



# City of Camarillo

Planning Commission

## AGENDA REPORT

**DATE:** March 20, 2018

**TO:** Planning Commission

**FROM:** Joseph R. Vacca, Director of Community Development

**SUBMITTED BY:** Michelle Glueckert D'Anna, Senior Planner

**SUBJECT:** Amendment to Accessory Dwelling Unit Regulations

### SUMMARY

The proposed amendment to Chapter 19.56 of the Camarillo Municipal Code (CMC) would incorporate recent State legislation (AB 494 and SB 229) that revised the standards governing the parking requirements for accessory dwelling units.

A public hearing for this request has been advertised for the Planning Commission meeting of March 20, 2018, posted at Camarillo City Hall, as well as on the City's website ([www.cityofcamarillo.org](http://www.cityofcamarillo.org)), and a one-eighth page advertisement published in a newspaper of general circulation for the area (Ventura County Star).

### DISCUSSION

#### Environmental Review

The proposed ordinance to amend Chapter 19.56 of the CMC is exempt from the California Environmental Quality Act (CEQA) under the State CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations beginning at Section 15000), specifically: Section 15060(c)(2), because the proposed ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment; Section 15061(b)(3), because the proposed ordinance is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; Section 15301, which exempts minor alterations to existing facilities; and Section 15303, which exempts new construction or conversions of small structures, in particular, accessory dwelling units (ADUs). The proposed ordinance consists of updates to land use regulations for potential projects that, where applicable, will receive individualized CEQA review. Any future development that has the potential to cause a significant effect on the environment will be evaluated through a separate environmental review process in accordance with CEQA. As such, it can be seen with certainty that there is no possibility that the enactment of this ordinance may have a significant adverse effect on the environment. Moreover, the regulations in the ordinance address the construction or development of ADUs that are either additions to existing facilities or small structures,

both of which are categorically exempt from CEQA. Therefore, the adoption of this ordinance is exempt from CEQA.

### Background

On January 1, 2017, new State legislation (AB 2299 and SB 1069) established certain standards for ADUs, which are intended to be the “maximum standards that local agencies shall use to evaluate a proposed ADU.” (See Gov. Code § 65852.2(a)(6)). The intent of State law is to overcome barriers to affordable housing by providing housing choices to serve different populations ranging from students and young professionals to young families, people with disabilities and seniors. Cities cannot impose more stringent standards of approval than those outlined by State law. Local standards which are consistent with, and authorized by, State law, may be applied.

On April 12, 2017, the Camarillo City Council adopted Ordinance No. 1140, adding a new Chapter 19.56 to the CMC that combined all of the ADU information into one CMC chapter and revised necessary development standards to be consistent with State law.

On January 1, 2018, the State updated the ADU legislation to clarify the existing laws. One of the clarifications within AB 494, and referenced by SB 229, requires the City to make a minor revision to the existing parking requirements for ADUs.

### Text Amendments

The text of the following CMC section would be amended as follows:

#### **19.56.060      Off-street parking.**

- A. Number. The parking requirements for an ADU is one open or enclosed parking space per ~~bedroom~~unit. No additional parking, or reconfiguration of existing parking on the lot, is required for an integrated ADU.
- B. Location. Required parking spaces may be provided as tandem parking on a ~~an existing~~ driveway. Off-street parking is permitted in setback areas in locations determined by the city or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

No new CMC sections would be added. No CMC sections will be repealed.

The draft Ordinance is attached for your review and consideration.

### **GENERAL PLAN CONSISTENCY**

The proposed ordinance is consistent with the applicable goals and policies of the City’s General Plan (Housing Element), as discussed below.

*Goal 7.5.1-2. Encourage the availability of a variety of housing designs, tenures and prices to meet the needs of present and future City residents.*

The proposed ordinance continues existing policies that allow for more diverse housing choices within existing residential neighborhoods by providing affordable housing options to serve a different population, ranging from students and young

professionals to persons with disabilities, caretakers, and senior citizens. Therefore, the proposed ordinance is consistent with Housing Element Goal 7.5.1-2.

*Policy 7.5.1-2. Meet the City's local housing needs commensurate with its fair share of regional needs, including housing that is affordable to all income groups, to the maximum feasible extent.*

The proposed ordinance continues existing policies that allow for more affordable housing. ADUs are an affordable type of housing to construct in California because they do not require paying for land or major new infrastructure. The ministerial permit process and relaxed regulations, as mandated by new State law, make ADUs a very feasible affordable housing option. Therefore, the proposed ordinance is consistent with Housing Element Policy 7.5.1-2.

*Policy 7.5.1-3. Promote accessibility to housing opportunities by all households, regardless of income, race, color, religion, national origin, ancestry, sex, marital status, age, familial status, disabilities/medical conditions, source of income, sexual orientation, or any other arbitrary factors.*

ADUs are a form of infill development that can be affordable and offer important housing choices within existing neighborhoods. They serve a different population that is in need of affordable housing. The proposed ordinance would make the CMC fully consistent with State law in order to carry out the intent of the new legislation (AB 2299, SB1069, AB 494, and SB 229), which includes accessibility to housing opportunities. Therefore, the proposed ordinance is consistent with Housing Element Policy 7.5.1-3.

## **STAFF REVIEW AND RECOMMENDATION**

The City needs to revise its ADU regulations in order to be fully consistent with the new State law. The proposed amendment to CMC Chapter 19.56, pertaining to ADUs, would not only comply with new State law, but would serve to provide affordable living space while maintaining compatibility with the primary single-family uses of the existing neighborhoods and preserve the safety, health, and general welfare of these residential zoning districts through the plan review process. Staff recommends approval of the amendments to CMC Chapter 19.56 based on the information provided in this report and the findings set forth in the proposed resolution.

## **SUGGESTED ACTION**

a MOTION to adopt a resolution recommending approval to the City Council of an ordinance amending Camarillo Municipal Code, Chapter 19.56, pertaining to accessory dwelling unit standards and approval procedures.

## **ATTACHMENTS**

Resolution  
Public Hearing Notice

F:\PLANNING COMMISSION#\PACKETS (mtgs)- 2018\PC 03-20-18\Updated ADU Ordinance\PCAR ADU Ordinance.docx

**RESOLUTION NO. PC 2018-**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF CAMARILLO RECOMMENDING APPROVAL  
TO THE CITY COUNCIL OF AN ORDINANCE AMENDING  
THE PARKING REGULATIONS UNDER CHAPTER 19.56  
OF THE CAMARILLO MUNICIPAL CODE REGARDING  
ACCESSORY DWELLING UNITS**

The Planning Commission of the City of Camarillo resolves as follows:

**SECTION 1. General Findings.** The Planning Commission finds as follows:

A. The purpose of the proposed ordinance is to amend Chapter 19.56 (Accessory Dwelling Units) to the Camarillo Municipal Code (CMC) to update the City's existing standards and regulations for parking requirements for accessory dwelling units to make conforming changes to comply with recent amendments to California Government Code section 65852.2, which provides maximum standards for the development of accessory dwelling units and permits local regulations that are consistent with section 65852.2.

B. The Planning Commission is authorized by Chapter 19.72 of the CMC to review and make recommendations on any proposed zoning-related ordinance that seeks to amend Title 19 of the CMC.

C. On March 20, 2018, the Planning Commission conducted a duly-noticed public hearing to consider the proposed amendment to Chapter 19.56, and has considered all testimony and information presented at the hearing.

D. After reviewing the evidence presented, the Planning Commission further finds that the proposed ordinance is consistent with the City's General Plan.

**SECTION 2. Environmental Findings.** The Planning Commission finds that the proposed ordinance is not subject to California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations beginning at Section 15000), specifically: Section 15060(c)(2), because the proposed ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment; Section 15061(b)(3), because the proposed ordinance is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; Section 15301, which exempts minor alterations to existing facilities; and Section 15303, which exempts new construction or conversions of small structures, in particular, accessory dwelling units. The proposed ordinance consists of updates to land use regulations for potential projects that, where applicable, will receive individualized CEQA review. Any future development that has the potential to cause a significant effect on the environment will be evaluated through a separate environmental review process in accordance with CEQA. As such, it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant adverse effect on the environment. Moreover, the regulations in the ordinance address the construction or development of accessory dwelling units that are either additions to existing facilities or small structures, both of which are categorically exempt from CEQA. Therefore, the proposed ordinance is exempt from CEQA.

**SECTION 3. Recommendation of Approval.** Based on the above findings, and after receiving evidence and testimony at a public hearing, the Camarillo Planning Commission recommends approval of an ordinance to the City Council that amends CMC Section 19.56.060, as set forth in redlined version of Chapter 19.56 in the attached Exhibit A.

**SECTION 4. Office of Record.** The record of Proceedings upon which this decision is based is located in the Department of Community Development, which is the office of record for the same.

PASSED, APPROVED AND ADOPTED on March 20, 2018, by the Planning Commission with the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Chairman of the Planning Commission

---

Secretary to the Planning Commission

## **REDLINE OF CHAPTER 19.56 SHOWING PROPOSED AMENDMENTS**

### **Chapter 19.56 Accessory Dwelling Units**

#### **19.56.010 Definitions.**

The following terms when used in this chapter will have the meanings provided in this section:

“Accessory dwelling unit” or “ADU” will have the meaning set forth in Government Code section 65852.2(i), which is: an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons, and includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following: (a) an efficiency unit, as defined in Health and Safety Code section 17958.1, and (b) a manufactured home, as defined in Health and Safety Code section 18007.

“Attached ADU” means an ADU that is attached to the existing single-family dwelling unit.

“Detached ADU” means an ADU that is detached from the existing single-family dwelling unit.

“Integrated ADU” means an ADU that is located within the living area of the existing single-family dwelling unit.

“Public transit” means the Camarillo Metrolink station, or a fixed bus route with regular service covering a significant portion of the city that is not a subscription service.

#### **19.56.020 Owner-occupancy requirement.**

- A. The applicant for an ADU must be an owner-occupant.
- B. Upon approval of an ADU application, a declaration that provides that either the main dwelling unit or the ADU will be occupied by the property owner must be recorded before occupancy and will be binding on all future owners of the parcel.
- C. Beginning one year after the approval date of the ADU, and annually thereafter, the owner must file an annual report listing the occupants of the main dwelling unit and ADU in order to ensure compliance with this condition.

#### **19.56.030 Permitted zones and lots.**

- A. ADUs are permitted only on legal lots with an existing single-family residence or in conjunction with a proposed single-family residence in the R-E Rural Exclusive Zone, R-1 Single Family Zone, and RPD Residential Planned Development Zone.
- B. An ADU may only be constructed on a legal lot that conforms to the lot area, width and depth requirements of the underlying zone.
- C. Only one ADU is permitted on a lot.

#### **19.56.040 Review process.**

- A. For an attached or detached ADU, a plan review application must be filed and approved in accordance with the applicable provisions of the underlying zone. The ADU must be designed to be compatible with the main dwelling unit, including, as applicable, the use of the same exterior materials, roof covering, colors, and other architectural features as the main dwelling unit.

- B. For an integrated ADU, a zone clearance application must be filed and approved by the department in accordance with the applicable provisions of the underlying zone.

**19.56.050 Setback requirements.**

The minimum front, side and rear setbacks of the underlying zone apply to an ADU, except that no setback will be required for an existing garage that is converted to an ADU, and a setback of no more than five feet from the side and rear lot lines will be required for an attached ADU that is constructed above a garage.

**19.56.060 Off-street parking.**

- A. Number. The parking requirements for an ADU is one open or enclosed parking space per ~~bedroom~~ unit. No additional parking, or reconfiguration of existing parking on the lot, is required for an integrated ADU.
- B. Location. Required parking spaces may be provided as tandem parking on ~~an existing~~ a driveway. Off-street parking is permitted in setback areas in locations determined by the city or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.
- C. Exemption. No parking is required for an ADU in any of the following instances:
  - 1. The ADU is located within one-half mile of public transit.
  - 2. The ADU is located within an architecturally and historically significant historic district.
  - 3. The ADU is an integrated ADU.
  - 4. When there is a car share vehicle located within one block of the ADU.

**19.56.070 Unit size.**

- A. On lots less than one acre in size, the following size limits apply:
  - 1. An ADU may not have more than one bedroom.
  - 2. An ADU may not exceed 700 square feet in area in the R-E Rural Exclusive Zone, and 640 square feet in area in the R-1 Single Family Zone and RPD Residential Planned Development Zone.
- B. On lots of one or more acres in size, the following size limits apply:
  - 1. An ADU may not have more than two bedrooms.
  - 2. An ADU may not exceed 30 percent of the size of the existing living area of the main dwelling unit or 1200 square feet, whichever is less.

**19.56.080 Building height.**

The height of a detached ADU may not exceed 15 feet. The height of an attached ADU may not exceed the maximum height permitted in the zone.

**19.56.090 Code compliance.**

The ADU must comply with all applicable building, health and fire codes, except that an ADU is not required to provide fire sprinklers if sprinklers are not required for the main dwelling unit.

**19.56.100 Driveway access.**

The ADU must be served by the same driveway access to the street as the existing main dwelling unit.

**19.56.110 Common entrance.**

An attached ADU may be served either by a common entrance with the main dwelling unit or a separate entrance to the ADU, which must be located on the side or at the rear of the main dwelling unit. No ADU will be required to provide a new passageway from the ADU to the street.



# City of Camarillo

Department of Community Development

805.388.5360 | | 805.388.5388 fax

## **NOTICE OF PUBLIC HEARING**

The City of Camarillo Planning Commission will conduct a public hearing on **Tuesday, March 20, 2018** at 7:30 p.m. in the City Hall Council Chambers, 601 Carmen Drive, Camarillo, CA 93010 on the following agenda item:

### **Proposed Amendment to Camarillo Municipal Code (CMC) Chapter 19.56 (Accessory Dwelling Units)**

The City is considering an ordinance to amend the Camarillo Municipal Code (CMC) by amending Chapter 19.56 – Accessory Dwelling Units - that would incorporate the recent State legislation (AB494) that clarifies the parking requirements for accessory dwelling units (ADUs). The revised standards for accessory dwelling units would continue to permit and apply to units constructed in the following zones: R-E (Rural Exclusive Zone); R-1 (Single-Family Residential Zone); and RPD (Residential Planned Development Zone).

The proposed ordinance amending the CMC is exempt from the California Environmental Quality Act (CEQA) Guidelines under: Section 15060(c)(2), because the proposed ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment; Section 15061(b)(3), because the proposed ordinance is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; Section 15301, which exempts minor alterations to existing facilities; and Section 15303, which exempts new construction or conversions of small structures, in particular, second dwelling units. Therefore, the adoption of this ordinance is exempt from CEQA.

The Planning Commission may propose modifications or other adjustments deemed to be appropriate. Any person interested in this matter is invited to attend and present testimony either for or against the above item. If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

A copy of the proposed ordinance is available at City Hall, 601 Carmen Drive, Camarillo, or on the City's website at [www.cityofcamarillo.org](http://www.cityofcamarillo.org). For further information regarding this proposed action, you may contact Michelle Glueckert D'Anna, Senior Planner, at 805.388.5370 or via email at [mdanna@cityofcamarillo.org](mailto:mdanna@cityofcamarillo.org).

In compliance with the American With Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 805.388.5316. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II.)

Joseph R. Vacca, Secretary  
Planning Commission

((F:\PLANNING COMMISSION#\PACKETS (mtgs)- 2018\PC 03-20-18\Updated ADU Ordinance\PHN.docx)

Published in the VC Star on Saturday, March 10, 2018

601 Carmen Drive | Camarillo | CA | 93010

PC Item 7 Page 9