
CITY OF CALIMESA



NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN that on **March 8, 2021 at 6:00 p.m.** in the Norton Younglove Senior Center, 908 Park Avenue, Calimesa, California, the Planning Commission of the City of Calimesa will hold a **public hearing (in person)** to consider recommended actions to the City Council as follows:

ZONING TEXT AMENDMENT 21-01: A CITY INITIATED MUNICIPAL CODE AMENDMENT MODIFYING VARIOUS SECTIONS OF TITLE 18 (ZONING, LAND USE AND DEVELOPMENT REGULATIONS) OF THE CALIMESA MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS (ADUS) AND JUNIOR ACCESSORY DWELLING UNITS (JADUS). THESE ZONING TEXT AMENDMENTS ARE IN RESPONSE TO RECENT STATE LEGISLATION WHICH HAS EXPANDED A PROPERTY OWNER'S ABILITY TO BUILD ADUS/JADUS WITHIN RESIDENTIAL ZONING DISTRICTS, WHILE SIMULTANEOUSLY PREEMPTING MUCH OF THE CITY'S DISCRETIONARY AND REGULATORY AUTHORITY OVER ADU/JADU DEVELOPMENT. AS A RESULT OF EARLIER STATE LEGISLATION, THE CITY COUNCIL PREVIOUSLY ADOPTED ORDINANCE 357, AMENDING THE CALIMESA MUNICIPAL CODE TO BE CONSISTENT WITH STATE LAW. SINCE THAT APPROVAL, ADDITIONAL STATE LAWS WERE ADOPTED IN 2019 (AB 68, AB 881, AB 587, AB 670, AND SB 13) AND IN 2020 (SB 1030 AND AB 3182). THIS ZONING TEXT AMENDMENT INCLUDES NUMEROUS ZONING TEXT MODIFICATIONS AND MAKES ENVIRONMENTAL FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AS FOLLOWS:

- **Streamlined Approval:** State law previously required a city to ministerially approve ADUs if the proposed unit complied with certain requirements. With the updated laws, several types of ADUs are now only subject to building permit review, including: 1) an ADU/JADU with separate access within an existing or proposed single-family dwelling or an ADU in an existing detached accessory building; 2) a detached, new construction ADU with a minimum 4-foot rear and side yard setback, not exceeding 800 square feet or a height of 16 feet; 3) accessory dwelling units in areas not used as living space in existing multifamily dwellings (i.e. storage rooms, attics and garages), not to exceed 25% of the number of existing units; and 4) not more than two detached ADUs on existing multifamily sites, not exceeding a 16-foot height and with 4-foot rear and side yard setbacks. Only units that do not qualify for this streamlined process remain subject to approval through the City's Planning ADU Review process. State law also now specifies that agencies must issue ADU permits within 60 days.
- **Unit Size:** Based on the new legislation, the minimum unit size is 150 square feet to accommodate an efficiency unit. The maximum size of a JADU is 500 square feet, while the maximum size for an attached ADU is 50% of the primary unit (not to exceed 1,200 square feet), and the maximum size of a detached ADU is 1,200 square feet.
- **Number of Units:** Pursuant to State law, for parcels in a single-family residential zone, local agencies must allow one ADU and must also allow for one JADU per parcel.
- **Setbacks:** Per State law, no setbacks can be required when an existing garage or other ancillary structure is converted into an ADU. In addition, a setback of no more than four feet from the side and rear lot lines shall be required for any other ADU. State law also requires that cities permit a detached ADU that is at least 800 square feet, 16 feet in height, and compliant with a 4-foot side and rear setback, irrespective of the existing dwelling unit size, lot coverage, floor area ratio, open space, or minimum lot size.
- **Parking Requirements:** The parking requirements have been reduced to one parking space for an ADU and no spaces required for a JADU. When a garage is converted to construct an ADU, the City may not require replacement of the lost parking. Furthermore, ADUs are exempt from parking requirements if they are: 1) within one-half mile of public transit; 2) located within an architecturally and historically significant district; 3) the ADU is part of the existing primary residence or an existing accessory structure; 4) on-street parking permits are required but not offered to the ADU occupant; or 5) there is a car share vehicle located within one block.
- **Sale and Rental:** The proposed Ordinance retains the requirement of a deed restriction to be recorded on approved ADUs/JADUs to prohibit separate sale of the units, includes a prohibition on short term leases of less than 30 consecutive days, and includes a provision that requires an owner-occupied unit when a JADU is constructed. State law now prohibits requirements for an owner-occupied primary residence when there is also an ADU.
- **California Environmental Quality Act:** The proposed actions include a recommendation to file a Notice of Exemption pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282 (h), as the action will implement the provisions of Government Code Sections 65852.2 and 65852.22.

Complete copies of the proposed Municipal Code Amendment, the Planning Commission Resolution recommending Council approval of the proposed Municipal Code Amendment and the Draft Ordinance are available for public review by appointment at the City Clerk's Office, City of Calimesa, 908 Park Avenue, Calimesa, California 92320.

NOTICE IS FURTHER GIVEN that the public may provide comments as follows: 1) Submit written comments to City Hall at the above address, 2) Email comments to the Planning Commission Secretary at ybenson@cityofcalimesa.net, or 3) Attend the meeting in person (with social distancing and masks required) and speak thereon. Please note, mailed and/or emailed comments must be submitted by **5:30 p.m. on Monday, March 8, 2021**. Identify the agenda item you wish to comment on in your email's subject line. You may submit comments on any agenda item. Emailed comments will be read into the record by the Planning Commission Secretary.

PLEASE NOTE that pursuant to Government Code Section 65090, if you challenge the project in court, you may be limited to raising only those issues you raised at the public hearing as described in this Notice or in written correspondence delivered to the Planning Commission Secretary of the City of Calimesa prior to or at the public hearing.