



City of Woodland

Meeting Agenda - Final

Planning Commission

City of Woodland Planning
Commission
c/o Community
Development Department
300 First Street
Woodland, CA 95695
530-661-5820

Thursday, September 7, 2017

6:30 PM

Council Chambers

Please Note: The numerical order of items on this agenda is for convenience of reference; items may be taken out of order. No new items shall begin after 10:30 pm unless unanimous consent exists to continue.

A. Call to Order

B. Roll Call

C. Pledge of Allegiance

D. Staff and Commissioner Comments

This is an opportunity for the Planning Commission members and staff to make comments and announcements to express concerns, or to request Commission's consideration of any items a Commission member would like to have discussed at a future Commission meeting..

E. Subcommittee Reports

F. Communications from the Public

This is an opportunity for the public to speak to the Commission on any item other than those listed for public hearing on the agenda. Speakers are requested to use the microphone in front of the Commission and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Commission may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered.

G. Approval of Minutes

H. Public Hearing

[17-0617](#)

Accessory Dwelling Unit Ordinance. Approval of an Accessory Dwelling Unit Ordinance and Related Consistency Amendments.

Location: Applicable to all residentially zoned properties citywide.

Environmental Report: Statutorily Exempt

Project Planner: Erika Bumgardner, Senior Planner

Staff Recommendation: Recommend City Council Approval

Attachments: [1- Planning Commission Resolution.pdf](#)

[2 - Accessory Dwelling Unit Ordinance.pdf](#)

[3 - Comparison Table - Existing and Proposed Second Accessory Dwelling Unit](#)

[4 - Accessory Dwelling Unit Development Regulations Summary and Application](#)

I. Business Items

Items for Planning Commission discussion and/or action that do not require public hearing.

[17-0620](#)

SUBJECT: Election of Officers for Chair and Vice-Chair of the Planning Commission

DATE: September 7, 2017

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Hold Elections; and
2. Vote and select among current membership, the appointments of Chair and Vice-Chair of the Planning Commission.

Attachments: [17-0620 - 1 - City of Woodland Planning Commission Rules and Regulations.pdf](#)

J. Staff or Commissioner Comments

Continued as needed.

Receive Absence Requests.

K. Adjournment

The Planning Commission of the City of Woodland encourages all parties interested in a matter scheduled to be reviewed, discussed and acted on at a meeting, to participate in the public discourse, which may include the submission of written comments and materials. The Planning Commission notifies the public that those materials received less than 24 hours before a meeting date and time may not be able to be considered completely. Further, the Planning Commission encourages interested parties to attend the meeting to discuss any matter of concern and to explain their comments more fully.



Legislation Details (With Text)

File #: 17-0617 **Version:** 1 **Name:**
Type: Public Hearing Item **Status:** Agenda Ready
File created: 8/25/2017 **In control:** Planning Commission
On agenda: 9/7/2017 **Final action:**

Title: Accessory Dwelling Unit Ordinance. Approval of an Accessory Dwelling Unit Ordinance and Related Consistency Amendments.

Location: Applicable to all residentially zoned properties citywide.

Environmental Report: Statutorily Exempt

Project Planner: Erika Bumgardner, Senior Planner

Staff Recommendation: Recommend City Council Approval

Sponsors:

Indexes:

Code sections:

Attachments: [1- Planning Commission Resolution.pdf](#)
[2 - Accessory Dwelling Unit Ordinance.pdf](#)
[3 - Comparison Table - Existing and Proposed Second Accessory Dwelling Unit Regulations.pdf](#)
[4 - Accessory Dwelling Unit Development Regulations Summary and Application Submittal](#)

Date	Ver.	Action By	Action	Result
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Planning Commission

Accessory Dwelling Unit Ordinance. Approval of an Accessory Dwelling Unit Ordinance and Related Consistency Amendments.

Location: Applicable to all residentially zoned properties citywide.

Environmental Report: Statutorily Exempt

Project Planner: Erika Bumgardner, Senior Planner

Staff Recommendation: Recommend City Council Approval

Report For: Planning Commission Public Hearing - August 17, 2017

Pending/Potential Action

Staff recommends that the Planning Commission take action on the following:

- 1) Receive the staff report;
- 2) Conduct the public hearing;
- 3) Adopt Resolution No. PC17-_____, recommending City Council approval of the attached Accessory Dwelling Unit Ordinance; adding Section 25-21-05 and amending Sections 25-3-10, 25-4-10 and 25-4-20 of the Woodland Municipal Code and a City Council Resolution amending Sections 2.10 and Table 2.4 of the Spring Lake Specific Plan Design Standards.

Background

In September 2016, the State Legislature adopted two bills amending Government Code Section 65852.2, which pertains to Accessory Dwelling Units (otherwise known as “second dwelling units” or “granny flats”). These bills SB 1069 and AB 2299 became effective on January 1, 2017 and require local jurisdictions to update their Accessory Dwelling Unit (ADU) ordinances with the intent of reducing physical and financial barriers to constructing these types of smaller housing units that are typically more affordable by design. The provisions in the new laws nullify any local ordinance that does not comply with the requirements of the laws. The proposed code changes summarized in this report and provided for in Attachment 2 are intended to bring the city’s ordinance into compliance with the new State requirements and provide clear direction to the public regarding accessory dwelling unit requirements.

Project Description

The City has existing provisions in the Woodland Municipal Code that allow for ADUs as required by existing State Law. The city’s Zoning Ordinance (Zoning Code) currently addresses accessory dwelling units within Section 25-4-20, “Special Conditions,” which relate to certain residential land use categories. To respond to State law changes, staff recommends that provisions pertaining to ADU’s be removed from their current location entirely and be amended and provided for within a separate section of the Zoning Code, Article 21 “Special Provisions,” where requirements can be clearly outlined and described. Proposed updates and amendments to the City’s ADU provisions include added definitions, clarifying processing procedures, added guidelines for fire sprinklers, parking requirements/exemptions, water connection fee restrictions, setbacks, lot coverage, minimum lot size, etc. The proposed revisions addressing these items are presented in Attachment 3 (Existing and Proposed Ordinance Comparison Table) and Attachment 2 (ADU Ordinance).

The following is a summary of the key provisions and changes proposed as part of the Municipal Code amendment updating the City’s accessory dwelling unit regulations:

Ministerial Approval. State law requires ministerial (i.e. non-discretionary) approval of ADUs that meet the requirements as set forth by the State and as provided for in the proposed ADU ordinance. The new law gives very little flexibility to cities to impose subjective review criteria and discretionary processes are prohibited including Zoning Administrator and Planning Commission review.

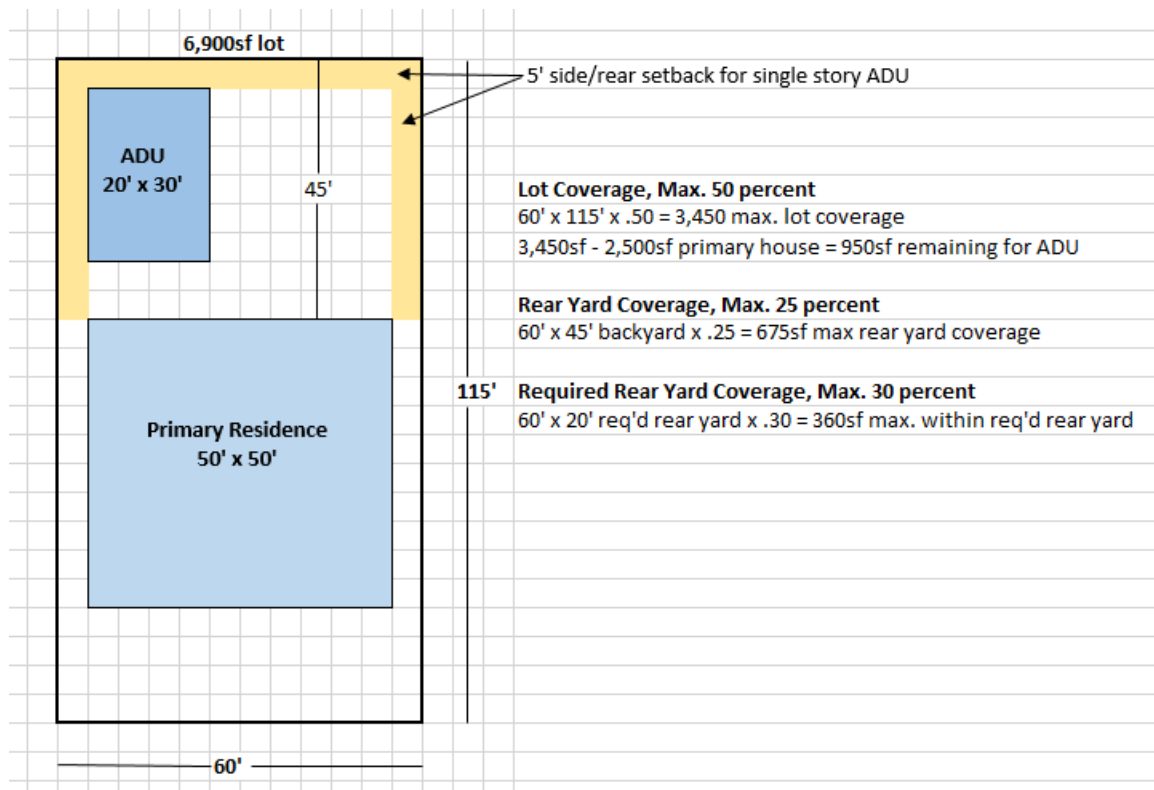
The city’s current (now invalid) ADU requirements allowed for ministerial review with the exception of Design Review, which currently requires architectural compatibility as to style, size, mass, color and materials with the

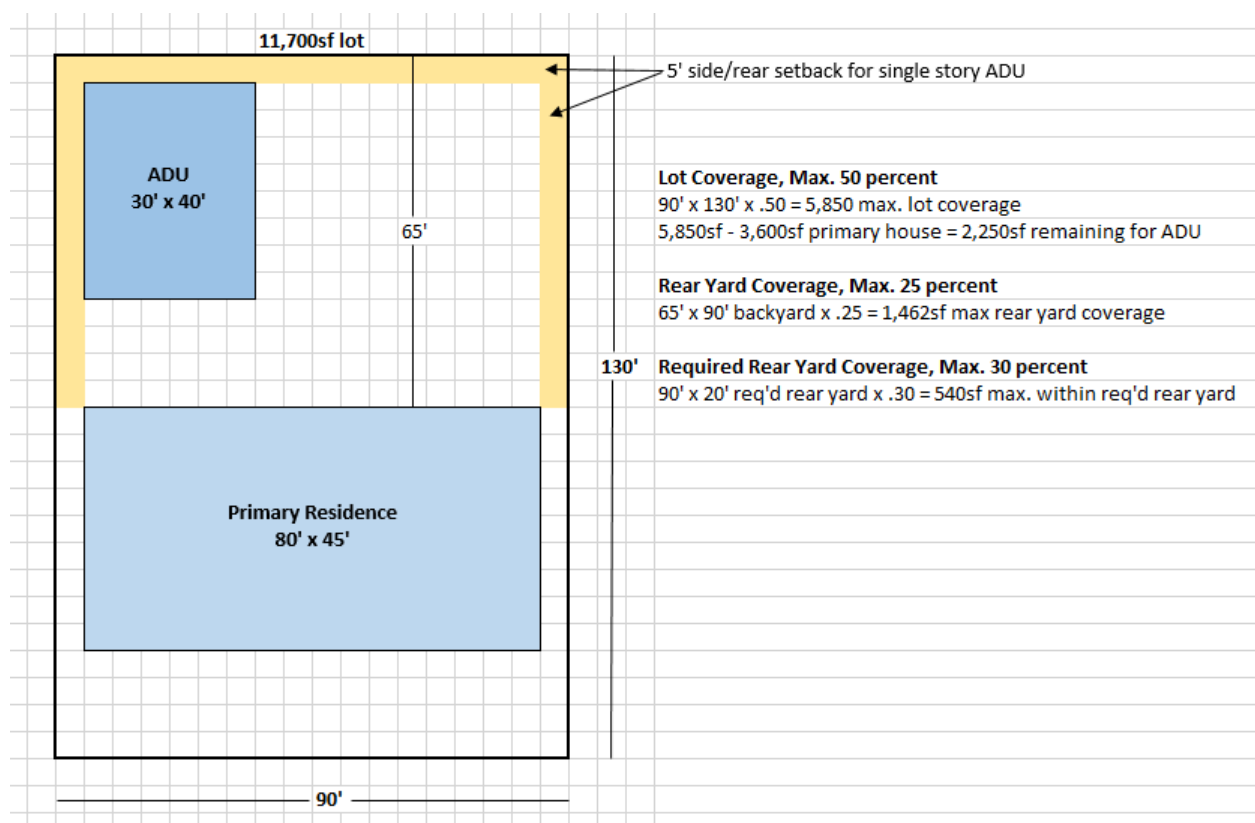
primary dwelling unit. The proposed ordinance language modifies this requirement requiring that the ADU relate to the design of the primary residence by use of similar quality exterior wall materials, window types, door and window trims, and roofing materials, but does require the ADU to mimic the architectural style of the primary residence. The proposed language provides objective criteria for design review and clarifies that the ADU does not need to match the architectural style of the primary residence.

Location. State law now requires that ADUs be permitted on a lot with a single-family dwelling. Staff recommends that ADUs be permitted in all residential zones. However, within a multi-family zone, an ADU would only be permitted on a parcel which is developed with four or fewer units. This would allow for an owner or caretaker unit on a lot with an existing fourplex, for instance, assuming all other lot coverage and setback requirements can be met.

Unit Size. The maximum size for attached and detached ADUs is 1,200 square feet as outlined in the State law. However, the law specifically states that for new attached ADUs, the maximum floor area shall not exceed 50 percent of the existing living area of the primary dwelling, or 1,200 square feet. The city's prior ADU provisions restricted second units to 600 square feet for lots under 8,000 square feet, and 1,000 square feet for lots over 8,000 square feet.

Some communities have continued to restrict the size of ADUs to less than 1,200 square feet using a sliding scale, generally based on lot size. Staff finds that other proposed requirements, such as setbacks, rear yard and lot coverage requirements will naturally restrict the size of ADUs in a manner appropriate for the lot size. For instance, meeting all other setback and lot coverage requirements (as outlined in the proposed ADU Ordinance), a 6,900 square foot lot (approximately 60 feet wide by 115 feet deep) with an existing primary residence footprint of 2,500 square feet, will naturally be limited to a ADU footprint of not more than 950 square feet factoring the proposed 50 percent "lot coverage" requirement alone. Assuming the rear yard (i.e. back yard) measures 45 feet by 60 feet, the "rear yard coverage" maximum of 25 percent would further restrict the ADU footprint to approximately 675 square feet. A two story ADU in this case can increase the ADU square footage, but would require increased setbacks and would be less desirable if the property owner wanted to maintain an open and usable back yard area. See diagram below. A 90 foot wide by 130 foot deep, 11,700 square foot lot could, in contrast, easily accommodate a 1,200 square foot single story ADU, meeting all setback and lot coverage requirements.





Parking Requirements. The city's prior ADU provisions required that the primary residence have and maintain two off-street parking spaces and one parking space for each bedroom in the second dwelling unit. State law now prohibits cities from requiring additional parking for properties with ADUs within one-half mile of "public transit," which many communities have interpreted to mean "transit stop." Nearly all residential properties within the city fall within one-half mile of a transit stop and would therefore not be required to provide additional parking spaces with a proposed ADU.

Conversion of a Garage or Accessory Building. The new law allows for the conversion of an existing garage within any setback and the conversion of an existing accessory building or structure where there is sufficient side and rear setback for fire safety. The maximum setback for an ADU constructed above a garage is five feet from both the rear and side property lines.

The city's prior ADU requirements did not allow the conversion of accessory structures that did not meet required setbacks for a residence (typically 5 foot side and 20 foot rear setbacks).

Occupancy. State law allows local jurisdictions to require owner-occupancy of the primary unit as a condition of issuing an ADU permit. The city's prior ADU provisions similarly required owner-occupancy of the primary unit, but enforcing that provision over time was found to be quite challenging. Staff is not recommending

owner occupancy as a condition of ADU permit issuance given prior difficulties tracking occupancy over time.

Permitting Procedure. An accessory dwelling unit permit application is required for all new detached accessory dwelling units and for attached accessory dwelling units that include physical expansion (i.e. addition) to an existing primary dwelling unit prior to building permit submittal. Accessory structures contained within the existing space of a single-family residence or within the existing space of an existing accessory building or structure (or garage), require only a building permit to proceed.

The Community Development Director or his or her designee will review and approve a complete application for an accessory dwelling unit permit that complies with the requirements of the ADU Ordinance within 120 days of receiving a complete application. A property owner may apply for an exception to construct an ADU that does not meet the standard(s) set forth in the ordinance by applying for a Zoning Administrator Permit; including a reduced lot size to 5,000 square feet.

Fees. Consistent with prior provisions, ADUs over 640 square feet in size are subject to City Development Impact Fees, less water and sewer where there is not a direct connection to the City utilities (approximately \$18,000) and applicable Planning Review (\$383) and Building Permit (approximately \$3,500) fees. Units 640 square feet or under are subject only to applicable Planning and Building Permit fees.

Spring Lake Specific Plan Area. The Spring Lake Specific Plan currently allows second residential units by right on all lots with a height limitation of 15 feet, a one-story limitation, a five-foot setback requirement and the requirement for two additional parking spaces to be provided on-site. This parking requirement has eliminated the possibility for second units on a vast majority of Spring Lake lots, with the exception of the larger custom lots located in the southeast area of the community. The second unit requirements for Spring Lake are found within the Spring Lake Specific Plan Design Standards. Staff recommends that the Spring Lake Specific Plan Design Standards be amended to reference the updated zoning code pertaining to accessory dwelling units for consistency and compliance with State law.

General Plan Consistency

The proposed Accessory Dwelling Unit Ordinance furthers the City's Housing Element policies and programs that promote a variety of housing types that are accessible to all income levels.

Amendments and Zone Changes

Article 29 of the Zoning Regulations commencing with Section 25-29-01 addresses zoning changes. The Planning Commission shall hold a public hearing on any such proposed rezoning. Notice of the time and place of said hearing including a general explanation of the matter to be considered and including a general description of the area affected shall be given at least ten (10) calendar days prior to the hearing. After the public hearing, the Planning Commission shall render its decision in the form of a written recommendation to the City Council. If, from the facts presented at the public hearing, the Commission is satisfied that the proposed change conforms to the General Plan, the Commission may recommend such change to the City Council.

Public Notification

Public notice advertising for the public hearing on this project was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Woodland's Municipal Code and State Planning Law. On August 25, 2017, the City published notice of the Planning Commission's consideration of the proposed ordinance in a 1/8th page advertisement in the Woodland Daily Democrat.

Copies of the factual staff report for the proposed project have been on file at City Hall since September 1, 2017.

Environmental Assessment Status

The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15282(h) because the project is the adoption of an ordinance regarding second units in a single-family or multiple family residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code.

Recommendation

Staff recommends that the Planning Commission take action on the following:

- 1) Receive the staff report;
- 2) Conduct the public hearing;
- 3) Adopt Resolution No. PC17-_____, recommending City Council approval of the attached Accessory Dwelling Unit Ordinance; adding Section 25-21-05 and amending Sections 25-3-10, 25-4-10 and 25-4-20 of the Woodland Municipal Code and a City Council Resolution amending Sections 2.10 and Table 2.4 of the Spring Lake Specific Plan Design Standards.

ATTACHMENTS :

Attachment 1 - Planning Commission Resolution

Attachment 2 - Accessory Dwelling Unit Ordinance

Attachment 3 - Comparison Table - Existing and Proposed Second/Accessory Dwelling Unit Regulations

Attachment 4 - Accessory Dwelling Unit Development Regulations Summary and Application Submittal Requirements
Handout

RESOLUTION NO. PC 17-

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WOODLAND RECOMMENDING TO THE CITY COUNCIL
APPROVAL OF (1) AN ORDINANCE AMENDING WOODLAND
MUNICIPAL CODE SECTIONS 25-3-10, 25-4-10 AND 25-4-20 (TABLE 1
– RESIDENTIAL LAND USES) AND ADDING SECTION 25-21-05 TO
UPDATE THE ZONING ORDINANCE PROVISIONS PERTAINING TO
ACCESSORY DWELLING UNITS IN SINGLE AND MULTIPLE
FAMILY ZONES IN ACCORDANCE WITH NEW STATE
LEGISLATION THAT AMENDED CALIFORNIA GOVERNMENT
CODE SECTIONS 65852.2, AND (2) A RESOLUTION AMENDING
SECTIONS 2.10 AND TABLE 2.4 OF THE SPRING LAKE SPECIFIC
PLAN DESIGN STANDARDS PERTAINING TO ACCESSORY
DWELLING UNITS TO BRING THE PLAN INTO CONFORMANCE
WITH UPDATED ZONING REGULATIONS AND STATE LAW**

WHEREAS, the Woodland Planning Commission held a duly noticed public hearing on September 9, 2017, to review and consider recommending to the City Council approval of the proposed Ordinance pertaining to second dwelling units to be consistent with new State law provisions, under which such units are now renamed as “Accessory Dwelling Units;” and

WHEREAS, to address California’s shortage of housing supply, the California Legislature approved, and the Governor signed into law, Assembly Bill 2299 (Bloom, Chapter 735, Stats. 2016), Senate Bill 1069 (Wieckowski, Chapter 720, Stats. 2016) and Assembly Bill 2406 (Thurmond, Chapter 755, Stats. 2016); and

WHEREAS, Assembly Bill 2299 and Senate Bill 1069 are double jointing bills, which among other things, amended California Government Code Section 65852.2 and imposed new limitations on local authority to regulate second units; and

WHEREAS, Assembly Bill 2299 became effective on January 1, 2017, and rendered all non-compliant local ordinances null and void on that date until an agency adopts an ordinance that complies with Government Code Section 65852.2; and

WHEREAS, the City desires to create a local regulatory scheme for the construction of accessory dwelling units that fully complies with Assembly Bill 2299; and

WHEREAS, the Spring Lake Specific Plan Design Standards were adopted by City Council Resolution 4433, on May 20, 2003, and requires an update to Sections 2.10 and Table 2.4 to bring it into compliance with Government Code Section 65852.2 and the proposed updates to the Woodland Municipal Code; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”), the proposed ordinance amendment is exempt from CEQA review per CEQA Guideline Section 15282(h), which provides a “statutory exemption” for the adoption of an ordinance regarding second units

in a single-family or multi-family residential zone to implement the provisions of certain statutes, including Section 65852.2 of the Government Code, and

WHEREAS, the Planning Commission has determined that the proposed amendments to the Woodland Municipal Code are in general conformance with the Woodland General Plan, which seeks to encourage a variety of housing options for all income levels; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date, and all persons desiring to provide such evidence were provided the opportunity to do so before the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Woodland, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby recommend to the City Council that it approve an Ordinance (**EXHIBIT A**) amending Woodland Municipal Code Sections 25-3-10, 25-4-10 (Table 1 – Residential Land Uses), and 25-4-20, and adding Section 25-21-05 to update the Zoning Ordinance provisions pertaining to Accessory Dwelling Units in single and multiple family zones in accordance with the new State legislation that amended California Government Code Sections 65852.2, and that it approve a Resolution (**EXHIBIT B**) amending Sections 2.10 and Table 2.4 of the Spring Lake Specific Plan Design Standards pertaining to Accessory Dwelling Units to bring the plan into conformance with updated zoning regulations and state law.

PASSED AND ADOPTED by the Planning Commission of the City of Woodland at a regular meeting on the 9th day of September 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Kirby Wells, Chairperson

ATTEST:

Cindy Norris, Principal Planner

EXHIBIT A

[Insert ADU Ordinance]

EXHIBIT B

City Council Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND AMENDING SECTIONS 2.10 AND TABLE 2.4 OF THE SPRING LAKE SPECIFIC PLAN DESIGN STANDARDS PERTAINING TO ACCESSORY DWELLING UNITS TO BRING THE PLAN INTO CONFORMANCE WITH UPDATED ZONING REGULATIONS AND STATE LAW

WHEREAS, the City Council of the City of Woodland held a duly noticed public hearing on _____, 2017, to review and consider proposed amendments to the Spring Lake Specific Plan Design Standards pertaining to second dwelling units to bring the standards into conformance with proposed Woodland Municipal Code updates that respond to new State law provisions that impose limitations on local authority to regulate second units, which are now referred to as “Accessory Dwelling Units;” and

WHEREAS, to address California’s shortage of housing supply, the California Legislature approved, and the Governor signed into law, Assembly Bill 2299 (Bloom, Chapter 735, Stats. 2016), Senate Bill 1069 (Wieckowski, Chapter 720, Stats. 2016) and Assembly Bill 2406 (Thurmond, Chapter 755, Stats. 2016); and

WHEREAS, Assembly Bill 2299 and Senate Bill 1069 are double jointing bills, which among other things, amend California Government Code Section 65852.2 and impose new limitations on local authority to regulate second units; and

WHEREAS, Assembly Bill 2299 became effective on January 1, 2017, and rendered all non-compliant local ordinances null and void on that date until an agency adopts an ordinance that complies with Government Code Section 65852.2; and

WHEREAS, the City desires to create a local regulatory scheme for the construction of accessory dwelling units that fully complies with Assembly Bill 2299; and

WHEREAS, the City Council adopted the Spring Lake Specific Plan Design Standards by City Council Resolution 4433, on May 20, 2003, and Sections 2.10 and Table 2.4 pertaining to accessory dwelling units need to be updated to bring them into compliance with Government Code Section 65852.2 and the proposed updates to the Woodland Municipal Code; and

WHEREAS, the City Council has determined that the proposed amendments to the Spring Lake Specific Plan Design Standards are in general conformance with the Woodland General Plan, which seeks to encourage a variety of housing options for all income levels; and

WHEREAS, on September 7, 2017, the Planning Commission voted _____ to recommend City Council approval of the proposed amendments to the Spring Lake Specific Plan Design Standards; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Woodland does adopt the following amendments to the Spring Lake Specific Plan Design Standards:

1) AMENDMENT TO SECTION 2.10 SPRING LAKE SPECIFIC PLAN DESIGN STANDARDS. Section 2.10 (Secondary Dwelling Units) of the Spring Lake Specific Plan Design Standards is hereby amended as follows:

2.10 Secondary Dwelling Units

Secondary Dwelling Units (i.e. Accessory Dwelling Units) are subject to the provisions as set forth in the Woodland Municipal Code Section 25-21-05.

~~Second residential units are allowed by right on all lots with plan/design review at the time of subdivision review and approval. Subsequent application for second units by individual property owners will allow one secondary residential unit and are subject to the following requirements:~~

~~a. Secondary units shall be limited to lots having no more than one existing dwelling unit on the lot.~~

~~b. Secondary units shall be architecturally compatible with existing as well as surrounding dwellings.~~

~~c. Secondary units may be attached to the primary residence but shall not exceed 640 square feet in area.~~

~~d. Secondary units shall be no more than 15 feet in height and limited to one story.~~

~~e. Parking shall be provided at a rate of two additional off-street parking space per unit.~~

~~f. Secondary units shall meet all setback requirement as defined in Table 2.4 (refer to Section 2.1)~~

~~g. Deviation from the above requirements may be permitted subject to a Conditional Use Permit.~~

2) AMENDMENT TO TABLE 2.4 SPRING LAKE SPECIFIC PLAN DESIGN STANDARDS. Table 2.4 (Spring Lake Specific Plan Area Requirements for Lots) of the Spring Lake Specific Plan Design Standards is hereby amended to remove the following rows:

RESIDENTIAL—SECOND UNITS (DETACHED)					
Specific Plan Land Use	Minimum Separation	Side Setback	Rear Yard With Alley	Maximum	Block

Category	from Primary Residence	Interior/Street	or No Alley	Height	Length
Single Family (Detached) Lots	10	5/15	5	30	Not Applicable

PASSED AND ADOPTED by the City Council this ____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF WOODLAND

Angel Barajas, Mayor

ATTEST:

Ana Gonzalez, City Clerk

ORDINANCE NO. _____

AN ORDINANCE ADDING SECTION 25-21-05 AND AMENDING SECTIONS 25-3-10, 25-4-10 AND 25-4-20 OF THE WOODLAND MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNIT REGULATIONS

The Council of the City of Woodland does ordain as follows:

SECTION 1. FINDINGS. The City Council of the City of Woodland hereby finds that:

A. The City of Woodland, California (the “City”) is a municipal corporation, duly organized under the constitution and laws of the State of California.

B. The Planning and Zoning Law authorizes cities to provide by ordinance for the creation of second units.

C. To address California’s shortage of housing supply, the California Legislature approved, and the Governor signed into law, Assembly Bill 2299 (Bloom, Chapter 735, Stats. 2016), Senate Bill 1069 (Wieckowski, Chapter 720, Stats. 2016) and Assembly Bill 2406 (Thurmond, Chapter 755, Stats. 2016).

D. Assembly Bill 2299 and Senate Bill 1069 are double jointing bills, which among other things, amend California Government Code Section 65852.2. These statutes impose new limitations on local authority to regulate second units, which are now referred to as “accessory dwelling units” (“ADU”).

E. Assembly Bill 2299 became effective on January 1, 2017 and rendered all non-compliant local ordinances null and void on that date until an agency adopts an ordinance that complies with Government Code Section 65852.2.

F. The City desires to create a local regulatory scheme for the construction of accessory dwelling units that fully complies with Assembly Bill 2299.

SECTION 2. AMENDMENT TO SECTION 25-3-10. Section 25-3-10 of the Woodland Municipal Code is hereby amended to add the definition of “Accessory Dwelling Unit,” as follows:

“Accessory dwelling unit” means a residential dwelling unit that is detached from, attached to, or located within the living area of an existing primary dwelling unit, and that provides independent living facilities for one or more persons. An accessory dwelling unit also includes an efficiency unit, as defined in California Health and Safety Code section 17958.1, and a manufactured home, as defined in section 18007.

SECTION 3. AMENDMENT TO SECTION 25-4-10. Section 25-4-10, Table 1 (Permitted Uses) of the Woodland Municipal Code is hereby amended as follows:

Table 1

Residential Land Uses

Uses	Zone												
	A-1	O-S	R-1	R-2	N-P	R-M	C-1	CBD	C-2	ESD	C-3	C-H	I
Second dwelling unit <u>Accessory Dwelling Unit</u>			f	f	f	f				n <u>f</u>			

SECTION 4. AMENDMENT TO SECTION 25-4-20(f). Section 25-4-20(f) (Special conditions) of the Woodland Municipal Code is hereby amended as follows:

- f. Subject to Section 25-21-05. ~~Second dwelling units are permitted subject to the following standards and conditions:~~
 - ~~1. The second dwelling unit shall be architecturally compatible as to style, size, mass, color and materials and the primary dwelling;~~
 - ~~2. The size of a detached second dwelling unit is limited to a maximum of six hundred square feet for lots under eight thousand square feet, a maximum of one thousand square feet for lots over eight thousand;~~
 - ~~3. An attached second dwelling unit may not exceed thirty percent of the floor area of the primary unit excluding any garage;~~
 - ~~4. The second dwelling unit shall meet all setbacks that apply to other dwellings built in the residential or combined residential zone;~~
 - ~~5. Accessory buildings on a lot that do not meet the setback requirements for a main building on the lot may not be converted to a second dwelling unit;~~
 - ~~6. The project will provide two off street parking spaces to city standards for the primary residence and one parking space for each bedroom in the second dwelling unit;~~
 - ~~7. The building converge for the site may not exceed fifty percent;~~
 - ~~8. The subject lot shall be at least the minimum width and area required within the zone or for the underlying residential zone in a combined zoning district;~~
 - ~~9. No more than forty percent of the front yard setback may be paved for parking;~~
 - ~~10. Any detached second dwelling unit shall be no taller than fifteen feet;~~
 - ~~11. Any detached second dwelling unit shall be no closer than ten feet to the primary dwelling;~~
 - ~~12. One of the dwelling units must be occupied by the owner of the property. If the owner ceases to reside on the site then one of the dwelling units shall be vacated and remain vacant in the absence of an owner occupant. The applicant shall sign an enforceable agreement with the city of Woodland to abide with this requirement;~~

- ~~13. Applications for second dwelling units are subject to staff level site and design review and their commensurate fees;~~
- ~~14. Any application for a second dwelling unit that does not meet the standards specific to this section may apply for a conditional use permit to construct a second dwelling unit;~~
- ~~15. Failure to comply with any part of this section shall be a violation of law and punishable by fine.~~

SECTION 5. ADDITION OF SECTION 25-21-05. Section 25-21-05 to Article 21 (Special Provisions) of the Woodland Municipal Code is hereby added to read as follows:

Sec. 25-21-05. Accessory Dwelling Units.

A. PURPOSE.

The purpose of this section is to provide reasonable regulations for the development of accessory dwelling units in certain areas and on lots developed or proposed to be developed with single-family residential dwellings, duplexes and lots developed with up to four dwelling units. Such accessory dwelling units contribute needed housing to the community's housing stock and promote housing opportunities for the persons wishing to reside in the City of Woodland. In addition, the regulations in this ordinance are intended to promote the goals and policies of the City's General Plan and comply with requirements codified in the state Planning and Zoning Law related to accessory dwelling units in residential areas, including California Government Code section 65852.2.

B. DEFINITIONS.

"Accessory dwelling unit" means a residential dwelling unit that is detached from, attached to, or located within the living area of an existing primary dwelling unit, and that provides independent living facilities for one or more persons. An accessory dwelling unit also includes an efficiency unit, as defined in California Health and Safety Code section 17958.1, and a manufactured home, as defined in section 18007.

"Floor area – Accessory Dwelling Unit" means the gross floor area of an attached or detached accessory dwelling unit as measured to the outside surface of exterior walls, including its living area, basement whether conditioned or unconditioned, and any garage or other enclosed accessory structure attached to the detached accessory dwelling unit.

"Living area" is defined as the interior habitable area of a dwelling unit, including basements and attics, but not including a garage or any accessory structure.

"Public transit" means a public bus stop, bus station or transit station.

C. EFFECT OF CONFORMING ACCESSORY DWELLING UNIT

An accessory dwelling unit that conforms to this chapter shall:

1. Be deemed an accessory use and not be considered to exceed the allowable density for the lot upon which it is located;
2. Be deemed a residential use that is consistent with the general plan and the zoning designations for the lot;
3. Not be considered in the application of any ordinance, policy, or program to limit residential growth; and
4. Not be considered a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.

D. LOCATIONS PERMITTED.

1. Accessory dwelling units are permitted in all single family and multi-family residential zones. Within a multi-family zone, an accessory dwelling unit may not be constructed on a parcel which is developed with more than four existing residential units.
2. Accessory dwelling units that meet the requirements of subsection (F)(2)(a) may be located in any single-family residential zone.

E. PERMIT PROCEDURES.

1. Permits.
 - (a) An accessory dwelling unit permit application is required for all new detached accessory dwelling units and for attached accessory dwelling units that include physical expansion (i.e. addition) to an existing primary dwelling unit prior to building permit submittal. Approved applications for an accessory dwelling unit will result in an Accessory Dwelling Unit Permit. The applicant shall also obtain a building permit as required by the building code.
 - (b) Exception. Accessory dwelling units that meet the requirements of subsection (F)(2)(a) shall only obtain a building permit as required by the building code.
 - (c) Except as otherwise provided in this chapter, the construction of an accessory dwelling unit shall be subject to any applicable fees adopted pursuant to the requirements of California Government Code, Title 7, Division 1, Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

2. Application Processing.

- (a) Applications for an accessory dwelling unit permit shall be made in writing by the property owner or his or her authorized agent, on forms provided by the Community Development Department, and accompanied by such data and information as may be necessary to fully describe the request including:
 - (i) A to-scale and fully dimensioned site plan showing the proposed accessory dwelling unit and all existing structures on the property including patio covers, other accessory structures, fences and driveways;
 - (ii) Elevations of the proposed accessory dwelling unit including building dimensions, material call outs and a color and materials sample board as requested by the Community Development Director; and
 - (iii) Photographs of the exterior of the primary residence as requested by the Community Development Director.
 - (iv) Construction management plan. Construction hours and staging to minimize impacts on surrounding residential properties.
- (b) The filing and review fee shall be as prescribed by city council resolution or ordinance.

3. Review.

- (a) The Community Development Director or his or her designee will review and approve a complete application for an accessory dwelling unit permit that complies with the requirements of subsection (F) (Standards). The accessory dwelling unit permit application shall be considered ministerially without any discretionary review or a hearing if the accessory dwelling unit complies with the development provisions as outlined in this section.
- (b) The Community Development Director or his or her designee will approve or disapprove of an application for an accessory dwelling unit permit within 120 days after receiving the complete application.

4. Exceptions:

- (a) A property owner may apply for an exception to construct an accessory dwelling unit that does not meet the standard(s) set forth in subsection (F)(1) below by applying for a Zoning Administrator

Permit in accordance with Article 27 and 31 of Chapter 25. A noticed public hearing shall be held in accordance with Section 25-27-20 and 25-31-20. The Zoning Administrator may approve specific exception(s) from the standards listed in subsection (F)(1), except as set forth below:

- (i) The minimum lot size standard may only be reduced to 5,000 square feet (minimum).
- (b) Findings. Before approval of the Zoning Administrator Permit granting the exception, the Zoning Administrator shall find that:
 - (i) The exterior design of the accessory dwelling unit is in harmony with, and maintains the scale of, the neighborhood;
 - (ii) If an exception to parking requirements is requested, the exception will not result in excessive parking congestion;
 - (iii) The site plan provides adequate open space usable and useful for both the accessory dwelling unit and the primary residence;
 - (iv) Where applicable, open space and landscaping provides for privacy and screening of adjacent properties;
 - (v) The location and design of the accessory unit maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, noise, light air, solar access or parking of adjacent properties; and
 - (vi) Windows that impact the privacy of the neighboring side or rear yard have been minimized. Major windows, access stairs, entry doors and decks are generally limited to the walls facing the primary residence or the alley, if applicable.

F. STANDARDS.

- 1. Except as provided in subparagraph (2), accessory dwelling units must meet the following standards:
 - (a) General Requirements. An accessory dwelling unit shall comply with all provisions of the underlying zoning district, except as modified by this section. The requirements for other accessory structures found in Section 25-21-10 (Accessory buildings and uses) do not apply to accessory dwelling units.
 - (b) Lot Size. The minimum lot size upon which an accessory dwelling unit may be located is 6,000 square feet.

- (c) Development on the Lot.
 - (i) The accessory dwelling unit must be:
 - (I) Detached from the existing primary dwelling, but located on the same lot as the existing dwelling;
 - (II) Attached to the existing dwelling; or
 - (III) Located within the living area of the existing dwelling.
 - (ii) Only one accessory dwelling unit shall be allowed per lot.
 - (iii) Within a Residential Multiple Family Zone, an accessory dwelling unit may not be constructed on a parcel which is developed with more than four existing residential units.
 - (iv) The accessory dwelling unit is not intended for sale separate from the primary residence(s).
 - (v) Landscape Screening. If second floor windows in a proposed accessory dwelling unit overlook the interior living areas of a direct neighbor's residence, landscaping or opaque glass is required for the privacy and screening of the adjacent property.
- (d) Occupancy.
 - (i) The accessory dwelling unit may be rented. Leases for durations of less than 30 days are prohibited.
- (e) Building and Construction.
 - (i) An accessory dwelling unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation.
 - (ii) An accessory dwelling unit is required to have fire sprinklers, only if the primary residence is also required to have fire sprinklers.
 - (iii) An accessory unit shall meet the requirements of the building code, as adopted and amended by Chapter 6 of the Municipal Code, that apply to detached dwellings, as appropriate.

- (iv) As required in the Municipal Code a separate utility connection may be required directly between the accessory dwelling unit and the utility.
 - (v) No passageway shall be required in conjunction with the construction of an accessory dwelling unit. "Passageway" is defined as a pathway that is unobstructed clear to the sky and extends from to street to one entrance of the accessory dwelling unit.
- (f) Parking.
- (i) Except as provided in subparagraph (ii):
 - (I) Accessory dwelling units must meet the following parking standards:
 - 1. For accessory dwelling units with no separate bedrooms (such as a loft or studio), one off-street parking space shall be provided per unit.
 - 2. For accessory dwelling units with at least one separate bedroom, one off-street parking space shall be provided per bedroom.
 - (II) If parking is required:
 - 1. The required parking spaces may be located in setback areas approved by the Community Development Director (or his or her designee) or tandem parking on an existing driveway, unless specific findings are made under subparagraph (2).
 - 2. Parking arrangements in subparagraph (1) may be prohibited if the Community Development Director (or his or her designee) makes specific findings that such parking arrangements are not feasible based upon specific site or regional topographical or fire or life safety conditions, or that such arrangements are not permitted anywhere in the jurisdiction.
 - 3. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, the replacement spaces may be located in any configuration on the same lot as the accessory

dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces.

- (ii) Parking standards shall not be imposed on an accessory dwelling unit in any of the following circumstances:
 - (I) The accessory dwelling unit is located within one-half mile of public transit, including a public bus stop, bus station or transit station.
 - (II) The accessory dwelling unit is located within a designated historic district.
 - (III) The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
 - (IV) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - (V) When there is a car share vehicle located within one block of the accessory dwelling unit.

(g) Height.

The accessory dwelling unit must meet the height standards of the applicable zoning district.

(h) Setbacks.

- (i) Attached and Detached Accessory Dwelling Unit. Except as provided in subparagraphs (ii) and (iii), an attached or detached accessory dwelling unit shall meet the following setback standards:
 - (I) Single story accessory dwelling unit. The side and rear yard setback for a single story accessory dwelling unit shall be at least five (5) feet.
 - (II) One and one half accessory dwelling units and two story accessory dwelling units. The side and rear yard setback for a one and one half accessory dwelling unit and two story accessory dwelling unit shall be at least fifteen (15) feet.
 - (III) Alley adjacent accessory dwelling unit. Side or rear yard setbacks adjacent to an alley shall be zero (0) feet. Parking provided off the alley shall maintain a

twenty-four (24) foot back out which includes the alley.

- (IV) Street-Side Corner Lot. Setback requirements for the street-side of a corner lot shall be consistent with street-side setback standards of the applicable zoning district. Other setbacks (e.g. rear or non-street side) shall be as set forth in subparagraphs (I), (II) or (III) above.
- (ii) Garage and Accessory Building Conversion. No setback shall be required for a legally established, existing garage or accessory building that is converted to an accessory dwelling unit, provided the structure is not expanded. Any expansion of the structure shall comply with applicable setback requirements.
- (iii) Addition Over a Garage. A minimum setback of five (5) feet shall be required from the side and rear lot lines for an accessory dwelling unit constructed above a legally established existing garage.
- (i) Unit Size.
 - (i) The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.
 - (ii) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.
 - (iii) The accessory dwelling unit shall contain no less than the 150 square feet area minimum required for an efficiency dwelling unit as defined in Section 17958.1 of the Health & Safety Code.
- (j) Lot Coverage.
 - (i) Lot Coverage. The accessory dwelling unit must meet the lot coverage standards of the applicable zoning district.
 - (ii) Rear Yard Coverage. An accessory dwelling unit shall not result in more than twenty-five percent (25%) rear yard coverage as measured from the rear wall of the primary residence to the rear property line (or as measured from the average distance of the rear wall from the rear property boundary if the rear wall does not follow a straight line).

- (iii) Required Rear Yard Coverage. An accessory dwelling unit shall not result in more than thirty percent (30%) coverage of the “required rear yard,” which is set forth by the applicable zoning district.
- (k) Architecture Review.
 - (i) The design of the accessory dwelling unit shall relate to the design of the primary residence by use of similar quality exterior wall materials, window types, door and window trims, and roofing materials, but does not have to match the architectural style of the primary residence.
 - (ii) A garage converted to an accessory dwelling unit shall include removal of garage door(s) which shall be replaced with architectural features, including walls, doors, windows, trim and accent details that remove any appearance that the structure was originally a garage.
 - (iii) Windows facing interior areas of adjoining residential property shall be minimized in scale and number and fencing or landscaping shall be required to provide screening.
 - (iv) Access stairs, entry doors and decks must face the primary residence or the alley, if applicable.

2. An accessory dwelling unit is exempt from the requirements of subparagraph (F)(1) if the unit meets all the requirements of subparagraph (F)(2)(a):

- (a) The accessory dwelling unit:
 - (i) Is one accessory dwelling unit per single-family lot located within a single-family residential zone;
 - (ii) Is contained within the existing space of a single-family residence or within the existing space of an existing accessory building or structure;
 - (iii) Has independent exterior access from the existing residence; and
 - (iv) The side and rear setbacks are sufficient for fire safety.
- (b) If subparagraphs requirements of subparagraph (2)(a) are met, then the applicant:

- (i) Is required to install fire sprinklers in the accessory dwelling unit if the primary residence is also required to have fire sprinklers;
- (ii) Is not required to install a new or separate utility connection directly between the accessory dwelling unit and the utility, or to be charged a related connection fee or capacity charge.
- (iii) Shall obtain a building permit as required by the building code as adopted and amended by Chapter 6 of the Municipal Code.”

SECTION 6. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one (1) or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

SECTION 7. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDING. The City Council of the City of Woodland finds the adoption of this ordinance to be statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 21080.17 of the Public Resources Code because it is an ordinance regarding second units in a single-family or multifamily residential zone to implement the provisions of Government Code Section 65852.2.

SECTION 8. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 9. PUBLICATION. The City Clerk shall certify to the adoption of this ordinance. Not later than fifteen (15) days following the passage of this ordinance, the ordinance, or a summary thereof, along with the names of the City Council members voting for and against the ordinance, shall be published in a newspaper of general circulation in the City of Woodland.

SECTION 10. FILING. The City Clerk shall submit a copy of this ordinance to the Department of Housing and Community Development within 60 days after adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Woodland, California, at a regular meeting of the City Council held on the ____th day of _____, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF WOODLAND

Angel Barajas, Mayor

ATTEST:

Ana Gonzalez, City Clerk

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP

Kara Ueda, City Attorney

Zoning Ordinance Comparison Table

	Current Zoning Code Standards	AB2299/SB1069 Requirement(s)	Proposed Code Update
Definition	Listed as “Second-dwelling unit” in Table 1 – Residential Land Uses; however, second-dwelling unit is not specifically defined in the code. “Dwelling” means any building or portion thereof designed or used exclusively for residential occupancy.	“Accessory dwelling unit” means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. ...[Also includes...an efficiency unit...a manufactured home...]	Adopt the state definition for “Accessory Dwelling Unit.”
Allowed Zones	R-1, R-2, N-P, and R-M subject to Section 25-4-20. Special conditions, section “f.” (Section “f” outlines the development standards. These standards are broken out in this table below.)	Single-family and multifamily residential zones served by water and sewer services. Cities may review for potential impacts to traffic flow and public safety.	Accessory dwelling units are permitted on all residentially zoned parcels that meet the following criteria: - Minimum lot size of 6,000sf (may be reduced to 5,000sf with Zoning Administrator approval, which includes neighbor notification – 300ft radius) - A single family dwelling must exist on the lot or be constructed with the ADU and the lot must contain the minimum number of parking spaces required for the primary dwelling unit(s) (i.e. 2 spaces for a single family detached).
Review/Approval Requirements	Second-dwelling units are allowed ministerially or “by-right” within residential zones, subject to the Special Conditions in Section “f” (as outlined in this table below). Section 25-4-20. Special conditions, section “f,” condition 13 &14: Site and Design Review required. (Also, as set forth in the Community Design Standards: Design Review required for 2 or more units. A second dwelling unit, creating 2 units on one lot, is therefore subject to Design Review.) Second units that do not meet standards may apply for a conditional use permit to construct a second dwelling unit.	120-day ministerial approval (planning and building review concurrent) if: (A) Unit is not intended for sale; (B) The lot is zoned for single- or multi-family use; (C) The lot contains an existing single-family dwelling; (D) The ADU is either attached to the existing dwelling or detached but on the same lot as the existing dwelling unit; (E) The increased floor area of an attached ADU does not exceed 50 percent of the existing “living area” (which does NOT include garage or accessory structure), with a max. increase of floor area of 1,200sf; (F) The total “floor area” (not defined) for a detached ADU does not exceed 1,200sf; (G) ADU meets zoning requirements generally applicable to residential construction in the zone the ADU is proposed; (H) ADU meets local building code requirements; (I) ADU is approved by local health officer where a private sewage disposal system is being used.	Recommend creating Accessory Dwelling Unit Permit to enable staff level, ministerial Site Plan and Design Review. (Existing Fee \$383 – Design Review Residential Single Family) Variance requests subject to Zoning Administrator review ADU on a lot less than 6,000sf but at least 5,000sf
Architectural Compatibility	Section 25-4-20. Special conditions, section “f,” condition 1: <i>Second dwelling unit shall be architecturally compatible as to style, size, mass, color and materials as the primary dwelling unit.</i>	ADU ordinance may impose architectural review standards. There is no explicit requirement as to architectural style or compatibility.	Update code to allow flexibility in architectural style, but retain design review requirement to ensure general compatibility with the primary residence and neighborhood character. Update code to read as follows: <i>The design of the accessory dwelling unit shall relate to the design of the primary residence by use of similar quality</i>

			<i>exterior wall materials, window types, door and window trims, and roofing materials, but does not have to match the architectural style of the primary residence.</i> <i>A garage converted to an accessory dwelling unit shall include removal of garage door(s) which shall be replaced with architectural features, including walls, doors, windows, trim and accent details that remove any appearance that the structure was originally a garage.</i> <i>Windows facing interior areas of adjoining residential property shall be minimized in scale and number and fencing or landscaping shall be required to provide screening.</i> <i>Access stairs, entry doors and decks must face the primary residence or the alley, if applicable.</i>
Size Restrictions on ADUs	Section 25-4-20. Special conditions, section “f,” conditions 2 & 3: Maximum 600 square feet for detached ADUs on lots under 8,000 square feet; maximum 1,000 square feet for lots over 8,000 square feet. Second dwelling unit may not exceed 30 percent of the floor area of the primary unit excluding any garage.	Ministerial approval for ADUs if: (A) The increased floor area of an attached ADU does not exceed 50 percent of the existing “living area” (does NOT include garage or accessory structure), with a max. increase of floor area of 1,200sf; (B) The total “floor area” (not defined) for a detached ADU does not exceed 1,200sf;	Adopt State standards.
Setbacks Requirements for ADUs	Section 25-4-20. Special conditions, section “f,” conditions 4, 5 & 11: Second dwelling units shall meet all setbacks that apply to other dwellings built in the residential or combined residential zone (generally 20-foot rear yard and 5-foot side yard). Accessory buildings on a lot that do not meet the setback requirements for a main building on the lot may not be converted to a second dwelling unit. No closer than 10ft to the primary dwelling unit.	No setback shall be required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than 5 feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage. Offstreet parking shall be permitted in setback areas in locations determined by the local agency. All other cases, the state allows localities discretion over setback requirements as long as local standards meet zoning requirements generally applicable to residential construction in the zone the ADU is proposed. Requirements cannot be overly burdensome.	Staff proposes a reduced setback requirement to allow for shared common (yard) space between the primary and secondary dwelling unit. (Current standards often limit second units to being pushed up right next to the primary unit, eliminating any possibility for a meaningful and desirable common area.) Staff proposes the following setback requirements: ▪ One-story ADU – 5 foot side/rear yard setback; ▪ Two-story ADU – 15 foot side/rear setback; ▪ One or two story ADUs – Min. 6 feet between other structures on site. Side or rear yard setbacks <u>adjacent to an alley</u> shall be zero feet. Setback requirements for the <u>street-side of a corner lot</u> shall be consistent with street-side setback standards of the applicable zoning district. ▪ Garage/Accessory Building Conversion or Addition – No setback shall be required for a legally established, existing garage or accessory building that is converted to an ADU, provided the structure is not expanded. Any expansion of the structure shall comply with applicable setback requirements. A minimum setback of five (5) feet shall be required from the side and rear lot

			lines for an ADU constructed above a legally established existing garage. Intent: Maintain adequate setbacks/separation between buildings and adjacent properties as to not impose on neighboring residences and allow for adequate “light and air” between buildings for enjoyment of rear yards, landscaping/sunlight requirements, etc. (Note that staff is recommending a maximum building height consistent with current zoning standards, or 30 feet in the R-1 and R-2 zones and 40 feet in the N-P and R-M zones). Zoning code is consistent with state law allowing parking in setback areas.
Lot Size Standards	Section 25-4-20. Special conditions, section “f,” condition 8: Subject lot shall be at least the minimum width and area required within the zone or for the underlying residential zone in a combined zoning district.	Not specifically defined.	Minimum lot size of 6,000 square feet (ZAP approval to reduce lot size to 5,000sf is all other standards can be met).
Lot Coverage Requirements	Section 25-4-20. Special conditions, section “f,” condition 7: Building coverage for the site may not exceed 50 percent.	Not specifically defined.	Recommend “compliance with applicable residential zoning standards” for lot coverage. Staff recommends “rear yard” lot coverage of 25% maximum. Rear yard as measured from the rear wall of the primary residence.
Height	Section 25-4-20. Special conditions, section “f,” condition 10: No taller than 15 feet	Not specifically defined.	Staff proposes to update the code to require height consistency with residential height requirements (30 feet in the R-1 and R-2 zones and 40 feet in the N-P and R-M zones). Given the proposed setback modifications above, as well as limitations in the overall size of the ADU and design review/compatibility assessment with primary residence and neighborhood, staff finds that consistency with current residential height standards will not have a substantial or negative impact on the surrounding properties and/or neighborhood.

Required Parking	Section 25-4-20. Special conditions, section “f,” conditions 6 & 9: Two parking spaces for primary residence plus one parking space for each bedroom in the second dwelling unit. No more than 40 percent of the front yard may be paved for parking.	Requirements shall not exceed one parking space per unit or per bedroom. These spaces may be provided as tandem parking on existing driveway, unless tandem parking is prohibited outright in residential zones. Off-street parking shall be permitted in setback areas. No parking requirements are allowed under the following circumstances: - Located within one-half mile of public transit (<i>this applies to nearly the entire city of Woodland if we define public transit as a bus stop</i>) - Located within architecturally/historically significant district - When on street parking permits required but not offered - When there is a car share vehicle within one block - Part of existing primary residence or accessory structure When a garage, carport, or covered parking structure is demolished and an ADU is built, and the local agency requires that those off-street spaces be replaced, the replacement spaces may be located in any configuration (i.e. covered spaces, uncovered spaces, tandem spaces) on the same lot as the ADU	Zoning Code is consistent with one space per bedroom and allowance for parking within setback areas. Plan to keep these provisions. Keep 40 percent front yard/setback paving requirement. Will need to update code to comply with “no parking requirements” provision of new state law. Staff proposes defining “public transit” as a bus stop. This covers a vast majority of the City.
Owner Occupant Requirement	Section 25-4-20. Special conditions, section “f,” condition 12: One of the dwelling units must be owner occupied....<i>The applicant shall sign an enforceable agreement with the city of Woodland to abide with this requirement.</i>	Defers to localities. Also provides ability for localities to limit/prohibit short term rentals and a require a deed restriction pertaining to sale of the ADU (i.e. prohibiting separate sale). Localities may require property to be used for rentals of terms longer than 30 days.	Staff proposes eliminating the owner-occupancy provision. Recommend including long term rental provision.
Utility/Fire Sprinkler	Not in Zoning Code. Municipal code administrative guidelines state all second dwelling units over 640sf in size are subject to development impact fees. Fees based on number of units (not square footage).	State law requires that ADUs shall not be considered new residential uses for the purpose of calculating local agency connection fees or capacity charges for utilities including water and sewer, but then goes on to say that detached (and I think also “additions”) can be required to connect directly to the utility and pay commensurate connection fees and capacity charges.	Consistent with prior provisions, ADUs over 640 square feet in size are subject to City Development Impact Fees (approximately \$27,500) and applicable Planning Review (\$383) and Building Permit (approximately \$3,500) fees. Units 640 square feet or under are subject only to applicable Planning and Building Permit fees.



Community Development Dept.
300 First St, Woodland CA 95695
(530) 661-5820
www.cityofwoodland.org

ACCESSORY DWELLING UNIT (ADU) Development Regulations Summary & Application Submittal Requirements

This brochure summarizes key Planning and Building requirements pertaining to the development of Accessory Dwelling Units ("ADU") in the city and is not intended to be an exhaustive list. Please contact Planning or Building staff if you have questions particular to your project.

ACCESSORY DWELLING UNIT DEFINITION: An accessory dwelling unit (ADU) provides complete living, sleeping, eating, cooking, and sanitation facilities separate and independent of the main dwelling unit. ADUs may be rented; however, leases for durations of less than 30 days are prohibited. (The requirements for other accessory structures found in Section 25-21-10 (Accessory buildings and uses) do not apply to ADUs.)

PERMITTED LOCATION: ADUs may be located in all single and multi-family residential zones. Within a multi-family residential zone, an ADU may not be constructed on a parcel that is developed with more than four existing residential units.

UNIT SIZE: The total floor area for a detached ADU shall not exceed 1,200 square feet. The increased floor area of an ADU attached to the primary residence shall not exceed 50 percent of the existing living area of the residence (i.e. interior habitable living area, does not include garage), with a maximum increase in floor area of 1,200 square feet.

DESIGN/ARCHITECTURE: The design of the ADU shall relate to the design of the primary residence by use of similar quality exterior wall materials, window types, door and window trims, and roofing materials, but does not have to match the architectural style of the primary residence. Landscaping may be required for the privacy and screening of adjacent property.

MINIMUM LOT SIZE: The minimum lot size upon which an ADU may be located is 6,000 square feet. The minimum lot size may be reduced to 5,000 square feet with a Zoning Administrator Permit.

HEIGHT: The ADU must meet the height standards of the applicable zoning district.

SETBACKS:

- **One-story ADU** – 5 foot side/rear yard setback;
- **Two-story ADU** – 15 foot side/rear setback;
- **One or two story ADUs** – Min. 6 feet between other structures on site. Side or rear yard setbacks adjacent to an alley shall be zero feet. Setback requirements for the street-side of a corner lot shall be consistent with street-side setback standards of the applicable zoning district.
- **Garage/Accessory Building Conversion or Addition** – No setback shall be required for a legally established, existing garage or accessory building that is converted to an ADU, provided the structure is not expanded. Any expansion of the structure shall comply with applicable setback requirements. A minimum setback of five (5) feet shall be required from the side and rear lot lines for an ADU constructed above a legally established existing garage.

LOT COVERAGE: See Page 2 of Brochure

PARKING: In most cases, no additional parking is required for an ADU. Parking for the primary residence must be retained or relocated (if necessary to accommodate the ADU) on-site.

FIRE SPRINKLERS: An ADU is required to have fire sprinklers, only if the primary residence is also required to have fire sprinklers.

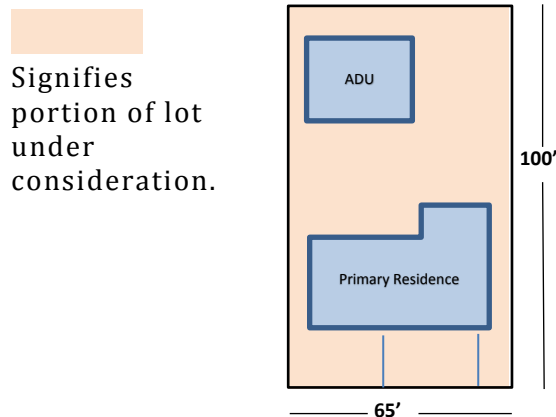
UTILITY CONNECTION: A separate utility connection directly between the ADU and the utility is not required unless otherwise required by the Fire Department.

LOT COVERAGE REQUIREMENTS (See Diagrams Below)

OVERALL LOT COVERAGE: Accessory dwelling units are subject to the overall maximum 50 percent (50%) lot coverage standard for residential zoning districts.

REAR YARD COVERAGE: An accessory dwelling unit shall not result in more than twenty-five percent (25%) rear yard coverage as measured from the rear wall of the primary residence to the rear property line (or as measured from the average distance of the rear wall from the rear property boundary if the rear wall does not follow a straight line).

REQUIRED REAR YARD COVERAGE: An accessory dwelling unit shall not result in more than thirty percent (30%) coverage of the “required rear yard,” (i.e. area contained with the required rear setback, extending the full width of the lot) which is set forth by the applicable zoning district.



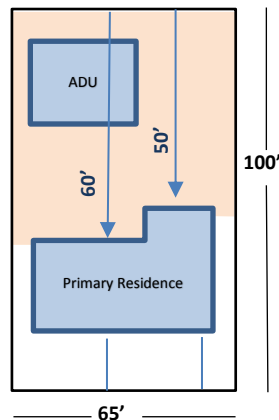
Overall Lot Coverage: The total footprint of all structures on a parcel shall not exceed 50% of the entire parcel.

Example:

$$65' \times 100' = 6,500sf$$

$$6,500sf \times .50 = 3,250sf$$

Total footprint of all structures shall not exceed 3,250sf. [Includes garages, patio covers, other accessory buildings, but not pools.]



Rear Yard Coverage: Footprint of ADU shall not exceed 25% of entire “backyard” area.

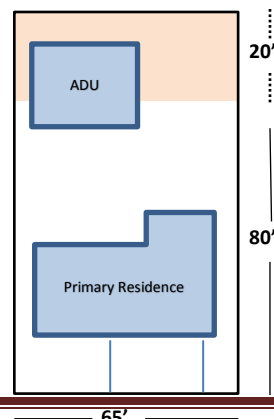
Example:

$$(50' + 60') / 2 = 55'$$

$$55' \times 65' = 3,575sf$$

$$3,575sf \times .25 = 894sf$$

Total footprint of ADU shall not exceed 894sf.



Required Rear Yard Coverage: Footprint of ADU shall not exceed 30% of “required” rear yard. *This provision applies only to the portion of the ADU that is located within the “required” rear yard. In most cases, the required rear yard is the area measured 20 feet from the rear property line.*

Example:

$$20' \times 65' = 1,300sf$$

$$1,300sf \times .30 = 390sf$$

Total footprint of ADU shall not exceed 390sf of the required rear yard.

PERMIT PROCEDURES & APPLICATION PROCESSING

An Accessory Dwelling Unit Permit Application shall be approved by the Community Development Director for all new detached and attached ADUs that include physical expansion (i.e. addition) to an existing primary dwelling unit prior to building permit submittal. *An ADU is exempt from the development standards outlined in the ADU Ordinance (25-21-05) if the ADU is contained within the existing space of a single-family residence or within the existing space of an existing accessory building or structure; has independent exterior access from the existing residence; and the side and rear setbacks are sufficient for fire safety. A building permit is still required.*

APPLICATION SUBMITTAL REQUIREMENTS:

- Accessory Dwelling Unit Permit Application. Application Fee: \$383 (fee subject to annual adjustment).
- A to-scale and fully dimensioned site plan showing the proposed accessory dwelling unit and all existing structures on the property including patio covers, other accessory structures, fences and driveways.
- Elevations of the proposed accessory dwelling unit including building dimensions, material call outs and a color and materials sample board as requested by the Community Development Director.
- Photographs of the exterior of the primary residence as requested by the Community Development Director.
- Construction management plan. Construction hours and staging to minimize impacts on surrounding residential properties.

BUILDING CODE REGULATIONS

- o Utility connection may require review and upgrading of existing utility services.
- o The construction, remodel or conversion to create an ADU shall comply with the most current California Residential Codes.

FEES

- o Accessory dwelling units over 640 square feet in size are subject to City Development Impact Fees in addition to Planning review and Building Permit fees.
- o School Fees may apply. Check with School District
- o County Fees may apply. Check with Yolo County

ONLINE RESOURCE

Zoning Ordinance, Article 25-21-05: <http://www.cityofwoodland.org/gov/depts/cd/zoning/default.asp>

* * *

If you have questions, please call the Community Development Department at (530) 661-5820. Staff is available from 8:00 AM to 4:30 PM at 300 1st Street, Woodland, CA 95695



Legislation Details (With Text)

File #: 17-0620 Version: 1 Name:
Type: Staff Report Status: Agenda Ready
File created: 8/30/2017 In control: Planning Commission
On agenda: 9/7/2017 Final action:
Title: SUBJECT: Election of Officers for Chair and Vice-Chair of the Planning Commission
DATE: September 7, 2017

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Hold Elections; and
2. Vote and select among current membership, the appointments of Chair and Vice-Chair of the Planning Commission.

Sponsors:

Indexes:

Code sections:

Attachments: [17-0620 - 1 - City of Woodland Planning Commission Rules and Regulations.pdf](#)

Date	Ver.	Action By	Action	Result
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City of Woodland

MEMORANDUM

TO: Members of the Woodland Planning Commission
FROM: Cindy A. Norris, Principal Planner
SUBJECT: Election of Officers for Chair and Vice-Chair of the Planning Commission
DATE: September 7, 2017

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Hold Elections; and
2. Vote and select among current membership, the appointments of Chair and Vice-Chair of the Planning Commission.

BACKGROUND:

The positions of Chair and Vice-Chair are to be elected annually a the first meeting in September, as stated in the Planning Commission Rules and Regulations, Section IV (Attachment 1).

ATTACHMENTS:

Attachment 1 - City of Woodland Planning Commission Rules and Regulations

**CITY OF WOODLAND
PLANNING COMMISSION
RULES AND REGULATIONS
(Modified September 3, 2009)**

I. DUTIES AND RESPONSIBILITIES

The duties of the Planning Commission shall be those prescribed by the Government Code of the State of California and Ordinances adopted by the City. The Commission shall have the following functions:

- 101. Planning for the physical development of the City.
- 102. Maintaining the General Plan.
- 103. Maintaining the Subdivision and Zoning Ordinances.
- 104. Approving tentative subdivision maps.
- 105. Recommending amendments to the General Plan to the City Council.
- 107. Acting on other planning requests such as conditional use permits, variances, etc.
- 108. Administering the California Environmental Quality Act (CEQA).

II. MEMBERSHIP

- 201. The Commission, as provided by ordinance, shall be composed of seven (7) members, not officials of the City, appointed by the Mayor, with approval of the Council, to serve staggered terms, said terms to be determined by the City Council.
- 202. The Commission members shall serve the City as a whole, shall represent no special group or interest and they shall publicly state when they are interested in a matter before the Commission and, therefore, disqualify themselves from voting.

III. TERM AND CONDUCT

- 301. The term of appointment of any member of the Planning Commission who has been absent with unexcused absences from either three (3) consecutive regular or special meetings, or who has missed more than four (4) of the meetings in a 12-month period, shall automatically terminate. "Unexcused absence" shall mean a absence which was not a subject of a request by the appointee which, prior to such absence, has been approved by the majority vote of such board, commission or committee. Other acceptable cause for absence may include the following: personal or family illness, vacations, occasional business obligations, military leave or the loss of a loved one. If an absence will be unavoidable, a Commissioner should leave word with the Community Development Department no later than 12:00 PM on the day of the scheduled meeting.

It is also expected that Planning Commission members will be on time for meetings.

It is recommended that Commission members be ready a minimum of five minutes prior to the meeting time.

The Planning Commission conducts the business of the City with regard to land use and Zoning matters and as an advisory agency to the City Council. Actions of the Commission can have an impact on the City as well as on those coming before this body for review and determination. It is necessary for meetings to be conducted in a timely and efficient manner.

IV. OFFICERS

- 401. The officers of the Commission shall consist of a Chairperson and Vice-Chairperson. The Chairperson and Vice-Chairperson shall be elected annually at the first meeting in September by a majority of the Commission.
- 402. The Chairperson and Vice-Chairperson shall hold their respective offices until the next annual meeting after election and until their successors are elected. Their terms of office are limited to two (2) consecutive years.
- 403. Vacancies in the office of Chairperson and Vice-Chairperson shall be filled from the membership of the Commission by an election held at any meeting.

V. DUTIES OF OFFICERS

- 501. The Chairperson shall preside at all meetings. He or she shall appoint all standing committees each year following the election of officers and such special committees as from time to time may be authorized by the Commission. He or she may present to the Commission such matters as in his or her judgment require attention; and he or she need not vacate his or her chair for the purpose of actively discussing (as a member of the Commission) an item on the agenda or a subject for review, discussion and recommendation by the Commission.
- 502. The Chairperson (and the Commission) shall be guided by the Roberts Rules of Order, latest revision, on all questions of procedure and parliamentary law not covered by these rules and regulations.
- 503. At the request of any member of the Commission, the Chairperson shall direct that a written record be made and entered on any questions before the Commission.
- 504. The Chairperson shall exercise firm control and direction during the course of any Commission meeting or hearing. (No member of the Commission or of the general public shall address the Commission until recognized by the Chairperson.)
- 505. The Community Development Director shall exercise general supervision over the business papers and property of the Commission.
- 506. On the absence of the Chairperson, the Vice-Chairperson shall perform all duties of the Chairperson.
- 507. The Commission shall elect a temporary Chairperson from the members present in the event that both the Chairperson and Vice-Chairperson are absent.
- 508. The Commission may designate any of its members to represent its views with

respect to a particular issue. Without such authorization, however, the Commission shall be represented by the Chairperson or Vice-Chairperson. Individual members of the Commission should refrain from appearing before the City Council or other bodies interested in issues before the Planning Commission to discuss issues within the subject matter jurisdiction of the Commission.

VI. DUTIES OF STAFF

601. The Community Development Director shall keep a true and complete public record of the resolutions, transactions, findings, and determinations of the Commission, and with approval of the Commission, may delegate certain duties of his or her office to a Recording Secretary.
602. The Community Development Director shall attest all resolution executed by the Chairperson on behalf of the Commission.
603. The Community Development Director shall keep a permanent record of the meeting of the Commission and shall cause to be made such public notices as required and in the manner prescribed by statute, ordinance, or these rules, and to attend to all official correspondence of the Commission. He or she shall provide reports on subdivision plats, zoning changes, variances, and other planning and zoning matters. He or she shall submit reports on planning studies, general or master plan studies, progress reports on the work of the Planning Commission and on any other matters vital to the efficient and expeditious operation of the Planning Commission.
604. On their appointment to the Commission, new members shall be briefed by the Community Development Director on the general scope of City and regional planning and on the duties of the Commission.
605. The Community Development Director shall prepare for the Commission all letters of transmittal to the City Council relative to zoning changes, special permits and subdivision maps. All letters to the Council shall be signed by the Community Development Director.
606. Copies of Commission minutes, resolutions, and all recommendations required to the City Council shall be sent to the City Clerk by the Community Development Director for distribution to individual Council members.

VII. MEETINGS

701. Regular meetings of the Commission shall be held on the first and third Thursday of every month at 7:00 p.m. in the Council Chambers of the City of Woodland, provided, however, the City Planning Commission may adjourn to any other location within the City. On such adjournment, the Community Development Director shall cause to be posted on the main door of the City Hall a notice of the other location and the time of the meeting.
 - a. In order to assure the efficient use of time for scheduled meetings the Planning Commission will not commence the hearing of any item, whether scheduled for the agenda or not, after 10:30 p.m. unless a majority vote of the Commission agrees to extend the meeting. Further, The Chairperson shall have the authority to limit a presentation before the Planning Commission to not more than five

(5) minutes when, in the judgment of the Chairperson, a prolonged presentation fails to serve the public interest and would result in an unnecessary expenditure of time.

- 702. Special meetings may be called by the Chairperson or a majority of the members by delivering personally or by mail written notice of each member and to each local newspaper of general circulation, radio, or television station requesting such notice in writing. Such notice must be delivered personally or by mail at least seventy-two (72) hours before the time of such meeting as specified in the notice.
- 703. No business shall be transacted at any special meeting other than that named for consideration in said notice.
- 704. The Commission may adjourn from time to time, absentees being notified, and in case there shall be no quorum present at any meeting, the Commissioners present will adjourn from time to time until a quorum is obtained or will adjourn said meeting.
- 705. A quorum of the Commission shall consist of four (4) voting members. The affirmative vote of a majority of the members present and not disqualified as provided in Section 202 is required to approve and to transmit advice and recommendations to the City Council on planning matters and to approve any request or action within the power and scope of the Planning Commission excepting as set forth in Section 1101 herein.
- 706. The Chairperson shall have the same voting privilege as any other member including the right to make motions and to second motions.
- 707. An agenda shall be prepared by the Community Development Director for each regular meeting of the Commission, and the mailing of the agenda shall serve as notification of the meeting. A copy of same shall be sent by the Community Development Director to all members of the Commission in advance of each meeting.
- 708. The agenda for each meeting shall contain only those items which have been submitted to the Community Development Director in sufficient time for review, analysis, referrals to other interested departments, or public bodies and preparation of necessary reports.
 - a. The Community Development Director shall have the authority to withhold from an agenda or to remove from a tentative agenda any item which is not complete and sufficient for Planning Commission action or any item which has been revised subsequent to the initial filing and has not received adequate time for a comprehensive review by responsible staff agencies.

VIII. OFFICIAL RECORDS

- 801. The official records shall include these rules and regulations and the minutes of the meetings of the Commission together with all resolutions adopted, findings, decisions, and other official action.
- 802. The official records shall be on file in the Community Development Director's office

and shall be open to public inspection during customary working hours.

- 803. The Commission shall keep minutes of its proceedings which shall show the vote on every question on which it Acts. Roll call vote may be requested by any member of the Commission, or at the discretion of the Chairperson.
- 804. A copy of these rules and regulations and all amendments thereto shall be placed on permanent file in the office of the City Clerk within ten (10) days of adoption.

IX. ORDER OF BUSINESS

- 901. The Commission shall consider matters before it at its regular meetings according to the following schedule.
 - 1. Calling the roll.
 - 2. Approval of Minutes.
 - 3. Director's Report.
 - 4. Public Comment on non agenda items.
 - 5. Items for Commission consideration with public comment.
 - 6. Motion to adjourn.

X. COMMITTEES

- 1001. Committees shall aid the Commission in the review and disposition of Commission business within their assigned areas of responsibility.
- 1002. Special committees shall be appointed only to handle matters not otherwise assignable to a standing committee.

XI. POLICIES AND SUPPLEMENTAL PROCEDURES

- 1101. All matters of policy affecting the Commission shall be decided at regular meetings or at special meetings called for that purpose.
- 1102. Supplemental policies, rules, and procedures may be adopted in the same manner as provided for amendments to these rules and regulations.

XII. AMENDMENTS

- 1201. Amendments to these rules and regulations may be made by the Commission at any regular meeting or special meeting called for that purpose upon the affirmative vote of at least four (4) members, provided such amendment is proposed at a preceding meeting, and that all members have been formally notified thereof.

XIII. ADOPTION

- 1301. All other by-laws and regulations pertaining to the transaction of business are hereby

repealed and these rules and regulations shall be in effect immediately upon adoption.

1302. Nothing in these rules and regulations shall be construed to overrule State or City laws and regulations.