

City Manager's Report
April 23, 2019 City Council Meeting
Prepared By: Andrew Painter, City Planner



Item#: 10.1

Subject: Introduce and waive the first Reading of an ordinance amending Title 10 (Zoning Ordinance), Chapter (Zoning), Section 12 (Accessory Dwelling Units (ADU)) to bring City Code into compliance with State law, as shown in Exhibit A of Attachment 1 as recommended by the Planning Commission (File # ZC19-01).

Purpose: The purpose of this proposed ordinance is to bring City Code into compliance with recent changes to the State's ADU law under legislation, SB 229 and AB 494 that was signed into law in 2017 that went into effect on January 1, 2018. Minor amendments and clarifications to the Zoning Ordinance are proposed by staff, necessary to reach compliance with this legislation.

Discussion: On April 2, 2019, the Planning Commission considered staff's recommended text amendments and forwarded a recommendation to the Council for approval during a public hearing with additional changes. Staff's Planning Commission report and April 2, 2019 agenda exhibits, including a May 29, 2018 memorandum from the California Department of Housing and Community Development (HCD) showing the changes made to State ADU law by SB 229 and AB 494, are provided as Attachment 2.

Environmental Review: Pursuant to Section 15282(n) of the California Environmental Quality Act (CEQA) Guidelines, the City as lead agency has determined that the proposed activity is statutorily exempt from environmental impact, in that it involves the adoption of an ordinance regarding second units to implement the provisions of Section 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code.


Options:

1. Introduce and waive the first reading of the Ordinance as recommended by staff and the Planning Commission.
2. Make amendments to the Ordinance and adopt if minor.
3. Direct staff to revise the Ordinance and bring back to the Council for further consideration.
4. Do not approve the Ordinance at this time and provide additional direction to staff.


Cost: There is a minimal cost by the City Clerk associated with preparing the ordinance for publication and codification.

Budget Impact: None.

Recommendation: Introduce and waive the first Reading of an ordinance amending Title 10 (Zoning Ordinance), Chapter (Zoning), Section 12 (Accessory Dwelling Units (ADU)) to bring City Code into compliance with State law, as shown in Attachment 1 as recommended by the Planning Commission (File # ZC19-01).


M. Cleve Morris, City Manager


Pierre Rivas, Development Services Director


Andrew Painter, City Planner

Attachments:

1. Draft Ordinance
2. April 2, 2019 Planning Commission Documents
 - (a) Staff Report and Exhibits
 - (b) Draft Meeting Minutes