In order to better incentivize affordable residential development, the City will amend the Municipal Code to increase the floor area bonuses from 15 to up to 25 percent for projects that include housing for Moderate, Low or Very-Low-income households. The City will also distribute informational materials promoting the floor area bonus and other applicable incentives.

Proposed Amendment: CMC Section 17.14.140 includes a floor area bonus for affordable housing (up to 15 percent) and courtyards/intra-block walkways (up to 10 percent). The maximum allowed bonus is 15 percent.

Staff proposes increasing the floor area bonus when affordable housing (as defined in CMC 17.70) is provided as follows,

- The floor area bonus for low-income units would increase from 10 percent to 15 percent.
- The floor area bonus for very low-income units would increase from 15 percent to 20 percent.
- The floor area bonus for moderate-income units would remain the same at 5 percent.

Staff also proposes that the amount of affordable housing required to obtain the bonus be adjusted as follows,

- Reducing the percentage of moderate-income units from 25 percent to 10 percent.
- Increase the percentage of very low-income units from 10 percent to 25 percent.

These adjustments incentivize lower-income housing units in exchange for the floor area bonus.

Increasing the floor area bonus would allow development in the CC and SC districts to increase from a maximum of 150 percent floor area ratio to 160 percent. On a 4,000-square-foot lot, this amounts to a 400-square-foot increase in floor area from 6,000 square feet to 6,400 square feet.

The maximum potential floor area ratio in the RC district would increase from 95 percent to 105 percent. On a 4,000-square-foot lot, this amounts to a 400-square-foot increase in floor area from 3,800 square feet to 4,200 square feet.

Program 3.1.C: Density Bonus

Density bonuses can provide a significant incentive to build affordable housing units. By increasing the number of units permitted to be built on a property, the financial investment required to bring the development to fruition has a higher likelihood of a return. Given the high cost of materials, labor and borrowing costs, increasing the number of units can make the housing project financially feasible. The City's Density Bonus provisions must be updated to reflect recent changes to State law.

Pursuant to Government Code Section 65915, the City will amend the City's Density Bonus provisions to be consistent with recent changes to State Density Bonus Law. Additionally, the City will further review and revise local bonus density ordinances to clarify the regulations and increase certainty of applicability.

Proposed Amendment: This item needs further research and will be brought back at a future workshop.

Program 3.1.E: Reduced Parking Requirements

Parking requirements increase costs to residential development and take up valuable space that can be used for housing. The City will continue to offer reduced parking requirements for affordable housing developments. Additionally, the City will waive the parking in-lieu fees for affordable units, clarify the program requirements in the Central Commercial (CC) zoning district, and reduce parking requirements in

the Multi-Family Residential (R-4), Residential & Limited Commercial (RC), and Service Commercial (SC) zoning districts.

Proposed Amendment: The current parking requirement for affordable housing is 0.5 spaces per unit. This requirement is proposed to remain unchanged.

Staff proposes revising the language regarding parking in-lieu fees to exclude affordable housing from payment of in-lieu fees in the CC District, where on-site parking is not permitted.

In the SC, RC, and R-4 Districts, an affordable housing project would have to provide on-site parking, albeit at a reduced ratio of 0.5 spaces per unit.

The in-lieu fee would be applicable for market-rate housing if parking were not provided on-site, including in the CC district. To further incentivize housing, the city could consider waiving the in-lieu fee for all residential units regardless of income level.

The in-lieu fee is only required when a net increase in required parking is associated with a project.

As discussed above in Program 1.1.C, staff proposes that the parking requirement in the RC and R-4 Districts be reduced from 1.5 spaces per unit to 1 space per unit. Table 4 below summarizes the proposed changes to the parking requirements.

Table 4. Parking Requirements

Housing Type	Existing			Proposed		
	CC	SC	RC, R-4	CC	SC	RC, R-4
Permanent Residential Unit	Prohibited: Pay in-lieu fee	1	1.5	Prohibited: Pay in-lieu fee	1	1
Apartment	None Required	1	1.5	None Required	1	1
Affordable Residential Unit	Prohibited	0.5	0.5	Prohibited: Waive in-lieu fee	0.5	0.5
Senior Residential Unit	Prohibited	0.3	.03	Prohibited: Waive in-lieu fee	0.3	0.3

Program 3.1.G: Establish Minimum Densities and Ministerial Approval Process

Establishing a minimum density can be utilized as a tool to ensure the limited available land in a City is used in an efficient manner and lower densities are avoided. The City's intention for establishing a minimum density in the Commercial and Multi-Family Residential Districts is rooted in enabling the development of more dense housing in the City. Currently, the Commercial District (SC, RC, and CC) permits residential densities of 0-22 dwelling units per acre and the Multi-Family Residential District (R-4) permits a maximum of 33 dwelling units per acre. Effectively, establishing a minimum density in these districts will result in higher yields of residential units. Recent residential development in the City's Commercial District have ranged in densities from 22-33 dwelling units per acre.

The City will revise the Municipal Code for commercial districts (RC, SC, and CC) and the multifamily residential (R-4) district to establish a minimum density of 33 dwelling units per acre, as part of the base zoning. Additionally, the City will restrict new single-family development in the R-4, CC, RC, and SC Districts. Existing single-family dwellings in these districts will be considered legal nonconforming uses.

In addition, and in compliance with Government Code 65583.2(h)(i), sites identified in the site inventory to accommodate the lower-income RHNA category, are subject to by-right development, requiring no

discretionary review. By-right means a jurisdiction shall not require:

- Conditional Use Permit;
- Planned Unit Development Permit;
- Design review, other than Objective Development Design Standards; or
- Other discretionary, local government review or approval that would constitute a “project” as defined in Section 2100 [sic] of the Public Resources Code (California Environmental Quality Act “CEQA”)

The City is committed to modifying development standards in the commercial and multi-family districts to ensure the standards support the minimum density and do not function as a constraint to meeting the minimum density, as necessary.

Proposed Amendment: This amendment would establish a minimum density threshold of 33 dwelling units per acre in the CC, SC, RC, and R-4 districts. Objective design standards are currently underway through the RFP process.

Staff proposes that the findings to allow for a single-family dwelling in the SC and RC be eliminated (CMC Section 17.64.230) and that new single-family dwellings be prohibited. This would cause any existing single-family dwelling in the SC and RC districts to become legal nonconforming. A lawful nonconforming structure can be maintained, repaired, or altered so long as the nonconformity is not increased. Alterations, repairs, or remodeling that enlarge, extend, or increase a nonconforming feature of a building would be prohibited. The intent is to encourage redevelopment at a higher density to increase the city’s housing stock.

Program 3.3.A: Zoning for Transitional and Supportive Housing

Senate Bill (SB) 2 (2007) revised Housing Element law requiring that transitional and supportive housing be permitted as a residential use, subject only to restrictions that apply to other residential dwellings of the same type in the same zone. In compliance with SB 2, the City will continue to allow transitional/supportive housing as a residential use. The City’s Municipal Code permits transitional and supportive housing by-right in all districts that permit residential uses including the CC, SC, RC, and R-4 Districts, regardless of the number of persons the facility.

Proposed Amendment: Staff proposes adding definitions for supportive and transitional housing. The definitions provided by HCD are as follows:

Supportive Housing. Supportive housing means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the tenant in retaining the housing; improving his or her health; and maximizing his or her ability to live, and, when possible, work in the community.

Transitional Housing. Transitional housing means any housing configured as a rental housing development, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Program 3.3.B: Low-Barrier Navigation Centers

Assembly Bill (AB) 101 (2019) provides a pathway to permanent housing for people experiencing homelessness. A “Low Barrier Navigation Center” is a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing. The shelter provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. In order to comply with state law, the City will amend the Municipal Code to include the definition for “Low Barrier Navigation Center” and will develop By Right procedures for processing low

barrier navigation centers.

Proposed Amendment: Staff proposes adding a definition of a low-barrier navigation center and allowing it by-right in the same zoning districts as emergency shelters. Operational standards can also be developed so long as they are objective. Government Code Section 65660 defines a low-barrier navigation center as follows:

A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. A Low Barrier Navigation Center may be non-congregate and relocatable. "Low Barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

(1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.

(2) Pets.

(3) The storage of possessions.

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

Local examples include Shuman HeartHouse in Monterey, Casa de Nocha Buena in Seaside, and SHARE Center in Salinas.

Program 3.3.D: Single Room Occupancy (SRO) Units

The Carmel Municipal Code will be amended to permit single-room occupancy units as a residential use subject only to those regulations that apply to other residential dwellings of the same type in the same zone. As such, City staff will complete the following schedule of actions to amend the Municipal Code:

- Draft a definition for "single room occupancy unit" to add to the zoning ordinance consistent with the Government Code (November 2024)
- Propose the zoning change amendment to the City Council for approval (December 2024)

Proposed Amendment: A Single Room Occupancy (SRO) unit is a type of affordable housing typically consisting of a single, small private room intended for one occupant. SRO units may share common facilities such as bathrooms, kitchens, or lounges. They are often found in older hotels, rooming houses, or purpose-built residences and serve as an important housing option for low-income individuals, students, and people transitioning out of homelessness.

To implement Program 3.3.D, staff proposes adding single-room occupancy units as a residential housing type in Chapter 17.68 (Use Classifications) and 17.70 (List of Terms and Definitions) and a permitted use in the commercial and multi-family districts.

Next Steps:

Subsequent workshops will be scheduled with the Planning Commission as needed. Formal approval of the amendments will be in the form of an ordinance. A draft ordinance requires a recommendation from the Planning Commission to the City Council at a public hearing. The City Council will hold two public hearings, referred to as a first reading of the draft ordinance and a second reading before adoption. Once adopted, the ordinance will be submitted to the California Coastal Commission as a Local Coastal Program (LCP)

amendment.

Other Project Components:

N/A

Attachment 1 - City Council Resolution 2024-029

Attachment 2 - HCD Certification Letter dated April 25, 2024

Attachment 3 - Housing Element Chapter 2 Goals, Policies, and Programs

Attachment 4 - Zoning Map

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2024-029

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA,
ADOPTING A GENERAL PLAN AMENDMENT TO REPEAL THE 2015-2023 HOUSING
ELEMENT AND ADOPT THE 2023-2031 HOUSING ELEMENT OF THE GENERAL PLAN IN
COMPLIANCE WITH STATE HOUSING ELEMENT LAW**

WHEREAS, the California Legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives” (Government Code Section 65589.5.); and

WHEREAS, the Legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration” (Government Code Section 65589.5.); and

WHEREAS, the Legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that “In 2018, California ranked 49th out of the 50 states in housing units per capita... California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years;” and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Carmel-by-the-Sea regional housing need allocation (RHNA) of 349 housing units, comprised of 113 very-low income units, 74 low-income units, 44 moderate-income units, and 118 above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, the City of Carmel-by-the-Sea has prepared the 6th cycle 2023-2031 Housing Element in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the City’s RHNA; and

WHEREAS, as provided in Government Code Section 65350 et. seq., adoption of the Housing Element constitutes a General Plan Amendment; and

WHEREAS, as provided in Government Code sections 65352 – 65352.5 the City of Carmel-by-the-Sea mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and to other entities listed; and

WHEREAS, one California Native American Tribe requested consultation and were provided with information, including documents, website resources, and notification of public meetings. No further requests were received from the Tribe; and

WHEREAS, the preparation, adoption, and implementation of the Housing Element requires a diligent effort to include all economic segments of the community; and

WHEREAS, the City of Carmel-by-the-Sea conducted extensive community outreach over the last 17 months including five Housing Ad Hoc Committee workshops, five City Council meetings; one Joint Planning Commission and City Council meeting; one Planning Commission adoption recommendation hearing, and one City Council adoption hearing; and

WHEREAS, in accordance with Government Code Section 65585 (b), on June 5, 2023, the City of Carmel-by-the-Sea posted the draft Housing Element and requested public comment for a 30-day review period from June 5 to July 6, 2023; and

WHEREAS, on August 3, 2023, after responding to public comments, the City of Carmel-by-the-Sea submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on September 15, 2023, HCD contacted the City of Carmel-by-the-Sea to discuss the adequacy of the draft Housing Element, and based upon this, the City of Carmel-by-the-Sea revised the draft Housing Element to include additional information and data; and

WHEREAS, on November 1, 2023, the City of Carmel-by-the-Sea received a letter from HCD providing its findings regarding the draft Housing Element; and

WHEREAS, on January 16, 2024, the City of Carmel-by-the-Sea posted a revised draft Housing Element responding to HCD's findings for a 7-day public review and comment period from January 16 to January 23, 2024; and

WHEREAS, on January 24, 2024, after responding to public comments, the City of Carmel-by-the-Sea re-submitted the draft Housing Element to the HCD for its review; and

WHEREAS, on February 6, 2024, HCD contacted the City of Carmel-by-the-Sea to discuss the adequacy of the draft Housing Element, and based upon this, City of Carmel-by-the-Sea staff revised the draft Housing Element to include additional information and data; and

WHEREAS, on March 1, 2024, the City of Carmel-by-the-Sea posted a revised draft Housing Element responding to HCD's findings for a 7-day public review and comment period from March 1, 2024 to March 7, 2024; and

WHEREAS, on March 8, 2024, after responding to public comments, the City of Carmel-by-the-Sea re-submitted the draft Housing Element to HCD for its review; and

WHEREAS, on March 20, 2024, the City of Carmel-by-the-Sea received a letter from HCD providing its findings regarding the draft Housing Element; and

WHEREAS, on March 26, 2024, the City of Carmel-by-the-Sea posted a revised draft Housing Element responding to HCD's findings for a 7-day public review and comment period from March 27, 2024 to April 2, 2024; and

WHEREAS, on April 4, 2024, after responding to public comments, the City of Carmel-by-the-Sea re-submitted the draft Housing Element to HCD for its review; and

WHEREAS, on April 5, 2024, the City of Carmel-by-the-Sea received a letter from HCD stating that the draft Housing Element is in substantial compliance with State Housing Element Law, and will comply with State Housing Element Law when it is adopted; and

WHEREAS, on April 8, 2024, the Planning Commission conducted a duly and properly noticed public hearing to take public testimony and consider the proposed Housing Element, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments; and

WHEREAS, on April 8, 2024, the Planning Commission adopted Resolution 2024-025-PC recommending that the City Council adopt the Housing Element; and

WHEREAS, on April 8, 2024, the City Council conducted a duly and properly noticed public hearing to take public testimony and consider this Resolution regarding the proposed Housing Element, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report, and all attachments, and oral and written public comments.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds that, based on substantial evidence in the record:

1. The foregoing recitals are true and correct and are incorporated by reference into this action.
2. The Housing Element substantially complies with Housing Element Law, as provided in Government Code 65580 et seq., and contains all provisions required by State Housing Element Law.
3. Based on substantial evidence in the record, the existing parking lots on the City-owned non-vacant sites identified to accommodate the RHNA will be incorporated into a future housing project resulting in no net loss of public parking and therefore do not constitute an impediment to planned residential development on the site during the planning period.
4. As required by Government Code Section 65585(e), the City Council has considered the findings made by the Department of Housing and Community Development included in

the Department's letter to the City dated November 1, 2023, and March 20, 2024, consistent with Government Code Section 65585(f), the City Council has changed the Housing Element in response to the findings of the Department to substantially comply with the requirements of State Housing Element Law as interpreted by HCD.

5. The 2015-2023 Carmel-by-the-Sea Housing Element is hereby repealed in its entirety, and the 2023-2031 Carmel-by-the-Sea Housing Element, as shown in **Exhibit A** to this Resolution, incorporated herein, is adopted.
6. This Resolution shall become effective upon adoption by the City Council.
7. The Community Planning & Building Director or designee is hereby directed to file all necessary material with the Department of Housing and Community Development for the Department to find that the Housing Element is in conformance with State Housing Element Law and is further directed and authorized to make all non-substantive changes to the Housing Element to make it internally consistent or to address any non-substantive changes or amendments requested by the Department to achieve certification.
8. The Community Planning & Building Director or designee is hereby directed to distribute copies of the Housing Element in the manner provided in Government Code Sections 65357 and 65589.7.

BE IT FURTHER RESOLVED that the City Council hereby approves the 2023-2031 Housing Element in its revised form, which HCD has found to be substantially compliant.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
this 8th day of April, 2024, by the following vote:**

AYES: Councilmembers Baron, Ferlito, Richards, and Mayor Potter

NOES: Councilmember Dramov

ABSENT: None

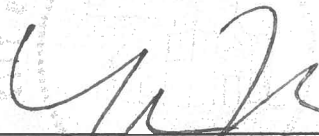
ABSTAIN: None

APPROVED:



Dave Potter, Mayor

ATTEST:



Nova Romero MMC, City Clerk

Exhibit A: 2023-2031 Carmel-by-the-Sea Housing Element

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



April 25, 2024

Brandon Swanson, Director
Community Planning and Building Department
City of Carmel
P.O. Box CC
Carmel-by-the-Sea, CA 93921

Dear Brandon Swanson:

RE: City of Carmel's 6th Cycle (2023-2031) Adopted Housing Element

Thank you for submitting the City of Carmel's (City) housing element that was adopted April 8, 2024, and received for review on April 11, 2024. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review.

HCD is pleased to find the adopted housing element in substantial compliance with State Housing Element Law (Gov. Code, § 65580 et seq) as of the date of this letter. The adopted element was found to be substantially the same as the revised draft element that HCD's April 5, 2024 review determined met statutory requirements.

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- Program 1.1.B (City-Owned Sites)
- Program 1.1.C (Development on Small Sites)
- Program 1.1.D (Allow Religious Institution Affiliated Housing Development)
- Program 1.2.A (Water Distribution Prioritization for Affordable Housing)
- Program 1.2.B (Address Infrastructure Constraints)
- Program 1.3.B (Overnight Visitor Accommodation Development Transfer Rights)
- Program 1.3.C (Accessory Dwelling Units)
- Program 1.3.D (Overnight Visitor Accommodation – Employee Housing Program)
- Program 1.3.E (Amend the A-2 Zoning District)
- Program 1.3.I (Implement State Law SB 10 Opportunities)
- Program 1.4.A (Eliminate Unnecessary Use Permits)
- Program 1.4.B (Objective Design and Development Standards)
- Program 3.1.F (Expedited Processing Procedures)
- Program 3.1.G (Establish Minimum Densities and Ministerial Approval Process)
- Program 3.2.B (Housing Mobility)

The City must monitor and report on the results of these and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City now meets housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the cooperation and effort the City's housing element team provided throughout the course of the housing element review. HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If you have any questions or need additional technical assistance, please contact Jose Ayala, of our staff, at jose.ayala@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

2.0

Goals, Policies, and Programs

2.1 Introduction

The City is responsible for enabling the production of housing by reducing regulatory barriers, providing incentives, and supporting programs that create or preserve housing, especially for vulnerable populations. To enable the construction of quality housing, the City has identified the following goals:

- Goal HE-1 Facilitate Housing Construction
- Goal HE-2 Protect Affordable Housing and Improve the Housing Stock
- Goal HE-3 Provide Opportunities for New Affordable and Other Special Needs Housing
- Goal HE-4 Exemplify Sustainable Development and Energy Conservation
- Goal HE-5 Publicize Housing Needs and Resources

The City's demographic and housing needs assessment, including contributing factors to housing disparities, formed an integral part of program development. Highlights include: the predominant age group in 2019 was between 65 to 74 years of age; the population was comprised of over 85 percent White individuals; the unemployment rate was 0.1 percent; above-moderate households made up the majority of households at 62 percent; and 57 percent of total households were owner occupied and 43 percent renter occupied. Of note, 23 percent of household are cost burdened and 23 percent are severely cost burdened. Detailed information is provided in Appendix A.

Additionally, the majority of the sites identified in the Site Inventory were not identified in the 5th Cycle Housing Element. The Policies and Programs below are intended to reduce the regulatory barriers to redevelop of these sites and to demonstrate the City is taking measures to ensure construction of more units, in the 6th cycle.

2.2 What's New

This section provides an overview of significant new policy and program directions being taken by the City of Carmel-by-the-Sea to address housing issues in the community and the larger Monterey Bay Area.

Affirmatively Furthering Fair Housing

The new policy direction that the City will undergo during the 6th Cycle Housing Element Update involves addressing historic economic and racial segregation patterns. In 2018, the California Legislature established an independent state mandate to affirmatively further fair housing (AFFH). Affirmatively furthering fair housing is defined specifically as taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity by replacing segregated living patterns with truly integrated and balanced living patterns; transforming racially and ethnically concentrated areas of poverty into areas of opportunity; and fostering and maintaining compliance with civil rights and fair housing laws.

Contributing Factors

The following contributing factors that impact fair housing and affirmatively furthering fair housing (AFFH) within the City were identified and prioritized as follows:

High Priority

- Lack of affordable housing;
- Lack of adequate housing stock that meets the needs of residents;
- Jobs-worker imbalance;
- Lack of accessible units for individuals with disabilities;
- Lack of Transitional and Supportive Housing/Emergency Shelters;
- There is a lack of developable land, and the City is subject to additional coastal zone regulations;
- Lack of racial and ethnic diversity within the City; and
- Cost of land, materials, and labor which limit profitability of affordable housing.

Medium Priority

- Lack of access to information about fair housing rights; and
- Limited knowledge of fair housing by residents.

More detailed AFFH information is located in Appendix A. The City of Carmel-by-the-Sea is adopting new policies and programs through the update of this 6th Cycle Housing Element, to align with the state's new AFFH mandate. Policies and programs that support this alignment are identified with the letters "AFFH."

2.3 Program Overview and Quantified Objectives

Quantified Objectives estimate the number of units likely to be constructed, rehabilitated, or conserved/preserved by income level during the planning period. The Quantified Objectives do not represent a ceiling on development, but rather set a target goal for the jurisdiction to achieve, based on needs, resources, and constraints. These objectives will focus communication between the City and HCD with future Annual Progress Reports (APRs). HCD does not require that all objectives must be met, rather, it is a goal that enables objective assessments about program effectiveness so the City can make informed determinations to continue, modify, or delete programs with the next Housing Element update Cycle. [Table 2-1, Quantified Objectives](#), provides an estimate of the number of units likely to be constructed, rehabilitated or conserved/preserved in Carmel-by-the-Sea in the 6th Cycle.

Table 2-1 Quantified Objectives Summary

Income Category	New Construction	Rehabilitation*	Conservation/ Preservation**
Extremely Low	61	-	-
Very Low	60	5	-
Low	93	5	50
Moderate	61	6	-
Above Moderate	135	400	-
Total	410	416	50

SOURCE: City of Carmel-by-the-Sea 2023

NOTES: *The City has approximately 3,800 residential units, 60 (or about one percent) of which are affordable units. Each year the City processes approximately 100 building permits for remodels, additions, and other construction, which rehabilitates the existing housing stock. For the lower-income categories rehabilitation goals, the City assumes that one percent of the total permits processed will be for affordable units. Under these assumptions, the City would rehabilitate two units of affordable housing a year or approximately 16 units throughout the 2023-2031 planning cycle. This represents approximately 30 percent of the City's existing affordable housing inventory.

**The City has no units at risk of converting to market rate during this planning cycle.

2.4 Goals, Policies and Programs

Community input has been and continues to be an integral part of the development of policies and programs for the 6th Cycle Housing Element. The purpose of this section is to set forth goals, policies, and programs to further the development of housing for all income levels in the community. The Implementation Programs listed below provide a workplan for programs to ensure timely implementation and tracking. The following programs are will be implemented city-wide, unless otherwise specified below.

GOAL H1 FACILITATE HOUSING CONSTRUCTION

Policy 1.1: Ensure adequate sites are available to meet the City's projected housing growth needs.

"... The land as it exists now, the way it's zoned, could support the 349 units, plus the buffer. So, the question then is how do we get people excited about developing some of those units?"

That's where these programs and processes come into play and that's why we need to amend the Municipal Code, to codify those things..."

May 24, 2023 Housing Ad Hoc

Program 1.1.A: Adequate Sites

The City has a RHNA or growth need of 113 units affordable to Extremely Low- and Very Low-Income households. The City's General Plan and Municipal Code provide for housing types at appropriate densities to accommodate the RHNA. The City will encourage and facilitate the development of new units consistent with the RHNA by continuing to work with housing providers such as the Carmel Foundation and will actively find new organizations to partner with. The City also offers incentives and concessions outlined in Programs listed below.

The Planning Division shall annually evaluate and report to the City Council on the City's progress in meeting its Housing Element objectives, as well as remain in compliance with the no-net loss requirements of Government Code Section 65863.

Quantified Objective: 61 Extremely Low, 60 Very Low, 93 Low, 61 Moderate and 135 Above Moderate-Income housing units

Timeframe: Maintain adequate sites to meet RHNA through June 2031

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-3.1.a: Adequate Sites)

Program 1.1.B: City-Owned Sites - AFFH

The City plans to pursue three (3) sites (#1, #2, and #3 in the Sites Inventory) over the next five years for the potential development of 149 total units over the three sites (124 affordable to lower-income households and 25 for moderate-income households). These sites would remain in City ownership and are anticipated to be made available for development through long-term leases. These sites are locations for affordable housing that would advance the City's goal of providing diverse housing types, including senior housing. Projects undertaken throughout the 2023-2031 Housing Element planning period will be processed in accordance with the requirements of the Surplus Land Act and all other applicable State laws. Please note there are no State-owned or Federally-owned sites within Carmel-by-the-Sea.

The City will assess the appropriateness of and consider implementing the following: outreach opportunities with housing developers, requests for proposals, development incentives, fee waivers, priority process, and financial assistance (when available) to facilitate and incentivize developers to develop housing units on City-owned sites.

The City has an existing long-term lease with the Carmel Foundation, which manages 50 affordable apartment units for seniors (55+). The lease has benefitted the community, and the City would like to expand the number of affordable housing in the City through the use of the three identified sites. Specific planned actions by the City include the establishment of development standards (for the Sunset Center sites, specifically), development of a project description, publication of an RFP, selection of a development partner, entering into an Exclusive Negotiation Agreement, processing land use entitlements and development agreements, building permit issuance, and construction. Council approval is required and public participation will take place for each step in this process.

Specific actions the City is committed to:

- Establish and implement development standards for Sunset Center (Sites #1 and #2) by December 2025;
- Develop project description and establish an RFP process and solicit developers by December 2025;
- Target Exclusive Negotiating Agreement by December 2026; and
- Target land use entitlements issuance by December 2028.

If by December 2026, the City has not established the necessary developer agreements, the City will pursue the following alternative actions to enable the development of the sites for affordable housing:

- Increase outreach efforts with non-profit affordable housing developers beginning January 2027;
- Re-issue RFP and solicit developers by December 2027;
- Identify additional/alternative sites;

- Pursue funding opportunities such as Permanent Local Housing Allocation (PLHA), Multifamily Super NOFA, IIG Small Jurisdictions, CDBG Funds, and HOME Investment Partnerships to assist with entitlement and building permit fees (ongoing); and
- Develop incentives for developers, including 60-day approval timeline; clear development standards; full cooperation with City staff and elected and appointed officials; accelerated approval process; waiving parking standards for multi-family development.

The length of time it takes to gain entitlement approvals can drastically impact the financial feasibility of development projects. The developer incentives outlined above are intended to shorten the period of time between submittal of entitlement applications and issuance of occupancy, in order to enable the development of multi-family residential units.

Quantified Objective: 39 Extremely Low, 39 Very Low, 46 Low, 25 Moderate Income units
Timeframe: Complete investigations and potential partnerships by December 2026; Pursue alternative actions by August 2027
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
 (Formerly 3-3.1.b: Surplus Sites)

Program 1.1.C: Development on Small Sites

Small sites can be difficult to develop particularly when development standards don't adequately take into account small lot dimensions. The City will continue to offer incentives and concessions that facilitate development on small sites in the commercial and multi-family districts, including density bonuses that allow for development up to 88 du/ac. Presently, Carmel Municipal Code Section 17.14.060 (Central Commercial (CC) District Regulations Applicable) waives off-street parking entirely for apartments in the CC district. In the Service Commercial (SC) District, the required parking for an affordable housing unit is ½ space per unit and for senior housing it is ⅓ space per unit. Senior housing also has a guest parking requirement of 1 space per 4 housing units. The City will further evaluate the residential parking requirements in the Service Commercial (SC) and Residential & Limited Commercial (RC) zoning districts to help facilitate market rate housing. Alternative parking programs such as bike and/or car share, or free or discounted bus passes, will be evaluated to offset reduced parking.

Quantified Objective: 35 Very Low-Income units with reduced parking
Timeframe: Complete evaluations by December 2024
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
 (Formerly 3-3.1.c: Development on Small Sites)

Program 1.1.D: Allow Religious Institution Affiliated Housing Development

In 2020, the California legislature passed Assembly Bill (AB) 1851 and AB 2244 in 2022, which encourage the use of religious facility sites (including parking lots) for housing developments and prohibit jurisdictions from requiring replacement parking when used for qualified development. State law defines “religious institution affiliated housing” as housing that is on religious institution property and is eligible for a State density bonus, meaning it has elements of affordability.

Consistent with AB 1851 and AB 2244, the City will amend the Zoning Ordinance to allow religious institution-affiliated housing development projects by-right as an accessory use to a permitted religious institution use, allow these uses at densities up to 33 dwelling units per acre, and update the parking requirements consistent with State law. The City commits to modifying standards and make making other modifications as needed to achieve the maximum allowed densities.

If no application for housing on a religious institution/faith-based site is received by December 2025, the City will expand outreach efforts to be conducted annually. This may include direct mailings to faith-based sites highlighting current successful affordable housing units on other faith-based sites, as well as available City grants and loans for such housing and human services endeavors.

Quantified Objective: 1 Extremely Low, 1 Very Low, 1 Low, 3 Moderate, and 3 Above Moderate Income units

Timeframe: Amend the Zoning Ordinance by December 2026; Annual Outreach

Responsible Party: Community Planning & Building Department Funding

Funding Source: General Fund

(NEW)

Program 1.1.E: City Partnership with the Carmel Foundation to Develop Affordable Housing

To ensure the City is able to meet its RHNA, the City is committed to working with the Carmel Foundation to enable the development of 21 lower-income residential units (identified as Site #8 in Appendix C). The City will meet annually with the Carmel Foundation to identify funding sources to support redevelopment of the site with affordable residential units; provide guidance on the housing needs of the community to construct housing types/units that meet the need; and support the Foundation’s efforts to serve Carmel-by-the-Sea community members.

If at mid-cycle the necessary land entitlements and building permits are not completed, the City will reallocate the anticipated 21 lower-income units for Site #8 by utilizing City-owned sites or another available public or private site to construct the residential units to accommodate the RHNA. The City is committed to the following actions:

- Distributing the 21 lower-income units on City-owned sites including but not limited to Sunset Center Sites #1 and #2, Vista Lobos Sites #3, or another available public or private site by June 2028; and
- Conducting outreach to non-profit developers and identifying funding sources such as, CDBG, HOME, PLHA, and the Housing Trust Fund to support the development of affordable residential units (ongoing; beginning with the City's partnership with the Carmel Foundation).

Quantified Objective: 11 Very Low-Income units and 10 Low-Income units

Timeframe: Review Site #8 development status by December 2027; Implement alternative measures by June 2028

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly 3-3.1.c: Development on Small Sites)

Policy 1.2: Continue to monitor and work cooperatively with regional agencies to augment infrastructure in a manner that provides adequate capacity for existing and new housing needs while preserving and improving the unique visual character of the City.

Program 1.2.A: Water Distribution Prioritization for Affordable Housing – AFFH

Perhaps the greatest constraint to housing production in Carmel-by-the-Sea is the lack of water. The City's Regional Housing Needs Allocation (RHNA) of 349 units for the 2023-2031 planning period is estimated to require approximately 40 acre feet of water.

Potable water is a fundamental infrastructure need for housing and is a limited resource in Carmel-by-the-Sea. Water is regulated by the State Water Resources Control Board (SWRCB) and the Monterey Peninsula Water Management District (MPWMD). Few developed sites have available water credits sufficient to accommodate construction of additional residential units, and the City's own water allocation is quite limited. Further, due to the current State imposed cease-and-desist order in Carmel, California American Water (Cal-Am) is not permitted to set new water meters at this time. In an effort to address water constraints, the City will:

- Support efforts by the MPWMD to expand the water supply with new water sources that will support affordable housing development (December 2027).
- Work cooperatively with MPWMD to implement water conservation methods through the building permit process (e.g., low-flow fixtures, instant hot water heaters, cisterns/rain gardens) to augment water for new development projects. The City has received many building permit applications for remodels and refurbishments of older homes, which would result in water conservation implementation, and is supportive of new water supplies. The City and MPWMD will measure the amount of water conserved on an annual and ongoing basis.

- Work cooperatively with MPWMD to establish a procedure to prioritize water allocation for housing developments that include affordable units for lower-income households (December 2026). From its own modest water allocation of approximately 1.6 acre-feet, the City will grant water allocation priority to those projects that assist the City in meeting its share of the regional housing need for lower- and moderate-income households. A City policy to clearly reflect water allocation priority and incentives for Extremely Low, Very Low, Low and Moderate-Income households will be adopted (December 2026).

Quantified Objective: Prioritize 193 affordable units for water
Timeframe: Adopt policy by June 2025
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
(Formerly Program 3-3.2: Address Infrastructure Constraints)

Program 1.2.B: Address Infrastructure Constraints

Ensuring the City's infrastructure is modernized and can accommodate future growth is a critical charge of local governments. Much of the City's infrastructure is nearing the end of its lifecycle and crafting Capital Improvement Programs that effectively manage infrastructure is imperative. Additionally, the City experienced significant power outages during the 2022-2023 winter season that negatively impacted the City at large. The City's Public Works Department continues to improve City infrastructure including road maintenance and storm drains, through the City's 5-Year Capital Improvement Plan process. The City will continue to work cooperatively with outside agencies, including the Pacific Gas and Electric Company (PG&E), the Carmel Area Wastewater District (CAWD), and California American Water (Cal-AM), to continue to maintain and upgrade the City's infrastructure.

The City of Carmel proposes the following actions and timeline to address infrastructure constraints during the 6th Cycle:

- The City of Carmel will collaborate with and support the undergrounding of electrical wires by PG&E in an effort to provide consistent power. The City is working with PG&E to develop an undergrounding plan estimated to be complete within 10-15 years for a small portion of the City, with the remainder of the City's electrical wires anticipated to be undergrounded in the next 20-30 years.
 - **Quantified Objective: Underground a small portion of the electrical wires by December 2034, and work with PG&E to underground the remainder over the next 20-30 years.**
- The City will implement drainage and street improvements, including ADA ramps and sidewalk slope improvements through the Capital Improvement Process.

- **Quantified Objective:** The City will invest \$2.065 million in drainage improvements and \$6.7 million in street improvements by December 2026.

Timeframe: City's 5-Year Capital Improvement Process through June 2031
Responsible Party: Public Works Department
Funding Source: General Fund
 (Formerly Program 3-3.2: Address Infrastructure Constraints)

Policy 1.3: Reduce or eliminate governmental constraints on the provision of affordable housing. Direct public funding resources to the conservation of existing housing units in neighborhoods where continued residential use is appropriate.

Program 1.3.A: Condominium Conversions - AFFH

The City will continue to implement the condominium conversion ordinance, which restricts the conversion of apartments to condominiums to preserve the lower-cost rental housing options (i.e., apartments) within the City. Apartments cannot be converted to condominiums unless a new apartment is being created to offset the conversion.

Quantified Objective: Preserve rental units
Timeframe: Continued ordinance implementation through June 2031
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
 (Formerly Program 3-5.3.a: Condominium Conversions)

Program 1.3.B: Overnight Visitor Accommodation (Conversion) Development Transfer Rights - AFFH

Pursuant to Coastal Zone requirements, the City has recognized existing overnight visitor accommodations (hotels/motels, inns, bed and breakfasts and other various lodging options) as an important coastal visitor asset and economic base in the community. There are a number of older, overnight visitor accommodations in the R-1, CC, RC, and SC zoning districts, including some that are non-conforming. [Appendix C](#) provides a list of existing eligible overnight visitor accommodation locations. Property owners of these establishments are encouraged to consider rehabilitating these sites as multi-family rental residences. These properties are distributed throughout the City and this policy would diversify the housing stock through more cost-effective means of rehabilitating and refurbishing existing buildings.

The City will incentivize both the transfer of development rights of overnight visitor accommodations to other sites within commercial zoning districts and conversion of existing overnight visitor accommodation properties to multi-family residences that include 15 percent lower-income units. The same number of overnight visitor accommodation rooms to serve coastal visitor access in the City will be retained while increasing the affordable multi-family housing rental stock.

The City will conduct outreach to property owners in addition to meeting annually with non-profit affordable housing developers to identify eligible sites that can be converted from overnight visitor accommodation to multi-family housing, and help to identify funding to enable the conversion of overnight uses to permanent affordable housing.

If at mid-cycle the City has not received any applications to transfer development rights or to convert existing properties to permanent affordable housing, the City will evaluate the funds in the housing trust fund and partner with a non-profit to identify eligible properties for purchase.

Quantified Objective: 33 units converted from overnight visitor accommodation rooms to housing units

Timeframe: Mid-cycle review in June 2027

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-4.1.b Conversion of R-1 Motels)

Program 1.3.C: Accessory Dwelling Units - AFFH

The City's ADU ordinance was last updated in 2017 (Ord. 2017-10 § 1 (Exh. A), 2017). Carmel-by-the-Sea is currently following the requirements of State law in the review and approval of ADUs and JADUs. The City is in the process of updating its ADU Ordinance to incorporate state laws that have expanded since 2017, and to clarify the ADU permitting process for property owners.

The City recognizes that ADUs provide affordable housing options for family members, seniors, students, in-home health care providers, and other small household types. ADUs can also be useful to generate additional rental income for the homeowner, making homeownership more financially feasible. It's also important to note that 80 percent of Carmel-by-the-Sea's vacant units are for seasonal, recreational, or occasional (second home) use. ADU and JADU development on properties used for occasional use adds to the permanent rental housing stock and provides on-site oversight for second home properties. The City includes the Housing and Community Development Department ADU Handbook on the Planning Department website to offer technical assistance to interested property owners.

Pre-approved, standardized plans can eliminate the costs of designing a custom ADU, and assures property owners the unit type and size is already approved by the City. Pre-approved plans can also make construction more affordable if the designs are using materials that are easily sourced and standard sized.

To further promote ADU development the City will implement to the following:

- The City is on track to adopt an updated ADU Ordinance by the end of 2024. The City will also amend the Municipal Code to reflect current State ADU law in a timely manner as new relevant state laws are adopted during the planning cycle.

Timeframe: Ordinance adopted by December 2024

- Develop pre-approved, standardized ADU plans available on the City’s website to further incentive the construction of ADUs.

Quantified Objective: 5 Extremely Low, 5 Very Low, 10 Low, 10 Moderate, and 4 Above Moderate-Income units

Timeframe: December 2026

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.3.c: Subordinate Units)

Program 1.3.D – Overnight Visitor Accommodation - Employee Housing Program

The City has a number of overnight visitor accommodation (motels, hotels, inns) properties that would greatly benefit from incorporating affordable on-site employee housing. [Appendix C](#) provides a list of existing overnight visitor accommodation locations. These units would alleviate the current lack of housing that many hospitality employees that work in Carmel face. As an incentive to the owners/operators of motels, hotels, and inns to provide on-site affordable employee housing, the City will offer an additional overnight accommodation room for each onsite housing unit created. This incentive will serve to increase affordable rental housing, offset the loss of revenues for the business owners, and maintain visitor-serving coastal access. The City will amend the Municipal Code to allow at least one on-site affordable employee housing unit in conjunction with one new overnight visitor accommodation room.

The City will conduct outreach with overnight visitor accommodation property owners to better discern the viability of the incentive program by December 2024.

If at mid-cycle, the City has not received any building permits identifying construction of an on-site employee housing unit, the City will amend the Municipal Code to require an on-site deed-restricted affordable housing unit be developed, in conjunction with one new overnight visitor accommodation room upon receiving a building permit.

Quantified Objective: 4 Extremely Low, 4 Very Low, 12 Low, 11 Moderate-Income employee housing units by December 2031

Timeframe: Amend Municipal Code by December 2026

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.3.c: Subordinate Units)

Program 1.3.E: Amend the A-2 Zoning District - AFFH

The Community and Cultural Center Zoning District, A-2, allows senior housing (55+) as a permitted use in addition to uses that provide cultural and community activities associated with the arts, education and recreation; however, development standards are not specified for the A-2 district

and design review is required. The lack of development and design standards adds uncertainty and can significantly lengthen the development process. Amending the A-2 zoning district with clear setbacks, height, and objective design standards will add clarity and remove a development constraint. The City will amend the Municipal Code to include clear development and design standards for the A-2 zoning district to encourage affordable senior housing.

Quantified Objective: 25 Extremely Low, 25 Very Low, 35 Low, and 8 Moderate-Income units

Timeframe: Adoption of Municipal Code amendments by December 2025

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

Program 1.3.F: Employee Housing

As stated in Appendix A there are no farmworkers or agricultural employment in Carmel-by-the-Sea. Accordingly, the City has not identified a need for specialized farmworker housing beyond overall programs for housing affordability.

In compliance with Employee Housing Act (Health and Safety Code § 17000 et seq.) Sections 17021.5 and 17021.6, the City of Carmel-by-the-Sea will amend the Municipal Code to include a definition for employee housing that permits employee housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone.

Quantified Objective: N/A

Timeframe: Adoption of Municipal Code amendments by December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

Program 1.3.G: Manufactured Homes on a Foundation System

The City currently permits manufactured homes on a foundation system on lots zoned for conventional single-family residential dwellings pursuant to state law [Government Code 65852.3](#). Manufactured homes represent an affordable and cost-effective form of housing. The City will amend the Municipal Code to include manufactured homes as a permitted use in the R-1 zoning district subject to the same development standards to which a conventional single-family residential dwelling on the same lot would be subject.

Quantified Objective: 8 Low Income units

Timeframe: Adoption of Municipal Code amendments by December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

Program 1.3.H: Senate Bill 35 and Senate Bill 423 Processing Procedure

According to Senate Bill (SB) 35, Statutes of 2017, jurisdictions that have insufficient progress toward their lower-income RHNA must accommodate a streamlined ministerial approval process for proposed developments with at least 50 percent affordability. Early implementation of SB 35 did not apply to coastal cities. However, in October 2023, SB 423 was signed into order, expanding SB 35 measures to include cities located in the coastal zone and extending the operation of the streamlined ministerial approval process to January 1, 2036.

Eligibility requirements for a development in the coastal zone include the following:

- The development that is located in a coastal zone satisfies the conditions to obtain a coastal development permit; and
- A public agency with coastal development permitting authority to approve a coastal development permit if it determines that the development is consistent with all objective standards of the local government's certified local coastal program, as specified;

Changes made by SB 423 would apply in a coastal zone on or after January 1, 2025.

In compliance with SB 35 and SB 423, the City will establish a standard procedure for processing eligible development projects.

Quantified Objective: N/A

Timeframe: Adoption of Municipal Code amendments by December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

Program 1.3.I: Implement State Law SB 10 Opportunities to Maximize Feasibility of Development in Strategic Locations.

SB 10 encourages strategic density within neighborhoods. Three (3) underutilized sites currently zoned R-1 and located on the periphery of the commercial district are occupied by non-residential uses that could accommodate multi-family housing with the implementation of SB 10. The City will work with the property owners to zone these sites for development under the provisions of SB 10, including a by-right process, requiring no discretionary review. These sites include Site #5 (First Church of Christ Parking Lot), Site #6 (American Red Cross), and Site #9 (American Legion).

Quantified Objective: 4 Extremely Low, 3 Very low, 6 Low, 3 Moderate, and 3 Above Moderate-Income units

Timeframe: Adoption of Municipal Code amendments by December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

Program 1.3.J: Emergency Shelters

In compliance with AB 2339 Statutes of 2022, the City will amend Title 17 to define emergency shelters and clearly state they are a permitted use by-right, requiring no discretionary review in the CC, SC, and RC commercial districts.

Quantified Objective: N/A

Timeframe: Adoption of Municipal Code amendments by December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

Program 1.3.K: Forest and Beach Commission Required Findings

To remove potential constraints to the development of multi-family housing, the City will review and modify the Forest and Beach Commission required findings to ensure they do not impede multi-family development on the basis of base floor area.

Quantified Objective: N/A

Timeframe: Adoption of Municipal Code amendments by December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

Policy 1.4: Improve Development Review and Approval Processes***Program 1.4.A: Eliminate Unnecessary Use Permits - AFFH***

Multi-family and duplex housing units constituted approximately 13 percent of Carmel's housing stock. The use permit (UP) (or conditional use permit (CUP)) requirement is implemented as an additional regulatory tool and adds extra regulations, review, and required findings, to a variety of development standards that affect multi-family development. Municipal Code Chapter 17.64 Findings Required for Permits and Approvals includes a broad list of applicable conditional uses and incentives. There are opportunities to reduce redundancies and facilitate residential construction while still enabling development to meet City regulations. For example, a use permit is required in:

- Municipal Code Section 17.64.190 Residential Construction at Densities Between 33 and 44 Units per Acre;
- Municipal Code Section 17.64.230 Affordable Housing – Residential Construction at Densities Between 45 and 88 Units Per Acre for developments the request a bonus density or a density bonus; and
- Municipal Code Section 17.14.150 Building Height requires a use permit for additional underground floors used for parking vehicles, storage and mechanical equipment. The additional use permit requirement can affect how much parking can be accommodated and limit the number of units.

The City will eliminate UP requirements to remove the constraint to the development of multi-family residential units, and licensed residential care facilities of seven or more persons. Additionally, the City will remove subjective language from the required findings for UP and adopt objective findings to promote approval certainty.

Quantified Objective: 50 Moderate-Income units

Timeframe: Adoption of Municipal Code amendments by December 2024

Responsible Party: Community Development Department

Funding Source: General Fund

(Formerly Program 3-2.1.D: Multi-Family Residential Development Review)

Program 1.4.B: Objective Design and Development Standards - AFFH

The City currently relies upon mostly subjective design guidelines for new single-family residences. In the commercial and multi-family districts, less detailed subjective design guidelines are in place. The City's residential and commercial design guidelines are being updated this year to provide clarity and more objectivity. The lack of objective design guidelines creates a higher level of subjectivity for multi-family affordable projects.

The lack of Objective Design and Development Standards poses a constraint to residential development. Guidelines that are subjective increase uncertainty and risk for housing developers. Objective Design and Development Standards provide a measure of clarity that proposed developments will be measured against, and provide the community with assurance that developments will conform with measurable objective standards. The City will create Objective Design and Development Standards for multi-family housing projects that include at least one deed-restricted affordable housing unit.

In November 2023, the City received an \$85,000 REAP 2.0 Local Suballocation Grant — which will be used to pursue the creation and adoption of Objective Design and Development Standards (ODDS) to reduce governmental constraints presently limiting the production of affordable housing. Once adopted, the City's ODDS will be used to review and approve housing projects with at least 20 percent affordable units (units for very-low, low, and moderate-income households) on sites identified within the City's draft 2023-2031 6th Cycle Housing Element. The City's expectation, and desired intent, is that having ODDS in place will incentivize and accelerate the construction of multi-family affordable housing projects in the City's downtown zones, including the Central Commercial (CC), Service Commercial (SC), Residential & Limited Commercial (RC), and Multi-family Residential (R-4), which all fall within the Potential Opportunity Area identified by Moving Forward Monterey Bay 2045.

Quantified Objective: N/A

Timeframe: Adoption of Objective Design Guidelines by December 2025

Responsible Party: Community Planning and Building Department
Funding Source: General Fund
(NEW)

GOAL H2 PROTECT AFFORDABLE HOUSING AND IMPROVE THE HOUSING STOCK

Policy 2.1: Maintain and encourage expansion of permanent residential housing stock in the Residential and Commercial Districts.

Program 2.1.A: Incentives for Mixed-Use Development - AFFH

Providing additional development capacity of any type increases project feasibility. In order to better incentivize affordable residential development, the City will amend the Municipal Code to increase the floor area bonuses from 15 to up to 25 percent for projects that include housing for Moderate, Low or Very-Low-income households. The City will also distribute informational materials promoting the floor area bonus and other applicable incentives.

Quantified Objective: 5 Moderate-Income units
Timeframe: Adoption of Municipal Code amendments by December 2024
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
(Formerly Program 3-2.1.a)

Program 2.1.B: Permanent Housing - AFFH

Short-term rentals can provide valuable coastal visitor-serving access; however, units used as short-term rentals preclude the establishment of permanent housing. The City also has a significant percentage of the housing stock that remains vacant for part of the year due to second home ownership. This creates a significant barrier for current and potential residents to enter the local housing market and further limits opportunities to correct the housing crisis, address diversity, and provide inclusive housing options.

The City's ordinance prohibiting short-term, transient rentals and timeshares of residential dwellings in the R-1 District and allowing a limited number of short-term rentals in the commercial areas has successfully limited the proliferation of these uses. The City will continue to implement these ordinances. In an effort to address the high rate of second home ownership, the City will promote Accessory Dwelling Units and Junior Accessory Dwelling Units (see Programs 1.3.C and 1.3.D) to add affordable rental units on properties that may otherwise lie vacant, and will establish an Affordable Housing Trust Fund (see Program 2.1.D).

Quantified Objective: Preservation of permanent housing and affordable units
Timeframe: Continued ordinance implementation through June 2031

Responsible Party: Community Planning & Building Department/City Administrator
Funding Source: General Fund
(Formerly Program 3-4.1.a)

Program 2.1.C: Monitor Affordable Housing Stock - AFFH

The City will develop a City-managed Affordable Housing Oversight Program and continue to monitor affordable housing projects and work with the owners to preserve affordability through identification of funding sources and/or opportunities for partnerships with other housing providers. The program will formalize annual monitoring of the affordable housing stock throughout the city to ensure affordable housing is being protected and provided as required by [Government Code Section 65590](#). The City will update its databases to better track data on new construction, demolition, conversion and replacement housing units for low- and moderate-income households including the following:

- The number of new housing units approved for construction;
- The number of low- and moderate-income housing units required to be provided in new housing developments;
- The number of existing residential dwelling units occupied by low- and moderate-income households that have been authorized to be demolished or converted; and
- The number of low- and moderate-income housing units required to be replaced (of those units being demolished or converted).

Additionally, in compliance with AB 1397, the City will adopt a policy to require replacement housing units subject to the requirements of Government Code section 65915, subdivision (c)(3) when any new housing development project occurs on a site meeting the any of the following conditions: 1) currently has residential uses or within the past five years has had residential uses that have been vacated or demolished, 2) was subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low-income, 3) subject to any other form of rent or price control through a public entity's valid exercise of its police power, or 4) is occupied by low or very low-income households. Quantified Objective: Monitor 50 Lower-Income housing units

Timeframe: Develop program by June 2025
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
(Formerly Program 3-5.3.d: Monitor Affordable Housing Stock)

Program 2.1.D: Establish Affordable Housing Trust Fund - AFFH

The City currently relies on outside agencies and organizations to fund affordable housing projects. However, in an effort to establish a City-funded source dedicated to supporting the creation, maintenance, and rehabilitation of affordable units, the City will explore the creation of an Affordable Housing Trust Fund. Sources of funding could include increasing the existing Transit Occupancy Tax (TOT) or dedicating a portion of existing TOT to affordable housing, property transfer tax, sales tax, vacancy tax or other funding source.

Quantified Objective: \$1,000,000
Timeframe: Establish Fund by June 2031
Responsible Party: City Administrator
Funding Source: General Fund
(NEW)

"I believe a vacancy tax should be proposed to the voters, which can go toward funding affordable housing. The City needs to frame affordable housing in a positive way. I feel like people's aversion to affordable housing in their communities is just a public relations failure."

May 24, 2023 Housing Ad Hoc
Committee Community Meeting

Policy 2.2: Preserve and protect the scale of established neighborhoods while encouraging property improvement.

Program 2.2.A: Historic Preservation Educational Programs

Cities have unique characteristics that develop over time. Carmel-by-the-Sea has a distinctive building style and form that existing residents cherish and which serves to attract new residents and visitors. In an effort to continue to encourage improvements to the existing housing stock, the City will continue to promote education programs that improve public understanding of the City's rich cultural and design heritage, and provide zoning flexibility and incentives to facilitate rehabilitation of historic resources. The City will continue to use the Historic Building Code to facilitate residential rehabilitation of historic residences.

Quantified Objective: 50 Low Income rehabilitated historic units
Timeframe: Continued education and ordinance implementation through June 2031
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
(Formerly Program 3-4.3.a: Neighborhood Preservation Educational Programs)

Policy 2.3: Preserve and expand affordable and rental housing opportunities to enable local employees to live in the community where they work.

Program 2.3.A: Preserve and Increase Upper Floor Residential Uses - AFFH

The retail and office landscape is shifting and the City continues to experience retail and office vacancies. This shift represents an opportunity to increase supply of housing as a preferred development form in all Commercial Districts. The City currently prohibits the conversion of existing second-floor residential units to commercial use and requires all newly constructed second-floor space to be used as residential units. Housing over first-floor commercial uses is a particularly suitable solution for underutilized second-floor space. Therefore, the City will proactively work with property owners to encourage conversion of vacant or underutilized upper floors to residential use.

Quantified Objective: 5 Moderate and 110 Above Moderate-Income units

Timeframe: Proactive outreach through December 2031

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-2.1.b)

Policy 2.4: Preserve the existing housing stock

Program 2.4.A: Housing Rehabilitation and Maintenance Information - AFFH

In order to stay habitable and energy efficient, all buildings need maintenance. When buildings fall into an extreme state of disrepair, a more comprehensive housing rehabilitation procedure is needed. Over the past few years, inflation and building supply chain issues have dramatically increased the cost of building materials. Labor costs have also risen significantly due to a shortage of skilled construction workers and ongoing cost-of-living increases. This results in very costly rehabilitation projects.

In order to assist low-income property owners, the City will distribute information on inspection services, housing rehabilitation programs, and alternative ways to finance home repairs. Based on Code Compliance reports, the City will specifically monitor and conduct outreach to residential units in need of rehabilitation and maintenance throughout the city with a focus on the southern region of the city.

Quantified Objective: 16 Low-Income rehabilitated units

Timeframe: Proactive outreach through June 3031

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Programs 3-1.1.a and 3-1.1.c Housing Rehabilitation and Housing Maintenance)

GOAL H3 PROVIDE OPPORTUNITIES FOR NEW AFFORDABLE AND OTHER SPECIAL NEEDS HOUSING

Policy 3.1: Incentivize affordable housing development, with an emphasis on affordable housing built to accommodate Extremely-Low and Low-Income residents. Encourage the private sector to produce affordable housing.

Program 3.1.A: Mixed-Use Affordable Housing - AFFH

The retail and office landscapes are shifting and this change represents an opportunity to encourage mixed-use developments (housing over first-floor commercial uses) as a preferred development form via community outreach. The City will proactively work with property owners, property managers, and realtors to promote and incentivize upper-floor housing opportunities, including the potential of allowing a third-floor mezzanine for affordable housing. Such development would be subject to appropriate objective design standards, including the City's 30-foot height limit.

The City has identified the following regional affordable housing organizations to include in the discussion of revising design guidelines to promote mixed-use affordable housing in the City.

- County of Monterey Housing Authority Development Corporation (HDC);
- Woodman Development Company, Inc.;
- Community Housing Improvement Systems and Planning Association, Inc. (CHISPA);
- Eden Housing;
- EAH Housing; and
- Mid-Peninsula Housing.

Based on the feedback received by City Staff from the development community, the City will implement the following actions:

- Revise design guidelines based on community and developer feedback;
- Revise approval processes if constraints are identified during feedback gathering; and
- Annually host outreach and FAQ forums for developers and community members.

Quantified Objective: 10 lower-income units

Timeframe: Proactive outreach through June 2031; Revise guidelines and approval processes by December 2027

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly 3-2.1.c: Incentives for Mixed Use Affordable Housing)

Program 3.1.B: Housing for Extremely-Low Income Households - AFFH

Providing housing units for Extremely-Low Income (ELI) Households earning 30 percent or less of the Area Median Income (AMI) for Monterey County has proved challenging for the City. The City will continue to place specific emphasis on the provision of multi-family housing and non-traditional housing types such as single-room-occupancy units and transitional housing. The City will encourage development of housing for ELI households through a variety of activities such as targeted outreach to for-profit and non-profit housing developers on at least an annual basis, providing in-kind technical assistance, fee deferrals, expedited/priority processing, identifying grant and funding opportunities, applying for or supporting applications for funding on an ongoing basis, reviewing and prioritizing local funding for developments that include housing for ELI households and/or offering additional incentives to supplement the density bonus provisions in state law.

"I'm pretty passionate about affordable housing and diversity. I think that's what makes a community, and we do lack it. I have kids that live in the community and go to Carmel High School, and I would like to see more of a social, economic, and age difference in our community, personally."

May 24, 2023 Housing Ad Hoc
Committee Community Meeting

The City also has a variety of programs to encourage the development ELI units including Accessory Dwelling Units, a portion of which are affordable by design to Extremely-Low Income Households and Employee Housing. The City has also funded a full-time permanent Associate Planner position through the General Fund to focus on long-range planning and housing needs.

Quantified Objective: 57 Extremely Low-Income units
Timeframe: Fund Associate Planner through June 2031
Responsible Party: Planning and Building Department
Funding Source: General Fund
(Formerly Program 3-5.4.b)

Program 3.1.C: Density Bonus - AFFH

Density bonuses can provide a significant incentive to build affordable housing units. By increasing the number of units permitted to be built on a property, the financial investment required to bring the development to fruition has a higher likelihood of a return. Given the high cost of materials, labor and borrowing costs, increasing the number of units can make the housing project financially feasible.

The City's Density Bonus provisions must be updated to reflect recent changes to State law.

Pursuant to Government Code Section 65915, the City will amend the City's Density Bonus provisions to be consistent with recent changes to State Density Bonus Law. Additionally, the City will further review and revise local bonus density ordinances to clarify the regulations and increase certainty of applicability.

Quantified Objective: 187 Lower-income units
Timeframe: Adoption of Municipal Code amendments by December 2024
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
 (Formerly Program 3-5.4.a: Density Bonus)

Program 3.1.D: Reduced Entitlement and Development Fees - AFFH

Entitlement and development fees paid by project applicants assist in the City's ability to recover administrative and operating costs; however, these fees may have the unintended consequence of increasing the cost of housing. To encourage the development of affordable housing, the City will waive the parking in-lieu fees for affordable housing units and reduce the planning and building permit fees by up to 25 percent for affordable housing units in commercial areas.

Quantified Objective: Reduced City fees by 25 percent for developments with affordable units
Timeframe: Adopt Fee Schedule by July 2025
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
 (Formerly Program 3-5.5.a: Reduced Entitlement and Development Fees)

Program 3.1.E: Reduced Parking Requirements - AFFH

Parking requirements increase costs to residential development and take up valuable space that can be used for housing. The City will continue to offer reduced parking requirements for affordable housing developments. Additionally, the City will waive the parking in-lieu fees for affordable units, clarify the program requirements in the Central Commercial (CC) zoning district, and reduce parking requirements in the Multi-Family Residential (R-4), Residential & Limited Commercial (RC), and Service Commercial (SC) zoning districts.

Quantified Objective: Reduced parking for developments with affordable units
Timeframe: Adoption of Municipal Code amendments by December 2024
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
 (Formerly Program 3-5.5.b: Reduced Parking Requirements)

Program 3.1.F: Expedited Processing Procedures - AFFH

Faster permit processing times reduce overall project timelines and allow a project to get to the construction stage in a timely manner. Reducing overall project timelines is critical during this inflationary period where materials and labor costs continue to rise. Additionally, supply chains still have not recovered to pre-pandemic levels and delays in processing can also result in delays in placing orders and receiving materials and securing labor.

To enable a more efficient permit processing system, the City is committed to contracting with a qualified consultant to review the Planning Division's current permitting procedures to identify inefficiencies and make recommendations on process improvements to streamline the permitting process. Based on the consultant's recommendations, the City will update existing permitting procedures including but not limited to the following:

- Implement concurrent permit processing for projects that incorporate several land uses or features that would typically require two or more permit applications, to be concurrently reviewed and approved or disapproved by the highest-level review authority or joint meetings. This will expedite the review process for complex development projects.
- Allow an option for affordable multi-family projects to utilize 3-D modeling or other comparable methods, in lieu of story poles, that provide objective information for the City to assess impacts of development on important coastal scenic view resources;
- Prioritize projects with affordable units, assign a dedicated planner to facilitate the development process, and schedule joint public hearings when multiple decision-making bodies are involved.

Quantified Objective: Shorter processing times by 50 percent for developments with affordable units

Timeframe: Hire consultant by December 2024; Adoption of Municipal Code amendments by June 2026

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.5.c: Expedited Processing Procedures)

Program 3.1.G: Establish Minimum Densities and Ministerial Approval Process - AFFH

Establishing a minimum density can be utilized as a tool to ensure the limited available land in a City is used in an efficient manner and lower densities are avoided. The City's intention for establishing a minimum density in the Commercial and Multi-Family Residential Districts is rooted in enabling the development of more dense housing in the City. Currently, the Commercial District (SC, RC, and CC) permits residential densities of 0-22 dwelling units per acre and the Multi-Family Residential District (R-4) permits a maximum of 33 dwelling units per acre. Effectively, establishing a minimum density in these districts will result in higher yields of residential units. Recent residential development in the City's Commercial District have ranged in densities from 22-33 dwelling units per acre.

The City will revise the Municipal Code for commercial districts (RC, SC, and CC) and the multi-family residential (R-4) district to establish a minimum density of 33 dwelling units per acre, as part of the base zoning. Additionally, the City will restrict new single-family development in the R-4, CC, RC, and SC Districts. Existing single-family dwellings in these districts will be considered legal nonconforming uses.

In addition, and in compliance with Government Code 65583.2(h)(i), sites identified in the site inventory to accommodate the lower-income RHNA category, are subject to by-right development, requiring no discretionary review. By-right means a jurisdiction shall not require:

- Conditional Use Permit;
- Planned Unit Development Permit;
- Design review, other than Objective Development Design Standards; or
- Other discretionary, local government review or approval that would constitute a “project” as defined in Section 2100 of the Public Resources Code (California Environmental Quality Act “CEQA”)

The City is committed to modifying development standards in the commercial and multi-family districts to ensure the standards support the minimum density and do not function as a constraint to meeting the minimum density, as necessary.

Quantified Objective: 14 Extremely Low, 14 Very Low, 11 Low, 22 Moderate, and 110 Above Moderate-Income units

Timeframe: Adoption of Municipal Code amendments by December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(NEW)

Policy 3.2: Recognize the special needs of persons with disabilities and the need to retain flexibility in the design review process to accommodate these needs.

Program 3.2.A: Reasonable Accommodation Procedures - AFFH

A reasonable accommodation is any change, exception or adjustment to a rule, policy, practice or service that allows a person with a disability to have an equal opportunity to participate. Information on reasonable accommodation procedures will continue to be provided at City Hall and on the City’s website. The City will evaluate and revise Policy C11-01, which describes procedures to provide reasonable accommodation and will explore reduced or waived permit fees for persons with disabilities in compliance with the provisions of SB 520, in an effort to remove any additional barriers and encourage those with disabilities to apply.

To eliminate subjectivity from the required findings for requests for reasonable accommodation, the City will amend the Municipal Code to remove the findings requirement for requested accommodations stating, “the requested accommodation will not result in a significant and unavoidable negative impact on adjacent uses or structures.”

Further, the City will amend the definition of aggrieved parties in the Municipal Code. An exception for reasonable accommodation appeals will limit the parties eligible to appeal a request for a reasonable accommodation permit to the applicant or the personal beneficiary.

Quantified Objective: 8 applications

Timeframe: Adoption of revised policy and Municipal Code amendment by June 2025

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.1: Reasonable Accommodation Procedures)

Program 3.2.B: Housing Mobility - AFFH

To improve housing mobility and promote more housing choices and affordability throughout Carmel-by-the-Sea, the City will employ a suite of actions to be targeted in lower density areas, including outreach, resources, and other strategies with an overall goal of expanding housing opportunities affordable to extremely low, very low, low, and moderate-income households. This initiative extends beyond programs to meet the City's RHNA in an effort to increase housing mobility. Actions and strategies include:

1. Religious institution/faith-based sites: the City will Facilitate housing on religious institution/faith-based sites. Consistent with AB 1851 and AB 2244, the City will amend the Zoning Ordinance to allow religious institution-affiliated housing development projects by-right as an accessory use to a permitted religious institution use, allow these uses at densities up to 33 dwelling units per acre, and update the parking requirements consistent with State law. The City commits to modifying standards and making other modifications as needed to achieve the maximum allowed densities. If no application for housing on a religious institution/faith-based site is received by December 2025, the City will expand outreach efforts to be conducted annually. This may include direct mailings to faith-based sites highlighting current successful affordable housing units on other faith-based sites, as well as available City grants and loans for such housing and human services endeavors. See Program 1.1.D.
2. Homesharing: Research and pursue a homesharing program, including coordination with non-profits and other organizations to assist with matching tenants with existing homeowners. The City may provide collaborators with data about single-family homes with long-time residents, facilitate presentations at The Carmel Foundation Senior Center, and other outreach assistance. The City will market and take other actions as necessary at least annually with the goal of five opportunities per year.

3. Accessory dwelling units (ADUs) and other "missing middle" housing in lower-density zones: Prepare pre-approved ADU building plans, Publicize ADU and JADU incentives such as reduced permit fees (as established in Program 1.3.C). City will provide information about Government Code 65852.21 and 66411.7 (urban lot splits and two-unit developments), including the relevant objective design standards and streamlined review available for such units, with a target of one application for an additional housing unit each year, the City will provide information that homeowners associations and CC&Rs are preempted by state law and cannot prohibit ADUs or JADUs.
4. Marketing of housing resources and opportunities: Provide housing resources and information available through various City and regional in-person and virtual outlets in multiple languages based on U.S. Census Bureau's American Community Survey indicating languages spoken by Carmel-by-the-Sea residents.
5. Local Universal Design Ordinance: Adopt a local Universal Design Ordinance applicable to single-family, duplex, and tri-plex projects. See Program 3.2.C.
6. Additional Housing Opportunities: Adopt an ordinance to zone certain parcels for up to 10 units of residential density if located in either a transit-rich area or an urban infill site consistent with Government Code Section 65913.5 (SB 10). The ordinance will include a map demarcating the parcels subject to this upzoning. The City will adopt this ordinance no later than December 2025. The objective is to provide opportunities for at least an additional 20 units through this zoning ordinance. See Program 1.3.I.

Quantified Objective: Provide 75 affordable housing opportunities by January 2031.

Timeframe: Annually review overall progress and effectiveness in April and include information in annual report to HCD. If the City is not on track to achieve development of 75 affordable housing units beyond the RHNA goal for the 8-year planning cycle by 2027 (i.e., 37 units built or in process by 2027), the City will consider alternative land use strategies and make necessary amendments to zoning or other land use documents to facilitate a variety of housing choices, including but not limited to, strategies that encourage missing middle zoning (small-scale multi-unit projects up to four-plexes) in addition to lot splits/additional housing units; adaptive reuse, and allowing additional ADUs and/or JADUs, within six months, if sufficient progress toward this quantified objective is not being met.

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(New)

Program 3.2.C: Local Universal Design Standards – AFFH

Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. To ensure accessible housing for all residents, the City will develop Universal Design Standards that incorporate accessibility design features that exceed current California Building Code requirements.

Quantified Objective: N/A

Timeframe: Adoption of Universal Design Standards by June 2026

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.1: Reasonable Accommodation Procedures)

Program 3.2.D: Family Friendly Housing – AFFH

Promote multi-family housing designs and unit mix to attract multigenerational households by encouraging developers to include housing features and more bedrooms (including four-bedroom units), as well as other on-site amenities, such as usable outdoor open space for multigenerational use, and multipurpose rooms that can be used for after-school homework clubs, computer, art, or other resident activities. To address potential displacement of households with four or more persons, the City will research options to expand regulatory incentives to encourage the development of larger units.

Quantified Objective: 15 two-, three-, and four-bedroom units entitled; 15 family friendly designated units

Timeframe: Develop Regulatory Incentive (Mid-Term); Implement Family Friendly Design Guidelines (Ongoing)

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.1: Reasonable Accommodation Procedures)

Policy 3.3: Facilitate the provision of transitional and supportive housing in appropriate districts in the community.***Program 3.3.A: Zoning for Transitional and Supportive Housing - AFFH***

Senate Bill (SB) 2 (2007) revised Housing Element law requiring that transitional and supportive housing be permitted as a residential use, subject only to restrictions that apply to other residential dwellings of the same type in the same zone. In compliance with SB 2, the City will continue to allow transitional/supportive housing as a residential use. The City's Municipal Code permits transitional and supportive housing by-right in all districts that permit residential uses including the CC, SC, RC and R-4 Districts, regardless of the number of persons the facility.

Quantified Objective: N/A

Timeframe: Adoption of Municipal Code amendments by December 2024

Responsible Party: Community Planning and Building Department

Funding Source: General Fund
(Formerly Program 3-5.8: Zoning for Transitional and Supportive Housing)

Program 3.3.B: Low-Barrier Navigation Centers - AFFH

Assembly Bill (AB) 101 (2019) provides a pathway to permanent housing for people experiencing homelessness. A “Low Barrier Navigation Center” is a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing. The shelter provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. In order to comply with state law, the City will amend the Municipal Code to include the definition for “Low Barrier Navigation Center” and will develop By Right procedures for processing low barrier navigation centers.

Quantified Objective: N/A
Timeframe: Adoption of Municipal Code amendments by December 2024
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
(NEW)

Program 3.3.C: Unlicensed Residential Care Facilities

State law requires local governments to treat licensed residential care facilities (e.g. group homes) with six or fewer residents as a residential use and subject to the same development standards as a single-family dwelling. Furthermore, no conditional use permit, variance, or other zoning clearance shall be required of a residential care facility that serves six or fewer persons that is not also required of a single-family dwelling of the same type in the same zone. The residents and operators of a residential care facility shall be considered a family for the purposes of any law or zoning ordinance that relates to the residential use of a property. However, “six or fewer persons” does not include the operator, the operator’s family, or persons employed as staff. These facilities are licensed and regulated by the State of California.

The City defines Residential Care Facilities as *facilities that require or are licensed by the State of California to provide living accommodations and 24-hour, primarily nonmedical care and supervision for persons in need of personal services, supervision, protection, or assistance. Living accommodations are shared living quarters with or without separate kitchens or bathrooms for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or nonprofit institutions.*

Residential Care, General. A residential care facility providing 24-hour nonmedical care for more than six persons in need of personal services, supervision, protection, or assistance. This classification includes hospices, board and care homes, and similar establishments that are licensed by the State of California. These types of facilities are **conditionally permitted** in the SC and RC Districts.

Residential Care, Limited. A residential care facility providing 24-hour nonmedical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed for residential care by the State of California. These types of facilities are subject to the same regulations as apply to other family residential dwellings in the CC, SC, and RC Districts. In the R-1 District, they are permitted in single-family homes. In the R-4 District, they are permitted by-right with no restrictions.

Residential Care, Senior. A residential care facility providing 24-hour medical or nonmedical care for more than six persons 60 years of age or older in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. This classification includes nursing homes for the elderly, life care or continuing care homes, and similar facilities licensed for residential care by the State of California. These types of facilities are **conditionally permitted** in the SC, RC, and R-4 Districts.

Recognizing that larger facilities provide necessary supportive environments for a variety of households, the City will amend the Zoning Ordinance to conditionally permit unlicensed facilities of seven or more persons in all zones that allow similar residential uses.

Quantified Objective: Amend the Zoning Ordinance to conditionally permit unlicensed residential care facilities of seven or more persons in all zones that allow similar residential uses
Timeframe: Amend the Zoning Ordinance by December 2024
Responsible Agency: Community Planning and Building Department
Funding Source: General Fund
(NEW)

Program 3.3.D: Single Room Occupancy (SRO) Units

The Carmel Municipal Code will be amended to permit single-room occupancy units as a residential use subject only to those regulations that apply to other residential dwellings of the same type in the same zone. As such, City staff will complete the following schedule of actions to amend the Municipal Code:

- Draft a definition for "single room occupancy unit" to add to the zoning ordinance consistent with the Government Code (November 2024)
- Propose the zoning change amendment to the City Council for approval (December 2024)

Quantified Objective: N/A
Timeframe: Adopt Ordinance by December 2024
Responsible Party: Community Planning & Building Department
Source: General Fund
(NEW)

GOAL H4 EXEMPLIFY SUSTAINABLE DEVELOPMENT AND ENERGY CONSERVATION

Policy 4.1: Support energy and water conservation programs to reduce the consumption of these resources in housing and to reduce housing costs.

Program 4.1.A: Water Conservation - AFFH

Potable water remains scarce and highly regulated in the City and continues to be a major limiting constraint to new development. In order to preserve the City's limited water allocation for new residential units, the City will continue to enforce the Water Management Program through the building permit process, establish the Water Distribution Policy, and provide information to the community on water conservation retrofits and best practices. In addition, the City will provide information on and promote water conservation education through outreach and community engagement, and retrofit rebates provided by the Monterey Peninsula Water Management District.

Quantified Objective: Promote water conservation in 100 existing units

Timeframe: Adoption of policy by June 2031

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly 3-5.6.b Water Conservation)

Program 4.1.B: Energy Conservation and Green Building

Conserving energy to reduce stress on the electrical grid and reduce the effects of climate change (i.e. wildfire and flooding) is increasingly critical. The City experienced significant power outages during the 2022-23 winter storms, adjacent areas were flooded, and the past few wildfire seasons have significantly impacted air quality and resulted in evacuations of neighboring communities. The City will continue to review applications for new construction and substantial alterations, taking into consideration solar orientation and access to sunlight. The City will also continue to require compliance with current state building standards for energy efficiency in all new homes. The City will further disseminate information by updating the website annually with related energy conservation and green building information. The City also participates in the Community Wildfire Protection Program and is committed to implementing Program recommendations.

Quantified Objective: Promote energy conservation in 100 existing units

Timeframe: Continued education and compliance through June 2031

Responsible Party: Community Planning and Building Department

Funding Source: General Fund

(Formerly Program 3-5.6.a: Energy Conservation and Green Building)

GOAL H5 PUBLICIZE HOUSING NEEDS AND RESOURCES

Policy 5.1: Support and enforce fair housing laws. Expand fair housing choice by promoting housing opportunities and removing impediments to fair housing.

Program 5.1.A: Fair Housing Services - AFFH

The Fair Housing Act protects people from discrimination when they are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities. The California Department of Fair Employment and Housing and the Conflict Resolution and Mediation Center of Monterey County provide fair housing services and information. These agencies advise persons in need of information on housing and employment, mediate landlord/tenant disputes and research complaints about discriminatory housing practices. The City shall coordinate with these agencies to provide printed information about fair housing services at City Hall, on the City's website, and in other public buildings such as the City's two libraries. The City shall also refer inquiries related to fair housing to these agencies and provide fair housing resources at outreach events.

Quantified Objective: 25 referrals/materials distributed
Timeframe: Proactive outreach through June 2031
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
(Formerly Program 3-5.7: Fair Housing Services)

Program 5.1.B: Housing Choice Voucher Program - AFFH

Created by the Housing and Community Development Act of 1978, the Housing Choice Voucher program, formerly known as Section 8, provides assistance to eligible Low- and Moderate-Income families to rent housing in the private market. Eligibility for this program is based on the family's gross annual income and family size. The Housing Choice Voucher rental assistance program is administered by the Housing Authority of Monterey County. The City will continue to facilitate use of the Housing Choice Voucher program in the community by distributing information for the program at City Hall and the Library and making referrals to the Housing Authority.

Quantified Objective: 40 referrals/materials distributed
Timeframe: Proactive outreach through June 2031
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
(Formerly Program 3-5.3.b Section 8 Rental Assistance)

Program 5.1.C: Shared Housing Information - AFFH

Shared housing is another important tool to provide affordable housing units. Shared housing is generally more affordable because a portion of a residence is rented as opposed to an entire unit. Shared housing can also financially help low-income individuals who own their homes and alleviate loneliness. Benefits to Low-Income individuals include provision of safe and secure affordable housing in a high-cost market. The City will continue to distribute informational materials from the Monterey County Housing Authority and the Carmel Foundation, display information at City Hall and other public buildings and posted on the City's website. The City will also seek out other Shared Housing providers and resources to expand this housing option.

Quantified Objective: 80 referrals/website visits
Timeframe: Proactive outreach through June 2031
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
(Formerly Program 3-5.2: Shared Housing Information)

Program 5.1.D: Farmworker Housing – AFFH

Although the City does not have agricultural uses, and therefore, no housing designated specifically for farmworkers —the City supports the County of Monterey's efforts to educate the public on resources that are available for agricultural workers. The City has identified the following resources that are available throughout the region for agricultural employees:

- **Spanish Farmworkers Resource Line** – provides information on a variety of issues such as legal help and medication services, stress, resources for farmworkers with disabilities, etc.
- **The Center for Community Advocacy** – an organization whose mission is to support and build leadership within the community and in particular for farmworkers and their families. The Center has worked side by side with farmworkers to help improve their living conditions, advocate to have more affordable housing and access to health services and resources.
- **Farm and Food Worker Relief Program** – Catholic Charities Diocese Monterey is providing direct financial relief to eligible farmworkers in the counties of Monterey, Santa Cruz, San Benito, and San Luis Obispo. The purpose of this program is to provide direct financial relief to eligible field workers, meatpacking workers, livestock workers, and grocery store workers.

Quantified Objective: N/A
Timeframe: Ongoing
Responsible Party: Community Planning and Building Department
Funding Source: General Fund
(NEW)

Policy 5.2: Promote public awareness and foster pride in the history of the village.***Program 5.2.A: Support Community Organizations - AFFH***

Community organizations play a pivotal role to provide outreach and services to those facing housing issues. The City will continue to support neighborhood organizations that promote neighborhood involvement, safety and improvement, including but not limited to the Carmel Residents Association, the Carmel Foundation and the Carmel Heritage Society. The City will develop partnerships with these organizations to promote neighborhood enhancement programs, conduct and improve outreach and education, and solicit community input.

Quantified Objective: N/A

Timeframe: Proactive outreach and partnerships through June 2031

Responsible Party: Community Planning and Building Department

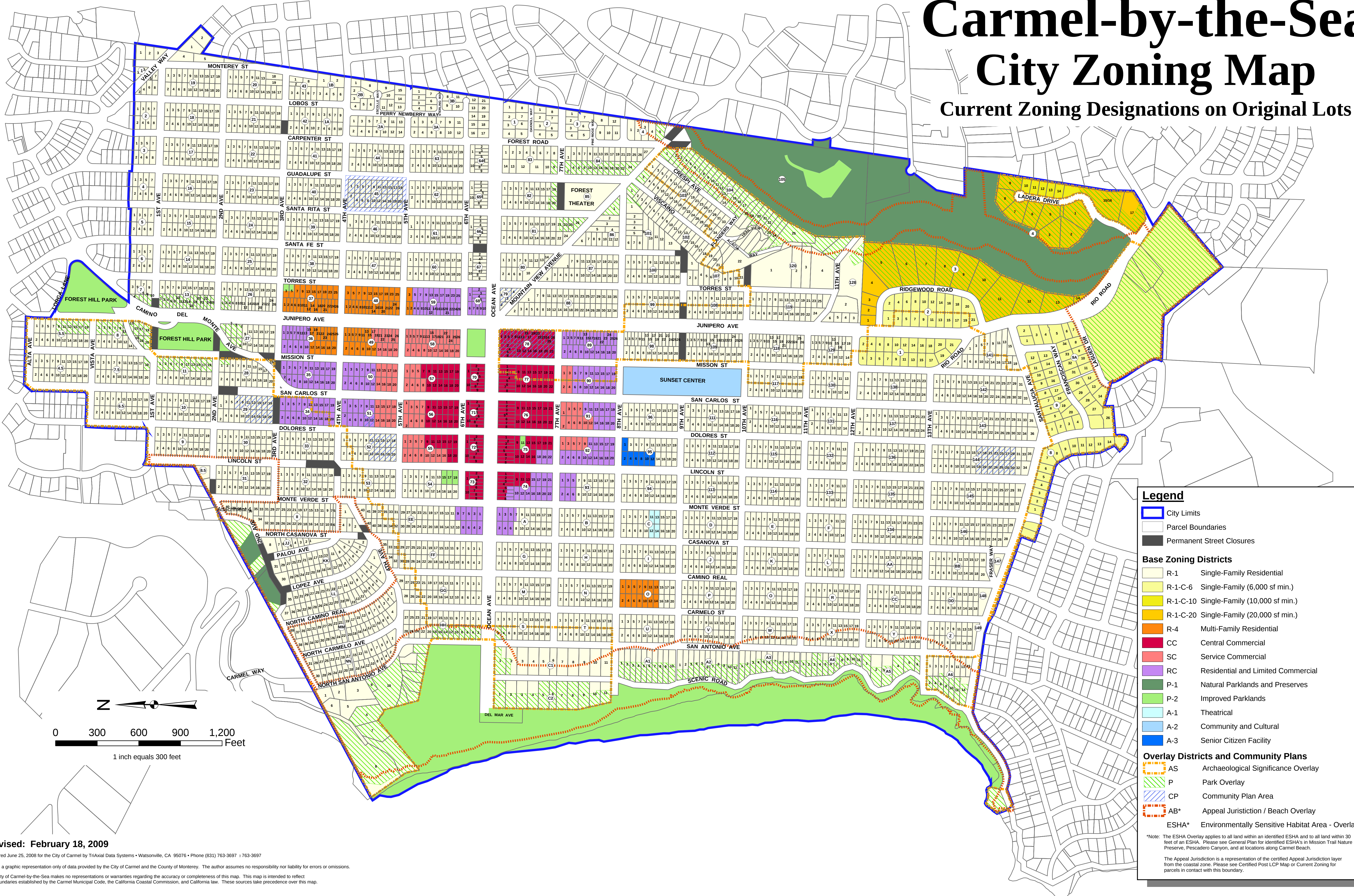
Funding Source: General Fund

(Formerly Program 3-4.2.b: Support Neighborhood Organizations)

Carmel-by-the-Sea

City Zoning Map

Current Zoning Designations on Original Lots



Revised: February 18, 2009

Prepared June 25, 2008 for the City of Carmel by TriAxis Data Systems • Watsonville, CA 95076 • Phone (831) 763-3697 • 763-3697

This is a graphic representation only of data provided by the City of Carmel and the County of Monterey. The author assumes no responsibility nor liability for errors or omissions.

The City of Carmel-by-the-Sea makes no representations or warranties regarding the accuracy or completeness of this map. This map is intended to reflect the boundaries established by the Carmel Municipal Code, the California Coastal Commission, and California law. These sources take precedence over this map.

Legend

- City Limits
- Parcel Boundaries
- Permanent Street Closures

Base Zoning Districts

R-1	Single-Family Residential
R-1-C-6	Single-Family (6,000 sf min.)
R-1-C-10	Single-Family (10,000 sf min.)
R-1-C-20	Single-Family (20,000 sf min.)
R-4	Multi-Family Residential
CC	Central Commercial
SC	Service Commercial
RC	Residential and Limited Commercial
P-1	Natural Parklands and Preserves
P-2	Improved Parklands
A-1	Theatrical
A-2	Community and Cultural
A-3	Senior Citizen Facility

Overlay Districts and Community Plans

- AS Archaeological Significance Overlay
- P Park Overlay
- CP Community Plan Area
- AB* Appeal Jurisdiction / Beach Overlay
- ESHA* Environmentally Sensitive Habitat Area - Overlay

*Note: The ESHA Overlay applies to all land within an identified ESHA and to all land within 30 feet of an ESHA. Please see General Plan for identified ESHA's in Mission Trail Nature Preserve, Pescadero Canyon, and at locations along Carmel Beach.

The Appeal Jurisdiction is a representation of the certified Appeal Jurisdiction layer from the coastal zone. Please see Certified Post LCP Map or Current Zoning for parcels in contact with this boundary.