

Revisions to the July Draft Housing Element | August 2024

The following two programs have been revised based on recommendations from HCD. Changes are tracked and shown as additions in blue/underline and deletions in red/strikethrough.

Program 4, Housing Design

The City’s design guidelines for development provide clear examples of the quality and type of design recommended. Design guidelines work in tandem with development standards in the zoning code or appropriate specific plans to provide clear guidance on the design of structures. The City will update the design guidelines to clarify that multifamily developments in the MDR, future HDR, and Diverse Use zones qualify for administrative review against design guidelines, not subject to Planning Commission approval.

In addition, the City is required to increase transparency and certainty in the development process through objective design standards. Any new design standards developed and imposed by the City shall be objective without involvement of personal or subjective judgment by a public official and shall be uniformly verifiable by reference to the City's regulations in accordance with the Housing Crisis Act. The City will therefore review its design guidelines and make revisions, where needed, to ensure that they are objective and do not constrain the development of housing.

Objective(s)	<ul style="list-style-type: none"> Amend zoning code to clarify language and design guidelines. Create code amendments to ensure design standards are objective.
Time Frame	<ul style="list-style-type: none"> <u>Review current design standards and identify change areas by June 2025.</u> <u>Adopt</u>Within one year of housing element adoption (end of 2025) <u>code amendments by December 2026.</u> Ongoing during the planning period following new design standards.
Responsible Agency	Planning and Economic Development
Funding Sources	General Funds
Relevant Policies	1.5, 3.1, 3.2

Program 12, Housing for Persons with Disabilities

Barstow encourages the development of housing suitable for people with all disabilities through zoning, land use regulations, and reasonable accommodations. However, the BMC requires revision to regulation governing residential care facilities, both serving six or fewer clients or seven and more clients to comply with state law. This includes reexamining the conditional use permit process to ensure that the findings are both objective and promote certainty of approvals for proposed large residential care facilities. Moreover, the City’s reasonable accommodation ordinance, while a tool for facilitating housing modifications to assist disabled residents in accessing housing, should be updated in accordance with new state law adopted since the ordinance was originally enacted by the City.

Objective(s)	<ul style="list-style-type: none"> • Modify reasonable accommodation ordinance and findings to ensure consistency with changes in state and federal fair housing law. • Amend zoning code to define residential care facilities (RCF), allow small (6 or fewer) facilities in all zones allowing housing as a by-right use, and treat them like any other family dwelling of the same type in the same zone. • Amend the zoning code to conditionally permit RCFs that serve seven or more residents in all zones allowing housing as a by-right use based on objective, nondiscriminatory findings. • Evaluate and modify any conditional use permit findings that are found to be a constraint to the development of RCFs serving seven or more clients to ensure objectivity and certainty in the approval process.
Time Frame	<ul style="list-style-type: none"> • Ongoing processing of reasonable accommodation requests throughout the Housing Element cycle, within 1 month of request submittals. • Revise reasonable accommodation ordinance and zoning for small RCFs by the end of 2025. • Revise CUP findings for large residential care facilities by the end of 2025
Responsible Agency	Building and Planning Department
Funding Sources	General Funds
Relevant Policies	1.1, 1.4, 3.5, 4.4