

## 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			
<b>II. DESCRIPTION OF PROJECT (CONT'D)</b>			
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: <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> JURISDICTION REFERRAL LETTER:</li> <li><input type="checkbox"/> ENVIRONMENTAL DOCUMENTATION:</li> <li><input type="checkbox"/> LOCATION MAP:</li> <li><input type="checkbox"/> ASSESSOR'S PARCEL MAP, with subject property marked in red:</li> <li><input type="checkbox"/> SITE PLAN, drawn to scale and fully dimensioned including topographical information, and 8 1/2 x 11 inch reduction(s):</li> <li><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) :</li> <li><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.</li> <li><input checked="" type="checkbox"/> SUPPLEMENTAL INFORMATION:</li> <li><input checked="" type="checkbox"/> FEES:</li> <li><input checked="" type="checkbox"/> ELECTRONIC COPIES OF ALL APPLICATION MATERIALS ON A CD:</li> </ul>			
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">               APPLICANT SIGNATURE:                 X  </td> <td style="width: 50%; border: none;">               DATE:                 4.24.2020             </td> </tr> </table>		APPLICANT SIGNATURE:  X 	DATE:  4.24.2020
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

**ORDINANCE NO.**

**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**

**18.04 Definitions**

Amending 18.04 Definitions

**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.

- 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**

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

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.
- 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 5 feet from the existing single family dwelling.
- 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 1000 square feet.
- G. Accessory dwelling units shall be located no closer than 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.
- 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.
- K. The accessory dwelling unit shall be architecturally integrated into the existing building design.
- L. Foundation. An accessory dwelling unit shall be constructed on a permanent foundation.
- M. The accessory dwelling unit shall not be placed on top of any easements.
- 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)).
- O. Parking
  - 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;

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
<b>Lot Size</b>					
<b>Setback</b>					
<b>Accessory Dwelling Unit 7.</b>					
<b>New Construction, Conversion and Replacing 8. 10.</b>					
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.”

- 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 <sup>1</sup>	Administrative Review and Conditionally Permitted Uses
<ul style="list-style-type: none"> <li>• Art, modeling, music, and/or dance studio (U)</li> <li>• Artist studios; art supply stores</li> <li>• Bed and breakfast inn</li> <li>• Business services (U)</li> <li>• Commercial services</li> <li>• Communication services</li> <li>• Community social services</li> <li>• Eating and drinking places</li> <li>• Educational services</li> <li>• Finance, insurance, and real estate offices</li> <li>• General merchandise and hardware store</li> <li>• Movie theater</li> <li>• Optical shop or optometrist</li> <li>• Personal services</li> <li>• Professional or medical offices (U)</li> <li>• Specialty retail shops<sup>2</sup> • Secondary Dwellings</li> </ul>	<p>Administrative Review:</p> <ul style="list-style-type: none"> <li>• Food and grocery stores</li> <li>• Medical health care facility</li> <li>• Public/quasi-public use (e.g., community center, school, fire station, library, church)</li> </ul> <p>Conditionally Permitted:</p> <ul style="list-style-type: none"> <li>• Commercial amusement or entertainment</li> <li>• Drive-through facilities (only north of Driftwood Drive)</li> <li>• Entertainment (i.e., nightclub and bar/lounge)</li> <li>• Furniture stores</li> <li>• Reupholstery and furniture repair; antique refinishing</li> <li>• Residential dwellings<sup>3</sup></li> <li>• Convenience market</li> <li>• Shops selling age-restricted goods or providing age-restricted services</li> </ul>
<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><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Where a "U" is denoted next to a particular use, that use is permitted on the upper floor(s) of a building.</li> <li>2. Permits the same type of residential dwellings as the RHD zone.</li> <li>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.</li> </ol>	

**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.

<b>TABLE 3.7: DOWNTOWN MIXED USE ZONE ALLOWED USES</b>	
<b>Permitted Uses</b>	<b>Administrative Review and Conditionally Permitted Uses</b>
<ul style="list-style-type: none"> <li>* Antique shop</li> <li>* Art, modeling, music, and/or dance studio</li> <li>* Artist studios; art supply stores</li> <li>* Bed and breakfast inn</li> <li>* Business services</li> <li>* Clothing and costume stores</li> <li>* Commercial services</li> <li>* Communication services</li> <li>* Community social services</li> <li>* Eating and drinking places</li> <li>* Educational services</li> <li>* Finance, insurance, and real estate offices</li> <li>* Food and grocery stores</li> <li>* General merchandise and hardware store</li> <li>* Medical health care facility</li> <li>* Theater (i.e., motion picture or live)</li> <li>* Optical shop or optometrist</li> <li>* Personal services</li> <li>* Professional or medical offices</li> <li>* Specialty retail shops<sup>1</sup></li> <li>* Residential dwellings<sup>2</sup> • <b>Secondary Dwellings</b></li> </ul>	<p><b>Administrative Review:</b></p> <ul style="list-style-type: none"> <li>* Public/quasi-public use (e.g., community center, school, fire station, library, church)</li> </ul> <p><b>Conditionally Permitted:</b></p> <ul style="list-style-type: none"> <li>* Commercial amusement or entertainment</li> <li>* Commercial retail or services greater than 40,000 square feet</li> <li>* Drive-through facilities (only north of Driftwood Drive)</li> <li>* Entertainment (i.e., nightclub and bar/lounge)</li> <li>* Furniture stores</li> <li>* Hospital</li> <li>* Reupholstery and furniture repair; antique refinishing</li> <li>* Convenience market</li> <li>* Shops selling age-restricted goods or providing age-restricted services</li> </ul>
<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><b>Notes:</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Permits the same type of residential dwellings permitted in the RHD zone.</li> </ol>	

## 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)
<b>A. LOT / SITE DESIGN</b>				
1. Lot Coverage <sup>1</sup>	70% max	80% max	80% max	70% max
2. Density <sup>2</sup>	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>B. BUILDING PLACEMENT AND HEIGHT</b>				
<b>Primary Building Setback<sup>3</sup></b>				
1. Front Setback	7.5' min-20' max <sup>4</sup>	5' min-15' max <sup>4</sup>	0' min-15' max <sup>4</sup>	10' min-15' max <sup>4</sup>
2. Side Setback (street)	7.5' min-20' max	5' min-15' max	70% min <sup>5</sup>	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 <sup>6</sup>	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
<b>Secondary Dwelling Setback</b>				
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)	<del>0' min</del> 4' min	<del>0' min</del> 4' min	<del>0' min</del> 4' min	<del>0' min</del> 4' min
4. Rear Setback	5' min	5' min	5' min	5' min
5. Height Limit <sup>6</sup>	20' max	20' max	20' max	20' max
<b>Notes:</b>				
du/ac = dwelling units per gross acre; min = minimum; max = maximum; sf = gross square feet.				
<sup>1</sup> Lot coverage includes primary buildings, accessory buildings, covered parking, and covered patios.				
<sup>2</sup> 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 Sunum City Zoning Code, Chapter 18.47 for residential density bonuses.				
<sup>3</sup> Yards and setback areas shall be landscaped in accordance with water-efficient landscaping standards, addressed in Title 20 of the Sunum City Zoning Code and in the State Model Water Efficient Landscape Ordinance (TMWELO), as applicable.				
<sup>4</sup> 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.				
<sup>5</sup> Rear garage setback shall be a minimum of 3 feet from the rear property line.				
<sup>6</sup> A secondary dwelling shall not exceed <del>20 feet in height</del> , except when attached to the primary unit, the maximum height shall be that established for the primary dwelling.				

16 feet in height



## Planning Commission Agenda Report

Meeting Date 3/10/2020

DATE: 3/10/2020

TO: PLANNING COMMISSION

FROM: Joann Martinez, Assistant Planner (707.421.7307, [jmmartinez@suisun.com](mailto:jmmartinez@suisun.com))

RE: Proposed Accessory Dwelling Unit Ordinance

Files: PC20-

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 1<sup>st</sup>, 2019
  - June 8<sup>th</sup>, 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
<b>Lot Size</b>					
<b>Setback</b>					
<b>Accessory Dwelling Unit 7.</b>					
<b>New Construction, Conversion and Replacing 8. 10.</b>					
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 Detached Internal Junior	1000 sq. ft. 1000 sq. ft. 50 percent of the existing primary dwelling. 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.				
<b>Notes:</b>					
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"><li>• <b>H.</b> An internal ADU may be constructed regardless of whether it conforms to the current zoning requirement for building separation or setbacks;</li><li>• <b>I.</b> 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;</li><li>• <b>J.</b> 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.</li></ul>					



# 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**

Permitted Uses <sup>1</sup>	Administrative Review and Conditionally Permitted Uses
<ul style="list-style-type: none"> <li>• Art, modeling, music, and/or dance studio (U)</li> <li>• Artist studios; art supply stores</li> <li>• Bed and breakfast inn</li> <li>• Business services (U)</li> <li>• Commercial services</li> <li>• Communication services</li> <li>• Community social services</li> <li>• Eating and drinking places</li> <li>• Educational services</li> <li>• Finance, insurance, and real estate offices</li> <li>• General merchandise and hardware store</li> <li>• Movie theater</li> <li>• Optical shop or optometrist</li> <li>• Personal services</li> <li>• Professional or medical offices (U)</li> <li>• Specialty retail shops<sup>2</sup> • Secondary Dwellings</li> </ul>	<p>Administrative Review:</p> <ul style="list-style-type: none"> <li>• Food and grocery stores</li> <li>• Medical health care facility</li> <li>• Public/quasi-public use (e.g., community center, school, fire station, library, church)</li> </ul> <p>Conditionally Permitted:</p> <ul style="list-style-type: none"> <li>• Commercial amusement or entertainment</li> <li>• Drive-through facilities (only north of Driftwood Drive)</li> <li>• Entertainment (i.e., nightclub and bar/lounge)</li> <li>• Furniture stores</li> <li>• Reupholstery and furniture repair; antique refinishing</li> <li>• Residential dwellings<sup>2</sup></li> <li>• Convenience market</li> <li>• Shops selling age-restricted goods or providing age-restricted services</li> </ul>
<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><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. Where a "U" is denoted next to a particular use, that use is permitted on the upper floor(s) of a building.</li> <li>2. Permits the same type of residential dwellings as the RHD zone.</li> <li>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.</li> </ol>	

**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"> <li>• Antique shop</li> <li>• Art, modeling, music, and/or dance studio</li> <li>• Artist studios; art supply stores</li> <li>• Bed and breakfast inn</li> <li>• Business services</li> <li>• Clothing and costume stores</li> <li>• Commercial services</li> <li>• Communication services</li> <li>• Community social services</li> <li>• Eating and drinking places</li> <li>• Educational services</li> <li>• Finance, insurance, and real estate offices</li> <li>• Food and grocery stores</li> <li>• General merchandise and hardware store</li> <li>• Medical health care facility</li> <li>• Theater (i.e., motion picture or live)</li> <li>• Optical shop or optometrist</li> <li>• Personal services</li> <li>• Professional or medical offices</li> <li>• Specialty retail shops<sup>1</sup></li> <li>• Residential dwellings<sup>2</sup> • Secondary Dwellings</li> </ul>	<p>Administrative Review:</p> <ul style="list-style-type: none"> <li>• Public/quasi-public use (e.g., community center, school, fire station, library, church)</li> </ul> <p>Conditionally Permitted:</p> <ul style="list-style-type: none"> <li>• Commercial amusement or entertainment</li> <li>• Commercial retail or services greater than 40,000 square feet</li> <li>• Drive-through facilities (only north of Driftwood Drive)</li> <li>• Entertainment (i.e., nightclub and bar/lounge)</li> <li>• Furniture stores</li> <li>• Hospital</li> <li>• Reupholstery and furniture repair; antique refinishing</li> <li>• Convenience market</li> <li>• Shops selling age-restricted goods or providing age-restricted services</li> </ul>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>	
<p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Permits the same type of residential dwellings permitted in the RHD zone.</li> </ol>	

## 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

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.



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



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)
<b>A. LOT / SITE DESIGN</b>				
1. Lot Coverage <sup>1</sup>	70% max	80% max	80% max	70% max
2. Density <sup>2</sup>	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>B. BUILDING PLACEMENT AND HEIGHT</b>				
<b>Primary Building Setback<sup>3</sup></b>				
1. Front Setback	7.5' min-20' max <sup>4</sup>	5' min-15' max <sup>4</sup>	0' min-15' max <sup>4</sup>	10' min-15' max <sup>4</sup>
2. Side Setback (street)	7.5' min-20' max	5' min-15' max	70% min <sup>5</sup>	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 <sup>5</sup>	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
<b>Secondary Dwelling Setback<sup>6</sup></b>				
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)	<del>0' min</del> 4' min	<del>0' min</del> 4' min	<del>0' min</del> 4' min	<del>0' min</del> 4' min
4. Rear Setback	5' min	5' min	5' min	5' min
5. Height Limit <sup>6</sup>	20' max	20' max	20' max	20' max

**Notes:**

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

<sup>1</sup> Lot coverage includes primary buildings, accessory buildings, covered parking, and covered patios.<sup>2</sup> 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.<sup>3</sup> 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 (TMWELO), as applicable.<sup>4</sup> 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.<sup>5</sup> Rear garage setback shall be a minimum of 3 feet from the rear property line.<sup>6</sup> 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