

June 3, 2020
CHANGES/MODIFICATIONS TO
PLANNING COMMISSION AGENDA

Agenda Item No. 3
Accessory Dwelling Unit Ordinance Hearing

Modification to Ordinance:

Summary of Additional Changes:

- Definition for Universal Design (Section 17.105.020) and encouragement of universal design (Section 17.105.150)
- Larger setbacks for ADUs that are taller than 16 feet in both Historic District and rest of the City (Section 17.105.070 and Section 17.105.080 and Section 17.105.160)
- Clarification for internal ADUs in multi-family development that is 25% of units results in fraction, staff rounds up to nearest whole number (Section 17.105.100)
- Clarification on rear-yard coverage as requested by Fire Chief based on approved language from HCD (Section 17.105.110)
- Option for applicant to request to use efficiency kitchen standard for all ADUs (Section 17.105.110)
- Clarification when address is required (Section 17.105.110)
- Change to impact fee language to only allow in case of upsizing (Section 17.105.110(L)).
- Addition of privacy standard for exterior staircase landings (Section 17.105.150)
- Requirement that exterior stairwells be located no closer than 5 feet from side and rear property line (Section 17.105.150)
- Correction to allow all historic design styles in Persifer-Dean subarea and restriction of Contemporary and Ranch design to The Preserve and Persifer Dean subareas (Section 17.105.160)
- Clarification that Historic District window standard should be used whenever possible – Building Code may prevent strict application of this design standard (Section 17.105.150)

Attachments:

- Attachment 2A: Clean Version of Modified Ordinance
- Attachment 2B: Redline Version of Modified Ordinance

ATTACHMENT 2A

CLEAN VERSION OF MODIFIED ORDINANCE

ATTACHMENT 2

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CERTAIN SECTIONS IN CHAPTER 17.52
AND REPEALING AND RE-ENACTING CHAPTER 17.105 OF THE
FOLSOM MUNICIPAL CODE PERTAINING TO
ACCESSORY DWELLING UNITS**

The City Council of the City of Folsom hereby does ordain as follows:

SECTION 1 PURPOSE

The purpose of this Ordinance is to amend the Folsom Municipal Code to conform with new State law regulations pertaining to Accessory Dwelling Units, including but not limited to AB 68, AB 139, AB 587, AB 670, AB 671, AB 881 and SB 13 adopted during the 2018-2019 legislative session.

SECTION 2 AMENDMENT TO CODE

Section 17.52.490 of the Folsom Municipal Code is hereby amended to read as follows:

17.52.490 Accessory dwelling units.

Accessory Dwelling Units shall comply with the standards set forth in Chapter 17.105.

SECTION 3 AMENDMENT TO CODE

Section 17.52.500 of the Folsom Municipal Code is hereby amended to read as follows:

17.52.500 Second units.

For the purposes of this chapter, a second unit shall be referred to as Accessory Dwelling Units and shall comply with the standards set forth in Chapter 17.105. In addition, Accessory Dwelling Units larger than 800 square feet or taller than 16 feet must comply with the design standards set forth in Section 17.105.160 (Historic District Zones – Design Standards).

SECTION 4 REPEAL AND RE-ENACTMENT TO CODE

Chapter 17.105 of the Folsom Municipal Code is hereby repealed and re-enacted to read as follows:

Chapter 17.105

ACCESSORY DWELLING UNITS

Sections:

- 17.105.010 Purpose, Applicability and Where Permitted**
- 17.105.020 Definitions**
- 17.105.030 Types**
- 17.105.040 Accessory Dwelling Units Subject to Mandatory Approval**
- 17.105.050 Accessory Dwelling Units in the Historic District**
- 17.105.060 Limitation on Unit Combinations in Single-Unit Zones**
- 17.105.070 Single-Unit Zones: Detached Accessory Dwelling Unit**
- 17.105.080 Single-Unit Zones: Attached Accessory Dwelling Unit**
- 17.105.090 Single-Unit Zones: Junior Accessory Dwelling Unit**
- 17.105.100 Two-Unit and Multi-Unit Zones**
- 17.105.110 Additional Standards Applicable to Attached and Detached Units**
- 17.105.120 Additional Standards Applicable to Converted Accessory Dwelling Units**
- 17.105.130 Standards Applicable to Junior Accessory Dwelling Units**
- 17.105.140 Additional Standards Applicable to All Accessory Dwelling Units**
- 17.105.150 All Zones - Design Standards**
- 17.105.160 Historic District Zones – Design Standards**
- 17.105.170 Permits and Action on an Application**

17.105.010 Purpose, Applicability and Where Permitted

A. Purpose. This Chapter establishes regulations and procedures for reviewing and permitting Accessory Dwelling Units and Junior Accessory Dwelling Units through a ministerial process consistent with Government Code Sections 65852.2 and 65852.22.

B. Applicability. Any construction, establishment, alteration, enlargement, or modification of an Accessory Dwelling Unit or a Junior Accessory Dwelling Unit shall comply with the requirements of this Chapter and the City's Building and Fire Codes. An Accessory Dwelling Unit or Junior Accessory Dwelling Unit that conforms to the standards of this Chapter shall not be:

1. Deemed to be inconsistent with the General Plan designation and zone for the parcel on which the Accessory Dwelling Unit or Junior Accessory Dwelling Unit is located.
2. Deemed to exceed the allowable density for the parcel on which the Accessory Dwelling Unit or Junior Accessory Dwelling Unit is located.
3. Considered in the application of any City ordinance, policy, or program to limit residential growth.

4. Required to correct a nonconforming zoning condition as defined in Chapter 17.02 (Definitions). This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

C. Where Permitted. Accessory Dwelling Units are allowed on parcels zoned for single-unit, two-unit, or multi-unit residential uses where such parcel includes a proposed or existing dwelling.

17.105.020 Definitions

A. "Accessory Dwelling Unit." A residential dwelling unit that is either attached to or located within a proposed or existing primary dwelling or is detached from the proposed or existing primary dwelling and located on the same parcel as the proposed or existing primary dwelling. An Accessory Dwelling Unit provides complete independent living facilities for one or more persons and includes a separate exterior entrance in addition to permanent provisions for living, sleeping, eating, cooking (including a sink), and a bathroom. Accessory Dwelling Units include efficiency units, as defined in Section 17958.1 of the Health and Safety Code, and manufactured homes, as defined in Section 18007 of the Health and Safety Code.

B. "Accessory Structure." A structure that is accessory and incidental to a dwelling located on the same parcel.

C. "Car Share." A program that allows customers hourly access to shared vehicles from a dedicated home location, with the vehicles required to be returned to that same location at the end of the trip.

D. "Efficiency Kitchen." Defined for purposes of establishing a Junior Accessory Dwelling Unit as a cooking facility that includes all of the following:

1. A sink with a drain.
2. A cooking facility with appliances.
3. A food preparation counter.
4. Food storage cabinets.

E. "Independent Living Facilities." A residential dwelling unit having permanent provisions for living, sleeping, eating, cooking, and sanitation.

F. "Living Area." The interior habitable area of a dwelling unit, including habitable basements and attics, but does not include a garage or any accessory structure.

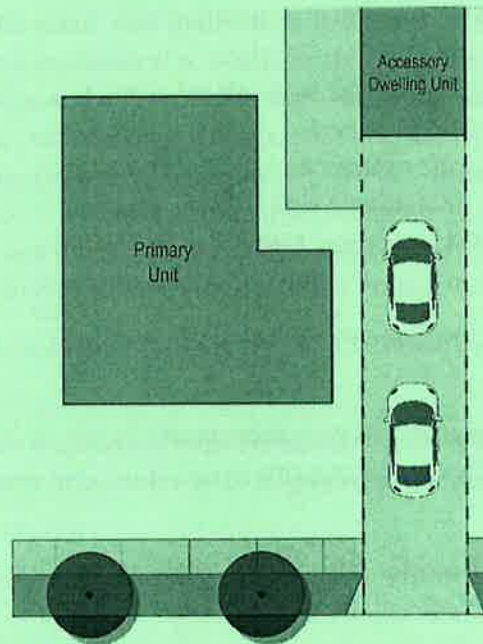
G. "Passageway." A pathway that extends from a street or alley to one entrance of the accessory dwelling unit.

H. "Public Transit." A location, including but not limited to a bus stop or train station, where the public may access buses, trains, subway, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

I. "Single-unit, Two-unit, and Multi-unit." Means the same, respectively, as single-family, duplex, and multi-family residential units.

J. "Tandem Parking." Two or more automobiles parked on a driveway or in any other location on a parcel, lined up behind one another.

Tandem Parking



K. "Universal Design." Universal design is the design of buildings or environments to make them accessible to all people, regardless of age, disability, or other factors.

17.105.030 Types

An Accessory Dwelling Unit approved under this Chapter shall be one of the following types:

A. Attached. An Accessory Dwelling Unit that is created in whole or in part from newly constructed space that is attached to the proposed or existing primary dwelling, such as through a shared wall, floor, or ceiling.

B. Detached. An Accessory Dwelling Unit that is created in whole or in part from newly constructed space that is detached or separated from the primary dwelling. The detached

Accessory Dwelling Unit shall be located on the same parcel as the proposed or existing primary dwelling. Detached includes a second-story addition above an existing detached garage.

C. Converted. An Accessory Dwelling Unit that meets the following requirements:

1. Is located within the proposed or existing primary dwelling or accessory structure, including but not limited to attached garages, storage areas, or similar uses; or an accessory structure including but not limited to studio, pool house, detached garage, or other similar structure. Such conversion may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing structure if the expansion is for the sole purpose of accommodating ingress and egress to the converted structure.

2. The proposed conversion of a structure into an Accessory Dwelling Unit that does not satisfy the requirements of Subsection 1 above shall either be defined by the Director as an Attached Accessory Dwelling Unit, a Detached Accessory Dwelling Unit, a Junior Accessory Dwelling Unit or shall be defined as an accessory structure and not an Accessory Dwelling Unit.

D. Junior Accessory Dwelling Unit. An Accessory Dwelling Unit that is a unit that meets all of the following:

1. Is no more than 500 square feet in size and contained entirely within a single-unit primary dwelling. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

2. Is located and contained entirely within a proposed single-unit primary dwelling, or entirely within an existing single-unit primary dwelling.

3. Has a separate entrance from the main entrance to the proposed or existing single-unit dwelling.

4. Has a bathroom that is either shared with or separate from those of the primary dwelling.

5. Includes an efficiency kitchen.

17.105.040 Accessory Dwelling Units Subject to Mandatory Approval

The City shall approve any application for an Accessory Dwelling Unit or Junior Accessory Dwelling Unit as described in this Section, provided all requirements applicable for the particular application in this Chapter are met. However, in no case shall the application of the requirements of this Chapter preclude the development of:

A. Any Accessory Dwelling Unit that is 800 square feet or smaller in size, has a peak height above grade of no more than 16 feet, and has a minimum four-foot-wide side and rear yard setbacks; and

B. Any Junior Accessory Dwelling Unit that is 500 square feet or smaller in size.

17.105.050 Accessory Dwelling Units in the Historic District

Within the City's Historic District or on any historic district zone, the City shall approve any application for an Accessory Dwelling Unit or Junior Accessory Dwelling Unit as described in this Chapter, provided all applicable requirements of this Chapter, and specifically Section 17.105.160, are met. However, in no case shall the application of the requirements of this Chapter, and Section 17.105.160 specifically, preclude the development of any Detached or Attached Accessory Dwelling Unit that is 800 square feet or smaller in size, has a peak height above grade of 16 feet or lower, and has minimum four-foot side and rear yard setbacks.

17.105.060 Limitation on Unit Combinations in Single-Unit Zones

Accessory Dwelling Units are permitted in single-unit zones with an existing or proposed single-unit dwelling so long as the number does not exceed either:

A. One Accessory Dwelling Unit within the existing or proposed space of a single-family dwelling or accessory structure plus one Junior Accessory Dwelling Unit; or

B. One Detached Accessory Dwelling Unit which does not have less than four-foot side and rear yard setbacks, does not exceed a height limit of 16 feet, and is no more than 800 square feet in total floor area, plus one Junior Accessory Dwelling Unit.

17.105.070 Single-Unit Zones: Detached Accessory Dwelling Unit

One detached Accessory Dwelling Unit of new construction shall be allowed on a parcel with an existing or proposed single-unit dwelling if it meets all the following requirements:

A. Location. Is detached from the primary dwelling.

B. Size. At a minimum meets the requirements of an efficiency unit and at a maximum shall not exceed 850 square feet if it has no more than one bedroom or 1,000 square feet if it has two or more bedrooms.

C. Height. Except for Accessory Dwelling Units located in the Historic District, shall not exceed two stories or 35 feet in height or the existing height of the primary dwelling, whichever is less. Height shall be an average of all four elevations as measured from finished grade to the peak of the roof unless an alternate approach to measure is approved by the Director. Notwithstanding the setback standards in Subsection 17.105.070(D), a detached Accessory Dwelling Unit taller than 16 feet must be located five feet from the side and rear property lines up to a maximum height of 18 feet as measured from the highest part of the structure to the finished grade. The height of an attached Accessory Dwelling Unit may increase as the distance between the Accessory Dwelling Unit and the property line increases as follows: for every additional foot of setback, the height may be increased by one-half foot.

D. Setbacks. Has a front yard setback that is not less than the required front yard setback of the primary structure, side and rear setbacks of at least four feet, and complies with applicable building and fire codes.

17.105.080 Single-Unit Zones: Attached Accessory Dwelling Unit

One attached Accessory Dwelling Unit shall be allowed on single-unit parcels if it meets all the following requirements:

A. Location. Shares at least one common wall with the primary structure.

B. Size. At a minimum meets the requirements of an efficiency unit, and at a maximum does not exceed 850 square feet if it has no more than one bedroom or 1,000 square feet if it has two or more bedrooms. Subject to the foregoing maximum size limitation, if there is an existing primary dwelling, the total floor area of an attached Accessory Dwelling Unit shall not exceed 50 percent of the existing primary dwelling or 800 square feet, whichever is greater.

C. Height. Except for Accessory Dwelling Units located in the Historic District, shall not exceed two stories or 35 feet in height or the existing height of the primary dwelling, whichever is less. Height shall be an average of all four elevations as measured from finished grade to the peak of the roof unless an alternate approach to measure is approved by the Director.

Notwithstanding the setback standards in Subsection 17.105.080(D), an attached Accessory Dwelling Unit taller than 16 feet must be located five feet from the side and rear property lines up to a maximum height of 18 feet as measured from the highest part of the structure to the finished grade. The height of an attached Accessory Dwelling Unit may increase as the distance between the Accessory Dwelling Unit and the property line increases as follows: for every additional foot of setback, the height may be increased by one-half foot.

D. Setbacks. Has a front yard setback of at least 20 feet as well as side and rear setbacks of at least four feet and complies with applicable building and fire codes.

E. Access. Has exterior access that is separate from the proposed or existing single-unit dwelling.

17.105.090 Single-Unit Zones: Junior Accessory Dwelling Unit

One Junior Accessory Dwelling Unit shall be allowed on a parcel with a proposed or existing single-unit dwelling, if the Junior Accessory Dwelling Unit meets all the following requirements:

A. Location. Is within the proposed space of a single-unit dwelling, or within the existing space of a single-unit dwelling.

B. Size. At a minimum meets the requirements of an efficiency unit, and at a maximum does not exceed 500 square feet.

C. Setbacks. No adjustment to the existing setback is required for an existing living area that is converted to a Junior Accessory Dwelling Unit; however, the Junior Accessory Dwelling Unit must comply with applicable fire and building codes.

D. Access. Has exterior access that is independent of that for the proposed or existing single-unit dwelling.

E. Additional Requirements. The Junior Accessory Dwelling Unit shall comply with the requirements of Section 17.105.130.

17.105.100 Two-Unit and Multi-Unit Zones

Accessory Dwelling Units are permitted in two-unit and multi-unit zones as follows:

A. Converted Spaces within a Multi-Unit Development. At least one Accessory Dwelling Unit shall be allowed on a parcel with an existing two-unit or multi-unit structure or structures used for residential use if each Accessory Dwelling Unit meets all the following requirements:

1. Location. Is converted from portions of a multi-unit structure that is not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, provided that any such space converted to an Accessory Dwelling Unit complies with minimum State building standards for dwellings.

2. Number. The total number of Accessory Dwelling Units within the development does not exceed 25 percent of the original number of approved primary units within the development. When calculating the required number of allowed Accessory Dwelling Units, any fractions of units shall be rounded to the next larger whole number.

B. Detached. Up to two detached Accessory Dwelling Units shall be allowed on a parcel where a multi-unit structure exists if each of the detached Accessory Dwelling Units meets all the following requirements:

1. Location. Is detached from the multi-unit structure.

2. Height. Has a peak height above grade of 16 feet or less.

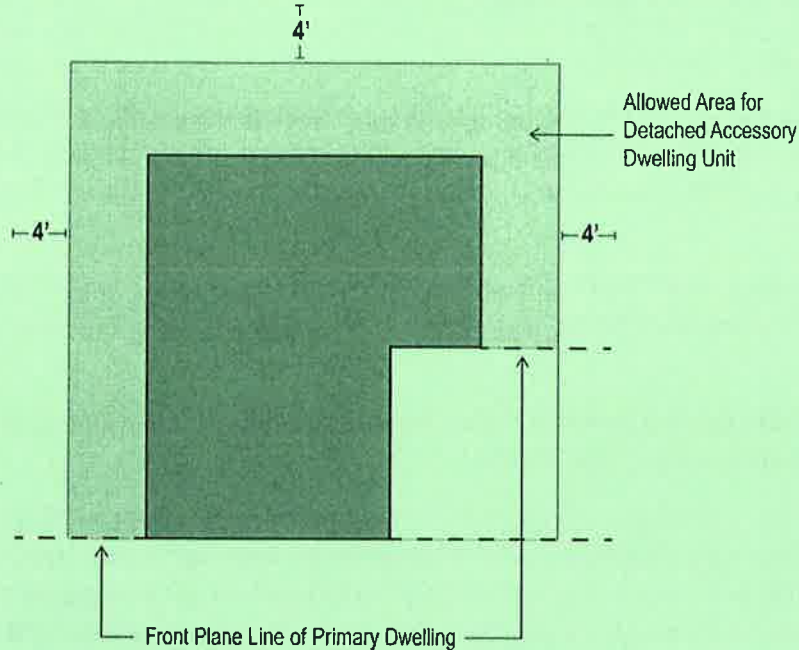
3. Setbacks. Has side and rear yard setbacks of at least four feet and complies with applicable building and fire codes.

17.105.110 Additional Standards Applicable to Attached and Detached Units

The following standards shall apply to all Attached and Detached Accessory Dwelling Units in all zones that allow single-family unit, two-unit, and multi-unit dwellings. However, in no event shall these provisions preclude an Accessory Dwelling Unit that is 800 square feet or smaller in size, has a peak height above grade of 16 feet or lower, and has minimum four-foot side and rear yard setbacks.

A. Location. Every part of a Detached Accessory Dwelling Unit shall be located behind the front plane of the primary dwelling.

Location of Detached Accessory Dwelling Unit



B. Corner Lots. No Accessory Dwelling Unit shall extend beyond a four-foot interior and street-side side yard setback, but in no case shall the Accessory Dwelling Unit break the front plane of the primary dwelling. The Accessory Dwelling Unit shall not encroach onto a recorded easement.

C. Separation. Detached Accessory Dwelling Units shall be located at least six feet from the primary dwelling or an accessory structure on the same parcel other than a fence or a wall.

D. Parcel Coverage. For any Attached or Detached Accessory Dwelling Unit that is larger than 800 square feet, the parcel coverage standard and pervious surface standard, if applicable, for the zone in which it is located shall apply.

E. Rear Yard Coverage. Notwithstanding the standards in Subsection 17.105.110(D), the area covered by an Accessory Dwelling Unit shall not exceed forty percent (40%) of the rear yard or at least 800 square feet, whichever is greater.

F. Open Space. Accessory Dwelling Units shall not encroach into required open space areas.

G. Kitchen. An applicant may choose to include an efficiency kitchen as defined in Subsection 17.105.020(D) in order to satisfy the cooking requirement for any Accessory Dwelling Unit as set forth in the definition in Subsection 17.105.020(A).

H. Utilities. The City shall not require the applicant to install a new or separate utility connection directly between the Attached or Detached Accessory Dwelling Unit and the utility unless the utility connection is required by the utility provider. The applicant may voluntarily install a new or separate utility connection. Any utility charges or fees must be consistent with California Government Code Section 65852.2.

I. Addressing.

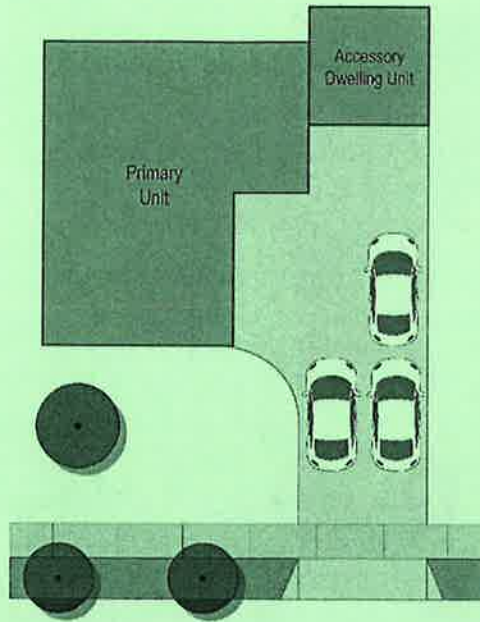
1. Each Detached Accessory Dwelling Unit must have its own address. The address shall be the same address as the primary home but with ½ following the house number. For example: 50 ½ Natoma Street, Folsom, CA 95630 would be the address for the Accessory Dwelling Unit at 50 Natoma Street.

2. Attached Accessory Dwelling Units may have an address. If a separate address is desired, then the address shall be the same address as the primary home but with ½ following the house number.

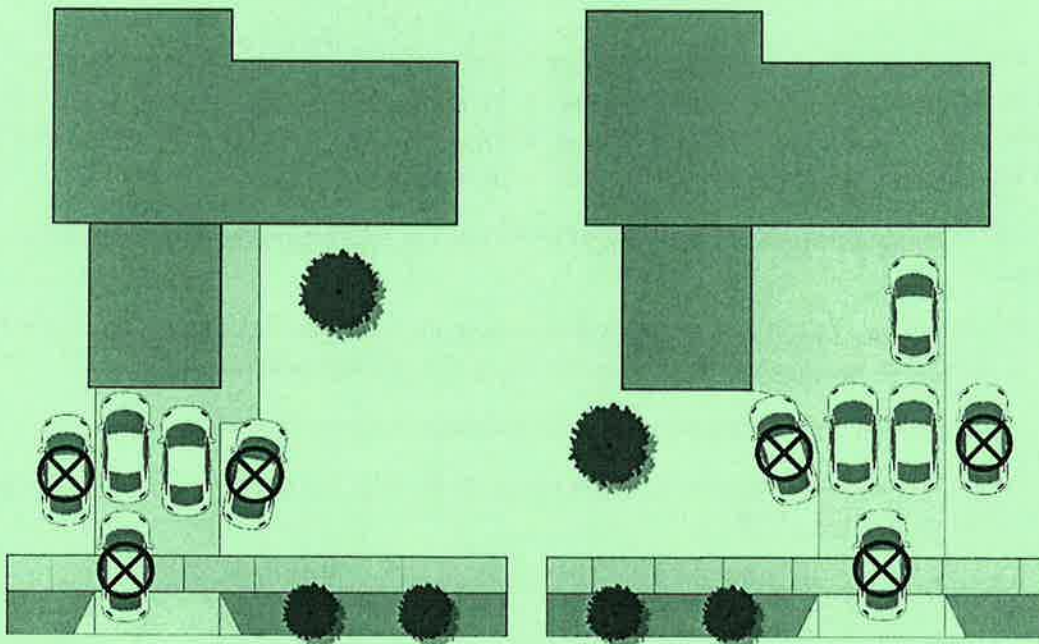
3. For multi-family developments with Accessory Dwelling Units, unit numbers may be assigned to those units such as Unit 58, etc.

J. Parking. One off-street parking space is required for each Attached and Detached Accessory Dwelling Unit. The parking requirement for an Attached or Detached Accessory Dwelling Unit shall be in addition to the parking requirement for the existing residence on the property. This space may be provided as tandem parking, including on a paved driveway. Notwithstanding the requirements of Section 17.57.040 (Off-Street Parking Requirements), no parking shall be permitted in the front yard other than on the paved driveway. The parking must be located on-site and accessible by a paved pathway. Additional paving of the front driveway shall be subject to the requirements of Section 10.20.470 (Parking on lawns and yards) and, if located in the Historic District, may be subject to additional front yard landscaping requirements. Parking spaces may also be provided through a mechanical vehicle parking lift if located in an enclosed parking garage.

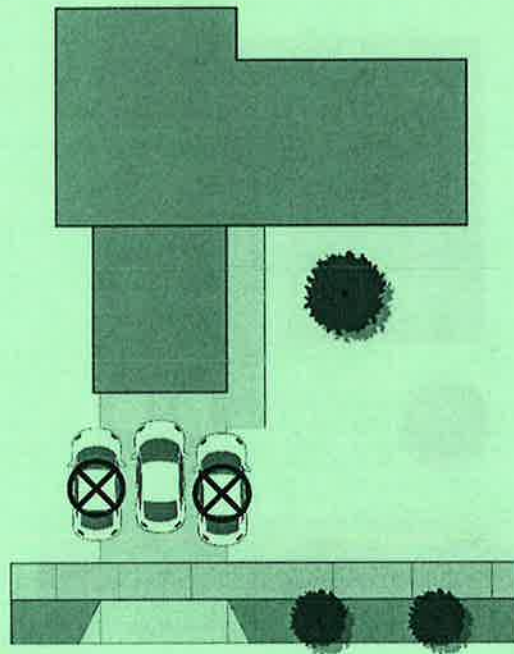
**Acceptable Location of Parking for
Attached and Detached Accessory Dwelling Units**



Prohibited Locations for Parking



Prohibited Locations for Parking (continued)



1. Replacement. When a garage, carport, parking space, or covered parking structure providing required parking for the primary residence or residences is demolished to allow for the construction of an Accessory Dwelling Unit or is converted to an Accessory Dwelling Unit, those off-street parking spaces are not required to be replaced.

2. Additional parking for an Accessory Dwelling Unit is not required in the following instances:

a. The Accessory Dwelling Unit is located within one-half mile walking distance of public transit, as defined in Section 17.105.020, including transit stations and bus stations.

b. The Accessory Dwelling Unit is located within the Historic District.

c. When on-street parking permits are required by the City but not offered to the occupant of the Accessory Dwelling Unit.

d. When there is a car share vehicle located within one block of the Accessory Dwelling Unit.

17.105.120 Additional Standards Applicable to Converted Accessory Dwelling Units

The following standards apply only to Converted Accessory Dwelling Units. However, in no event shall these provisions preclude a converted Accessory Dwelling Unit that is 800 square feet or smaller in size, has a peak height above grade of 16 feet or lower, and has minimum four-foot side and rear yard setbacks.

- A. Size. Not applicable/No size limit.
- B. Height. Not applicable/No height limit.
- C. Design Standards. Not applicable/No design standards shall be applied.

D. Setbacks. No new setback is required for an existing living area or accessory structure that is converted to an Accessory Dwelling Unit or a portion of an Accessory Dwelling Unit that has the same dimensions as the existing structure. The only exception is if up to an additional 150 square feet is necessary to allow for ingress and egress (entry and exiting). In that case, the side and rear setbacks may be reduced to no less than four feet from the property line. If the setback is reduced, the Accessory Dwelling Unit must still comply with applicable building and fire codes.

E. Utilities. A Converted Accessory Dwelling Unit is not required to have a new or separate utility connection directly between the Accessory Dwelling Unit and the utility, nor is a connection fee or capacity charge required. The applicant may voluntarily install a new or separate utility connection. Any utility charges or fees shall be consistent with Government Code Section 65852.2.

F. Parking. No replacement of off-street parking is required when a garage, carport, or covered parking structure is converted to an Accessory Dwelling Unit. In all other situations where off-street parking is required for a converted Accessory Dwelling Unit, the parking requirement shall not exceed 1 parking space per converted Accessory Dwelling Unit or per bedroom, whichever is less. The off-street parking spaces may be provided as tandem parking on a driveway or in rear yard setback areas on a paved surface, provided such paved area can be easily accessed via the driveway or an alley. No parking shall be permitted in the front yard other than on the paved driveway. Parking spaces may also be provided through a mechanical vehicle parking lift if located in an enclosed parking garage. Notwithstanding the foregoing, replacement or additional parking shall not be required for Converted Accessory Dwelling Units in instances described in Section 17.105.110(H).

17.105.130 Standards Applicable to Junior Accessory Dwelling Units

The following shall apply to all Junior Accessory Dwelling Units:

A. Location. The Junior Accessory Dwelling Unit shall be located entirely within a proposed single-unit primary dwelling, or entirely within an existing single-unit primary dwelling.

B. Size. The total area of floor space for a Junior Accessory Dwelling Unit shall not exceed 500 square feet.

C. Access: Access shall consist of a separate entrance from the main entrance to the proposed or existing single-unit primary dwelling.

D. Efficiency Kitchen. The Junior Accessory Dwelling Unit shall include an efficiency kitchen.

E. Utilities. A Junior Accessory Dwelling Unit shall not be considered a separate or new dwelling unit for the purposes of calculating connection fees or capacity charges for utilities, including water, sewer, or power service, or impact fees. No new or separate utility connection between the Junior Accessory Dwelling Unit and the utility shall be required. The applicant may voluntarily install a submeter for the Accessory Dwelling Unit. Any utility charges or fees shall be consistent with Government Code Section 65852.2.

F. Parking. No additional off-street parking is required for the Junior Accessory Dwelling Unit.

G. Owner Occupancy Requirements. All Junior Accessory Dwelling Units shall be subject to an owner-occupancy requirement. A person with legal or equitable title to the primary single-unit dwelling shall reside on the property in either the primary dwelling or Junior Accessory Dwelling Unit as that person's legal domicile and permanent residence. However, the owner-occupancy requirement does not apply if the property is entirely owned by a governmental agency, land trust, or non-profit housing organization.

H. Setbacks. No setback is required unless it is needed for fire and safety.

I. Number. The total number of Junior Accessory Dwelling Units is limited to one per residential parcel zoned for single-unit residences with a single-unit residence built, or proposed to be built, on the parcel.

J. Zone. Junior Accessory Dwelling Units are permitted only in single-unit residential zones.

K. Deed Restriction. Prior to issuance of a Building Permit for a Junior Accessory Dwelling Unit, a deed restriction shall be recorded in the chain of title of the primary single-unit property. The form of the deed restriction shall be approved by the City Attorney and shall provide that:

1. The Junior Accessory Dwelling Units shall not be sold separately from the primary dwelling.

2. The Junior Accessory Dwelling Units are restricted to the approved size and other attributes allowed by this Chapter.

3. The deed restriction shall run with the land and shall be enforced against future property owners.

17.105.140 Additional Standards Applicable to All Accessory Dwelling Units

The following standards shall apply to all Accessory Dwelling Units and Junior Accessory Dwelling Units.

A. Parcel Size and Width. No minimum parcel size or parcel width shall apply to the construction of an Accessory Dwelling Unit.

B. Access. Every Accessory Dwelling Unit shall have direct exterior access independent of the exterior access of the primary dwelling. The entrance to the Accessory Dwelling Unit shall, whenever possible, be located on a different side of the building from the entrance to the primary dwelling unit.

C. Passageways. No passageway, breezeway, or similar connection between structures on the parcel shall be required in conjunction with the construction of an Accessory Dwelling Unit.

D. Fire Sprinklers. Fire sprinklers are required in an Accessory Dwelling Unit if they are required in the primary dwelling.

E. Septic System. If allowed by the City, the Accessory Dwelling Unit may connect to an onsite water-treatment system, the owner shall include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years. Such test must demonstrate the ability of the site to accommodate waste discharge associated with the Accessory Dwelling Unit.

F. Permanent Foundations.

1. All Accessory Dwelling Units shall be permanently attached to a permanent foundation.
2. A recreational vehicle, commercial coach, trailer, motor home, camper, camping trailer, or boat shall not be used as an Accessory Dwelling Unit.

G. Design. The design standards set forth in Section 17.105.160 shall apply to all Accessory Dwelling Units in the Historic District, and the standards set forth in Section 17.105.150 shall apply to all Accessory Dwelling Units in other parts of the City. Design standards do not apply to Converted Accessory Dwelling Units.

H. Nonconforming Conditions. The correction of a physical improvement on a property that does not conform with the City's current zoning standards is not required in order to establish an Accessory Dwelling Unit or a Junior Accessory Dwelling Unit on a parcel with a primary dwelling.

I. No Separate Conveyance. No Accessory Dwelling Unit may be sold or otherwise conveyed separately from the primary dwelling in the case of a single-unit parcel, or from the parcel and all of the dwellings in the case of a multi-unit parcel.

J. Rental Term. The Accessory Dwelling Unit may be rented separate from the primary residence; however, the rental must be for a term longer than 30 days.

K. Owner Occupancy Requirements.

1. Established before January 1, 2025. Accessory Dwelling Units established before January 1, 2025 shall not be subject to any owner-occupancy requirement.

2. Established on or after January 1, 2025. Accessory Dwelling Units shall be subject to an owner-occupancy requirement. A person with legal or equitable title to the primary single-unit dwelling shall reside on the property in either the primary unit or the Accessory Dwelling Unit as that person's legal domicile and permanent residence.

3. Junior Accessory Dwelling Units. Junior Accessory Dwelling Units established at any time shall be subject to the owner-occupancy requirement in Section 17.105.130.

L. Impact Fees.

1. No City-imposed impact fees shall be charged to an Accessory Dwelling Unit that is less than 750 square feet in size.

2. For Accessory Dwelling Units 750 square feet or larger, City impact fees shall only be charged if the addition of an Accessory Dwelling Unit 750 square feet or larger results in the need for an increase in the size of the water, sewer or drainage line serving the property. The impact fee charged shall be based on the fee for the new pipe size less the fee for the original pipe size. No other City impact fees shall apply to Accessory Dwelling Unit 750 square feet or larger.

3. For the purposes of this Subsection, impact fees do not include any connection fee or capacity charge for water or sewer service, nor do they include charges for garbage or recycling service.

4. If any agency or special district other than the City imposes impact fees collected by the City, the City shall collect such fees in accordance with such agency's or district's fee schedule.

17.105.150 All Zones - Design Standards

For all Accessory Dwelling Units that are larger than 800 square feet or taller than 16 feet, except for Converted Accessory Dwelling Units, the following design standards shall apply. The City's Accessory Dwelling Unit Design Workbook provides illustrated examples of these design standards and styles, as well as other design ideas.

A. All exterior walls shall include at least two different materials, as well as either windows or projections or bays or recessed elements.

B. The Accessory Dwelling Unit shall have the same roof pitch as the primary dwelling with matching eave details but may vary by up to 2/12 more or 2/12 less than the roof pitch of the primary dwelling. However, if the unit is located in the Historic District, it must follow the roof pitch requirements for design style allowed in that zone or subarea.

C. Where the Accessory Dwelling Unit is two stories or constructed as the second story of a garage, to maintain privacy of the occupants of the unit and residents of abutting properties, any

second story wall facing an abutting property shall incorporate features such as opaque, translucent glazed windows; transom windows; clerestory windows; false windows; or other similar design approach that achieves the same purpose. The landing area of any external staircase shall be screened to maintain the privacy of abutting properties.

D. If the Accessory Dwelling Unit is two stories or constructed as the second story of a garage, the building massing shall be modified using one of the following methods:

1. Use of at least two different building materials (e.g., stone, shingles, siding, stucco, etc.).
2. Use of recessed or projecting windows, doors, or parts of the wall to avoid flat monotonous facades. Recessed windows and doors shall project a minimum of six inches or shall be recessed a minimum of six inches. Any projection must be behind the parcel side or rear yard setback line.
3. Use of cantilevered areas so long as area does not extend beyond the side or rear yard setback.
4. Use of varied roof form such as a mix of different roof types (e.g., hipped, gabled, slant, etc.).

E. If the Accessory Dwelling Unit is two stories or constructed as the second story of a garage, no decks or balconies shall be allowed, except that one balcony no greater than 20 square feet shall be allowed on the front façade.

F. For any Accessory Dwelling Unit that is two stories or constructed as the second story of a garage, if any external staircase is necessary to access the unit that staircase shall be located at the side or rear of the unit and shall be at least 5 feet from property line.

G. Though not a required standard, universal design is encouraged, including the use of “no step” entrances, for new Accessory Dwelling Units to provide additional housing opportunities for adults as they age and for persons with disabilities.

17.105.160 Historic District Zones – Design Standards

In addition to the provisions of Section 17.105.150, the following objective design standards shall apply to all Accessory Dwelling Units located in a Historic District zone that are larger than 800 square feet or greater than 16 feet in height, except for Converted Accessory Dwelling Units. The City’s Accessory Dwelling Unit Design Workbook provides illustrated examples of the Historic District design styles and standards.

A. Height. Accessory Dwelling Units located in the Historic District, shall not exceed two stories or 20 feet in height or the existing height of the primary dwelling, whichever is less. Height shall be an average of all four elevations as measured from finished grade to the peak of the roof unless an alternate approach to measure is approved by the Director. Notwithstanding the setback standards in Subsections 17.105.070(D) and 17.105.080(D), an Accessory Dwelling Unit taller than 16 feet must be located five feet from the side and rear property lines up to a

maximum height of 18 feet as measured from the highest part of the structure to the finished grade. The height of an Accessory Dwelling Unit may increase as the distance between the Accessory Dwelling Unit and the property line increases as follows: for every additional foot of setback, the height may be increased by one-half foot.

B. Architectural Style. The architectural styles in the Historic District reflect the types of design during the period from the 1850s to 1950s. The applicant for an Accessory Dwelling Unit shall select an appropriate architectural style for the historic district zone or subarea in which it is located and shall meet all required design elements. Acceptable styles by zone and subarea are as follows:

1. Craftsman, Queen Anne, Delta, Italianate, Spanish Eclectic: Acceptable in all historic district zones and subareas.

2. 1950s Ranch Style and Contemporary Style: Only acceptable in the Persifer-Dean subarea and The Preserve subarea.

C. Required Design Elements. The specified design elements for each architectural style are as set forth as follows:

1. Craftsman Style

- a. A roof pitch between 3/12 and 8/12.
- b. Front-gabled, side-gabled or cross-gabled roof with unenclosed eave overhang.
- c. Exposed roof rafters and/or braces under gables (i.e., knee braces or corbels).
- d. Single- or double-hung sash windows with small panes above large pane (e.g., 3 small panes over 1 large pane, or 6-over-1 window) for all windows on the front elevation.
- e. Horizontal clapboard or shingle siding that is two and one-half to six inches wide or board and batten or a mix of shingles, stone, and siding for different levels or elements may be used. Fiber cement board and shingles may be used in place of wood siding or shingles.
- f. Optional: Shed or gabled roof dormer.
- g. Optional: Entry porch under roofline with roof supported by tapered or square columns with square bases that extend to the ground.

2. Queen Anne Style

- a. A steep roof pitch between 8/12 and 18/12.
- b. Hipped roof or gabled roof.
- c. Scalloped shingles with window or vent at end of forward-facing gable.
- d. Vertical rectangular single or double hung windows with small pane above large pane on the front elevation.

e. Vertical windows must be at least two feet tall for every one foot wide and not more than three and one-half feet tall for every one foot wide, whenever possible.

f. Horizontal siding that is two and one-half to six inches wide.

g. Optional: Forward-facing gable.

h. Optional: Entry porch with narrow columns.

i. Optional: Multiple gables and dormers.

j. Optional: Angled bay cut-away.

3. Delta Style

a. Single-front gabled roof.

b. Rectangular vent at end of front-facing gable.

c. Roof pitch of 6/12 to 12/12.

d. Soffited eaves.

e. Tall, narrow windows that must be at least two feet tall for every one foot wide, whenever possible, with plain, simple trim measuring no more than three and one-half inches wide surrounding all sides of the window.

f. Horizontal clapboard siding two and one-half to six inches wide or board and batten siding. Fiber cement board and shingles may be used in place of wood siding or shingles.

g. Optional: Low-pitched porch with rails and with roof supported by narrow square posts that extend to the ground.

4. Italianate Style

a. Low-pitched hip roof between 3/12 and 6/12.

b. Overhanging eaves supported with decorative brackets.

c. Large, decorative brackets under an ornamental cornice.

d. Paneled wood doors.

e. Tall, narrow windows that must be at least two feet tall for every one foot wide, and not more than three feet, six inches tall for every one foot wide, whenever possible.

f. Exterior horizontal wood paneling four to six inches wide. Board and batten as well as brick and mortar siding are also acceptable. Fiber cement board and shingles may be used in place of wood siding or shingles.

g. Optional: Wrap-around porch (or smaller entry porch) with narrow double columns.

h. Optional: Angled bay in front of house.

5. Spanish Eclectic Style (also known as Spanish Revival)
 - a. A low-pitched roof between 2/12 and 5/12.
 - b. Roof shall be cross gabled, hipped, or combined hipped-and-gabled roof.
 - c. Maximum roof eave overhang of four inches.
 - d. A red or reddish-tiled roof.
 - e. Red or reddish tile vents.
 - f. Recessed doors and windows.
 - g. Heavy wood doors.
 - h. A prominent rounded arch over main door.
 - i. Use of casement windows.
 - j. A prominent rounded arch over primary large window.
 - k. Stucco used on all walls.
 - l. Optional: Uncovered porch.
6. 1950s Ranch Style
 - a. Low to intermediate gable roof with a roof pitch between 3/12 and 5/12.
 - b. Front facing gable(s).
 - c. Soffited eaves.
 - d. Optional: Open shutters surrounding windows.
 - e. Smooth stucco or the use of wood shingles or siding or the equivalent (e.g., fiber cement board or shingles), board and batten, stone, and brick and mortar.
 - f. Optional: Small entry porch no greater than 100 square feet.
7. Contemporary Style (from 1950s era)
 - a. Flat or slanted roof with pitch of 0/12 to 2/12.
 - b. Cantilevered soffited eaves.
 - c. Stucco, shingle, brick, or horizontal wood siding or the equivalent (i.e., fiber cement shingles or board).
 - d. Horizontal windows flush with wall casement (no recessed windows).
 - e. No greater than two-inch trim around windows.

17.105.170 Permits and Action on an Application

A. Ministerial Action. Approval or denial of an Accessory Dwelling Unit or Junior Accessory Dwelling Unit application that complies with the provisions of this Chapter is a ministerial action not subject to discretionary review. The City has the authority to review applications for completeness and compliance with the provisions of this Section.

B. Ministerial Site Plan and Design Review. Prior to submitting a building permit application to construct any Accessory Dwelling Unit or Junior Accessory Dwelling Unit, the property owner shall obtain a Ministerial Site Plan and Design Review Permit from the City. The City shall issue the permit within 60 days from the date that the City received a completed application, unless either:

1. The applicant requests a delay, in which case the 60-day time period is put on hold for the period of the requested delay; or

2. The application to create an Accessory Dwelling Unit or Junior Accessory Dwelling Unit is submitted with an application to create a new single-unit dwelling on the parcel. The City may delay acting on the permit application for the Accessory Dwelling Unit or Junior Accessory Dwelling Unit until the City acts on the permit application to create the new single-unit dwelling, but the application to create the Accessory Dwelling Unit or Junior Accessory Dwelling Unit will still be considered ministerial without discretionary review or a hearing.

C. Building Permit. Any Accessory Dwelling Unit or Junior Accessory Dwelling Unit shall require a Building Permit, subject to all the standard application and processing fees and procedures that apply to Building Permits generally. Applications for Ministerial Site Plan and Design Review and a Building Permit may be submitted concurrently.

D. Accessory Dwelling Units Located within 50 feet of the property line of a Listed Historic Structure. Any Accessory Dwelling Unit proposed for construction on or within 50 feet of the property line of a parcel containing a structure listed on the California Register of Historic Resources shall have a peak height above grade of no more than 16 feet.

E. Fees. All applications for Accessory Dwelling Units must be accompanied by the required application fee. Application fees are established by Council resolution.

SECTION 5 SCOPE

Except as set forth in this Ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

SECTION 6 SEVERABILITY

If any section, subsection, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City

Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 7 EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days from and after its passage and adoption. In lieu of publication of the full text of the Ordinance within fifteen (15) days after its passage, a summary of the Ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to Government Code section 36933(c)(1).

This Ordinance was introduced and the title thereof read at the regular meeting of the City Council on _____, 2020, and the second reading occurred at the regular meeting of the City Council on _____, 2020.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing Ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this ____ day of _____, 2020 by the following vote, to wit:

- AYES: Council Member(s)
- NOES: Council Member(s)
- ABSENT: Council Member(s)
- ABSTAIN: Council Member(s)

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

ATTACHMENT 2B

**REDLINE VERSION OF MODIFIED
ORDINANCE**

ATTACHMENT 2

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CERTAIN SECTIONS IN CHAPTER 17.52
AND REPEALING AND RE-ENACTING CHAPTER 17.105 OF THE
FOLSOM MUNICIPAL CODE PERTAINING TO
ACCESSORY DWELLING UNITS**

The City Council of the City of Folsom hereby does ordain as follows:

SECTION 1 PURPOSE

The purpose of this Ordinance is to amend the Folsom Municipal Code to conform with new State law regulations pertaining to Accessory Dwelling Units, including but not limited to AB 68, AB 139, AB 587, AB 670, AB 671, AB 881 and SB 13 adopted during the 2018-2019 legislative session.

SECTION 2 AMENDMENT TO CODE

Section 17.52.490 of the Folsom Municipal Code is hereby amended to read as follows:

17.52.490 Accessory dwelling units.

Accessory Dwelling Units shall comply with the standards set forth in Chapter 17.105.

SECTION 3 AMENDMENT TO CODE

Section 17.52.500 of the Folsom Municipal Code is hereby amended to read as follows:

17.52.500 Second units.

For the purposes of this chapter, a second unit shall be referred to as Accessory Dwelling Units and shall comply with the standards set forth in Chapter 17.105. In addition, Accessory Dwelling Units larger than 800 square feet or taller than 16 feet must comply with the design standards set forth in Section 17.105.160 (Historic District Zones – Design Standards).

SECTION 4 REPEAL AND RE-ENACTMENT TO CODE

Chapter 17.105 of the Folsom Municipal Code is hereby repealed and re-enacted to read as follows:

Chapter 17.105

ACCESSORY DWELLING UNITS

Sections:

- 17.105.010 Purpose, Applicability and Where Permitted**
- 17.105.020 Definitions**
- 17.105.030 Types**
- 17.105.040 Accessory Dwelling Units Subject to Mandatory Approval**
- 17.105.050 Accessory Dwelling Units in the Historic District**
- 17.105.060 Limitation on Unit Combinations in Single-Unit Zones**
- 17.105.070 Single-Unit Zones: Detached Accessory Dwelling Unit**
- 17.105.080 Single-Unit Zones: Attached Accessory Dwelling Unit**
- 17.105.090 Single-Unit Zones: Junior Accessory Dwelling Unit**
- 17.105.100 Two-Unit and Multi-Unit Zones**
- 17.105.110 Additional Standards Applicable to Attached and Detached Units**
- 17.105.120 Additional Standards Applicable to Converted Accessory Dwelling Units**
- 17.105.130 Standards Applicable to Junior Accessory Dwelling Units**
- 17.105.140 Additional Standards Applicable to All Accessory Dwelling Units**
- 17.105.150 All Zones - Design Standards**
- 17.105.160 Historic District Zones – Design Standards**
- 17.105.170 Permits and Action on an Application**

17.105.010 Purpose, Applicability and Where Permitted

A. Purpose. This Chapter establishes regulations and procedures for reviewing and permitting Accessory Dwelling Units and Junior Accessory Dwelling Units through a ministerial process consistent with Government Code Sections 65852.2 and 65852.22.

B. Applicability. Any construction, establishment, alteration, enlargement, or modification of an Accessory Dwelling Unit or a Junior Accessory Dwelling Unit shall comply with the requirements of this Chapter and the City's Building and Fire Codes. An Accessory Dwelling Unit or Junior Accessory Dwelling Unit that conforms to the standards of this Chapter shall not be:

1. Deemed to be inconsistent with the General Plan designation and zone for the parcel on which the Accessory Dwelling Unit or Junior Accessory Dwelling Unit is located.
2. Deemed to exceed the allowable density for the parcel on which the Accessory Dwelling Unit or Junior Accessory Dwelling Unit is located.
3. Considered in the application of any City ordinance, policy, or program to limit residential growth.

4. Required to correct a nonconforming zoning condition as defined in Chapter 17.02 (Definitions). This does not prevent the City from enforcing compliance with applicable building standards in accordance with Health and Safety Code Section 17980.12.

C. Where Permitted. Accessory Dwelling Units are allowed on parcels zoned for single-unit, two-unit, or multi-unit residential uses where such parcel includes a proposed or existing dwelling.

17.105.020 Definitions

A. "Accessory Dwelling Unit." A residential dwelling unit that is either attached to or located within a proposed or existing primary dwelling or is detached from the proposed or existing primary dwelling and located on the same parcel as the proposed or existing primary dwelling. An Accessory Dwelling Unit provides complete independent living facilities for one or more persons and includes a separate exterior entrance in addition to permanent provisions for living, sleeping, eating, cooking (including a sink), and a bathroom. Accessory Dwelling Units include efficiency units, as defined in Section 17958.1 of the Health and Safety Code, and manufactured homes, as defined in Section 18007 of the Health and Safety Code.

B. "Accessory Structure." A structure that is accessory and incidental to a dwelling located on the same parcel.

C. "Car Share." A program that allows customers hourly access to shared vehicles from a dedicated home location, with the vehicles required to be returned to that same location at the end of the trip.

D. "Efficiency Kitchen." Defined for purposes of establishing a Junior Accessory Dwelling Unit as a cooking facility that includes all of the following:

1. A sink with a drain.
2. A cooking facility with appliances.
3. A food preparation counter.
4. Food storage cabinets.

E. "Independent Living Facilities." A residential dwelling unit having permanent provisions for living, sleeping, eating, cooking, and sanitation.

F. "Living Area." The interior habitable area of a dwelling unit, including habitable basements and attics, but does not include a garage or any accessory structure.

G. "Passageway." A pathway that extends from a street or alley to one entrance of the accessory dwelling unit.

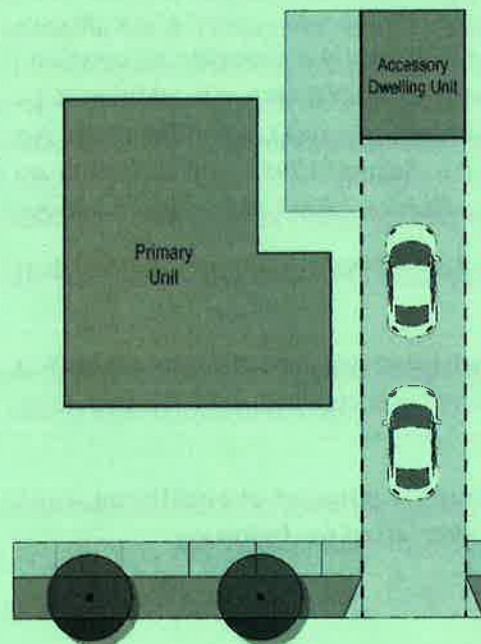
H. "Public Transit." A location, including but not limited to a bus stop or train station, where the public may access buses, trains, subway, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

I. "Single-unit, Two-unit, and Multi-unit." Means the same, respectively, as single-family, duplex, and multi-family residential units.

J. "Tandem Parking." Two or more automobiles parked on a driveway or in any other location on a parcel, lined up behind one another.

J.

Tandem Parking



K. "Universal Design." Universal design is the design of buildings or environments to make them accessible to all people, regardless of age, disability, or other factors.

17.105.030 Types

An Accessory Dwelling Unit approved under this Chapter shall be one of the following types:

A. Attached. An Accessory Dwelling Unit that is created in whole or in part from newly constructed space that is attached to the proposed or existing primary dwelling, such as through a shared wall, floor, or ceiling.

B. Detached. An Accessory Dwelling Unit that is created in whole or in part from newly constructed space that is detached or separated from the primary dwelling. The detached Accessory Dwelling Unit shall be located on the same parcel as the proposed or existing primary dwelling. Detached includes a second-story addition above an existing detached garage.

C. Converted. An Accessory Dwelling Unit that meets the following requirements:

1. Is located within the proposed or existing primary dwelling or accessory structure, including but not limited to attached garages, storage areas, or similar uses; or an accessory structure including but not limited to studio, pool house, detached garage, or other similar structure. Such conversion may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing structure if the expansion is for the sole purpose of accommodating ingress and egress to the converted structure.

2. The proposed conversion of a structure into an Accessory Dwelling Unit that does not satisfy the requirements of Subsection 1 above shall either be defined by the Director as an Attached Accessory Dwelling Unit, a Detached Accessory Dwelling Unit, a Junior Accessory Dwelling Unit or shall be defined as an accessory structure and not an Accessory Dwelling Unit.

D. Junior Accessory Dwelling Unit. An Accessory Dwelling Unit that is a unit that meets all of the following:

1. Is no more than 500 square feet in size and contained entirely within a ~~within a single-~~ unit primary dwelling. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

2. Is located and contained entirely within a proposed single-unit primary dwelling, or entirely within an existing single-unit primary dwelling.

~~3. Is no more than 500 square feet in size.~~

~~4.~~ 3. Has a separate entrance from the main entrance to the proposed or existing single-unit dwelling.

~~5.~~ 4. Has a bathroom that is either shared with or separate from those of the primary dwelling.

~~6.~~ 5. Includes an efficiency kitchen.

17.105.040 Accessory Dwelling Units Subject to Mandatory Approval

The City shall approve any application for an Accessory Dwelling Unit or Junior Accessory Dwelling Unit as described in this Section, provided all requirements applicable for the particular application in this Chapter are met. However, in no case shall the application of the requirements of this Chapter preclude the development of:

Ordinance No. _____

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A. Any Accessory Dwelling Unit that is 800 square feet or smaller in size, has a peak height above grade of no more than 16 feet, and has a minimum four-foot-wide side and rear yard setbacks; and

B. Any Junior Accessory Dwelling Unit that is 500 square feet or smaller in size.

17.105.050 Accessory Dwelling Units in the Historic District

Within the City's Historic District or on any historic district zone, the City shall approve any application for an Accessory Dwelling Unit or Junior Accessory Dwelling Unit as described in this Chapter, provided all applicable requirements of this Chapter, and specifically Section 17.105.160, are met. However, in no case shall the application of the requirements of this Chapter, and Section 17.105.160 specifically, preclude the development of any Detached or Attached Accessory Dwelling Unit that is 800 square feet or smaller in size, has a peak height above grade of 16 feet or lower, and has minimum four-foot side and rear yard setbacks.

17.105.060 Limitation on Unit Combinations in Single-Unit Zones

Accessory Dwelling Units are permitted in single-unit zones with an existing or proposed single-unit dwelling so long as the number does not exceed either:

A. One Accessory Dwelling Unit within the existing or proposed space of a single-family dwelling or accessory structure plus one Junior Accessory Dwelling Unit; or

B. One Detached Accessory Dwelling Unit which does not have less than four-foot side and rear yard setbacks, does not exceed a height limit of 16 feet, and is no more than 800 square feet in total floor area, plus one Junior Accessory Dwelling Unit.

17.105.070 Single-Unit Zones: Detached Accessory Dwelling Unit

One ~~Detached~~ detached Accessory Dwelling Unit of new construction shall be allowed on a parcel with an existing or proposed single-unit dwelling if it meets all the following requirements:

A. Location. Is detached from the primary dwelling.

B. Size. At a minimum meets the requirements of an efficiency unit and at a maximum shall not exceed 850 square feet if it has no more than one bedroom or 1,000 square feet if it has two or more bedrooms.

C. Height. Except for Accessory Dwelling Units located in the Historic District, shall not exceed two stories or 35 feet in height or the existing height of the primary dwelling, whichever is less. Height shall be an average of all four elevations as measured from finished grade to the peak of the roof, unless an alternate approach to measure is approved by the Director.

Notwithstanding the setback standards in Subsection 17.105.070(D), a detached Accessory Dwelling Unit taller than 16 feet must be located five feet from the side and rear property lines up to a maximum height of 18 feet as measured from the highest part of the structure to the finished grade. The height of an attached Accessory Dwelling Unit may increase as the distance between the Accessory Dwelling Unit and the property line increases as follows: for every additional foot of setback, the height may be increased by one-half foot.

D. Setbacks. Has a front yard setback that is not less than the required front yard setback of the primary structure, side and rear setbacks of at least four feet, and complies with applicable building and fire codes.

17.105.080 Single-Unit Zones: Attached Accessory Dwelling Unit

One attached Accessory Dwelling Unit shall be allowed on single-unit parcels if ~~such~~it meets all the following requirements:

A. Location. Shares at least one common wall with the primary structure.

B. Size. At a minimum meets the requirements of an efficiency unit, and at a maximum does not exceed 850 square feet if it has no more than one bedroom or 1,000 square feet if it has two or more bedrooms. Subject to the foregoing maximum size limitation, if there is an existing primary dwelling, the total floor area of an attached Accessory Dwelling Unit shall not exceed 50 percent of the existing primary dwelling or 800 square feet, whichever is greater.

C. Height. Except for Accessory Dwelling Units located in the Historic District, shall not exceed two stories or 35 feet in height or the existing height of the primary dwelling, whichever is less. Height shall be an average of all four elevations as measured from finished grade to the peak of the roof unless an alternate approach to measure is approved by the Director. Notwithstanding the setback standards in Subsection 17.105.080(D), an attached Accessory Dwelling Unit taller than 16 feet must be located five feet from the side and rear property lines up to a maximum height of 18 feet as measured from the highest part of the structure to the finished grade. The height of an attached Accessory Dwelling Unit may increase as the distance between the Accessory Dwelling Unit and the property line increases as follows: for every additional foot of setback, the height may be increased by one-half foot.

D. Setbacks. Has a front yard setback of at least 20 feet as well as side and rear setbacks of at least four feet and complies with applicable building and fire codes.

E. Access. Has exterior access that is ~~separate~~independent from the proposed or existing single-unit dwelling.

17.105.090 Single-Unit Zones: Junior Accessory Dwelling Unit

One Junior Accessory Dwelling Unit shall be allowed on a parcel with a proposed or existing single-unit dwelling, if the Junior Accessory Dwelling Unit meets all the following requirements:

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A. Location. Is within the proposed space of a single-unit dwelling, or within the existing space of a single-unit dwelling.

B. Size. At a minimum meets the requirements of an efficiency unit, and at a maximum does not exceed 500 square feet.

C. Setbacks. No adjustment to the existing setback is required for an existing living area that is converted to a Junior Accessory Dwelling Unit; however, the Junior Accessory Dwelling Unit must comply with applicable fire and building codes.

D. Access. Has exterior access that is independent of that for the proposed or existing single-unit dwelling.

E. Additional Requirements. The Junior Accessory Dwelling Unit shall comply with the requirements of Section 17.105.130.

17.105.100 Two-Unit and Multi-Unit Zones

Accessory Dwelling Units are permitted in two-unit and multi-unit zones as follows:

A. Converted Spaces within a Multi-Unit Development. At least one Accessory Dwelling Unit shall be allowed on a parcel with an existing two-unit or multi-unit structure or structures used for residential use if each Accessory Dwelling Unit meets all the following requirements:

1. Location. Is converted from portions of a multi-unit structure that is not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, provided that any such space converted to an Accessory Dwelling Unit complies with minimum State building standards for dwellings.

2. Number. The total number of Accessory Dwelling Units within the development does not exceed 25 percent of the original number of approved primary units within the development. When calculating the required number of allowed Accessory Dwelling Units, any fractions of units shall be rounded to the next larger whole number.

B. Detached. Up to two detached Accessory Dwelling Units shall be allowed on a parcel where a multi-unit structure exists if each of the detached Accessory Dwelling Units meets all the following requirements:

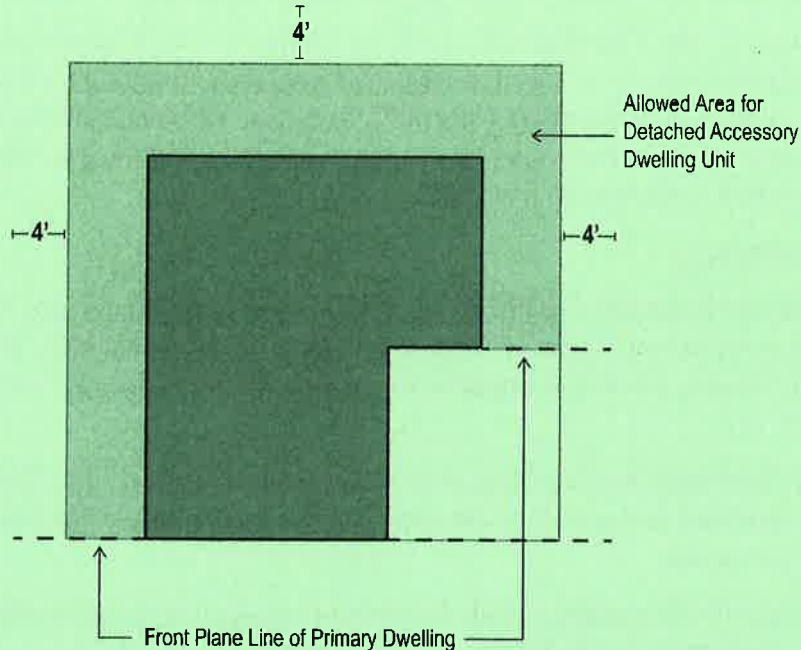
1. Location. Is detached from the multi-unit structure.
2. Height. Has a peak height above grade of 16 feet or less.
3. Setbacks. Has side and rear yard setbacks of at least four feet and complies with applicable building and fire codes.

17.105.110 Additional Standards Applicable to Attached and Detached Units

The following standards shall apply to all Attached and Detached Accessory Dwelling Units in all zones that allow single-family unit, two-unit, and multi-unit dwellings. However, in no event shall these provisions preclude an Accessory Dwelling Unit that is 800 square feet or smaller in size, has a peak height above grade of 16 feet or lower, and has minimum four-foot side and rear yard setbacks.

A. Location. Every part of a Detached Accessory Dwelling Unit shall be located behind the front plane of the primary dwelling.

Location of Detached Accessory Dwelling Unit



B. Corner Lots. No Accessory Dwelling Unit shall extend beyond a four-foot interior and street-side side yard setback, but in no case shall the Accessory Dwelling Unit break the front plane of the primary dwelling. The Accessory Dwelling Unit shall not encroach onto a recorded easement.

C. Separation. Detached Accessory Dwelling Units shall be located at least six feet from the primary dwelling or an accessory structure on the same parcel other than a fence or a wall.

D. Parcel Coverage. For any Attached or Detached Accessory Dwelling Unit that is larger than 800 square feet, the parcel coverage standard and pervious surface standard, if applicable, for the zone in which it is located shall apply.

E. Rear Yard Coverage. Notwithstanding the standards in Subsection 17.105.110(D), the area covered by an Accessory Dwelling Unit shall not exceed forty percent (40%) of the rear yard or at least 800 square feet, whichever is greater.

~~D.~~

F. Open Space. Accessory Dwelling Units shall not encroach into required open space areas.

E.G. Kitchen. An applicant may choose to include an efficiency kitchen as defined in Subsection 17.105.020(D) in order to satisfy the cooking requirement for any Accessory Dwelling Unit as set forth in the definition in Subsection 17.105.020(A).

F.H. Utilities. The City shall not require the applicant to install a new or separate utility connection directly between the Attached or Detached Accessory Dwelling Unit and the utility unless the utility connection is required by the utility provider. The applicant may voluntarily install a new or separate utility connection. Any utility charges or fees must be consistent with California Government Code Section 65852.2.

G.I. Addressing.

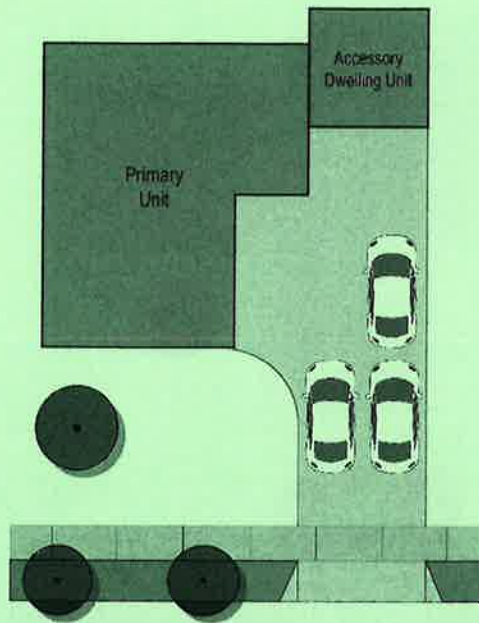
1. Each Detached Accessory Dwelling Unit must have its own address. The address shall be the same address as the primary home but with ½ following the house number. For example: 50 ½ Natoma Street, Folsom, CA 95630 would be the address for the Accessory Dwelling Unit at 50 Natoma Street.

2. Attached Accessory Dwelling Units may have an ~~unique~~ address. If a separate address is ~~required~~ desired, then the address shall be the same address at the primary home but with ½ following the house number.

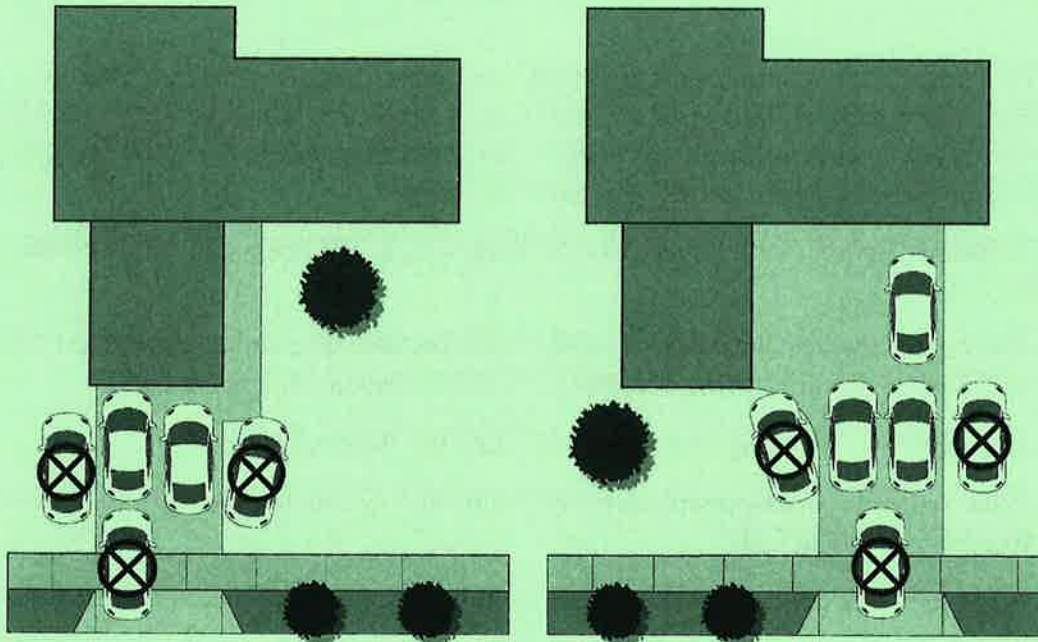
3. For multi-family developments with Accessory Dwelling Units, unit numbers may be assigned to those units such as Unit 58, etc.

H.J. Parking. One off-street parking space is required for each Attached and Detached Accessory Dwelling Unit. The parking requirement for an Attached or Detached Accessory Dwelling Unit shall be in addition to the parking requirement for the existing residence on the property. This space may be provided as tandem parking, including on a paved driveway. Notwithstanding the requirements of Section 17.57.040 (Off-Street Parking Requirements), no parking shall be permitted in the front yard other than on the paved driveway. The parking must be located on-site and accessible by a paved pathway. Additional paving of the front driveway shall be subject to the requirements of Section 10.20.470 (Parking on lawns and yards) and, if located in the Historic District, may be subject to additional front yard landscaping requirements. Parking spaces may also be provided through a mechanical vehicle parking lift if located in an enclosed parking garage.

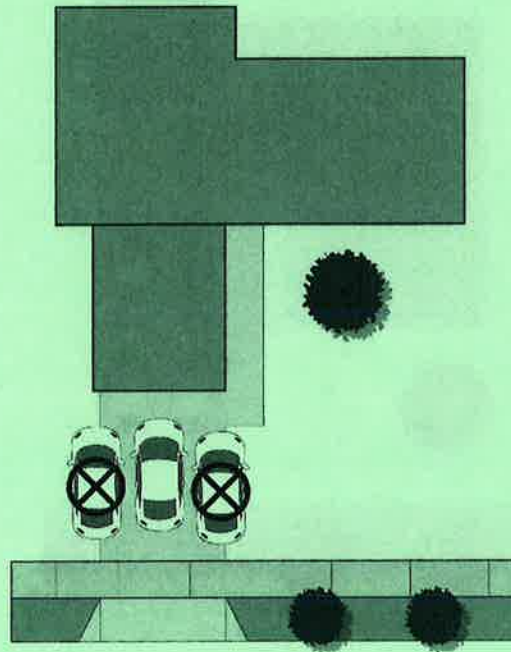
**Acceptable Location of Parking for
Attached and Detached Accessory Dwelling Units**



Prohibited Locations for Parking



Prohibited Locations for Parking (continued)



1. Replacement. When a garage, carport, parking space, or covered parking structure providing required parking for the primary residence or residences is demolished to allow for the construction of an Accessory Dwelling Unit or is converted to an Accessory Dwelling Unit, those off-street parking spaces are not required to be replaced.

2. Additional parking for an Accessory Dwelling Unit is not required in the following instances:

- a. The Accessory Dwelling Unit is located within one-half mile walking distance of public transit, as defined in Section 17.105.020, including transit stations and bus stations.
- b. The Accessory Dwelling Unit is located within the Historic District.
- c. When on-street parking permits are required by the City but not offered to the occupant of the Accessory Dwelling Unit.
- d. When there is a car share vehicle located within one block of the Accessory Dwelling Unit.

17.105.120 Additional Standards Applicable to Converted Accessory Dwelling Units

The following standards apply only to Converted Accessory Dwelling Units. However, in no event shall these provisions preclude a converted Accessory Dwelling Unit that is 800 square feet or smaller in size, has a peak height above grade of 16 feet or lower, and has minimum four-foot side and rear yard setbacks.

A. Size. Not applicable/No size limit.

B. Height. Not applicable/No height limit.

C. Design Standards. Not applicable/No design standards shall be applied.

D. Setbacks. No new setback is required for an existing living area or accessory structure that is converted to an Accessory Dwelling Unit or a portion of an Accessory Dwelling Unit that has the same dimensions as the existing structure. The only exception is if up to an additional 150 square feet is necessary to allow for ingress and egress (entry and exiting). In that case, the side and rear setbacks may be reduced to no less than four feet from the property line. If the setback is reduced, the Accessory Dwelling Unit must still comply with applicable building and fire codes.

E. Utilities. A Converted Accessory Dwelling Unit is not required to have a new or separate utility connection directly between the Accessory Dwelling Unit and the utility, nor is a connection fee or capacity charge required. The applicant may voluntarily install a new or separate utility connection. Any utility charges or fees shall be consistent with Government Code Section 65852.2.

F. Parking. No replacement of off-street parking is required when a garage, carport, or covered parking structure is converted to an Accessory Dwelling Unit. In all other situations where off-street parking is required for a converted Accessory Dwelling Unit, the parking requirement shall not exceed 1 parking space per converted Accessory Dwelling Unit or per bedroom, whichever is less. The off-street parking spaces may be provided as tandem parking on a driveway or in rear yard setback areas on a paved surface, provided such paved area can be easily accessed via the driveway or an alley. No parking shall be permitted in the front yard other than on the paved driveway. Parking spaces may also be provided through a mechanical vehicle parking lift if located in an enclosed parking garage. Notwithstanding the foregoing, replacement or additional parking shall not be required for Converted Accessory Dwelling Units in instances described in Section 17.105.110(H).

17.105.130 Standards Applicable to Junior Accessory Dwelling Units

The following shall apply to all Junior Accessory Dwelling Units:

A. Location. The Junior Accessory Dwelling Unit shall be located entirely within a proposed single-unit primary dwelling, or entirely within an existing single-unit primary dwelling.

B. Size. The total area of floor space for a Junior Accessory Dwelling Unit shall not exceed 500 square feet.

C. Access: Access shall consist of a separate entrance from the main entrance to the proposed or existing single-unit primary dwelling.

D. Efficiency Kitchen. The Junior Accessory Dwelling Unit shall include an efficiency kitchen.

E. Utilities. A Junior Accessory Dwelling Unit shall not be considered a separate or new dwelling unit for the purposes of calculating connection fees or capacity charges for utilities, including water, sewer, or power service, or impact fees. No new or separate utility connection between the Junior Accessory Dwelling Unit and the utility shall be required. The applicant may voluntarily install a submeter for the Accessory Dwelling Unit. Any utility charges or fees shall be consistent with Government Code Section 65852.2.

F. Parking. No additional off-street parking is required for the Junior Accessory Dwelling Unit.

G. Owner Occupancy Requirements. All Junior Accessory Dwelling Units shall be subject to an owner-occupancy requirement. A person with legal or equitable title to the primary single-unit dwelling shall reside on the property in either the primary dwelling or Junior Accessory Dwelling Unit as that person's legal domicile and permanent residence. However, the owner-occupancy requirement does not apply if the property is entirely owned by a governmental agency, land trust, or non-profit housing organization.

H. Setbacks. No setback is required unless it is needed for fire and safety.

I. Number. The total number of Junior Accessory Dwelling Units is limited to one per residential parcel zoned for single-unit residences with a single-unit residence built, or proposed to be built, on the parcel.

J. Zone. Junior Accessory Dwelling Units are permitted only in single-unit residential zones.

K. Deed Restriction. Prior to issuance of a Building Permit for a Junior Accessory Dwelling Unit, a deed restriction shall be recorded in the chain of title of the primary single-unit property. The form of the deed restriction shall be approved by the City Attorney and shall provide that:

1. The Junior Accessory Dwelling Units shall not be sold separately from the primary dwelling.

2. The Junior Accessory Dwelling Units are restricted to the approved size and other attributes allowed by this Chapter.

3. The deed restriction shall run with the land and shall be enforced against future property owners.

17.105.140 Additional Standards Applicable to All Accessory Dwelling Units

The following standards shall apply to all Accessory Dwelling Units and Junior Accessory Dwelling Units.

A. **Parcel Size and Width.** No minimum parcel size or parcel width shall apply to the construction of an Accessory Dwelling Unit.

B. **Access.** Every Accessory Dwelling Unit shall have direct exterior access independent of the exterior access of the primary dwelling. The entrance to the Accessory Dwelling Unit shall, whenever possible, be located on a different side of the building from the entrance to the primary dwelling unit.

C. **Passageways.** No passageway, breezeway, or similar connection between structures on the parcel shall be required in conjunction with the construction of an Accessory Dwelling Unit.

D. **Fire Sprinklers.** Fire sprinklers are required in an Accessory Dwelling Unit if they are required in the primary dwelling.

E. **Septic System.** If allowed by the City, the Accessory Dwelling Unit may connect to an onsite water-treatment system, the owner shall include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years. Such test must demonstrate the ability of the site to accommodate waste discharge associated with the Accessory Dwelling Unit.

F. **Permanent Foundations.**

1. All Accessory Dwelling Units shall be permanently attached to a permanent foundation.
2. A recreational vehicle, commercial coach, trailer, motor home, camper, camping trailer, or boat shall not be used as an Accessory Dwelling Unit.

G. **Design.** The design standards set forth in Section 17.105.160 shall apply to all Accessory Dwelling Units in the Historic District, and the standards set forth in Section 17.105.150 shall apply to all Accessory Dwelling Units in other parts of the City. Design standards do not apply to Converted Accessory Dwelling Units.

H. **Nonconforming Conditions.** The correction of a physical improvement on a property that does not conform with the City's current zoning standards is not required in order to establish an Accessory Dwelling Unit or a Junior Accessory Dwelling Unit on a parcel with a primary dwelling.

I. **No Separate Conveyance.** No Accessory Dwelling Unit may be sold or otherwise conveyed separately from the primary dwelling in the case of a single-unit parcel, or from the parcel and all of the dwellings in the case of a multi-unit parcel.

J. **Rental Term.** The Accessory Dwelling Unit may be rented separate from the primary residence; however, the rental must be for a term longer than 30 days.

K. **Owner Occupancy Requirements.**

1. Established before January 1, 2025. Accessory Dwelling Units established before January 1, 2025 shall not be subject to any owner-occupancy requirement.

2. Established on or after January 1, 2025. Accessory Dwelling Units shall be subject to an owner-occupancy requirement. A person with legal or equitable title to the primary single-unit dwelling shall reside on the property in either the primary unit or the Accessory Dwelling Unit as that person's legal domicile and permanent residence.

3. Junior Accessory Dwelling Units. Junior Accessory Dwelling Units established at any time shall be subject to the owner-occupancy requirement in Section 17.105.130.

L. Impact Fees.

1. No City-imposed impact fees shall be charged to an Accessory Dwelling Unit that is less than 750 square feet in size.

~~2. For Accessory Dwelling Units 750 square feet or larger, impact fees shall be charged. City impact fees shall only be charged if the addition of an Accessory Dwelling Unit 750 square feet or larger results in the need for an increase in the size of the water, sewer or drainage line serving the property. The impact fee charged shall be based on the fee for the new pipe size less the fee for the original pipe size. No other City impact fees shall apply to Accessory Dwelling Unit 750 square feet or larger. proportionately in relation to the square footage of the primary dwelling unit (e.g., the floor area of the primary dwelling, divided by the floor area of the Accessory Dwelling Unit, times the typical fee amount charged for a new dwelling).~~

~~2.3~~ For the purposes of this Subsection, impact fees do not include any connection fee or capacity charge for water or sewer service, nor do they include charges for garbage or recycling service.

~~3.4~~ If any agency or special district other than the City imposes impact fees collected by the City, the City shall collect such fees in accordance with such agency's or district's fee schedule.

17.105.150 All Zones - Design Standards

For all Accessory Dwelling Units that are larger than 800 square feet or taller than 16 feet, except for Converted Accessory Dwelling Units, the following design standards shall apply. The City's Accessory Dwelling Unit Design Workbook provides illustrated examples of these design standards and styles, as well as other design ideas.

A. All exterior walls shall include at least two different materials, as well as either windows or projections or bays or recessed elements.

B. The Accessory Dwelling Unit shall have the same roof pitch as the primary dwelling with matching eave details but may vary by up to 2/12 more or 2/12 less than the roof pitch of the primary dwelling. However, if the unit is located in the Historic District, it must follow the roof pitch requirements for design style allowed in that zone or subarea.

C. Where the Accessory Dwelling Unit is two stories or constructed as the second story of a garage, to maintain privacy of the occupants of the unit and residents of abutting properties, any second story wall facing an abutting property shall incorporate features such as opaque, translucent glazed windows; transom windows; clerestory windows; false windows; or other similar design approach that achieves the same purpose. The landing area of any external staircase shall be screened to maintain the privacy of abutting properties.

D. If the Accessory Dwelling Unit is two stories or constructed as the second story of a garage, the building massing shall be modified using one of the following methods:

1. Use of at least two different building materials (e.g., stone, shingles, siding, stucco, etc.).
2. Use of recessed or projecting windows, doors, or parts of the wall to avoid flat monotonous facades. Recessed windows and doors shall project a minimum of six inches or shall be recessed a minimum of six inches. Any projection must be behind the parcel side or rear yard setback line.
3. Use of cantilevers areas so long as area does not extend beyond the side or rear yard setback.
4. Use of varied roof form such as a mix if different roof types (e.g., hipped, gabled, slant, etc.).

E. If the Accessory Dwelling Unit is two stories or constructed as the second story of a garage, no decks or balconies shall be allowed, except that one balcony no greater than 20 square feet shall be allowed on the front façade.

F. For any Accessory Dwelling Unit that is two stories or constructed as the second story of a garage, if any external staircase is necessary to access the unit that staircase shall be located at the side or rear of the unit and shall be at least 5 feet from property line.

E.G. Though not a required standard, universal design is encouraged, including the use of “no step” entrances, for new Accessory Dwelling Units to provide additional housing opportunities for adults as they age and for persons with disabilities.

17.105.160 Historic District Zones – Design Standards

In addition to the provisions of Section 17.105.150, the following objective design standards shall apply to all Accessory Dwelling Units located in a Historic District zone that are larger than 800 square feet or greater than 16 feet in height, except for Converted Accessory Dwelling Units. The City’s Accessory Dwelling Unit Design Workbook provides illustrated examples of the Historic District design styles and standards.

A. Height. Accessory Dwelling Units located in the Historic District, shall not exceed two stories or 20 feet in height or the existing height of the primary dwelling, whichever is less. Height shall be an average of all four elevations as measured from finished grade to the peak of the roof; unless an alternate approach to measure is approved by the Director. Notwithstanding

the setback standards in Subsections 17.105.070(D) and 17.105.080(D), an Accessory Dwelling Unit taller than 16 feet must be located five feet from the side and rear property lines up to a maximum height of 18 feet as measured from the highest part of the structure to the finished grade. The height of an Accessory Dwelling Unit may increase as the distance between the Accessory Dwelling Unit and the property line increases as follows: for every additional foot of setback, the height may be increased by one-half foot.

B. Architectural Style. The architectural styles in the Historic District reflect the types of design during the period from the 1850s to 1950s. The applicant for an Accessory Dwelling Unit shall select an appropriate architectural style for the historic district zone or subarea in which it is located and shall meet all required design elements. Acceptable styles by zone and subarea are as follows:

1. Craftsman, Queen Anne, Delta, Italianate, Spanish Eclectic: Acceptable in all historic district zones and subareas ~~except the Persifer-Dean subarea.~~
2. 1950s Ranch Style and Contemporary Style: Only acceptable in the Persifer-Dean subarea and The Preserve subarea.

C. Required Design Elements. The specified design elements for each architectural style are as set forth as follows:

1. Craftsman Style
 - a. A roof pitch between 3/12 and 8/12.
 - b. Front-gabled, side-gabled or cross-gabled roof with unenclosed eave overhang.
 - c. Exposed roof rafters and/or braces under gables (i.e., knee braces or corbels).
 - d. Single- or double-hung sash windows with small panes above large pane (e.g., 3 small panes over 1 large pane, or 6-over-1 window) for all windows on the front elevation.
 - e. Horizontal clapboard or shingle siding that is two and one-half to six inches wide or board and batten or a mix of shingles, stone, and siding for different levels or elements may be used. Fiber cement board and shingles may be used in place of wood siding or shingles.
 - f. Optional: Shed or gabled roof dormer.
 - g. Optional: Entry porch under roofline with roof supported by tapered or square columns with square bases that extend to the ground.
2. Queen Anne Style
 - a. A steep roof pitch between 8/12 and 18/12.
 - b. Hipped roof or gabled roof.
 - c. Scalloped shingles with window or vent at end of forward-facing gable.

d. Vertical rectangular single or double hung windows with small pane above large pane on the front elevation.

e. Vertical windows must be at least two feet tall for every one foot wide and not more than three and one-half feet tall for every one foot wide, whenever possible.

f. Horizontal siding that is two and one-half to six inches wide.

g. Optional: Forward-facing gable.

h. Optional: Entry porch with narrow columns.

i. Optional: Multiple gables and dormers.

j. Optional: Angled bay cut-away.

3. Delta Style

a. Single-front gabled roof.

b. Rectangular vent at end of front-facing gable.

c. Roof pitch of 6/12 to 12/12.

d. Soffited eaves.

e. Tall, narrow windows that must be at least two feet tall for every one foot wide, whenever possible, with plain, simple trim measuring no more than three and one-half inches wide surrounding all sides of the window.

f. Horizontal clapboard siding two and one-half to six inches wide or board and batten siding. Fiber cement board and shingles may be used in place of wood siding or shingles.

g. Optional: Low-pitched porch with rails and with roof supported by narrow square posts that extend to the ground.

4. Italianate Style

a. Low-pitched hip roof between 3/12 and 6/12.

b. Overhanging eaves supported with decorative brackets.

c. Large, decorative brackets under an ornamental cornice.

d. Paneled wood doors.

e. Tall, narrow windows that must be at least two feet tall for every one foot wide, and not more than three feet, six inches tall for every one foot wide, whenever possible.

f. Exterior horizontal wood paneling four to six inches wide. Board and batten as well as brick and mortar siding are also acceptable. Fiber cement board and shingles may be used in place of wood siding or shingles.

- g. Optional: Wrap-around porch (or smaller entry porch) with narrow double columns.
 - h. Optional: Angled bay in front of house.
5. Spanish Eclectic Style (also known as Spanish Revival)
- a. A low-pitched roof between 2/12 and 5/12.
 - b. Roof shall be cross gabled, hipped, or combined hipped-and-gabled roof.
 - c. Maximum roof eave overhang of four inches.
 - d. A red or reddish-tiled roof.
 - e. Red or reddish tile vents.
 - f. Recessed doors and windows.
 - g. Heavy wood doors.
 - h. A prominent rounded arch over main door.
 - i. Use of casement windows.
 - j. A prominent rounded arch over primary large window.
 - k. Stucco used on all walls.
 - l. Optional: Uncovered porch.
6. 1950s Ranch Style
- a. Low to intermediate gable roof with a roof pitch between 3/12 and 5/12.
 - b. Front facing gable(s).
 - c. Soffited eaves.
 - d. Optional: Open shutters surrounding windows.
 - e. Smooth stucco or the use of wood shingles or siding or the equivalent (e.g., fiber cement board or shingles), board and batten, stone, and brick and mortar.
 - f. Optional: Small entry porch no greater than 100 square feet.
7. Contemporary Style (from 1950s era)
- a. Flat or slanted roof with pitch of 0/12 to 2/12.
 - b. Cantilevered soffited eaves.
 - c. Stucco, shingle, brick, or horizontal wood siding or the equivalent (i.e., fiber cement shingles or board).
 - d. Horizontal windows flush with wall casement (no recessed windows).

- e. No greater than two-inch trim around windows.

17.105.170 Permits and Action on an Application

A. Ministerial Action. Approval or denial of an Accessory Dwelling Unit or Junior Accessory Dwelling Unit application that complies with the provisions of this Chapter is a ministerial action not subject to discretionary review. The City has the authority to review applications for completeness and compliance with the provisions of this Section.

B. Ministerial Site Plan and Design Review. Prior to submitting a building permit application to construct any Accessory Dwelling Unit or Junior Accessory Dwelling Unit, the property owner shall obtain a Ministerial Site Plan and Design Review Permit from the City. The City shall issue the permit within 60 days from the date that the City received a completed application, unless either:

1. The applicant requests a delay, in which case the 60-day time period is put on hold for the period of the requested delay; or

2. The application to create an Accessory Dwelling Unit or Junior Accessory Dwelling Unit is submitted with an application to create a new single-unit dwelling on the parcel. The City may delay acting on the permit application for the Accessory Dwelling Unit or Junior Accessory Dwelling Unit until the City acts on the permit application to create the new single-unit dwelling, but the application to create the Accessory Dwelling Unit or Junior Accessory Dwelling Unit will still be considered ministerial without discretionary review or a hearing.

C. Building Permit. Any Accessory Dwelling Unit or Junior Accessory Dwelling Unit shall require a Building Permit, subject to all the standard application and processing fees and procedures that apply to Building Permits generally. Applications for Ministerial Site Plan and Design Review and a Building Permit may be submitted concurrently.

D. Accessory Dwelling Units Located within 50 feet of the property line of a Listed Historic Structure. Any Accessory Dwelling Unit proposed for construction on or within 50 feet of the property line of a parcel containing a structure listed on the California Register of Historic Resources shall have a peak height above grade of no more than 16 feet.

E. Fees. All applications for Accessory Dwelling Units must be accompanied by the required application fee. Application fees are established by Council resolution.

SECTION 5 SCOPE

Except as set forth in this Ordinance, all other provisions of the Folsom Municipal Code shall remain in full force and effect.

SECTION 6 SEVERABILITY

If any section, subsection, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 7 EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days from and after its passage and adoption. In lieu of publication of the full text of the Ordinance within fifteen (15) days after its passage, a summary of the Ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to Government Code section 36933(c)(1).

This Ordinance was introduced and the title thereof read at the regular meeting of the City Council on _____, 2020, and the second reading occurred at the regular meeting of the City Council on _____, 2020.

On a motion by Council Member _____, seconded by Council Member _____, the foregoing Ordinance was passed and adopted by the City Council of the City of Folsom, State of California, this ____ day of _____, 2020 by the following vote, to wit:

- AYES: Council Member(s)
- NOES: Council Member(s)
- ABSENT: Council Member(s)
- ABSTAIN: Council Member(s)

Sarah Aquino, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

