



2024

**HOUSING OPPORTUNITIES
OVERLAY MANUAL**

COUNTY OF ORANGE

OC PUBLIC WORKS

OC DEVELOPMENT SERVICES/PLANNING



2024 HOUSING OPPORTUNITIES OVERLAY MANUAL

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TABLE OF CONTENTS

DEFINITIONSv

CHAPTER 1.0 - PURPOSE AND INTENT 1

 Section 1.1 Housing Opportunities Overlay1

 Section 1.1.2 Eligibility Criteria for Housing Opportunities Overlay 2

 Section 1.2 Affordable Housing Permit 2

Chapter 2.0 – State Density Bonus Law 4

 Section 2.1 Relationship to State Density Bonus Law 4

 Section 2.2 Incentives 4

CHAPTER 3.0 – SITE DEVELOPMENT STANDARDS FOR QUALIFIED HOUSING DEVELOPMENTS.....7

 Section 3.1 Project Requirements..... 7

 Section 3.2 Environmental Clearance for Affordable Housing Projects 8

CHAPTER 4.0 – DESIGN STANDARDS FOR QUALIFIED HOUSING DEVELOPMENTS..... 10

 Section 4.1 Building Design.....10

 Unit Specifications.....10

 Roof Form 11

 Windows, doors, and entries 11

 Materials and colors..... 11

 Air conditioning.....12

 Walls and fences12

 Lighting12

 Section 4.2 Mixed-Use Building Design13

 Section 4.3 Parking.....13

 Section 4.4 Landscaping.....13

 Section 4.5 Open Space15

TABLE OF CONTENTS

Section 4.5.1 Private Open Space.....15

Section 4.5.2 Public Open Space/Common Space.....15

Section 4.6 Crime Prevention Through Environmental Design 17

CHAPTER 5.0 – CHILDCARE FACILITIES 19

Section 5.1 Site Development Standards..... 19

CHAPTER 6.0 – APPLICATION FILING AND REVIEW PROCESS..... 20

Section 6.1 Processing Fee/ Deposit..... 20

Section 6.2 Pre-submittal..... 20

Section 6.3 Submittal for Affordable Housing Projects 21

CHAPTER 7.0 – AMENDMENTS TO THE ORANGE COUNTY AFFORDABLE HOUSING MANUAL..... 26

DEFINITIONS

The following table provides the definitions of words that are used in this Manual.

Term/Phrase	Definition
– A –	
Affordable Rent	A monthly rental rate that qualifies as Lower- Income or Very Low-Income affordable rent pursuant to the Health and Safety Code Section 50053.
Affordable Housing Unit	A residential dwelling unit which shall be reserved for rent or sale to eligible households based upon housing cost and household income levels at extremely low, very low, low, or moderate income as established by the California Department of Housing and Community Development (HCD) or U.S. Department of Housing and Urban Development (HUD).
– B –	
– C –	
Child Care Facility	(Day Care Center or Day Care Nursery) is defined as any state licensed facility operated by a person, corporation or association used for the provision of nonmedical daytime care (12 hours or less) for children twelve (12) years of age or younger who are residents of the qualified housing development.
– D –	
Density Bonus	The allowable density increases on a property above the maximum set under a jurisdiction’s General Plan land use plan as an incentive to facilitate the production of affordable housing, senior citizen housing, or childcare facilities. The amount of density bonus and the number and type of incentives shall be determined in a manner consistent with State Density Bonus Law and Government Code Section 65915.7, as may be amended from time to time.
Density Bonus Units	Residential units granted, pursuant to the provisions of the Zoning Code, and State Density Bonus Law in Government Code Section 65915.7, as may be amended from time to time, which would exceed the Maximum Allowable Residential Density for the Development Site, herein defined.
Development Site/Building Site	A parcel or contiguous parcels of land established in compliance with the building site requirements of the County’s Zoning Code, and on which the Qualified Housing Development will be

DEFINITIONS

Term/Phrase	Definition
	constructed.
Development Standard	A set of rules, guidelines, and criteria that regulate the physical aspects of development within a building site pursuant to an ordinance, general plan element, specific plan, charter amendment, or other local condition, law, policy, resolution, or regulation.
– E –	
Emergency Shelter	As defined by Section 50801 of the California Health and Safety Code, as may be amended from time to time, housing with minimal supportive services for persons experiencing homelessness that is limited to occupancy of one-hundred eighty (180) consecutive days or less and from which no individual or household may be denied emergency shelter because of an inability to pay. This classification includes facilities that provide temporary shelter, meals, showers, and other related services to persons experiencing homelessness and where on-site supervision is provided whenever the shelter is occupied.
– F –	
– G –	
– H –	
Household, Lower-Income	As defined in Section 50079.5 of the California Health and Safety Code, as may be amended from time to time, and includes very-low-income households, as defined in Section 50105, and extremely low-income households, as defined in Section 50106. The addition of this subdivision does not constitute a change in, but is declaratory of, existing law.
Household, Very Low-Income	As defined in Section 50105 of the California Health and Safety Code, as may be amended from time to time, as defined in Section 50105 of the California Health and Safety Code, means persons and families whose incomes do not exceed the qualifying limits for very low income families as established and amended from time to time pursuant to Section 8 of the United States Housing Act of 1937, and includes extremely low income households, as defined in Section 50106.
– I –	
Incentive	As defined in Government Code Section 65915, as may be amended from time to time, includes reductions of development standards, modifications to requirements of the zoning code, approval of

DEFINITIONS

Term/Phrase	Definition
	mixed-use zones, and other incentives that would result in cost reductions.
	– J –
	– K –
	– L –
Low-Barrier Navigation Center	Pursuant to the provisions of the Zoning Code and Government Code Section 65660, as may be amended, a “Low Barrier Navigation Center” means a Housing First, low-barrier, service-enriched shelter focused on moving people experiencing homelessness into permanent housing that provides temporary living facilities while case managers connect persons experiencing homelessness to income, public benefits, health services, shelter, and housing.
	– M –
Market-Rate Unit	A unit that is not an Affordable Unit.
Maximum Allowable Residential Density	The maximum density allowed on a building site under the zoning ordinance, or when a range of density is permitted, means the highest allowable density for the specific zoning range applicable to the building site.
Multi-Service Center for people experiencing homelessness	A facility which serves as a regional resource hub that provides emergency shelter beds and supportive services and is operated under the auspices of a government or non-profit agency. A multi-service center for people experiencing homelessness the homeless shall have an emergency shelter component and a resource/services component that provides supportive services to individuals and families experiencing homelessness. These supportive services include intake, assessment, and linkages to public benefits, mental health, behavioral health, physical health, and employment and housing resources. Services provided by the emergency shelter component shall address basic and immediate necessities, such as overnight shelter, showers, food, medical attention, and mental health services, as well as higher level needs including, but not limited to, computer access, job training and placement, life skills coaching, and legal assistance.
	– N –
	– O –
Open Space	Any parcel or area of land or water, public or private, that is reserved for the purpose of preserving natural resources, for the

DEFINITIONS

Term/Phrase	Definition
	protection of valuable environmental features, or for providing outdoor recreation or education. For purposes of measuring the amount of open space, it does not include public/private road right-of-way areas, driveway and parking areas not related to recreational uses, any buildings, building setback areas, or the required space between buildings, and surface utility facilities. "Open space" may include structures and impervious surfaces as identified in "Open space, usable."
Open Space, Useable	Open space without any slopes in excess of twenty percent (20%). Such open space may include structures and impervious surfaces such as tot lots, swimming pools, basketball courts, tennis courts, picnic facilities, and greenbelts with walkways or bicycle trails.
Open space, private	Open areas for outdoor living and recreation that are adjacent and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.
Open space, common/shared	Areas for outdoor living and recreation that are intended for the use of residents and guests of more than one (1) dwelling unit but not dedicated for general public use.
	– P –
	– Q –
Qualified Housing Development	A rental or owner-occupied housing project under the Housing Opportunities Overlay that meets the eligibility criteria set forth in this Manual.
	– R –
	– S –
	– T –
	– U –
	– V –
	– W –
	– X –
	– Y –
	– Z –
Zone	Zoning District (ex. A1 "General Agricultural" District).
Zoning Code	Defined as Orange County Codified Ordinances (OCCO) Sections 7-9-01 to 7-9-157.

CHAPTER 1.0 - PURPOSE AND INTENT

Introduction

The purpose of the Housing Opportunities Overlay Manual (Manual) is to provide implementation guidelines for the Housing Opportunities Overlay Regulations and issuance of Affordable Housing Permits pursuant to Section 7-9-44 and Section 7-9-124.3 of the County of Orange Zoning Code and the Housing Element of the County of Orange General Plan. The following sections will discuss minimum criteria for affordable housing projects, site development standards, and processing guidelines.

Section 1.1 Housing Opportunities Overlay

The County's Housing Opportunities Overlay Regulations permit the development of 100 percent (100%) affordable housing, emergency shelters, multi-service centers, and low-barrier navigation centers for persons experiencing homelessness in mixed-use, multifamily residential, and industrial districts areas within unincorporated Orange County. These uses are consistent with the County of Orange Zoning Code and Housing Element of the County of Orange General Plan and are therefore allowed "by-right" subject to the provisions of Zoning Code section 7-9-44.

The Overlay Regulations, and this Manual apply to qualified housing developments (residential rental and owner-occupied projects that are 100 percent (100%) affordable to lower income households), emergency shelters, multi-service centers, and low-barrier navigation centers for persons experiencing homelessness in the following districts:

- C1 "Local Business" District
- C2 "General Business" District
- CN "Commercial Neighborhood" District
- MX "Mixed-Use" District
- M1 "Light Industrial" District
- R2 "Multifamily Dwellings" District
- R3 "Apartment" District
- R4 "Suburban Multifamily Residential" District

Chapters 3, 4, and 6 of this Manual sets forth the site development standards and procedure to be followed in reviewing affordable housing projects in the Housing Opportunities Overlay.

Affordable Housing projects will be subject to an Affordable Housing Permit review process pursuant to Government Code Section 65583.2 (i).

Section 1.1.2 Eligibility Criteria for Housing Opportunities Overlay

To be considered a Qualified Housing Development, an affordable housing development must meet all the following criteria:

1. Rental or Owner-Occupied Project.
2. One hundred percent (100%) of the units must be affordable to low- and very low-income households. (Manager’s unit is exempted).
3. Seventy percent (70%) of the total number of units must be reserved for low-income households. (This percentage may be decreased if there will be greater than 30% of the total number of units reserved for very-low-income households.)
4. At least thirty percent (30%) of the total number of units must be reserved for very low-income households.
5. Project must meet all the provisions set forth in Orange County Zoning Code Section 7-9-44.

Section 1.2 Affordable Housing Permit

The purpose of the Affordable Housing Permit is to ensure for the development of affordable rental and owner-occupied housing within the mixed-use, commercial, multifamily residential, and industrial districts in which all the housing units are reserved for households which earn 80% or less of the County median income as verified by the County of Orange. The intent is to facilitate the realization of affordable housing objectives presented in the Orange County Housing Element of the General Plan.

The Affordable Housing permit regulations apply to residential rental and owner-occupied projects that are at least 20% affordable and that are in one of the following base zoning districts:

- C1 “Local Business” District
- C2 “General Business” District
- CN “Commercial Neighborhood” District
- MX “Mixed-Use” District
- M1 “Light Industrial” District

-
- R2 “Multifamily Dwellings” District
 - R3 “Apartment” District
 - R4 “Suburban Multifamily Residential” District

Residential projects that are 100% affordable shall also conform to Housing Opportunities Overlay regulations in County’s Zoning Code section 7-9-44.

Chapters 3, 4, and 6 of this Manual sets forth the site development standards and procedure to be followed in reviewing and approving affordable housing projects. Affordable Housing projects and will be subject to an Affordable Housing Permit review process pursuant to Government Code Section 65583.2 (i).

OC Development Services/Planning Staff will review the design of a project and may call for a project proponent to make design-related modifications but will not deliberate the project’s merits or exercise judgment to reject or deny the residential use itself. If Staff find that a project complies with the Overlay Regulations (if applicable), other applicable ordinances, and the guidelines, standards and procedures set forth in this Manual, the project shall then be approved.

Affordable Housing Projects are subject to an administrative review process and are not subject to a public hearing.

Chapter 2.0 – State Density Bonus Law

Section 2.1 Relationship to State Density Bonus Law

State Density Bonus Law (Government Code Sections 65915-65918) requires that a density bonus on a sliding scale up to fifty percent (50%) must be granted to projects that provide units affordable to lower- or very low-income households or to projects providing an onsite childcare facility. In addition, qualifying projects that provide affordable units are entitled to request incentives and waivers of development standards. The applicant must show that the requested waivers are necessary to make the project economically feasible.

Density bonus law applies to all affordable housing projects both within and outside the boundaries of the Housing Opportunities Overlay Zone. Since the affordability requirements of the Overlay Regulations are more restrictive than those in State Density Bonus Law, it is assumed that any project that qualifies under the Overlay Zone will also qualify for a density bonus, if necessary to make a project economically feasible.

Section 2.2 Incentives

If the development meets the criteria set forth in Government Code Section 65915 (State Density Bonus Law) and is eligible to receive a density bonus, the applicant may request to utilize the parking requirements set forth in State Density Bonus Law or the County's residential off-street parking requirements for affordable housing projects.

These parking space requirements are considered an alternative site development standard applied to the project and will not be considered as one of the incentives that the project is eligible for.

In addition to reduced parking space requirements, applicants whose projects qualify for a density bonus may request one to four incentives aimed at reducing affordable housing costs. The following list outlines the available on- menu incentives:

1. Reduction of up to 20% in minimum side setbacks, and up to 35% reduction in front and rear setbacks.
2. Increased maximum building height up to 10 feet and one additional story. Where a project shares an interior side property line with a single-family residence on a parcel

zoned for single-family residential use, for every additional foot in height above the maximum allowed in the basic zone, the portion of the building exceeding the basic height limit shall be stepped back an additional foot (and may be determined from a modified yard/setback) from adjoining residential properties, except that roof structures and architectural features may be allowed within the step-back portion up to 42 inches in height.

3. A graduated density incentive shall be granted when parcels smaller than 0.50 acre are consolidated as part of a project. The increased density shall be in addition to any other density bonus available under this Zoning Code, to a maximum of 45 percent (45%) total, and shall be calculated as follows.

Table 1. Lot Consolidation Graduated Density Incentive	
Project Size (after lot consolidation)	Base Density (per net development area)
Less than 0.50 acre	70 units/acre
0.50 to 0.99 acre	77 units/acre (10% increase)
1.00 acre or more	84 units/acre (20% increase)

Incentives not included on this list may also be requested by the applicant. The number of incentives is based on the percentage of affordable units in the projects.

The requested incentives will be granted unless one of the following findings is made:

1. The incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c) of Government Code Section 65915.
2. The incentive would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Government Code Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

Applicants may also request additional waivers to development standards. Each waiver requested must be accompanied by financial documentation that the waiver is necessary to make the housing units economically feasible. Approval of these additional requested waivers to development standards will be made on a case-by-case basis.

CHAPTER 3.0 – SITE DEVELOPMENT STANDARDS FOR QUALIFIED HOUSING DEVELOPMENTS

The following are site development standards for Qualified Housing Developments. These site development standards shall be used in conjunction with applicable Orange County Zoning Code Development Standards. If a discrepancy exists between these standards and the current Zoning Code, the site development standards in the current Orange County Zoning Code shall prevail.

Section 3.1 Project Requirements

1. Projects shall consist of a minimum required density of 30 dwelling units (du) per acre (du/ac). Projects utilizing the Housing Opportunities Overlay shall consist of no less than 16 units, provided that, the Director of OC Development Services, in their discretion, may permit a project with fewer units to qualify as a Qualified Housing Development upon a finding that the project is financially capable of supporting the cost of Professional On-Site Management. For projects on properties identified in the Housing Element as Lower Income Regional Housing Needs Assessment sites, those projects must comply with California Government Code §65583.2 (h) and (i).
2. Occupancy of each unit shall not exceed two persons per bedroom plus one. Projects requesting Project-Based Vouchers shall follow the Orange County Housing Authority Administrative Plan’s occupancy limits:

Unit Size	Maximum Household Size for Occupancy
Studio	2 person
1-bedroom	4 persons
2-bedroom	6 persons
3-bedroom	8 persons

3. Prior to issuance of an occupancy permit, the owner shall submit a Management Plan that provides for on-site property management in a manner meeting the approval of the Director, OC Community Resources, or designee.

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4. Units shall remain in the same affordability category as originally permitted for a period of no less than 55 years from the date of completion of construction.
 5. In determining the maximum Affordable Rent, the following US Department of Housing and Development (HUD) guidelines regarding household and unit size assumptions shall be used:

Unit Size	Household Size
Studio	1 person
1-bedroom	1 persons
2-bedroom	2 persons
3-bedroom	4 persons
4-bedroom	6 persons

6. Unit sizes shall be designed as follows:

Unit Size	Minimum Square Feet
Studio (or “o”-Bedroom):	No less than 300 sq. ft. *
1-Bedroom:	450 sq. ft.
2-Bedroom:	700 sq. ft.
3-Bedroom:	1,000 sq. ft.
4-Bedroom:	1,200 sq. ft.

*Less than 300 sq. ft. for a studio (“o”- Bedroom) may be requested by an applicant with justification for the reduced square footage (i.e., rehabilitation of existing smaller units) and will be considered on a case-by-case basis.

Section 3.2 Environmental Clearance for Affordable Housing Projects

Affordable Housing development projects may qualify for exemptions from the California Environmental Quality Act (CEQA). CEQA does not apply to any Affordable Housing development project that meets the criteria set forth in CEQA Guidelines Article 12.5, Section

15194 – Affordable Housing Exemption; Section 15192 – Threshold Requirements for Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects; and Section 15195 – Residential Infill Exemption. If the Affordable Housing development project is not exempt from CEQA, refer to CEQA Statute and Guidelines.

CHAPTER 4.0 – DESIGN STANDARDS FOR QUALIFIED HOUSING DEVELOPMENTS

Section 4.1 Building Design

Qualifying projects shall apply the following building design standards:

1. The street-facing front façades of buildings shall be articulated with wall offsets (e.g., projections or recesses in the façade plane) that are at least two feet deep and spaced no more than thirty (30) feet apart.
2. In addition to wall offsets, street-facing front façades shall provide at least four of the following articulation elements:
 - A covered porch;
 - Projecting balconies;
 - Recessed windows;
 - Verandas;
 - Porches;
 - Trellises;
 - A recessed entrance;
 - Pillars, posts, or pilaster;
 - Eaves projecting at least four inches from the façade plane;
 - Multiple windows and or large windows;
 - Integral planters that incorporate landscaped areas or places for sitting.

Unit Specifications

1. Corridors shall not exceed one hundred (100) feet of unbroken length.
2. Corridors shall include natural lighting.

Roof Form

1. If the interior side of a parapet is visible from pedestrian view, it shall be finished with the same materials and a similar level of detail as the front façade.
2. Rooftop equipment shall be screened so that it is not visible by pedestrians in the public right of way.
 - Free standing wood screens are not permitted.
 - Permitted screening options include parapet walls and other permanent building features that are integrated into the architectural design of the building.

Windows, doors, and entries

1. Windows shall be articulated two (2) of the following:
 - Sills;
 - Trim;
 - Kickers;
 - Shutters;
 - Awnings.
2. Faux shutters shall be two shutters to each window opening.

Materials and colors

1. Materials and textures shall vary between the base and body of a building to break up large wall planes and add visual base to the building.
2. All building materials shall be low maintenance, such as, but not limited to, cement siding, stone veneer, and stucco.
3. Material changes shall occur at intersecting planes, preferably at inside corners of changing wall planes or where architectural elements intersect, such as a chimney, pilaster, projection, or fence line.
4. Contrasting colors shall be used for trim, windows, doors, and key architectural elements.

Air conditioning

1. Air conditioning or other mechanical equipment shall be placed in the back of the unit and not visible from public view.
2. If the mechanical equipment cannot be placed in the back, it shall be either placed on the ground and screened with landscape or placed on the roof and screened with architectural materials such as roof or parapet consistent with the overall architectural style.

Walls and fences

1. Fences, walls, and hedges are subject to Zoning Code section 7-9-64.
2. A combination of elements, including decorative masonry walls, berms, and landscaping, shall be used to screen objects at the ground plane.
3. All non-transparent perimeter walls shall incorporate standards to provide for wall inserts and/or decorative columns or pilasters every twenty (20) feet to provide relief.
4. All non-transparent perimeter walls and/or fences shall be architecturally treated on both sides.
5. All fences and walls required for screening purposes shall be of solid material.
6. Chain link fencing is strictly prohibited.

Lighting

1. Light fixtures shall be architecturally compatible with the building design.
2. All building entrances shall be illuminated with a minimum of one (1) foot-candle of lighting
3. Street lighting within development shall be a maximum of fifteen (15) feet high.
4. Walkways and paseos shall be illuminated with a minimum of one (1) foot-candle to ensure safe nighttime conditions.
5. Parking lots and access thereto shall be illuminated with a minimum of one (1) foot-candle of lighting.
 - Carports shall include underneath lighting and carport roofs shall be non-reflective.

Section 4.2 Mixed-Use Building Design

Mixed-use projects that include affordable housing units are subject to Zoning Code section 7-36-36. While projects with at least 20% affordable qualify for an Affordable Housing Permit, the mixed-use portion of the project is subject to a Use Permit pursuant to Zoning Code section 7-9-36.2.

Section 4.3 Parking

1. Alley access, when available, shall be utilized when garage parking is proposed. This arrangement is intended to provide maximum landscaping at the street edge, as well as front facades dominated by porches and entries instead of garage doors.
2. Parking spaces shall be separated from buildings by a pedestrian sidewalk (minimum four (4) feet) and a landscape strip (minimum six (6) feet), measured from curb face, when in the right of way.
3. Trash enclosures within a parking area shall be separated from adjacent parking stalls with landscape planters and paved surfaces behind the curb to ensure adequate space is available for individuals to access vehicles.
4. Canopy trees shall be used in parking areas to reduce the impact of large expanses of paving, to provide shade, and to reduce glare and heat buildup. These trees shall have a thirty (30)- foot to forty (40)-foot canopy potential and be sized at twenty (24)-inch box or larger at the time of installation.
5. Parking shall be screened from the street by landscaping, berming, low walls or fences, or buildings.

Section 4.4 Landscaping

The landscaped requirements listed below are required for all qualifying projects:

1. Landscaped space: A minimum of 20 percent (20%) of the site area shall be landscaped.
2. Landscaping shall be used to:
 - Define areas such as building entrances, key activity hubs, focal points, and the street edge.

-
- Provide screening for service areas.
 - Serve as buffers between neighboring uses.
3. Landscaping, consisting of trees, shrubs, vines, ground cover, turf, or any combination thereof, shall be installed and maintained subject to the following standards:
- Landscape planting must be designed to contribute to crime prevention. Shrubs that create hiding places shall not be placed in areas of pedestrian movement, such as along walkways and building entrances.
 - Provide root barrier when trees are located five (5) feet or closer to any hardscape element or building.
 - Flowering and fruit-bearing trees must be avoided within six (6) feet of pedestrian walkways.
 - Boundary landscaping is required for a minimum depth equal to the required setback distance or ten (10) feet (whichever is less) along all property lines abutting streets except for the required street openings.
 - Landscaping along all streets and boundaries shall comply with Zoning Code section 7-9- 64.
 - Any landscaped area shall be separated from an adjacent parking or vehicular area by a wall or curb at least six (6) inches higher than the adjacent parking or vehicular area.
 - Permanent watering facilities shall be provided for all landscaped areas and be operated and maintained in an efficient manner pursuant to a certified landscape plan prepared by a licensed Landscape Architect.
 - Required landscaping shall be maintained in a neat, clean, and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing and watering as needed, and replacement of plants when necessary - pursuant to Zoning Code Section 3-13.
 - For landscape projects subject to section 7-9-68 of the Zoning Code, a Landscape Documentation Package as defined in section 7-9-68.3 shall be submitted and

approved pursuant to the requirements set forth in section 7-9-68.3 and 7-9-68.4 and the Guidelines applicable thereto prior to the issuance of building permits. A Certificate of Completion shall be submitted and approved prior to the closure of the permit.

Section 4.5 Open Space

Units shall provide a minimum of one hundred fifty (150) square feet of exterior open space per dwelling unit of which a minimum of one hundred (100) square feet shall be private and accessible directly from the residential unit. The balance of open space shall be provided on-site as common open space area.

Section 4.5.1 Private Open Space

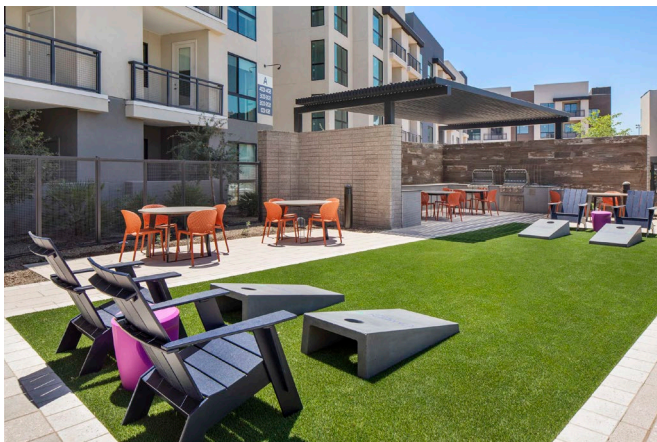
1. Each unit shall provide a minimum of one hundred (100) square feet of private open space with a minimum dimension of five (5) ft.
2. Private open space may be a patio, deck, porch, fenced yard, or balcony.
 - Balconies shall avoid horizontal railings.
3. Private open space shall be easily accessible from individual units and accessed primarily from a living room or common living area.
4. Any request for reduction in private open space, pursuant to a density bonus incentive, shall be reallocated to public open space.

Section 4.5.2 Public Open Space/Common Space

1. A minimum of fifty (50) square feet of exterior public open space per unit shall be provided for all affordable housing projects.
2. A maximum of twenty percent (20%) of the total public open space may be provided in an interior space such as a recreational/community room.
3. Public open space shall avoid undifferentiated empty spaces.
4. Public open space shall include three or more of the following:
 - Covered and uncovered seating areas

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- Community gardens
 - Courtyards: Courtyards shall include plenty of seating areas, shade structures and landscaping/planters
 - Outdoor areas that promote outdoor activities such as, but not limited to:
 - i. Barbeque
 - ii. Outdoor fireplace
 - iii. Pools
 - iv. Tennis court
 - v. Outdoor fitness equipment
 - vi. Recreational rooms
 - vii. Fitness rooms
 - viii. Play areas.

Note: Play areas are critical to the successful functioning of any family housing project. Consider how play areas will be used by different age children (2-5 years, 5-12 years, and teenagers), and design these areas accordingly. Avoid “one space fits all” solutions. Locate play areas for small children so that they allow for adult supervision from dwelling units and/or from a central facility such as a laundry. Design play areas so that adults can also congregate and provide supervision.



Figures 1 and 2: Samples of Outdoor Areas

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5. Provide visual access to shared open spaces from individual units.
 6. All public open space areas shall be well lit and shall provide visual access from individual units.

Section 4.6 Crime Prevention Through Environmental Design

1. Safe neighborhoods are encouraged through the implementation of Crime Prevention Through Environmental Design (CPTED). The basic premise of CPTED is that the nature of buildings and layout of a community can attract offenders and make it easier for them to commit crimes and escape arrest. CPTED focuses on eliminating these features at the design stage to reduce crime and the fear of crime.

The five overlapping concepts or strategies which are incorporated in CPTED are:

- a) Access Control
 - b) Surveillance
 - c) Territorial Reinforcement
 - d) Activity Support
 - e) Image and Maintenance
2. Architectural and site plans should implement CPTED principles by:
 - Providing clear border definitions of controlled space.
 - Providing clearly marked transitional zones that indicate movement from public to semi-public to private space.
 - Relocating gathering areas to locations with natural surveillance.
 - Placing unsafe activities in safe spots to overcome the vulnerability of these activities with natural surveillance and access control of the safe area.
 - Redesigning space to increase the perception or reality of natural surveillance.
 - Carefully planning a reduced number of entry points.

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- Placing signage to advise visitors what the access restrictions are and where they must go if they are authorized to enter your territory.
 - Eliminating blind spots around the project site where individuals approaching the site cannot be observed.
 - Including fencing and landscaping to direct the circulation flow of persons to a select observable pathway.
 - Making sure that landscape plant material that is selected will not block windows and eliminate opportunities for natural surveillance.
 - Plant low vegetation with thorns or other repelling qualities adjacent to first floor windows to prevent outsiders from approaching windows.
 - Providing good outdoor lighting standards that illuminate pathways evenly and without shadow pockets.
 - Pre-wiring for future security cameras is recommended.

CHAPTER 5.0 – CHILDCARE FACILITIES

Childcare facilities may be a part of a Qualified Housing Development at the discretion of the applicant and will be subject to an administrative review process and will not require a separate permit. The childcare facility would be available only to children who reside in the Qualified Housing Development.

The following site development standards shall apply to childcare facilities co-located with residential uses in the Overlay Zone and other affordable housing projects. In addition, childcare facilities shall demonstrate compliance with all State licensing requirements set forth in Title 22, Division 12 of the California Code of Regulations, and the Local Fire Code.

Section 5.1 Site Development Standards

1. Indoor Classroom Space shall be thirty-five (35) square feet per child (exclusive of hallways, bathrooms, office, kitchen, and other non-classroom space).
2. Outdoor play areas shall be surrounded by fence and/or walls at least 6 feet high with no “slats” wider than 2³/₈ inches or “crib-width.” Fences and/or walls adjacent to roads, driveways or parking areas must be reinforced.
3. Landscaping shall be tall enough to buffer noise and screen fence or wall and shall appear on the landscaping plan for the project. Landscaping shall not include plants that are non-poisonous, have thorns or stickers.
4. Hours of Operation shall be Monday through Friday, 6:00 a.m. to 6:00 p.m.
5. Outdoor Activities shall not begin before 8:00 a.m. and no later than 5:00 p.m. No more than 24 children allowed in the play yard at one time.
6. Projects with childcare facilities shall include appropriate measures to mitigate noise of outdoor play areas. Exterior noise must not exceed sixty-five (65) dBA and interior must not exceed sixty (60) dBA.
7. Signs shall be limited to directional signs on the interior of the residential development.

CHAPTER 6.0 – APPLICATION FILING AND REVIEW PROCESS

The following general instructions are for preparing Affordable Housing Permit applications for Qualifying Housing Developments that are located on eligible sites as described in Zoning Code Section 7-9-44 – Housing Opportunities Overlay Zone Regulations.

Affordable Housing Permits are pre-planning applications that undergo review and approval before the submission of a building permit. Applications for Affordable Housing Permits must adhere to the specified submittal requirements outlined in both this Orange County Housing Opportunities Manual and the guidelines provided below.

Prior to filing your application, if you have questions or would like a meeting with staff, please call (714) 667-8888 or speak with a Planner at the County Administrative South, County Service Center, OC Development Services Counter, 601 North Ross Street, Santa Ana. The OC Development Services Counter is open Monday through Friday from 8:00 a.m. to 4:00 p.m.

Section 6.1 Processing Fee/ Deposit

A deposit must be paid with each application and maintained at a level to cover all costs relevant to this project. Costs are charged to this deposit based upon actual time spent on the project by department staff. Failure to maintain an adequate deposit will result in the stoppage of work. The County does not provide credit. When the deposit balance gets low (less than or equal to \$500), a letter or email will be sent to the applicant asking that an additional deposit be made. The County encourages a prompt response to avoid work having to stop. When a project is complete, any deposits remaining more than costs will be refunded to the legally entitled party.

Section 6.2 Pre-submittal

The following items are for consideration prior to submitting an Affordable Housing Permit application and do not require additional documentation at the time of formal submittal:

1. Meet with OC Development Services staff (Planner) to discuss the application process.
2. Inquire at OC Development Services Counter about potential development impact fees (dependent upon geographical location of site):
 - School
 - Fire

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- Library
 - Park
 - Road
3. Check with OCPW/Traffic Engineering section to determine ultimate street right-of-way or any future proposed road improvements.
 4. Contact Orange County Fire Authority (OCFA) to request information regarding their planning application process.
 5. Ensure the availability of adequate water and sewer capacity.

Section 6.3 Submittal for Affordable Housing Projects

1. Application Information and Environmental Form
2. Owner/Agent Authorization Letter
3. Letter of Justification/Explanation:
 - Provide a narrative of the purpose and the scope of the project.
 - Property management plan- provide a section for the management plan for the proposed affordable housing development.
 - Breakdown of the number of purposed units.
 - Summarize the condition of the housing stock in the neighborhood.
 - Document neighborhood service (public transportation, schools, shopping, etc.).
 - Explain how the project affirmatively promotes fair housing.
 - Discuss any other relevant issues regarding land use including design measures taken to protect privacy of adjacent existing residential uses.
 - If a Density Bonus is requested, provide the following information:
 - i. Discuss why the proposed development is eligible for consideration of a density bonus.

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- ii. Provide the proposed number of units prior to density bonus and number of units that will be reserved for lower or very low-income households.
 - iii. Percentage of density bonus requested and the total number of units that will result if the density bonus is granted.
 - iv. List the number and type of incentives that are requested for the project (based upon eligibility).
 - v. Describe all waivers to development standards requested for the project. Provide information on the necessity of each waiver to make the housing units economically feasible.
 - vi. If the Qualified Housing Development has received a modified parking standard under Density Bonus law, a plan for parking management, which shall include a map depicting which parking spaces are reserved and which are not and shall include procedures for removal of inoperable vehicles and a limitation on the aggregate number of vehicles permitted in the Qualified Housing Development.
- If a childcare facility will to be included in the proposed development, provide information regarding the design and operation of the facility to demonstrate compliance with the site development standards described in this Manual.
4. A copy of the draft affordability agreement which includes:
 - The total number of units approved for the Qualified Housing Development, including the number of affordable units, the location, unit sizes (square feet), and number of bedrooms of each of the affordable units.
 - The standards for determining the affordable rent for each affordable unit/standards for determining the unit price for owner-occupied units.
 - A term of at least fifty-five (55) years for the development project.
 - A limitation on occupancy of each unit in the Qualified Housing Development not to exceed more than such number of persons as is equal to the sum of the number of bedrooms in the unit, multiplied by two, plus one.
 - Rent schedule or unit price.

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- Financing.
 - Tax Credit Equity Calculation (if applicable).
 - Threshold Basis Limits (if applicable).

Note: An Affordable Housing Agreement and Declaration of Restrictions that has been executed and recorded with the County Clerk-Recorder shall be provided to the Planning Division prior to issuance of a Building Permit.

5. The submittal shall include architectural plans. Below is a summary, and not a complete list, of the items to be included within the architectural plans.

- Site Plan that includes the following:
 - i. Property lines and lot dimensions.
 - ii. Proposed and required setback dimensions from all proposed structures to each property line.
 - iii. Off-street parking information. Including number of parking stalls, parking stall dimensions, and turning radius.
 - iv. Property walls.
 - v. Location of all proposed structures.
- Certified landscape plan prepared by a landscape architect that includes:
 - i. All on-site planting materials with size.
 - ii. Irrigation plan.
 - iii. Property wall details.
 - iv. On-site lighting.
 - v. Location of any proposed seating, shade structures, recreational equipment, garden areas etc.
- Floor plans for all floor levels.
- Roof Plan.

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- Building elevations that include the following:
 - i. Building height dimensions.
 - ii. Architectural details such as style, colors, and materials.
 - 6. Legal Status of Project Site, such as the Tract Map.
 - 7. Preliminary Title Report.
 - 8. Project Site Color Photos.
 - 9. Complete the Water Quality Management Plan Checklist:
[https://ocds.ocpublicworks.com/sites/ocpwoocds/files/2021-06/Checklist for Categorizing Priority or Non Priority.pdf](https://ocds.ocpublicworks.com/sites/ocpwoocds/files/2021-06/Checklist%20for%20Categorizing%20Priority%20or%20Non%20Priority.pdf)
 - 10. Orange County Fire Authority (OCFA) review and approval will be required. Coordinate with the Project Planner upon formal submittal of the Affordable Housing Permit, for additional information regarding OCFA review.

Affordable Housing Permit Application-Submittal Checklist

The following is a one page checklist to be used by applicants/staff for submittal of Affordable Housing permit applications.

Applicant Contact Information: _____

Project Name: _____

Project Location: _____

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|--|-------------------------------------|
| 1) <u>Application Information and Environmental Form</u> | Provided - <input type="checkbox"/> |
| 2) <u>Owner/Agent Authorization Letter</u> | Provided - <input type="checkbox"/> |
| 3) <u>Letter of Justification/Explanation –</u> | Provided - <input type="checkbox"/> |
| • Project location / Address | |
| • Description of entire project proposal and existing site conditions | |
| • Justification of request for deviations from development standards | |
| 4) <u>Plans</u> | Provided - <input type="checkbox"/> |
| A. Plot Plan / Site Plan | |
| B. Floor Plan / Elevations | |
| C. Conceptual Grading Plan (if applicable) | |
| D. Conceptual Landscaping Plan | |
| E. Other Plans (i.e. Signage) | |
| 5) <u>Draft Affordability Agreement</u> | Provided - <input type="checkbox"/> |
| 6) <u>Preliminary Title Report</u> | Provided - <input type="checkbox"/> |
| 7) <u>Legal Status of Project Site</u> | Provided - <input type="checkbox"/> |
| 8) <u>Site Color Photos</u> | Provided - <input type="checkbox"/> |
| 9) <u>Orange County Fire Authority (OCFA) Planning & Development Services Service Request</u> (After initial submittal/Consult Project Planner) | Informational only |
| 10) <u>Technical Studies (if necessary)</u> | Provided - <input type="checkbox"/> |
| • Biological Assessment Report | |
| • Parking and/or Traffic Study | |
| 11) <u>Conceptual WQMP</u> | Provided - <input type="checkbox"/> |
| 12) <u>Application Acceptance Signature Requirement</u> | Provided - <input type="checkbox"/> |

ZONING BASICS	FOR STAFF USE ONLY
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Site Permits _____ APN Pages _____ Zoning Regulations* _____ Color Aerial _____

* Including Zoning Overlay (Conventional, Planned Community, Specific Plan)

CHAPTER 7.0 – AMENDMENTS TO THE ORANGE COUNTY AFFORDABLE HOUSING MANUAL

- The Planning Commission shall adopt such guidelines, design criteria, and procedures as may be necessary or convenient to administer this section in compliance with the Housing Element. The Director of OC Development Services shall revise these guidelines, design criteria, and procedures as necessary to administer this section. If the subject revisions are substantial or significant as determined by the Director of OC Development Services, the proposed revisions may be referred to the Planning Commission for adoption. Such guidelines, design criteria, and procedures shall be referred to as the "Orange County Housing Opportunities Manual."
- All references to California State Law are as of the date of the approval of the Orange County Housing Opportunities Manual or as may be amended, repealed, or renumbered in the future.
- All references to the Orange County Codified Ordinances (including the Zoning Code) are as of the date of the approval of the Orange County Housing Opportunities Manual or as may be amended, repealed, or renumbered in the future.

