ORDINANCE NO. O2M22-4797
AN URGENCY ORDINANCE AMENDING THE ALHAMBRA
MUNICIPAL CODE TO ADD CHAPTER 22.30 PERTAINING TO
URBAN LOT SPLITS AND TO AMEND SECTION 23.16.020
AND ADD CHAPTER 23.90 PERTAINING TO URBAN
DWELLINGS

THE CITY COUNCIL OF THE CITY OF ALHAMBRA DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings. The City Council finds and declares as follows:

WHEREAS, the City of Alhambra ("City") has adopted a General Plan to ensure a well-
planned and safe community; and

WHEREAS, protection of public health, safety, and welfare is fully articulated in the
General Plan; and

WHEREAS, State law requires that the City’s Zoning Code conform with the General
Plan’s goals and policies; and

WHEREAS, it is necessary from time to time to update the Zoning Code to bring it into
conformity with State law and to address public health, safety, and welfare concerns; and

WHEREAS, Sections 65852.21 and 66411.7 were amended or added to the Government
Code by Senate Bill 9 (SB-9) and go into effect January 1, 2022; and

WHEREAS, the amended or added code sections require cities to ministerially approve
urban lot splits and the construction of up to two residential units ("urban dwellings") within the
"Urbanized Area" of the City, as designated by the US Census Bureau, subject to certain
limitations; and

WHEREAS, Government Code Section 66411.7(a) limits eligibility of urban lot splits by
size and proportionality; and

WHEREAS, Government Code Sections 65852.21(a)(2) and 66411.7(a)(3)(C) limit such
urban lot splits and construction to sites that are not located on or within certain farmland,
wetlands, very high fire hazard severity zones, hazardous waste sites, earthquake fault zones,
special flood hazard areas, regulatory floodways, lands identified for conservation, habitats for
protected species, and historic properties; and

WHEREAS, Government Code Section 65852.21(a)(3) through (a)(5), limits eligibility of
such construction of secondary units that proposes to demolish or alter housing subject to
affordability restrictions, housing subject to rent or price controls, housing that has been occupied
by a tenant in the last three years, housing that has been withdrawn from rent or lease within the
past 15 years, and housing that requires demolition of existing structural walls unless authorized
by local ordinance or has not been tenant-occupied within the past 3 years; and

WHEREAS, Government Code Section 66411.7(a)(3)(D) also limits eligibility of an urban
lot split that proposes to proposes to demolish or alter housing subject to affordability restrictions,
housing subject to rent or price controls, housing that has been occupied by a tenant in the last
three years, housing that has been withdrawn from rent or lease within the past 15 years, and
housing that requires demolition of existing structural walls unless authorized by local ordinance
or has not been tenant-occupied within the past 3 years; and
WHEREAS, Government Code Sections 65852.21(a)(6) and 66411.7(a)(3)(E) allow a city to deny an urban lot split and urban dwelling on properties within an historic district or listed on the State's Historic Resource Inventory or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance; and

WHEREAS, Government Code Sections 65852.21(b) and 66411.7(c) allow a city to establish objective zoning standards, objective subdivision standards, and objective design review standards, if they does not conflict with state law; and

WHEREAS, such objective zoning standards, objective subdivision standards, and objective design review standards may not have the effect of "precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet"; and

WHEREAS, Government Code Sections 65852.21 and 66411.7 allow a city to deny a proposed housing development or urban lot split if the project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact; and

WHEREAS, the Municipal Code currently does not have any provisions that adequately address such urban lot splits and urban dwelling units, as required by SB 9, and because regular ordinance adoption procedures require a first and second reading, and at least 30 days before the ordinance may take effect, the city will not be able to adopt any such provisions before February 2022; and

WHEREAS, without such an ordinance, there will be a period where there will be no policies, procedures, or objective standards available to guide and promote the orderly development of such urban lot splits and urban dwelling units, and thus will prevent actions that will alleviate the housing crisis and serve to protect orderly planning and aesthetics related to such development; and

WHEREAS, the City Council has the power under Government Code sections 36934 and 36937 to adopt an ordinance that takes effect immediately if it is an ordinance for the immediate preservation of the public peace, health or safety, and is passed by a four-fifths vote of the City Council; and

WHEREAS, pursuant to California Government Code Section 65858, and in order to protect the public health, safety and welfare, the City Council may adopt an emergency measure, an interim ordinance regulating any use that may be in conflict with a contemplated general plan or zoning proposal that the City intends to study within a reasonable time; and

WHEREAS, this urgency ordinance is necessary to address the danger to public health, safety, and general welfare articulated by the state related to the housing crisis and immediately provide the provisions to implement SB 9-related development in a manner that protects the City's interest in orderly planning and aesthetics; and

WHEREAS, Accordingly, the City Council desires to adopt this ordinance as an urgency ordinance, effective immediately, pursuant to Government Code sections 36934, 36937 and 65858, and have such provisions that implement SB 9, as set forth in the ordinance, in effect as of January 4, 2022; and
WHEREAS, the City desires to adopt an ordinance that addresses the procedures for such Urban Dwellings and Urban Lot Splits, and provides objective standards, in accordance with State law.

SECTION 2. Chapter 22.30.

A. Chapter 22.30 is added to the Alhambra Municipal Code as provided in the attached Exhibit A.

SECTION 3. Section 23.16.020.

A. Section 23.16.020 of the Alhambra Municipal Code is amended to add Subsection (K) as provided in the attached Exhibit B.

SECTION 4. Chapter 23.90.

A. Chapter 23.90 is added to the Alhambra Municipal Code as provided in the attached Exhibit C.

SECTION 5. No permit or approval shall be issued or approved for a project which is in conflict with the provisions of this ordinance.

SECTION 6. CEQA. The City Council finds that this Ordinance is not subject to environmental review under the California Environmental Quality Act (“CEQA”). Senate Bill 9 (Atkins) states that an ordinance adopted to implement the rules of Senate Bill 9 is not considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code. (See Government Code sections 65855.21(j) and 65411.7(n).

SECTION 7. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 8. Urgency. The City Council finds and declares that the adoption and implementation of this ordinance is necessary to address the danger to public health, safety, and general welfare as articulated above, and to immediately provide provisions to implement SB 9, which takes effect on January 1, 2022. The City Council therefore finds and determines that this ordinance be enacted as an urgency ordinance pursuant to Government Code sections 36937 and 65858 and takes effect immediately upon adoption by four-fifths of the City Council.

SECTION 9. Expiration. This ordinance shall take effect upon publication, and shall remain in effect for a period of 45 days from the date of adoption, in accordance with California Government Code section 65858.

SECTION 10. Publication. The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.
PASSED, APPROVED, AND ADOPTED THIS 4th DAY OF JANUARY, 2022.

Mayor Katherine Lee

ATTEST:

Lauren Myles, City Clerk

APPROVED AS TO FORM

Joseph M. Montes, City Attorney

I, Lauren Myles, City Clerk of the City of Alhambra, certify Urgency Ordinance No. O2M22-4797 was adopted by the City Council at a special meeting held January 4, 2022, by the following vote:

AYES: MAZA, MALONEY, PÉREZ, ANDRADE-STADLER, LEE
NOES: NONE
ABSENT: NONE

Lauren Myles, City Clerk
CHAPTER 22.30 URBAN LOT SPLITS

22.30.010 PURPOSE

This Chapter applies to urban lot splits in accordance with Government Code section 66411.7.

22.30.020 LOCATION

(A) R-1 Zoning: Any proposed urban lot split must be located within the R-1 (Single-Family Residential) zone.

(B) Historic Designation: A proposed urban lot split may not be located within a historic district or property included on the State Historic Resources Inventory (Section 5020.1 of the Public Resources Code) or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(C) Development of Adjacent Sites: Neither the owner of a parcel previously subdivided using an urban lot split nor any person acting in concert with the owner may subdivide an adjacent parcel using an urban lot split as provided for in this section.

(D) A proposed urban lot split may not be on a parcel that satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(E) A proposed urban lot split may not be on a parcel on which an owner of residential real property has exercised the owner’s rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent applies.

(F) Demolition and Alteration: A proposed urban lot split must not require demolition or alteration of any of the following types of housing:

(1) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(2) Housing that is subject to any form of rent or price control through a public entity’s valid exercise of its police power.

(3) Housing that has been occupied by a tenant in the last three years.
22.30.030 STANDARDS

(A) Comply with Subdivision Map Act: Urban lot splits must conform to all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)), except as expressly provided in this Chapter.

(B) Dedication and Off-Site Improvements: A dedication of rights-of-way or the construction of offsite improvements for the parcels being created cannot be required as a condition of issuing a parcel map.

(C) Fire Department & Utility Easements: An easement must be provided over the front parcel to the rear parcel for access to the public right of way, providing public services and facilities, maintenance of utilities, and (if required) fire department access.

(D) Owner Occupied: The applicant for an urban lot split must sign an affidavit stating that the applicant will occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.

(E) Short Term Rentals Prohibited: The rental of any unit created by an urban lot split must be for a term longer than 30 days.

(F) Residential Uses, Only: All uses allowed on a site subdivided as an urban lot split must be limited to residential uses. This does not apply to an applicant that is a “community land trust,” as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code or is a “qualified nonprofit corporation” as described in Section 214.15 of the Revenue and Taxation Code.

(G) Non-Conforming Zoning Conditions: Nonconforming zoning conditions are not required to be made conforming before approving an application.

(H) Annual Inspection: The property owner must agree to an unannounced inspection every year for the first three years to ensure the property owner is living onsite. The property owner must pay the special inspection fee as set forth in the City’s fee and fine resolution.

(I) Objective Development Standards: The following objective development standards apply to urban lot splits:
(1) Size and Number: The parcel map subdividing an existing parcel must create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision. The subdivision must not be done in a manner that leaves one lot with more than two units including existing and proposed main dwellings, ADUs, and JADUs.

(2) Minimum Size: Both newly created parcels created by an urban lot split must be no smaller than 1,200 square feet.

(3) Setbacks:

(a) Existing Structures: No setback is required for an existing, permitted structure or a structure constructed in the same location and to the same dimensions as an existing, permitted structure.

(b) New Structures and Additions:

(i) Front Setback:

(I) The minimum front yard setback for lots with street frontage shall comply with Section 23.42.020.

(II) The minimum front yard setback for a newly formed lot located behind another newly formed lot is 25 feet and shall be measured at the lot line separating the two newly formed lots.

(ii) Side Setback:

(I) Interior Lot: The minimum setback from the side property line is four feet for one-story structures and shall increased by a one additional foot for every additional story above one-story.

(II) Corner Lot: Street side yard setbacks shall comply with Section 23.42.020.

(iii) Rear Setbacks: The minimum setback from the rear property line is four feet.

(4) Building Separation: The units or structures involved in an urban lot split may be attached or detached provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

(5) Tree Preservation: In cases where an addition or new construction is being proposed, the property owner must not remove any mature trees onsite. A mature tree is defined as a tree taller than 20 feet or with a trunk diameter larger 24 inches in diameter, or 75 inches in circumference, measured at a point four and one-half feet above the root crown. A removal includes moving a tree or removing more than one-third of a tree’s vegetation. In addition to preservation of the tree, the owner must record a covenant showing the location of the mature tree,
stating that all reasonable precautions have been made to preserve the tree, requiring all trimming of the tree to be overseen by a licensed arborist, prohibiting the tree from being topped, and that the City must approve of any removal of the tree. If removal of a tree is required to provide an Urban Dwelling Unit, the owner must meet the tree replacement requirements of Section 23.88.030.

(6) Frontage:

(1) Standard lots. The front parcel shall have a minimum frontage of 50 feet. If the existing parcel has a frontage less than 50 feet, the existing frontage is acceptable and shall not be reduced. The interior parcel shall have no frontage.

(2) Corner lots. Both parcels shall have a minimum frontage of 50 feet. If the existing parcel has less than 50 feet of frontage, the existing frontage is acceptable and shall not be reduced.

(7) Conjunction with Urban Dwellings: Only structures that meet the requirements of urban dwellings are allowed on urban lot splits.


(A) Disclosures: At the time of sale, a site with an urban dwelling must disclose to the seller:

(1) The site must not be used for short term rentals;

(2) The property owner must agree to an unannounced inspection every year for the first three years to ensure the property owner is living onsite. The property owner must pay the special inspection fee in the City’s fee and fine resolution;

(3) The property owner must provide all necessary information to the City, required in the annual housing element report;

(4) The site must be used for affordable housing per the recorded covenant; and

(5) The site cannot be the subject of future urban lot splits.

22.30.040 APPLICATION AND REVIEW

(A) Ministerial Review: Proposals for urban lot splits will be reviewed ministerially, without discretionary review or a hearing per Section 66411.7 of the Government Code.

(B) Application: An application for the urban lot split must be filed and reviewed pursuant to this Chapter. All applications must include a tentative parcel map and the applicable review fees.
(C) Approval Authority: The Community Development Director ("Director") acts on all urban lot splits and has the authority to interpret and establish guidance and procedures for the approving and finalizing tentative parcel maps for such urban lot splits, in a manner consistent with state and local law.

(D) Public Hearing: Urban lot splits do not require a public hearing.

(E) Notice: Notice is not required for an urban lot split.

(F) Staff Review: The Director will circulate the application for an urban lot split, together with the tentative map, to affected city departments for review and comment. Staff will transmit to the applicant for review and consideration comments from the city departments.

(G) Building Official Review: The City will deny a proposed urban lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(H) Approval: If the application for the urban lot split meets all the requirements of this Chapter, the Director will approve the urban lot split ministerially and without a public hearing. The action of the Director upon an urban lot split application is final and conclusive, in the absence of an appeal.

(I) Decisions Final: Notwithstanding Section 22.08.010, decisions of the Director are final.
Exhibit B

SECTION 23.16.020

(K) Urban dwelling units as defined in and subject to the provisions of Chapter 23.90 of this title.
Exhibit C

CHAPTER 23.90 URBAN DWELLING UNITS.

23.90.010 PURPOSE

This Chapter applies to urban dwellings in accordance with Government Code section 65852.21.

23.90.020 LOCATION

(A) R-1 Zoning: Any proposed urban dwelling must be located within the R-1 (Single-Family Residential) zone.

(B) Historic Designation: A proposed urban dwelling may not be located within a historic district or property included on the State Historic Resources Inventory (Section 5020.1 of the Public Resources Code) or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(C) A proposed urban dwelling may not be located on a parcel that satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(D) Limit on Demolition: A proposed urban dwelling may not demolish more than 25 percent of the existing exterior structural walls. This does not apply if the housing development has not been occupied by a tenant in the last three years.

(E) A proposed urban dwelling may not be on a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent applies.

(F) Demolition and Alteration: A proposed urban dwelling may not require demolition or alteration of any of the following types of housing:

(1) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(2) Housing that is subject to any form of rent or price control through a public entity’s valid exercise of its police power.

(3) Housing that has been occupied by a tenant in the last three years.
23.90.030 STANDARDS

(A) Short Term Rentals Prohibited: The rental of any urban dwelling must be for a term longer than 30 days.

(B) R-1 Standards: The standards within Section 23.16.050 (Applicable Regulations) apply to proposals for urban dwellings. This Chapter 23.90 will prevail over the provisions of Section 23.16.050 in the case of conflict.

(C) Number of Units: The parcel for the proposed urban dwelling must contain no more than two units. Existing and proposed ADUs and JADUs will be counted toward the maximum number of units. An urban dwelling development contains two residential units if the development proposes no more than two new units or if it proposes to add one new unit to one existing unit.

(D) Maximum Size: The maximum size of an urban dwelling must not exceed 800 square feet.

(E) Minimum Size: The minimum size of an urban dwelling is 500 square feet.

(F) Setbacks:

   (1) Existing Structures: No setback is required for an existing, permitted structure or a structure constructed in the same location and to the same dimensions as an existing, permitted structure.

   (2) New Structures and Additions:

      (a) Front Setback:

         (i) The minimum front yard setback for lots with street frontage shall comply with Section 23.42.020.

         (ii) The minimum front yard setback for a newly formed lot located behind another newly formed lot is 25 feet and shall be measured at the lot line separating the two newly formed lots.

      (b) Side Setback:

         (i) Interior Lot: The minimum setback from the side property line is four feet for one-story structures and shall increased by a one additional foot for every additional story above one-story.

         (ii) Corner Lot: Street side yard setbacks shall comply with Section 23.42.020.
(c) Rear Setbacks: The minimum setback from the rear property line is four feet.

(G) Height:

(1) New Structures: An urban dwelling must not be more than one-story or 18 feet, unless a neighboring property has an existing or permitted two-story building. If an abutting property has an existing or permitted two-story building, the urban dwelling must not be more than two-stories or 25 feet.

(2) Additions: An urban dwelling can be added to a site with an existing two-story structure. In such instances the entirety of the addition must meet the requirement of subsection “1” above.

(3) Conversions: In cases where an urban dwelling is being added by subdividing an existing structure with no addition, the height requirements of subsection “1” above do not apply.

(4) Exceptions: If additional floors are necessary to construct an Urban Dwelling Unit, a second story shall be allowed but may not exceed 25 feet in height with a maximum top plate height of 18 feet. If a third floor is necessary to construct an Urban Dwelling Unit the third floor must be completely subterranean; the ceiling must be below the natural grade.

(5) Second Floor Stepbacks: Urban dwellings that are more than one-story or 18 feet must stepback the second floor one foot from the ground floor and the third floor two feet from the ground floor.

(H) Building Separation: The units or structures within an urban dwelling may be attached or detached. Detached structures must meet building code safety standards and be sufficient to allow separate conveyance.

(I) Parking: All units, including urban dwellings and existing units, must provide at least one onsite parking space within an enclosed garage for each unit, except as expressly provided for in Government Code section 65852.21

(J) Affordability: Urban dwellings must be continuously maintained as "affordable" housing for a period of not less than 30 years from the date of first occupancy. Urban dwellings must be occupied by low or very low-income households. (Low income is defined as 50 percent of the average median income for the Los Angeles /Long Beach Metropolitan Area). The maximum amount of rent which may be charged, is 30 percent of the total household income or 30 percent of the income limit for low-income households, whichever is less. Every occupant of an urban dwelling must be qualified for eligibility based upon annual tax returns. Said restriction must be set forth in a recorded covenant or deed restriction. The property owner must provide documentation to the City on an annual basis relative to eligibility. The owner must agree to evict
any tenant who does not meet the eligibility requirement. When the applicant lives onsite, they will be exempt from this requirement. The community development director is authorized to establish forms, policies, and procedures, to implement this affordability requirement.

(K) Tree Preservation: In cases where an addition or new construction is being proposed to provide for urban dwelling, the property owner must not remove any mature trees onsite. A mature tree is defined as a tree taller than 20 feet or with a trunk diameter larger 24 inches in diameter, or 75 inches in circumference, measured at a point four and one-half feet above the root crown. A removal includes moving a tree or removing more than one-third of a tree’s vegetation. In addition to preservation of the tree, the owner must record a covenant showing the location of the mature tree, stating that all reasonable precautions have been made to preserve the tree, requiring all trimming of the tree to be overseen by a licensed arborist, prohibiting the tree from being topped, and that the City must approve of any removal of the tree. If removal of a tree is required to provide an Urban Dwelling Unit, the owner must meet the tree replacement requirements of Section 23.88.030.

(L) LEED Platinum Certification: Prior to the city releasing a certificate of occupancy, the property owner must demonstrate that the property has achieved LEED Platinum certification. This requirement does not apply to conversions of and additions to existing buildings.


(N) Disclosures: At the time of sale, a site with an urban dwelling must disclose to the seller:

1. The site must not be used for short term rentals;

2. The property owner must provide all necessary information to the City, required in the annual housing element report; and

3. The site must be used for affordable housing per the recorded covenant.

(O) Basements. A basement shall be finished and counted toward the maximum square footage.

(P) Private open space. Each unit, including any existing units, shall provide a minimum of 200 square feet of private open space. The private open space shall be provided at ground level with a minimum dimension of 10 feet if located in the side yard setback and a minimum depth of 10 feet or 20% of the lot depth, whichever is greater, if located in the rear yard setback. The private
open space must be directly accessible to the dwelling unit it serves. The front yard shall not be
counted as private open space.

(Q) Exceptions to Objective Standards: Any objective zoning standards, objective subdivision
standards, and objective design standards that would have the effect of physically precluding the
construction of up to two units or that would physically preclude either of the two units from being
at least 800 square feet in floor area must be set aside. Objective zoning standards will be set aside
in the following order until the site can contain two units of at least 800 square feet.

(1) Lot coverage
(2) Floor area ratio
(3) Private open space
(4) Second and third floor stepbacks
(5) Articulation
(6) Lot frontage
(7) Tree Preservation

(8) Maximum number of stories. If waiving of all the above requirements do not provide
for an 800 square foot unit, the building may exceed the maximum number of stories. After
exceeding the maximum number of stories, the applicant must then replace the above objective
standards in the opposite order until the unit size is reduced to 800 square feet.

23.90.030 APPLICATION AND REVIEW

(A) Ministerial Review: Proposals for urban dwellings will be reviewed ministerially, without
discretionary review or a hearing.

(B) Application: An application for the urban dwelling must be filed and reviewed pursuant to
this Chapter. All applicants must pay the application review fees.

(C) Approval Authority: The Community Development Director (“Director”) acts on all
applications for urban dwellings.

(D) Public Hearing: Urban dwellings do not require a public hearing.

(E) Notice: Notice is not required for an urban dwelling.
(F) Staff Review: The Director will circulate the application for an urban dwelling, to affected city departments for review and comment.

(G) Building Official Review: The City will deny a proposed urban dwelling if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(H) Approval: If the application for the urban dwelling meets all the requirements of this Chapter, the director will approve the urban dwelling ministerially and without a public hearing. The action of the director upon an urban dwelling application is final and conclusive, in the absence of an appeal.

(I) Director’s Decision Final: Notwithstanding Sections 23.12.020 and 23.76.010, decisions of the Director are final.