



Agenda Date: 6/7/2017

Agenda Placement: 8C

Napa Sanitation District Board Agenda Letter

TO: Honorable Board of Directors

FROM: Jeff Tucker - Director of Administrative Services/CFO
NS-Administration

REPORT BY: Jeff Tucker, Director of Administrative Services/CFO - 707-258-6000

SUBJECT: Provide Direction to Staff on Accessory Dwelling Units Policy

RECOMMENDATION

Receive presentation and provide direction to staff on policy options for Accessory Dwelling Units.

EXECUTIVE SUMMARY

Recent changes in state law requires cities and counties to make changes to how they assess capacity charges for Accessory Dwelling Units (ADUs), but it is generally understood that the law does not apply to special districts. The State Legislature is currently considering legislation to apply these new rules to special districts. If approved by the State Legislature and signed by the Governor, these new rules would apply to NapaSan.

While the law may change as it goes through the legislative process, the current status of the law says that capacity charges could not be charged for new ADUs that are constructed within the existing footprint of the existing structures on the property. For new construction or construction that expands beyond the existing footprint of buildings, the capacity charge must be proportionate to the burden, based on either its size or fixture units.

Staff will provide policy options for setting capacity charges and sewer service charges for Accessory Dwelling Units, in anticipation of changes in state law. These policy options include:

- Not charging capacity charges for ADUs that remain within the footprint of existing buildings
- Charging capacity charges for ADUs that exceed the footprint, based on square footage or fixture units
- Charging capacity charges for ADUs based on a different methodology, such as treating them like apartments
- Setting sewer service charges (SSCs) based on square footage or fixture units
- Setting SSCs based on treating ADUs like apartments, condos or single family residences

The Board is under no obligation to take any action at this time. However, staff is seeking direction on how to develop an ordinance regarding capacity charges and sewer service charges for ADUs, to be brought back to the

Board in July for consideration.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Legal Counsel provided a briefing on the new ADU law to the Board on February 15, 2017.

SUPPORTING DOCUMENTS

- A . Presentation
- B . CA Government Code Section 65852.2
- C . City of Napa Ordinance 02017-007
- D . ADU Memorandum, California Department of Housing and Community Development

Napa Sanitation District: Approve

Reviewed By: Jeff Tucker