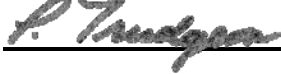


REQUEST FOR COUNCIL ACTION

DATE: 4/18/2011

ITEM NO: 9.a

Department Approval:



City Manager Approval:



Item Description: Request by the Roseville Planning Division for approval of a **text amendment** to Chapter 1009 of the Zoning Code to add regulations pertaining to accessory dwelling units (**PROJ-0017**)

1.0 BACKGROUND AND PROPOSED AMENDMENTS

1.1 The substantial updates to Roseville's Zoning Code, which were the focus of much of the Planning Commission's efforts in 2010, were approved by the City Council on December 13, 2010 and became effective when the ordinance summary was published in the Roseville-Little Canada Review on December 21, 2010. Among the new zoning provisions was the process for considering Accessory Dwelling Units (ADU) as conditional uses. An ADU is variously known as a "mother-in-law apartment" or "granny flat" and is generally used as additional living area for the property owner or as a small, efficiency-sized dwelling unit that may be occupied by a family member or other unrelated renter.

1.2 The conditional use requirements that apply to ADUs mostly address the form of such a unit, ensuring that the single-family character of a property is maintained and restricting the size of a unit as a way of practically limiting the number of occupants to one or two, but Planning Division staff did not account for the potential for larger existing spaces to be used. During the review of the first proposed ADU in February, however, it became clear that existing spaces which exceed the maximum size limit may be considered for conditional use approval, conceivably providing occupancy for several people. For this reason, Planning Division staff is proposing a zoning TEXT AMENDMENT to add a restriction in the number of occupants.

1.3 Also, as the Development Review Committee reviewed that first ADU proposal, the Police and Fire Department representatives expressed an interest in ensuring that an ADU have a unique address so that it can be quickly identified by emergency responders if necessary. To this end, Planning Division staff is proposing to add a requirement that a unique address identifier (e.g., 3091 Fairview Avenue Unit B) be permanently assigned to each ADU; a unique address would be assigned to an ADU during the process of issuing a building permit, but it would not serve a practical purpose when an ADU is vacant or is used by the property owner as part of the overall living area of the home.

1.4 The proposed amendments are shown in **bold** and ~~striketrough~~ text in the draft ordinance included with this staff report as Attachment A; note that to track the proposed changes in this way, the amendments have been prepared using Microsoft Word and so will not have the same formatting as any final adopted amendments to the Zoning Code as developed with Adobe InDesign.

33 **2.0 PUBLIC COMMENT**

34 2.1 The Planning Commission held the duly-noticed public hearing for this TEXT
35 AMENDMENT proposal on April 6, 2011; draft minutes of the public hearing were not
36 available at the time this report was prepared. No one from the public was present to
37 comment on the proposed amendment, nor has anyone communicated with Planning
38 Division staff about the proposal. The discussion of the Planning Commission centered
39 on simplifying the proposed amendment regarding unique address identifiers for each
40 ADU by permanently assigning the identifier to the unit as opposed to utilizing such an
41 identifier only when an ADU is being rented. Planning Division staff supported the
42 Commission’s modification, which is reflected in Attachment A

43 **3.0 RECOMMENDATION**

44 Adopt an ordinance amending §1009.02 (Conditional Uses) of the City Code, based on
45 the recommendation of the Planning Commission and the comments and findings of this
46 staff report, pursuant to §1009.06 (Zoning Changes) of the City Code.

47 **4.0 SUGGESTED ACTION**

48 Based on the comments in Section 1 of this report and the input received during the
49 public hearing, adopt an ordinance amending Section 1009.02D1 of the City Code.

Prepared by: **Associate Planner Bryan Lloyd (651-792-7073)**

Attachments: A. Draft ordinance amending §1009.02D1

City of Roseville

ORDINANCE NO. ____

AN ORDINANCE AMENDING SELECTED TEXT OF TITLE 10 (ZONING CODE), CHAPTER 1009 (PROCEDURES), SECTION 1009.02 (CONDITIONAL USES) OF THE CITY CODE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Purpose: The Roseville City Code, Section 1009.02D1 is hereby amended to limit the number of occupants in accessory dwelling units approved as conditional uses and requiring that each accessory dwelling unit is given a unique address identifier to distinguish it from the principal residence.

SECTION 2. Chapter 1009.02D1 is hereby amended as follows:

d. Maximum occupancy of an ADU shall be limited to 2 people.

e. An ADU shall be assigned a unique address identifier to differentiate it from the principal dwelling.

~~d.f.~~ A detached ADU may be located above a detached garage of the one-family dwelling or within a separate accessory building meeting the standards for accessory buildings.

~~e.g.~~ Dimensional Standards:

~~f.h.~~ The entryway to a detached ADU shall be connected to a street frontage with a paved walkway.

~~g.i.~~ The appearance or character of the principal building shall not be significantly altered so that its appearance is no longer that of a one-family dwelling.

~~h.j.~~ Design Standards for Detached ADUs:

SECTION 3. Effective Date. This ordinance amendment to the Roseville City Code shall take effect upon passage and publication.

Passed this 18th day of April 2011