



DATE: March 21, 2019

TO: PLANNING COMMISSION

FROM: Brendan Vieg, CDD Deputy Director (879-6806; brendan.vieg@chicoca.gov)
Bruce Ambo, Principal Planner (879-6801; bruce.ambo@chicoca.gov)
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RE: Accessory Dwelling Units | Workshop

PURPOSE

The availability and affordability of housing in California has been a topic on the forefront of State legislative discussion for the past several years. New and amended State housing laws have necessitated amendments to local regulations, specifically for Accessory Dwelling Units (ADUs). The discussion below summarizes actions taken by the Chico City Council related to ADU fees and development standards, as well as the events that precipitated such changes.

Per Council direction to staff, the workshop will provide an opportunity to discuss previous actions taken to stimulate the production of ADUs and determine whether additional amendments to the standards would be helpful in stimulating ADU production. The purpose of this workshop is to hear from the community and Planning Commission on ordinance improvements that might stimulate ADU production. No action is to be taken at this meeting as it is a community workshop to discuss potential ideas and/or solutions.

Staff will return to the Planning Commission with a summary of the workshop and present recommendations for further consideration. Staff will then return to the City Council with the Planning Commission's recommendation.

BACKGROUND

Council Action in Response to State Legislation

On March 20, 2018, the Chico City Council comprehensively amended the Accessory Dwelling Unit (ADU) regulations for consistency with the State housing law. These amendments were mandated by changes to State housing laws made in 2016 and 2017 and included several areas of regulation, with specific emphasis on vehicle parking, conversion of an existing space to a new ADU, rental restrictions on ADUs, utility fees, and fire sprinkler requirements (see **Attachment A**, ADU Chronology). The State ADU laws limited or most of the potential development constraints including parking requirements and fees and mandated that ADUs be approved administratively. As a result of these amendments, the City saw a slight increase in ADU permit activity between 2017 and 2018 (see **Attachment B**, ADU Permit Activity).

Additional State legislation for ADUs was proposed in 2018 (3 different bills) but was not adopted. However, ADUs as a source of market-rate affordable housing remain a prime target for further State legislative action. With the State providing funding to communities

for planning activities that streamline housing production (SB 2), it is highly likely additional housing legislation including more changes to ADU laws are forthcoming in 2019.

Development Impact Fee Reductions

On October 16, 2018, the City Council reduced the development impact fees (DIF) for ADUs by 50% in recognition of the reduced impacts of these smaller units to public services. The DIF for ADUs that was previously \$12,129 was reduced to \$6,064.50. In response to the Camp Fire, the Council further reduced the ADU fee by 50-percent at their December 2018 meeting for a period of one year. The temporary fee reduction lowered the DIF to \$3,032.25, approximately 25-percent of the original fee. Other permit application fees still apply, including building plan check and inspection, sewer application, and address assignment which totals about \$3,344 (for a 1,200 square foot ADU).

Another noteworthy change to ADU requirements made by Council in March 2019 in response to the Camp Fire housing shortage was an amendment to CMC Section 14.14.050 "Exemptions from public improvements and public right-of-way requirement" clarifying that the sidewalk requirement does not apply for new ADUs of less than 1,000 square feet and eliminating the sidewalk requirement where sidewalks do not exist to provide a connection on both sides of the subject parcel for a proposed ADU.

Per the direction of the Council to consider further amendments to ADU regulations that would stimulate ADU production, staff prepared and presented a report at Council's January 2, 2019 meeting which provided additional details on ADU program options, code amendment processes, and other potential actions for Council consideration. To further reduce barriers and create additional incentives to stimulate ADU housing production, staff identified several potential issue areas. Below is a summary of those options and Council's direction:

- Eliminating the owner occupancy requirement;
Action: Planning Commission to provide recommendation to Council.
- Establishing an amnesty program for existing nonconforming ADUs;
Action: To be implemented by staff.
- Developing an affordability covenant where an affordable ADU rent level would be maintained for a certain period (perhaps 10 years) in exchange for further fee relief or waivers;
Action: Not a priority to be pursued at this time given that the City has limited additional incentives to offer.
- Creating a revolving loan program or alternate loan program or financing mechanism to finance ADU construction loans;
Action: Staff to review potential funding opportunities.
- Facilitating ADU design with prototype plans and interactive resources;
Action: Staff to develop program when funding becomes available from the State.

WORKSHOP DISCUSSION

The development standards for ADUs as well as a summary of the permit process have been included for reference as attachments to this report (see **Attachment C**, Accessory Dwelling Unit Application Packet and **Attachment D**, ADUs Frequently Asked Questions). The Planning Commission may discuss any of the items highlighted in this report or present new ideas for consideration. However, Council's specific direction was for the Commission to review and provide possible amendments to the City's ADU regulations in Title 19, with an emphasis on the owner-occupancy requirement.

Below are key items of discussion:

Owner-occupancy deed restriction requirement for ADU's

Of the discussion items bulleted above, the owner-occupancy requirement was determined to be the simplest amendment with the greatest potential to further stimulate the production of ADUs. Staff recommends discussion of the owner-occupancy requirement as set forth in Section 19.76.130 of the Chico Municipal Code (CMC) below.

19.76.130 Accessory Dwelling Units

- C. Owner Occupancy. All accessory dwelling unit permits and use permits allowing an accessory dwelling unit shall be subject to the condition that either the accessory dwelling unit or the main dwelling unit must be occupied by an owner of the property. Such permits shall be further conditioned to require that each owner of the property sign a covenant acknowledging the requirement that the property be owner-occupied and that the covenant be recorded with the county recorder's office prior to the issuance of a certificate of occupancy for the accessory dwelling unit. Rental occupancy of unit shall only be on the basis of a rental agreement with a term longer than 30 days.

The Planning Commission should consider both the potential benefits and issues that could result from elimination of this requirement (see Pros and Cons Table below). There is a concern that without an ownership presence at the property, tenants may not be as considerate of neighbors or property maintenance as the property owner. However, it is also a possibility that the State legislature could act to remove the owner-occupancy requirement, as it has been a target of past legislative changes to ADU regulations.

<u>Pros</u>	<u>Cons</u>
<ul style="list-style-type: none">• Stimulate the construction of new ADUs• Make available existing ADUs where owners do not live onsite• Make the ADU permitting process more efficient by not requiring the owner occupancy deed restriction	<ul style="list-style-type: none">• Neighborhoods could become more renter-based as opposed to owner occupied• Tenants may not be as responsible for property maintenance or as considerate to neighbors as a present property owner.

ADU Restrictions in the SD-4 Overlay Zone

During Council discussion on the ADU topic, it was noted that certain neighborhoods may be more protective of property ownership due to existing parking problems and inadequate infrastructure. For instance, the SD-4 (West Avenue Neighborhood Area) Overlay Zone requires Use Permit approval for an ADU due to special design considerations in the neighborhood. It is important to note that if the owner-occupancy requirement is eliminated from the City's ADU regulations, it may be necessary to include the owner-occupancy requirement in the SD-4 overlay.

UPCOMING FUNDING OPPORTUNITIES

The State Housing and Community Development Department will be accepting applications for grant funds for local planning improvements to facilitate housing and affordable housing projects later this Spring. These funds are anticipated to be released to entitlement communities, which includes Chico, in Summer 2019. Reimbursable work can then begin on housing ordinances. However, the City can and is moving forward on these housing fronts at the City's expense which will be partially offset with future grant funds.

CONCLUSION

The City has made extensive changes to the requirements for ADUs since 2017, as detailed above. As a result, ADU permit activity tripled in 2018 from the previous year. It is anticipated that the number of applications for ADU permits will continue to incrementally rise through the remainder of the year as DIFs are at an all-time low. Staff is requesting that the Planning Commission consider and discuss the previous amendments to the standards and provide direction to staff for any additional amendments to be drafted.

Recommendation:

The Community Development Deputy Director recommends that the Planning Commission:

1. Provide direction to staff regarding amendments to the City's ADU regulations as set forth in CMC 19.76.130, with a specific emphasis on the owner-occupancy requirement.

DISTRIBUTION

PC Distribution
PP Vieg

ATTACHMENTS

- A. ADU Chronology
- B. ADU Permit Activity
- C. ADU Application Packet including Development Standards (CMC 19.76.130)
- D. ADUs FAQ's
- E. Public Comments



ADU Chronology

- 2002: State mandated ministerial ADUs
- 2003: Chico amended ADU regulations for ministerial approval and created SD-4 Overlay zone (requiring Use Permits for ADUs)
- 2016/17: State ADU regulations allowing parking within setbacks, limiting fees, and easing fire sprinkler regulations
- March 2018: Chico ADU regulations amended
- October 2018: Council reduced ADU impact fees by 50%
- December 2019: Council temporarily (1 year) reduced ADU impact fees by another 50% (Camp Fire)
- March 2019: Council approved ADU sidewalk exceptions (Camp Fire)



ADU Permit Activity 2011-present

File: ADU Workshop

Year	# of Permit Applications	# of Permits Issued
2011	1	1
2012	1	1
2013	2	2
2014	3	3
2015	4	4
2016	4	3
2017	2	2
2018	6	5
2019 (to date)	5	4
<i>Total</i>	<i>28</i>	<i>25</i>



**PLANNING SERVICES
DEPARTMENT**

411 Main Street (530) 879-6800
P.O. Box 3420
Chico, CA 95927

Application No. _____

**APPLICATION FOR
Accessory Dwelling Unit Permit**

Applicant Information

Applicant	Daytime Phone	
Street Address	Email	
City	State	Zip

Property Owner	Daytime Phone	
Address		
City	State	Zip

Other Contact	Daytime Phone	
Address		
City	State	Zip

Project Information

Property Address/Location	
Assessor's Parcel No(s)	Parcel Size
Main Dwelling Size / Stories	Unit Size / Stories
Existing Land Use	Unit No. of Bedrooms
Present Zoning	Present General Plan Designation

Required Signature

I hereby certify that this application and all other documents submitted are true and correct to the best of my knowledge and belief. I also certify that I am the owner of the above property or have attached the owner's written consent to file this application. I understand that verification of property ownership or interests in the property or application may be required. (Before signing, see the information on page 2 of this application.)

Applicant's Signature	Date
-----------------------	------

For Office Use Only

Application Received By	Receipt No.
Date	Application Fee \$
Assigned Planner	
	Total Fees \$ (Check payable to City of Chico)



Is the accessory unit: An attached conversion?	A conversion of an accessory structure?	A new structure?
Is the accessory unit: Attached?	Detached?	Over a detached garage?
Is the accessory unit: Adjacent to a public alley?		
Describe alley width and condition (e.g. 15' gravel) _____		

Project Architectural Detail	
Building Square Footage (Main Unit)	Building Square Footage (Accessory Unit)
Construction Type (Main Unit)	Construction Type (Accessory Unit)
Building Height (Main Unit)	Building Height (Accessory Unit)
Roof Style and Pitch (Main Unit)	Roof Style and Pitch (Accessory Unit)
Roofing Material and Color (Main Unit)	Roofing Material and Color (Accessory Unit)
Exterior Wall Material (Main Unit)	Exterior Wall Material (Accessory Unit)
Exterior Wall and Trim Colors (Main Unit)	Exterior Wall and Trim Colors (Accessory Unit)
Type and Location of Mechanical Units (Main Unit)	Type and Location of Mechanical Units (Accessory Unit)
Number of Parking Spaces Provided (Main Unit)	Number of Parking Spaces Provided (Accessory Unit)
Number of Parking Spaces Required (Main Unit)	Number of Parking Spaces Required (Accessory Unit)
Exterior Lighting for Accessory Unit: type, location, height and number (Building, Site, Parking Area, Alley)	
New Fencing: Location, Material, Color and Height*	
Briefly describe design (e.g., Contemporary, Mission, Colonial, etc.):	
Proposed Open Space / Recreation Area(s) for Second Unit: Type, Location and Square Footage	

*Note: Continuous fencing or wall between the main and accessory dwelling units is prohibited, unless it includes a gate to allow pedestrian access to the street from both units.

If you have any questions, contact Planning staff at (530) 879-6800. Project Applicants are encouraged to meet with Planning staff prior to submittal. Complete applications which comply with the adopted accessory dwelling unit standards will help to expedite the review process.



SITE PLAN CHECKLIST - NEW DEVELOPMENT

The following information is normally required when new development is proposed (not always necessary for conversions of an existing space). Please consult with a planner to determine the information that is necessary for a site plan.

- Vicinity map
 - Indication of all adjacent land uses. Location of all structures (including height) and setbacks on adjacent parcels
 - Workable scale (a graphic scale is preferred)
 - North arrow
 - Property lines
 - Dimensions of property lines, acreage and setbacks
 - Adjacent streets and alleys
 - Existing/Proposed easements
 - Indicate presence, absence and condition of curb, gutter, sidewalk, shoulder paving, and street paving at the property frontage
 - Existing features: structures and size, landscaping, utility poles, hydrants, street lights, trees (describe size and type, and note whether to be retained or removed)
 - Footprint and location of new structures
 - All walkways (alley-accessed units must provide pedestrian walkway to street frontage)
 - Parking stalls, driveways and dimensions (including handicapped stall and ramp as applicable)
 - New landscaping: perimeter and interior
 - Location and height of fences and light fixtures
 - Trash areas with screening
 - Location of transformer boxes and other utility equipment
 - Street address of main dwelling unit
 - Assessor's parcel number(s)
 - Name and address of Applicant
 - Calculations: lot size, floor area, number of parking stalls, landscaped area, lot coverage, parcel size/area
-



Requirements for a ADU Permit Application

The following items are REQUIRED for a complete application:

- Completed and Signed Application Form
- Applicable Fees
- Written Authorization from the Property Owner (if Applicant is not the Owner)
- Copy of property Deed or Current Title Report, or Lot Book Guarantee
- 8½" X 11" (11" X 17" preferred) Site Plan of Proposed and Existing Development. Indicate dimensions and all information pertinent to the proposed project. (See attached **Site Plan Checklist**)
- 8½" X 11" (11" X 17" preferred) Building Elevations of Proposed and Existing Development (See attached **Site Plan Checklist**)
- 8½" X 11" (11" X 17" preferred) Landscape Plan (See attached **Site Plan Checklist**)
- 8½" X 11" (11" X 17" preferred) Floor Plan of the Proposed Accessory Dwelling Unit
- Color and Material Samples, including roofing, paint, stucco and stain finishes and textures
- Photos of existing unit

OWNER OCCUPANCY DEED RESTRICTION REQUIRED

There is a deed restriction requirement for accessory dwelling approval pursuant to Section 19.76.130 of Title 19 in the Chico Municipal Code. It is intended to ensure owner occupancy of either the main or the accessory dwelling on the subject property, assuming both dwellings are being inhabited. Upon recordation, it becomes a part of the title, informing future property owners of the owner-occupancy limitation.

Take the original to the County Recorder's Office, which is located at the Butte County Hall of Records, 155 Nelson Ave, Oroville CA, then return a recorded copy of the deed restriction to planning staff. The ADU permit is not effective until a notarized copy of the ADU deed restriction is returned to planning staff for inclusion in the project file.

Time Limits

Pursuant to Section 19.16.050 of the Chico Municipal Code, the City has thirty (30) days from the date of submittal to determine if an application is complete.

***Note:** By signing the front of this application form, the applicant is indicating that the project site is not included on any State or local list of hazardous waste sites compiled pursuant to California Government Code Section 65952.5, as amended in January, 1996.

SAMPLE DEED RESTRICTION

When recorded return to:

Community Development Director City
of Chico
P.O. Box 3420
Chico, CA 95927

COVENANT RESPECTING REAL PROPERTY
CITY OF CHICO
OWNER OCCUPANCY REQUIREMENT FOR PROPERTY

WITH A ACCESSORY DWELLING UNIT (ADDRESS _____, APN _____)

Declarants _____, as [joint] tenant(s) as fee title owner(s) of the property located at _____, (the "Property")
and described

RECITALS

1. Declarants have been granted an accessory dwelling unit permit allowing Declarants to maintain a accessory dwelling unit on the Property.
2. The purpose of this Covenant is to set forth as restrictions on the Property and as covenants running with the land, those conditions of the accessory dwelling unit permit which relate to the use of the two dwelling units on the Property.

NOW THEREFORE, Declarants declare as follows:

1. The second dwelling unit is restricted to the size, design and location allowed by the terms and conditions of Accessory Dwelling Unit Permit No. _____.
(Name on permit _____).
2. At all times that both dwelling units on the Property are occupied, the owner, or one of the owners, of the fee title of the Property shall occupy either the main residence or the accessory dwelling unit.
3. The restrictions set forth herein shall run with the land and are binding upon the heirs, assigns and successors in interest of Declarants to the property.
4. The foregoing restrictions may not be revoked or amended without the prior written consent of the City of Chico.
5. Any violation of the restrictions set forth in this Covenant, or any one of them, is sufficient grounds for the revocation by the City of Chico of the accessory dwelling unit permit authorizing the accessory dwelling unit on the property. Revocation of that permit is in addition to any other remedies that may be available to the City of Chico for a violation of these conditions.

IN WITNESS WHEREOF, Declarants have executed this Covenant in the City of Chico, California, on .

DECLARANTS

* Name 1 _____

* Name 2 _____

* Name 3 _____

*Signature to be notarized

19.76.130 Accessory dwelling units.

The following definitions, permit requirements, owner occupancy requirements and development standards shall apply to accessory dwelling units.

A. Definitions. In addition to the definitions set forth in Chapter 19.04, the following words and phrases shall have the following meanings respectively ascribed to them in this section.

1. "Accessory dwelling unit" means an attached or 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 the single-family dwelling is situated. An accessory dwelling unit also includes the following:

- a. An efficiency unit as defined in Section 17958.1 of the Health and Safety Code.
- b. A manufactured home as defined in Section 18007 of the Health and Safety Code.

2. "Living area" means the interior habitable area of a dwelling unit, including conditioned basements and attics but not including a garage or any accessory structure.

3. "Main dwelling" means the dwelling unit on the property that is not an accessory dwelling unit.

4. "Public transit" means a transit stop served by at least one publicly provided form of transportation.

B. Permit requirements. In the event any conflict should arise between the provisions within this Section and Title 19 of the Chico Municipal Code, the strictest application of the regulations shall apply.

1. Accessory dwelling unit permits. Where a single-family dwelling unit is a permitted use, as set forth in Table 4-2, and a proposed accessory dwelling unit complies with all of the development standards of this section, an accessory dwelling unit shall be pursuant to Chapter 19.19.

2. Use permits. A use permit is required for an accessory dwelling proposed to be located in the SD-4 overlay district. The following findings, in addition to those otherwise required for a use permit by Chapter 19.24, must be made to approve a use permit for an accessory dwelling unit:

- a. The occupancy of the accessory dwelling unit will not result in excessive noise or traffic that would disturb the existing neighborhood.
- b. The occupancy of the accessory dwelling unit will not have a significant adverse effect on public services or resources.
- c. The design of the accessory dwelling unit is compatible with the design of the main dwelling unit and the surrounding neighborhood in terms of size, exterior treatment, height, landscaping, scale and site coverage.

C. Owner Occupancy. All accessory dwelling unit permits and use permits allowing an accessory dwelling unit shall be subject to the condition that either the accessory dwelling unit or the main dwelling unit must be occupied by an owner of the property. Such permits shall be

Exhibit I (Adopted 3/20/18, Effective 4/19/18)

further conditioned to require that each owner of the property sign a covenant acknowledging the requirement that the property be owner-occupied and that the covenant be recorded with the county recorder's office prior to the issuance of a certificate of occupancy for the accessory dwelling unit. Rental occupancy of unit shall only be on the basis of a rental agreement with a term longer than 30 days.

D Development Standards.

1. One accessory dwelling unit per parcel. No more than one accessory dwelling unit shall be allowed on any parcel.
2. Attached or detached. An accessory dwelling unit may be either attached to or detached from the main dwelling unit.
3. Maximum size of accessory dwelling units. The maximum square footage for an accessory dwelling unit shall be as follows:
 - a. 75 percent of the living area up to a maximum of 650 sq. ft. for lots up to 4,500 sq. ft.
 - b. 75 percent of the living area up to a maximum of 850 sq. ft. for lots between 4,501 sq. ft. up to 6,000 sq. ft.
 - c. 75 percent of the living area up to a maximum of 1,200 sq. ft. may be permitted on lots over 6,000 sq. ft.
4. Building height shall be limited as follows: New attached additions shall be the same as the main unit at a maximum of 35 feet. New detached accessory dwelling units shall be a maximum of 25 feet.
5. Lot coverage shall be as follows:
 - a. 50 percent single story main housing unit.
 - b. 40 percent multi-story main housing unit.
 - c. 50 percent in R1-10, and R1-20.
6. Accessory dwelling unit setbacks shall be as follows:
 - a. No setback shall be required for an existing garage that is converted to an accessory dwelling unit.
 - b. A 5-foot rear and 3-foot side setback shall be required for an accessory dwelling unit constructed above a garage.
 - c. When a detached accessory dwelling unit is located to the side or rear of a main dwelling unit, the units shall be separated by a minimum of 8 feet.
 - d. When an accessory dwelling unit is adjacent to an alley and constitutes a second story on a garage which has less than a 5-foot setback, the rear yard setback for the accessory dwelling unit shall be the same as the existing setback for the garage.

Exhibit I (Adopted 3/20/18, Effective 4/19/18)

7. Trash storage. The accessory dwelling unit shall be provided with an outdoor area for the storage of trash and recycling receptacles. That area shall have an all-weather surface and be screened from view by a fence, wall or permanent landscaping.

8. Security lighting. Accessory dwelling units located adjacent to an alley shall have a minimum of one outdoor security light for illumination of the alleyway adjacent to the unit. Such lighting shall be shielded and directed downward and away from adjacent properties to ensure that it has a minimal impact on neighboring properties.

9. Walls or fences between units. When an accessory dwelling unit is located behind a main dwelling unit, a continuous fence or wall shall not be installed between the main and accessory dwelling units unless it includes a gate allowing pedestrian access from the accessory dwelling unit to the street.

10. Vehicle access. Vehicle access to a second unit may be from a street or an alley.

a. Alley access. When an accessory dwelling unit will be located on a site served by an alley, the accessory dwelling unit shall maintain its primary vehicular access from the alley. Such alley access shall be improved per city standards or alternatively, an in-lieu fee paid. Accessory dwelling units located on the street-access terminus of alleys shall be sited to ensure adequate site distance clearance.

b. Vehicle access from street frontage. Driveway surfaces installed to provide vehicle access from a street to a second dwelling unit located on the rear of a parcel shall be constructed with permeable-surface, all-weather materials or shall otherwise be constructed to retain runoff on site. New driveways that extend beyond the rear of the main dwelling unit shall consist of two tire strips or be otherwise designed to be of permeable-surface, all-weather material.

11. Pedestrian access to accessory unit.

a. Accessory dwelling units with primary vehicle access from an alley shall also be served with a permeable-surface, all-weather walkway connecting the accessory dwelling unit with the street frontage. The driveway for the main dwelling unit may serve as a portion of this walkway.

b. Accessory units created within an existing single-family residence shall include an independent exterior access that is separate from the exterior entrance of the existing residence and complies with the minimum side and rear setbacks for fire safety.

12. Fire protection access. Accessory dwelling units not located adjacent to an alley shall be located so that all sides of the structure are within 150 feet of unobstructed access from the street frontage in order to provide adequate fire protection. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the main residence.

13. Parking. In addition to the parking required for the main dwelling unit, one parking space shall be required for each second dwelling unit.

a. Parking spaces for the accessory dwelling unit and the main residence may be provided in a tandem parking arrangement on an existing driveway.

- b. Off street parking shall be permitted in setback areas as set forth in CMC 19.70.060, or through tandem parking, unless specific findings are made that parking in the setback areas or tandem parking is not feasible based upon specific site or fire and life safety conditions.
- c. When a garage, carport or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, those off-street 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.

14. Parking exceptions. Parking shall not be required for the accessory dwelling unit in any of the following instances:

- a. The accessory dwelling unit is located within one-half mile of public transit;
- b. The accessory dwelling unit is located within an architecturally and historically significant historic district;
- c. The accessory dwelling unit is part of the existing main residence or an existing accessory structure;
- d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit;
- e. When there is a car share vehicle located within one block of the accessory dwelling unit.

15. Architectural design. Accessory dwelling units shall comply with the following design standards:

- a. The accessory dwelling unit shall be architecturally compatible with the main dwelling unit or the immediate neighborhood. Compatibility includes coordination of exterior colors, materials, roofing, other architectural features and landscaping.
- b. The accessory dwelling unit shall be compatible with the scale of adjoining residences and blend into the existing neighborhood.
- c. All HVAC or other mechanical units shall be placed so they are not in public view or shall be screened from public view by a fence, wall or permanent landscaping.
- d. Second story windows or doors shall be designed to lessen privacy impacts on adjacent properties. Acceptable techniques to meet this criteria include obscured glazing, window placement at least six feet above floor level and permanent landscaping of sufficient height.

(Ord. 2263; Ord. 2280; Ord. 2325, Ord. 2358 §20; Ord. 2364 §400; Ord. 2397 §15, Ord. 2439 §189, Ord. 2494 §55)

PLAN CHECK CHECKLIST

Applicant Name: _____		Address: _____	
File: _____		Zoning: _____	
Lot Size: _____		Unit Type: Attached / Detached	
	Municipal Code Requirements		Staff Comments
Zoning	R1, R2, R3 zoning districts when accessory to a SFR		
Max Floor Area	New Attached	50 percent of the existing living floor area, max increase of 1,200 sq. ft.	
	New Detached	75 percent of the living area of the primary unit	Lots up to 4,500 sq. ft.: 650 sq. ft. max
			Lots up to 6,000 sq. ft.: 850 sq. ft. max
		Lots over 6,000 sq. ft. : 1,200 sq. ft. max	
Parking	One space required in addition to parking required for SFR <u>unless ADU qualifies for exemption</u> (see CMC 19.76)		
Setbacks	New Attached	Same as for primary unit	
	New Detached	Same as for accessory structures	
	Existing Attached	Same as primary unit	
	Existing Detached	No setback required for existing garage that is converted to ADU 5 feet from rear and 3 feet from the side when ADU is constructed above an existing garage	
Location	When located to the side of primary unit: 8 feet separation required		
Height	New Attached	Same as for primary unit (35 feet)	
	New Detached	25 feet	
Lot Coverage	Same as for zoning district (see CMC 19.42.030, table 4-3B)		
Materials/Design	The ADU shall be architecturally compatible with the primary dwelling unit or the immediate neighborhood. Includes: coordination of exterior colors, materials, roofing, other architectural features and landscaping.		
Deed Restriction	Notarized and recorded copy provided to staff and included in project file.		
Other Development Standards	Open Space: 100 square feet of usable open space for each ADU		
	Trash Storage: Provide outdoor storage area on all-weather surface, screened from view		
	Wall or fence between unit: When an ADU is behind the primary unit, no wall or fence shall be installed between the units unless a gate is provided allowing access to the street.		
	Vehicle access: Vehicle access to the ADU may be from the street or alley; when located on a site served by an alley, the ADU shall maintain primary access from the alley.		
	Pedestrian access: provide all-weather walkway connecting the ADU with the street frontage.		
	Fire protection: All four sides of the structure shall be within 150 feet of unobstructed access from the street frontage to provide adequate fire protection. No fire sprinklers are required if not required from primary residence.		



GETTING STARTED

ACCESSORY DWELLING UNITS

Frequently Asked Questions and Answers

Accessory Dwelling Units (ADUs) are known by many names: granny flats, in-law units, backyard cottages, secondary units and more. No matter what you call them, ADUs are an innovative, affordable, effective option for adding much-needed housing in California. These FAQs are intended to provide important information to determine if an ADU is right for you. This information is for reference only and to ensure you meet all requirements. Please consult with the Planning Division prior to investing in your project to confirm the specific aspects of your project. We are happy to help!

Q - What is an Accessory Dwelling Unit?

A – Accessory Dwelling Unit (ADU) means an attached or 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 that an existing single-family dwelling is situated. An ADU can be rented and used as a permanent residence.

Q – What is the difference between an ADU and a Guest House?

A - A guest house is intended to provide temporary (30 days or less) quarters within a detached residential accessory structure, located on the same premises with the main dwelling, for use by guests of the occupants of the premises, and shall not be rented or otherwise used as a separate dwelling. By code definition, a guest house does not include a kitchen or cooking facilities.

Q – Can I have an ADU on my property?

A - Where a single-family dwelling unit has been legally established, and a proposed ADU complies with City development standards, an ADU is permitted. A use permit is required for an ADU located in the SD-4 overlay district (West Avenue Neighborhood Area). No more than one ADU shall be allowed on any parcel.

Q – Can I rent both my ADU and my primary dwelling?

A - Either the ADU or the main dwelling unit must be occupied by an owner of the property. The owner of the property is required to sign a covenant acknowledging the requirement that either the main residence or the ADU be owner-occupied, and the covenant be recorded with the County Recorder's office prior to the issuance of a certificate of occupancy.

Q – Is there a size limit for an ADU?

A – The maximum allowed size for an ADU depends on the size of the living area for the primary dwelling unit and the parcel size as follows:

- 75 percent of the living area up to a maximum of 650 sq. ft. for lots up to 4,500 sq. ft.
- 75 percent of the living area up to a maximum of 850 sq. ft. for lots between 4,501 sq. ft. up to 6,000 sq. ft.
- 75 percent of the living area up to a maximum of 1,200 sq. ft. may be permitted on lots over 6,000 sq. ft.

Q – What fees will I have to pay?

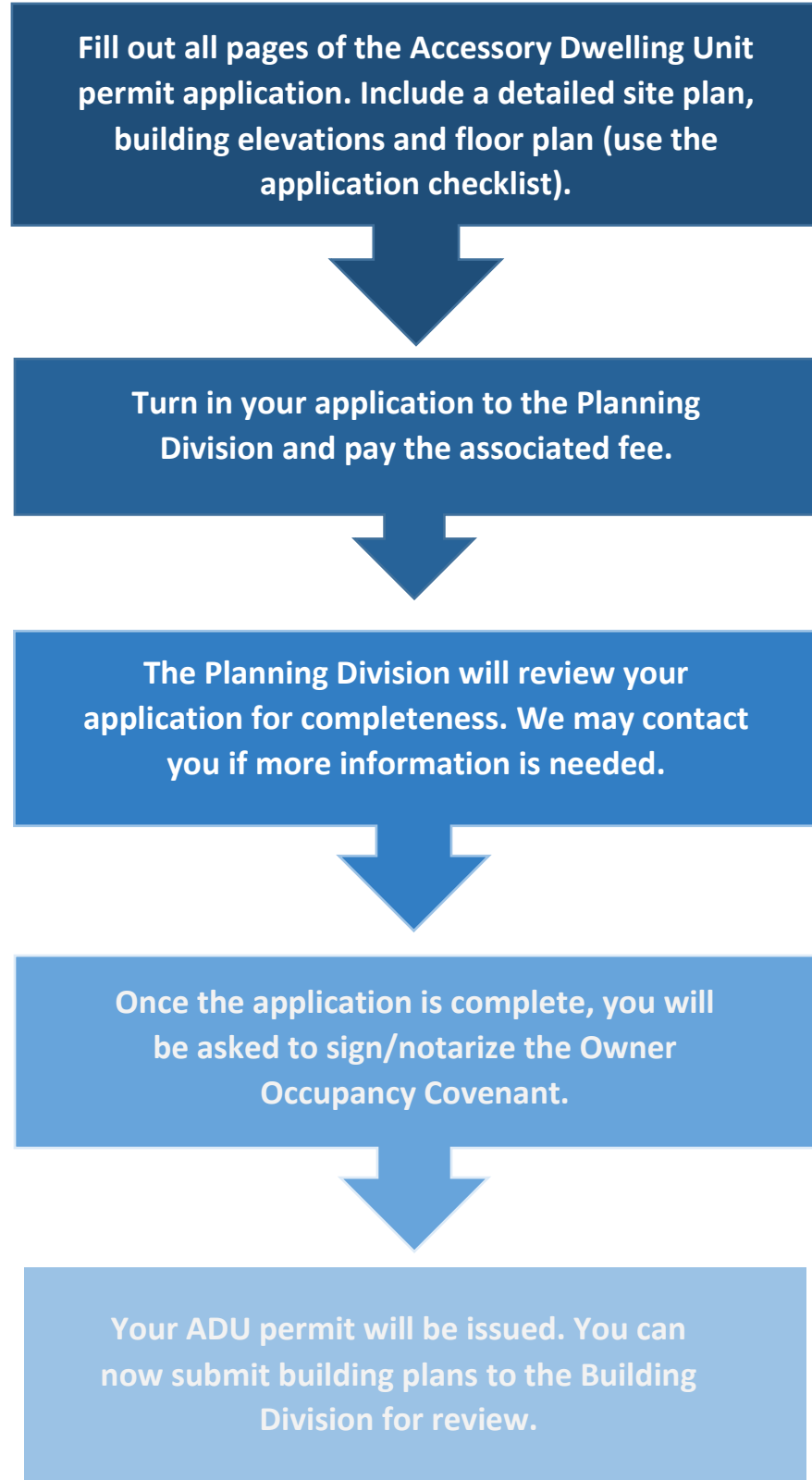
A – The application fee to the Planning Division will depend on the type of ADU proposed. For the conversion of an existing attached accessory structure or the addition of an ADU attached to the primary dwelling, an application fee of \$388 applies. For new detached structures or the conversion of a detached accessory structure, a fee of \$777 applies. Additional fees will be collected by other departments as you move forward in the process, including a building permit fee, address assignment fee, sewer fees, development impact fees and school fees (collected by Chico Unified School District).

Q – Where do I start?

A – Review and complete the entire ADU permit application and submit to the Planning Division with the appropriate application fee. Once your application is approved, you can submit building plans to the Building Division.



ACCESSORY DWELLING UNITS Permitting Flow Chart



The following comments and ideas for the ADU workshop have been received and included in the record of correspondence. Staff received another email confirmation that the individual that submitted the comments plans to attend the meeting.

To: Bruce Ambo and Kelly Murphy

From: Tom Blodget musicapaedia@comcast.net

Date: March 12, 2019

Since there is an urgent need to rapidly increase housing in Chico, here are my

Four (4) suggestions for increasing ADU production in Chico. All of the above should “sunset” after 5 years, by which time anyone who was going to build an ADU will have done so.

We of course need to return to current policy as there is (in normal times) good reason for it.

1. Do not require owner to live in either unit;
2. Lower the fees;
3. Allow two stories or be flexible on footprint-to-property square foot ratio;
4. Allow for “small” units (affordable housing, actually). I am thinking of, for example, allowing a 750 square foot 1/1 duplex rather than a 750 square foot 2/1 single family type unit.