



Agenda Report

Fullerton City Council

MEETING DATE: APRIL 7, 2020

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: KENNETH A. DOMER, CITY MANAGER

PREPARED BY: MATT FOULKES, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

SUBJECT: FULLERTON MUNICIPAL CODE AMENDMENTS PERTAINING TO ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS

SUMMARY

Proposed amendments to Title 15 of the Fullerton Municipal Code modifying provisions for accessory and junior accessory dwelling units to comply with recent State legislation.

RECOMMENDATION

1. Make finding that project is statutorily exempt from California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15282 (h).
2. Introduce Ordinance No. XXXX for first reading by title only and waive further reading of the Ordinance.

ORDINANCE NO. XXXX – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, APPROVING AN AMENDMENT TO THE FULLERTON MUNICIPAL CODE CHAPTER 15.17 TO UPDATE THE ZONING ORDINANCE PROVISIONS PERTAINING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND ASSOCIATED DEFINITIONS IN 15.04 IN ACCORDANCE WITH RECENT LEGISLATION AMENDING THE CALIFORNIA GOVERNMENT CODE SECTIONS 65852.2 AND 65852.22.

PRIORITY POLICY STATEMENTS

This item matches the following Priority Policy Statement:

- Infrastructure and City Assets.

FISCAL IMPACT

None.

DISCUSSION

The City of Fullerton has continually amended the Fullerton Municipal Code (FMC) to remain in compliance with state law regarding secondary dwelling units, now referred to as accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) since the City adopted its original Ordinance in 1984. Subsequent amendments to the FMC have occurred in 1989, 1997, 2004, 2009, 2013 and 2017. In October 2019, the Governor signed several pieces of legislation which further changed the way cities regulate accessory dwelling units. Amending the Municipal Code to remain consistent with state law is not only a best practice for local municipalities, but also allows the City to retain local control over aspects of ADU and JADU regulations that would otherwise default back to State law. Attachment 3 provides a comparison of the existing and proposed regulations.

The Planning Commission considered the proposed amendments on February 19, 2020 and unanimously recommended for City Council approval by a 4 – 0 vote (Commissioner Cox absent). The Planning commission Staff Report (Attachment 4) provides a more detailed background on ADU legislation and analysis for the recommended amendments to Title 15.

Attachments:

- Attachment 1 – PowerPoint Presentation
- Attachment 2 – Ordinance XXXX
- Attachment 3 – Comparison Table of Current and Proposed Regulations
- Attachment 4 – Planning Commission Staff Report, without attachments
- Attachment 5 – Planning Commission Resolution No. PC-2020-20
- Attachment 6 – Planning Commission Resolution of Intention No. PC-2019-31
- Attachment 7 – Planning Commission Minutes from February 19, 2020