



City of Colusa California

STAFF REPORT

DATE: March 19, 2025
TO: Planning Commission
FROM: Sadie Boggs Ash, Grants
Jake Morley, Planning Consultant

AGENDA ITEM: Colusa Municipal Zone Article 49 - Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Regulations.

Recommendation: Open the Public Hearing and recommend that Colusa City Council approve Zone Article 49 – Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Regulations and determine the Zone Article is exempt from review under the California Environmental Quality Act pursuant to 15061(d).

BACKGROUND:

Pursuant to Government Code Section 65852.150, the California Legislature has found and declared that California faces a severe housing crisis, and that ADUs and JADUs serve as valuable housing options for a wide variety of residents, including family members, students, seniors, in-home health care providers, and people with disabilities.

In response to the ongoing statewide housing crisis, rising housing costs, and shortage of affordable housing, the Legislature has adopted numerous statutory amendments governing ADUs and JADUs. Since 2016, approximately 31 bills have been passed that streamline and expand ADU regulations. These legislative and regulations changes are intended to remove barriers, accelerate approvals and increase the overall production of ADUs and JADUs across California and address the following topics:

- Setbacks
- Height limits
- Parking requirements
- Occupancy standards
- Types of ADUs (attached, detached, and JADUs)
- Fire sprinkler and solar panel requirements
- Limited local authority in denying building permits
- Allowance for ADUs in multi-family and coastal zones

- Required permitting of unpermitted ADUs
- Restrictions on Homeowners Associations' ability to prohibit ADUs

ANALYSIS:

The Colusa Municipal Code (CMC) currently includes ADU regulations but requires updates to comply with recent state mandates. Specifically, the land use table for mixed-use zones (Bridge Street, Downtown, Main Street, and Residential Mixed Use) allows ADUs by right in all areas except Bridge Street, where a Use Permit is still required. This requirement must be removed to ensure compliance with state law.

Given the historic frequency of ADU legislative updates staff recommends adopting an ADU ordinance that aligns with state standards, ensuring ongoing compliance without the need for repeated municipal code revisions.

The adoption of new CMC standards will aid in the creation of additional housing units, particularly in portions of the city that have alley access. As lots with alley access opens up the lot to additional development from the rear yard, while not burdening the street frontage. Further by allowing ADUs existing infrastructure and utilities can be utilized without the need to expand city limits and associate infrastructure.

GENERAL PLAN

Amending the Colusa Municipal Code to align with state ADU regulations supports the City's Housing Element and broader General Plan objectives. The following policies apply:

- **Goal HSG-1:** Provide a continuous supply of affordable housing for all income levels.
- **Policy HSG 1.1:** Ensure a variety of housing types at diverse densities.
- **Policy HSG 1.4:** Maintain an adequate supply of land for housing development.
- **Policy HSG 1.5:** Encourage the development of both for-sale and rental housing.
- **Policy HSG 5.1 & 5.2:** Maintain sufficient zoning capacity to accommodate regional housing needs.
- **Policy HSG 7.4:** Promote innovative housing types and mixed-use developments.
- **Policy LU 6.3:** Ensure adequate public facilities and services accompany growth.

Further, by adoption of the new ordinance the city will also be in compliance with the 2020-2028 Housing Element which was adopted on December 1, 2020. Specifically, policies and objectives in the Element discuss ADUs such as Program H-2(b) which states:

"Allow for accessory and junior accessory units in accordance with California Government Code Section 65852 and replace with accessory unit requirements."

PUBLIC CONTACT and ENVIRONMENTAL REVIEW

A 20-day public hearing notice was published in the *Pioneer Review* on February 21, 2025, and posted at the Planning Counter. The proposed ordinance amendment qualifies for a CEQA

exemption under Section 15061(b)(3), as it is evident that the amendment will not result in any significant environmental impacts.

BUDGET IMPACT: Not to exceed \$65,000. Staff Time, Legal Review, purchase of pre-approved plans and streamlining of ADU and JADU process is funded by the LEAP Grant, awarded to the City in November 2024.

ATTACHMENTS:

1. Article 49 - Uncodified