

ORDINANCE NO. ORD-2017-024

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE SECTIONS – 20-22.030, 20-36.040, 20-42.130 AND 20-70.020 – FILE NUMBER REZ17-006

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. The Council finds, based on evidence and records presented, that amending Title 20 (Zoning) of the Santa Rosa City Code, as follows, is required for compliance with State law and in support of the City’s Housing Action Plan.

Section 2. Amend Section 20-22.030, Table 2-2, in part, to read and provide as follows:

TABLE 2-2 Allowed Land Uses and Permit Requirements for Residential Zoning Districts	P	Permitted Use, Zoning Clearance required					
	MUP	Minor Conditional Use Permit required					
	CUP	Conditional Use Permit required					
	S	See Specific Use Regulations for permit requirement					
	—	Use not allowed					
	PERMIT REQUIRED BY DISTRICT						Specific Use Regulations
LAND USE (1)	RR	R-1	R-2	R-3	MH	TV-R	
RESIDENTIAL USES (See Section 20-28.080, Senior Housing (-SH) combining district, for specific requirements regarding proposed senior housing developments)							
Accessory dwelling unit	S	S	S	S	—	S	20-42.130
Agricultural employee housing—6 or fewer residents	P	P	P	P	P	P	
Agricultural employee housing—7 or more residents	MUP	MUP	MUP	MUP	MUP	MUP	
Animal keeping—Domestic, exotic	S	S	S	S	S	S	20-42.040
Community care facility—6 or fewer clients	P	P	P	P	P	P	20-42.060
Community care facility—7 or more clients	MUP	MUP	MUP	MUP	MUP	MUP	20-42.060
Emergency shelter	CUP	CUP	CUP	CUP	CUP	CUP	
Home occupation	S	S	S	S	S	S	20-42.070
Junior accessory dwelling unit	S	S	S	S	—	S	20-42.130
Live/work	—	—	—	—	—	P(3)	20-42.080
Mobile home park	CUP	CUP	CUP	CUP	CUP	—	20-42.100
Mobile home/manufactured housing unit	P	P	P	P	P	P	20-42.094
Multi-family dwellings	MUP	MUP	P	P	—	P	
Organizational house (dormitory, sorority, monastery, etc.)	MUP	MUP	CUP	CUP	—	CUP	
Residential accessory structures and uses	P	P	P	P	P	P	20-42.030
Residential component of a mixed use project	MUP	MUP	MUP	MUP	MUP	P	20-42.090
Rooming or boarding house	P	P	P	P	—	P	
Rooming or boarding, accessory	P	P	P	P	—	P	
Single-family dwelling	P	P	P(2)	P(2)	—	P(2)	
Small lot residential project	—	CUP	CUP(2)	CUP(2)	—	CUP(2)	20-42.140

Section 3. Amend Section 20-24.030, Table 2-10, in part, to read and provide as follows:

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Districts	P	Permitted Use, Zoning Clearance required		
	MUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	See Specific Use Regulations for requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE (2)			Specific Use Regulations
	BP	IL	IG	
RESIDENTIAL USES (See Section 20-28.080, Senior Housing (-SH) combining district, for specific requirements regarding proposed senior housing developments)				
Accessory dwelling unit	P(4)	—	—	20-42.130
Animal keeping—Domestic/exotic	S	S	S	20-42.040
Caretaker unit	MUP(4)	MUP(4)	MUP(4)	
Emergency shelter	CUP	CUP	CUP	
Junior accessory dwelling unit	P(4)	—	—	20-42.130
Home occupation	S	—	—	20-42.070
Live/work unit	MUP	—	—	20-42.080
Mixed use project	MUP	—	—	
Mobile home/manufactured housing	CUP(4)	—	—	20-42.094
Multi-family dwellings	CUP(4)	—	—	
Organizational house	CUP(4)	—	—	
Residential accessory uses and structures	P(4)	—	—	
Single-family dwelling	CUP(4)	—	—	
Transitional housing	CUP	CUP	CUP	
Work/live unit	MUP	MUP	MUP	20-42.080

Section 4. Amend Section 20-26.030, Table 2-12, in part, to read and provide as follows:

TABLE 2-12 Allowed Land Uses and Permit Requirements for Special Purpose Districts	P	Permitted Use, Zoning Clearance required		
	MUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	See Specific Use Regulations for requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	OSR	OSC	PI	

RESIDENTIAL USES (See Section 20-28.080, Senior Housing (-SH) combining district, for specific requirements regarding proposed senior housing developments)

Land Use	OSR	OSC	PI	Specific Use Regulations
Accessory Dwelling Unit	S	S	—	20-42.120
Animal keeping—Domestic and exotic	S	S	S	20-42.040
Caretaker unit	CUP	—	—	
Community care facility—6 or fewer clients	P	P	CUP	20-42.060
Community care facility—7 or more clients	—	—	CUP	20-42.060
Emergency shelter	CUP	CUP	CUP	
Home occupation	S	S	—	20-42.070
Junior Accessory Dwelling Unit	S	S	—	20-42.120
Mobile home/manufactured housing unit	P	CUP	—	20-42.094
Multi-family dwellings	MUP	—	—	
Organizational house	—	—	CUP	
Residential accessory structures and uses	P	P	—	20-42.030
Single-family dwelling	P	CUP	—	
Single-family dwelling, attached	MUP	—	—	
Transitional housing	CUP	CUP	CUP	

Section 5. Amend Section 20-28.070, Table 2-24, in part, to read and provide as follows:

TABLE 2-24 Allowed Land Uses and Permit Requirements for Limited Light Industrial (-LIL) District	P	Permitted Use, Zoning Clearance required	
	MUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	S	See Specific Use Regulations for permit requirement	
	—	Use not allowed	
Land Use (1)	Permit Required		Specific Use Regulations

RESIDENTIAL USES

Land Use	Permit Required	Specific Use Regulations
Accessory dwelling unit	S	20-42.130
Animal keeping—Domestic/exotic	S	20-42.040
Caretaker unit	P(2)	
Emergency shelter	CUP	
Home occupation	S	20-42.070
Junior accessory dwelling unit	S	20-42.130
Live/work unit	P	20-42.080
Mixed use project	P	
Mobile home/manufactured housing	P	20-42.094
Multi-family dwellings	P	
Organizational house (dormitory, sorority, monastery, etc.)	CUP	
Residential accessory uses and structures	P	
Single-family dwelling	P(3)	
Transitional housing	CUP	
Work/live unit	MUP	20-42.080

Section 6. Amend Section 20-36.040, Table 3-4, in part, to read and provide as follows:

TABLE 3-4—AUTOMOBILE AND BICYCLE PARKING REQUIREMENTS BY LAND USE TYPE		
Land Use Type: Residential Uses	Number of Parking Spaces Required	
	Vehicle	Bicycle
Accessory dwelling units	1 space in addition to that required for the primary single-family dwelling unit, unless exempted by Section 20-42.130.E.9; the space may be uncovered, compact, or tandem, and located within the setback, unless the review authority determines that tandem parking or parking within a setback is not feasible due to specific topographical or fire and life safety conditions.	None required.
Junior accessory dwelling unit	No off-street parking required. Parking required for the primary single family dwelling in accordance with this Table 3-4.	None required.
Single-family dwellings—Detached (see duplexes, etc., above for attached units)	Standard lot—4 spaces per unit, 1 of which must be on-site, covered and outside setbacks. The remaining 3 spaces may be on-site (in the driveway and tandem) or on a public or private street when directly fronting the lot.	None required.
	Flag lot—2 spaces per unit, 1 of which must be covered, both of which must be located outside the required setback area plus 2 on-site, paved guest spaces located outside the required setbacks and which may be tandem.	None required.

Section 7. Amend Section 20-42.130 to read and provide as follows:

“20-42.130 Accessory dwelling units.

Accessory dwelling units shall comply with the requirements of this Section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses).

- A. Purpose. The provisions of this Section are intended to set standards, in compliance with California Government Code Sections 65582.1, 65852.2, and 65852.22, for the development of accessory dwelling units so as to increase the supply of smaller and affordable housing while ensuring that such housing remains compatible with the existing neighborhood. It is not the intent of this ordinance to override lawful use restrictions as set forth in Conditions, Covenants and Restrictions.
- B. General requirements. An accessory dwelling unit:
 1. May be located on any residentially zoned lot that allows single-family or multifamily dwellings and that contains only one single-family detached dwelling;
 2. Is not subject to the density requirements of the General Plan, but shall otherwise be consistent with the General Plan text and diagrams.

3. Shall not be allowed on, or adjacent to, real property that is listed in the California Register of Historic Places.
 4. Shall not be used for rentals with terms of less than 30 days.
 5. Shall not be sold separate from the primary residence.
- C. Permit requirements. An application for an accessory dwelling unit that complies with all applicable requirements of this Section shall be approved ministerially.
- D. Application and processing requirements.
1. Step One—Submittal. The application for an accessory dwelling unit permit shall be submitted to the Department concurrent with an application for a building permit. In addition to the standard submittal requirements for a building permit, an application for an accessory dwelling unit permit shall include all of the following (except as noted below):
 - a. Plot plan. A plot plan, drawn to scale, showing the dimensions of the perimeter of the parcel proposed for the accessory dwelling unit; the location and dimensioned setbacks of all existing and proposed structures on the site and structures located within 50 feet of the site; all easements, building envelopes, and special requirements of the subdivision as shown on the Final Map and improvement plans, if any; and average slope calculations for the site.
 - b. Floor plan. A floor plan, drawn to scale, showing the dimensions of each room, and the resulting floor area. The use of each room shall be identified, and the size and location of all windows and doors shall be clearly shown.
 - c. Elevations. Architectural elevations of each side of the proposed structure showing all openings, exterior finishes, original and finish grades, stepped footing outline, and roof pitch.
 - d. Materials and color board. A materials and color board for the existing residence and the proposed second dwelling unit.
 - e. Cross sections. Building cross sections including structural wall elements, roof, foundation, fireplace and any other sections necessary to illustrate earth-to-wood clearances and floor to ceiling heights.
 - f. Photographs. Color photographs of the site and adjacent properties, taken from each property line of the site, to show the project site and adjacent sites. Label each photograph and reference to a separate site plan indicating the location and direction of each photograph.

Applications for accessory dwelling units which do not modify a building's exterior are not required to submit c, d, or f above.
 - g. Deed Restriction or Affordability Contract.
 - (1) A deed restriction as required, signed and ready for recordation, in compliance with Subsection G; or

- (2) An affordability contract with the Housing Authority shall be completed and signed in compliance with Subsection F.
 2. Step two—Decision. The Department shall act on an application for an accessory dwelling unit permit within 120 days of submittal of a complete application. The accessory dwelling unit permit shall be issued only if the proposed accessory dwelling unit complies with all applicable standards in this Section.
 3. Utility Connection Fees.
 - a. Except as provided in subsection (b), a separate new utility connection and payment of a connection fee or capacity charge pursuant to State law and City fee schedule will be required for any new accessory dwelling unit.
 - b. No new or separate utility connection or related connection fee or capacity charge will be required for accessory dwelling units that are internal conversions of existing space within a single family residence or an accessory structure.
- E. Development standards. An accessory dwelling unit permit shall be issued only if the unit complies with the following development standards:
1. Setbacks.
 - a. Residential district. An accessory dwelling unit shall comply with the setback requirements of the applicable residential zoning district for the primary dwelling, except as follows:
 - (1) A new detached single-story accessory dwelling unit in a single-family residential zone shall comply with accessory structure setbacks as described in Table 2-4.
 - (2) A new detached two-story accessory dwelling unit shall comply with primary structure setbacks as described in Table 2-4.
 - (3) A new detached two-story accessory dwelling unit located in a residential small lot subdivision shall comply with the setback requirements of Section 20-42.140.
 - (4) An accessory dwelling unit that is fully contained within the existing space of a single-family residence or accessory structure and has independent exterior access from the existing residence shall provide side and rear setbacks sufficient for fire safety, as determined by the Santa Rosa Fire Department.
 - (5) A detached accessory dwelling unit shall be located within 100 feet of the primary dwelling, but no closer to the primary dwelling than permitted by the California Building Code.
 - (6) No portion of an attached or detached accessory dwelling unit shall be closer than 10 feet to a primary dwelling on an adjacent lot.

- b. PD District and Multifamily District. Within a PD district, and without setbacks specified in a Policy Statement or Development Plan, accessory dwelling units shall be subject to the following requirements.
 - (1) An attached accessory dwelling unit not contained within the existing space of a single-family dwelling or accessory structure shall be subject to the primary residential setbacks of the most similar standard zoning district.
 - (2) A new one-story detached accessory dwelling unit shall observe a front setback of 20 feet, a rear setback of 5 feet, an interior side setback of 5 feet, and a corner side setback of 20 feet on parcels exceeding 1 acre in size, and 15 feet on all others.
 - (3) A new two-story detached accessory dwelling unit shall maintain a rear setback of 15 feet, an interior side yard setback of 5 feet for a one-story portion, and 10 feet for a two-story portion, and a corner side yard setback of 15 feet.
 - c. No setback shall be required for an existing legally constructed garage or accessory structure that is converted to an accessory dwelling unit. A setback of five feet from the side and rear property lines is required for an accessory dwelling unit constructed above an existing garage.
2. Maximum floor area.
- a. New detached unit. No newly constructed detached accessory dwelling unit may contain habitable space in excess of 1,200 square feet.
 - (1) An automatic fire sprinkler system shall be installed throughout buildings that exceed 1,200 square foot gross floor area.
 - b. New attached unit. No newly constructed attached accessory dwelling unit may contain habitable space in excess of 50% of the existing residential square footage or 1,200 square feet, whichever is less.
 - (1) An automatic fire sprinkler system shall be installed throughout all buildings that undergo any combination of substantial remodel, addition or both that exceed 50% of the existing gross floor area.
 - c. Internal conversion. An accessory dwelling unit created entirely by the internal conversion of an existing single family dwelling shall not occupy more than 45 percent of the existing habitable space of the residence, excluding the garage, nor shall it exceed 1,200 square feet. An accessory dwelling unit created entirely by the internal conversion of a detached accessory structure shall not exceed a maximum of 1,200 square feet.
 - (1) An automatic fire sprinkler system shall be installed throughout all buildings that undergo any combination of substantial remodel, addition or both that exceed 50% of the existing gross floor area.

3. Height limit. A one-story accessory dwelling unit shall not exceed a maximum height of 16 feet. A two-story accessory dwelling unit shall not exceed a maximum height of 27 feet.
4. Lot coverage. An accessory dwelling unit shall comply with the lot coverage requirements of the applicable zoning district.
5. Architectural compatibility. If visible from a public street, an accessory dwelling unit shall incorporate the same or substantially similar architectural features, building materials and colors as the main dwelling unit or compatible dwellings located on adjacent properties.
6. Privacy. A balcony, window or door of a second story accessory dwelling unit shall be designed to lessen privacy impacts to adjacent properties. Appropriate design techniques may include obscured glazing, window placement above eye level, screening treatments, or locating balconies, windows and doors toward the existing on-site residence.
7. Existing development. A single-family dwelling must already exist on the lot or shall be constructed on the lot in conjunction with the construction of the accessory dwelling unit.
8. Number per lot. A maximum of one accessory dwelling unit and one junior accessory dwelling unit shall be permitted on any lot.
9. Parking. One off-street parking space is required for an accessory dwelling unit, except as set forth below. The off-street parking shall be permitted uncovered, compact, tandem and in setback areas, unless the review authority determines that tandem parking or parking within a setback is not feasible due to specific site or topographical or fire and life safety conditions. No off-street parking shall be required if one or more of the following circumstances exist:
 - a. The accessory dwelling unit is 750 square feet or less in area.
 - b. The accessory dwelling unit is located within one-half mile of public transit.
 - c. The accessory dwelling unit is located within a historic preservation district.
 - d. The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
 - e. When on-street parking permits are required but not offered to the occupant of an accessory dwelling unit.
 - f. When there is a car share vehicle located within one block of the accessory dwelling unit.g. To qualify for an exception, the applicant must provide supporting evidence, such as a map illustrating the location of the accessory dwelling unit and its proximity to a public transit stop or car share vehicle or its location within a historic preservation district, or proof of local parking permit requirements.
 - h. If a garage, carport, or covered parking is demolished or converted in conjunction with the construction of an accessory dwelling unit, replacement parking spaces may be provided in any configuration on the

lot, including as uncovered, compact, tandem parking and within a setback area. No replacement parking shall be required if one or more of the following circumstances exist:

- (1) The accessory dwelling unit is located within one-half mile of public transit.
- (2) When there is a car share vehicle located within one block of the accessory dwelling unit.
- (3) To qualify for an exception, the applicant must provide supporting evidence, such as a map illustrating the location of the accessory dwelling unit and its proximity to a public transit stop or car share vehicle.

10. Standards for Hillside areas.

- a. Applicability. The development standards outlined below shall apply to accessory dwelling unit development on that portion of a site with a slope of 10% or greater.
- b. Development Standards. The accessory dwelling unit shall observe 15-foot setbacks from side and rear property lines. When a building site abuts another parcel with a difference in vertical elevation of three feet or more, the required side and/or rear yard shall be measured from the nearest toe or top of slope to the structure, whichever is closer.

11. Standards for Historic Preservation Districts.

- a. Applicability. The requirements outlined below shall apply to new accessory dwelling units within the Historic (-H) Combining District.
- b. Development Standards.
 - (1) Through photographs, color and material boards, architectural elevations, and other means, the applicant shall demonstrate the consistency of the proposed design of accessory dwelling unit's colors, textures, materials, fenestration, decorative features and details, with that of the time period of the residence's construction and/or adjacent historic structures.
 - (2) For properties that are identified as a contributor to the District, through the preparation of a historic resource survey by a qualified professional, the applicant shall demonstrate that the proposed accessory dwelling unit will not negatively impact historic resources on the property, and will be consistent with Secretary of the Interior Standards for Treatment of Historic Properties as applicable.

- F. Junior Accessory Dwelling Unit. The following provisions are intended to set standards, in compliance with California Government Code Section 65852.22, for the development of junior accessory dwelling units so as to increase the supply of smaller and affordable housing while ensuring that such housing remains compatible with the

existing neighborhood. It is not the intent of this Section to override lawful use restrictions as set forth in Conditions, Covenants and Restrictions.

1. General requirements. A junior accessory dwelling unit:
 - a. May be located on any residentially zoned lot that allows single family or multifamily dwellings and that contains only one single-family detached dwelling. Only one junior accessory dwelling unit and one standard accessory dwelling unit shall be permitted per parcel;
 - b. Is not subject to the density requirements of the General Plan, but shall otherwise be consistent with the General Plan text and diagrams.
 - c. Shall not be used for rentals with terms of less than 30 days.
2. Permit requirements. An application for a junior accessory dwelling unit that complies with all applicable requirements of this Section shall be approved ministerially.
3. Application and processing requirements.
 - a. Step One—Submittal. The application for a junior accessory dwelling unit permit shall be submitted to the Department concurrent with an application for a building permit. In addition to the standard submittal requirements for a building permit, an application for a junior accessory dwelling unit permit shall include all of the following:
 - (1) Plot plan. A plot plan, drawn to scale, showing the dimensions of the perimeter of the parcel proposed for the junior accessory dwelling unit; the location and dimensioned setbacks of all existing and proposed structures on the site and structures located within 50 feet of the site; all easements, building envelopes, and special requirements of the subdivision as shown on the Final Map and improvement plans, if any; and average slope calculations for the site.
 - (2) Floor plan. A floor plan, drawn to scale, showing the dimensions of each room, the area devoted to the junior accessory dwelling unit, and the resulting floor areas of the junior accessory dwelling unit and of the primary residence. The use of each room shall be identified, and the size and location of all windows and doors shall be clearly shown. The plan shall identify whether separate or shared sanitation facilities are proposed.
 - (3) Deed Restrictions. Deed restrictions completed, signed and ready for recordation in compliance with Subsection G.
 - b. Step two—Decision. The Department shall act on an application for a junior accessory dwelling unit permit within 120 days of submittal of a complete application. A junior accessory dwelling unit permit shall be issued only if the proposed junior accessory dwelling unit complies with all applicable standards in this Section.
 - c. Utility Connection Fees.

- (1) No new or separate utility connection and no connection fee for water sewer, or power is required for a junior accessory dwelling unit.
4. Development standards. A junior accessory dwelling unit permit shall be issued only if the unit complies with the following development standards:
 - a. Maximum floor area. The junior accessory dwelling unit shall not exceed 500 square feet in area.
 - b. Existing development. The junior accessory dwelling unit shall be contained entirely within the existing walls of an existing single-family dwelling and shall utilize one of the existing bedrooms.
 - c. Kitchen. The junior accessory dwelling unit must contain an efficiency kitchen with the minimum criteria:
 - (1) A sink with a maximum waste line diameter of 1.5 inches.
 - (2) A cooking facility with appliances that do not require electrical service greater than 120 volts, or natural or propane gas.
 - (3) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
 - d. Sanitation. Bathroom facilities may be separate from or shared with the single family dwelling.
 - e. Entrance. The junior accessory dwelling unit shall include an exterior entrance separate from the main entrance to the single family dwelling, and an interior entry into the main living area. The junior accessory dwelling unit may include a second interior doorway for sound attenuation.
 - f. Parking. Off-street parking shall not be required for junior accessory dwelling units that meet the development standards.
- G. Deed restrictions. Prior to occupancy of a junior accessory dwelling unit or an accessory dwelling unit, the property owner shall file with the County Recorder a deed restriction containing a reference to the deed under which the property was acquired by the owner and stating that:
 1. The accessory dwelling unit or junior accessory dwelling unit shall not be sold separately from the single family residence;
 2. The accessory dwelling unit or junior accessory dwelling unit shall be considered legal only so long as either the primary residence or the accessory dwelling unit or junior accessory dwelling unit is occupied by the owner of record of the property. Such owner-occupancy, however, shall not be required if the property owner is a governmental agency, land trust or non-profit housing organization; and
 3. The restrictions shall run with the land and be binding upon any successor in ownership of the property. Lack of compliance shall void the approval of the accessory dwelling unit or junior accessory dwelling unit and may result in legal action against the property owner.

4. The developer of a subdivision that includes accessory dwelling units or junior accessory dwelling units shall record the deed restrictions required by this Subsection prior to the recordation of the Final Map or Parcel Map. Each lot with a accessory dwelling unit or junior accessory dwelling unit shall remain unoccupied until the property transfers ownership, allowing for compliance with the recorded owner-occupancy restriction.”
5. A junior accessory dwelling unit shall not exceed 500 square feet and shall comply with the development standards in Subsection F;

H. **Affordability Contract.** In lieu of owner-occupancy pursuant to Subsection G.2, the owner of record of the property may execute an affordability contract with the Department of Housing and Community Services. The affordability contract shall contain terms and provisions that require the rental of one of the units on the property to low income households (80% of area median income based on household size), at restricted rents (30% of 80% of area median income adjusted for household size) for 30 years and ongoing compliance monitoring. The affordability contract shall be recorded in the Office of County Recorder prior to the approval of occupancy of any accessory dwelling unit or junior accessory dwelling unit on the property. So long as the affordability contract remains in full force and effect, owner-occupancy shall not be required pursuant to Subsection G.2.

Section 8. Amend Section 20-58.060.2.e to read and provide as follows:

“e. The construction of a new primary dwelling;”

Section 9. Add the following definitions to Section 20-70.020 to read and provide as follows:

“Accessory Dwelling Unit. An attached or detached dwelling unit that provides complete independent living facilities on the same parcel as a legal single family residence, including permanent provisions for living, sleeping, eating, cooking and sanitation. An accessory dwelling unit may be located within the living space of an existing primary single-family residence, may be an efficiency dwelling as defined in Section 17958.1 of the California Health and Safety Code, and may be a manufactured home, as defined in Section 18007 of the California Health and Safety Code. Accessory dwelling units are not accessory uses as defined in this Section.”

“J. Definitions, “J.”

Junior Accessory Dwelling Unit. A unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure, and utilizing an existing bedroom, and containing an efficiency kitchen. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.”

Delete the following definition from Section 20-70.020:

“Second Dwelling Unit. A residential dwelling unit that provides complete independent living facilities on the same parcel as a legal single family residence, including permanent provisions for living, sleeping, eating, cooking and sanitation. A second dwelling unit also includes efficiency units and manufactured homes. Second dwelling units are not accessory uses as defined in this Section.”

Section 10. Replace all other references to “second dwelling unit(s)” in the City Code to “accessory dwelling unit(s)”.

Section 11. Environmental Determination. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). Because the proposed Zoning Code text amendment implements California Government Code 65852.1 and 65852.2, the project is statutorily exempt from CEQA per Section 15282(h).

Section 12. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 13. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

This ordinance was introduced by the Council of the City of Santa Rosa on December 5, 2017.

IN COUNCIL DULY PASSED this 12th day of December, 2017.

AYES: (7) Mayor Coursey, Vice Mayor Rogers, Council Members Combs, Olivares, Sawyer, Schwedhelm, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney