CITY COUNCIL OF AMADOR CITY
DRAFT, REGULAR MEETING AGENDA
THURSDAY, 16 OCTOBER 2025
7:00 PM

The agenda for this regular meeting is distributed to the City Council and posted in public locations in Amador City no less than 72 hours prior to the meeting. Any pertinent documents related to Regular Agenda Items will be distributed to Council Members no less than 72 hours prior to the meeting and available at City Hall during City Hall hours.

In-person participation by the public is welcomed. Future City Council Meetings will be broadcast on the City's YouTube channel at: https://www.youtube.com/@amadorcitycouncil

Members of the public not attending in-person may submit written comments prior to the meeting by emailing their comment to the City Clerk at cityclerk@amador-city.com before 11:00 AM on the day of the meeting. Emailed public comments will be distributed to City Council and made part of the official record.

In compliance with the Americans with Disabilities Act, individuals may request disability-related accommodations by contacting the City Clerk before 11:00 AM on the Monday before the Council meeting. City Hall is wheelchair accessible.

CALL TO ORDER

FLAG SALUTE/PLEDGE OF ALLEGIANCE

ROLL CALL/ESTABLISH A QUORUM

Council Members Ambroselli, Bragstad, Sherrill, Unguez, Staples

PROCLAMATIONS/CORRESPONDENCE

APPROVAL OF CITY COUNCIL REGULAR MEETING AGENDA 16 OCTOBER 2025

PUBLIC COMMENT

Under provisions of the California Code, citizens wishing to address the Council for any matter not on the agenda may do so at this time. Please limit comments to five minutes or less. Under provisions of the California Government Code, the City Council cannot take action unless an urgent need arose after the posting of the agenda.

CONSENT CALENDAR ITEMS

All matters listed under the Consent Calendar are to be considered routine by the City Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the City Council votes on the motion to adopt, members of the Council, staff or the public request specific items to be removed from the Consent Calendar for separate discussion and action.

1. Regular Meeting Agenda Minutes of 18 September 2025
2. Financial Reports
   - *from HRB: financial statements for October and November will be available or the November City Council Meeting*
   - *City Accounts, City Treasurer*
3. 2025 Building Permits

ORDINANCES AND PUBLIC HEARINGS *None*

REGULAR AGENDA ITEMS:

4. **Housing Element- Required Updates to the Zoning Code** Susan Peters, City Planner
   This workshop begins the review and adoption process of updates and amendments to the Municipal Code Title 17 - Zoning, to conform with the requirements of the General Plan Housing Element.
   Attachments: California Department of Housing and Community Development: Required Municipal Code Updates
   Figure AC-1 Amador City Inventory of Sites Zoning Map
   Section 17.62 - Accessory Dwelling Units/Junior Accessory Dwelling Units
   Section 17.58 - Condominium Conversions
   Section 17.60.035 - Reasonable Accommodation for Residential Units
   Section 17.08 - Special Needs Etc.
   Section 17.58 - Density Bonuses

5. **Amador County Recreation Agency (ACRA)**
   Discussion only: The Board of ACRA will be discussing, possibly approving by motion and vote, dissolution of the JPA at its next meeting on 28 October 2025 at 4:00PM in Board of Supervisors' chambers. Their request is that member entities be informed and provide feedback to their representatives on the ACRA Board.

6. **Culbert Park:** Update on the $50,000 transfer of Park and Rec DIF to Amador City for park improvements.
   1) Project sketches need to be drafted to specs.
   2) Construction needs to go out to bid.
   Weber Ghio & Assoc. engineers estimate the costs associated with the plans, specs, public notices, pre-bid meeting, staff reports and notice of award to be $11,000.
   Recommendation: Approve, by council motion and vote, a Request for Quotes (RFQ) for the construction phase of the park.

7. **Sutter Creek Elementary School's 2025 Walk-A-Thon**
   Recommendation: Approve, by council motion and vote, that Amador City become a sponsor of the annual Walk-a-Thon fund-raising event.
   Attachment: 2025 Walk-a-Thon: Business and Family Sponsor Form

8. **Sewer Committee:** Request to City Council for the re-establishment of an Ad hoc Sewer Committee.
   Recommendation: Approve, by council motion and vote, that a Sewer Committee be re-established for an agreed upon scope/task and agreed upon timeframe.
   Attachment: Draft, proposed scope and timeframe
   Report, Ad hoc committees

REPORTS *This section provides an opportunity for a brief verbal status updates of committee meetings and activities of Councilmembers and staff. No action will be taken.*

COUNCILMEMBER REPORTS
- **Councilmember Ambroselli**
- **Councilmember Bragstad**
- **Councilmember Sherrill**
- **Councilmember Unguez**
- **Councilmember/Mayor Staples**

STAFF REPORTS
- **City Clerk**
- **City Treasurer**

CITY ATTORNEY REPORT

REQUESTS FOR FUTURE AGENDA ITEMS

CLOSED SESSION

ADJOURNMENT

The next scheduled Regular City Council meeting is Thursday, 17 November 2025 at 7:00 PM at Old City Hall/Firehouse at 14203 Main Street/Old Hwy 49.

CITY OF AMADOR CITY

MINUTES OF THE REGULAR MEETING OF THE AMADOR CITY COUNCIL

SEPTEMBER 18, 2025

Meeting called to order at 7:00 p.m.

ROLL CALL: Ambroselli, Bragstad, Sherrill, Staples, Unguez

APPROVAL OF AGENDA: Bragstad moved, 2nd by Sherrill, approved unanimously

PUBLIC COMMENTS: A'Laina Lyons on behalf of ACBCA reported a Halloween Event will take place Saturday, October 25, 2025, Water Street will be closed, Halloween Constumes in order, they would like to put up a pop-up tent for a drawing to win a locally hand-made quilt as a fund raising effort for ACBCA. Stephen Testa expressed his appreciation for the use of the City Hall to conduct the first Amador County Geological Society meeting. He reported that twenty-nine people attended which the City Hall accommodated comfortably. Holgate provided wine for attendees. Another meeting is scheduled for the 2nd week of October. Gary Brusatori asked why the old roof was placed back on the schoolhouse building. Mayor Staples said the insurance company approved that.

CONSENT CALENDAR ITEMS

1. Regular Meeting Agenda Minutes of August 21, 2025 Meeting-Correct spelling of Councilman Ambroselli's last name; existence of Fire Lane is a decision for Fire Chief only, e-mail from Chief Moreno did not make that declaration. Ambroselli moved, 2nd by Bragstad approved.
2. Financial Report – General Fund being reimbursed $7,000 by CIRRA, Sewer Transmission $15,339, quarterly ARSA $4,560, Other Funds – Fire House #12, $25,000 should be to Sheriff, Unguez moved, 2nd by Sherrill, approved unanimously.

ORDINANCES AND PUBLIC HEARINGS

3. Ordinance 187, An Ordinance amending Chapter 9 of the Amador City Municipal Code Related to Establishing Parks as Smoke-Free Zones. Bragstad moved, 2nd by Ambroselli, approved unanimously

REGULAR AGENDA ITEMS

4. Wastewater Treatment Plant Overview: City Manager Tom DuBois of Sutter Creek gave a power-point presentation of the sewer system and treatment plant.

5. Short-term Needs: Waste Water Treatment Infrastructure: Two purchase orders (one expired). Up-dated bid to be requested. Motion by Unguez, 2nd by Ambroselli to approve purchases and Requests for Quotes, approved unanimously.
   Mayor Staples to talk to Grant Reynolds about road work. Jack and Maggie Hamilton to be consulted about road also.

6. Bookkeeping Services: Request for Proposal for Bookkeeping Services. Included in letters mailed to prospective services will be "information regarding their experience in government entities and also request references from other cities. Motion by Ambroselli, 2nd by Sherrill to pursue a new bookkeeping company, approved unanimously.
7. Smoke-Free Zone Signage for City Parks : Amador Public Health will provide signage for city parks with ordinances establishing smoke free zone. Motion by Unguez, 2nd by Bragstad, approved unanimously.
8. Certificate of Acceptance of Quitclaim Deed date 8/25/25 from Connie Peterson: Motion by Ambroselli, 2nd by Sherrill, approved unanimous to approve.
9. Fallen Tree at Keystone Alley: Letter sent to Anne Kel-Artinian and Ray Brusatori stating tree on Brusatori property and it is his responsibility.
10. Restoration of Old City Halll: Progress is ahead of schedule, waiting for check from insurance company for progress payment number two. There might be potential archive storage available in the future.

Councilmember Reports: Ambroselli – Sutter Creek Fire Dept. would like more traffic control for trimming vegetation along Highway 49 on south end of town. It is scheduled for next Thursday. Bragstad – Culbert Park proceeding. Sherrill – No ARSA. Unguez -Nothing to report. Mayor Staples – Alvffl committee meetings must be posted giving 72 hour notice and are subject to Brown Act.

STAFF REPORTS – City Clerk – Shared with Council a historic document establishing Amador City, given to the city by Hope Luxemburg. City Treasurer – Gave a brief summary of finances of city.

CITY ATTORNEY – Nothing to report

REQUEST FOR FUTURE AGENDA ITEMS – Revisit 49 Clean Up, Fleehart sewer issue, Resolution thanking Hope Luxemburg.

ADJOURNED AT 8:54 p.m.

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AMADOR CITY

2025 Building Permits

City Clerk: Joyce Davidson (209) 267-0682

Building Permit No.	Application Date	Applicant	Owners Name/Project Address	Zoning	Permit Issue Date	Project Valuation	CASP Fee	Earthquake Fee	Permit Fee Total	Final Inspection Date	Scope of Work
2839-081	1/9/2025	Arianna Morgan	Kel Artinian14410 Keystone Alley	R	2/3/2025	$15,895.00	$1.00	$2.07	$322.07		13.5 Kw Energy Storage System
2839-082	1/24/2025	Eddie Wyrick	Dremel 14125 Old Route 49	C		$22,000.00	$1.00	$2.86	$378.86		10.125 Kw roof mount solar
2839-083	3/31/2025	Mountain Air	Lower Creek,LLC 14202 Old 49	C	4/3/2025	$14,542.00	$1.00	$4.08	$275.08	4/14/2025	New HVAC on roof
2024 1st QTR Total						**$ 52,437.00**	**$ 3.00**	**$ 9.01**	**$ 976.01**		
2839-084	4/8/2025	Sequoia Roofing	Kegge 14246 Old Route 49	R	4/14/2025	20,000.00	$1.00	$2.60	$324.85	4/28/2025	Reroof
2839-085	4/24/2025	Solar Savings Direc	Kegge 14246 Old Route 49	R	5/8/2025	$5,000.00	$1.00	$0.60	$271.65	6/10/2025	Upgrade MSP
2839-086	5/5/2025	Solar Savings Direc	Kegge 14246 Old Route 49	R	5/29/2025	$79,288.75	$4.00	$10.31	$689.31	6/10/2025	8.51 Kw roof mount solar with ESS
2839-087	5/8/2025	Gilmore H&A	Sailor 10610 Freemont mine	R	5/22/2025	$19,796.00	$1.00	$2.57	$273.57	7/24/2025	HVAC change out gas pak
2839-088	5/20/2025	Pat Lyons	Lyons 10787 Water St	C		75,647.42	4.00	21.17	$3,611.31		Commercial Kitchen and storage
2829-089	5/20/2025	Randy Parsons	Parsons 10610 O'Neil Alley	R	6/30/2025	$212.863.13	9.00	27.68	$3,411.24		Single Family Dwelling
2839-090	6/26/2025	Hobbs Constructior	Kane 10870 Last Chance Alley	R		5,000.00			$450.00		weed abatement,grading,ersoion control
2024 2nd QTR Total						**$ 199,732.17**	**$ 20.00**	**$ 64.93**	**$ 9,031.93**		
2839-091	7/16/2025	Jamen's Plumbing	Testa 14441 Church Street	R	7/24/2025	$11,575.00	$1.00	$1.51	$352.81	8/11/2025	water heater / repipe house
2839-092	8/13/2025	Mountain Air	Spencer 14450 W School St	R		$14,930.00	$1.00	$1.95	$302.95		New HVAC
2024 3rd QTR Total						**$ -**	**$ -**	**$ -**	**$ -**		
2024 4th QTR Total						**$ -**	**$ -**	**$ -**	**$ -**		
			Total to Date			**252,169.17**	**23.00**	**73.94**	**10,007.94**		

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Agenda Item 1

DATE: **OCTOBER 16, 2025**

TO: **CITY COUNCIL**

FROM: **SUSAN M. PETERS, CITY PLANNER**

SUBJECT: **WORKSHOP – HOUSING ELEMENT REQUIRED UPDATES TO THE ZONING COE**

The purpose of this workshop is to begin the review and adoption process of updates and amendments to the Amador City Municipal Code Title 17 – Zoning, to conform with the requirements of the Amador City General Plan Housing Element.

BACKGROUND

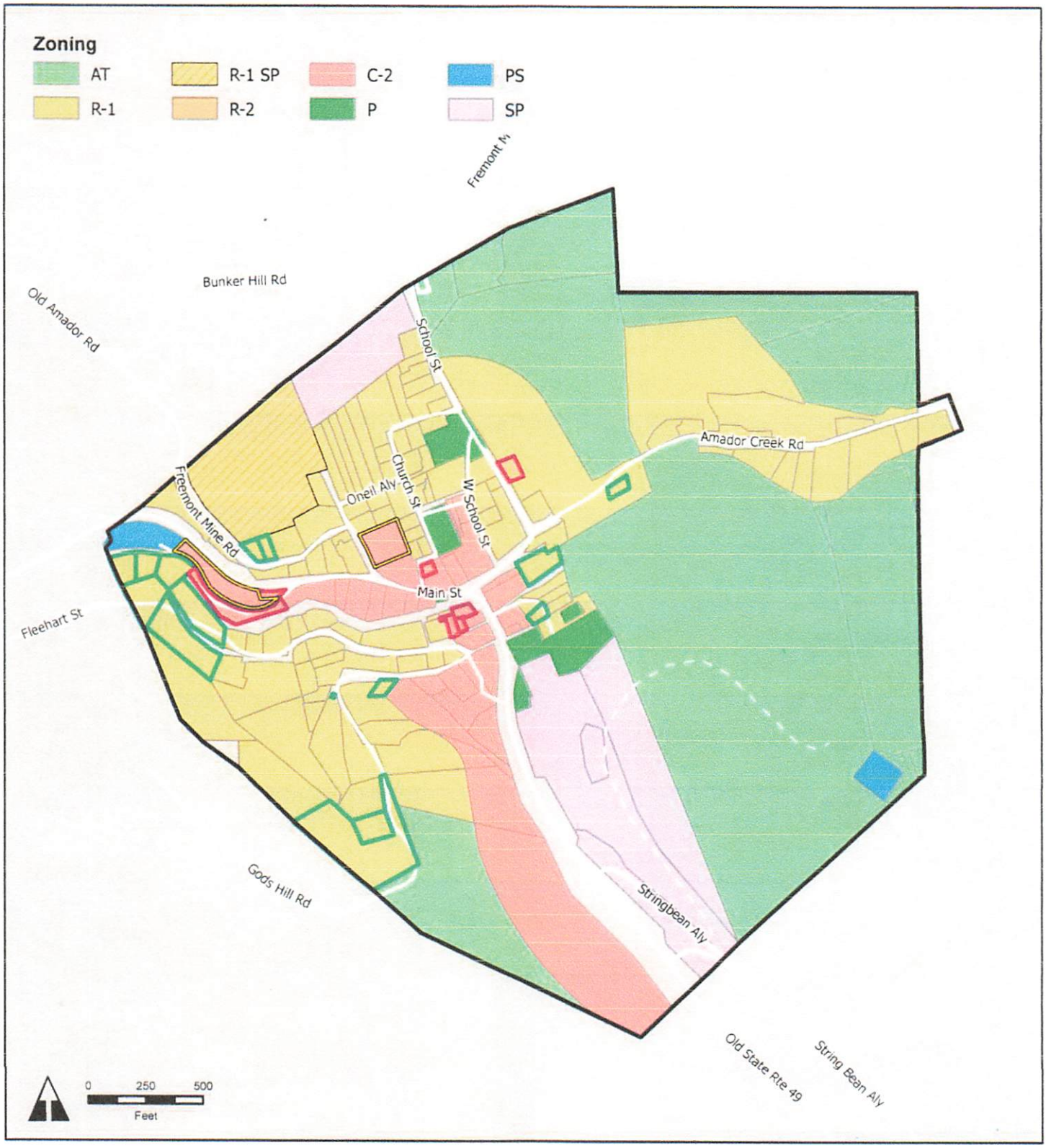
The Amador City 6th Cycle Housing Element was adopted by the city in 2023 and certified by the California Department of Housing and Community Development (HCD) in February 2025. There are a number of policy programs in the Housing Plan of the Housing Element that require updates and amendments to the City's Zoning Code. These requirements are detailed in the attached California Department of Housing and Community Development Required Municipal Code Updates document. While HCD has certified the Housing Element, the city is still not in compliance with State law until some of these amendments have been approved the city and subsequently reviewed and approved by HCD staff.

DISCUSSION

As shown the in the attached California Department of Housing and Community Development Required Municipal Code Updates document, there are a number of new and amended sections of the Zoning Code. The objective of the workshop is to preliminarily review these proposed amendments and provide direction to staff. This workshop will be followed by two City Council public hearings to adopt an ordinance to update the Zoning Code. These meetings are scheduled for November 20, 2025 and December 18, 2025. Once adopted the amended and updated sections will be forwarded to HCD for review and approval. With HCD approval, Amador City's Housing Element will be in compliance with State law.

Attachments:

1. California Department of Housing and Community Development Required Municipal Code Updates
2. Figure AC-1 Amdor City Inventory of Sites Zoning Map
3. Section 17.62 – Accessory Dwelling Units & Junior Accessory Dwelling Units
4. Section 17.58 - Condominium Conversions
5. Section 17.60.035 - Reasonable Accommodation for Residential Uses
6. Section 17.08 – Special Needs Etc.
7. Section 17.58 - Density Bonuses



Legend

City Boundary

Vacant Sites

Above Moderate

Moderate

Very Low/Low

Sources: Amador County GIS, USGS Roads Database, Map date: August 25, 2023

AMADOR COUNTYWIDE HOUSING ELEMENT

Figure AC-1. Amador City Inventory of Sites Zoning Map

Section 17.62 – Accessory Dwelling Units & Junior Accessory Dwelling Units

17.62.010 – Purpose

This chapter provide for accessory dwelling units (ADU) and junior accessory dwelling units (JADU) consistent with California State Regulations.

17.62.020 – Accessory dwelling unit criteria

A. Location. Accessory dwelling units may be allowed as follows:

1. Parcels zoned for single-family, duplex or multifamily use, or on non-residentially zoned properties, which are currently used for a single-family residential use, either simultaneous to or subsequent to construction of the principal single-family detached dwelling.

2. Parcels which are currently used for a multifamily land use, when the accessory dwelling unit is created within portions of the existing multifamily dwelling structure that is not used as livable space, and if each space complies with applicable building and health and safety codes. However, one-story detached accessory dwelling units may be allowed on a multifamily dwelling parcel provided such units comply with the development standards for one-story accessory dwelling units in subsection D of this section.

B. Limitation.

1. Single-Family Residential Uses. In no case shall more than one accessory dwelling unit and one junior accessory dwelling unit be placed on the same lot or parcel for single-family dwellings.

2. Multifamily Residential Uses.

a. No more than two detached accessory dwelling units shall be allowed on a parcel zoned multifamily residential.

b. The number of accessory dwelling units allowed on a multifamily property are limited to not more than twenty-five percent of the number of multifamily dwelling units on the property, except that at least one accessory dwelling unit shall be allowed.

C. Zoning District Standards. All requirements and regulations of the zoning district in which the lot is situated shall apply, except as set forth in subsection D of this section.

D. Special Conditions. The accessory dwelling unit may be established by the conversion of an attic, basement, garage or other portion of an existing residential unit or by new construction; a detached accessory dwelling unit may be established by the conversion of an accessory structure or may be established by new construction provided the following criteria are met:

1. Floor Area. The floor area of an attached accessory dwelling unit shall not exceed eight hundred square feet or fifty percent of the existing living area, whichever is greater. The floor area of a detached accessory dwelling unit shall not exceed:

    a. Parcels of ten thousand square feet or greater: One thousand square feet.

    b. All other parcels: Eight hundred fifty square feet for a studio or one-bedroom accessory dwelling unit, or one thousand square feet for an accessory dwelling unit that provides for more than one bedroom.

2. Height. Accessory dwelling units are subject to the same height standards that apply to primary dwellings on the lot in the applicable zoning district.

3. Architecture.

    a. Accessory dwelling units shall be substantially compatible with the primary dwelling unit and the neighborhood.

    b. All windows along the wall facing the adjoining property line shall be clerestory (minimum of six feet height above the finished floor) or shall have permanently obscured glazing.

4. Setbacks. Accessory dwelling units are subject to the same setback standards that apply to primary dwellings on the lot in the applicable zoning district, except that a setback of no more than four feet shall be required from the side and rear lot lines. No setback shall be required for a garage or other accessory structure which was constructed with a building permit as of January 1, 2020, that is converted to an accessory dwelling unit.

5. Manufactured. Manufactured accessory dwelling units that meet the requirements of state law shall be allowed; provided, that they are constructed on a permanent foundation, are deemed substantially compatible architecturally with the primary dwelling unit by the city planner and adhere to the development standards set forth in this chapter.

6. Utility Connections. At the discretion of the city engineer, utility connections (sewer, water, gas, electricity, telephone) may or may not be connected to the primary dwelling unit. If utility connections are separate from the primary dwelling unit, power and telephone lines shall be underground from the point of source as approved by the respective utility purveyor to the accessory dwelling unit. However, for the creation of an accessory dwelling unit contained within the existing space of a single-family residence or accessory structure, the city shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.

7. Selling Accessory Dwelling Units. The accessory dwelling unit shall not be offered for sale apart from the primary dwelling unless the accessory dwelling unit or the primary dwelling was built or developed by a qualified nonprofit, there is an enforceable restriction on use pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation, and the property is held pursuant to a recorded tenancy in common agreement that includes the requisite provisions set forth in California

Government Code Section 65852.26. For purposes of this provision, all terms shall have the meaning set forth in Government Code Section 65852.26.

8. Renting Accessory Dwelling Units. The rental of an accessory dwelling unit is allowed, provided the term is longer than thirty consecutive days. The rental of an accessory dwelling unit for thirty days or less is prohibited.

9. Separate Entrance Required. The entry to an attached accessory dwelling unit shall be accessed separately and securely from the primary dwelling unit. No passageway shall be required in conjunction with the construction of an accessory dwelling unit. For the purpose of this chapter, a passageway is a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

10. Applicable Codes. Accessory dwelling units must comply with applicable building, fire and other health and safety codes.

11. Lot Coverage. Accessory dwelling units shall not be considered when calculating the maximum lot coverage allowed.

12. Parking. There shall be one off-street parking space per accessory dwelling unit or per bedroom in the accessory dwelling unit(s), whichever is less. Off-street parking spaces for the ADU may be provided as tandem parking or in setback areas in locations determined by the city, unless the city finds that tandem parking or parking in setback areas is not feasible based upon specific site or regional topographical or fire and life safety conditions. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, or converted to an accessory dwelling unit, no replacement off-street parking spaces shall be required.

E. Application Procedure. City Planner, or designee, approval shall be required for all accessory dwelling units. The property owner shall file a completed administrative review application with the planning department, or a building permit application, and pay all applicable fees. The completed application form shall include, but not be limited to, data on the floor space and height of the proposed unit and the existing residential unit(s), a photograph of the existing residential unit(s), the height of adjacent residences, and an accurately drawn site plan showing the location and size of all existing and proposed structures, the proposed accessory dwelling unit, setbacks, utility connections and vehicle parking.

F. Reserved.

G. Existing Nonpermitted Accessory Dwelling Units. The planning director may approve an accessory dwelling unit constructed without benefit of required permits; provided, that the unit conforms to the current building code, is subject to applicable current permit and impact fees, and conforms to setback, height, area, and other physical development standards otherwise applicable.

H. General Plan and Zoning Densities. Accessory dwelling units shall not be counted as "development units" under the general plan density requirements or the density requirements for the applicable zoning district.

I. Connection Fees or Capacity Charges. Accessory dwelling units shall not be considered new residential uses for the purposes of calculating local agency connection fees or capacity charges for utilities, including sewer and water. Accessory dwelling units of seven hundred fifty square feet or less shall not be subject to impact fees. Accessory dwelling units larger than seven hundred fifty square feet may, as determined by the city council by resolution, be subject to impact fees charged proportionately in relation to the square footage of the primary dwelling unit.

J. Fire Sprinklers. The installation of fire sprinklers shall not be required in an accessory dwelling unit if they are not required for the primary dwelling unit (unless otherwise required by the fire chief based on state law).

K. Maintenance and Conversion. An accessory dwelling unit created under this chapter shall be maintained with the provisions of this chapter and shall not be destroyed or otherwise converted to any other use (including reverting to a portion of the primary dwelling unit) except with approval of the planning director. In considering such requests, the planning director shall consider the length of time such permit has been in force, the conditions of approval, the exceptions granted for the permit, and the impact on the city's affordable housing supply. As a condition of termination, the city planner shall require the owner to make modifications to the property to: (1) comply with current building code requirements and (2) comply with current development standards in effect at the time of the request to terminate the use of the ADU.

17.62.020 – Junior accessory dwelling unit criteria

A. Location. Junior accessory dwelling units may be allowed only on parcels zoned for single-family residential use with an existing single-family dwelling unit on the parcel; or, as part of a proposed single-family residential use when it is within the proposed space of a single-family dwelling.

B. Limitation. In no case shall more than one accessory dwelling unit and one junior accessory dwelling unit be placed on the same lot or parcel.

C. Occupancy. Owner-occupancy is required in the single-family dwelling unit in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the single-family dwelling unit or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is a governmental agency, land trust, or housing organization.

D. Existing Structure/Bedroom. A junior accessory dwelling unit shall be located within the walls of an existing or proposed single-family residence.

E. Entrance. A junior accessory dwelling unit shall include its own discrete entrance, separate from the main entrance to the structure. A permitted junior accessory dwelling unit may include an interior entry to the main living area and may include a second interior doorway for sound attenuation.

F. Kitchen. The junior accessory dwelling unit shall include an efficiency kitchen, which shall include all of the following: sink, food preparation counter, refrigerator, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

G. Parking. Junior accessory dwelling units have no parking requirement.

H. Deed Restriction. The junior accessory dwelling unit shall not be offered for sale apart from the primary dwelling unit. A deed restriction, which shall run with the land, shall be filed with the city and shall include both of the following:

1. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers; and

2. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.

I. Timing. A permit shall be issued within sixty days of submission of an application for a junior accessory dwelling unit that meets the criteria in this section and is part of an existing single-family dwelling.

J. For the purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

K. For the purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

L. A junior accessory dwelling unit created under this chapter shall be maintained with the provisions of this chapter and shall not be destroyed or otherwise converted to any other use (including reverting to a portion of the primary dwelling unit) except with approval of the planning director. In considering such requests, the planning director shall consider the length of time such permit has been in force, the conditions of approval, the exceptions granted for the permit, and the impact on the city's affordable housing supply. As a condition of termination, the planning director shall require the owner to make modifications to the property to: (1) comply with current building code requirements and (2) comply with current development standards in effect at the time of the request to terminate the use of the ADU.

17.58 - Condominium Conversions

17.58.010 – Purpose

The purposes of this chapter are to:

A. Establish criteria for the conversion of existing multiple-family rental housing to condominiums, community apartments, stock cooperatives, and any other subdivision.

B. Reduce the impact of such conversions on residents in rental housing who may be required to relocate due to the conversion of apartments to condominiums by providing for procedures for notification and adequate time and assistance for relocation.

C. Ensure that purchasers of converted housing have been properly informed as to the physical condition of the structure which is offered for purchase.

D. Ensure that converted housing achieves a high degree of appearance, quality, and safety and is consistent with the goals of the city.

E. Provide a reasonable balance of ownership and rental housing in the city and a variety of choices of tenure, type, price, and location of housing.

F. Maintain a supply of rental housing for low- and moderate-income persons.

17.58.020 - Permit Requirement

A Conditional Use Permit and, where applicable, subdivision approval are required for the conversion of an existing apartment unit for sale, transfer, or conveyance as a condominium, townhouse condominium, stock cooperative, or community apartment, collectively referred to in this chapter as a community housing project.

17.58.030 - Application Requirements

An application for conversion of an apartment shall include a tentative subdivision map, a development plan consisting of all materials normally required by the city for a use permit, and a physical elements report detailing the condition of the property in a form established by the director. The physical elements report is to ensure that the units offered for sale conform to a reasonable level of soundness and repair. The physical elements report shall be prepared by a registered civil or structural engineer, licensed general contractor or architect and include all of the following:

A. The condition of all elements of the property, including foundations, ventilation, utilities, walls, roofs, windows, mechanical equipment, appliances which will be sold with the units, common facilities and parking areas. For each element: the date of construction, the condition, the expected useful life, the cost of replacement, and any variations from the zoning regulations in effect when the last building permit was issued for the structures. The report shall identify all defective or unsafe elements or those that may impair the use and enjoyment of the property, and explain the proposed corrective measures to be used.

B. A report from a licensed pest-control operator describing in detail the presence and effects of any wood-destroying organisms.

C. A report of any known soil or geological problems. Reference shall be made to any previous soil reports for the site.

D. A site plan which shall include at least the following:

1. The location, number of stories, number of all dwellings, and proposed uses for each structure to remain and for each proposed new structure.

2. The location, use and type of surfacing for all open storage areas, driveways, pedestrian ways, vehicle parking areas and curb cuts.

3. The location, height and type of materials for walls or fences.

4. The location of all landscaped areas, the type of landscaping, method of irrigation, and a statement specifying private or common maintenance.

5. The location and description of all recreational facilities.

6. The location, size and number of parking spaces to be used in conjunction with each unit.

7. The location, type, and size of all drainage pipes and structures.

8. Existing contours, building pad elevations and percent slope for all driveways and parking areas.

9. Any other information the director determines to be necessary to assist in determining whether the proposed project will be consistent with the purposes of this chapter.

17.58.040 - Copy to Buyers

Prior to the execution of an agreement to purchase a unit, stock, or exclusive right to lease in the community housing project, the subdivider shall provide each purchaser with a copy of all reports (in their final, acceptable form). The developer shall provide the purchaser with sufficient time to review such reports. Copies of the reports shall be made available at all times at the sales office.

17.58.050 – Hearing

Prior to any tentative subdivision map and/or special use permit approval of a conversion, the City Council shall hold a noticed public hearing at which both the tentative map and a use permit shall be considered. In addition to the standard notice requirements for tentative maps and use permits, a ten-day notice shall be given by mail to the present tenants of the building proposed for conversion.

17.58.060 - Nonconforming Uses or Structures

No apartment building that is a nonconforming use or a nonconforming structure because of parking, setback, height, interior yard space and/or other standards of this development code shall be eligible for conversion.

17.58.070 - Physical Standards for Conversions

The commission shall require that all conversions conform to all applicable requirements of the Municipal Code and this zoning code in effect at the time of the tentative map approval, except as otherwise provided in this section. All applicable requirements of the Amador City Municipal Code must be met and nonconformity corrected prior to the approval of the final map, unless adequate security is provided, as approved by the city attorney, to assure completion of the corrective work prior to the closing of any escrow of any unit in the community housing project.

A. Mandatory Physical Standards. The commission shall require conformance with the standards of this section in approving the use permit.

1. Building Regulations. Except as provided in this section, the project shall comply with: applicable standards of the Americans with Disabilities Act and the Building Code in effect on the date that the last building permit was issued for each structure prior to the conversion application.

2. Fire Prevention.

    a. Smoke Detectors. Each living unit shall be provided with approved detectors of the products of combustion other than heat, conforming to the latest UBC standards.

    b. Maintenance of Fire Protection Systems. All fire hydrants, fire alarm systems, portable fire extinguishers and other fire protective appliances shall be maintained in an operable condition at all times.

    c. Maintenance of Emergency Vehicle Access/Fire Lanes. All emergency vehicle access and established fire lanes shall be maintained at all times.

3. Sound Transmission.

    a. Shock Mounting of Mechanical Equipment. All permanent mechanical equipment, such as motors, compressors, pumps and compactors, which is determined by the city's building official or engineer to be a source of structural vibration of structure-borne noise shall be shock-mounted with inertial blocks or base and/or vibration insulators in a manner approved by the building official.

    b. Noise Standards. The structure shall conform to all interior and exterior sound transmission standards then in effect in the city.

4. Utility Metering. Each dwelling unit shall be separately metered for gas, water and electricity.

5. Landscape Maintenance. All landscaping shall be restored as necessary and maintained to achieve a good appearance and high quality.

6. Condition of Equipment and Appliances. The developer shall provide written certification and ninety-day warranty to the buyer of each unit at the close of escrow that any dishwashers, garbage disposals, stoves, refrigerators, hot water tanks and air

conditioners that are provided are in operable working condition as of the close of escrow. At the time the homeowner's association takes over management of the development, the developer shall provide written certification and ninety-day warranty to the association that any pool and pool equipment (filter, pumps, chlorinator, and any appliances and mechanical equipment to be owned in common by the association) is in operable working condition.

7. Refurbishing and Restoration. All main buildings, structures, fences, patio enclosures, carports, accessory buildings, sidewalks, driveways, landscaped areas and additional elements as required by the commission shall be refurbished and restored as necessary to achieve a good appearance, high quality and high degree of safety. A report from a licensed pest control operator describing in detail the presence and effects of any wood destroying organisms shall be prepared and filed with the city.

8. Laundry Facilities. A laundry area shall be provided in each unit.

9. Private Open Space. Each proposed unit shall be provided a minimum of one hundred fifty square feet of outdoor open space for the exclusive use of the unit.

B. Advisory Physical Standards. In addition to the above, the proposed community housing project shall meet any mandatory development standards and shall substantially conform to any advisory standards for the construction of new community housing projects, which standards have been accepted by the council and are in effect at the time of the review.

17.58.080 - Tenant Provisions

A. Notice of Intent. Prior to the filing of the application for approval of a tentative map, the subdivider shall give a written notice of intent to convert to each tenant and shall furnish proof of service of such notice in the application. The form of the notice shall be as approved by the community development department and shall contain not less than the following:

1. Name and address of current owner;
2. Name and address of the proposed subdivider;
3. Approximate date on which the conversion is to be completed;
4. Approximate date on which the unit is to be vacated by non-purchasing tenants;
5. A clear and full statement to the tenant's:
   a. Right to purchase, including but not limited to, period of time in which exercisable, estimated price range, method of exercising right;
   b. Right of a least one hundred twenty-day notification to vacate; and
   c. Right of termination of the lease.
6. Other necessary information which may be required for an adequate and fair disclosure.

B. Tenants Right to Purchase. As provided in Government Code Section 66421.1(b), any present tenant or tenants of any unit shall be given a nontransferable right of first refusal to purchase the unit occupied at a price no greater than the price offered to the general public. The right of first refusal shall extend for at least sixty days from the date of issuance of the subdivision public report or commencement of sales, whichever date is later.

C. Vacation of Units. In addition to any legally required notice to terminate a lease, each non-purchasing tenant, not in default under the obligations of the rental agreement or lease under which he or she occupies his or her unit, shall be given one hundred twenty-day

written [notice] which provides a specific date for vacating the unit, and by which he or she must find substitute housing for relocation. The notified vacation date shall be at least one hundred twenty days from the filing date of the final subdivision map or parcel map.

D. Notice to New Tenants. After submittal of the tentative map, any prospective tenants shall be notified in writing of the intent to convert prior to leasing or renting any unit.

17.58.90 - Effect Upon Low- and Moderate-Income Housing Supply

In reviewing requests for conversion, the planning commission shall consider:

1. Whether the amount and impact of the displacement of tenants caused by the conversion would be detrimental to the health, safety, or general welfare of the community.

2. The role that the housing structure plays in the existing housing rental market.

3. The conversion of "very low", and "other low" income rental units to market rate units should not be allowed unless it can be demonstrated that the city can meet it's "fair share allocation" of affordable housing, after the conversion is complete. The city shall rely upon the (fair share allocation" shown in the general plan housing element and mandated by the department of housing and community development.

17.58.100 - Required Findings

An application for condominium conversion shall not be approved unless the City Council first finds that:

1. All submittal and procedural requirements of this chapter are met.

2. The proposed conversion is consistent with the general plan.

3. The proposed conversion will conform to the city's codes in effect at the time of tentative map approval, except as otherwise provided in this chapter.

4. The overall physical condition of the condominium conversion substantially meets the city's design criteria to achieve a good appearance, high quality and high degree of safety.

5. The proposed conversion will not displace a significant percentage of low and moderate income or senior citizen tenants, and will not delete a significant number of low and moderate income rental units form the city's housing stock.

6. The project as approved or conditionally approved will meet all mandatory development standards and will substantially comply with the adopted advisory standards for new condominiums construction, which standards are in effect at the time of approval.

7. Each dwelling unit provides a commonly accepted expectation for safety convenience and amenities for owner-occupied residences.

8. Vacancies in the project have not been intentionally increased for the purpose of preparing the project for conversion.

17.60.035 - Reasonable Accommodation for Residential Uses

A. Purpose

1. It is the City's policy to provide individuals with disabilities reasonable accommodation in regulations, policies, practices and procedures to ensure equal access to housing and to facilitate the development of housing for individuals with disabilities. This article provides for reasonable accommodations in land use or zoning regulations, and in the application of land use, zoning, or building policies, procedures and practices to eliminate barriers to housing opportunities.

2. This article and related regulations implement the requirements of Federal and State fair housing laws, including the Federal Fair Housing Act (42 U.S.C. Section 3601 et seq.), the California Fair Employment and Housing Act (Government Code Section 12900 et seq.), and the California Disabled Persons Act (Civil Code Section 54 et seq.). (§4, Ord. 2131, eff. 7/18/14) Sec. 10-2.3.1302.

A. Applicability

A request for reasonable accommodation can be made by any individual with a disability, his or her representative, or a developer or provider of housing for an individual with a disability, when the application of a land use or zoning regulation, or land use, zoning, or building policy, practice or procedure acts as a barrier to fair housing. Any land use or zoning regulation or requirement contained in this chapter pertaining to residential use classifications may be waived or modified upon the granting of an application for reasonable accommodation.

C. Application. The purpose of granting an application for reasonable accommodation is to provide an individual with a disability, his or her representative, or a developer or provider of housing for an individual with a disability, a modification with respect to the application of land use, or zoning regulations, and in the application of land use, zoning, or building policies, practices or procedures when those regulations, policies and procedures act as a barrier to fair housing.

An application for reasonable accommodation may be filed with the Community Development Department as provided in Article 2 of this part. The application shall be accompanied by the following information:

1. The name, address and telephone number of the applicant.

2. The name, address, and telephone number of the owner of the property for which the reasonable accommodation request is being made.

3. The current use of the property for which the reasonable accommodation request is being made.

4. If the applicant is someone other than the property owner, a letter of agency or authorization signed by the property owner consenting to the application being made.

5. The basis for the claim that the individual to be reasonable accommodated is an individual with a disability under the fair housing laws.

6. The land use or zoning regulation, or land use, zoning, or building policy, practice or procedure for which reasonable accommodation is being requested.

7. The type of accommodation sought.

8. The reason(s) why the accommodation is necessary for the needs of the disabled person. Where appropriate, include a summary of any potential means and alternatives considered in evaluating the need for the accommodation.

9. Copies of memoranda, correspondence, pictures, plans or background information reasonably necessary to reach a decision regarding the need for the accommodation.

10. Other supportive information deemed necessary by the department to facilitate proper consideration of the request, consistent with fair housing laws.

11. There is no fee imposed on the filing or processing of the application for reasonable accommodation.

D. Notice and Public Hearing. Notice and conduct of public hearing shall be according to Section 17.76.090 – Notices and Section 17.76.100 – Public Hearing.

E. Findings. The reviewing authority shall approve the application, with or without conditions, unless it determines based on substantial evidence that one (1) or more of the following findings cannot be made:

1. The accommodation is requested by or on behalf of an individual with a disability protected under the fair housing laws.

2. The housing, which is subject to the requested accommodation, will be used by an individual with a disability protected under fair housing laws.

3. The requested accommodation is necessary to provide an individual with a disability an equal opportunity to use and enjoy a dwelling.

4. The requested accommodation will not impose an undue financial or administrative burden on the City.

5. The requested accommodation would not require a fundamental alteration in the nature of a city program or law, including land use and zoning.

17.08.042 – Low Barrier Navigation Centers

Pursuant to Government Code Section 65662, low barrier navigation centers shall be allowed by right in any mixed use and nonresidential zoning districts permitting multifamily uses.

17.08.044 – Transitional and Supportive Housing

A. Pursuant to Government Code Section 65583, supportive housing and transitional housing shall be subject to those restrictions that apply to other residential dwellings of the same type in the same zoning district.

B. Pursuant to Government Code Section 65651, permanent supportive housing shall be allowed, by right, in any mixed use and nonresidential zoning districts permitting multifamily uses.

17.08.046 – Special Needs Housing

A. Persons with Disabilities. Group homes of 7 or more personal shall be permitted in all zones allowing residential uses and shall be subject to those restrictions that apply to other residential dwelling of the same type in the same zoning district.

B. Employee Housing. Employee housing providing accommodations for six or fewer employees shall be deemed a dwelling and shall be subject to the permit requirements and development standards and regulations for a family dwelling of the same type in the same zone, as provided by California Health and Safety Code Section 17021.5.

C. Emergency Shelters.

1. Emergency shelters are allowed in the R-4 zone with a conditional use permit and in the M-1 zone through administrative site plan review.
2. Emergency shelters are allowed as an accessory use ancillary to churches and places of worship with an administrative site plan review.
3. Where allowed, emergency shelters are subject to the standards that apply to residential or commercial development in the same zone and are also subject to the following requirements:
    a. Capacity. The facility shall not exceed a maximum of 40 persons served nightly.
    b. Parking. Parking shall be provided to accommodate all staff working in the emergency shelter, provided that the parking requirement does not exceed the parking requirement for other residential or commercial uses within the same zone.
    c. Size and location of exterior and interior onsite waiting areas. The facility shall provide exterior client waiting areas at a ratio of not less than 15 square feet per client and shall provide interior client waiting areas at a ratio of not less than 15 square feet per client. The exterior waiting area shall not be located adjacent to the public right-of-way, shall be located behind a minimum six-foot-tall mature landscaping or a minimum six-foot-tall decorative masonry wall that separates the waiting area from public view, and shall be located in an area with provisions for shade protection and rain protection.

d. Size of intake areas. The facility shall provide an intake area of a minimum of 200 square feet.

e. Onsite management and security. The facility shall provide on-site management 24 hours and shall provide on-site security for all hours that the emergency shelter is in operation, including all times that staff is present. A management plan shall be submitted detailing how the shelter will provide onsite management and security.

f. Proximity. The emergency shelter shall be at least 300 feet from any other emergency shelter.

g. Length of stay. The maximum length of stay at the facility shall not exceed 120 days in a 365-day period.

h. Lighting. Adequate exterior lighting shall be provided for security purposes. The lighting shall be stationary and shielded/downlit away from adjacent properties and public rights-of-way.

Chapter 17.58 DENSITY BONUSES

17.58.010 Purpose.

The purpose of this section is to implement requirements of the State Density Bonus Law (California Government Code Title 7, Division 1, Chapter 4.3, Sections 65915, et seq.), and the city's housing element by specifying how the city shall provide density bonuses and other incentives, concessions, or waivers to developers for the production of housing affordable to lower income households, moderate income households, and senior citizens, and to increase the availability of childcare facilities in the city. Nothing in this chapter is intended to create a mandatory duty on behalf of the city or its employees under the Government Tort Claims Act, and no cause of action against the city or its employees is created by this chapter that would not arise independently of the provisions of this chapter.

17.58.020 Definitions.

All terms used in this chapter shall be interpreted in accordance with the definitions herein except to the extent otherwise defined in the State Density Bonus Law.

"Affordable rent" means the maximum monthly rent for a specified income level calculated in accordance with Health and Safety Code Section 50053 and implementing regulations.

"Affordable sales price" means the maximum housing cost for a specified income level, calculated in accordance with Health and Safety Code Section 50052.5 and implementing regulations.

"Affordable units" means those dwelling units which are required to be rented at affordable rents or sold at an affordable sales price to very low income households, low income households, or moderate income households.

"Applicant" or "developer" means a person, persons, or entity who applies for a housing development, as well as the owner or owners of the property if the applicant does not own the property on which development is proposed.

"Area median income" or "AMI" means the median family income (adjusted for family size) for Placer County promulgated and published annually by the California Department of Housing and Community Development ("HCD") pursuant to Title 25, Section 6932 of the California Code of Regulations.

"Childcare facility" means a childcare facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school age child care centers.

"Concession or incentive" is as defined in Government Code Section 65915.

"Density bonus" means a density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the applicant to the city, as defined by Government Code Section 65915.

"Director" means the community planning director, or a designee of the community development director.

"Housing development" is a residential development project for five or more residential units, including mixed-use developments, as defined in Government Code Section 65915.

"Planned development" is as defined in Civil Code Section 1351(k).

"Total units" means a calculation of the number of units in a housing development, excluding units added by a density bonus award pursuant to this chapter and including units designated to satisfy an inclusionary zoning requirement if applicable.

17.58.030 Eligible Projects.

The city shall grant one density bonus, the amount of which shall be as specified in section 17.58.040 and if requested by the applicant and consistent with the applicable requirements of this chapter, incentives or concessions, as described in subsection 17.58.050, reduced parking ratios, as described in subsection 17.58.060, and waivers and reductions, as described in subsection 17.58.070, if the housing development proposed by the applicant meets at least on of the following requirements:

A. A minimum of five percent of the total units of the housing development is restricted and affordable to very low-income households as defined in Health and Safety Code Section 50105.

B. A minimum of ten percent of the total units of the housing development is restricted and affordable to lower income households as defined in Health and Safety Code Section 50079.5.

C. A minimum of ten percent of the total units of the housing development is sold to moderate income households, as defined by Health and Safety Code Section 50093, provided that all units are offered to the public for purchase.

D. The housing development qualifies as a senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Civil Code Sections 798.76 or 799.5.

E. A minimum of ten percent of the total units of a housing development are used for transitional foster youth, as defined by Education Code Section 66025.9, disabled veterans, as defined in Government Code Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), and are subject to a recorded affordability restriction of fifty-five years and provided at the same affordability as very low income units.

F. All of the units of the housing development are used for students enrolled full-time at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges, in which a minimum of twenty percent of the total dwelling units are for lower income households, with priority given to students experiencing homelessness (verified pursuant to Section 65195(b)(1)(f)(i)(IV) of the Government Code), and the rent for such units does not to exceed thirty percent of sixty-five percent of the area median income for a single-room occupancy unit type.

17.58.040 Density Bonus.

If a project meets the requirements set forth in section 17.58.030, the applicant shall be entitled to a density bonus calculated as set forth herein. Each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.

A. One Hundred Percent Affordable Housing Development. If one hundred percent of the units in the housing development are lower income or very low-income units, excluding manager's units, with up to twenty percent of the units for moderate income households,

the city shall allow an eighty percent maximum density bonus and four concessions or incentives meeting all the applicable eligibility requirements of this chapter.

B. Very Low-Income Housing Development. A very low-income housing development that meets the requirements of subsection 17.58.030(A) shall be entitled to the following density bonus calculation and number of incentives or concessions:

Very Low-Income Unit Percentage	Density Bonus	Incentives or Concessions
5—9%	20—30%	1
10—11%	32.5—35%	2
12—13%	38.75—42.5%	2
14%	46.25%	2
15—99%	50%	3
100% (Can include a combination of very low and low income, with up to 20% moderate income)	80%	4

C. Low Income Housing Development. A low-income housing development that meets the requirements of subsection 17.58.030(B) shall be entitled to the following density bonus calculation:

Low-Income Unit Percentage	Density Bonus	Incentives or Concessions
10—13%	20—24.5%	1
14—16%	26—29%	1
17—20%	30.5—35%	2
24—99%	50%	3
100% (Can include a combination of very low and low income, with up to 20% moderate income)	80%	4

D. Moderate Income Housing Development. A moderate income housing development that meets the requirements of subsection 17.58.030(C) shall be entitled to the following density bonus calculation and number of concessions or incentives:

Moderate Income Unit Percentage	Density Bonus	Incentives or Concessions
10—15%	5—10%	1
16—19%	11—14%	1
20—29%	15—24%	2
30—35%	25—30%	3
36—42%	31—42.5%	3
43—44%	46.25—50%	3
45—99%	50%	3
100% (Can include a combination of very low and low income, with up to	80%	4

20% moderate income)		

E. Senior Citizen Housing Development. A senior citizen housing development that meets the requirements of subsection 17.58.030(D) shall be entitled to a twenty percent density bonus.

F. Transitional Housing Development. A transitional housing development that meets the requirements of subsection 17.58.030(E) shall be entitled to a twenty percent density bonus.

G. Student Housing Development. A student housing development that meets the requirements of subsection 17.58.030(F) shall be entitled to a thirty-five percent density bonus and shall be entitled to one concession or incentive.

17.58.050 Concessions or incentives.

For purposes of this chapter, concessions and incentives include the following:

A. A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code.

B. Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

C. Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

17.58.060 Parking reductions.

If a housing development meets the requirements of 17.58.030, the following parking requirements apply. If the total number of parking spaces for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this section, a housing development may provide onsite parking through tandem parking or uncovered parking, but not through on-street parking.

A. General Parking Requirements. Upon an applicant's request, the city may not require more than the following parking ratios for housing developments (inclusive of parking for persons with disabilities):

Studio	1 space
1 Bedroom	1 space
2 Bedroom	1.5 spaces

3 Bedroom	1.5 spaces
4 Bedroom	2.5 Spaces

B. Special Parking Requirements. Notwithstanding subsection (A), upon the request of a developer, the city shall not impose a parking ratio, inclusive of parking for persons with a disability and guests, that exceeds the following for specified projects:

Rental or for-sale housing development with at least 11% very low income or 20% low income units, within ½ mile of accessible major transit stop.	0.5 spaces per unit
For-sale housing development with at least 40 percent moderate-income units, within ½ mile of a major transit stop, as defined by Public Resources Code Section 21155(b), and where residents of the housing development have unobstructed access to the major transit stop.	0.5 spaces per bedroom
Rental housing development that is 100% affordable to lower income households, as defined by Health and Safety Code Section 50079.5, within ½ mile of accessible major transit stop.	0 spaces per unit
Rental senior citizen housing development that is 100% affordable to lower income households, either with paratransit service or within ½ mile of accessible bus route (operating at least eight times a day).	0 spaces per unit
Rental housing development that is 100% affordable to lower income households that is a special needs housing development, as defined in Health and Safety Code Section 51312.	0 spaces per unit
Rental housing development that is 100% affordable to lower income households that is a supportive housing development, as defined in Health and Safety Code Section 5675.14.	0 spaces per unit

C. The application of the ratios herein does not reduce or increase the number of incentives or concessions to which an applicant is entitled. An applicant may request parking incentives or concessions beyond those provided herein.

17.58.070 Waiver or reduction of development standards.

If a development standard would physically prevent the housing development from being built at the permitted density and with the granted concessions or incentives, the developer may propose to have those standards waived or reduced. The city is not required to waive or reduce development standards that would cause a public health or safety problem, an environmental problem, harm historical property, or would be contrary to law. The waiver or reduction of a development standard does not count as a concession or incentive, and there is no limit on the number of development standard waivers that may be requested or granted.

17.58.080 Land donation bonus.

When an applicant for a tentative subdivision map, parcel map, or other housing development donates land to the city that meets the requirements of subsection (A), the applicant shall be entitled to the density bonus calculations in subsection (B).

A. Requirements. An applicant will be entitled to a density bonus if the land donation meets the following requirements:

1. The land is donated and transferred no later than the date of approval of the final subdivision map, parcel map, or residential development application to the city or to a

housing developer approved by the city and by this time the transferred land shall have all permits and approvals, other than building permits, necessary for the development of the very low income housing, with the exception of any design review that would be allowed pursuant to Government Code Section 65583.2(I), as the same may be amended from time to time, if the design has not been reviewed prior to the time of transfer.

2. The zoning classification and general plan designation of the land is appropriate for affordable housing and the land is or will be served by adequate public facilities and infrastructure.

3. The transferred land is at least one acre in size or sufficient size to permit development of at least forty units.

4. There is appropriate zoning and development standards to make the development of the affordable units feasible.

5. The transferred land is within the boundary of the proposed development. The applicant may submit a written request to the city to allow the transferred land to be located within one-quarter mile of the boundary of the proposed project.

B. Density Bonus. Land donations made in accordance with subsection (A) shall be entitled to the following density bonus calculation and number of concessions or incentives:

Low Income Units Percentage	Density Bonus	Incentives or Concessions
10—19%	15—24%	0
20—29%	25—34%	0
30% +	35%	0

17.58.090 Childcare facilities bonus.

When an applicant for a housing development includes a childcare facility that meets the requirements in subsection (A), the applicant shall be entitled to the density bonus in subsection (B):

A. Requirements. If an application for a housing development is submitted pursuant to this chapter, and includes a childcare facility on the premises of, as part of, or adjacent to, the project, the city shall require as a condition of approval that the following occur:

1. The childcare facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable, pursuant to the State Density Bonus Law.

2. Of the children who attend the childcare facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income, pursuant to the State Density Bonus Law.

B. Density Bonus and Concessions or Incentives. If a housing development meets the requirements of subsection (A), then the city shall grant either of the following:

1. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the childcare facility.

2. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.

C. Notwithstanding any requirement of this section, the city shall not be required to provide a density bonus or concession for a childcare facility if it finds, based upon substantial evidence, that the community has adequate childcare facilities.

17.58.100 Condominium conversions.

To receive a density bonus or concessions or incentives set forth in subsection (B), an applicant shall meet the requirements for condominium conversions set forth in subsection (A).

A. Requirements. An applicant proposing to convert apartments to condominiums shall meet the following requirements:

1. A minimum of thirty-three percent of the total units of the housing development shall be restricted and affordable to low-income or moderate-income households, or

2. A minimum of fifteen percent of the total units of the housing development shall be restricted and affordable to lower-income households.

B. Density Bonus or Concessions or Incentives. If an applicant satisfies the conditions in subsection (A), the city shall grant a density bonus or other concessions or incentives of equivalent value. An applicant proposing to convert apartments to condominiums shall be ineligible for a density bonus, concession or incentives under this section if the apartments proposed for conversion constitute a housing development for which a density bonus, concession or incentives were previously provided under this chapter. A density bonus awarded pursuant to this section shall be equal to a twenty-five percent increase in units to be provided within the existing structure or structure proposed for conversion. For concessions or incentives, the city shall not be required to provide cash transfer payments or monetary compensation but may include reductions or waivers of requirements which the city might otherwise apply as conditions of conversion approval.

C. Nothing in this chapter shall be construed to require the city to approve a proposal to convert apartments to condominiums.

17.58.110 Project application.

A. Requirements. To submit a complete application to the city for a density bonus and other concessions or incentives, the applicant shall:

1. Identify the section and/or subdivision of the State Density Bonus Law under which the application is made. See Government Code Section 65915, subdivision (b), paragraph (2) for requirements related to lower income households, very low income households, senior citizen housing development, transitional foster youth housing development, disabled veterans housing development, housing development for homeless persons, and moderate income common interest development; see Government Code Section 65915, subdivision (h) for donations of land; see Government Code Section 65915, subdivision (h) for child care facilities; and see Government Code Section 65915.5 for conversion of apartments to condominium projects.

2. Quantify the total density bonus requested, along with the factual and legal basis for the request in accordance with the State Density Bonus Law and this code.

3. Identify any incentives or concessions requested by the applicant, along with the factual and legal basis for the request in accordance with the State Density Bonus Law and this code.
4. Identify any waivers, reductions, or modifications of development standards requested by the applicant, along with the factual and legal basis for the request in accordance with the State Density Bonus Law and this code.
5. Provide a preliminary sketch plan showing the context and compatibility of the proposed project within the surrounding area, the number, type, size, and location of buildings, and parking. The design of proposed affordable dwelling units shall be compatible with the market-rate dwelling units within the project.
6. Provide information satisfactory to the director to enable the city to determine whether the requirements of the State Density Bonus Law and this code have been met by the applicant, including, for example, the project cost per unit and whether any requested incentive or concession is necessary to make the housing units economically feasible. (See Government Code Section 65915, subdivision (d).) Such information may include capital costs, equity investment, debt service, projected revenues, operating expenses, and any other information deemed necessary by the director.
7. Make payment for the requisite fees in connection with the application.

B. Review. The director shall review the information provided by the applicant and shall make a recommendation the decision-making body for the proposed project regarding the density bonus and any requested concessions, incentives, waivers, reductions, or modifications. To the extent the director recommends the grant of a density bonus, concession, incentive, waiver, reduction, or modification, any such grant shall be conditioned upon the applicant's compliance with all relevant obligations set forth in the State Density Bonus Law and this code.

C. Approval. The decision-making body for the proposed project shall also make the final decision on behalf of the city related to any application submitted in accordance with this section based on the director's recommendation and on substantial evidence. This chapter shall not be interpreted to require that the city grant a concession or incentive that has a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Government Code Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact, or that would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

17.58.120 Enforcement; conditions.

A. Affordable units under this section shall be constructed at the same time as the market-rate units.

B. The right to a density bonus or any other concession, incentive, or waiver under this chapter shall not be transferred to another development.

C. Where a developer proposes to simultaneously develop two or more parcels in the city, nothing in this section shall prohibit the city from using a density bonus and/or concession/incentive granted for one of the parcels on another of the multiple parcels.

D. The developer and/or property owner shall provide the city a yearly accounting of the total project units occupied and vacant, the total occupied and vacant units designated for households of moderate income, households of low income, and households of very low income.

E. An applicant shall agree to ensure that a for-sale unit that qualified the applicant for award of a density bonus meets either of the following conditions:

1. The unit is initially occupied by a person or family of very low, low, or moderate income, as required, and it is offered at an affordable housing costs and is subject to an equity sharing agreement, or

2. The unit is purchased by a qualified nonprofit housing corporation pursuant to a recorded contact that satisfies all of the requirements specified in paragraph 10 of subsection (a) of Section 402.1 of the Revenue and Taxation Code and that includes the restrictions set forth in Government Code Section 65915(c)(2).

F. An applicant shall agree to ensure the continued affordability of all very low and low-income rental units that qualified the applicant of the award of the density bonus for fifty-five years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

G. The city may require a density bonus agreement or recorded affordability restrictions to effectuate any of the requirements of this chapter and to ensure compliance therewith. Such agreements shall be on a form approved by the city attorney.

7

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2025 Walk-A-Thon

Business & Family Sponsor Form

Sutter Creek Elementary School's annual Walk-A-Thon is on Tuesday, November 25th. Students will participate to improve their physical fitness while having fun and raising funds which help provide physical education with Coach Colton, student Chromebooks, and classroom supplies. They also make possible Fun Friday treats and other special events that create joyful, lasting memories for our students.

With your support, we hope to raise $20,000! We thank you in advance for your generous donation and support of our schools and students.

Sponsorship Questions: Call SCEPTOR parent volunteer Taylor Kwoka (209) 304-7252 or email: taylorkwoka@gmail.com

Sponsorship Deadline: October 27th, 2025

SPONSOR LEVELS

Friend of the Walk-A-Thon: $25 -$50
- Named as a sponsor on social media.

Water Station Sponsor: $100
- Sponsor's logo on signage at the water station.
- Public recognition on social media

Bronze Sponsor: $150
- X-Small name on event t-shirts worn by students and teachers year round.
- Public Recognition in announcements, social media.

Silver Sponsor: $250
- Small name on event t-shirts worn by students and teachers year round.
- Public Recognition in announcements and social media.
- Small name on banner displayed on school sites for the rest of the year.

Gold Sponsor: $500
- Medium sized name on event t-shirts worn by students and teacher year round.
- Public Recognition in announcements and social media.
- Medium sized name on banner displayed on school sites for the rest the year.
- Listed in yearbook as Community Sponsor
-

Platinum Sponsor: $750
- Large sized name or logo (your choice) on event t-shirts worn by students and teachers year round.
- Public Recognition in announcements and social media.
- Large sized name or logo (your choice) on banner displayed on sch sites for the rest of the year.
- Listed in yearbook as Community Sponsor
-

Diamond Sponsor: $1000
- X-Large sized name or logo (your choice) on event t-shirts worn by students and teachers year round.
- Public Recognition in announcements and social media.
- X-Large sized name or logo (your choice) on banner displayed on school sites for the rest of the year.
- Listed in yearbook as Community Sponsor

Business/Family Sponsor:

Sponsorship Level:_____ Donation: $_____

Business/Names as you would like it to appear: _____

Contact Name: _____ Phone: _____ Email:_____

Address: _____

Website:_____

If you have purchased a sponsorship level with a logo - please email preferred logo to taylorkwoka@gmail.com

Make checks payable to: SCEPTOR
140 SPANISH ST. SUTTER CREEK CA 95685
TAX ID# 68-0447992 (Fiscally sponsored by Amador Community Foundation)

Sutter Creek Elementary
Home of the Wolverines

8

Proposed Ad Hoc Sewer Committee

Task/Scope: Research and report on the following:

1. Improvements to the existing wastewater treatment system, starting with the potential for solar.
2. Options for a future wastewater treatment system for Amador City.

Timeline: 2 years

Report/Memo: Ad hoc committees

1. The original sewer committee was approved by city council in 2024, with a timeline of 6 months. The timeline expired and the committee members are requesting that City Council approve re-establishing it.

2. Process
Council approves creating committees, including ad hoc committees, the committee's scope, and timeline. An ad hoc committee is a temporary group formed to address a specific, defined task or issue that requires focused attention, after which it is disbanded. It reports to city council, can advise city council, and takes direction from city council.

3. Scope
The scope of a committee, particularly an ad hoc committee, is its purpose, its task.

4. Brown Act and ad hoc committees
City Council Committees are legislative and subject to provisions of the Brown Act. Ad hoc committees, since they are established by city council, are legislative and therefore also subject to Brown Act, with one exception: ad hoc committees with less than a quorum of members of city council.

   The following rules apply:
   a. it is purely advisory
   b. it has less than a quorum of members of city council
   c. it must not have continuing subject matter jurisdiction
   d. it must not have a meeting schedule fixed by city council