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Conduct a Public Hearing to consider a Consistency Determination (ALUC-20-05) for amendments to the Waterfront District Specific Plan City and the Accessory Dwelling Unit Zoning Regulations with the Travis Air Force Base Airport Land Use Compatibility Plan. (Sponsor: City of Suisun City)

..body

RECOMMENDATION:

Determine that application ALUC-2020-05 for the Suisun Waterfront Specific Plan and Accessory Dwelling Zoning Regulations are consistent with the Travis Air Force Base Airport Land Use Compatibility Plan.

DISCUSSION:

Introduction

On January 1, 2020, additional new state legislation went in to effect mandating certain minimum requirements for any local zoning regulations pertaining to accessory dwelling units. The legislation rendered invalid any local regulations if they were not in complete conformance with the new state rules for secondary dwellings. The City of Suisun has initiated amendments to its Waterfront Specific Plan and Accessory Dwelling Unit Zoning Regulations to bring each document into compliance with the current state law in effect for accessory dwelling units.

Suisun Waterfront Specific Plan (Attachment B)

The Suisun Waterfront Specific Plan is being revised to add Accessory Dwelling Units as a permitted land use within the Main Street Mixed Use Zone and the Downtown Mixed Use Zone areas of the plan area and provides development standards applicable to accessory dwelling units.

Accessory Dwelling Unit Zoning Regulations - (Attachment C)

The proposed revisions to the Suisun City Zoning Regulations include:

1. Amending Section 18.04 to add definitions for a variety of types of accessory dwelling units,
2. Amending Section 18.30.170 to provide a purpose for the regulations,
3. Amending Section 18.30.170 to make revisions to the regulations governing accessory dwelling units, and
4. Amending Section 18.31 adding explanatory footnotes to Table 18.31.01 Development Standards in Residential Zones.

These changes do not alter the intensity of density of development permitted on any parcel in the City of Suisun City.

ALUC Jurisdiction

The Waterfront District Specific Plan requires a statutory review for consistency by the ALUC under the standards for the review of general plans. The Accessory Dwelling Unit Zoning

regulations require a statutory review for consistency under the standards for review for zoning changes. The required tests for each type of review are provided below followed by the consistency analysis under those

REQUIRED TESTS FOR CONSISTENCY

REQUIRED TESTS FOR CONSISTENCY FOR GENERAL PLAN/SPECIFIC PLAN AMENDMENTS

The review criteria for general plan amendments are embodied in the State's California Airport Land Use Planning Handbook and the Travis AFB Land Use Compatibility Plans (Travis Plan). The State Department of Aeronautics has published the California Airport Land Use Planning Handbook as a guide for Airport Land Use Commissions in the preparation and implementation of Land Use Compatibility Plans and Procedure Documents. In order to be considered fully consistent with the applicable compatibility plan(s), the general plan revisions proposed must meet two specific tests, as identified in the California Airport Land Use Planning Handbook. The tests are:

- 1. Elimination of any direct conflicts between the General Plan and/or Specific Plan and relevant compatibility plan(s)**

Direct conflicts primarily involve general plan/specific plan land use designations which do not meet the density (for residential uses) or intensity (for non-residential uses) criteria specified in the compatibility plan, although conflicts with regard to other policies also may exist.

- 2. Delineation of a mechanism or process for ensuring that individual land use development proposals comply with the ALUC's adopted compatibility criteria**

Elimination of direct conflicts between a county's or a city's general plan/specific plan and the ALUC's compatibility plan is not enough to guarantee that future land use development will adhere to the compatibility criteria set forth in the compatibility plan. An implementation process must also be defined either directly in the general plan or specific plan or by reference to a separately adopted ordinance, regulation, or other policy document.

There are three facets to the process of ensuring compliance with airport land use compatibility criteria:

- a. Delineation of Compatibility Criteria**

Airport land use compatibility criteria must be defined either in a policy document adopted by the county or city or through adoption of or reference to the ALUC's compatibility plan itself.

- b. Identification of Mechanisms for Compliance**

The mechanisms by which applicable compatibility criteria will be tied to an individual development and continue to be enforced must be identified. A conditional use permit or a development agreement are two possibilities.

c. Indication of Review and Approval Procedures

Lastly, the procedures for review and approval of individual development proposals must be defined. At what level within a county or a city are compatibility approvals made: staff, planning commission or governing body? The types of actions which are submitted to the ALUC for review and the timing of such submittals relative to internal review and approval process also must be indicated.

REQUIRED TESTS FOR CONSISTENCY FOR REZONING ACTIONS

State law, under Section 21661.5 of the Public Utilities Code, requires that any proposed zoning regulations or revisions to the local zoning ordinance be reviewed for consistency with adopted airport land use compatibility plans.

The ALUC is concerned with those aspects of the proposed zoning changes which have the potential to be incompatible with the Travis Plan.

California Airport Land Use Planning Handbook

The State Department of Aeronautics has published the California Airport Land Use Planning Handbook as a guide for Airport Land Use Commissions in the preparation and implementation of Land Use Compatibility Plans and Procedure Documents. Section 6.4.2 sets forth procedures for the review of local zoning ordinances and directs agencies to consider the topics listed in Table 5A, as follows:

Zoning or Other Policy Documents (from Table 5A, CalTRANS Airport Land Use Planning Handbook)

The Handbook lists the following topics for consideration when reviewing zoning or other policy documents.

- *Intensity Limitations on Nonresidential Uses*
- *Identification of Prohibited Uses*
- *Open Land Requirements*
- *Infill Development*
- *Height Limitations and Other Hazards to Flight*
- *Buyer Awareness Measures*
- *Non-conforming Uses and Reconstruction*

DISCUSSION OF CONSISTENCY

The City of Suisun City residential areas and the Waterfront District lie within the Area of Influence of the Travis plan, more particularly within Compatibility Zone D. (Attachment F Travis Plan Context Map).

Travis Plan Compatibility Zone D Criteria

The criteria for compatibility in Zone D are listed below.

Maximum Densities/Intensities: No Limits

Prohibited Uses: None

Other Development Conditions:

- ALUC review required for objects > 200 feet AGL
- All proposed wind turbines must meet line-of-sight criteria in Policy 5.6.1
- All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review
- All new or expanded meteorological towers > 200 feet
- AGL, whether temporary or permanent, require ALUC review
- For areas within the Bird Strike Hazard Zone, reviewing agencies shall prepare a WHA for discretionary projects that have the potential to attract wildlife that could cause bird strikes. Based on the findings of the WHA, all reasonably feasible mitigation measures must be incorporated into the planned land use.
- For areas outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use involving discretionary review that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.

Consistency Analysis of the Specific Plan

In order for a general plan amendment to be considered consistent with the Travis Plan, two tests must be applied: 1) Elimination of Direct Conflicts, and 2) Mechanisms to assure compliance with Compatibility Criteria

Elimination of Direct Conflicts

Travis Plan Consistency

As discussed above, the Waterfront District Specific Plan applies to properties within Zone D, where there are no residential or non-residential land use restrictions within the Travis Land Use Compatibility Plan. There are Other Development Conditions prescribed for Compatibility Zone D. The project would be consistent with the Other Development Conditions for the following reasons:

ALUC review required for objects > 200 feet AGL

The Specific Plan Amendment will permit accessory dwelling units in its Mixed-Use Zones and establish development standards for the accessory dwelling units. The designation would permit two story residential structures. There are no provisions within the land use designation which permit structures in excess of 200 feet in height. As such, no structures could be approved that approached 200 feet in height and, as such, the Specific Plan Amendment is consistent with this provision of the Travis Plan.

Height, Wind Turbines in Excess of 100 Feet in Height

The Specific Plan Amendment does not permit wind turbines within the Mixed-Use Zone areas. As such, the General Plan Amendment is consistent with this provision of the Travis Plan.

Commercial-Scale Solar Facilities

The Travis Plan requires all new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review. However, the Specific Plan Amendment does not permit a commercial scale solar project in the plan area. As such, the Specific Plan Amendment is consistent with this provision of the Travis Plan.

Meteorological Towers

All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review. The General Plan does not permit structures of any type to be 200 feet tall. As such, the Specific Plan Amendment is consistent with this provision of the Travis Plan.

Projects within the Bird Strike Hazard Zone or the Outer Perimeter Area

The project lies inside of the Bird Strike Hazard Zone and inside the Outer Perimeter Area. The Waterfront District Specific Plan Amendment does not enable uses which have the potential to attract wildlife. As such, the Specific Plan Amendment is consistent with this provision of the Travis Plan.

In conclusion, based on the analysis above, the proposed the Specific Plan Amendment is consistent with these provisions of the Travis Plan and meets the first test for consistency by the ALUC – the elimination of direct conflicts with an airport’s LUCP compatibility criteria.

Assurance of Compliance with Compatibility Criteria

Travis Plan Consistency

The second test for consistency is the assurance that there will be compliance with the compatibility criteria contained within any adopted LUCP’s. The California Airport Land Use Planning Handbook provides guidance to local ALUC’s in making consistency determinations on General Plans.

Elimination of direct conflicts between a county’s or a city’s general plan and the ALUC’s compatibility plan is not enough to guarantee that future land use development will adhere to the compatibility criteria set forth in the compatibility plan. An implementation process must also be defined either directly in the general plan or specific plan or by reference to a separately adopted ordinance, regulation or other policy document.

The Handbook identifies three facets to the process of insuring compliance with airport land use compatibility criteria:

a. Delineation of Compatibility Criteria-

Airport land use compatibility criteria must be defined either in a policy document adopted by the county or city or through adoption of or reference to the ALUC's compatibility plan itself.

The Specific Plan Amendment is a part of the City's General Plan which requires compliance with the Travis Plan, which in effect gives the City a basis for requiring that all phases of the project under review comply with the Travis Plan.

b. Identification of Mechanisms for Compliance-

The mechanisms by which applicable compatibility criteria will be tied to an individual development and continue to be enforced must be identified. A conditional use permit or development agreements are two possibilities.

Subsequent development permits will be reviewed by the City Council, Planning Commission, and the Director of Planning. In the case of legislative actions, ALUC review must occur. For other permits, the Planning Commission and Director of Planning must make a consistency finding as required by the Travis Plan

Tentative subdivision maps will also be required. Under California state law, the tentative subdivision maps must be consistent with the Specific Plan Amendment. This requirement addresses conformance with applicable LUCP's and as such, the City's mechanism for compliance is adequately assured.

c. Indication of Review and Approval Procedures-

Lastly, the procedures for review and approval of individual development proposals must be defined. At what level within a county or city are compatibility approvals made: staff, planning commission or governing body? The types of actions which are to be submitted to the ALUC for review and the timing of such submittals relative to the internal review and approval process must be indicated.

Per state law, legislative actions (e.g., the Specific Plan Amendment) that have an impact on the Travis Plan must be approved by the City Council following a public hearing. They must also be reviewed by the ALUC prior to the City Council's action.

Types of actions submitted to ALUC:

Any revisions to the Specific Plan Amendment are required to come before the ALUC for statutory review.

Timing:

ALUC review would be completed before the City takes further action on any development proposal.

As described above, the review procedures are adequate to assure that applicable compatibility criteria will be tied to an individual development and continue to be enforced.

As a result, the Specific Plan Amendment is consistent with the Travis Plan.

Consistency Analysis of the Accessory Dwelling Unit Zoning Regulations

Staff has reviewed the proposed Accessory Dwelling Unit Zoning Regulations for consistency with the Travis Plan and the State mandated compatibility factors. Our analysis is presented below.

Intensity Limitations on Nonresidential Uses

the proposed Accessory Dwelling Unit Zoning Regulations make minor changes in existing rules for accessory dwellings. They do not change any aspects of non-residential uses. As a result, the proposed Accessory Dwelling Unit Zoning Regulations are consistent with the Travis Plan.

Identification of Prohibited Uses

The proposed Accessory Dwelling Unit Zoning Regulations make no changes to the allowed or prohibited land uses in any zoning district. The changes are focused only on development standards for accessory dwellings. As a result, the proposed Accessory Dwelling Unit Zoning Regulations are consistent with the Travis Plan.

Open Land Requirements

The proposed Accessory Dwelling Unit Zoning Regulations make no changes to the open land requirements in any zoning district. As a result, the proposed Accessory Dwelling Unit Zoning Regulations are consistent with the Travis Plan.

Infill Development

The proposed regulations apply throughout the City of Suisun City to properties which may or may not be considered infill locations. Infill development is sometimes afforded additional density or intensity when it is surrounding by existing development that does not meet the requirements of the Travis Plan. However, the proposed ordinances does not provide any increase in density for infill projects. As a result, no further consideration is required for this criterion and the regulations would be consistent with these criteria. Accordingly, the proposed Accessory Dwelling Unit Zoning Regulations are consistent with the Travis Plan.

Height Limitations and Other Hazards to Flight

The Travis Plan contains height limitations and prohibitions on “Other Hazards to Flight”. The other hazards to flight involve land uses which may lead to bird strikes, potential obstructions due to tall objects or glare and communication interference.

The proposed Accessory Dwelling Unit Zoning Regulations make no changes to the height requirements in the zoning regulations. The ordinances do not alter the rules for land uses which might contribute to increases in bird strikes, nor do they alter regulations regarding communication facilities or lighting and glare prevention rules. As a result, the proposed Accessory Dwelling Unit Zoning Regulations is consistent with the Travis Plan.

Buyer Awareness Measures

The proposed Accessory Dwelling Unit Zoning Regulations do not designate any new residential uses. As a result, Buyer Awareness Measures are not required as a part of the approval of new residential areas. As a result, the proposed Accessory Dwelling Unit Zoning Regulations are consistent with the Travis Plan.

Non-conforming Uses and Reconstruction

The project is not authorizing any construction, nor does it expand the non-conforming use provisions of the City's zoning regulations. As a result, the proposed Accessory Dwelling Unit Zoning Regulations are consistent with the Travis Plan.

In light of the above discussion, staff is recommending a consistency finding for the City of Suisun City's Accessory Dwelling Unit Zoning regulations and the Travis Air Force Base Airport Land Use Compatibility Plan.

RECOMMENDATION

Based on the analysis and discussions above, staff recommends that the Solano County Airport Land Use Commission find as follows:

Determination Determine that application ALUC-2020-05 for the Suisun Waterfront Specific Plan and Accessory Dwelling Unit Zoning Regulations are consistent with the Travis Air Force Base Airport Land Use Compatibility Plan.

Attachments:

Attachment A: ALUC Application

Attachment B: Waterfront Specific Plan – Redline Version

Attachment C: Accessory Dwelling Ordinance – Markup Version

Attachment D: Vicinity Map

Attachment E: Aerial Vicinity Map

Attachment F: Travis Context Map

Attachment G: Resolution (To Be Distributed at the Hearing)

Solano County Airport Land Use Commission

675 Texas Street Suite 5500
Fairfield, CA 94533
Tel 707.784.6765
Fax 707.784.4805

LAND USE COMPATIBILITY DETERMINATION: APPLICATION FORM

TO BE COMPLETED BY STAFF		
APPLICATION NUMBER:	FILING FEE:	
DATE FILED:	RECEIPT NUMBER:	
JURISDICTION:	RECEIVED BY:	
PROJECT APN(S):		
TO BE COMPLETED BY THE APPLICANT		
I. GENERAL INFORMATION		
NAME OF AGENCY: City of Suisun City	DATE: 4.24.2020	
ADDRESS: 701 Civic Center Blvd.		
E-MAIL ADDRESS: jmmartinez@suisun.com	DAYTIME PHONE: 707.421.7307	FAX:
NAME OF PROPERTY OWNER:		DATE:
ADDRESS:		DAYTIME PHONE:
NAME OF DOCUMENT PREPARER: Joann Martinez		DATE: 4.24.2020
ADDRESS: 701 Civic Center Blvd. Suisun City CA 94585	DAYTIME PHONE: 707.421.7307	FAX:
NAME OF PROJECT: Amending ADU Ordinance		
PROJECT LOCATION: City wide policy		
STREET ADDRESS:		

PLEASE CALL THE APPOINTMENT DESK AT (707) 784-6765 FOR AN APPLICATION APPOINTMENT.

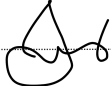
TO BE COMPLETED BY THE APPLICANT

II. DESCRIPTION OF PROJECT

Suisun City is updating their ADU ordinance to comply with new state legislature that went into effect January 2020. The amendments will apply to both the Zoning Ordinance and the Waterfront District Specific Plan. The changes that are proposed are designed to make the application process easier and more streamlined for the applicant. Some changes include: loosened parking requirements, conversion of an existing permitted accessory structure will be a lot easier to convert into a permitted ADU, and setback requirements have been lessened, just to name a few.

See Attachments.

PLEASE CALL THE APPOINTMENT DESK AT (707) 784-6765 FOR AN APPLICATION APPOINTMENT.

TO BE COMPLETED BY THE APPLICANT	
II. DESCRIPTION OF PROJECT (CONT'D)	
POTENTIAL PROJECT EMISSIONS: (i.e. smoke, steam, glare, radio, signals): Not applicable.	
PROJECT AIRPORT LAND USE COMPATIBILITY PLAN: Travis Compatibility Plan	COMPATIBILITY ZONE: C and D
PERCENTAGE OF LAND COVERAGE:	MAXIMUM PERSONS PER ACRE:
THE FOLLOWING INFORMATION MUST BE SUBMITTED AS A MINIMUM REQUIREMENT:	
<input checked="" type="checkbox"/> JURISDICTION REFERRAL LETTER: <input type="checkbox"/> ENVIRONMENTAL DOCUMENTATION: <input type="checkbox"/> LOCATION MAP: <input type="checkbox"/> ASSESSOR'S PARCEL MAP, with subject property marked in red: <input type="checkbox"/> SITE PLAN, drawn to scale and fully dimensioned including topographical information, and 8 1/2 x 11 inch reduction(s): <input type="checkbox"/> ELEVATIONS, if located in APZ, clear zones and A,B,C compatibility zones or over 200' in height, plus 8 1/2 x 11 inch reduction(s) : <input type="checkbox"/> WIND TURBINE STUDY, including cumulative impact studies. Such studies shall include an analysis of (1) the individual effects of the proposed project, and (2) as required by law, an analysis of the cumulative effects of the proposed project considered in connection with the effects of past projects, the effects of other current projects and proposed projects, and the effects of probable future projects, including (i) the probable build out for wind energy development of the remaining vacant parcels within the wind resource areas described in the Solano County General Plan and (ii) any probable replacement of existing turbines or meteorological towers with structures having different dimensions.	
<input checked="" type="checkbox"/> SUPPLEMENTAL INFORMATION: <input checked="" type="checkbox"/> FEES: <input checked="" type="checkbox"/> ELECTRONIC COPIES OF ALL APPLICATION MATERIALS ON A CD:	
APPLICANT SIGNATURE: X 	DATE: 4.24.2020
DOES THE PROJECT PROPOSE THE DEMOLITION OR ALTERATION OF ANY EXISTING STRUCTURES ON THE PROJECT SITE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, describe below:	

PLEASE CALL THE APPOINTMENT DESK AT (707) 784-6765 FOR AN APPLICATION APPOINTMENT.

CITY COUNCIL

Lori Wilson, Mayor
Michael A. Segala, Mayor Pro-Tem
Anthony Adams
Jane Day
Wanda Williams



CITY COUNCIL MEETING

First and Third Tuesday
Every Month

CITY OF SUISUN CITY

701 Civic Center Blvd.
Suisun City, California 94585
Incorporated October 9, 1868

April 24, 2020

Jim Leland
Solano County Resource Management Department
Planning Division
675 Texas Street, Suite 5500
Fairfield, CA 94533

Re: Proposed Suisun City ADU Ordinance Amendments

Dear Mr. Leland:

Attached please find the application for ALUC review and supplemental materials related to the proposed Suisun City ADU Ordinance Amendments. The ordinance would make certain zoning and text amendments to the previously adopted ADU ordinance including amendments to the Waterfront District Specific Plan. (Ordinance No. 743)

Please accept the attached application materials and if there are any questions please call the Suisun City Development Services Department at (707) 421-7335.

Sincerely,

Joann Martinez
Assistant City Planner

Cc: File

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ DEVELOPMENT SERVICES 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
SUCCESSOR AGENCY 421-7309 FAX 421-7366

1 **ORDINANCE NO.**

2 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY,**
3 **CALIFORNIA, REPEALING AND REPLACING SECTION 18.30.170 OF TITLE 18**
4 **OF THE SUISUN CITY CODE AND AMENDING THE WATERFRONT DISTRICT**
5 **SPECIFIC PLAN, RELATING TO REGULATIONS FOR ACCESSORY DWELLING**
6 **UNITS IN RESIDENTIAL PROPERTIES**

7 **18.04 Definitions**

8 Amending 18.04 Definitions

9 **Accessory Dwelling Unit.** An attached or a detached residential dwelling unit that provides
10 complete, independent living facilities for one or more persons and is located on a lot with a
11 proposed or existing primary residence. It shall include permanent provisions in accordance to
12 California state building code for living, sleeping, eating, cooking, and sanitation on the same
13 parcel as the single-family or multi-family dwelling is or will be situated. An accessory
14 dwelling unit also includes an efficiency unit and a manufactured home, but does not include
15 trailers.

- 16 a. Attached Accessory Dwelling Unit. An accessory dwelling unit that shares at least one
17 common wall with the primary dwelling and is not fully contained within the existing
18 space of the primary dwelling or an accessory structure.
- 19 b. Detached Accessory Dwelling Unit. An accessory dwelling unit that does not share a
20 common wall with the primary dwelling and is not fully contained within the existing
21 space of an accessory structure.
- 22 c. Internal Accessory Dwelling Unit. An accessory dwelling unit that is fully contained
23 within the existing space of the primary dwelling or an accessory structure.
- 24 d. Junior Accessory Dwelling Unit. A unit that is no more than 500 square feet in size and
25 contained entirely within a single-family residence. A junior accessory dwelling unit
26 may include separate sanitation facilities or may share sanitation facilities with the
27 existing structure.

28 **18.30.170 Accessory Dwelling Units**

Purpose. This section is intended to achieve the goals of the C53

ity's housing element and of the California Government Code by permitting accessory
dwelling units, thereby increasing housing opportunities for the community through use of
existing housing resources and infrastructure.

The following regulations shall apply to all accessory dwelling units in a residential zoning
district:

- A. An accessory dwelling unit may be established on any residentially zoned parcels, in
any district where single-family or multi-family dwellings are a permitted use; and on
any lot with an existing or proposed single-family or multi-family dwelling..
- B. Accessory dwelling units shall not exceed the allowable density for the lot upon which
the accessory dwelling unit is located.
- C. Accessory dwelling units are a residential use that shall be consistent with the existing

- 1 general plan and zoning designation for the lot.
- 2 D. There will be only up to one accessory dwelling unit and one junior accessory dwelling
- 3 E. The accessory dwelling unit can either be attached to and designed to be located within
- 4 the living area of the existing dwelling or detached from and no less than 5 feet from
- 5 F. The proposed increase in gross floor area of an attached or detached accessory dwelling
- 6 unit shall not exceed 50 percent of the existing living area up to a maximum of 1000
- 7 G. Accessory dwelling units shall be located no closer than 4 feet from any side or rear
- 8 property lines, be on the rear 50% of the lot and must meet the requirements of Section
- 9 18.31 Standards for Residential Districts, Table 18.31.01 Development Standards in
- 10 Residential Zones.
- 11 H. An internal ADU may be constructed regardless of whether it conforms to the current
- 12 zoning requirement for building separation or setbacks.
- 13 I. If an internal ADU is proposed to be constructed within an existing accessory structure,
- 14 the city shall ministerially permit an expansion of the existing accessory structure by up
- 15 to 150 square feet for the purpose of accommodating ingress and egress.
- 16 J. If an existing structure is demolished and replaced with an accessory dwelling unit, an
- 17 accessory dwelling unit may be constructed in the same location and to the same
- 18 dimensions as the demolished structure.
- 19 K. The accessory dwelling unit shall be architecturally integrated into the existing building
- 20 design.
- 21 L. Foundation. An accessory dwelling unit shall be constructed on a permanent foundation.
- 22 M. The accessory dwelling unit shall not be placed on top of any easements.
- 23 N. Connection Fees. A local agency is prohibited from requiring a new or separate utility
- 24 connection for an accessory dwelling unit if contained within the existing space of a
- 25 single-family residence or accessory structure (in accordance with Government Code
- 26 Section 65852.2(f)).
- 27 O. Parking
- 28 a. Maximum of one space per unit or one space per bedroom. Tandem parking on
- an existing driveway is allowed, which may be within setback areas.
- b. No additional parking for accessory dwelling units can be required when:
- a. An accessory dwelling unit is located:
1. Within one-half mile walking distance of public transit;
 2. Within an architecturally and historically significant historic district;
 3. Within an existing primary residence or an existing accessory structure;

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4. Within an area where off-street parking is required, but no permit is offered to the occupant of the accessory dwelling unit;

5. Within one block of a car share vehicle.

c. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, replacement parking stalls are not required for the demolished parking structure.

P. Rental

a. An accessory dwelling unit may be rented but shall not be sold or otherwise conveyed separately from the primary dwelling.

b. The rented unit shall not be leased for any period less than 30 days.

Q. Recordation of Deed Restriction: An executed deed restriction, on a form provided by the city, shall be submitted to the city prior to issuance of a building permit and shall be recorded prior to final occupancy. The deed restriction shall stipulate all of the following:

a. That the rented unit shall not be rented for any period less than 30 days at a time; and

b. That the accessory dwelling shall not be sold separately from the primary dwelling.

c. For junior accessory dwelling units, restrictions on size and attributes in conformance with this section.

R. Ministerial consideration

1. New Construction. If the Development Services Department receives an application to construct an accessory dwelling unit (by either adding on to an existing structure, or constructing a new detached structure), and the proposal meets all of the requirements of the Municipal Code as determined by Section 18.30.170 Accessory Dwelling Units, then within 60 days of receipt of a complete application for the accessory dwelling unit, the Development Services Department staff shall ministerially approve the application without a hearing.

2. No Expansion. If the applicant will not be adding floor area, and instead has submitted a complete application for an accessory dwelling unit entirely within the existing space of a single-family residence or accessory structure, then the director shall, without a hearing, ministerially approve a complete application for a building permit to create an accessory dwelling unit if all of the following apply:

a. The unit is contained entirely within the existing space of a single-family residence or accessory structure (without adding floor area to the existing residence or accessory structure) and doesn't exceed 50 percent of the existing primary dwelling.

b. The unit is in any district where single-family or multi-family dwellings are a permitted use.

- c. On any lot with an existing or proposed single-family or multi-family dwelling.
- d. The unit has independent exterior access from the existing residence.
- e. Fire sprinklers are provided to the same extent that they are required for the primary residence.

18.31 Standards for Residential Districts

Amend Section 18.31 Standards for Residential Districts

Table 18.31.01 Development Standards in Residential Zones					
Development Standards	RL	RM	RH1	RH2	RMU
Lot Size					
Setback					
Accessory Dwelling Unit 7.					
New Construction, Conversion and Replacing 8. 10.					
Minimum Side Setback, interior	4	4	4	4	4
Minimum Side Setback, street	4	4	4	4	4
Minimum Rear Setback	4	4	4	4	4
Maximum Height of stand-alone unit	16	16	16	16	16
Maximum Floor Area 9.	Attached 1000 sq. ft. Detached 1000 sq. ft. Internal 50 percent of the existing primary dwelling.				

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	Junior 500 sq. ft.
Front	Must be in the rear 50% of the lot
Building Separation	A minimum 5-foot distance shall be maintained between a detached accessory dwelling unit the primary building on the site. A detached accessory structure shall be set back from other structures on the site as required by the building code.

Notes:

- 7. For Junior Accessory Dwelling Units and Internal ADUs, no setbacks and height required, other than that of the primary dwelling.
- 8. Conversion and replacing applies only to existing, permitted accessory dwelling units.
- 9. The proposed increase in gross floor area of an attached or detached accessory dwelling unit shall not exceed 50 percent of the existing living area.
- 10. Please refer to section 18.30.170 - H., I., J.”
 - **H.** An internal ADU may be constructed regardless of whether it conforms to the current zoning requirement for building separation or setbacks;
 - **I.** If an internal ADU is proposed to be constructed within an existing accessory structure, the city shall ministerially permit an expansion of the existing accessory structure by up to 150 square feet for the purpose of accommodating ingress and egress;
 - **J.** If an existing structure is demolished and replaced with an accessory dwelling unit, an accessory dwelling unit may be constructed in the same location and to the same dimensions as the demolished structure.

**TABLE 3.5: MAIN STREET MIXED USE ZONE ALLOWED USES**

Permitted Uses ¹	Administrative Review and Conditionally Permitted Uses
<ul style="list-style-type: none"> • Art, modeling, music, and/or dance studio (U) • Artist studios; art supply stores • Bed and breakfast inn • Business services (U) • Commercial services • Communication services • Community social services • Eating and drinking places • Educational services • Finance, insurance, and real estate offices • General merchandise and hardware store • Movie theater • Optical shop or optometrist • Personal services • Professional or medical offices (U) • Speciality retail shops² • Secondary Dwellings 	<p>Administrative Review:</p> <ul style="list-style-type: none"> • Food and grocery stores • Medical health care facility • Public/quasi-public use (e.g., community center, school, fire station, library, church) <p>Conditionally Permitted:</p> <ul style="list-style-type: none"> • Commercial amusement or entertainment • Drive-through facilities (only north of Driftwood Drive) • Entertainment (i.e., nightclub and bar/lounge) • Furniture stores • Upholstery and furniture repair; antique refinishing • Residential dwellings² • Convenience market • Shops selling age-restricted goods or providing age-restricted services
<p>• Any other retail, service, or public/quasi-public uses that are similar in nature, function, and operations to the permitted, administrative review clearance, and conditionally permitted uses listed above.</p>	
<p>Notes:</p> <ol style="list-style-type: none"> 1. Where a "U" is denoted next to a particular use, that use is permitted on the upper floor(s) of a building. 2. Permits the same type of residential dwellings as the RHD zone. 3. Speciality retail shops are defined as small retail stores with distinctive, one-of-a-kind merchandise, often supplied locally, not including sale of age-restricted goods or providing age-restricted services. 	

B. Commercial/Office/Residential (C/O/R) Zone

The C/O/R zone is envisioned to be developed with a mix of uses, including business/professional offices, retail commercial, dining, and entertainment uses. Offices and a hotel have already been established in this zone. Residential uses are also permitted to be developed as a "stand alone" development or as an integrated part of a commercial/office development (e.g., on upper floors over ground floor commercial uses). Because of the unique character of the site and its strategic location, any proposed uses and development for all or any portion of the site must be approved through the Planned Unit Development process, as described in Chapter 7 of this Specific Plan.

Generally, permitted and conditional uses allowed in this zone are the same as those specified in the MSMU zone, described above, and in

D. Downtown Mixed Use (DMU) Zone

This DMU zone is proposed as a new commercial mixed-use zone, intended to replace the General Commercial and Commercial Service zone designations that are proposed to be phased out in both the General Plan Update, adopted in 2015 and the Zoning Code Update, planned for adoption in 2016. This zone allows a mix of retail, commercial service, civic, office, and other complementary non-residential uses, as well as higher-density residential development. Allowed uses permitted within the DMU zone are indicated in Table 3.7.

TABLE 3.7: DOWNTOWN MIXED USE ZONE ALLOWED USES	
Permitted Uses	Administrative Review and Conditionally Permitted Uses
<ul style="list-style-type: none"> * Antique shop * Art, modeling, music, and/or dance studio * Artist studios; art supply stores * Bed and breakfast inn * Business services * Clothing and costume stores * Commercial services * Communication services * Community social services * Eating and drinking places * Educational services * Finance, insurance, and real estate offices * Food and grocery stores * General merchandise and hardware store * Medical health care facility * Theater (i.e., motion picture or live) * Optical shop or optometrist * Personal services * Professional or medical offices * Specialty retail shops¹ * Residential dwellings² • Secondary Dwellings 	<p>Administrative Review:</p> <ul style="list-style-type: none"> * Public/quasi-public use (e.g., community center, school, fire station, library, church) <p>Conditionally Permitted:</p> <ul style="list-style-type: none"> * Commercial amusement or entertainment * Commercial retail or services greater than 40,000 square feet * Drive-through facilities (only north of Driftwood Drive) * Entertainment (i.e., nightclub and bar/lounge) * Furniture stores * Hospital * Reupholstery and furniture repair; antique refinishing * Convenience market * Shops selling age-restricted goods or providing age-restricted services
<p>* Any other retail, service, public/quasi-public, or residential uses that are similar in nature, function, and operations to the permitted, administrative review clearance, and conditionally permitted uses listed above.</p>	
<p>Notes:</p> <ol style="list-style-type: none"> 1. Specialty retail shops are defined as small retail stores with distinctive merchandise, often supplied locally or with a local theme, not including sale of age-restricted goods or providing age-restricted services. 2. Permits the same type of residential dwellings permitted in the RHD zone. 	

6.2 Residential Development Standards + Design Guidelines

6.2.1 Intent



Old Town Susan City has a traditional Downtown character, with small blocks and lots and a gridded street pattern.

Residential development standards and design guidelines focus on developing a traditional downtown setting that fosters community activities, social interaction, and a strong cohesive image for the Downtown Waterfront District. Design guidelines are intended to support a pedestrian-oriented design environment, where the fundamental intent is to reduce the impact of the automobile by encouraging narrower streets, smaller lots accessed by alleys and with opportunities for on-street parking and less off-street parking than allowed under conventional zoning standards. Old Town Susan City is an inspiration for new residential development in the WDSP, with its smaller blocks and lots, grid pattern of streets, diverse architectural styles, and variety of housing types and sizes.

6.2.2 Residential Development Standards



Building heights above the first two stories are encouraged to be stepped back to respect the heights of existing adjacent development.

Development standards for residential uses within the Planning Area are summarized in Table 6.1. Existing uses and structures in established residential neighborhoods that are not in compliance with some of the development standards and design guidelines in this chapter shall be allowed to continue, but subject to the standards for nonconforming uses and structures described in Chapter 7.5.

- New residential lots shall be the minimum lot sizes and setbacks indicated in Table 6.1, except porches, stoops, bay windows, balconies, and eaves and overhangs may encroach into setback areas, as indicated in the table below.

ENCROACHMENTS INTO SETBACKS

(i.e., porches, stoops, bay windows, balconies, and overhangs)

1. Front Setback	6' max, where applicable
2. Side Setback	3' max
3. Rear Setback	3' max, where applicable

- Building heights above the first two stories are encouraged to step back to respect the heights of existing adjacent development, particularly along Lotz Way.
- The height of a new development shall be limited to building heights, as measured from grade to the peak of the roof.
- Guesthouses and secondary dwelling units shall be subject to the land use and development standards in Table 6-1 and regulations in ~~Chapter 18.44-150~~ of the City's Zoning Code.



Secondary dwelling unit attached to the garage of a single-family home.

Chapter 18.31.01



Table 6.1: Residential Development Standards

Land Use District	Residential Low Density (RLD)	Residential Medium Density (RMD)	Residential High Density (RHD)	Historic Residential (HR)
A. LOT / SITE DESIGN				
1. Lot Coverage ¹	70% max	80% max	80% max	70% max
2. Density ²	4-10 du/gross ac (5-12 du/net ac)	10.1-20 du/gross ac (12.1-24 du/net ac)	20.1-45 du/gross ac (24.1-54 du/net ac)	5-15 du/gross ac (6-18 du/net ac)
3. Floor Area Ratio	N/A	N/A	N/A	N/A
4. Lot Area	3,000 sf min	1,500 sf min	N/A	2,500 sf min
5. Lot Width	40' min	25' min	none	40' min
6. Lot Depth	65' min	55' min	none	60' min
B. BUILDING PLACEMENT AND HEIGHT				
Primary Building Setback³				
1. Front Setback	7.5' min-20' max ⁴	5' min-15' max ⁴	0' min-15' max ⁴	10' min-15' max ⁴
2. Side Setback (street)	7.5' min-20' max	5' min-15' max	70% min ⁵	5' min-15' max
3. Side Setback (interior)	5' min (1-2 stories) 15' min (3 stories)	5' min (1-2 stories) for 1 side, 35' min for other side. In addition to any encroachment; 15' min (3 stories)	0' min-15' max	5' min (1-2 stories) 15' min (3 stories)
4. Rear Setback ⁶	5' min	5' min	5' min (1-2 stories) 15' min (3+ stories)	5' min
5. Height Limit	35' max	35' max	55' max	35' max
Secondary Dwelling Setback				
1. Front Setback	15' min or equal to primary building setback			
2. Side Setback (street)	10' min	10' min	10' min	10' min
3. Side Setback (interior)	0' min 4' min	0' min 4' min	0' min 4' min	0' min 4' min
4. Rear Setback	5' min	5' min	5' min	5' min
5. Height Limit ⁷	20' max	20' max	20' max	20' max

Notes:

du/ac = dwelling units per gross acre; min = minimum; max = maximum; sf = gross square feet

¹ Lot coverage includes primary buildings, accessory buildings, covered parking, and covered patios.

² Density bonuses or increases may be allowed for the provision of affordable housing and project amenities, such as day care facilities and additional open space, as addressed in the Subur City Zoning Code, Chapter 18.47 for residential density bonuses.

³ Yards and setback areas shall be landscaped in accordance with water-efficient landscaping standards addressed in Title 20 of the Subur City Zoning Code and in the State Model Water Efficient Landscape Ordinance (TMWELO), as applicable.

⁴ Front setbacks shall be consistent with the setbacks of adjacent buildings on the street. Garage shall be no closer than 18 feet from the back of the sidewalk.

⁵ Rear garage setback shall be a minimum of 3 feet from the rear property line.

⁶ A secondary dwelling shall not exceed ~~20 feet in height~~, except when attached to the primary unit, the maximum height shall be that established for the primary dwelling.

16 feet in height



DATE: 3/10/2020	Files: PC20-
TO: PLANNING COMMISSION	
FROM: Joann Martinez, Assistant Planner (707.421.7307, jmmartinez@suisun.com)	
RE: Proposed Accessory Dwelling Unit Ordinance	

Resolution No. PC 20-___: A Resolution of the City of Suisun City Planning Commission Recommending the City Council Adoption of an Ordinance of the City Council of the City of Suisun City, California, repealing and Replacing Section 18.30.170 of Title 18 of the Suisun City Code and Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units in Residential Properties.

SUMMARY

Planning Division staff is bringing forward a recommendation repealing and replacing Section 18.30.170 of the Suisun City Code; adding a definition of ‘Accessory Dwelling Unit’ under Section 18.04 and amending the Waterfront District Specific Plan relating to regulations for accessory dwelling units on residential properties. The State of California has passed multiple laws to increase housing, including Accessory Dwelling Units. The proposed changes are consistent with state law.

Recommendation: Planning staff recommends approval of Resolution PC20-___; A Resolution of the City of Suisun City Planning Commission Recommending City Council Adoption of an Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Section 18.30.170 of Title 18 of the Suisun City Code and Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units in Residential Properties.

Proposed Motion: I move that the Planning Commission approve Resolution PC20-___; A Resolution of the City of Suisun City Planning Commission Recommending City Council Adoption of an Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Section 18.30.170 of Title 18 of the Suisun City Code and Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units in Residential Properties.

BACKGROUND/DISCUSSION

The state legislature updated Accessory Dwelling Unit (ADU) law effective January 1, 2020 to clarify and improve various provisions in order to promote the development of ADUs and junior accessory dwelling units (JADUs). These include allowing ADUs and JADUs to be built concurrently with a single-family dwelling; opening areas where ADUs can be created to include all

zoning districts that allow single-family and multi-family uses; limited exemptions or reductions in impact fees; and reduced parking requirements. Staff held two informational workshops for the public one on May 1, 2019 and the other on June 8, 2019. Staff made a presentation to the Commission on February 25, 2020, updating them of the State mandated changes.

ANALYSIS

Staff is recommending the approval of the changes to the Zoning Ordinance and Specific Plan. A complete red-line of the proposed amendments to the ordinance is included as Attachment 1 and 2. Below is a high-level summary of the significant proposed amendments:

Junior Accessory Dwelling Unit (JADU)

JADUs are allowed to be created within the walls of a proposed or existing single-family residence and shall contain no more than 500 square feet. They may share central systems, contain a basic kitchen utilizing small plug-in appliances, and may share a bathroom with the primary dwelling, all to reduce development costs. JADUs present no additional stress on utility services or infrastructure because they simply repurpose existing space within the residence and do not expand the dwelling's planned occupancy.

Other

- Added a purpose to the Accessory Dwelling Unit section.
- ADUs are created through the conversion of a garage, carport or covered parking structure; replacement off-street parking spaces cannot be required.
- Reduces the maximum ADU and JADU application review time from 120 days to 60 days.
- Reduces the maximum size of ADU's to 1000 square feet from 1200 square feet.
- Section 18.31 Standards for Residential Districts, Table 18.31.01 Development Standards in Residential Zones, changed to meet minimum standards for rear and side setbacks to 4 feet.
- Requires accessory dwelling unit to be constructed on a permanent foundation.
- Added a rental section, stating that the rented unit shall not be leased for any period less than 30 days.
- Updated the Recordation of Deed restriction section legalizing the rental section.

Waterfront District Specific Plan

- Main Street Mixed Use (MSMU) table; added "secondary dwellings"
- Downtown Mixed Use (DMU); added "secondary dwellings"
- Changed wording in Section 6.2 at the bottom of the page from "Ch. 18.44.150" to "Ch. 18.31.01"
- Table 6.1 Secondary Dwelling – Side Setback; changed from 0' to 4'. Change the building maximum height from 20' to 16' and in the notes under #6.

Planning Commission Recommendation

It is recommended that the Planning Commission open the public hearing, take any public comments and approve Resolution PC20-___; A Resolution of the City of Suisun City Planning

Commission Recommending City Council Adoption of an Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Section 18.30.170 of Title 18 of the Suisun City Code and Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units in Residential Properties.

Next Steps

As stated previously, the Planning Commission is the recommending body for the subject ordinance. Since the ordinance and amendments are within Title 18 “Zoning,” the Planning Commission has the authority to make the recommendation to the City Council. Following Planning Commission action, the Solano County Airport Land Use Commission will conduct a meeting to determine the consistency of the proposed ordinance with the Travis Air Force Base Land Use Compatibility Plan before the ordinance ultimately goes to the City Council at a future public hearing for consideration.

PUBLIC CONTACT

The agenda was posted on the Suisun City website. As of the date of this report, no additional inquiries regarding this item had been received by City staff.

DISTRIBUTION

Internal

- PC Distribution
- City Manager Greg Folsom
- Senior Planner John Kearns
- Assistant Planner Joann Martinez

External

- City Website <https://www.suisun.com/planning-commission/>
- Workshops:
 - May 1st, 2019
 - June 8th, 2019

ATTACHMENTS

1. Resolution PC20-___; A Resolution of the City of Suisun City Planning Commission Recommending City Council Adoption of an Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Section 18.30.170 of Title 18 of the Suisun City Code and Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units in Residential Properties.
 - a. Exhibit A: Ordinance No. 2020-___; An Ordinance of the City Council of the City of Suisun City, California, Repealing and Replacing Section 18.30.170 of Title 18 of the Suisun City Code and Amending the Waterfront District Specific Plan, Relating to Regulations for Accessory Dwelling Units in Residential Properties. – (Draft, Redlines)
2. Waterfront District Specific Plan – Redlines
3. Power Point Presentation



Accessory Dwelling Units

March 10, 2020



Definitions

Accessory Dwelling Units (ADUs) have been 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.



Over the Garage



Garage Conversion



Stand-Alone Unit



Basement or Attic Conversion



New laws effective January 1, 2020

- Our code is currently out of compliance with State Law.
- The Legislature further updated ADU and JADU law effective January 1, 2020 to clarify and improve various provisions in order to promote the development of ADUs and junior accessory dwelling units (JADUs). These include allowing ADUs and JADUs to be built concurrently with a single-family dwelling, opening areas where ADUs can be created to include all zoning districts that allow single-family and multifamily uses, modifying fees from utilities such as special districts and water corporations, limited exemptions or reductions in impact fees, and reduced parking requirements.



Sections to be Amended

- 18.04 Definitions
- 18.30.170 Accessory Dwelling Units
- 18.31 Standards for Residential Districts - Table 18.31.01 Development Standards in Residential Zones
- Waterfront District Specific Plan
 - Table 3.5 Main Street Mixed Use Zone Allowed Uses
 - Table 3.7 Downtown Mixed Use Zone Allowed Uses
 - Section 6.2.2
 - Table 6.1 Residential Development Standards



Definitions

Amending Section 18.04

There currently doesn't exist a definition for Accessory Dwelling Units

Accessory Dwelling Unit:

An attached or a detached residential dwelling unit that provides complete, independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions in accordance to California state building code for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multi-family dwelling is or will be situated. An accessory dwelling unit also includes an efficiency unit and a manufactured home, but does not include trailers.



Definitions

Amending Section 18.04

Continued...

Accessory Dwelling Unit:

- a. Attached Accessory Dwelling Unit. An accessory dwelling unit that shares at least one common wall with the primary dwelling and is not fully contained within the existing space of the primary dwelling or an accessory structure.
- b. Detached Accessory Dwelling Unit. An accessory dwelling unit that does not share a common wall with the primary dwelling and is not fully contained within the existing space of an accessory structure.
- c. Internal Accessory Dwelling Unit. An accessory dwelling unit that is fully contained within the existing space of the primary dwelling or an accessory structure.
- d. Junior Accessory Dwelling Unit. A unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.



18.30.170

Accessory Dwelling Units

Added a purpose to the Accessory Dwelling Unit section.

ADUs are created through the conversion of a garage, carport or covered parking structure, replacement off-street parking spaces cannot be required.

Reduces the maximum ADU and JADU application review time from 120 days to 60 days.

Reduces the maximum size of ADU's to 1000 square feet from 1200 square feet.

Section 18.31 Standards for Residential Districts, Table 18.31.01 Development Standards in Residential Zones, changed to meet minimum standards for rear and side setbacks to 4 feet.

Requires accessory dwelling unit to be constructed on a permanent foundation.

Added a rental section, stating that the rented unit shall not be leased for any period less than 30 days.

Updated the Recordation of Deed restriction section legalizing the rental section.



Section 18.31

Table 18.31.01

Table 18.31.01 Development Standards in Residential Zones					
Development Standards	RL	RM	RH1	RH2	RMU
Lot Size					
Setback					
Accessory Dwelling Unit 7.					
New Construction, Conversion and Replacing 8. 10.					
Minimum Side Setback, interior	4	4	4	4	4
Minimum Side Setback, street	4	4	4	4	4
Minimum Rear Setback	4	4	4	4	4
Maximum Height of stand-alone unit	16	16	16	16	16
Maximum Floor Area 9.	Attached	1000 sq. ft.			
	Detached	1000 sq. ft.			
	Internal	50 percent of the existing primary dwelling.			
	Junior	500 sq. ft.			
Front	Must be in the rear 50% of the lot				
Building Separation	A minimum 5-foot distance shall be maintained between a detached accessory dwelling unit the primary building on the site. A detached accessory structure shall be set back from other structures on the site as required by the building code.				
Notes:					
7. For Junior Accessory Dwelling Units and Internal ADUs, no setbacks and height required, other than that of the primary dwelling.					
8. Conversion and replacing applies only to existing, permitted accessory dwelling units.					
9. The proposed increase in gross floor area of an attached or detached accessory dwelling unit shall not exceed 50 percent of the existing living area.					
10. Please refer to section 18.30.170 - H., I., J.”					
<ul style="list-style-type: none"> • H. An internal ADU may be constructed regardless of whether it conforms to the current zoning requirement for building separation or setbacks; • I. If an internal ADU is proposed to be constructed within an existing accessory structure, the city shall ministerially permit an expansion of the existing accessory structure by up to 150 square feet for the purpose of accommodating ingress and egress; • J. If an existing structure is demolished and replaced with an accessory dwelling unit, an accessory dwelling unit may be constructed in the same location and to the same dimensions as the demolished structure. 					



Waterfront District Specific Plan

Table 3.5 Main Street Mixed Use Zone Allowed Uses

Table 3.7 Downtown Mixed Use Zone Allowed Uses

Section 6.2.2

Table 6.1 Residential Development Standards



TABLE 3.5: MAIN STREET MIXED USE ZONE ALLOWED USES	
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<p>• Any other retail, service, or public/quasi-public uses that are similar in nature, function, and operations to the permitted, administrative review clearance, and conditionally permitted uses listed above.</p>	
<p>Notes:</p> <ol style="list-style-type: none"> 1. Where a "U" is denoted next to a particular use, that use is permitted on the upper floor(s) of a building. 2. Permits the same type of residential dwellings as the RHD zone. 3. Specialty retail shops are defined as small retail stores with distinctive, one-of-a-kind merchandise, often supplied locally, not including sale of age-restricted goods or providing age-restricted services. 	

B. Commercial/Office/Residential (C/O/R) Zone

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Generally, permitted and conditional uses allowed in this zone are the same as those specified in the MSMU zone, described above, and in



D. Downtown Mixed Use (DMU) Zone

This DMU zone is proposed as a new commercial mixed-use zone, intended to replace the General Commercial and Commercial Service zone designations that are proposed to be phased out in both the General Plan Update, adopted in 2015 and the Zoning Code Update, planned for adoption in 2016. This zone allows a mix of retail, commercial service, civic, office, and other complementary non-residential uses, as well as higher-density residential development. Allowed uses permitted within the DMU zone are indicated in Table 3.7.

TABLE 3.7: DOWNTOWN MIXED USE ZONE ALLOWED USES	
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<p>* Any other retail, service, public/quasi-public, or residential uses that are similar in nature, function, and operations to the permitted, administrative review clearance, and conditionally permitted uses listed above.</p>	
<p>Notes:</p> <ol style="list-style-type: none"> 1. Specialty retail shops are defined as small retail stores with distinctive merchandise, often supplied locally or with a local theme, not including sale of age-restricted goods or providing age-restricted services. 2. Permits the same type of residential dwellings permitted in the RHD zone. 	



6.2 Residential Development Standards + Design Guidelines

6.2.1 Intent



Old Town Suisun City has a traditional Downtown character, with small blocks and lots and a gridded street pattern.

Residential development standards and design guidelines focus on developing a traditional downtown setting that fosters community activities, social interaction, and a strong cohesive image for the Downtown Waterfront District. Design guidelines are intended to support a pedestrian-oriented design environment, where the fundamental intent is to reduce the impact of the automobile by encouraging narrower streets, smaller lots accessed by alleys and with opportunities for on-street parking and less off-street parking than allowed under conventional zoning standards. Old Town Suisun City is an inspiration for new residential development in the WDSP, with its smaller blocks and lots, grid pattern of streets, diverse architectural styles, and variety of housing types and sizes.

6.2.2 Residential Development Standards



Building heights above the first two stories are encouraged to be stepped back to respect the heights of existing adjacent development.

Development standards for residential uses within the Planning Area are summarized in Table 6.1. Existing uses and structures in established residential neighborhoods that are not in compliance with some of the development standards and design guidelines in this chapter shall be allowed to continue, but subject to the standards for nonconforming uses and structures described in Chapter 7.5.

- New residential lots shall be the minimum lot sizes and setbacks indicated in Table 6.1, except porches, stoops, bay windows, balconies, and eaves and overhangs may encroach into setback areas, as indicated in the table below.

ENCROACHMENTS INTO SETBACKS (I.e., porches, stoops, bay windows, balconies, and overhangs)	
1. Front Setback	6' max, where applicable
2. Side Setback	3' max
3. Rear Setback	3' max, where applicable

- Building heights above the first two stories are encouraged to step back to respect the heights of existing adjacent development, particularly along Lotz Way.
- The height of a new development shall be limited to building heights, as measured from grade to the peak of the roof.
- Guesthouses and secondary dwelling units shall be subject to the land use and development standards in Table 6-1 and regulations in Chapter 18.44.150 of the City's Zoning Code.



Secondary dwelling unit attached to the garage of a single-family home.



Table 6.1: Residential Development Standards

Land Use District	Residential Low Density (RLD)	Residential Medium Density (RMD)	Residential High Density (RHD)	Historic Residential (HR)
A. LOT / SITE DESIGN				
1. Lot Coverage ¹	70% max	80% max	80% max	70% max
2. Density ²	4-10 du/gross ac (5-12 du/net ac)	10.1-20 du/gross ac (12.1-24 du/net ac)	20.1-45 du/gross ac (24.1-54 du/net ac)	5-15 du/gross ac (6-18 du/net ac)
3. Floor Area Ratio	N/A	N/A	N/A	N/A
4. Lot Area	3,000 sf min	1,500 sf min	N/A	2,500 sf min
5. Lot Width	40' min	25' min	none	40' min
6. Lot Depth	65' min	55' min	none	60' min
B. BUILDING PLACEMENT AND HEIGHT				
Primary Building Setback³				
1. Front Setback	7.5' min-20' max ⁴	5' min-15' max ⁴	0' min-15' max ⁴	10' min-15' max ⁴
2. Side Setback (street)	7.5' min-20' max	5' min-15' max	70% min ⁵	5' min-15' max
3. Side Setback (interior)	5' min (1-2 stories) 15' min (3 stories)	5' min (1-2 stories) for 1 side, 3.5' min for other side in addition to any encroachment; 15' min (3 stories)	0' min-15' max	5' min (1-2 stories) 15' min (3 stories)
4. Rear Setback ⁵	5' min	5' min	5' min (1-2 stories) 15' min (3+ stories)	5' min
5. Height Limit	35' max	35' max	55' max	35' max
Secondary Dwelling Setback⁶				
1. Front Setback	15' min or equal to primary building setback			
2. Side Setback (street)	10' min	10' min	10' min	10' min
3. Side Setback (interior)	0' min 4' min	0' min 4' min	0' min 4' min	0' min 4' min
4. Rear Setback	5' min	5' min	5' min	5' min
5. Height Limit ⁴	20' max	20' max	20' max	20' max

Notes:

du/ac = dwelling units per gross acre; min = minimum; max = maximum; sf = gross square feet

¹ Lot coverage includes primary buildings, accessory buildings, covered parking, and covered patios.

² Density bonuses or increases may be allowed for the provision of affordable housing and project amenities, such as day care facilities and additional open space, as addressed in the Suisun City Zoning Code, Chapter 18.47 for residential density bonuses.

³ Yards and setback areas shall be landscaped in accordance with water-efficient landscaping standards, addressed in Title 20 of the Suisun City Zoning Code and in the State Model Water Efficient Landscape Ordinance (TMWEL), as applicable.

⁴ Front setbacks shall be consistent with the setbacks of adjacent buildings on the street. Garage shall be no closer than 18 feet from the back of the sidewalk.

⁵ Rear garage setback shall be a minimum of 3 feet from the rear property line.

⁶ A secondary dwelling shall not exceed ~~20 feet in height~~, except when attached to the primary unit, the maximum height shall be that established for the primary dwelling.

16 feet in height

**TABLE 3.5: MAIN STREET MIXED USE ZONE ALLOWED USES**

Permitted Uses ¹	Administrative Review and Conditionally Permitted Uses
<ul style="list-style-type: none"> • Art, modeling, music, and/or dance studio (U) • Artist studios; art supply stores • Bed and breakfast inn • Business services (U) • Commercial services • Communication services • Community social services • Eating and drinking places • Educational services • Finance, insurance, and real estate offices • General merchandise and hardware store • Movie theater • Optical shop or optometrist • Personal services • Professional or medical offices (U) • Specialty retail shops² • Secondary Dwellings 	<p>Administrative Review:</p> <ul style="list-style-type: none"> • Food and grocery stores • Medical health care facility • Public/quasi-public use (e.g., community center, school, fire station, library, church) <p>Conditionally Permitted:</p> <ul style="list-style-type: none"> • Commercial amusement or entertainment • Drive-through facilities (only north of Driftwood Drive) • Entertainment (i.e., nightclub and bar/lounge) • Furniture stores • Upholstery and furniture repair; antique refinishing • Residential dwellings² • Convenience market • Shops selling age-restricted goods or providing age-restricted services
<p>• Any other retail, service, or public/quasi-public uses that are similar in nature, function, and operations to the permitted, administrative review clearance, and conditionally permitted uses listed above.</p>	
<p>Notes:</p> <ol style="list-style-type: none"> 1. Where a "U" is denoted next to a particular use, that use is permitted on the upper floor(s) of a building. 2. Permits the same type of residential dwellings as the RHD zone. 3. Specialty retail shops are defined as small retail stores with distinctive, one-of-a-kind merchandise, often supplied locally, not including sale of age-restricted goods or providing age-restricted services. 	

B. Commercial/Office/Residential (C/O/R) Zone

The C/O/R zone is envisioned to be developed with a mix of uses, including business/professional offices, retail commercial, dining, and entertainment uses. Offices and a hotel have already been established in this zone. Residential uses are also permitted to be developed as a "stand alone" development or as an integrated part of a commercial/office development (e.g., on upper floors over ground floor commercial uses). Because of the unique character of the site and its strategic location, any proposed uses and development for all or any portion of the site must be approved through the Planned Unit Development process, as described in Chapter 7 of this Specific Plan.

Generally, permitted and conditional uses allowed in this zone are the same as those specified in the MSMU zone, described above, and in

D. Downtown Mixed Use (DMU) Zone

This DMU zone is proposed as a new commercial mixed-use zone, intended to replace the General Commercial and Commercial Service zone designations that are proposed to be phased out in both the General Plan Update, adopted in 2015 and the Zoning Code Update, planned for adoption in 2016. This zone allows a mix of retail, commercial service, civic, office, and other complementary non-residential uses, as well as higher-density residential development. Allowed uses permitted within the DMU zone are indicated in Table 3.7.

TABLE 3.7: DOWNTOWN MIXED USE ZONE ALLOWED USES	
Permitted Uses	Administrative Review and Conditionally Permitted Uses
<ul style="list-style-type: none"> * Antique shop * Art, modeling, music, and/or dance studio * Artist studios; art supply stores * Bed and breakfast inn * Business services * Clothing and costume stores * Commercial services * Communication services * Community social services * Eating and drinking places * Educational services * Finance, insurance, and real estate offices * Food and grocery stores * General merchandise and hardware store * Medical health care facility * Theater (i.e., motion picture or live) * Optical shop or optometrist * Personal services * Professional or medical offices * Specialty retail shops¹ * Residential dwellings² • Secondary Dwellings 	<p>Administrative Review:</p> <ul style="list-style-type: none"> * Public/quasi-public use (e.g., community center, school, fire station, library, church) <p>Conditionally Permitted:</p> <ul style="list-style-type: none"> * Commercial amusement or entertainment * Commercial retail or services greater than 40,000 square feet * Drive-through facilities (only north of Driftwood Drive) * Entertainment (i.e., nightclub and bar/lounge) * Furniture stores * Hospital * Reupholstery and furniture repair; antique refinishing * Convenience market * Shops selling age-restricted goods or providing age-restricted services
<p>* Any other retail, service, public/quasi-public, or residential uses that are similar in nature, function, and operations to the permitted, administrative review clearance, and conditionally permitted uses listed above.</p>	
<p>Notes:</p> <ol style="list-style-type: none"> 1. Specialty retail shops are defined as small retail stores with distinctive merchandise, often supplied locally or with a local theme, not including sale of age-restricted goods or providing age-restricted services. 2. Permits the same type of residential dwellings permitted in the RHD zone. 	

6.2 Residential Development Standards + Design Guidelines

6.2.1 Intent



Old Town Susan City has a traditional Downtown character, with small blocks and lots and a gridded street pattern.

Residential development standards and design guidelines focus on developing a traditional downtown setting that fosters community activities, social interaction, and a strong cohesive image for the Downtown Waterfront District. Design guidelines are intended to support a pedestrian-oriented design environment, where the fundamental intent is to reduce the impact of the automobile by encouraging narrower streets, smaller lots accessed by alleys and with opportunities for on-street parking and less off-street parking than allowed under conventional zoning standards. Old Town Susan City is an inspiration for new residential development in the WDSP, with its smaller blocks and lots, grid pattern of streets, diverse architectural styles, and variety of housing types and sizes.

6.2.2 Residential Development Standards



Building heights above the first two stories are encouraged to be stepped back to respect the heights of existing adjacent development.

Development standards for residential uses within the Planning Area are summarized in Table 6.1. Existing uses and structures in established residential neighborhoods that are not in compliance with some of the development standards and design guidelines in this chapter shall be allowed to continue, but subject to the standards for nonconforming uses and structures described in Chapter 7.5.

- New residential lots shall be the minimum lot sizes and setbacks indicated in Table 6.1, except porches, stoops, bay windows, balconies, and eaves and overhangs may encroach into setback areas, as indicated in the table below.

ENCROACHMENTS INTO SETBACKS

(i.e., porches, stoops, bay windows, balconies, and overhangs)

1. Front Setback	6' max, where applicable
2. Side Setback	3' max
3. Rear Setback	3' max, where applicable



Secondary dwelling unit attached to the garage of a single-family home.

- Building heights above the first two stories are encouraged to step back to respect the heights of existing adjacent development, particularly along Lotz Way.
- The height of a new development shall be limited to building heights, as measured from grade to the peak of the roof.
- Guesthouses and secondary dwelling units shall be subject to the land use and development standards in Table 6-1 and regulations in ~~Chapter 18.44-150~~ of the City's Zoning Code.

Chapter 18.31.01



Table 6.1: Residential Development Standards

Land Use District	Residential Low Density (RLD)	Residential Medium Density (RMD)	Residential High Density (RHD)	Historic Residential (HR)
A. LOT / SITE DESIGN				
1. Lot Coverage ¹	70% max	80% max	80% max	70% max
2. Density ²	4-10 du/gross ac (5-12 du/net ac)	10.1-20 du/gross ac (12.1-24 du/net ac)	20.1-45 du/gross ac (24.1-54 du/net ac)	5-15 du/gross ac (6-18 du/net ac)
3. Floor Area Ratio	N/A	N/A	N/A	N/A
4. Lot Area	3,000 sf min	1,500 sf min	N/A	2,500 sf min
5. Lot Width	40' min	25' min	none	40' min
6. Lot Depth	65' min	55' min	none	60' min
B. BUILDING PLACEMENT AND HEIGHT				
Primary Building Setback³				
1. Front Setback	7.5' min-20' max ⁴	5' min-15' max ⁴	0' min-15' max ⁴	10' min-15' max ⁴
2. Side Setback (street)	7.5' min-20' max	5' min-15' max	70% min ⁵	5' min-15' max
3. Side Setback (interior)	5' min (1-2 stories) 15' min (3 stories)	5' min (1-2 stories) for 1 side, 3.5' min for other side. In addition to any encroachment; 15' min (3 stories)	0' min-15' max	5' min (1-2 stories) 15' min (3 stories)
4. Rear Setback ⁶	5' min	5' min	5' min (1-2 stories) 15' min (3+ stories)	5' min
5. Height Limit	35' max	35' max	55' max	35' max
Secondary Dwelling Setback				
1. Front Setback	15' min or equal to primary building setback			
2. Side Setback (street)	10' min	10' min	10' min	10' min
3. Side Setback (interior)	0' min 4' min	0' min 4' min	0' min 4' min	0' min 4' min
4. Rear Setback	5' min	5' min	5' min	5' min
5. Height Limit ⁷	20' max	20' max	20' max	20' max

Notes:

du/ac = dwelling units per gross acre; min = minimum; max = maximum; sf = gross square feet

¹ Lot coverage includes primary buildings, accessory buildings, covered parking, and covered patios.

² Density bonuses or increases may be allowed for the provision of affordable housing and project amenities, such as day care facilities and additional open space, as addressed in the Subur City Zoning Code, Chapter 18.47 for residential density bonuses.

³ Yards and setback areas shall be landscaped in accordance with water-efficient landscaping standards addressed in Title 20 of the Subur City Zoning Code and in the State Model Water Efficient Landscape Ordinance (TMWELO), as applicable.

⁴ Front setbacks shall be consistent with the setbacks of adjacent buildings on the street. Garage shall be no closer than 18 feet from the back of the sidewalk.

⁵ Rear garage setback shall be a minimum of 3 feet from the rear property line.

⁶ A secondary dwelling shall not exceed ~~20 feet in height~~, except when attached to the primary unit, the maximum height shall be that established for the primary dwelling.

16 feet in height

1 **ORDINANCE NO.**

2 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY,**
3 **CALIFORNIA, REPEALING AND REPLACING SECTION 18.30.170 OF TITLE 18**
4 **OF THE SUISUN CITY CODE AND AMENDING THE WATERFRONT DISTRICT**
5 **SPECIFIC PLAN, RELATING TO REGULATIONS FOR ACCESSORY DWELLING**
6 **UNITS IN RESIDENTIAL PROPERTIES**

7 **18.04 Definitions**
8 Amending 18.04 Definitions

9 Accessory Dwelling Unit. An attached or a detached residential dwelling unit that provides
10 complete, independent living facilities for one or more persons and is located on a lot with a
11 proposed or existing primary residence. It shall include permanent provisions in accordance to
12 California state building code for living, sleeping, eating, cooking, and sanitation on the same
13 parcel as the single-family or multi-family dwelling is or will be situated. An accessory
14 dwelling unit also includes an efficiency unit and a manufactured home, but does not include
15 trailers.

- 16 a. Attached Accessory Dwelling Unit. An accessory dwelling unit that shares at least one
17 common wall with the primary dwelling and is not fully contained within the existing
18 space of the primary dwelling or an accessory structure.
19 b. Detached Accessory Dwelling Unit. An accessory dwelling unit that does not share a
20 common wall with the primary dwelling and is not fully contained within the existing
21 space of an accessory structure.
22 c. Internal Accessory Dwelling Unit. An accessory dwelling unit that is fully contained
23 within the existing space of the primary dwelling or an accessory structure.
24 d. Junior Accessory Dwelling Unit. A unit that is no more than 500 square feet in size and
25 contained entirely within a single-family residence. A junior accessory dwelling unit
26 may include separate sanitation facilities or may share sanitation facilities with the
27 existing structure.

28 **18.30.170 Accessory Dwelling Units**

Purpose. This section is intended to achieve the goals of the C53

ity's housing element and of the California Government Code by permitting accessory
dwelling units, thereby increasing housing opportunities for the community through use of
existing housing resources and infrastructure.

The following regulations shall apply to all accessory dwelling units in a residential zoning district:

~~A. Ministerial consideration~~

- ~~1. New Construction. If the director of development services receives an application to~~
~~construct an accessory dwelling unit (by either adding on to an existing structure, or~~
~~constructing a new detached structure), and the proposal meets all of the requirements~~
~~of the Municipal Code, then within 120 days of receipt of a complete application for~~
~~the accessory dwelling unit, the director of development services shall ministerially~~

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~~approve the application without a hearing.~~

~~2. No Expansion. If the applicant will not be adding floor area, and instead has submitted a complete application for an accessory dwelling unit entirely within the existing space of a single family residence or accessory structure, then the director shall, without a hearing, ministerially approve a complete application for a building permit to create an accessory dwelling unit if all of the following apply:~~

- ~~a. The unit is contained entirely within the existing space of a single family residence or accessory structure (without adding floor area to the existing residence or accessory structure).~~
- ~~b. The unit is on a lot zoned R-M (Medium Density Residential), R-H1 or RH2 (High Density Residential).~~
- ~~c. There will be only one accessory dwelling unit on the lot.~~
- ~~d. The unit has independent exterior access from the existing residence.~~
- ~~e. The side and rear setbacks are sufficient for fire safety as determined by the Fire Marshal.~~
- ~~f. Fire sprinklers are provided to the same extent that they are required for the primary residence.~~

~~B.A. An accessory dwelling unit may be established on any residentially zoned parcels, in any district where single-family or multi-family dwellings are a permitted use; and on any lot with an existing or proposed single-family or multi-family dwelling which permits single-family dwellings containing an existing single-family dwelling.~~

~~C.B. Accessory dwelling units shall not exceed the allowable density for the lot upon which the accessory dwelling unit is located.~~

~~C. Accessory dwelling units are a residential use that shall be consistent with the existing general plan and zoning designation for the lot.~~

~~D. There will be only up to one accessory dwelling unit and one junior accessory dwelling unit per lot.~~

~~D. An applicant must be both an owner and the current resident of the property for which an accessory dwelling unit is proposed.~~

E. The accessory dwelling unit can either be attached to and designed to be located within the living area of the existing dwelling or detached from and no less than ~~ten~~ 5 feet from the existing single family dwelling, ~~and such unit shall be architecturally integrated into the existing building design.~~

F. The proposed increase in gross floor area of an attached or detached accessory dwelling unit shall not exceed 50 percent of the existing living area up to a maximum of ~~twelve hundred~~ 1000 square feet.

G. ~~A~~ Detached accessory dwelling units shall be located no closer than ~~five~~ 4 feet from any side or rear property lines, be on the rear 50% of the lot ~~and must meet the requirements of Section 18.31 Standards for Residential Districts, Table 18.31.01 Development Standards in Residential Zones.~~

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1 H. An internal ADU may be constructed regardless of whether it conforms to the current zoning requirement for building separation or setbacks.

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2 ~~G.I.~~ If an internal ADU is proposed to be constructed within an existing accessory structure, the city shall ministerially permit an expansion of the existing accessory structure by up to 150 square feet for the purpose of accommodating ingress and egress.

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4 ~~H.J.~~ If an existing structure is demolished and replaced with an accessory dwelling unit, an accessory dwelling unit may be constructed in the same location and to the same dimensions as the demolished structure.

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6 ~~K.~~ The accessory dwelling unit shall be architecturally integrated into the existing building design.

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8 ~~L.~~ Foundation. An accessory dwelling unit shall be constructed on a permanent foundation.

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9 ~~4-M.~~ The accessory dwelling unit shall not be placed on top of any easements.

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10 ~~I.~~ As part of any such building permit application, the applicant shall submit a copy of the deed to the property including a full and complete set of any conditions, covenants and restrictions.

11 ~~J.N.~~ Connection Fees. A local agency is prohibited from requiring a new or separate utility connection for an accessory dwelling unit if contained within the existing space of a single-family residence or accessory structure (in accordance with Government Code Section 65852.2(f)).

12
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14 O. Parking

15 a. Maximum of one space per unit or one space per bedroom. Tandem parking on an existing driveway is allowed, which may be within setback areas.

16 b. No additional parking for accessory dwelling units can be required when:

17 a. An accessory dwelling unit is located:

- 18 1. Within one-half mile walking distance of public transit;
- 19 2. Within an architecturally and historically significant historic district;
- 20 3. Within an existing primary residence or an existing accessory structure;
- 21 4. Within an area where off-street parking is required, but no permit is offered to the occupant of the accessory dwelling unit;
- 22 5. Within one block of a car share vehicle.

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25 c. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, replacement parking stalls are not required for the demolished parking structure.

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27 P. Rental

28 a. An accessory dwelling unit may be rented but shall not be sold or otherwise

conveyed separately from the primary dwelling.

b. The rented unit shall not be leased for any period less than 30 days.

Q. Recordation of Deed Restriction: An executed deed restriction, on a form provided by the city, shall be submitted to the city prior to issuance of a building permit and shall be recorded prior to final occupancy. The deed restriction shall stipulate all of the following:

a. That the rented unit shall not be rented for any period less than 30 days at a time; and

b. That the accessory dwelling shall not be sold separately from the primary dwelling.

c. For junior accessory dwelling units, restrictions on size and attributes in conformance with this section.

~~Maximum of one space per unit or one space per bedroom. Tandem parking on an existing driveway is allowed, which may be within setback areas.~~

~~No additional parking for accessory dwelling units can be required when:~~

~~An accessory dwelling unit is located:~~

~~Within one half mile of public transit;~~

~~Within an architecturally and historically significant historic district;~~

~~Within an existing primary residence or an existing accessory structure;~~

~~On street parking permits are required but not offered to the occupant of the accessory dwelling unit; or~~

~~There is a car share vehicle located within one block of the accessory dwelling unit.~~

R. Ministerial consideration

1. New Construction. If the Development Services Department receives an application to construct an accessory dwelling unit (by either adding on to an existing structure, or constructing a new detached structure), and the proposal meets all of the requirements of the Municipal Code as determined by Section 18.30.170 Accessory Dwelling Units, then within 60 days of receipt of a complete application for the accessory dwelling unit, the Development Services Department staff shall ministerially approve the application without a hearing.

2. No Expansion. If the applicant will not be adding floor area, and instead has submitted a complete application for an accessory dwelling unit entirely within the existing space of a single-family residence or accessory structure, then the director shall, without a hearing, ministerially approve a complete application for a building permit to create an accessory dwelling unit if all of the following apply:

a. The unit is contained entirely within the existing space of a single-family residence

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or accessory structure (without adding floor area to the existing residence or accessory structure) and doesn't exceed 50 percent of the existing primary dwelling.

b. The unit is in any district where single-family or multi-family dwellings are a permitted use.

c. On any lot with an existing or proposed single-family or multi-family dwelling.

d. The unit has independent exterior access from the existing residence.

~~5-e.~~ Fire sprinklers are provided to the same extent that they are required for the primary residence.

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18.31 Standards for Residential Districts

Amend Section 18.31 Standards for Residential Districts

Table 18.31.01 Development Standards in Residential Zones					
Development Standards	RL	RM	RH1	RH2	RMU
Lot Size					
Setback					
Accessory Dwelling Unit 7.					
New Construction, Conversion and Replacing 8. 10.					
Minimum Side Setback, interior	4	4	4	4	4
Minimum Side Setback, street	4	4	4	4	4
Minimum Rear Setback	4	4	4	4	4
Maximum Height of stand-alone unit	16	16	16	16	16

1	Maximum	Attached	1000 sq. ft.
2	Floor Area 9.	Detached	1000 sq. ft.
3		Internal	50 percent of the existing primary dwelling.
4		Junior	500 sq. ft.
5	Front	Must be in the rear 50% of the lot	
6	Building Separation	A minimum 5-foot distance shall be maintained between a detached	
7		accessory dwelling unit the primary building on the site. A detached	
8		accessory structure shall be set back from other structures on the site as	
9		required by the building code.	

Commented [JMM1]: Where did you get this from? I couldn't find a state law that says 4ft between adu and primary building. I only saw 4ft for side and rear setbacks.

Commented [JMM2R1]: You are correct - I believe 5 feet is OK here

Notes:

7. For Junior Accessory Dwelling Units and Internal ADUs, no setbacks and height required, other than that of the primary dwelling.

8. Conversion and replacing applies only to existing, permitted accessory dwelling units.

9. The proposed increase in gross floor area of an attached or detached accessory dwelling unit shall not exceed 50 percent of the existing living area.

10. Please refer to section 18.30.170 - H., I., J.”

- **H.** An internal ADU may be constructed regardless of whether it conforms to the current zoning requirement for building separation or setbacks;
- **I.** If an internal ADU is proposed to be constructed within an existing accessory structure, the city shall ministerially permit an expansion of the existing accessory structure by up to 150 square feet for the purpose of accommodating ingress and egress;
- **J.** If an existing structure is demolished and replaced with an accessory dwelling unit, an accessory dwelling unit may be constructed in the same location and to the same dimensions as the demolished structure.

~~a. Maximum of one space per unit or one space per bedroom. Tandem parking on an existing driveway is allowed, which may be within setback areas.~~

~~b. a. No additional parking for accessory dwelling units can be required when:~~

~~a. An accessory dwelling unit is located:~~

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~~1. Within one-half mile of public transit;~~

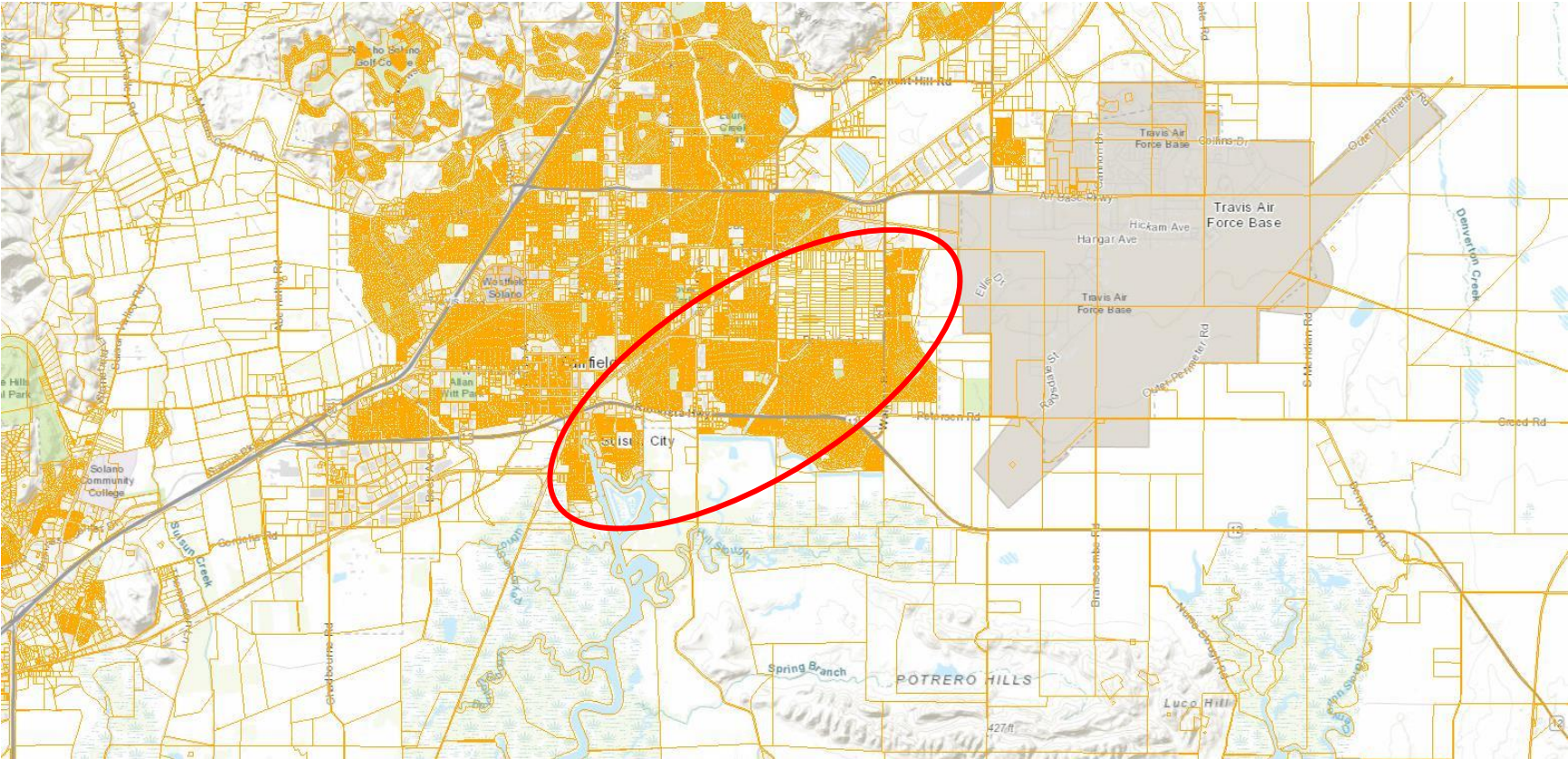
~~2.1 Within an architecturally and historically significant historic district;~~

~~3.1 Within an existing primary residence or an existing accessory structure;~~

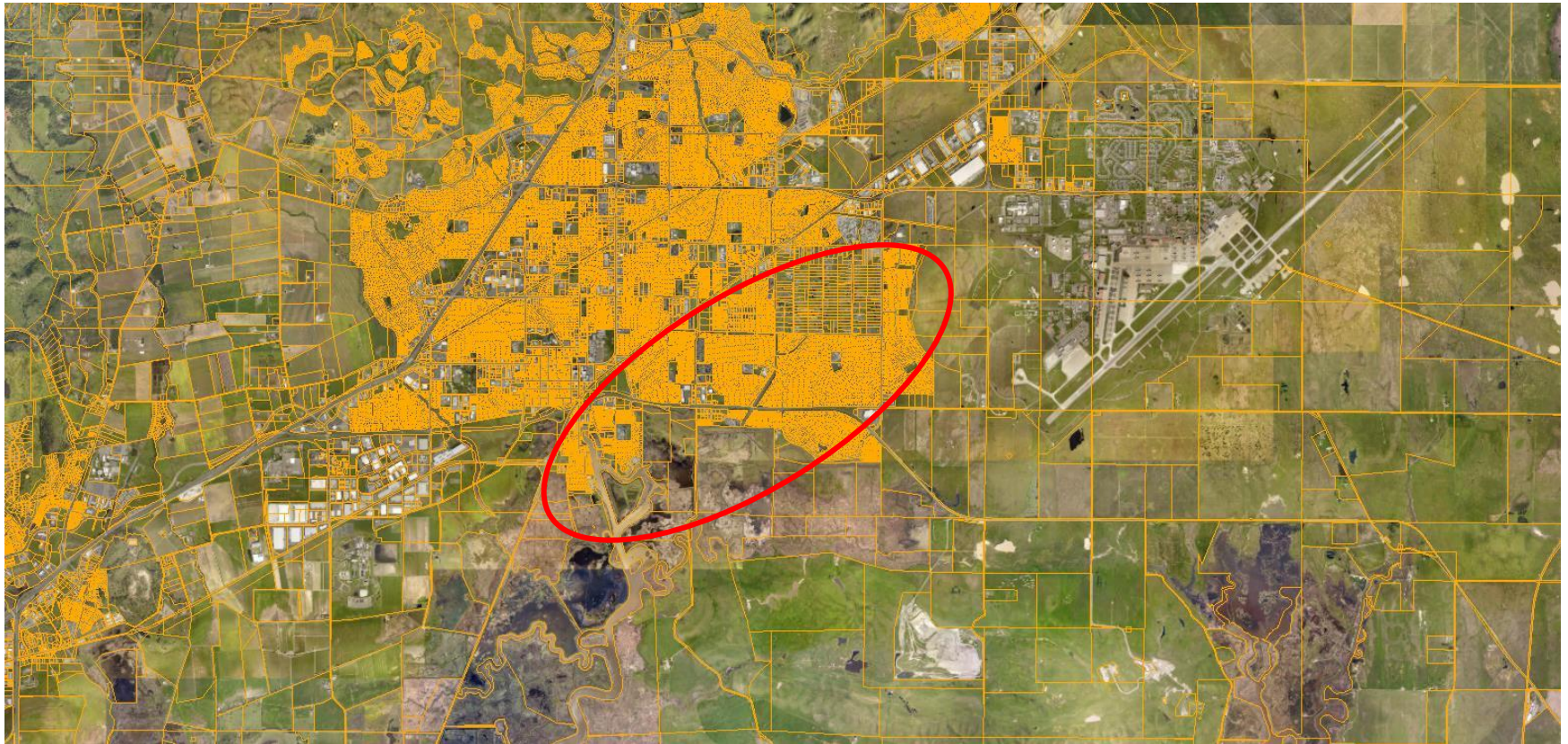
~~b.a. On-street parking permits are required but not offered to the occupant of the accessory dwelling unit; or~~

~~c.a. There is a car share vehicle located within one block of the accessory dwelling unit.~~

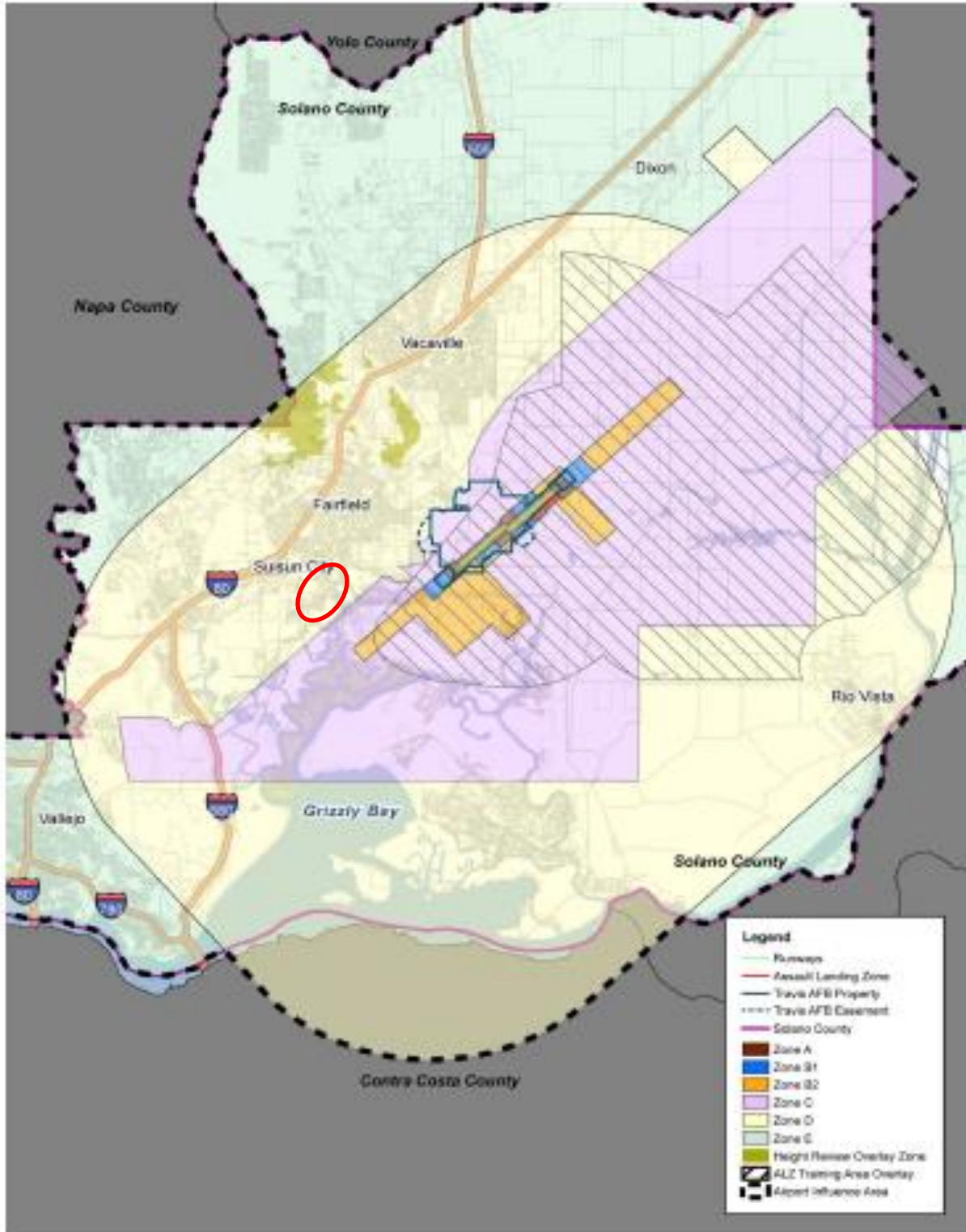
Attachment D: Vicinity Map



Attachment E: Aerial Map



Attachment F: Travis AFB LUCP Context Map



**SOLANO COUNTY AIRPORT LAND USE COMMISSION
RESOLUTION NO. 20-___**

**RESOLUTION REGARDING CONSISTENCY WITH
AIRPORT LAND USE COMPATIBILITY PLANS**

(Waterfront District Specific Plan City and the Accessory Dwelling Unit Zoning Regulations)

WHEREAS, pursuant to California Public Utilities Code section 21675 the Solano County Airport Land Use Commission (“**Commission**”) has the responsibility to prepare and adopt airport land use plans for any public and military airports within Solano County and to amend any such adopted plan as necessary; and

WHEREAS, pursuant to such authority, the Commission has adopted airport land use compatibility plans for Travis Air Force Base, Rio Vista Municipal Airport, and the Nut Tree Airport, and the Solano County Airport Land Use Compatibility Review Procedures (the “**Compatibility Plans**”); and

WHEREAS, in enacting the sections within the State Aeronautics Act (the “**Act**”) that provide for airport land use commissions, the California Legislature has declared that the purposes of the legislation include: (1) to provide for the orderly development of each public use airport in this state; (2) to provide for the orderly development of the area surrounding these airports so as to promote the overall goals and objectives of the California airport noise standards; (3) to provide for the orderly development of the area surrounding these airports so as to prevent the creation of new noise and safety problems; (4) to protect the public health, safety, and welfare by ensuring the orderly expansion of airports; and (5) to protect the public health, safety, and welfare by the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses (Pub. Util. Code, § 21670, subd. (a)); and

WHEREAS, the Act provides that an airport land use commission's powers and duties include: (a) to assist local agencies in ensuring compatible land uses in the vicinity of all new airports and in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses; (b) to coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare; (c) to prepare and adopt an airport land use compatibility plan pursuant to Public Utilities Code section 21675; and (d) to review the plans, regulations, and other actions of local agencies and airport operators pursuant to Public Utilities Code section 21676 (Pub. Util. Code, § 21674); and

WHEREAS, the Act provides that the purpose of compatibility plans is to provide for the orderly growth of the airports and the area surrounding the airports, and to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general (Pub. Util. Code, § 21675, subd. (a)); and

WHEREAS, Public Utilities Code section 21675, subdivision (a), authorizes the Commission, in formulating a compatibility plan, to develop height restrictions on buildings, specify the use of land, and determine building standards, including sound-proofing adjacent to airports; and

WHEREAS, Public Utilities Code section 21675, subdivision (b), directs the Commission to prepare a compatibility plan for areas surrounding military airports, and the Legislature's intent in enacting subdivision (b) was to protect the continued viability of military installations in California, to protect the operations of military airports from encroachment by development, and to encourage land use policies that reflect the contributions military bases make to their communities, as well as their vital importance in the state's economy and in the defense of our nation; and

WHEREAS, pursuant to such authorities, the Compatibility Plans set forth criteria to be applied by the Commission when evaluating local land use plans and specific development proposals; and

WHEREAS, Public Utilities Code section 21676, subdivision (b), requires that prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the Commission, local agencies within Solano County are required to first refer the proposed action to the Commission for a consistency determination; and

WHEREAS, the City of Suisun City ("**Local Agency**") is considering approving the following project (**Waterfront District Specific Plan City and the Accessory Dwelling Unit Zoning Regulations Project**), as set forth in greater detail in the Staff Report and its Attachments concerning "Item XX" of the Commission's May 14, 2020 Regular Meeting ("**Staff Report**"):
"Public Hearing to consider the consistency of ALUC-2020-05, the Waterfront District Specific Plan City and the Accessory Dwelling Unit Zoning Regulations Project, with the Travis Air Force Base Land Use Compatibility Plan (Travis Plan Plan) and

WHEREAS, the Commission has duly considered the Project, at a noticed public meeting, in order to ensure consistency of the Project with the Compatibility Plans.

RESOLVED, that after due consideration and based upon the administrative record, the Commission does adopt and incorporate by this reference as its findings and determinations the analysis, conclusions, and recommended findings of the Staff Report.

RESOLVED, that after due consideration and based upon the administrative record, the Commission does find and determine that the Project is consistent with the provisions of the Travis Air Force Base Land Use Compatibility Plan.

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RESOLVED, that after adoption of this Resolution Staff is authorized to correct any clerical errors in this Resolution or the Staff Report.

I certify that the foregoing resolution was adopted at a regular meeting of the Solano County Airport Land Use Commission on May 14, 2020, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

By _____
Thomas Randall, Chairman
Solano County Airport Land Use Commission

Attest:

By: _____
Bill Emlen, Clerk to the Commission