

CITY COUNCIL RESOLUTION 35-16

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND DIRECTING THE PLANNING COMMISSION TO REVIEW AND PROVIDE RECOMMENDATIONS TO THE CITY COUNCIL ON A JUNIOR ACCESSORY DWELLING UNIT ORDINANCE TO BE ADDED TO ARTICLE XV “ZONING AND SUBDIVISIONS” OF THE RICHMOND MUNICIPAL CODE

WHEREAS, pursuant to Chapter 15.04.960 Section (B) of the Richmond Municipal Code, the City Council may initiate amendments to the zoning regulations by a resolution of the City Council; and

WHEREAS, cities in California have enabled owners of single family homes to develop Junior Accessory Dwelling Units (JADU) that are naturally affordable and contribute to the availability of diverse housing types frequently demanded by seniors and young professional; and

WHEREAS, Mayor Tom Butt has identified the adoption of a JADU ordinance as a policy strategy to increase and improve the supply of affordable housing in Richmond; and

WHEREAS, JADUs are being introduced into California state-level housing standards by Assemblymember Thurmond (AD-15), who introduced Assembly Bill 2406 “Junior Accessory Dwelling Units”; and

WHEREAS, JADUs are an affordable and low impact alternative to the standard Second Dwelling Unit, and are restricted to being developed within the existing interior space of a single family dwelling; and

WHEREAS, the development standards for JADUs provide for safe, healthy and affordable housing units that do not contribute significantly to neighborhood density or a need for additional parking.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Richmond does hereby initiate an amendment of the zoning regulations by referring the Proposed Ordinance attached hereto to the Planning Commission for review.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held May 17, 2016, by the following vote:

AYES: Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé, Vice Mayor Martinez, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

TOM BUTT
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 35-16**, finally passed and adopted by the Council of the City of Richmond at a regular meeting held on May 17, 2016.



Pamela Christian, Clerk of the City of Richmond

PROPOSED ORDINANCE

XX.XX – Junior Accessory Dwelling Units.

This section provides standards for the development of Junior Accessory Dwelling Units, an alternative to the standard Second Dwelling Unit, permitted as set forth in Section 15.04.810.020.

A. *Development Standards.* Junior Accessory Dwelling Units (JADU) shall comply with the following standards:

1. **Number of Units Allowed:** Only one Second Unit or, Junior Accessory Dwelling Unit, may be located on any residentially zoned lot that permits a single-family dwelling. A Junior Accessory Dwelling Unit may only be located on a lot which already contains one legal single-family dwelling.
2. **Unit Size:** No Junior Accessory Dwelling Unit shall contain more than 500 square feet of floor space and shall be contained entirely within an existing single-family dwelling. An efficiency unit (a single room that includes sleeping and kitchen function) shall not contain less than 150 square feet of floor space, exclusive of a bathroom.
3. **Setbacks:** All requirements and regulation of the zoning district in which the primary dwelling is situated shall apply.
4. **Owner Occupancy:** The owner of a parcel proposed for a Junior Accessory Dwelling Unit shall occupy as a principal residence either the primary dwelling or the accessory dwelling.
5. **Sale Prohibited:** A Junior Accessory Dwelling Unit shall not be sold independently of the primary dwelling on the parcel.
6. **Deed Restriction:** A deed restriction shall be completed and recorded, in compliance with Section D below.
7. **Location of Junior Accessory Dwelling Unit:** A Junior Accessory Dwelling Unit must be created within the existing walls of an existing primary dwelling, and must include conversion of an existing bedroom.
8. **Separate Entry Required:** A separate exterior entry shall be provided to serve a Junior Accessory Dwelling Unit.
9. **Kitchen Requirements:** The Junior Accessory Dwelling Unit shall include an efficiency kitchen, requiring and limited to the following components:
 - a. A sink with maximum width and length dimensions of sixteen (16) inches and with a maximum waste line diameter of one-and-a-half (1.5) inches,
 - b. A cooking facility or appliance which does not require electrical service greater than one hundred and twenty (120) volts or natural or propane gas, and
 - c. A food preparation counter and storage cabinets which do not exceed six (6) feet in length.
10. **Bathroom:** Access to a bathroom is required, which may be part of the Junior Accessory Dwelling Unit or located in the existing primary dwelling.
11. **Parking.** No additional parking is required beyond that required at the time the existing primary dwelling was constructed.

B. *Permitting Procedures.*

1. The Zoning Administrator shall issue a Junior Accessory Dwelling Unit permit if the application provides the information required per the Submittal Requirements (Section C. below) and conforms to the Development Standards (Section A. above).
2. The City shall provide notice in compliance with Chapter 15.04.970 – Notices.

C. *Submittal Requirements.* An application package for a Junior Accessory Dwelling Unit permit shall be submitted to the Planning Department prior to submitting for a building permit. The Junior Accessory Dwelling Unit application package shall include:

1. Plot Plan (drawn to scale). Dimension the perimeter of parcel on which the junior accessory dwelling will be located. Indicate the location and use of all existing and proposed structures on the project site.
2. Floor Plans. A dimensioned plan drawn to scale of the existing primary dwelling identifying the use of each room and identifying the room(s) to be dedicated to the Junior Accessory Dwelling Unit, including an exterior entrance. The use of each room shall be identified. The size and location of all windows and doors shall be clearly depicted. The resulting floor area calculation of the proposed Junior Accessory Dwelling Unit shall be included, which shall include the area of any dedicated bathroom, if any, for the exclusive use of the Junior Accessory Dwelling Unit.
3. Kitchen Plan. A dimensioned plan drawn to scale indicating proposed kitchen improvements, including a kitchen sink, cooking appliance(s), food preparation counter, and food storage cabinets.
4. Deed Restriction. A deed restriction completed as required, (in Section D below) signed and ready for recordation.

D. *Deed Restriction.* Prior to obtaining an accessory dwelling unit permit, a property owner shall file with the Contra Costa County Recorder a deed restriction, approved by the City Attorney, which shall include the pertinent restrictions and limitations of a Junior Accessory Dwelling Unit identified in this Section. Said deed restriction shall run with the land, and shall be binding upon any future owners, heirs, or assigns. A copy of the recorded deed restriction shall be filed with the Planning Department stating that:

1. The Junior Accessory Dwelling Unit shall not be sold separately from the primary dwelling unit;
2. The Junior Accessory Dwelling Unit is restricted to the maximum size allowed per the development standards in Chapter XX.XX;
3. The Junior Accessory Dwelling Unit shall be considered legal only so long as either the primary residence, or the accessory dwelling unit, is occupied by the owner of record of the property;
4. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance with any provisions of Chapter XX.XX, may result in legal action against the property owner, including revocation of any right to maintain a Junior Accessory Dwelling Unit on the property.