

## APRIL 12, 2017 – CITY COUNCIL STUDY SESSION MEETING

### CALL TO ORDER

Mayor Ching called the meeting to order at 6:10 p.m.

### ROLL CALL

PRESENT: COUNCILMEMBERS: M/Ching, MPT/Su, C/Pacheco, C/Rodriguez, C/Tragarz  
ABSENT: COUNCILMEMBERS: None

Also present were City Manager Wishner; Administrative Services Director Ogawa; Community Development Director Weiner; City Attorney Leibold; Associate Planner Vasquez; City Planner Carlson; Interim Finance Officer Cortez; and City Clerk De Dios.

### DISCUSSION ITEM:

- **Accessory Dwelling Units**

CDD/Weiner provided background on Senate Bill 1069 and Assembly Bill 229 that went into effect in January 2017 regarding to accessory dwelling units. He explained that Government Code Section 65852.2 defines an accessory dwelling unit as “an attached or a 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 as the single-family dwelling is situated.” He noted that local agencies must update existing accessory dwelling unit ordinance, or adopt a new ordinance to comply with State law. He explained that based on the existing Municipal Code, the parking requirements are based on the number of rooms or size of home; and parking must be within an enclosed garage; SB 1069 states there should be one space per bedroom or unit; no parking requirement(s) if ADU is within half mile of public transit; required parking can be “open air” and located within setback area(s) (e.g. driveway). ADU’s do not require approval from the Planning Commission or City Council, it only requires ministerial approval.

There was discussion amongst the City Council and staff in regards to the ADU requirements and updating the City’s current ordinance and researching what other cities are doing to be in compliance.

*C/Pacheco arrived to the meeting at 6:20 p.m.*

CA/Leibold explained that local government may not impose unreasonable restrictions.

CDD/Weiner stated that staff may be looking into preparing a rental inspection ordinance which would require the renter to obtain a rental permit.

There was discussion among the City Council regarding garage conversions and boarding homes.

CDD/Weiner stated that the City's code does not allow boarding homes. He explained that the ADU would have a separate entrance, bathroom, and kitchen.

In response to C/Pacheco's concern relating to garage conversion, CDD/Weiner and CA/Leibold explained that the current code is in compliance; you cannot make the home deficient by eliminating garage spaces; there is a two garage minimum required.

CA/Leibold said she will work with staff in reviewing the current ordinance and state law and begin to draft an ordinance.

### **ORAL COMMUNICATIONS**

There being no one present wishing to speak, it was the consensus of the City Council to close oral communications. Motion carried.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 6:49 p.m.

**PASSED AND APPROVED on the 24th day of May, 2017.**

---

Eric Ching, Mayor

ATTEST:

---

Teresa De Dios, City Clerk