I. RECOMMENDATION

Staff recommends that the Planning Commission review a proposed amendment to Title 30 of the Santa Barbara Municipal Code (SBMC) addressing existing mobilehome parks as part of the Average Unit-Size Density Incentive Program (AUD Program) Amendments, and provide a recommendation to City Council to approve the proposed amendment.

II. BACKGROUND

AUD Program Background

The AUD Program ordinance was adopted by City Council in July 2013, as a General Plan initiative intended to provide needed residential development, particularly rental units, in the community. The AUD Program encourages housing by allowing increased densities based on unit size: the smaller the average unit size for the project, the greater the density allowed. Additionally, development standard incentives related to parking, setbacks, and open space are provided to help make the construction of additional residential units possible.

City Council Initiation

On December 13, 2016, City Council established the Housing Task Force (HTF) for a limited duration to evaluate certain aspects of the AUD Program (Exhibit A - City Council minutes). On June 13, 2017, the City Council considered amendments to the City’s Mobilehome Park Conversion Regulations (SBMC Chapter 28.78). Based on public comment on this item, City Council discussion included concern regarding the potential loss of lower-income affordable-by-design housing provided by the existing mobilehome parks located in the AUD Program boundary and direction was given to bring this item to the HTF for review and further analysis (Exhibit B - City Council minutes). On August 15, 2017, the City Council considered the recommendations of the HTF and directed staff to initiate related ordinance amendments to the SBMC to address existing mobilehome parks in the AUD Program (Exhibit C - City Council minutes).
Public Outreach

A page on the City’s website has been created for the AUD Program amendments work effort and will be updated with notification of upcoming meetings and links to relevant materials. The page also provides a link for interested parties to provide comments, request to receive updates, and notices of new information or public meetings. Additionally, notifications via an AUD Program e-Bulletin subscribers are also sent to alert interested parties when public documents are available for review. Display ads were published in the Santa Barbara Independent and Montecito Journal to notify the public of this current Planning Commission meeting and existing mobilehome park property owners and tenants also received notification of the meeting.

III. DISCUSSION

Addressing Mobilehome Parks

There are six existing mobilehome parks within the boundaries of the AUD Program (Exhibit D). These mobilehome parks contain a total of 262 existing housing units that are not subsidized, but tend to be affordable to lower income households. Many of these parks are marketed as “senior parks” and provide housing for lower income seniors in the area. All six of these parks are in areas designated for “Medium-High Residential” housing under the AUD Program, allowing for a maximum density of 27 units/acre. The City’s Variable Density program, which is on hold for the duration of the AUD Program, would also allow for a maximum density of 27 units/acre.

The proposed amendment would not alter the allowed maximum density of 27 units/acre but would prohibit applying any of the development incentives of the AUD Program related to parking, setbacks, building height, and open space for any redevelopment of these properties. The attached ordinance amendment (Exhibit E) removes mobilehome parks existing as of November 1, 2018, from receiving these incentives, in an attempt to preserve existing, more affordable housing stock.

IV. GENERAL PLAN CONSISTENCY

The proposed AUD Program amendments to exclude existing mobilehome parks from the AUD Program development incentives were drafted consistent with these General Plan Policies:

H2. Housing Opportunities. Promote equal housing opportunities for all segments of the community, with special emphasis given to extremely low, very low, low, moderate, middle income and special needs housing.

H6. Housing Opportunities for Seniors. Seek to ensure the availability of a range of housing opportunities with an emphasis on extremely, very low, low and moderate income seniors.


1 SantaBarbaraCA.gov/services/planning/mpe/aud_program/audprogramphases.asp
H21. Preserve Affordable Housing. Maintain the affordability of the existing extremely low, very low, low and moderate income dwelling units.

LG6. Location of Residential Growth. Encourage new residential units in multi-family and commercial areas of the City with the highest densities to be located in the Downtown, La Cumbre Plaza/Five Points area and along Milpas Street.

V. ENVIRONMENTAL REVIEW

Under provisions of the California Environmental Quality Act (CEQA) and Guidelines, staff determined that the amendments qualify for a Categorical Exemption from further CEQA environmental review and documentation under State CEQA Guidelines §15305 – Minor Alterations in Land Use Limitations. The adopted List of City Determined Examples of Activities/Projects Qualifying as Ministerial or Categorically Exempt identifies the following activity as Categorically Exempt under this category: “Minor Zoning Ordinance amendments that do not significantly change planned uses in an area.” None of the Exceptions to use of a Categorical Exemption apply.

Exhibits:
A. City Council Meeting Minutes, December 13, 2016
B. City Council Meeting Minutes, June 13, 2017
C. City Council Meeting Minutes, August 15, 2017
D. Map of Existing Mobilehome Parks within the AUD Program Boundary
E. Proposed Amendment to SBMC Title 30 Related to the AUD Program
CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:30 p.m. and Ordinance Committee which ordinarily meet at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.
Councilmembers absent: None.
Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Deborah L. Applegate.

CEREMONIAL ITEMS

1. Subject: Recognition And Remembrance Of Victims Of Gun Violence (120.04)

   Action: Mayor Schneider read the proclamation in recognition and remembrance of the victims of gun violence.

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator Paul Casey stated that Item No. 18 was being pulled from the Consent Calendar and would be brought back to Council at a later date.

(Cont’d)
COMMUNITY DEVELOPMENT DEPARTMENT

24.  Subject: Work Program For The Average Unit-Size Density Incentive Program (640.01)

Recommendation: That Council:
A. Confirm a work program for items related to implementation of the Average Unit-Size Density Incentive Program;
B. Initiate amendments to Title 28 of the Santa Barbara Municipal Code related to the Average Unit-Size Density Incentive Program; and
C. Provide direction to staff regarding the membership, objectives, and expected duration of a Housing Task Force.

Documents:
- December 13, 2016, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- December 9, 2016, letter from Santa Barbara Association of Realtors SBAOR, Alec Bruce.
- December 13, 2016, letter from League of Women Voters of Santa Barbara.
- December 13, 2016, map from Sheila Lodge.

Speakers:
- Staff: City Planner Renee Brooks; Principal Transportation Planner Rob Dayton; Assistant City Attorney Scott Vincent; Community Development Director George Buell.
- Members of the Public: Lindsey Baker, League of Women Voters; Mickey Flacks; Anna Marie Gott, Citizens for a Livable Neighborhood, Oak Park Mesa Protection Alliance; Sheila Lodge; Mark Sheridan; Alex Pujo; Bob Hart, Santa Barbara Association of Realtors.
- Architectural Board of Review: Board Member Scott Hopkins.
- Coastal Housing Collation: Lisa Plowman; Ellen Bildsten.
- Planning Commission: Commissioner John Campanella.

Motion:
Councilmembers Dominguez/Hotchkiss to direct staff to come back to Council with a Citywide pause/moratorium for all new applications for building permits for a period of six months.
24. (Cont’d)

Amendment Motion:
Councilmembers Dominguez/Hotchkiss to direct staff to come back to Council with a proposal for a temporary Citywide AUD pause/moratorium for new applications for building permits for a period of six months.

Vote on Amendment Motion:
Majority voice vote (Noes: Councilmembers Hart and Murillo).

Motion:
Councilmembers Murillo/Rowse to form a Housing Task Force which would consist of three City Council members (Murillo/Dominguez/White); three Planning Commission members, to be chosen among themselves, and one member of the City of Santa Barbara Housing Authority, to be chosen among themselves.

Vote:
Unanimous voice vote.

Motion:
Councilmembers White/Hotchkiss to incorporate into the proposed Infill Design Guidelines, currently being formalized by City design review bodies, the following items: 1) story poles to be required for projects of five units or more; 2) for all projects of five units or more to be sent to the Planning Commission for comments; and 3) for all three bedroom units to have a requirement of two parking spots.

Councilmember White withdrew his motion.

Substitute Motion:
Councilmembers White/Hotchkiss for Staff to bring to the Planning Commission’s consideration of the following items to be included in the proposed Infill Design Guidelines: 1) the maximum of two bathrooms per unit; 2) projects of five units or more to be sent to the Planning Commission for comments; and 3) three bedroom units to have a requirement of two parking spaces.

Vote on Substitute Motion:
Majority voice vote (Noes: Councilmembers Hart and Murillo).

Motion:
Councilmembers White/Hotchkiss to require story poles for all AUD projects of five units or greater.

Councilmember Hotchkiss withdrew his second.

Motion failed for lack of a second. (Cont’d)
24. (Cont’d)

Motion:  
Councilmembers White/Rowse for Staff to bring back a recommendation in February on a policy to require story poles for certain AUD projects.

Vote:  
Majority voice vote (Noes: Councilmembers Hart and Murillo).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:
- Councilmember Hart reported his attendance at the Airport Commission and shared recent passenger counts which are up thirteen percent for the month of November.
- Councilmember Dominguez reported his attendance at the Milpas Holiday Parade and the City of Santa Barbara Parade of Lights.
- Councilmember White reported his attendance at the recent Cachuma Operation and Maintenance Board where the board issued its response to the State Water Rights Order.
- Councilmember Murillo reported her attendance at the following events: 1) the Rental Housing and Mediation Board meeting; 2) the Housing Authority Commission meeting; 3) the TVSB Christmas party; 4) a Westside, “Walk In the Dark” community event; and 5) the Oversize Vehicle Ad Hoc Committee meeting.
- Mayor Schneider reported her attendance at the Milpas Holiday Parade and the City of Santa Barbara Parade of Lights.

RECESS

The Mayor recessed the meeting at 6:25 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 25, and she stated that no reportable action is anticipated. She also adjourned the meeting in memory and honor of Mike Mosas, a former City of Santa Barbara Fire Captain who worked for the City for twenty-eight years.

CLOSED SESSIONS

25. Subject: Conference With City Attorney - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Santa Barbara Channelkeeper v. City of Santa Barbara, USDC Case No. CV-1103624 JHN (AGRx).

Scheduling: Duration, 15 minutes; anytime.
Report: None anticipated.

(Cont’d)
CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:30 p.m. and the Ordinance Committee which ordinarily meets at 12:30 p.m. did not meet on this day).

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.
Councilmembers absent: None.
Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Deborah L. Applegate.

PUBLIC COMMENT

Speakers: Richard Busback, University of Applied Sciences, Germany; Denise Spangler Adams; Clint Orr; Anna Marie Gott.

CONSENT CALENDAR (Item Nos. 1 – 16)

The titles of resolutions and ordinances related to Consent Calendar items were read.

Motion:
Councilmembers Hotchkiss/Rowse to approve the Consent Calendar as recommended.

Vote:
Unanimous roll call vote.
Speakers (Cont’d):
- Santa Barbara Deputy Public Works Director Mark Schleich.

Motion:
Councilmembers Murillo/Hotchkiss to approve the proposed rate and fee increases for Fiscal Year 2017-2018 for fees for water, wastewater, and solid waste utilizing reserve funds.

Friendly Amendment:
Councilmember Hart to increase the amount of reserve use in the formula to an amount that would hold the rate payers harmless for the initial increase in the tipping fee. The maker and seconder accepted the amendment.

Councilmembers Murillo/Hotchkiss to approve the proposed rate increase of 2.1 percent for solid waste services, which excludes that portion of the rate increase that would have gone toward covering the County's increased tipping fee for the Tajiguas Resource Recovery Project (as referenced in Staff's PowerPoint Presentation, slides 27 through 28) and using reserve funds to cover the costs associated with the increased tipping fees.

Vote on Amended Motion: Majority voice vote (Noes: Councilmembers Dominguez, White, Mayor Schneider).

Motion:
Mayor Schneider/Councilmember Dominguez to direct staff to come back to Council in open or closed session, as appropriate, to determine when the City should pay the County its tipping fees for the Tajiguas Resource Recovery Project.

Vote:
Majority voice vote: (Noes: Councilmembers: Hart, Hotchkiss, Murillo).

Councilmember Dominguez requested the Council prepare modeling.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ATTORNEY

21. Subject: Mobilehome Park Conversion Regulations Update

Recommendation: That Council review the proposed revisions to the Mobilehome Park Conversion Regulations, receive public comment, and refer the matter to the Ordinance Committee and Planning Commission with directions as to civic engagement and other related issues.
Documents:
- June 13, 2017, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- May 31, 2017, handout from Pam Emerson and Jim Farned, Flamingo Park Preservation Committee.
- Speakers:
  - Staff: City Attorney Ariel Calonne; Community Development Director George Buell.
  - Members of the Public: Sharon Rose; Pamela Emerson, Flamingo Mobilehome Park; Chris Berris, Flamingo Mobilehome Park; Anna Marie Gott; Jim Farned.

Motion: Councilmembers Dominguez/Hotchkiss to refer the proposed revisions to the Mobilehome Park Conversion Regulations to the Ordinance Committee.

Vote: Unanimous voice vote.

Motion: Councilmembers Dominguez/White to direct staff to bring item for removal of AUD from Mobilehome Parks to the Housing Task Force.

Vote: Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:
- Councilmember Murillo congratulated Mayor Schneider for an award from Women in Communication Association. She also reported on her attendance at the following events: 1) the Downtown Santa Barbara meeting; 2) Community Choice Energy Public Forum; 3) League of Women Voters annual luncheon; 4) Santa Barbara Youth Council Farewell Dinner; 5) the Pacific Pride Foundation’s Educational Forum; 6) Ordinance Committee meeting; and 7) Living Wage Committee meeting.
- Councilmember Hotchkiss congratulated Mayor Schneider for throwing out the first ball for the Santa Barbara Foresters Lawn Bowling Tournament.
- Councilmember White commented on his attendance at the Santa Barbara Housing Task Force meeting where they discussed employer housing and the Chumash Operations and Release Board where they met in closed session to discuss water rights and state water permits and biological opinions.
- Councilmember Dominguez reported on his attendance at Downtown Santa Barbara meeting where they discussed a retail study for revitalizing State Street.
- Mayor Schneider reported she attended the Collation against Gun Violence event and recognized Smart and Final and Earl Warren Fairgrounds for their contributions in making this event a success.
CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White (2:12), Mayor Schneider. Councilmembers absent: None.
Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

CHANGES TO THE AGENDA

City Administrator Paul Casey requested that Items 18 and 19 be moved to the Consent Calendar. The Mayor concurred, noting that Councilmembers may pull one of those items for a separate vote.

PUBLIC COMMENT

Speakers: Scott Ruskamp, Equity for SB; Ellie Stuck, Philip Marteney; Phil Walker; Anna Marie Gott; Denice Adams; Ewen Bildsten.
Unanimous roll call vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

20. Subject: Housing Task Force Update And Initiation Of Amendments To Average Unit-Size Density Incentive Program (AUD) Ordinance (640.01)

Recommendation: That Council:
A. Initiate a Zoning Ordinance Amendment to require two parking spaces for units with three or more bedrooms proposed for Average Unit-Size Density Incentive Program projects located outside the Central Business District;
B. Initiate a Zoning Ordinance Amendment to prohibit all units approved under the Average Unit-Size Density Incentive Program from being converted to a short-term rental/hotel;
C. Initiate a Zoning Ordinance Amendment to exclude mobile home parks from the Average Unit-Size Density Incentive Program Map; and
D. Authorize the continuation of the Housing Task Force to address the following new objectives: 1. Central Business District issues (fees, incentives, increase of residential use within the district); 2. Geographic boundaries of the AUD Program area (review City-wide); and 3. Consideration of a “point system” to be used to meter future AUD projects.

Documents:
- August 15, 2017, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.

Speakers:
- Staff: Community Development Director George Buell; City Planner Renee Brooke; Transportation and Parking Manager Robert Dayton.
- Planning Commission: John Campanella
- Members of the public: Lindsey Baker, League of Women Voters; Eve Sanford, SBBike; Lucas Zucker, CAUSE; Jon Peterson, Habitat for Humanity; Rob Fredericks, Housing Authority of the City of Santa Barbara; Mary Louise Days; Mark Sheridan, Sheila Lodge; Denice Adams; Natasha Todorovic, Citizens for Livable Neighborhoods; Anna Marie Gott; Michael Chiacos, Community Environmental Council; Frank Rodriguez, CAUSE; Bonnie Raisin; Brian Cearnal, AIA; Wayne Norris.

Motion:
Councilmembers White/Hart to approve the recommendations, with recommendation D(3) pending consideration of Item 21.

Amendment Motion:
Councilmember Murillo to authorize the Housing Task Force to address the question of what to do when 250 units are reached. The motion was accepted by the mover and the seconder.

Amendment Motion:
Councilmember Dominguez to authorize the Housing Task Force to review restricting commercial use of AUD projects in the Central Business District or other parts of the AUD map. The motion was accepted by the mover, but was not accepted by the seconder.

Vote:
Unanimous roll call vote.

RECESS

4:40 p.m. – 4:47 p.m.

21. **Subject: Consideration Of A Limitation On Average Unit-Size Density Incentive Program Projects (640.01)**

Recommendation: That Council consider options to implement a limitation on the number of units developed under the Average Unit-Size Density Incentive Program, and provide direction to staff.

Documents:
- August 15, 2017, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.

Speakers:
- Staff: Community Development Director George Buell; City Planner Renee Brooke.
- Planning Commission: Mike Jordan; Sheila Lodge; John Campanella, Housing Task Force.
- Housing Authority of the City of Santa Barbara: Rob Fredericks.
- Members of the public: Kellam de Fareil; Lucas Zucker, CAUSE; Frank Rodriguez, CAUSE; Michael Chiacos, Community Environmental Council; Christine Neuhauser; Anna Marie Gott; Natasha Torodovic; Wayne Norris.

Motion:
Councilmembers White/Hotchkiss to initiate an annual limitation on AUD incentive program projects with a number of 125 units per year, excluding Affordable units.

Vote:
Majority roll call vote (Noes: Councilmembers Hart, Murillo).
Councilmembers White/Hotchkiss to provide staff direction to draft an ordinance and to refer the concept of a scoring system to the Housing Task Force as its next task.

Vote:
Majority roll call vote. (Noes: Councilmember Hart.)

RECESS
6:27 p.m. – 6:30 p.m.

FINANCE DEPARTMENT

22. **Subject: Status Of Tajiguas Resource Recovery Project (630.01)**

Recommendation: That Council hear a report from County of Santa Barbara staff on the status of the Tajiguas Resource Recovery Project.

Documents:
- August 15, 2017, report from the Finance Director.
- PowerPoint presentation prepared and made by staff.
- August 14, 2017, letter from Marc Chytilo.

Speakers:
- City staff: City Planner Renee Brooke.
- County of Santa Barbara staff: Public Works Director Scott McGolpin; Resource Recovery and Waste Management Manager Leslie Wells.
- Members of the public: Marc Chytilo, Gaviota Coast Conservancy; Paul Zelis.

Councilmembers heard the report and their questions were answered.

Council provided direction to the City Administrator to continue withholding payment of the increased County tipping fees and schedule a closed session item on the topic after City staff has an understanding of the financial impacts of the delay in the Tajiguas Resource Recovery Project (TRRP) on the cost of construction and operation of the TRRP.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:
### Mobile Home Parks

- **Priority Housing Overlay (37-63 du/acre)**
- **Medium High Residential (15-27 du/acre)**
- **High Residential (28-36 du/acre)**

### Map Prepared by City of Santa Barbara, Planning Division, October, 2018

### City of Santa Barbara

**AUD Program**

**Mobile Home Parks**

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### Table: Mobile Home Parks

<table>
<thead>
<tr>
<th>Park Name</th>
<th>Address</th>
<th>Zoning</th>
<th>Parcel Size (sq ft)</th>
<th>Parcel Size (acres)</th>
<th>Current Units</th>
<th>Potential AUD Units</th>
<th>Potential Base Density Units</th>
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<tbody>
<tr>
<td>Sycamore Creek MHP</td>
<td>1130 Punta Gorda St</td>
<td>R-MH</td>
<td>55,206</td>
<td>1.27</td>
<td>40</td>
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<td>Flamingo MHP</td>
<td>1210 Cacique St</td>
<td>R-MH</td>
<td>220,102</td>
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<td>R-MH</td>
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<td>10</td>
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<td>SB Green MHP</td>
<td>1200 Punta Gorda St</td>
<td>R-MH</td>
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<td>SB RV Park</td>
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<td>R-MH/R-MH/G-G/ USS</td>
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<td>R-M</td>
<td>78,935</td>
<td>1.81</td>
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<td>49</td>
<td>23</td>
</tr>
</tbody>
</table>

*Potential AUD Units assumes 905 sf unit size at 27 du/acre and assumes no environmental or development constraints.*
AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING CHAPTER 30.150 OF TITLE 30 (INLAND ZONING ORDINANCE) OF THE SANTA BARBARA MUNICIPAL CODE TO AMEND THE ADDITIONAL DEVELOPMENT INCENTIVES TO EXCLUDE EXISTING MOBILEHOME PARKS FROM INCENTIVES IN THE AVERAGE UNIT-SIZE DENSITY INCENTIVE PROGRAM (AUD PROGRAM)

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

Section 1. Section 30.150.090 of Chapter 30.150 of Title 30 (Inland Zoning Ordinance) of the Santa Barbara Municipal Code is amended to read as follows:

30.150.090 Additional Development Incentives.

A. Development Standards Generally. In order to further encourage the development of projects in accordance with the provisions of this Average Unit-Size Density Incentive Program, the development standards listed in this section are allowed for those projects developed and maintained in accordance with the Average Unit-Size Density Incentive Program. Except as otherwise specified in this section, projects developed in accordance with the provisions of the Average Unit-Size Density Incentive Program shall otherwise comply with the development standards applicable to the applicable zone in which the lot is located. The additional development incentives provided in this section shall not be applicable to any parcel that was developed with a Mobilehome Park (as defined by California Health and Safety Code Section 18214) on or before November 1, 2018.

Section 4. This ordinance shall become effective thirty (30) days after the date of its adoption. However, applications for development pursuant to the Average Unit-Size Density Incentive Program that were submitted and deemed complete before the effective date of this ordinance may proceed in accordance to the provisions of the Average Unit-Size Density Incentive Program that existed as of the date the application was deemed complete.