

City of Chico Planning Commission

Accessory Dwelling Units Proposed Code Amendments



February 20, 2020

Summary



Six bills went into effect on January 1, 2020 affecting the development regulations for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs).

The most significant changes are set forth in AB68, AB881 and SB13. Approval of ADUs must be a ministerial process and can be restricted only where there is inadequate infrastructure (water and sewer) to serve the new unit, or where a new ADU would create a traffic or public safety hazard.

Local ordinances that do not conform to the new State laws shall be declared null and void. This report summarizes the key elements of the new ADU laws adopted by the State and identifies areas of the Chico Municipal Code (CMC) that will need to be amended.

ADU Chronology

2002-2003

- State mandated ministerial ADUs
- Chico amended ADU regulations for ministerial approval and created SD-4 Overlay zone (requiring Use Permits for ADUs)

2016-2017

- State ADU regulations allowing parking within setbacks, limiting fees, and easing fire sprinkler regulations

2018

- Chico ADU regulations amended in March
- Council reduced ADU impact fees by 50% in October
- Council reduced ADU impact fees by another 50% in December following the Camp Fire

2019

- Council approved ADU sidewalk exceptions
- Eliminated owner-occupancy requirement outside SD-4 overlay zone

2020

- State mandates streamlined process for ADUs and expands ADU/JADU allowances
- Chico to amend ADU regulations for consistency with new State laws

ADUs v. JADUs

"Accessory dwelling unit" (ADU) means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons on the same parcel as the main dwelling unit. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel the single-family dwelling is situated.

“Junior Accessory Dwelling Unit” (JADU) means a unit that is no more than 500 square feet in size and contained entirely within a single-family or multi-family structure, or requires an addition of no more than 150 square feet to accommodate ingress and egress. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.



Over the Garage



Garage Conversion



Stand-Alone Unit



Basement or Attic Conversion

You will need:

Separate exterior entrance

And retain interior door to house

A JADU can be up to 500 sq feet



Changes to ADU Development Standards

Number of Units Allowed on Single-Family Lots:

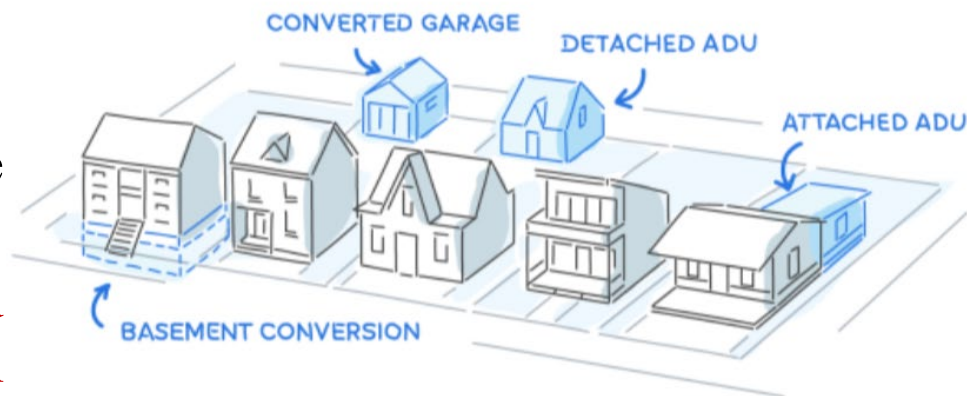
- One ADU per lot when a SF dwelling unit is existing/proposed
- **One Junior ADU (JADU) within an existing/proposed SF dwelling in combination with one detached ADU**

Number of Units Allowed on Multi-Family Lots:

- Previously, ADUs were permitted *only* on single-family lots.
- **New regulations allow for a maximum of two detached ADUs on MF lots and a number of JADUs not to exceed 25% of the total # of existing MF units**

Types of ADUs:

- New Construction Detached
- New Construction Attached
- Conversions of an existing space or accessory structure
- **JADUs also allowed when created entirely within the walls of an existing SF or MF dwelling**



Changes to ADU Development Standards and Fees

Maximum size for ADUs:

Current ADU regulations

- 75% of the living area of the main dwelling unit, up to a maximum of 1,200s.f.
- Further limited by minimum lot size and maximum lot coverage standards

New State ADU regulations

- Streamlined process for ADUs up to 800s.f. that meet setbacks and height limits, no other limits can apply
- Must allow ADUs at least up to 850s.f. for a 1-bedroom and 1,000s.f. for a 2-bedroom
- Minimum lot size requirements eliminated
- JADUs are limited to 500s.f.

Development impact fees (DIF) based on ADU size:
State law (SB13) impacts the extent of fees that can be assessed for the creation of new ADUs.

ADUs \leq 750 square feet = No DIF can be assessed



Eliminated ADU Permit Application Process (CMC Chapter 19.16)



**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
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For Office Use Only

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



City of Chico
Planning Services

Accessory Dwelling Unit
Permit Application

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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.

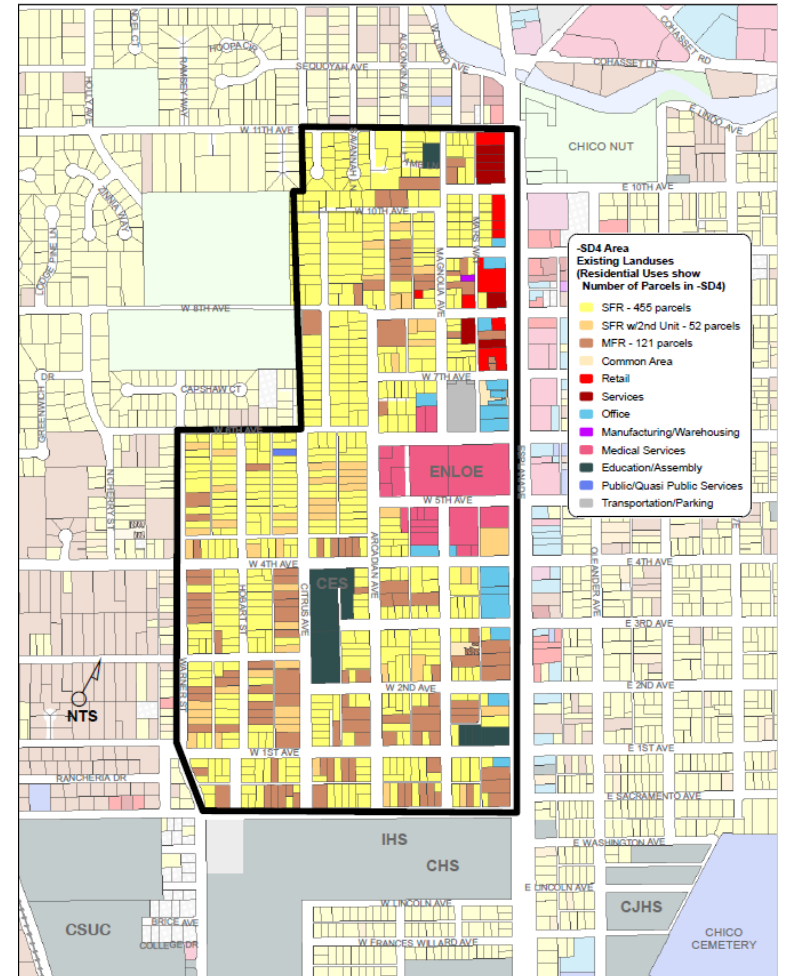
Owner Occupancy and ADUs in the SD-4 Overlay

Owner Occupancy

- Eliminated city-wide in 2019 except for the SD-4 (West Avenues Neighborhood Area) overlay zoning district.
- As of 01/01/2020, owner occupancy cannot be required anywhere in the City for new ADUs constructed through 2025
- Deed restrictions for owner occupancy recorded prior to 2020 in conjunction with an ADU permit shall remain valid and binding only in the SD-4 overlay.

Use Permit Requirement for ADUs in SD-4

- State law requires all ADUs be permitted through a ministerial process.
- A Use Permit is a discretionary permit and can no longer be required for ADUs in the SD-4 overlay zoning district.



Environmental Review

CEQA

Pursuant to Public Resources Code Section 21080.17, ADU Ordinance updates are exempt from the California Environmental Quality Act (CEQA).

Next Steps

Reporting to HCD:

Jurisdictions are required to submit proposed ADU code amendments to the California Housing and Community Development Department (HCD) within **60 days** of ordinance adoption.



SB2 Amendments:

Further ordinance amendments will be forthcoming to facilitate residential housing production.

ADU Prototype Plans:

The City is working with a local design company to create pre-approved master plans for ADUs that will be offered free of charge to the public. Interested property owners will choose between three size options and three different design schemes.

Estimated timeline until ADU plans are ready for release = Summer 2020



Staff Recommendation to the Planning Commission

The Community Development Director recommends that the Planning Commission:

1. Consider the ADU legislative summary report, direct any questions to staff, and provide comments;
2. Hold a public hearing regarding the proposed ADU amendments to Title 19 of the Chico Municipal Code; and
3. Adopt Resolution No. 20-01 recommending City Council adoption of an ordinance to amend Title 19 of the Chico Municipal Code.